

THE HOSPITALITY MESSENGER

Your Western Australian liquor licensing, hospitality, event and related industries news and information presented by Lavan

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LAVAN

The WA State Government has called for tenders for systems and facilities to manage the proposed Banned Drinkers Register and Takeaway Alcohol Management System.



The Banned Drinkers Register is intended to operate in the Pilbara for a trial period of two years, starting as soon as possible after the tender process finishes at the end of March 2020.

The University of Western Australia is to evaluate the trial.

Sanctions are expected to be imposed for licensees selling or supplying packaged, take-away liquor to someone who is named on the Banned Drinkers Register.

More information about the Banned Drinkers Register and how it will operate should be published soon.



The new packaged liquor laws have been in effect for nearly four months now.

The Hospitality Messenger is aware of one new liquor store licence approval and one refusal under the new laws by the Director of Liquor Licensing. But as no reasons for the decisions are known to have been published by the Director as yet, it is unclear how the Director interprets the new provisions.

The changes were intended to restrict the number of packaged liquor outlets and are likely to be narrowly and strictly interpreted.

Generally speaking, it seems likely to become much harder to obtain approvals and much easier for existing licensees to successfully object.

It will take time for the Director's interpretation to be tested, initially in the Liquor Commission and ultimately the Supreme Court. The impact overall, therefore, creates much uncertainty.

ANZAC: NOT JUST A REGULAR WORD

The acronym "Anzac" has a special meaning in Australia and its use is regulated.

How, when and where "Anzac" may potentially be used in trade and entertainment is protected by government regulations.

The Hospitality Messenger recommends exercising caution in using the word for promotions or events surrounding activities associated with 25 April 2020 and Anzac Day occasions.

Use of the word Anzac is permissible in some circumstances. Express permission can potentially be obtained for other situations. Some uses may not be permitted.

Further information is available from the Department of Veterans' Affairs at this link:

<https://www.dva.gov.au/commemorations-memorials-and-war-graves/protecting-word-anzac>



NEW EMPLOYMENT LAWS

Changes will soon be introduced to the *Restaurant Industry Award 2010* and the *Hospitality Industry (General) Award 2010* which will impose obligations on many licensees in relation to full-time employees.

Once these changes become effective, licensees that need to comply will be required to do the following:

- agree with employees on the application of an annualised salary arrangement; and
- monitor the “outer limit of hours” (currently proposed to be 10 overtime hours and 16 ordinary time penalty rate hours) that can be performed in a pay period/roster cycle and pay the employee for any hours outside the outer limit at the applicable award rate.

If you have any concerns regarding how these changes may affect your business and to ensure you are complying with the new award requirements, contact us and we will put you in touch with Lavan’s Employment & Safety team to advise and assist you.

Now is a good time to have your employment contracts reviewed. We can do that for you.



The Director of Liquor Licensing has again issued a blanket approval to most hotel and liquor store licensees for extended trading in respect of packaged liquor on specific dates in 2020.

Packaged liquor may be sold and supplied under hotel and liquor store licences located in the metropolitan area from 8am to 10am on Sunday 13, 20 and 27 December 2020, when ordinarily trading could not otherwise occur before 10am on those dates.

Packaged liquor may be sold and supplied under liquor store licences situated outside the metropolitan area between 10am and 10pm on Sundays of long weekends and leading up to Christmas, when trading would not normally be permitted without an appropriate ETP. The remaining approved dates in 2020 are 1 March, 12 April, 26 April, 31 May, 27 September, 13 December, 20 December and 27 December.

Some licences are excluded from this extended trading approval. See the list of exclusions here:

[https://www.dlgsc.wa.gov.au/department/news/news-article/2020/01/24/liquor-control-\(section-31\)-notice-2020](https://www.dlgsc.wa.gov.au/department/news/news-article/2020/01/24/liquor-control-(section-31)-notice-2020)

OUR TEAM

Your business or club is an important contributor to the Western Australian community and to WA's growing liquor, hospitality, events, tourism and related industries.

Are you getting the most out of your business? Are you fulfilling all of your ideas and enjoying business success?

If you have an idea for a new business, we would love to help you develop it.

We encourage you to obtain modern business solutions from us and receive the benefits of a life long working relationship to help maximise your business potential. Any expenditure with us is an investment in your business and its future.

We enjoy visiting our clients' places of business and will be happy to visit yours.



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