

# **Provide Responsible Service of Alcohol Training Program**

## **SITHFAB009A**

### **Preparatory Study Guide**

# RSA Overview

## Background

The Responsible Service of Alcohol (RSA) Training Program was released by the Queensland Office of Liquor, Gaming and Racing (OLGR) on the 1st February 2009 in response to the mandatory training requirements of the *Liquor and Other Acts Amendment Act 2008*.

RSA is an element of competency (SITHFAB009A) from the nationally endorsed Tourism, Hospitality and Events Training Package SIT07.

## Learning Process

The program focuses on content that will ensure the required performance criteria from the RSA element of competency (SITHFAB009A) is met. These are:

1. Sell or serve alcohol responsibly
2. Assist customers to drink within appropriate limits
3. Assess alcohol affected customers and identify customers to whom sale or service must be refused
4. Refuse to provide alcohol.

# Penalties

The Liquor Act 1992 regulates the sale and supply of liquor in Queensland and determines penalties for corporations and individuals. The amounts below are the maximum penalties on the date of publication of this study guide.

Fines are declared as a number of penalty units. The value of the penalty unit at the date of publication of this study guide is \$110. If the value is increased, the maximum fines will increase also. Future amendments to the Liquor Act may also increase the number of units. OLGR lists some of the penalties at this address:

[http://www.olgr.qld.gov.au/industry/liquor\\_compliance/Penalties\\_%20for\\_industry/index.shtml](http://www.olgr.qld.gov.au/industry/liquor_compliance/Penalties_%20for_industry/index.shtml)

<b>Maximum Fines for Licensees and Manager</b>	<b>Units</b>	<b>Amount</b>
Supplying liquor to a minor	250	\$27,500
Supplying liquor to a person who is unduly intoxicated	500	\$55,000
Supplying liquor to a person who is disorderly	500	\$55,000
Not ensuring that minors are not on the premises	100	\$11,000
Licensee failing to remove minor on licensed premises	100	\$11,000
Sale of liquor after authorised trading hours	100	\$11,000
Allowing liquor to be consumed on premises after authorised hours	100	\$11,000
Allowing liquor to be removed from premises after authorised hours	100	\$11,000
Failure to confiscate fake ID and give to an investigator	25	\$2,750
Failure to give or give false name, age or address	25	\$2,750
Failure to answer questions asked by an investigator	100	\$11,000
Obstructing an investigator	200	\$22,000
Contravening a condition of a license or permit	40	\$4,400
Make a false or misleading statement	100	\$11,000
<b>Maximum Fines for Bar/Security and Other Staff</b>		
Supplying liquor to a minor	80	\$8,800
Supplying liquor to a person who is unduly intoxicated	80	\$8,800
Supplying liquor to a person who is disorderly	0	\$0
Allowing a minor to enter the premises	0	\$0
Failure to confiscate fake ID and give to an investigator	25	\$2,750
Failure to give or give false name, age or address	25	\$2,750
Failure to answer other questions asked by an investigator	100	\$11,000
Obstructing an investigator	200	\$22,000
Make a false or misleading statement	100	\$11,000
<b>Maximum Fines for Patrons</b>		
Non-exempt minor on licensed premises	25	\$2,750
Minor consuming or possessing liquor on a licensed premises	25	\$2,750
Minor falsely representing himself or herself to be of age	25	\$2,750
Supplying liquor to a minor	80	\$8,800
Supplying liquor to a person who is unduly intoxicated	80	\$8,800
Supplying liquor to a person who is disorderly	80	\$8,800
Giving 'acceptable evidence of age' to another person	40	\$4,400
Defacing or interfering with 'acceptable evidence of age'	0	\$0
Drunk or disorderly on licensed premises	25	\$2,750
Person resisting eviction by a licensee	25	\$2,750
Hindrance of a licensee	100	\$11,000
Failure to give or give false name, age or address	25	\$2,750
Failure to answer other questions asked by an investigator	100	\$11,000
Obstructing an investigator	200	\$22,000
Make a false or misleading statement	100	\$11,000

