

Administrative Information

Industry Reference Committee (IRC) name	Tourism, Travel and Hospitality Industry Reference Committee
Skills Service Organisation (SSO) name	SkillsIQ Limited
Training Package name examined	SIT Tourism, Travel and Hospitality
Training Package Product review proposed	See Attachment A
Stakeholder consultation method and scale	See Attachment B
Supporting information – overview of RSA legislation, regulation and training across Australia	See Attachment C (Table 1 and Table 2)

Background

The Australian Industry and Skills Committee (AISC) commissions Training Package development work on the basis of evidence of industry need for that change. SkillsIQ, under the direction of the Responsible Service of Alcohol (RSA) Technical Advisory Committee (TAC), and the Tourism, Travel and Hospitality Industry Reference Committee (IRC), has prepared this Case for Change to set out the evidence to review and update the Unit of Competency *SITHFAB002 Provide responsible service of alcohol* and associated Skill Set *SITSS00055 Responsible Service of Alcohol* in relation to the nationally recognised *SIT Tourism, Travel and Hospitality Training Package*.

Training Package Products proposed for update

The Case for Change proposes an update of the following Training Package Products:

Units of Competency

- SITHFAB002 Provide responsible service of alcohol

Skill Sets

- SITSS00055 Responsible Service of Alcohol Skill Set

See **Attachment A** for a list of the Training Package Products proposed.

Advice on new Training Package Products

This Case for Change proposes to review an existing Unit of Competency and Skill Set from the *SIT Tourism, Travel and Hospitality Training Package* to ensure they are current and relevant. At present, all states and territories have their own legislation and regulation which is referenced and incorporated in training regarding responsible service of alcohol (RSA). A review and update is required to ensure competencies are up-to-date and also work toward a national RSA Unit of Competency that can be used across all jurisdictions to better address key industry needs.

The Case for Change

Drivers for change

The hospitality industry is experiencing a number of challenges regarding skills shortages, workforce mobility and regulatory requirements which are impacting workforce training and skills needs. A summary of the key **industry and workforce-based factors driving changes** is provided below.

- **Cross-jurisdictional consistency**

As stated earlier, all states and territories have their own legislation and regulations which set out RSA requirements in the workplace, and consequently these nuances must be included in training. Whilst all jurisdictions mandate compulsory RSA certification for their workforce with duties and responsibilities in serving or supplying alcohol, an RSA certification obtained in one jurisdiction may not always be recognised by another jurisdiction. For example, an RSA certification issued in Queensland (i.e. an RSA Statement of Attainment) is not recognised in New South Wales nor Victoria. Regulators in New South Wales and Victoria instead issue an RSA competency card and an RSA Certificate which is subsequently not recognised in Queensland, nor other jurisdictions. See **Attachment C (Table 1)** for an overview of legislation applicable to RSA, regulation and training options across all jurisdictions in Australia.

The separate certification processes and Regulator requirements of states and territories mean that currently, hospitality workers who move interstate (i.e. across jurisdictions) to continue working in the sector need to do initial RSA training multiple times to comply with local workforce requirements. Undertaking introductory RSA training more than once means individuals are covering skills and content already learnt (and in many cases, applied in a work setting), thereby creating a repetitive procedure not adding value to an individual's existing knowledge or skills-base. Some examples of content and areas specified in the Elements and Performance Criteria of *SITHFAB002 Provide responsible service of alcohol* which are covered in training of *all* jurisdictions (and therefore is covered repeatedly by workers who move across the country) include:

- The definition of 'standard drinks' – this is the same across all jurisdictions and quantities are specified by the Australian Government Department of Health.¹
- Acceptable forms of identification to demonstrate proof of age prior to sale or service – evidence of age documents are specified in each jurisdiction's legislation (i.e. New South Wales' Liquor Act 2007, South Australia's Liquor Licensing Act 1997, Western Australia's Liquor Control Act 1988 etc.) and all cover the main documents which include an adult proof of age card, a driver license (Australian or international), a passport (Australian or international) and another form of ID which shows current photo and Date of Birth.
- The definition of 'intoxication' or 'drunk'² – this is consistent across all jurisdictions and specified in the respective legislations. All definitions reflect observations of speech, balance, co-ordination and behaviour.

¹ Australian Government Department of Health, Standard drinks guide (Available at: <http://www.alcohol.gov.au/internet/alcohol/publishing.nsf/Content/drinksguide-cnt>) (Accessed: 6 July 2018)

² Legislation in Western Australia (Liquor Control Act 1988) and the Northern Territory (Liquor Act 20 June 2018) refer to the term 'drunk' where as all other states and territories use the terminology 'intoxicated'.

See **Attachment C (Table 2)** for more information and an overview of RSA legislation requirements mapped across the current Performance Criteria of *SITHFAB002 Provide responsible service of alcohol*.

Undertaking training incurs costs for both individual workers, as well as employers. A move towards establishing a Unit of Competency that is able to be used across jurisdictions can support the sector to realise economic benefits in a number of ways:

- **Reduce training and certification costs** for workers who have relocated to another jurisdiction and who have already undertaken initial training
- **Minimise potential loss of wages** for workers (and **income generation** for employers) as a result of staff absenteeism to attend training
- **Facilitate labour mobility across** the country and support industry address skills shortages (e.g. by transferring staff across states and territories by national employers, and facilitate the employment of working holiday makers who regularly travel from one jurisdiction to another)
- **Maximise retention of staff in sector** by facilitating RSA certified workers who move jurisdictions to continue working in hospitality as their initial certification is recognised and they are not obliged to re-do (and pay for) training they have already done.

