



Photo courtesy of pastor Lui Ponifasio, Auckland

SOME PRELIMINARY IDEAS ON REFORM

*It is the Commission's firm view that the whole Act **should be redrafted from the beginning** and not be made the subject of a further amending Act. That is the best way to secure a clear and coherent statute and to minimise complexity.*

TOWARDS A NEW FRAMEWORK FOR REGULATING LIQUOR?

CHAPTER 12

INTRODUCTION

- 12.1 The purpose of this chapter is to bring together some preliminary ideas as to how a package of changes to New Zealand's liquor law could be framed. It is based on the material that is analysed in Part II of this report, bearing in mind the scope of the problem set out in Part I.
- 12.2 The approach here is both high level and tentative. Its development will depend upon submissions and further analysis. The Law Commission remains open minded concerning a difficult and controversial set of choices.

PRINCIPLES

- 12.3 The Law Commission has fashioned a set of principles to guide this project. They are:
- (a) People in New Zealand live in a free and democratic society. They are subject only to such limitations on their freedom as can be justified in a free and democratic society. They have liberty to behave as they choose as long as their actions are not contrary to law and respect the rights of others. Public policy decisions that are made to restrict activity have to be justified by strong arguments that it is in the public interest that individuals and corporations do not exercise their freedom in a particular way.
 - (b) Cultures differ markedly in their attitude to liquor. New Zealand law has to deal with New Zealand conditions. But the law cannot bear all the responsibility for harmful use of alcohol. It is a matter of societal attitudes, education and parenting, together with a range of non-legislative government and community actions. What is required is an integrated approach.
 - (c) The maintenance of law and order and health and well-being are adversely impacted by the harmful consumption of liquor, and this imposes costs on families, government agencies and New Zealand societies, as well as individuals. The reduction of these harms must be the prime policy target.
 - (d) The interests of manufacturers, producers, sellers and consumers of alcohol products need to be reflected in the law. Regulation should be proportionate to the mischief sought to be remedied.

THE HARM

- 12.4 The catalogue of harm and social disorder analysed in Part I of this report seems to the Law Commission to call for measures to curb the harm. These measures should go beyond what is being achieved by the existing law. Designing a suite of measures that will target the harm without damaging the interests of the reasonable drinker poses no easy challenge. No law can save society from all the adverse consequences of consuming liquor. History plainly proves that prohibition on the production and sale of alcohol products does not work. Furthermore, individuals are responsible for their own actions. But New Zealanders have a collective societal interest in minimising alcohol-related harm.
- 12.5 The evidence of the ravages of alcohol is all around us. The submission supplied to the Law Commission by the District Court Judges should be sufficient to alert the community to the nature of the problem. The contribution that drinking makes to criminal offending is clear and palpable. What the Police have recorded about their compelling need to concentrate large resources on alcohol policing should be of grave concern to those who value a civilised society. We are in danger of losing our dignity as a society on the basis of some of the behaviours recorded in this report.
- 12.6 The health risks associated with even moderate alcohol consumption are probably not well known to members of the public. Those dangers need to be more widely appreciated. Much of the harm resulting from excessive use of

alcohol is easily preventable by people themselves. But they need to know the harm they are doing to themselves. Moderate drinkers comfort themselves perhaps with the thought that their moderation will avoid harm. They may even think they are doing themselves some good from a health point of view. The research to justify that optimistic view is shaky, despite the publicity it has had. And how many New Zealanders are fully informed about the carcinogenic qualities of alcohol?

- 12.7 If the facts and research satisfy us that some further regulation is warranted, it is necessary to weigh up what is at stake on the other side. It is important that additional regulation does not unduly inhibit the ability of the liquor industry to contribute to further economic growth, or impose costs that are not in proportion to the harm being mitigated. Therefore, the impacts of regulation have to be carefully weighed to ensure that any framework for regulation is balanced and will achieve its aims and keep additional compliance costs to a minimum. Such a system of regulation has to be carefully constructed both in regard to its individual items and to ensure that the package as a whole achieves balance.

