

Liquor (Responsible Service of Alcohol Training Course Approval) Guidelines 2011 (No 1)

Notifiable instrument NI2011–98

made under the

Liquor Act 2010, s 223 (Liquor Guidelines)

1 Name of instrument

This instrument is the *Liquor (Responsible Service of Alcohol Training Course Approval) Guidelines 2011 (No 1)*.

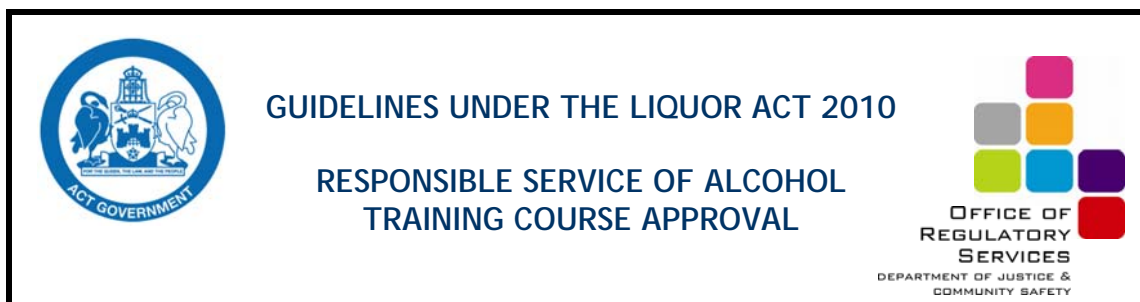
2 Commencement

This instrument commences on the day after notification.

3 Notification

I make the Responsible Service of Alcohol Training Course Approval Guidelines set out in Schedule 1

Brett Phillips
Commissioner for Fair Trading
28 February 2011



Under section 223 of the *Liquor Act 2010* (the Act), the Commissioner for Fair Trading (the Commissioner) may make liquor guidelines consistent with the objects of the Act and the harm minimization and community safety principles. These guidelines are published by the Commissioner to assist a Registered Training Organisation (RTO) in preparing Responsible Service of Alcohol (RSA) training content for approval by the Commissioner.

In reading these guidelines, consideration must also be given to the underpinning objectives of the Act; which are to regulate the sale, supply, promotion and consumption of liquor:

- *To minimise the harm associated with the consumption of liquor;*
- *To facilitate the responsible development of the liquor and hospitality industries in a way that takes into account community safety; and*
- *To encourage and support liquor consumers to take responsibility for their consumption and their behaviour if it is affected by the consumption of liquor.*

What does the law say?

Sections 100 - 102 of the Act requires that a licensee or commercial permit-holder, and their employees involved in the supply of liquor be trained in RSA. Crowd controllers at licensed or permitted premises are also required to be trained in RSA.

Penalties of up to 50 penalty units apply.

However, these offences will not take effect immediately. People involved in the liquor industry have until 1 December 2011 to complete an ACT-approved RSA training program. Those individuals who, since 1 December 2009, have obtained a RSA certificate (full course or refresher) in the ACT or another jurisdiction are deemed to hold an ACT-approved RSA certificate and are not required to complete an ACT-approved refresher course until 1 December 2012.

Schedule 1

RSA training providers

RSA training can only be delivered by a RTO that has the proposed unit of competency (which may be within a greater qualification) on its scope of registration as listed on the National Training Information Service (NTIS) website. Before the RSA training program can be taught in the ACT for the purposes of the Act, the provider and its RSA training program must also have been approved by the Commissioner.

Types of RSA training programs

The Commissioner will consider approval of both a full RSA training program and a refresher program. Provided that the full ACT-approved RSA training program has been completed, a person may complete a refresher RSA training program on its expiry every three years. Minimum requirements for the content of RSA training programs are described below.

Full RSA training program content

For a full RSA training program approval a RTO will be expected to provide evidence in their application of:

- Trainer qualifications [evidence of trainer's qualifications as per the Australian Quality Training Framework (AQTF) and a recommended minimum six months experience in a liquor service role];
- Course duration [to be at least 3 hours (excluding assessment)];
- Class size (if providing face-to-face training, a maximum of 30 participants are to be in the class);
- The unit of competency, SITHFAB009A "Provide responsible service of alcohol" or its equivalent is delivered;
- Interactive presentation of program content, e.g. include role plays, scenarios on DVD, or hands on experience;
- Coverage of ACT-specific legislative requirements under the *Liquor Act 2010*; at a minimum:
 - The objects of the Act;
 - Employee responsibilities in relation to responsible service of alcohol;
 - Identification and management of intoxicated patrons [refer to *Liquor (Intoxication) Guideline 2010 (No. 1)* on the ACT Legislation Register];
 - Offences relating to service of liquor; and
 - Offences relating to patrons.

A copy of all course materials, handouts, workbooks or presentation slides must be provided to the Commissioner.

Schedule 1

Refresher RSA training program content

For a refresher RSA training program approval a RTO will be expected to provide evidence in their application of:

- Trainer qualifications [evidence of trainer's qualifications as per the Australian Quality Training Framework (AQTF) and a recommended minimum six months experience in a liquor service role];
- Course duration [to be at least 1 hour (excluding assessment)];
- Class size (if providing face-to-face training, a maximum of 30 participants are to be in the class);
- Coverage of ACT-specific legislative requirements under the *Liquor Act 2010*; at a minimum:
 - The objects of the Act;
 - Employee responsibilities in relation to responsible service of alcohol;
 - Identification and management of intoxicated patrons [refer to *Liquor (Intoxication) Guideline 2010 (No. 1)* on the ACT Legislation Register];
 - Offences relating to service of liquor; and
 - Offences relating to patrons.
- An overview of relevant content from the unit of competency, SITHFAB009A "Provide responsible service of alcohol" or its equivalent;
- Procedures for checking completion of the full ACT-approved RSA training program, or a program recognised under the transitional arrangements of the Act.

A copy of all course materials, handouts, workbooks or presentation slides must be provided to the Commissioner.

Other considerations

In considering an application for online delivery of a training program, the Commissioner must be satisfied that the applicant has stringent procedures in place to obtain and verify the identity of the participant prior to commencing the course or assessment; that procedures and assessment methods take into consideration the potential for fraud; and that the course duration is equivalent to the face-to-face duration.

A RTO must not issue a Statement of Attainment or RSA certificate until the identity of the person completing the test has been verified.

Once a RTO has been approved to deliver an ACT RSA training program, the Commissioner reserves the right for an investigator from ORS to observe the delivery of an approved RSA course at any time, without prior notice. Investigators must show identification in this circumstance.