In addition, a number of RTOs that have on scope hospitality qualifications which incorporate the RSA training product of focus (e.g. SIT30616 Certificate III in Hospitality and SIT40516 Certificate IV in Commercial Cookery) are indicating they are approved to deliver training and assessment across multiple jurisdictions when this is not correct. Due to the varying Regulator requirements, some RTOs promoting cross-jurisdictional training options may not be approved to do so in all jurisdictions, therefore mis-informing students of training options.

As a result, there is an urgent requirement to review the current Training Package Products **to maximise consistency of training across the country and ensure all requirements of jurisdictions are reflected**. This will support industry's need to access a uniform training option which provides quality outcomes.

- **Regulations have been changing**

Over time, regulations set out by the different states and territories have been revised, and changes made republished in updated versions. For instance, a revised version of the Northern Territory's Liquor Act was effective as of the 20 June 2018, and their Liquor Regulations a few months earlier, 28 February 2018. The ACT's Liquor Act 2010 was republished 24 May 2018 and Queensland's Liquor Act 1992 was revised and also republished this year, 19 April 2018. Some examples of key changes reflected in regulation which have impacted the hospitality sector include:

- Sydney's lockout laws – the Liquor Amendment Act 2014 was enforced to amend New South Wales' Liquor Act 2007 and the Liquor Regulation 2008 regarding sections addressing 'standard trading periods for certain licensed premises' and defining 'freeze period' for the Kings Cross precinct. The amendments have declared new conditions for licensed premises in the prescribed precincts to trade in.

- Compulsory ID scanning laws (various jurisdictions) – a number of jurisdictions (e.g. Queensland and New South Wales) have via regulation, enforced requirements for licensed premises to conduct compulsory scanning of photo ID of patrons to capture key information including name, date of birth and address. Conditions for scanning requirements are specified in regulation and specify type of premises it is applicable for, as well as timings for scanning and other conditions.
- South Australian reforms – Reviews of the South Australian Liquor Licensing Act 1997, and the passing of the amended legislation, Liquor Licensing (Liquor Review) Amendment Act 2017, in November 2017 has meant a number of reforms have been phased in and include expanding protections for minors, reducing red tape, and introducing additional changes to impact the community in relation to: direct sales, seizure of evidence of age documents , dry zones , welfare barring, training requirements and liquor accords.

Overall, industry has been proactive in changing business practices to address changes in regulation and therefore there is a need for RSA training to also change in line with key regulation changes. A review of the listed Training Package Products will ensure training is current and reflective of key changes which impact how employers in the hospitality sector trade and engage with patrons.

- **Industry training practices have been changing**

Adoption of technology over time and the increased access to the internet has had a significant impact on industries, and the VET sector is no exception. **Course delivery** has shifted from a predominantly face-to-face classroom setting, to a multi-modal face-to-face and online delivery approach or purely online course. RSA training delivery has followed this trend and over time, it has shifted in most jurisdictions from the classroom to an online setting, with only New South Wales³ and Victoria requiring all *initial* RSA training to be delivered face-to-face. Online delivery has been particularly beneficial to improve access to RSA training in regional and remote communities which are often challenged in accessing suitably skilled workers to fill vacancies. Online courses in RSA training are popular with both employers and employees, however, industry has raised issues regarding the quality of training delivered in some online courses, and the **validity of assessment** conducted online.

The **knowledge-based function** of RSA training is significant, and it forms an important foundation to support the development of a range of skills. While the current Training Package Product includes some practical components for skills development, the training must be focused on establishing a solid foundation of knowledge on the topic and related legislation, regulations and venue requirements.

Updating the current Training Package Product is an opportunity to ensure future training is current, relevant and flexible for coverage in a variety of settings, including online delivery and assessment, and thereby safeguard against poor quality (and cheap) online course options currently available. Updates to the Training Package Product can help increase industry confidence in online delivery and reassure employers that training is consistent and provides quality outcomes for all participants. This update can also ensure the language used moves to accommodate the knowledge-based aspects of RSA and is flexible to apply in both on and off-premise situations.

³ Please note that a small number of training providers are approved by Liquor and Gaming NSW to deliver initial RSA training online however the jurisdiction primarily mandates that all training is to be conducted in a classroom, face-to-face.

This Case for Change proposes to update the Training Package Products outlined earlier in order to address the fundamental need for more consistency in current RSA training across the country and ensure training practices are up to date with what industry needs.

Industry Support for Change

Method and scale of stakeholder consultation

The Tourism, Travel and Hospitality IRC initially discussed this work in 2016 and proposed it formally in its initial four-year workplan.

In February 2018, the newly appointed Tourism, Travel and Hospitality IRC met and reiterated support for this project. The IRC agreed to form a TAC to take the work forward. The TAC met in May and July 2018 where members discussed various aspects of the project, including content and issues to inform this Case for Change. Additional feedback to support the work was also gathered during the compilation of the *2018 Tourism, Travel and Hospitality Industry Skills Forecast*.

Public consultation (for a period of four weeks) was held to collect additional feedback on this Case for Change. All comments received from the public consultation were considered in finalising this Case for Change.

Unresolved issues and sensitivities

At present, some jurisdictions only recognise RSA training and certification delivered by Registered Training Providers (RTOs) approved by the Regulator of that jurisdiction. For example, in New South Wales, the Regulator requires that providers are approved individually by the State on the basis of the course material presented. This is also the case for Victoria and Western Australia. This current system may therefore impact the extent to which the RSA Unit of Competency can be used across the country.

The Training Package Product update proposed in this Case for Change can provide an opportunity for Regulators across all jurisdictions to review the current 'locally approved content' system in place in some states. Through this work, there is a prospect for instigating cross-jurisdictional discussions to address this issue and determine the feasibility of achieving a national consensus on approving RTOs for delivering RSA training.