OBJECT OF THE LAW

- 12.8 A statute enacted by the Parliament must have an object. The greater the precision with which the object is specified, the better prospect the statute has of achieving its purpose. The 1989 Act sets out its object in section 4, which is broadly to contribute to the “reduction of liquor abuse”. While that is an important aim, the Commission considers that the object provision should state the Act’s objects with greater specificity. The object section should state that it is to establish a system for the sale, supply and consumption of liquor for the benefit of the community as a whole, and in particular to:
- (a) Minimise crime and disorder;
 - (b) Promote public safety;
 - (c) Minimise public nuisance;
 - (d) Protect and improve public health;
 - (e) Protect families and children from harm;
 - (f) Minimise the impact of harmful use of liquor on state agencies such as Police and the health system;
 - (g) Encourage responsible attitudes towards the promotion, sale, supply and consumption of liquor;
 - (h) Ensure that the liquor industry develops and operates in a way that is consistent with the needs and aspirations of the community;
 - (i) Ensure so far as practicable that the supply of liquor contributes to and does not detract from the amenity of community life.

COMPLETE NEW ACT OF PARLIAMENT

- 12.9 The existing Sale of Liquor Act is a complex Act of more than 250 sections. It covers 178 pages of the statute book. It has been amended since 1989 by Sale of Liquor Amendment Acts on 12 occasions, disregarding consequential amendments from other statutes. This is an Act that is used by many people that are not legally qualified, such as publicans, bar managers, local authority officers, and Police. The law needs to be made as clear and accessible as possible.
- 12.10 Acts that are heavily amended on several occasions easily lose their coherence and their accessibility. It seems likely, as a result of the Law Commission's review, that substantial changes will be required to the Sale of Liquor Act. It is the Commission's firm view that the whole Act should be redrafted from the beginning and not be made the subject of a further amending Act. That is the best way to secure a clear and coherent statute and to minimise complexity.
- 12.11 The strategies for dealing with minimisation of harm fall into three categories:
- Supply controls;
 - Demand reduction;
 - Problem limitation.

SUPPLY CONTROLS

- 12.12 The fundamental supply control in New Zealand is the Sale of Liquor Act 1989. This sets out a licensing system. Licensing is at the heavy handed end of the spectrum of regulatory tools available. Nevertheless licensing systems can themselves be more or less demanding. The New Zealand Act appears to the Commission to be sound as far as it goes. The issue is whether it goes far enough. More requirements could be inserted within it to catch a wider range of harm.

Four licences

- 12.13 We favour leaving the basic system as it is with four types of licences: on-licences, off-licences, club licences and special licences. We do believe there is a strong case for removing the existing exemption from the need to obtain a licence for some or all of the following: chartered clubs, police canteens, defence establishments, fire-fighters' facilities and Parliament. If the basic rule is that to sell alcohol it is necessary to have a licence, then the law should apply equally to all.

Wider grounds upon which to refuse licences

- 12.14 The Commission does not favour a return to the "necessary or desirable" test contained in the 1962 Act for the granting of a new licence, or any similar restriction. It would be too inflexible and would create an artificial value in a licence that would be unnecessarily restrictive. But the Commission does favour allowing the Liquor Licensing Authority to refuse a licence on wider grounds than permitted at present, for example, on one or more of the following grounds:
- (a) the overall social impact of the licence is likely to be detrimental to the well-being of the local or broader community, taking into account the proposed site and nature of the premises and the health and social characteristics of the local population and the risks applicable;

- (b) granting the licence would be inconsistent with the object of the Act;
- (c) the amenity, quiet or good order of the locality would be lessened by the granting of the licence;
- (d) the licence would be inconsistent with the relevant local alcohol policy.

Submissions on the precise legal text to be recommended are welcome.

- 12.15 Consideration also needs to be given to widening the grounds upon which a licence can be cancelled.
- 12.16 Under the existing law there is inadequate provision for people who live in the area to have their views be given due regard in the granting of a licence.

Types of off-licence premises

- 12.17 The statutory provisions concerning the types of premises in respect of which off-licences may be granted are difficult to understand and the application of the law in this area is consequently variable. In many instances the distinction between a grocery store, a dairy and a convenience store is hard to discern. Restricting off-licences in respect of delicatessens is also hard to justify from a harm minimisation perspective.
- 12.18 Prescription around the nature or size of the premises invites making the decisions technical and arbitrary when wider factors are more relevant. What is required is a proper risk analysis in each case. Where an application meets the general licence criteria, that should be sufficient. If the Liquor Licensing Authority had discretion to refuse licences on more grounds than at present, there would be less need for tight prescription as to the type of premises. We do, however, favour keeping the existing restrictions for service stations.

Conditions of licences

- 12.19 We think it would be useful to allow the Liquor Licensing Authority to impose any reasonable condition on the licence it considers appropriate for the purpose of reducing liquor-related harm. These conditions could include such matters as promotional activities, discounted promotions, and ensuring availability of free tap water.

