



## Monthly Newsletter – January 2010

### Director's Desk (profile)

Happy New Year! It's been a little while since my last newsletter. My apologies to all for letting things slip. But we've had a big 2009.

BARS Training Australia is now a Nationally Recognised Training Organisation and approved to offer Certificate II and Certificate III in Security Operations, as well as the Queensland State Government's Responsible Service of Alcohol (RSA) and Responsible Management of Licensed Venues (RMLV) courses.

We now offer the industry a one stop shop in training services, specialised products and range consultancy services having some of the talented professional on the team. For example

Russell Steele (profile) has now joined the BARS Training Australia team after resigning as the Principal Compliance Officer for the Office of Liquor & Gaming Regulation. Russell will be facilitating monthly RSA and RMLV courses in Brisbane and offers his services to the industry with all types of license applications and advocacy services.

Simon Joyce (profile) is now facilitating fortnightly security courses in several locations throughout Queensland. Simon has over 15 years experience in crowd control / security and is the current Pan Pacific Brazilian Jiu-Jitsu Champion (winning 3 x Australian and 2 x Pan Pacific Brazilian Jiu-Jitsu Championships).

Anyway, enough about BARS Training Australia let's see what's new to talk about ...

### Liquor Industry

Late last year the Queensland Government finally clarified the uncertainty with regards to how annual licensing fees would be calculated. For some time, there was talk that licensed premises would be penalised for as much as a warning letter through an increase in licensing fees for that respective financial year. However, Regulation 36Ca now outlines the following:

If a premises receives an infringement notice and pays that notice in the previous license period for any of the following offences, the annual fee could be increased by \$5000 over what the premises is paying now.

#### **Section 146(1) – Supply contrary to licence or permit**

The licensee or permittee must not supply (or sell) liquor at an authorised time, an unauthorised quantity, in an unauthorised way or for an unauthorised purpose.

#### **Section 155AA(2) – Minors must not be in adult entertainment area**

The licensee or permittee, an approved manager or controller must ensure that a minor is not in an approved area when adult entertainment is being provided.

#### **Section 156(1), (2) or (3) – Liquor prohibited to certain persons**

A person must not, on premises to which a licence or permit relates, supply or allow liquor to be consumed by a minor, an unduly intoxicated person or a disorderly person. These sections also include supplying liquor to a minor in a public place and sending a minor to a premises with the view of that minor being supplied liquor.

#### **Disciplinary Action**

If the chief executive has taken disciplinary action or if the Licensee was convicted of an offence against the Act in the previous license period, the annual fee could be increased by \$10,000 over what the premises is paying now.

## Major Trauma

If the licensee was convicted of a supply offence and in the previous license period that supply offence was taken to have contributed to the death of a person or a serious assault committed against a person on or near the licensed premises, the annual fee could be increased by \$20,000 over what the premises is paying now.

I suppose the good news is that your fees will NOT be increased due to a Warning Letter.

## Security Industry

On the 1 January 2010, security providers who are working for an incorporated company (Pty Ltd, Limited, or Trust) now have their working conditions governed by a new Federal award, called the Security Services Industry Award 2010. ([download the award](#))

This award replaces some 1,560 State and federal awards covering 93 industries and occupations with 122 modern awards. The Security Services Industry Award 2010 has set award pay rates and working conditions for Security Guards and monitoring personnel from 1 January 2010 overseen by Fair Work Australia. ([contact](#))

New and existing businesses will be required to comply with this award system, as well as the National Employment Standards. However, The Security Services Industry Award will not cover security employees engaged primarily and substantially on Cash in Transit work nor will it cover Alarm, Access Control or CCTV systems installers. These groups will have their own national awards.

I could write a novel on what this means to the Security Industry, but lets face it, what we want to know is all about money. As a guide I have found a pay rate calculator ([download calculator](#)) on a very interesting site designed specifically for the security industry that has a lot of value information on this and many other security topics. ([check it out](#))

On another issue, as President of the National Security Association (Qld) we requested that the Office of Fair Trading grant website access to the general public to search the license details of any one of the current 27,000 security license holders in Queensland.