Impact of Change

Impact analysis

The impacts of the proposed changes on stakeholders can be summarised as follows:

Industry and employers

The hospitality industry is experiencing significant workforce issues regarding skills shortages. Employers have been using the supply of workers on temporary working holiday and international visas, and in the case for national employers, transferring staff to different jurisdictions to fill pressing vacancies. The nature of these practices means that employers are relying on workers who are either

travelling regularly and/or who are relocating to different jurisdictions across the country. The current RSA certification system means that the RSA certifications of these workers becomes redundant once they change jurisdictions. As a result, employers are incurring a number of economic costs associated with workers having to re-do RSA training including staff absenteeism and associated losses of potential income. Workers also incur additional training costs for re-doing training which does not add-value to their current skills and knowledge-base.

Employers (and industry overall) require a current and flexible training system which facilitates recognition of RSA certification across jurisdictions. The risk of not having consistent and current RSA training across regulations and jurisdictions is that workers will leave the hospitality industry once they relocate and work in a different industry which does not require them to incur additional costs for training they have already participated in. Staff retention for hospitality employers is low therefore industry needs a system which facilitates continuation of employment in the industry.

Registered Training Organisations (RTOs)

Ensuring that the Training Package Products are current, relevant and cross-jurisdictionally consistent will improve opportunities for RTOs to better support workforce mobility for the hospitality industry and ensure workers are equipped with the right knowledge and skills to apply RSA. Development of RSA training that can be applied consistent across jurisdictions can mean RTOs may provide training which is recognised in a number of different jurisdictions, therefore enhancing the current training offer of RTOs beyond their registered jurisdiction. Updates to the Training Package Product will ensure RTO training better meet industry demands.

Learners

Learners will benefit from access to training which is current, relevant and in line with current legislation and regulation requirements, ensuring they have the right knowledge and skills to apply when in the workforce. RSA training will provide learners with a foundation of knowledge on RSA and overall, the hospitality industry, so once in the workforce, learners will have further opportunities to build skills and knowledge to more advanced levels.

The risk of no change is that a learners' employability in the industry may be compromised if they relocate to a different jurisdiction.

Estimated timeframes

Central to the update process is the ongoing involvement of industry and national stakeholder engagement. The close ties that RSA has with legislation and regulations, and also the comprehensive consultation that will be required to be conducted with individual Regulators in each jurisdiction means that the estimated timeframe for the development will be approximately **12 months**.

This work will be conducted under the guidance of the Tourism, Travel and Hospitality IRC.

Implementing the COAG Industry and Skills Council Reforms for Training Packages

The recommended work in this Case for Change is consistent with the COAG Industry and Skills Council (CISC) reforms for Training Packages insofar as it:

- documents industry expectations for training delivery and assessment, particularly in terms of providing current, relevant and flexible options that consistently deliver quality outcomes
- enhances the portability of skills between occupations, as well as career progression, by providing training which facilitates mobility
- fosters the recognition of skill sets through the review of the *Responsible Service of Alcohol Skill Set* and ensure the Training Package Product addresses the specific knowledge and skill needs of the hospitality industry.

This Case for Change was proposed and endorsed by the Tourism, Travel and Hospitality IRC.

Bradley Woods, Chair

Signature of Chair

Date

ATTACHMENT A - Training Package Components to Update

SkillsIQ

Contact details: Melinda Brown, General Manager

Date submitted: 7 November 2018

Material for update:

Units of Competency - SITHFAB002 Provide responsible service of alcohol

Skill Set - SITSS00055 Responsible Service of Alcohol Skill Set

Training Package Code	Training Package Name	Unit of Competency Code	Unit of Competency Name	IRC Name	Review Status
SIT	SIT Tourism, Travel and Hospitality	SITHFAB002	Provide responsible service of alcohol	Tourism, Travel and Hospitality IRC	Proposed for updating

Training Package Code	Training Package Name	Skill Set Code	Skill Set Name	Unit of Competency Code	Unit of Competency Name	Review Status
SIT	SIT Tourism, Travel and Hospitality	SITSS00055	Responsible Service of Alcohol Skill Set	SITHFAB002	Provide responsible service of alcohol	Proposed for updating

ATTACHMENT B – Stakeholder Consultation Method and Scale

Stakeholder Consultation

Name of Stakeholder	Organisation	Detail Method(s) and Scale of Consultation
Tourism, Travel and Hospitality Industry Reference Committee (IRC)		
Bradley Woods	Australian Hotels Association	Current IRC Chair / TAC Chair
John Hart	Restaurant and Catering Industry Association of Australia	Current IRC Deputy Chair / TAC member
Robyn Agnew	Austrade (The Australian Trade and Investment Commission)	Current IRC member
Stephen Lunn	Australian Culinary Federation National Office	Current IRC member
Rick Myatt	Australian Federation of Travel Agents	Current IRC member
Justin Cooney	Australian Municipal, Administrative, Clerical and Services Union	Current IRC member
Stuart Lamont	Caravan Industry Association of Australia	Current IRC member
Ron Browne	Clubs Australia	Current IRC member / TAC member
David Gigg	Compass Group	Current IRC member / TAC member
Lynda Douglas	Defence Catering	Current IRC member
Joyce DiMascio	Exhibition and Event Association Australasia	Current IRC member
Iain McDougall	Hospitality Group Training	Current IRC member
Adele Sheers	Qantas Airways	Current IRC member
Janette Illingsworth	The Star Entertainment Group	Current IRC member
Stephen Schwer	Tourism Central Australia	Current IRC member
Responsible Service of Alcohol (RSA) Technical Advisory Committee (TAC)		
Bradley Woods (Chair)	Australian Hotels Association WA	TAC member

