

This fact sheet provides an overview of the [NSW Liquor Act 2007](#) and related legislation, including the [Liquor Regulation 2008](#) and [Gaming and Liquor Administration Act 2007](#). This information is useful to community members who want to understand the avenues that they have to engaging with the liquor licensing system.

On 1 July 2008, the [NSW Liquor Act 2007](#) (the *Liquor Act*), the [Liquor Regulations 2008](#) and the [Gaming and Liquor Administration Act 2007](#) came into effect. The Liquor Act defines the rules and conditions that regulate the sale and supply of liquor in NSW.

The [Office of Liquor Gaming and Racing \(OLGR\)](#) describes the Act as:

“The *Liquor Act 2007* regulates and controls the sale and supply of liquor in New South Wales. It also regulates certain aspects of the use of premises on which liquor is sold and supplied and provides the Independent Liquor and Gaming Authority and the Director General, Department of Trade and Investment, Regional Infrastructure and Services, with powers to regulate the sale and supply of liquor”.

The Objects of the Liquor Act provides the signposts for all decisions made under the Act, including licence applications and, disturbance complaints. However, the Objects by themselves are not legally enforceable. The Objects under the Liquor Act are:

- “(a) to regulate and control the sale, [supply](#) and consumption of [liquor](#) in a way that is consistent with the expectations, needs and aspirations of the community,
- (b) to facilitate the balanced development, in the public interest, of the [liquor](#) industry, through a flexible and practical regulatory system with minimal formality and technicality,
- (c) to contribute to the responsible development of related industries such as the live music, entertainment, tourism and hospitality industries”.

In observing the objects of the Liquor Act, the Act also specifies that “each person who exercises functions under the Act is required to have due regard to the following:

- (a) the need to minimise harm associated with misuse and abuse of [liquor](#) (including harm arising from violence and other anti-social behaviour),
- (b) the need to encourage responsible attitudes and practices towards the promotion, sale, [supply](#), service and consumption of [liquor](#),
- (c) the need to ensure that the sale, [supply](#) and consumption of [liquor](#) contributes to, and does not detract from, the amenity of community life”.

Of importance to the community are Objects s3(1) and 3(2) relating to the outcomes reflecting the

“needs”, “aspirations” and “expectations” of the community. The real challenge confronting communities is ensuring these “aspirational” objects are effectively translated into demonstrable action by agencies responsible for liquor regulation.

When framing recommendations relating to liquor licence related developments, liquor licence applications, disturbance complaints, liquor promotion and other complaints; reference should always be made to the Liquor Act’s Objects. Referring to the Objects of the Liquor Act in documentation is important as the activity being raised (e.g. liquor licence application or liquor promotion) may not satisfy the above aspirational requirements and the “public interest”.

Liquor Regulations 2008

The [Liquor Regulations 2008](#) accompany the Liquor Act and provide more specific detail on aspects of the Liquor Act including Community Impact Statement (CIS) requirements, Responsible Service of Alcohol (RSA) training and accreditation, management and control of licensed premises, specific regulations relating to Kings Cross and the availability of free drinking water.

Regulations have the same statutory obligation and enforceability and the related Act.

Gaming and Liquor Administration Act 2007

The [Gaming and Liquor Administration Act 2007](#) established the powers of the Independent Liquor and Gaming Authority (ILGA) including the ability to review various decisions of the Director General such as those relating to making late hour entry declarations, undue disturbance complaints and decisions in relation to the undesirable promotion of liquor.

Changes in liquor laws over time

The Liquor Act and Gaming and Liquor Administration Act are currently under review. A [final report](#) relating to the review was presented to the Minister responsible for liquor and gaming in December 2013. The NSW Government has yet to respond to the recommendations.

The current Liquor Act changed from the *Liquor Act 1997* previous [Liquor Act 1982](#) to reflect a broad trend towards industry de-regulation. Some key departures from the previous Liquor Act include:

- The abolition of the NSW Licensing Court and the Liquor Administration Board;
- Removing alcohol harm minimisation as the primary objective of the Liquor Act; and

The current Liquor Act also includes new Objects for decisions to reflect business needs and “a flexible and practical regulatory system with minimal formality and technicality”.

Where do I go for more information?

[NSW Liquor Act 2007](#)

[NSW Gaming and Liquor Administration Act 2007](#)

[NSW Liquor Regulations 2008](#)

[Office of Liquor and Gaming Website](#)

[Independent Liquor and Gaming Authority](#)

[Report on the statutory review of the *Liquor Act 2007* and the Gaming and *Liquor Administration Act 2007*](#)