The regulator

- 12.20 We favour retaining the Liquor Licensing Authority (Licensing Authority) as the specialist regulator but giving it a range of enhanced powers and functions that will enable it to be more proactive in enforcing the law and furthering the object of the Act. The Licensing Authority needs to have the flexibility to deal with new situations as they arise. Among the measures we view as useful would be additional powers to:
 - Monitor and report on trends;
 - Make rulings on aspects of sale of alcohol policy, such as promotions, without requiring a specific change in the law;
 - Award costs;

- Impose fines on licensees, managers and staff of licensed premises for breaches of any provisions of the Act;
 - Enhance the flow of data and information to the Licensing Authority from inspectors, Police, District Licensing Agencies (DLAs), medical officers of health, and licensees;
 - Analyse the use of licences and require a regular and routine flow of information from DLAs;
 - Impose quality control on DLA output and compliance.
- 12.21 The Authority needs to be presided over by a District Court Judge, and its resource base needs to be strengthened. The Commission does not favour giving the jurisdiction to the District Court because the wider range of functions we envisage can better be discharged by a Tribunal. The Licensing Authority will require a modest increase in administrative support to perform its enhanced function.

District Licensing Agencies

- 12.22 In the Commission's view the powers and functions of the DLAs need to be restructured and enhanced. The DLAs' performance around the country is extraordinarily variable. Some are close to inactive and never meet, having delegated their functions to council officials.
- 12.23 The law should require higher levels of performance and reporting from DLAs. Local authorities should be permitted to keep the fines imposed as a result of their prosecutions. Inspectors employed by the DLA should receive mandatory training. The level of fees set for the issuing of licences should be sufficient to ensure that the DLAs can properly perform their functions, including enforcement. It is also necessary to ensure that the decisions of the DLAs are independent of the Council itself. Our vision is of a vital and involved DLA that takes ownership of the issues in its area. It is important to allow local opinion more weight in licensing decisions but not to confer a veto on it. The final word should be with the Licensing Authority.
- 12.24 The Commission also considers that every District Council should have a local alcohol policy. The policy would be produced on the recommendation of the DLA, with input from the Police and medical officers of health. It would be approved by the Council, and then by the Licensing Authority. The research done by the Law Commission shows the Resource Management Act 1991 is not the appropriate vehicle for regulation of the sale of liquor.

Fee structure

- 12.25 The Commission considers that there is a good case for enabling local authorities to set their own licensing fees so that each DLA's costs in processing, monitoring and enforcing licences can be more closely reflected in the fees and charges. Alternatively, local authorities could be empowered to impose an annual "supervision" fee that could reflect the burden of the number of inspections

required for the particular premises. If a national licence fee system was to continue, the Commission favours a graduated fee structure to better reflect the risk posed to the community by the relevant licence.

- 12.26 Detailed elements around licence renewal could be streamlined and simplified, for example, premises that pose a low risk to the community could be exempt from the renewal process. This should reduce compliance costs.

Hours

- 12.27 The trend toward extended, including 24 hour, trading of liquor in New Zealand appears to be leading to increasing disorder and problems for the Police. Liquor is typically much cheaper at off-licences than at on-licences. For this reason, people purchase liquor at off-licences, drink at home or on the street, and then come to licensed premises, where there is entertainment but the liquor is more expensive. Sometimes, they return to the off-licence or return to their vehicles to drink – breaching a liquor ban in the process. Often they drive. While the Law Commission believes liberal trading hours are necessary to give responsible people sufficient time to purchase their liquor requirements, our preferred position is that all off-licences should be closed by law, from say 10pm to 8am.
- 12.28 On-licences should be restricted in the Commission's view from selling liquor after 2 am on a nation-wide basis but should be permitted a standing extension to serve liquor until 4 am if the premises operates a 'one-way door' policy from say 1 am as a condition of its licence. By that we mean patrons can remain there drinking until 4 am but new patrons cannot enter. A one-way door policy would reduce the number of people on the streets, where harm is more likely to occur, and would facilitate a staggered departure from licensed premises onto city streets.

Age

- 12.29 The evidence available on age suggests that lowering the alcohol purchase age in New Zealand to 18 in 1999 contributed to an increase in alcohol-related harm. The Commission considers that the case for increasing the purchase age seems on the evidence to be strong. A legal purchase age is recognised internationally as being a highly effective and inexpensive supply control mechanism.
- 12.30 The scientific evidence suggests that the earlier one starts to drink, the greater the later problems. Furthermore, young people experience more harm per drink than older people. Supervision of young people, when they drink, may assist in avoiding harmful consequences. We favour at this stage a split purchase age. By this we mean leaving the minimum purchase age at on-licences at 18, and increasing the minimum purchase age at off-licences to 20 years. This should help reduce the supply of alcohol to people under the age of 18 by older friends, while still allowing 18 and 19 year-olds the freedom to drink in the supervised environments of on-licence premises.