John Green	AHA NSW	TAC member
Des Crowe	Hospitality NT	TAC member
Ron Browne	Clubs Australia	TAC member
David Gigg	Compass Group	TAC member
Kylie Meiklejohn	Department of Defence	TAC member
Mark Trower	Department of Defence	TAC member
David Lorkin	Harvest Education Technical College	TAC member
Damian Steele	Queensland Hotels Association	TAC member
John Hart	Restaurant and Catering Australia	TAC member
Steve Old	Tasmanian Hospitality Association	TAC member
Additional comments during public consultation were received from:		
Claire Monks	ISACNT	Online feedback form
Henrik Wallgren	South Australian Wine Industry Association	Online feedback form
Michael Bryden	Compass-Group	Online feedback form
Gavin Watson	Compass-Group	Online feedback form
Deirdre Allen	Compass-Group	Online feedback form
Adam Harding	Compass-Group	Online feedback form
Margaret Burt	Norton Hospitality Group	Online feedback form
Liz Turley	Australian Hotels Association SA	Online feedback form
Ric Charlett	TAFE SA	Online feedback form
Daniel Gschwind	Queensland Tourism Industry Council	Email

ATTACHMENT C – Supporting information, RSA legislation, regulation and training across Australia

Table 1: Overview of RSA across Australia

Last modified: 30 October 2018

	NSW	VIC	QLD	SA	WA	ACT	TAS	NT
Legislation	Liquor Act 2007 Liquor Regulation 2008 (supports the Act and prescribes requirements for mandatory RSA training)	Liquor Control Reform Act (1998) Liquor Control Reform Regulations 2009	Liquor Act 1992 Liquor Regulation 2002	Liquor Licensing Act 1997 General Code of Practice	Liquor Control Act 1988	Liquor Act 2010 Liquor (Intoxication) Guidelines 2010 (No1)	Liquor Licensing Act 1990	Liquor Act (20 Jun 2018) Liquor Regulations (28 Feb 2018)* * The Liquor Act is currently being re-written, with a Bill expected April 2019. The Regulations won't be finalised until the Bill has passed.
Regulator	Liquor & Gaming NSW (Department of Industry) https://www.liquorandgaming.nsw.gov.au/Pages/liquor.aspx	Victorian Commission for Gambling and Liquor Regulation https://www.vcglr.vic.gov.au/	Office of Liquor and Gaming Regulation https://www.business.qld.gov.au/industries/hospitality-tourism-sport/liquor-gaming/liquor	Consumer and Business Services https://www.cbs.sa.gov.au/	Department of Racing, Gaming and Liquor https://www.rgl.wa.gov.au/Default.aspx?NodeId=84	Office of Regulatory Services https://www.accesscanberra.act.gov.au	Department of Treasury and Finance – the Commissioner http://www.treasury.tas.gov.au/liquor-and-gaming	Department of Justice. https://nt.gov.au/industry/hospitality/service-alcohol-responsibly

TOURISM, TRAVEL AND HOSPITALITY INDUSTRY REFERENCE COMMITTEE (IRC)
RESPONSIBLE SERVICE OF ALCOHOL (RSA) - A CASE FOR CHANGE

	NSW	VIC	QLD	SA	WA	ACT	TAS	NT
Provider of initial RSA training	Approved RTOs – listed on Regulator’s website: https://www.liquorandgaming.nsw.gov.au/Pages/liquor/serving-alcohol-responsibly/rsa-training/find-an-rsa-course.aspx	Approved RTOs – listed on Regulator’s website: https://www.vcglr.vic.gov.au/resources/education-and-training/responsible-service-alcohol	ASQA accredited RTOs – list of providers available on Regulator’s site: https://trainin.g.gov.au/	ASQA accredited RTOs	Approved RTOs must be registered with Department: https://www.rgl.wa.gov.au/liquor/training/registered-training-organisations	ASQA accredited RTOs: https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1654/kw/ras#!tab-s-3	ASQA accredited RTOs: http://www.treasury.tas.gov.au/liquor-and-gaming/liquor/responsible-service-of-alcohol	ASQA accredited RTOs: https://trainin.g.gov.au/
Mode of initial RSA training	Classroom or Online* *Online is available from a small number of industry approved RTOs only.	Classroom	Classroom or Online	Classroom or Online	Classroom or Online	Classroom or Online	Classroom or Online	Classroom or Online
Certification issued	Interim certificate (to work for 90 days). Can apply for a photo (RSA) competency card valid for 5 years.	RSA Certificate	RSA Statement of Attainment	RSA Statement of Attainment	RSA Statement of Attainment	RSA Statement of Attainment	RSA Statement of Attainment	RSA Statement of Attainment
Uses units of competency	YES - based on national competency SITHFAB002	Not specified	YES - based on national competency SITHFAB002	YES - based on national competency SITHFAB002	YES - based on national competency SITHFAB002	YES - based on national competency SITHFAB002	YES – based on national competency SITHFAB002	Not specified

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	NSW	VIC	QLD	SA	WA	ACT	TAS	NT
Other Note: Nationally recognised statement of attainment issued for course is valid in multiple jurisdictions	NO	NO	YES	YES	YES	YES	YES	YES
Certificate issued by regulator	YES	YES	NO – by RTO from 1 July 2013	NO	NO	NO	NO	NO
Length of time training / certificate is valid	5 years	3 years	No expiry date cited. Not mandatory to renew.	Not specified	Not specified	Not specified	Not specified	Not required to be renewed unless it is issued by the Regulator
Renewal process – refresher training	Yes	Yes	No for RSA. Yes, for Approved Managers. They must renew every three years to enable their Approved responsible management of licensed venues (RMLV) Manager's Licence to remain current. The Regulator has issued a training	No for RSA. Refresher training specified in the General Code of Practice refers to in-house training. It specifies that: <i>A licensee must provide to all staff involved in the service or supply of liquor on the licensed premises, training in relation to the</i>				

	NSW	VIC	QLD	SA	WA	ACT	TAS	NT
			manual for RMLV, based on the Liquor Act 1992, which outlines course content.	<i>management plan to be implemented to address the risks associated with the operational practices.</i> In-house training must be done every two years.				
Mode of refresher training	Online	Online	RMLV delivered in Classroom or Online					
Provider of refresher training	Regulator	Regulator	RMLV delivered by a training provider approved by Regulator					

Table 2: Overview of legislative requirements of jurisdictions across SITHFAB002 Performance Criteria

Last modified: 30 October 2018

Note: The information tabled includes extracts of text from legislations (i.e. Liquor Act 2007 NSW, Liquor Control Report Act 1998 VIC etc.), regulations, codes of practice, guidelines and websites as listed by the respective Government Departments and Regulators of each jurisdictions.

