

AMA Queensland Submission

Queensland Government proposed regulatory framework for online alcohol sales and delivery

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AMA Queensland thanks the Queensland Government for the opportunity to provide a submission on the proposed regulatory framework for online alcohol sales and deliveries in Queensland (the 'Regulatory Framework').

Alcohol-related harms remain responsible for thousands of preventable deaths and hospitalisations across our state. In excess of 1000 people die every year and over 45000 more suffer alcohol-attributable disease and injury which doctors must treat in our already over-burdened health system.

AMA Queensland therefore welcomes proposals that will reduce these harms, address problematic drinking and stop children from accessing alcohol. Achieving these goals would improve the lives of thousands of Queenslanders, reduce costs on our public hospitals and allow our doctors to treat more patients sooner.

The Regulatory Framework has many evidence-based measures for which peak alcohol harm prevention bodies have long advocated, including the Foundation for Alcohol Research & Education (FARE) and the Alcohol and Drug Foundation (ADF). AMA Queensland is pleased to see these included in the proposed reforms and reiterates the FARE and ADF joint submission which supports the following measures proposed in the Regulatory Framework:

- the introduction of effective digital age verification requirements for online alcohol sales;
- the prohibition of harmful deliveries, including to:
 - persons under 18 years of age;
 - intoxicated persons; and
 - unattended addresses;
- requirements for record-keeping of refused or incomplete deliveries;

- supports for delivery staff, including:
 - training; and
 - protections to ensure they are not financially penalised for refusing deliveries;
- review of existing provisions to ensure relevant offences apply to online alcohol sales and delivery, including for:
 - the sale of alcohol to persons under 18 years of age;
 - not maintaining transaction records;
 - not maintaining records of refused or incomplete deliveries;
 - breaching responsible service of alcohol (RSA) requirements; and
 - breaching licence conditions;
- shared liability of delivery providers for offences committed by delivery staff; and
- the exclusion of persons from participating in online alcohol sales and delivery where they have a history of unacceptable behaviour.

That said, there are crucial gaps in the Regulatory Framework which AMA Queensland submits must be addressed, as follows:

- the exclusion from the scope of the Regulatory Framework of a review of liquor licence types generally or the requirement for a specific licence for third-party liquor deliveries. AMA Queensland submits that third-party delivery providers should be required to hold a licence specific to alcohol delivery and separate from existing licences for alcohol sales. This would better ensure compliance with and enforcement of the proposed Regulatory Framework;
- the omission of a requirement for identification and age verification at the point of delivery. Requiring checking of identification of persons accepting alcohol at the point of delivery (as well as at the point of sale) would improve safeguards to reduce the availability and access to alcohol by children and intoxicated persons;
- the absence of an offence for leaving an alcohol delivery unattended. AMA Queensland submits that this should be included among the offences currently proposed under the Regulatory Framework to limit access to alcohol by children and intoxicated persons;
- the authorisation of alcohol deliveries until 11pm. AMA Queensland submits that alcohol deliveries should be limited to the standard trading hours for detached bottle shops in Queensland (i.e. delivery up to 10pm). This will better protect persons suffering from problem drinking, reduce the risk of supply to intoxicated persons, and better ensure the safety of delivery staff;
- a failure to prescribe delivery-specific RSA training. Such training would ensure delivery staff can better comply with the Regulatory Framework and prevent delivery to children and intoxicated persons;

- the absence of stringent requirements for online liquor retailers to provide self-exclusion agreements so persons at risk of or suffering from problem drinking can prohibit or limit their online alcohol purchases;
- an absence of requirements for health warnings and public education about alcohol-related harms. AMA Queensland submits that online alcohol sales and delivery platforms be required to display prescribed, rotating health information and warnings about alcohol risks with links to Australian guidelines and resources to assist people to seek help for problem drinking; and
- the provision of inadequate safeguards to prevent advertising and marketing of liquor, particularly to children and persons suffering from problem drinking. Predatory digital marketing must be addressed by prohibiting retailers from offering or promoting delayed payment options; the use of 'buy now' buttons; sending push notifications to personal devices; or incentivising minimum spend amounts or volumes. AMA Queensland submits the [measures called for by our national body, the Australian Medical Association](#), concerning the Responsible Alcohol Marketing Code Review should be likewise be implemented by the Queensland Government under relevant state legislation.