



The Hon George Souris MP

Minister for Tourism, Major Events, Hospitality and Racing
Minister for the Arts

MEDIA RELEASE

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THREE STRIKES AND YOU'RE OUT FOR ROGUE LICENSEES

Licensed venues repeatedly committing serious breaches of the liquor laws could be stripped of their liquor licences under legislation to be introduced to Parliament by the NSW Government.

Minister for Tourism, Major Events, Hospitality and Racing George Souris has announced details of the NSW Liberals & Nationals '**three strikes and you're out**' policy, which fulfils a key election promise and a commitment under the 100 Day Action Plan.

Mr Souris said the tough approach sends a clear message to repeat offenders that they face severe penalties if they do not improve venue operations to reduce intoxication and violence.

"Under the policy, a pub, club, bottle shops, restaurant or any licensed venue would record a strike for repeated breaches of a range of offences under the Liquor Act which result in unacceptable impacts on local communities," Mr Souris said.

"These offences include permitting intoxication, allowing violent behaviour on the premises, supplying alcohol to a minor or an intoxicated patron, permitting the sale or use of illicit drugs on the premises and breaching key licence conditions."

Mr Souris explained that a first strike would automatically be imposed after three offences in 12 months. A second strike could be imposed if a venue commits two additional offences in the 12 months since the first strike. If the offences are the same as those which led to the first strike then a second strike is automatically incurred.

A third strike could be recorded after another offence within 12 months of the second strike. Under the policy, it would not necessarily take three years for an irresponsible venue to lose its licence.

"Where a major offence has resulted in serious injuries, a strike could be imposed after just one offence," Mr Souris said.

"After three strikes, a licensee can be permanently disqualified and banned from holding a liquor licence.

"A 12 month prohibition would be placed on the granting of a new liquor licence for the premises if the venue is operated by the same entity".

Mr Souris said that in recognition of the unique role registered clubs played in local communities across the State, clubs which recorded three strikes would not lose their liquor licence.

“Cancellation of a registered club’s licence would have devastating impacts on members who would not have been at fault for the behaviour of management or staff.

“Instead, a club secretary would be subject to permanent disqualification from the industry.

“Recognising sustained improvements in behaviour, venues free of incidents for 12 months would have a strike removed.

“Venues subject to ‘strikes’ could also face escalating penalties in the form of licence conditions and restrictions.”

These include bans on glass and the imposition of responsible service of alcohol marshals for venues with one strike.

A second strike would result in licence suspension for up to six months; reduced trading hours; lockouts; drink restrictions and extra security measures. A third strike would result in permanent disqualification from holding a liquor licence.

The relative size of the licensed premises, the number of patrons, the venue’s compliance and incident history and offences that have been successfully defended or withdrawn would also be taken into account under the **‘three strikes and you’re out’** policy.

“A licensed venue will be able to make a submission before a decision to impose a strike is made,” Mr Souris said.

“Licensed venues would also be able to request a review of decisions under the **‘three strikes and you’re out’** policy by the Administrative Decisions Tribunal.

“Alcohol-related violence and anti-social behaviour is a significant concern for the community.

“The NSW Liberals & Nationals Government is implementing a range of election commitments to tackle irresponsible alcohol service and consumption and the associated community impacts such as neighbourhood disturbance, offensive behaviour, vandalism, and assaults.

“We are reinforcing the need for personal responsibility with expanded Police move on powers, a new intoxicated and disorderly offence, and a trial of sobering up centres.

“Through the **‘three strikes and you’re out’** policy, the NSW Government is also taking action to apply tough sanctions to licensed venues repeatedly associated with serious offences under the liquor laws.

“Legislation will be introduced to Parliament shortly to implement the **‘three strikes and you’re out’ policy,**” Mr Souris concluded.