	NSW	VIC	QLD	SA	WA	ACT	TAS	NT
Element 1 - Sell or serve alcohol responsibly.								
1.1. Sell or serve alcohol according to provisions of relevant state or territory legislation, licensing requirements and responsible service of alcohol principles.	<p>Liquor Act 2007 Liquor Regulation 2008* (supports the Act and prescribes requirements for mandatory RSA training)</p> <p>*A consultation draft of the Liquor Regulation 2018, which outlines RSA and training requirements will commence September 2018 and is available at: https://static.nsw.gov.au/nsw-gov-au/1530242459/Public-Consultation-Draft-Liquor-Regulation-2018.pdf</p> <p>Licensing requirements: see Table 1</p>	<p>Liquor Control Reform Act (1998) Liquor Control Reform Regulations 2009</p> <p>Licensing requirements: see Table 1</p>	<p>Liquor Act 1992 Liquor Regulation 2002</p> <p>Licensing requirements: see Table 1</p>	<p>Liquor Licensing Act 1997 General Code of Practice</p> <p>Licensing requirements: see Table 1</p>	<p>Liquor Control Act 1988</p> <p>Licensing requirements: see Table 1</p>	<p>Liquor Act 2010 Liquor (Intoxication) Guidelines 2010 (No1)</p> <p>Licensing requirements: see Table 1</p>	<p>Liquor Licensing Act 1990</p> <p>Licensing requirements: see Table 1</p>	<p>Liquor Act (20 Jun 2018) Liquor Regulations (28 Feb 2018) *</p> <p>* The Liquor Act is currently being re-written, with a Bill expected April 2019. The Regulations won't be finalised until the Bill has passed.</p> <p>Licensing requirements: see Table 1</p>

TOURISM, TRAVEL AND HOSPITALITY INDUSTRY REFERENCE COMMITTEE (IRC)
RESPONSIBLE SERVICE OF ALCOHOL (RSA) - A CASE FOR CHANGE

	NSW	VIC	QLD	SA	WA	ACT	TAS	NT
<p>1.2. Where appropriate, request and obtain acceptable proof of age prior to sale or service.</p> <p><i>[Key forms of ID specified across legislation:</i></p> <ul style="list-style-type: none"> • <i>Adult proof of age card</i> • <i>Driver licence</i> • <i>Passport</i> • <i>ID which shows current photo and date of birth]</i> 	<p>Evidence of age document for a person means any of the following documents that bears a photograph of the person and that indicates ...</p> <p>(a) a motor vehicle driver or rider's licence or permit issued by Roads and Maritime Services or by the corresponding public authority of another State or Territory or under the law of another country,</p> <p>(b) a Photo Card issued under the <i>Photo Card Act 2005</i>,</p> <p>(c) a document (referred to as an existing RTA proof of age card) issued by the Roads and Traffic Authority under section</p>	<p>Evidence of age document means -</p> <p>(a) a proof of age card or a card issued in another State or a Territory that is the equivalent of a proof of age card; or</p> <p>(b) a driver licence or a licence issued in another State or a Territory that is the equivalent of a driver licence; or</p> <p>(c) an Australian or foreign passport; or</p> <p>(d) a document issued-</p> <p>(i) by a person; or</p> <p>(ii) on behalf of a government department or agency- approved by the Minister that bears a photograph of the person to whom it is issued and enables that</p>	<p>(Division 3 (6))</p> <p>(i) an adult proof of age card;</p> <p>(ii) a recognised proof of age card;</p> <p>(iii) an Australian driver licence;</p> <p>(iv) a foreign driver licence;</p> <p>(v) an Australian or foreign passport;</p> <p><u>The ID must be current and have a photograph of the person and their date of birth.</u></p>	<p><i>Not specified in legislation</i></p>	<p><i>Proof of age requirements specified if juveniles are suspected to be on premises.</i></p> <p>126 (b)(i) may require the juvenile or suspected juvenile to produce as evidence of that age —</p> <p>(I) a current Australian driver's licence with a photograph; or</p> <p>(II) a current passport; or</p> <p>(III) another prescribed document</p>	<p>Identification document, for a person, means a document that— (a) is—</p> <p>(i) an Australian driver licence or foreign driver licence; or</p> <p>(ii) a proof of identity card or interstate proof of identity card; or</p> <p>(iii) a passport; and</p> <p>(b) contains a photograph that could reasonably be taken to be the person; and</p> <p>(c) states the person's date of birth.</p>	<p><i>Not specified in legislation</i></p>	<p>The identification must be one of the following (an <i>approved identification</i>):</p> <p>(a) the individual's passport;</p> <p>(b) the individual's driver licence;</p> <p>(c) any other identification approved by the Director-General.</p> <p>* Example of other identification includes:</p> <p>- Ochre Card</p> <p>- Australia Post Keypass ID</p>

	NSW	VIC	QLD	SA	WA	ACT	TAS	NT
	117EA of the <i>Liquor Act 1982</i> and in force immediately before the repeal of that section by this Act, (d) proof of age card (however described) issued by a public authority of the Commonwealth or of another State or Territory for the purpose of attesting to a person's identity and age, (e) an Australian or foreign passport, (f) any other class of document prescribed by the regulations for the purposes of this definition.	person's age to be determined;						