Individual and parental responsibilities

- 12.31 Many have said to the Commission that parents should take responsibility for their children's drinking. In many cases, this is not occurring. We think a broader set of obligations for the supply of liquor to young people than the existing ones have merit. We favour making it an offence for an adult to supply liquor to a young person unless it is a private social gathering and that adult has the consent of the young person's parent or guardian. More needs to be done to protect young people in our view.

Types of products available

- 12.32 Supermarkets and grocery stores are currently restricted to selling beer and wine. From a business point of view, it would seem fairer if all off-licences were allowed to sell all types of liquor without discrimination. On the other hand, in terms of the object of reducing alcohol-related harm, there is a case for removing all alcohol from supermarkets and grocery stores. We doubt that either of these options would be publicly acceptable.
- 12.33 So far, we have heard many representations that ready-to-drink spirits-based drinks should be banned or controlled. We are not persuaded that it is wise for the law to travel in that direction. We are reluctant to make distinctions between various liquor products. Possibly, there is a case for allowing the Minister, on the recommendation of an expert committee, to ban certain products for health reasons.

Licensing Trusts

- 12.34 The Law Commission does not have strong views on the Licensing Trusts. They are few compared with earlier years. We are inclined to leave the law relating to them as it is, but we welcome submissions on the topic. The alternative is to allow competition in the current licensing trust areas where they currently have exclusive rights to be granted on and off-licences.

DEMAND REDUCTION

- 12.35 Demand limitation revolves around two main topics – price, and advertising and promotions.

Tax and price

- 12.36 New Zealand has a system of excise tax that has been officially sanctioned as having the primary purpose of minimising harm, and a secondary purpose of recovering the net fiscal costs of external alcohol harm. Tax measures designed to increase the retail price of alcohol products are widely viewed in the research literature as being an effective mechanism for reducing alcohol-related harm.
- 12.37 In the preliminary view of the Law Commission, there is a case for increasing the excise tax, given the nature and degree of alcohol-related harm outlined in Part I of this paper.

- 12.38 How the detail of any increase in the excise tax should be calibrated requires much more work, which will be contained in the Commission's final report. Quantifying the magnitude of the various alcohol-related harms and putting a dollar value on them is not an exact science and is inevitably value laden. The benefits of alcohol are an important part of the equation. The Law Commission intends to explore this issue and invites public submissions on it.
- 12.39 The flip side of increasing the rate of excise tax generally is to reduce it for low-alcohol products. This would encourage increased marketing of low alcohol products, which could help in reducing alcohol-related harm.
- 12.40 Minimum pricing schemes set a minimum price below which alcohol products cannot be sold by retailers. They have been proposed as a way of reducing the consumption of cheaper alcohol products which tend to be favoured by the young and by heavy drinkers. Minimum pricing affects both on and off-licences although in practice the impact will be greater for off-licences. Both international research and the evidence the Law Commission has seen point to the fact that some of the most harmful levels of consumption come from cheap alcohol.
- 12.41 The Government of Scotland is currently actively pursuing a minimum price scheme for alcohol and the Commission will watch these developments closely and analyse them in our final report.

Advertising

- 12.42 The alcohol industry spends millions of dollars on alcohol promotion in the media and via sponsorship. An existing system of advertising self-regulation is currently being tightened up to include a wider range of promotions. The Law Commission favours leaving the main bulk of the regulation to the Advertising Standards Authority. A useful backstop may be to provide a regulation-making power in statute to be exercised if (in the view of ministers) the present system fails to promote responsible advertising. Just the threat of regulation would provide a strong incentive for responsible advertising. But such a power would need to be carefully calibrated and circumscribed to avoid problems under the New Zealand Bill of Rights Act 1990. It would be necessary to tailor the power to particular advertising content.
- 12.43 The issue of irresponsible promotion practices by both on-and off-licences could be made grounds for the Liquor Licensing Authority to suspend or cancel a licence.
- 12.44 There is a case for enacting advertising restrictions in order to treat advertisements for price and discounts on a different basis from other types of advertising. The Commission is interested in learning through the submissions process how this could be accomplished in a practical way, and the likely effectiveness of such restrictions. But we are somewhat sceptical as to whether such regulation can be accomplished within reasonable compliance costs. There are also commercial free speech issues.

