



New South Wales

Alcohol Consumption in Public Places (Liberalisation) Bill 2024

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to remove restrictions and prohibitions on the consumption of alcohol in public places other than—

- (a) in public places prescribed by the regulations that are of cultural or religious significance, or
- (b) where a person is intoxicated and disorderly.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Clause 3 provides for the purpose of the proposed Act.

Clause 4 defines *public place* for the proposed Act.

Clause 5 provides that the proposed Act binds the Crown.

Clause 6 provides that the proposed Act prevails to the extent of an inconsistency with another Act or law unless otherwise provided for by the proposed Act.

Clause 7 provides that a person does not commit an offence under an Act or law related to the person's consumption of alcohol in a public place.

Clause 8 provides that alcohol must not be confiscated from a person in a public place unless the person is subject to a direction under the *Law Enforcement (Powers and Responsibilities) Act 2002*, Part 14.

Clause 9 provides that, despite the proposed Act, offences related to a person's consumption of alcohol continue to apply if a public place is declared by the regulations to be a place of cultural or religious significance.

Clause 10 provides that, despite the proposed Act, the following continue to apply—

- (a) police powers to give directions under the *Law Enforcement (Powers and Responsibilities) Act 2002*, Part 14, including to give move on directions to people who are intoxicated and disorderly,
- (b) the offence under the *Summary Offences Act 1988*, section 9 for not complying with move on directions under the *Law Enforcement (Powers and Responsibilities) Act 2002*, section 198.

Clause 11 enables the Governor to make regulations.