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<p>1.3. Provide accurate information to customers on alcoholic beverages according to organisation or house policy and government legislation.</p> <p><i>[Signage and information requirements to be displayed are specified in legislation (usually Liquor Acts, Regulations of Guidelines and Manuals to support interpretation of legislation)]</i></p>	<p>Liquor Regulation 2008 outlines requirements for licensees to display signs in their premises. All types of licensed premises are required to display mandatory signage, and dependent on licence type and authorisations, this can range from two to five types of signs.</p> <p>Sign for 'Under 18s not to be served alcohol' is required by all premises.</p> <p>Examples of signs available at:</p> <p>https://www.liquorandgaming.nsw.gov.au/Pages/liquor/signage.aspx</p>	<p>Licensees must display signage around their licensed premises according to their venue type as specified in the Liquor Control Reform Act 1998, and Code of Conduct for licensees. Fact sheet of required signage available at: https://www.vcglr.vic.gov.au/site/s/default/files/Liquor_licensing_factsheet_-_Required_signage_for_licensed_premises_1.pdf</p>	<p>The Liquor Act 1992 specified the mandatory signs that must be displayed on premises:</p> <ul style="list-style-type: none"> -Liquor licence/permit details -View RAMP sign -ID scanning collection notice -CCTV in use sign <p>Further information available at: https://www.business.qld.gov.au/industries/hospitality-tourism-sport/liquor-gaming/liquor-compliance/compliance-signage/licensed-venues-display-law</p>	<p>Visual requirements of notices required are referred to in the Liquor Licensing Regulations. Examples of notices and signs are:</p> <ul style="list-style-type: none"> -Area out of bounds to persons under 18 (Section 111) -Area out of bounds to persons under 18 between 9pm one day to 5am of the next day (Section 112) -Liquor must not be supplied to persons under 18 (Section 113). <p>Further information available at: https://www.cbsa.gov.au/licensing-and-registration/liquor/notices-to-display/</p>	<p>Regulator states on its website: 'A licensee, other than the holder of an occasional licence needs to display a notice in a form approved by the director in a readily legible condition and in a conspicuous position at or near the front entrance to the licensed premises showing:</p> <ul style="list-style-type: none"> -Name of premises -Licence type -Name of licensee <p>followed by the word "Licensee"</p> <p>Also a notice must be displayed in a readily legible condition in a conspicuous position in the licensed premises showing the name of each</p>	<p>Requirements are outlined in the Liquor Act 2010. The Regulation requires certain signs to be displayed prominently at licensed and permitted premises. This includes signs about abuse, marking adults-only areas, indicating the occupancy loading for a specific public area and about breath analysis devices.</p> <ul style="list-style-type: none"> -The abuse sign must be displayed in a way that it can be seen and read easily by people near each liquor serving counter. -A sign marking an adults-only area must be displayed so it can be seen at or near each 	<p>Under the <i>Liquor Licensing Act 1990</i> (the Act), licensees are required to display certain signage at their licensed premises. Signs that venues must display are:</p> <ul style="list-style-type: none"> -Prohibited Area -Restricted Area <p>Signs available at: http://www.treasury.tas.gov.au/liquor-and-gaming/liquor-resources-for-licence-holders/liquor-signs</p>	<p>The Liquor Act outlines conditions for showing notices however the information available is not as detailed as that available across other jurisdictions. Further information is available at: https://nt.gov.au/industry/hospitality/liquor-offences-for-businesses</p>

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					<p>approved manager who is supervising and managing the licensed premises.’ Examples of signs are available at: https://www.mhc.wa.gov.au/reports-and-resources/resources/licenses/resources/</p>	<p>entrance to the adults-only area. -A sign displaying the total occupancy loading must be displayed prominently so it can be seen and read by persons at or near a main entrance to the premises. In addition, a sign stating the occupancy loading for a public area must be displayed at or near the main entrance to each public area. -A breath analysis sign must be displayed so it can be seen and read by a person at or near each breath analysis instrument at the premises.</p>		

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						-A sign displaying the name of the licensee for the premises must also be displayed.		
1.4. Assist customers with information on the range of non-alcoholic beverages available for purchase.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
1.5. Identify issues related to the sale or service of alcohol to different types of customers, especially those at risk, and incorporate them into sales or service.	<i>Not specified in legislation</i>	<i>Not specified in legislation</i>	<i>Not specified in legislation</i>	<i>Not specified in legislation</i>	<i>Not specified in legislation</i>	<i>Not specified in legislation</i>	<i>Not specified in legislation</i>	Legislation (e.g. Alcohol Harm Reduction Bill) provides several restrictions regarding sale and consumption of alcohol for certain areas and population. For example: -Banned drinker register (BDR): From 1 September 2017 all Territorians and visitors to the Northern Territory will need to show photo ID to buy takeaway alcohol. -Alcohol restrictions by localities (see

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								https://health.nt.gov.au/professionals/alcohol-and-other-drugs-health-professionals/alcohol-for-health-professionals/maps - Total alcohol ban areas -Ban on drinking at private premises Regulated drinking areas -Emergency alcohol bans - Liquor Amendment (Point of Sale Intervention) Act 2018 to come into effect August 2018 specifies requirements for price and service. -Region Permit Systems restricting supply