**PROBLEM
LIMITATION****Enforcement**

12.45 It appears that there are many aspects of the existing law that are not fully enforced because enforcement is expensive and there are other priorities. Prosecuting some of the offences in the Sale of Liquor Act in court can be long and drawn out and involve the Police in a lot of paper work. A detailed effort needs to be made to simplify the law in this area and make it work better. It is the Law Commission's strong view that more vigorous efforts must be made to enforce the law. There are a number of measures we think have merit. These are to:

- Provide a member of the Police at or above the rank of Inspector with the power to immediately close particular on-licence premises to prevent breaches of the law;
- Review the penalties for the serious offences under the Sale of Liquor Act with a view to increasing them;
- Provide for an increased range of infringement notices for technical and minor breaches of the Act or a licence condition;
- Provide a statutory process in the Sale of Liquor Act for the development and recognition of alcohol accords (in which licensees make an agreement concerning supply of liquor or management of licensed premises for the purposes of minimising alcohol-related harm), thereby excluding these accords from the provisions of the Commerce Act 1986.

Liquor in public places

12.46 The system at present, where liquor bans are dealt with by way of local body bylaws (of which there are 166 by our count), is problematic from a legal point of view. It is very difficult to find out what the law is in any given place. Some of the bans are for 24 hours, while others are limited to the day or night or particular times during the year. There is a pronounced tendency for bans to be extended in respect to both hours and applicable areas.

12.47 Despite their difficulties, liquor bans have served an important and necessary purpose in keeping order in difficult areas, especially in city centres. One option is to make it an infringement offence to drink in a public place. This would certainly assist in dealing with disorder. On the other hand, it would impose restrictions on freedom and some innocent activity would be caught. We really do need public views on this issue.

12.48 There is much legal analysis to be done before we can be confident that a reasonable and robust regime can be designed to replace liquor bans. We think it would be desirable, where the Police have reasonable cause to suspect that a beverage contains alcohol and have taken steps to ascertain that the beverage does contain alcohol, that this is sufficient proof that the beverage in fact contains alcohol for the purpose of seizing and destroying it.

12.49 It may be worth making drunkenness in a public place an infringement offence.

Product labelling and serving sizes

- 12.50 We do not favour a regulatory power to restrict the alcohol content and size of packaged beverages. There is a case for providing a regulatory power to require licensed premises to offer standard measures of wine, beer and spirits. People then have a clear way to know how much they are drinking. The harm reduction benefits likely to be gained from a standard serving size would need to be balanced against the costs this would impose on the industry.
- 12.51 Labelling for alcohol products is governed by the Australia New Zealand Food Standards Code and work is currently going on concerning health advisory labels for alcohol products. The Law Commission will not trespass into that area. Labelling is likely to be of only marginal relevance to the problems we are addressing.
- 12.52 There should be improved training, education and character requirements for licensees, managers and other staff.

Treatment

- 12.53 Through our initial inquiries, we have become concerned at the lack of policies, facilities and programmes around the country in relation to assessment and treatment for people with alcohol problems. The District Court Judges have made clear to us their grave concerns about the absence of assessment facilities and programmes to which they can refer people who appear in front of them. What is needed falls within the Health Portfolio and cannot be the subject of detailed recommendations by the Law Commission. But we have reached a number of tentative conclusions regarding those aspects of the problem that we have studied. In cases where alcohol and other drugs may have contributed to offending, there should be greater consideration during sentencing of the need for alcohol and other drug assessment and treatment. Efforts are needed to develop the workforce and provide funding to ensure that screening, assessment, referral and brief interventions can be delivered by appropriate professionals across sectors – primary care, mental health, emergency departments, justice, corrections, education and Work and Income, as well as ACC. Increased funding is required to enable a greater number of treatments across a greater number of sectors in a way that meets individual needs. The resource implications of these changes need to be investigated further.

Transport

- 12.54 While there has been considerable reduction in alcohol-related fatal crashes since the 1990s, general road safety progress has stalled in recent years. Both the proportion of all crashes that are alcohol related, and the number of alcohol-related crashes, have risen for both fatal crashes and injury crashes.
- 12.55 New Zealand does not compare well with other countries when considering drink driving crashes as a proportion of total fatal crashes. Approximately 30 per cent of fatal crashes in New Zealand are alcohol related, while in Australian states the proportion is closer to 21 per cent, and in Great Britain, 17 per cent.

