

Compliance & Enforcement

An inspector from CBS may visit your Club at any time to ensure you are meeting all your responsibilities. A licensee, responsible person and other persons involved in the sale or supply of liquor may face serious penalties for breaches of legislative requirements.

Non-compliant matters may be dealt with via written warnings, expiation notice, a disciplinary hearing before the Commissioner or the Liquor Licensing Court.

Below are just some of the fines that can be issued under the *Liquor Licensing Act 1997* if your Club has been found to be non-compliant.

Remember that for Clubs, the licensee is each member of the committee

Requirement to hold a liquor licence

In South Australia, a person who sells/supplies liquor without being licensed under the *Liquor Licensing Act 1997* is guilty of an offence. First offence—\$20 000

Compliance with licence conditions

If a condition of a licence is not complied with, the licensee is guilty of an offence.

First offence—\$10 000

Unauthorised sale or supply of liquor

A licensee who sells liquor, or allows it, in circumstances in which the sale of liquor is not authorised by the licence is guilty of an offence. First offence—\$20 000

General Code of Practice

Under section 42 of the Liquor Licensing Act 1997, it is a condition of every licence that the licensee must comply with the Commissioner's Codes of Practice. Where an offence is identified, fines will apply:

	Maximum Penalty	If Expiation applies
Category A offence	\$20 000	\$1200
Category B offence	\$10 000	\$ 315
Category C offence	\$ 5 000	\$ 210
Category D offence	\$ 2 500	\$ 160

Examples of Category A offences:

Practices relating to minors

Club has not taken reasonable steps to prevent minors consuming or being supplied with liquor on the licensed premises

Practices relating to intoxication and disorderly, offensive, abusive or violent behaviour

Club has not taken reasonable steps to manage incidents related to intoxication and/or disorderly, offensive, abusive or violent behaviour that may occur on licensed premises.

Examples of Category B offences:

Responsible service of alcohol training

- An employee/volunteer who sells/supplies liquor at your Club has not trained in RSA
- Club committee is unable to produce a valid certificate demonstrating RSA training of an employee/volunteer
- Not having free cool drinking water readily available to patrons

Risk assessment and reasonable steps

There are 7 category B offences related to -

- Failure to conduct a risk assessment and
- Failure to contain those measure in a written management plan -

each one with an expiation fine applicable.

Non-compliance can indicate to an authorised officer that there is evidence that a Club is not being managed well and consequently they may decide to take further action:

119—Cause for disciplinary action

(1) There is proper cause for disciplinary action against a person to whom this Part applies—

(viii) if the business has otherwise not been properly conducted, supervised or managed in accordance with this or any other Act;