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Element 2 - Assist customers to drink within appropriate limits.								
2.1.Prepare and serve standard drinks or samples according to industry requirements and professional standards.	Standard drinks guide is the same across all jurisdictions and specified by the Australian Government Department of Health (http://www.alcohol.gov.au/internet/alcohol/publishing.nsf/Content/drinksguide-cnt)							
2.2.Use a professional manner to encourage customers to drink within appropriate limits.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<p>2.3.Recognise erratic drinking patterns as an early sign of possible intoxication and take appropriate action.</p> <p>2.6.Decline requests for alcohol to be dispensed in a manner that is irresponsible and advise customers of the reasons for the refusal.</p> <p><i>[See Element 4 for more details regarding 2.6]</i></p> <p><i>[Criteria addresses harm minimisation principles (i.e. identify signs of potential harm early on), which are addressed in most legislation across jurisdictions. Many have developed a specific Harm Minimisation Policy in regard to alcohol and drug use]</i></p>	Legislation outlines requirements to 'minimise harm' associated with misuse and abuse of liquor as well as 'Harm Minimisation Measures' as outlined in the Liquor Regulation 2008.	Reference to harm minimisation in legislation: 4 Objects to contribute to minimising harm arising from the misuse and abuse of alcohol, including by— (i)providing adequate controls over the supply and consumption of liquor; and (ii)ensuring as far as practicable that the supply of liquor contributes to, and does not detract from, the amenity of community life; and	Reference to harm minimisation in legislation is similar to other jurisdictions (e.g. NSW, and SA). No specific measures outlined.	Reference to harm minimisation in legislation is similar to other jurisdictions (e.g. NSW, and QLD). No specific measures outlined. Government has released an Alcohol and other Drug Strategy 2017-2021.	Reference to harm minimisation in Act, similar to other jurisdictions. No specific measures outlined. Harm Minimisation Policy available to support licensees apply harm-minimisation principles in their venues: The Policy is available at: https://www.rgl.wa.gov.au/docs/default-source/rgl/harm_minimisation.p	Alcohol harm Reduction Act 2017 covers Banned drinker orders (BDOs: (1) A BDO is a banned drinker order, in the form approved by the BDR Registrar, that states the following: (a)the name of the adult who is subject to the order; (b)that the adult is prohibited from purchasing, possessing or consuming alcohol during the period for which the order is in force; (c)the reason why the order has been made;	Reference to harm minimisation in legislation is similar to other jurisdictions (e.g. NSW, and QLD). Section 81 of the Liquor Licensing Act 1990 allows staff at a premise with a liquor licence or permit to bar individuals from the premises on a number of grounds.	See 1.5. -Alcohol Harm Reduction Bill -Alcohol Harm Minimisation Action Plan: Harm minimisation includes: • reducing the demand for alcohol through education, prevention or delay of first use and health promotion activities • reducing the supply of alcohol through effective regulation, sale and promotion • reducing the harm caused to individuals, families and the community

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		(iii)restricting the supply of certain other alcoholic products; and (iv)encouraging a culture of responsible consumption of alcohol and reducing risky drinking of alcohol and its impact on the community; and (b)to facilitate the development of a diversity of licensed facilities reflecting community expectations; and (c)to contribute to the responsible development of the liquor, licensed hospitality and live music industries; and (d)to regulate licensed premises that provide sexually				(d)for a BDO made by a police officer – the name, rank and place of duty of the police officer, and the date and time it is made; (e)that the order comes into force when it is registered, regardless of whether the adult actually receives a copy of the order; (f)the period for which the order remains in force; (g)the consequences of a contravention of the order and a description of what constitutes a contravention; (h)any entitlement of the adult to apply to the Tribunal for review of the decision to make the order; (i)that the adult may apply to the BDR		through appropriate therapeutic support services

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		explicit entertainment.				Registrar for referral for assessment, which may result in reduction of the period of the BDO.		
2.4. Monitor emotional and physical state of customers for signs of intoxication and effects of illicit or other drug use.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2.5. Where appropriate, offer food and non-alcoholic beverages.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Element 3 - Assess alcohol affected customers and identify those to whom sale or service must be refused.								
3.1. Assess intoxication levels of customers using appropriate methods.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
3.2. When assessing intoxication, take into account factors that may affect individual responses to alcohol.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
3.3. Identify customers to whom sale or service must be refused according to state and territory legislation. <i>[Criteria addresses definitions of 'intoxication' or 'drunk' according to legislation]</i> <i>Legislations definitions and requirements are also supported in most cases by guidelines which provide more detail regarding symptoms or signs of intoxication i.e. Speech, Balance, Coordination and Behaviour]</i>	Section 5 <ul style="list-style-type: none"> the person's speech, balance, co-ordination or behaviour is noticeably affected, and it is reasonable in the circumstances to believe that the affected speech, 	3AB What Is intoxication? (1) For the purposes of this Act, a person is in a state of intoxication if his or her speech, balance, co-ordination or behaviour is noticeably affected and there are reasonable grounds for	9A When a person may be taken to be unduly intoxicated For this Act, a person may be taken to be unduly intoxicated if- (a) The person's speech, balance, coordination or behaviour is noticeably	intoxicated —a person is intoxicated if— (a) the person's speech, balance, co-ordination or behaviour is noticeably affected; and (b) it is reasonable in the circumstances to believe that the affected speech,	3A. A person is considered 'drunk' for the purposes of the Act if: <ul style="list-style-type: none"> the person is on licensed or regulated premises; and the person's speech, balance, coordination or behaviour appears to be noticeably impaired; and 	Section 104 of the Act says that <i>a person is intoxicated if</i> — (a) the person's speech, balance, coordination or behaviour is noticeably affected; and, (b) it is reasonable in the circumstances to believe that the affected	3B Meaning of "intoxicated" _ For the purposes of this Act, a person is intoxicated if - (a) the person's speech, balance, coordination or behaviour is noticeably affected; and (b) it is reasonable in the circumstances to believe that the	7 Meaning of drunk A person is drunk if: (a) the person's speech, balance, coordination or behaviour appears to be noticeably impaired; and (b) it is reasonable in the circumstances to believe the impairment

