

Offences of public persons under the liquor licensing legislation

The sale, supply, promotion and consumption of alcohol in Tasmania and related offences are regulated by the *Liquor Licensing Act 1990*. The following table summarises the offences and penalties applied to public persons under the Act. The table is a guide only and the relevant section of the Act should be referred to for further information.

The maximum amount payable for each offence is expressed in the Act as penalty units. The dollar value of one penalty unit is \$157¹ (as at 1 July 2016).

Offence	Penalty units	Section of the Act
A person must not sell liquor unless they have a licence, permit or general exemption.	40	5
A person must not sell liquor products deemed undesirable by the Minister.	50	38A(4)
When selling liquor through the internet or by other communication media, if liquor is taken by a person under the age of 18 years, the licensee and delivery person are guilty of an offence.	20	46D(4)
A person must not order or request a person under 18 years to take delivery of liquor sold through the internet or by other communication media.	20	46D(7)
A person must not knowingly make a false or misleading statement in an application.	50	69
A person must not supply liquor to people under the age of 18 years on licensed or permit premises.	50	71
A person under the age of 18 years must not enter or remain on licensed premises in an area which has been designated as prohibited.	20	72(1)
A person under the age of 18 years must not enter or remain on licensed premises in an area which has been designated as restricted, except to have a meal or is in the company of a responsible adult.	20	72(2)

¹ The dollar value of a penalty unit increases each year (based on the consumer price index) and is published on the Department of Justice website at www.justice.tas.gov.au/about/legislation/value_of_indexed_units_in_legislation.

Offence	Penalty units	Section of the Act
A person under the age of 18 must not use false evidence of identity.	10	72A
A person under the age of 18 years must not purchase liquor.	10	73
A person must not send a person under the age of 18 years to obtain liquor from licensed or permit premises.	50	74
A person under the age of 18 years must not consume liquor on licensed or permit premises.	10	76
A person under the age of 18 years must not have possession or control of liquor on licensed or permit premises unless in the course of work and is under direct supervision.	10	77
Liquor must not be supplied to a person who is intoxicated on licensed or permit premises.	50	79
A person must not sell liquor by means of a vending machine unless otherwise permitted to do so, etc.	20	79B(2)
A person must not bring liquor onto a licensed or permit premises without the consent of the licensee or permit holder.	10	79C
A person must not act in a violent, quarrelsome or disorderly manner; or use disgusting, profane or foul language on licensed or permit premises.	20	79D
A person must leave a licensed or permit premises when required to do so.	50	80(1) and 80A(1)(a)
A person who has been required to leave a licensed or permit premises, must not re-enter or attempt to re-enter those premises within 24 hours of leaving or being removed from those premises.	50	80(2) and 80A(1)
A person who is required to leave a licensed or permit premises must not, without reasonable excuse, remain in the vicinity of those premises for the remainder of the day's trading or six hours after being required to leave the premises.	50	80(2A) & 80A(1A)
A person who is prevented under a barring order from entering or remaining on a licensed or permit premises, must not enter or attempt to enter or remain on the premises to which the order relates.	50	81(7)
A person who is served with a barring order must not, without reasonable excuse, enter or remain in the vicinity of the licensed or permit premises to which the order relates.	50	81(8)

Offence	Penalty units	Section of the Act
A person must not hinder an authorized officer.	100	82
A person must give their true name, address and date of birth if required to do so by a police officer.	50	83
A person under the age of 18 years must not sell liquor in an area designated as prohibited.	10 ²	84(1)
A person who is required to appear at a hearing of the Commission must attend and produce documentation in accordance with the notice.	5	217(1)
A person who is called as a witness at a hearing before the Commission must not refuse to be sworn or answer any question, or answer any question incorrectly.	5	217(2)
A person who grows grapes or produces wine, must provide statistical information under the <i>Dairy Industry Act 1994</i> .	15	222A(1)
A person who grows grapes or produces wine, when providing information, must not knowingly make a false or misleading statement or omission.	15	222A(2)

² The maximum penalty units for this offence is prescribed in the *Liquor Licensing Regulations 2016*.

For further information contact the Liquor and Gaming Branch.

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