- 12.56 While the blood alcohol limits for driving are not governed by the Sale of Liquor Act, they are closely related to it. In the Commission's view, there is a strong case for those limits to be reduced from 80 milligrams of alcohol per 100 millilitres of blood (0.08) to 50 milligrams of alcohol per 100 millilitres of blood (0.05) for all drivers, with zero tolerance for all drivers under 20 years of age. The research evidence supports this conclusion and the levels are lower in many other countries compared with New Zealand's existing level of .08 for adults. By international standards New Zealand's record in this area is lamentable. There are far too many traffic accidents where alcohol is a factor.
- 12.57 Alcohol ignition locking devices offer some promise in reducing repeat drink driving offences. Consideration should be given to requiring all convicted drink drivers to have interlock devices installed in their vehicles.
- 12.58 The Law Commission understands that the Ministry of Transport will shortly issue a discussion paper of its own concerning a road safety strategy including legal blood alcohol limits and other aspects of road safety policy. Since most of the Law Commission's tentative recommendations on this matter are based on the Ministry's research, the Commission is happy to leave further action in relation to these matters to the Ministry of Transport and its Minister. We will not be reporting further on the transport aspects above.
- 12.59 People who wish to make submissions on that particular matter should direct them to the Ministry of Transport, PO Box 3175, Wellington 6140 or www.transport.govt.nz.

QUESTIONS

The Law Commission would like feedback on some of the key issues raised in this document. A fuller range of options for change is contained in chapter 13.

THE HARM

1. Does the level of alcohol-related harm we are experiencing justify a new approach to the law?
2. Do you agree that getting drunk is considered acceptable drinking behaviour in New Zealand?
3. Do you think the risks associated with heavy drinking are well known? If not, what more could be done to make people aware of them?
4. Do you think the cumulative lifetime risks associated with drinking are well known? If not, what more could be done to make more people aware of them?
5. Is the management of intoxicated people an acceptable use of a large part of the New Zealand Police resources? If not, what are the alternatives?

**OBJECT OF
THE LAW**

6. Is the balance in the current law between individual responsibility and providing an environment that is conducive to moderate drinking the correct one? If not, what changes could be made?

**SUPPLY
CONTROLS****Licensing**

7. Do you agree with the current system of four types of liquor licence?
8. Should the criteria for licences change and, if so, what should the changes be?
9. Do you think the Liquor Licensing Authority should be retained as the regulator?
10. Do you think local views should be taken into account in respect of licences in that area?

Hours

11. Do you think the hours that restaurants, bars, and clubs can be open should be restricted? If so, what should the hours be?
12. Do you think the hours that off-licence premises (including supermarkets and liquor stores) can sell alcohol should be restricted? If so, what should the hours be?
13. Should we continue to have specific days on which alcohol cannot be sold?

Age

14. At what age should a person be able to purchase alcohol in New Zealand?
15. At what age should a person be able to drink at a pub, club, bar or restaurant?

Individual and parental responsibility

16. Should it be an offence for anyone other than a parent or guardian to supply alcohol to someone under the purchase age?

Types of products

17. Do you think there are any alcohol products that should be banned?
18. Do you think the rules about supermarkets and grocery stores selling liquor should continue as now?

**DEMAND
REDUCTION**

Tax/price

19. Do you think the availability of cheap alcohol is contributing to alcohol-related harm?
20. Does the difference in price between alcohol bought from retailers such as supermarkets and liquor stores and alcohol bought in a bar or restaurant influence where you drink?
21. Do you think there is a case for increasing tax or setting a minimum price for alcohol in order to help reduce the amount of alcohol consumed by young people and heavy drinkers?

Advertising

22. Should the way alcohol is marketed (including advertising, promotions, and sponsorship) have greater restrictions? If so, what restrictions are appropriate?

**PROBLEM
LIMITATION**

Treatment

23. Do you think there is a need for greater emphasis on treatment for people using alcohol in a risky manner?

Penalties

24. Should there be increased penalties for serious breaches of the liquor laws?
25. Should there be greater use of infringement offences for minor breaches of the liquor law?
26. Should the Police have greater powers to close down bars where there are breaches of law occurring?

Liquor in public places

27. Should liquor bans be retained?
28. If so, can the liquor ban provisions on notification be improved?
29. Do you think an offence of drinking in a public place, rather than the liquor ban system, is preferable?
30. Do you think it should be an infringement offence to be drunk in a public place?

GENERAL

31. Do you have any further comments or suggestions?