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	balance, co-ordination or behaviour is the result of the consumption of liquor.	believing that this is the result of the consumption of liquor.	affected; and (b) There are reasonable grounds for believing the affected speech, balance, coordination or behaviour is the result of the consumption of liquor or another intoxicating substance.	balance, co-ordination or behaviour is the result of the consumption of liquor or some other substance;	<ul style="list-style-type: none"> it is reasonable in the circumstances to believe that the impairment results from the consumption of liquor. 	speech, balance, coordination or behaviour is the result of the consumption of liquor.	affected speech, balance, coordination or behaviour is the result of the consumption of liquor or other substances.	results from the person's consumption of liquor.
Element 4 - Refuse to provide alcohol.								
4.1. Refuse sale or service in a professional manner, state reasons for the refusal, and where appropriate point out signage.	See 4.3.	See 4.3.	See 4.3.	See 4.3.	See 4.3.	See 4.3.	See 4.3.	See 4.3.
4.2 Provide appropriate assistance to customers when refusing service	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4.3. Where appropriate, give customers a verbal warning and ask them to leave the premises according to organisational or house requirements, the specific situation, and provisions of state or territory legislation and regulations. <i>[Processes and methods for refusing service are not specified in legislation.]</i>	Guidelines issued by the Regulator specify methods of refusing service to a person: <ul style="list-style-type: none"> Introduce yourself to the person. Tell them your name 	Guidelines issued by Regulator indicate: <i>How to refuse service</i> -Use tact - politely inform the person you will not serve them any more	Regulator provides tips on reusing service to patrons. Risk-Assessed Management Plans of licensees should specify process. Tips from Regulator are:	Guidelines issued by Regulator indicate: -If you have reasonable grounds to believe that someone is intoxicated, you should not serve	Regulator has published 'How to refuse service' details: <ul style="list-style-type: none"> Use tact – politely inform the person they will not be served any more alcohol. Don't speak to 	Regulator has published 'How to refuse service' details: When refusing service of liquor to a person: <ul style="list-style-type: none"> Introduce yourself to the person and tell them your 	Processes or methods for refusing service not available via Regulator.	Processes or methods for refusing service not available via Regulator.

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<i>Some Regulators have issued guidelines and examples to support industry with this]</i>	<p>and your role, and ask their name.</p> <ul style="list-style-type: none"> • Approach the person in a friendly and respectful manner. Patronising or authoritarian attitudes can often evoke anger and make the person more aggressive – this is a common response to threats to one's dignity and self-respect. Try not to speak to the person in front of others. • When talking to the person: use their name; use slow, distinct speech; use short simple sentences; avoid emotion and involved discussions; use appropriate eye contact (limit for cultural reasons); and adjust speaking 	<p>alcohol. Don't speak to the person in front of others.</p> <ul style="list-style-type: none"> -Repeat firmly that by law they cannot be served another drink. Management policy may be to offer a non-alcoholic drink or to suggest ordering food. -Notify the manager, licensee, supervisor or security. Also notify other bar staff that you have refused service to the person. -If considered necessary, management may impose a short term ban. You should be sure of your reasons for refusal of service and these reasons should not be discriminatory. 	<ul style="list-style-type: none"> -Do obtain agreement from a supervisor and notify security, if available, before speaking to the patron. -Do be polite and avoid value judgements. Use tact - politely inform the patron you will not serve them any more alcohol. -Do point to posters/signs behind the liquor service point to reinforce your decision. -Do explain the reason for refusal of service (e.g. continued bad language, inappropriate behaviour). -Do offer (if appropriate) non-alcoholic beverages instead, or to phone a taxi or a friend to drive them home. It is 	<p>them liquor. Be firm but polite, friendly and respectful if you must refuse service. People who feel patronised or belittled may respond with aggression.</p> <ul style="list-style-type: none"> -If you encounter any problems refusing service, call for support, notify other bar staff, your supervisor and/or security. 	<p>the person in front of others.</p> <ul style="list-style-type: none"> • Repeat firmly that by law they cannot be served another drink. Management policy may be to offer a nonalcoholic drink or suggest ordering food. • Notify the manager and security. Also notify other bar staff that service to the person has been refused. <p>Be sure of the reasons for refusal of service and that these reasons are not discriminatory (eg based on race, sex, impairment etc).</p>	<p>name and your role, and ask their name;</p> <ul style="list-style-type: none"> • Approach the person in a friendly and respectful manner; • Use the person's name and use slow distinct speech with short, simple sentences; • Provide a clear, concrete statement that, by law, the person cannot be served another drink; • Notify the manager and security/crowd control staff; and • Inquire of the patron how they are getting home – assist in arranging public transport, where needed. 		

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	<p>pace to match the patron's.</p> <ul style="list-style-type: none"> • Give clear, concrete statement that by law they cannot be served another drink. • Notify the manager/licensee/supervisor or security. Also notify other bar staff that you have refused service to the person. If a shift change is nearing, notify the new staff. • Give a clear instruction that the person must leave the premises. If necessary, guide them to the exit, ensuring that they have all their personal possessions with them. • If the person refuses to leave then you should contact police for assistance in 	<p>For example, race, sex, disability.</p>	<p>harder to get angry with someone offering to do something for you.</p> <p>-Do make sure that they leave the premises safely and that they do not hang around outside.</p> <p>Do enter incidents relating to refusal of service in a log book, especially those involving threats or aggression.</p>					

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	removing the person from the premises. • If considered necessary, management may consider imposing a short term ban.							
4.4. Use appropriate communication and conflict resolution skills to handle difficult situations.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4.5. Refer difficult situations beyond the scope of own responsibility to the appropriate person.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4.6. Promptly identify situations that pose a threat to the safety or security of colleagues, customers or property, and seek assistance from appropriate colleagues according to organisational policy.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A