2.0  |  Fact sheet 2: Alcohol and the law

In Western Australia, the Liquor Control Act 1988 regulates and controls how alcohol is sold, supplied and consumed.

The tables below provides an outline of important liquor laws (and corresponding penalties), which Event Managers should review and consider when planning and managing an event held at a University of Western Australia premise or an external venue.

**LEGAL DRINKING AGE**
- In Western Australia, the legal drinking age is 18. Anyone who is under the age of 18 is not allowed to buy, supply or drink alcohol on licensed or regulated premises (even if they are with a parent or guardian).
- It is illegal for any other person to sell alcohol to, or purchase alcohol for, someone under 18. Proof-of-age can be judged by a current Australian photographic driver’s licence, a current passport or a Western Australian Proof-of-Age card.

**PENALTIES**
- Presenting false identification or making false statements about age may result in a fine of up to $2,000 to the person making the claim.
- The maximum penalty for any person under the age of 18 years consuming alcohol on licensed premises is a $2,000 fine.
- Any person under the age of 18 years is prohibited to enter or remain on licensed premises except under specific circumstances outlined in the liquor control Act 1988.
- The penalties for selling or supplying alcohol to anyone under the age of 18 years on a licensed premise include: a maximum fine of $10,000 to the manager or licensee; a maximum $4,000 fine to the employee; and a $2,000 maximum fine to any other person.

**DRINKING ON A LICENSED PREMISE**
- It is an offence to sell or supply alcohol to an intoxicated person on licensed premises or to allow intoxication (“drunkenness”) on licensed premises.
- It is against the law for anyone to help an intoxicated person obtain or consume alcohol on licensed premises.
- Violent, disorderly and argumentative behaviour is not permitted on licensed premises.
- Entry into licensed premises may be refused for reasons such as intoxication or disorderly behaviour.
- Free drinking water must be provided.
- An approved manager must be on duty at all times.

**PENALTIES**
- Selling or supplying alcohol to an intoxicated person can result in maximum fines of: $10,000 to the licensee or manager; $4,000 to an employee; or $2,000 to any other person.
- Refusing to leave after being told to, or entering a premise after being refused entry or being told to leave may result in a maximum penalty of $2,000 to the person.
- Not supplying free drinking water may result in a fine of $10,000 to the licensee and $4,000 to the manager.
- If a manager is not on duty at all times, the licensee may be fined up to $10,000.

**DRINKING ON UNLICENSED PREMISES OR IN PUBLIC**
- It is illegal to drive with a Blood Alcohol Concentration (BAC) over 0.05%.
- The legal limit is zero for learner (L-Plate) and provisional (P-Plate) drivers.

**PENALTIES**
- Consuming alcohol on an unlicensed premise without consent may result in a fine of up to $2,000.
- Selling or supplying alcohol without an Occasional Liquor Licence may result in a penalty of up to $20,000.
- Drinking in public may result in a maximum fine of $2,000.
Managing Alcohol at Events

Drinking and Driving

- It is illegal for any person to consume alcohol on unlicensed premises without the consent of the owner.
- An Occasional Liquor Licence is required when the sale (including supply) of liquor will occur.
- It is against the law to drink in public, such as on the street, park or beach (regardless of age).

Penalties

- For drivers who hold a full licence and have a BAC greater than 0.05% to 0.08% = minimum penalty of $250 to a maximum of $500, with disqualification from driving for three months.
- For drivers who hold a full licence and have a BAC greater than 0.08% to 0.15% (first offence) = minimum penalty of $400 to a maximum of $1500, with disqualification from driving for three to six months. The penalties increase with subsequent offences.
- For drivers who hold a full licence and have a BAC greater than 0.15% (first offence) = minimum penalty of $800 to a maximum of $2500, with disqualification from driving for six months. The penalties increase with subsequent offences.
- Probationary drivers who are charged with having a BAC of 0.02% or more are likely to have their drivers licence cancelled for three months. At the end of the cancellation period, the driver will have to re-sit the full theory and practical driving test.

The important points for Event Managers to remember are that:

- It is against the law to sell or supply alcohol to a person who is intoxicated;
- It is against the law to help an intoxicated person obtain or consume alcohol on licensed or regulated premises;
- It is against the law to allow the possession or consumption of liquor by a juvenile;
- Free drinking water must be provided if alcohol is being sold or served; and
- An approved manager must be on duty at all times during an event involving alcohol.

References


3.0 | Fact sheet 3: Standard drink measures

What is a standard drink?

The Australian standard drink is any drink containing 10 grams of alcohol. The type of alcohol being consumed and the container in which it is being served does not affect the composition of a standard drink.

What is the purpose of a standard drink measure?

A standard drink is the unit of measurement for how much alcohol a person consumes. Rather than counting the number of beer cans or glasses of wine drunk, Australians are encouraged to count the number of standard drinks they consume. Counting standard drinks is a more reliable measure of alcohol consumption as bottles and cans of alcohol may contain different concentrations of alcohol.

Drinks served by the glass (particularly wine) are often not a standard drink size. When counting standard drinks, people should consider whether their drink has been “topped” up.

In Australia, the labels of all packaged alcoholic drinks (bottles, cans and caskets) are required to display the approximate number of standard drinks in the container. For containers of alcohol that are not required by law to display standard drink information (glasses, jugs), staff selling or serving the alcohol should be able to identify the number of standard drinks the container holds.