



**Queensland
Government**

Department of
**Employment, Economic
Development and Innovation**

Please quote: 1043721

Mr D Channing
Director
Adjudication Branch
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601

Dear Mr Channing

I refer to your email of 14 May 2010 to Ms Eunice Chai of our Office in which you sought additional information about the pro-forma liquor accord agreement (the agreement) to assist the Australian Competition and Consumer Commission in its assessment for authorisation.

Thank you for providing the Office of Liquor and Gaming Regulation with an opportunity to clarify the meaning and scope of a number of terms used in the agreement as well as the role we envisage the Police and other authorities will play in managing accords based on the agreement. Please find enclosed our responses to your queries.

If you require any further information, please contact Ms Eunice Chai, A/Senior Operations Officer, Gaming Services Branch on telephone (07) 3033 0046 or via email at eunice.chai@deedi.qld.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "Michael Sarquis".

MICHAEL SARQUIS
Executive Director

04 106 12010

Encl.

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1. Clarification of terms

- a. 'Extreme discounts'
This phrase refers to discounted liquor sales which encourage rapid and/or excessive consumption of liquor (eg. two for one drinks and half price drinks). It does not prohibit or restrict licensees from discounting drinks.
- b. 'Discounts of limited duration'
This phrase refers to discounts offered for a limited time which have the effect of encouraging rapid and/or excessive consumption of liquor. Examples of such discounts include "happy hours" for half an hour or promotions that set a small time (eg. 15 mins) where liquor is discounted. The phrase does not prohibit or restrict licensees from discounting or having happy hours.
- c. 'Drinks that offer alcohol in non-standard measures'
Drinks are sometimes offered in objects or items that are non-standard glasses certified by Weights and Measures. Drinks are also sometimes offered in non-standard glasses or vessels eg. "test tubes" and "water pistols".
- d. 'Drinks that, by their method of consumption, encourage irresponsible drinking habits and are likely to result in rapid intoxication'
This phrase contemplates scenarios where drinks are offered in objects or items that are non-standard glasses certified by Weights and Measures (eg. "test tubes" and "water pistols"). It also contemplates drinking games requiring the consumption of liquor in a short period of time which can lead to rapid and/or excessive consumption of liquor (eg. skolling games and 'laybacks' as prescribed in section 41 of the *Liquor Regulation 2002*).
- e. 'Very high alcohol substances'
Many Australians drink alcohol at harmful levels effecting short-term risks of harm (which are associated with high levels of drinking on a single occasion) and/or long term risks of harm (which are associated with consistent high level consumptions over a lengthy period). In 2007, one in 10 Australians over the age of 14 were drinking at a level considered to pose a risk or high risk to health – that is, drinking seven or more standard drinks on any one day for males and five or more standard drinks on any one day for females.

Alcohol has been causally linked to more than 60 different medical conditions including cirrhosis of the liver, inflammation of the gut and pancreas, heart and circulatory problems, sleep disorders, male impotency, eye diseases and conditions, and alcohol dependence. Both the amount of alcohol consumed and patterns of drinking contribute to these health risks.

The following information in relation to high alcohol substances has been obtained from the Australian Medical Association website.

Examples of high level alcohol pre-mix drinks include:

DNA Cosmo	250ml	10.0%	2 standard drinks
Long Island Teas	275ml	10.0%	2 standard drinks

Some pre-mixes have a lower alcohol percentage but larger containers can have a greater standard drink percentage:

Vodka Cruiser	660ml	5.0%	2.6 standard drinks
Wild Turkey Bourbon and cola	375ml	8.0%	2.4 standard drinks
Johnnie Walker Premium	375ml	6.9%	2.0 standard drinks

The alcohol strength of some ready to drink (RTD) products has increased to 6 – 9 percent alcohol by volume. Some of these so-called "premium" RTD products (eg. Smirnoff, Bundaberg Rum and Johnnie Walker) contain 2 standard drinks, while some bourbon and cola RTD products (eg. Woodstock Blue) contain nearly 3 standard drinks. Premium or "super-strength" RTD products appear designed to target consumers who want to drink rapidly and become intoxicated. Super-strength RTD products also pose a risk to people who may confuse them with milder products.

f. 'High alcohol carbonated drinks'

This term refers to energy drinks (eg. Red Bull) mixed with alcohol. The Alcohol Advisory Council of New Zealand has stated that "drinking alcohol with stimulants, such as caffeine and guarana, can result in wide-awake drunks who perceive that they are safe to drive...when in fact they are dangerously impaired."

According to Geoff Munro, National Policy Manager, Australian Drug Foundation, "energy drinks mask alcohol's sedative effects, so people who mix the two have a harder time judging how drunk they are and are more at risk of alcohol-related harm." *Alcoholism: Clinical and Experimental Research* confirms that those who drink alcohol mixed with energy drinks actually feel less intoxicated allowing them to think they are not intoxicated and consume more than their body can handle.

Alcoholic energy drinks have been associated with higher risks of regular intoxication, drink driving, unsafe sexual behaviours and accidents requiring medical assistance. Some alcoholic energy drinks (eg. Pulse) contain as much as 8 percent alcohol.

g. 'Any event or practice detected that may impact on the Accord'

This phrase refers to events or practices (eg. which lead to the rapid and/or excessive consumption of liquor, or which attract under aged persons) that has an impact on Accord licensees in a locality who are working to comply with the *Liquor Act 1992* or the obligations and responsibilities of their respective licence authorities. Some example events or practices include "all you can drink" promotions and under aged events not authorised with the appropriate measures to control under aged persons.

2. The role of Police and other relevant authorities

Police and other relevant authorities across the State are active stakeholders of Accords. They help licensees to drive, manage and promote Accords by providing education, information and assistance to licensees at Accord meetings on legislation, legislative amendments, and local issues or trends. They do not take on the roles of the executive committee but may be on committees to assist in the management of the Accord.

3. List of members for liquor accords

While the Office of Liquor and Gaming Regulation (OLGR) maintains a list of Accords across the State, it does not maintain a list of the members of each Accord. The Accords register is being expanded at this time to include specific licensee members of each Accord on the OLGR database.

4. Accord agreements

Copies of some Accord documents are retained by OLGR where they have been provided. OLGR is working to expand the documentation held in respect to Accords which may include copies of Accord agreements.