# Responsible Service of Alcohol (RSA)

Alcohol is a drug and Governments regulate its sale and supply and determine the rules which control who is able to sell liquor and who is able to consume it. In Queensland they are contained in the Liquor Act 1992 (Liquor Act) and the Liquor Regulation 2002 (Liquor Regulation). The Liquor Regulation provides additional details about particular provisions of the Liquor Act. Copies of the Act and Regulation can be found on Queensland Office of Parliamentary Council website: [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)

The legislation aims to ensure that alcohol is sold by responsible people and that the possible harmful effects of alcohol are minimised or avoided (harm minimisation). The legislation also aims to identify:

- Who – alcohol may not be served to e.g. minors or unduly intoxicated persons
- When – alcohol may be consumed e.g. trading hours on licences
- How – alcohol may be sold e.g. authorities related to different licence types

RSA means serving and supplying liquor in a responsible manner and in accordance with the law. It means that licensees and staff who sell or supply liquor are required to conduct their business in a responsible manner. Licensees, managers and staff may all be held accountable for their actions.

## Effects of Alcohol

Alcohol is absorbed into the bloodstream through the walls of the stomach and intestines. It is then carried by the bloodstream to the brain and other organs. Even small amounts of alcohol affect the normal functioning of the brain. When alcohol builds up in a person's bloodstream it affects behaviour. At some stage, the loss of control becomes so great that the person is considered to be 'unduly intoxicated'. The time taken will vary from person to person as there are several factors that can also affect timing.

What factors can affect the timing of when someone becomes 'unduly intoxicated'?

## Standard Drinks

The concept of a 'standard drink' is a measure not of how much liquid has been consumed, but how much pure alcohol has entered the system. The National Health and Medical Research Council defines a standard drink as one that contains 10 grams of pure alcohol.

The table below shows the number of standard drinks in commonly served measures.

For a more detailed list visit this page:

<http://www.health.gov.au/internet/alcohol/publishing.nsf/Content/drinksguide-cnt>

Description	Standard Drinks
285mls of full strength beer – a pot	1.1
375mls mid strength beer – a can or stubbie	1
425ml of light beer – a schooner	0.9
150 ml of wine – the average restaurant serve	1.4 - 1.5
60 ml of port/fortified wine – typical serve	0.8
30 ml nip of spirits/liqueurs	1

# Minors

## Who is a minor?

A minor is someone who is under 18 years of age.

## Are minors allowed on licensed premises?

A minor may be on licensed premises under certain exempt circumstances but on licensed premises (or at a place adjacent to licensed premises), minors MUST NOT BE:

- sold liquor;
- supplied liquor or allowed to be supplied liquor; or
- allowed to consume liquor.

## Who is an exempt minor?

An exempt minor may be on licensed premises. The exemptions are defined in section 155(4) of the Liquor Act 1992:

- (4) *In this section —*  
“*exempt minor*” means a minor on premises to which a licence or permit relates if —
- (a) *the minor is a resident on the premises; or*
  - (b) *the minor is on the premises to —*
    - (i) *perform duties as an employee of the owner, or occupier of the premises or part of the premises; or*
    - (ii) *perform duties in the conduct of a lawful business; or*
    - (iii) *perform duties while receiving training for employment or work experience; or*
  - (c) *the minor is attending a function being held on the premises; or*
  - (d) *the premises are premises to which a club licence or restricted club permit relates and the minor’s presence does not contravene the club’s rules or a condition of the licence or permit; or*
  - (e) *the minor is on the premises for a purpose, and in circumstances, approved by the chief executive; or*
  - (f) *the minor —*
    - (i) *is eating a meal on the premises; or*
    - (ii) *is accompanied by a responsible adult who is responsibly supervising the minor.*

There are limitations on these exemptions and you must familiarise yourself with any that may apply to the premises where you work

## Who is a responsible adult?

A responsible adult is:

- (a) a parent, step-parent or guardian of the minor;
- (b) an adult who has parental rights and responsibilities for the minor.

***A partner, spouse or friend, who is 18 or older, is not a responsible adult for the purposes of this exemption!***

More information is available at this link:

<http://www.olgr.qld.gov.au/resources/liquorDocs/minors-law-you.shtml>

## **What is acceptable Proof of Age?**

If you believe someone is under 18 you must ask for proof of age. Even if the security providers are checking ID on entry, it is your responsibility to ask for ID if you have concerns about a patron's age.