This facility is now available and should be widely used by the security and hospitality industries to ensure that unlicensed security providers are not employed either directly or indirectly. ([License Search](#)).

I would make a couple of recommendation before anyone employs someone purporting to be a licensed security provider. Firstly, read the license front and back to ensure the person is current and has the appropriate class of license. Secondly, check on the Office of Fair Trading website (link above) to ensure that the license hasn't been cancelled or suspended by the Office of Fair Trading (this could happen if the person has failed to pay the licence fees, failed to complete re-validation training or has been charged with a disqualifying offence.

## Issue of the Month

There has been a number on decisions over the past few months upheld on appeal by the Commercial and Consumer Tribunal. Among the main reasons given for these decisions was that management failed to serve alcohol responsibly and control intoxicated patrons.

If you want my reasons, it's because the objections of the Liquor Act 1992 was changed in the favour of the OLGR back in January 2009. The old objective required a balance between regulating and promoting the liquor industry, now it's a balance between regulating and minimising harm. I'm sure you can see that the Act itself is not that supportive of promoting your business if you fail to minimise harm associated with the misuse or abuse of alcohol.

It's time that all businesses implement a risk management strategy immediately. This doesn't have to cost money as it's all about having a documented process to show continual improvement to the venue from a risk management point of view.

Whether you like it or not, a premises should conduct risk management audits quarterly and document these (including photographs) with recommended action to be taken. For example, you conduct an audit that identifies that additional signage is required around the main bar area. You take photographs of this area the way it was at the time that this issue was identified. You complete a written risk management document and take action. The next audit you take photographs of the work that was performed and therefore show an ongoing process of risk management.

Of course, BARS Consultants can attend your premises and conduct these audits later at night if you wish, when the premises is trading in these high risk times starting from \$660 (incl GST) per audit. The premises receives an audit report averaging around 50 pages long (including colour photographs) outlining the findings, relevant legislative requirements as well as recommendations to get the premises to better than best practice. It's up to you, but please do something proactive to manage risk.

### Product of the Month

With so many concerns about edged weapons entering licensed premises the product of the month has to be the compact easy to use metal detector Garrett has every released. The Garrett THD Tactical Hand-Held Metal Detector with Holster 1165900 is a rugged, compact hand-held metal detector with a 360° detection field and silent screening.

The Tactical Hand-Held Detector (THD) by Garrett is just over 20 centimetres long and features a highly sensitive and quick response that effectively detects all types of metallic objects. These objects are indicated by silent alerts with vibration and a red LED, giving officers the tactical advantage while scanning and retrieving metallic items. ([more information](#))

## QUEENSLAND 2010 TRAINING CALENDARS

### HOSPITALITY INDUSTRY

Responsible Service of Alcohol (\$70) - ([2010 Calendar](#))  
Responsible Management of Licensed Venues (\$350) – ([2010 Calendar](#))  
Apply First Aid (\$100) - ([2010 Calendar](#))

### SECURITY INDUSTRY

Full Crowd Controllers Course (\$499) - ([2010 Calendar](#))  
Full Security (unarmed) Course (\$499) - ([2010 Calendar](#))  
Apply First Aid ONLY (\$100) - ([2010 Calendar](#))  
Manage conflict ONLY (\$80) - ([2010 Calendar](#))  
Control persons ONLY (\$80) - ([2010 Calendar](#))  
Apply first aid + Manage conflict (\$180) - ([2010 Calendar](#))  
Manage conflict + Control person (\$150) - ([2010 Calendar](#))  
Apply first aid + Manage conflict + Control person (\$240) - ([2010 Calendar](#))

If you have any questions that you need answered don't hesitate to give me a ring.

Regards

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