



MEDIA RELEASE

Wednesday, 6 February 2013

PARTY BOAT LICENSEE CONVICTED AND FINED FOR ALCOHOL LAW BREACHES

The licensee of an All Occasion Cruises party boat, Leo Elias, was convicted in court yesterday and ordered to pay fines and costs totalling \$4,098 for breaching the State's liquor laws during a cruise on Sydney Harbour.

Mr Elias was convicted and fined in the Downing Centre Local Court on two matters for having insufficient security officers and for failing to have a responsible service of alcohol (RSA) certificate available for inspection.

The convictions followed a joint operation by the NSW Government targeting party boats which caught the cruise company breaching alcohol laws on July 7, 2012.

The Saturday night operation involved the Office of Liquor, Gaming and Racing (OLGR) together with NSW Police, NSW Fire Brigade, and rangers from the Sydney Harbour Foreshore Authority.

It detected a number of liquor licence breaches against a licensed vessel owned by All Occasion Cruises, the *'MV Bella Vista'*.

The operation targeted a dance party cruise advertised on Facebook as the 'biggest production ever on an Australian cruise' which attracted 760 people paying about \$60 per head.

Authorities engaged with the event promoter and vessel operator on the day before the five hour dance cruise to ask them to strengthen controls and responsible service of alcohol (RSA) measures.

However, an inspection of the large multi-level vessel by OLGR officers the following night found a range of issues including:

- Four security guards were unable to produce their RSA certificates.
- The licensee of the vessel, Mr Elias, breached a liquor licence condition by failing to maintain an RSA register containing recognised RSA certificates of all staff involved in the sale and supply of alcohol as well as security guards.

- The licensee also failed to comply with a licence condition requiring a ratio of at least one security guard for every 100 patrons, with only five licensed security guards on duty when there should have been at least seven.

As a result, OLGR issued five penalty notices against the vessel's licensee, who instead opted to challenge the matters in court.

Pleas of "guilty" were eventually entered to all five matters by Mr Elias and he was yesterday convicted and fined on two matters relating to having insufficient security officers and for failing to have a responsible service of alcohol (RSA) certificate available for inspection.

Another three matters relating to failing to maintain an RSA register were dismissed under s10(1)(a) of the Crimes (Sentencing Procedure) Act 1999.

OLGR Director of Compliance Paul Newson said the dance party cruise was a large and significant commercial event being held on Sydney Harbour with a large number of people restricted to a boat for a significant period of time, where they would be served alcohol.

"This highlighted the need for sufficient and properly trained security personnel to ensure compliance with licence conditions and alcohol laws and for the event to be staffed by people properly trained in responsible service of alcohol," Mr Newson said.

"OLGR officers attempted to work with All Occasion Cruises prior to the event to ensure it met requirements but it still was not compliant on the night and yet went ahead with the cruise despite the licensee being aware that he was in breach of his licence conditions.

"It was of significant concern that a large number of people would be consuming alcohol in the middle of the harbour without adequate supervision and in circumstances where it would be difficult for emergency services to attend if required