In Queensland the following types of ID are acceptable to prove age:

- a current Australian driver's or rider's licence or permit
- a current Australian or foreign passport
- a current State or Territory Government issued proof of age card
- other current ID cards approved by OLGR. Victorian Keypass and foreign driver's licence are the only two currently approved.

### *Notes*

- Each of these forms of ID has a photograph and date of birth.
- Where a foreign driver's licence is not written in English, an International Drivers Permit issued in the foreign country of origin (and including photo of licence holder and translation) must be presented with the foreign driver's license.
- Each State and Territory has its own proof of age card. Queensland's is the Adult Proof of Age Card
- The Australian ID Checking Guide contains an example of a Victorian Keypass, the only non-government ID that has been approved for use in Queensland .

## **What to do if you are presented with ID that makes false representation, is forged or has been tampered with.**

If you are presented with an ID which you believe has been tampered with or is a forgery, you must confiscate it and send it to OLGR with an "ID Confiscation Report" available at this address:

<http://www.olgr.qld.gov.au/resources/liquorDocs/IDConfiscationReport.pdf>

## **More Information**

You can buy a copy of the Australian ID checking guide here.

[http://www.olgr.nsw.gov.au/signs\\_guide.asp](http://www.olgr.nsw.gov.au/signs_guide.asp)

# Unduly Intoxicated and Disorderly

Patrons who can negatively affect both the atmosphere of the venue and the enjoyment of other patrons include those who are unduly intoxicated or disorderly.

Under the Liquor Act 1992 it is an offence to sell liquor to, supply liquor to or allow liquor to be supplied to a person who is either unduly intoxicated or disorderly.

## Unduly Intoxicated

“Unduly intoxicated” means a state of being in which a person’s mental and physical faculties are impaired because of consumption of liquor so as to diminish the person’s ability to think and act in a way in which an ordinary prudent person in full possession of his or her faculties, and using reasonable care, would act under like circumstances.

Some of the signs below may be helpful for the purpose of identifying an unduly intoxicated person. This is not an exhaustive list and a person may exhibit a combination of these signs, or behave in another way to suggest undue intoxication. , Reasonable commonsense must be used at all times when refusing service:

- difficulty moving around objects
- bumping into or knocking over furniture
- falling down
- swaying and /or dozing while sitting at a bar or table
- clumsy or uncoordinated movements
- stumbling or change in gait
- crude behaviour
- spilling drinks or the inability to find one’s mouth with a glass
- inappropriate sexual advances
- annoying other customers and employees
- glassy eyes, lack of focus, loss of eye contact
- becoming careless with money, buying rounds for strangers
- becoming loud and boisterous and making comments about others
- aggression or belligerence
- becoming agitated or argumentative
- inability to light a cigarette
- letting a cigarette burn in an ashtray without smoking it
- inability to pick up change from table/bar
- rambling conversation, loss of train of thought
- altered speech patterns, such as slurred speech
- making irrational or nonsensical statements

*The number of drinks a person has consumed is not an indication of undue intoxication, so “counting drinks” is no way to gauge this.*

## Why refuse service?

Why should service be refused?

- Continuing service may be an offence under the Liquor Act 1992.
- Safety of the patron.
- The safety of other patrons.
- Civil liability risks.

## Disorderly Patrons

To be disorderly, a person does not need to be intoxicated or unduly intoxicated. This person could be sober or under the influence of another substance. Some outward signs of a disorderly person could include:

- Aggressiveness
- Carelessness
- Violent
- Disruptive
- Argumentative
- Boisterous
- Affecting patrons' comfort/enjoyment level.

If a disorderly person is permitted to remain on the premises, the potential for harm to staff or patrons is increased. The protection of all is to be considered in the management of disorderly individuals. Penalties may apply if the sale, supply or consumption to the disorderly patron is permitted.

## Conclusion

This Study Guide is intended to give you a background in RSA practices. When you complete your online training with LGS Training, you will have access to all the information you need to successfully complete the course.

If you have any questions, please call our office on 07 3252 4066.

If you are ready to begin your online RSA, go to our website, [www.RMLV.com.au](http://www.RMLV.com.au) and follow the link under "Online Courses".