



**NSW
Responsible
Supply of
Alcohol
Training**
—
Course Handbook

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Version: 1.4
Date created: 18 March 2024

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This work has been produced by Liquor & Gaming NSW (L&GNSW) to support learning by providing knowledge requirements under NSW State liquor laws for employees in the supply of alcohol by same day delivery in NSW. The information is current at the date of writing (stated above). You are reminded that the relevant laws and policies will change over time, and that you must make your own enquiries before relying on information in this work.

This training course was developed by Liquor & Gaming NSW with the support of an industry working group.

Table 1: Version dates

Version	Date Created	Created by
1.0	29 April 2021	Liquor & Gaming NSW
1.1	1 September 2021	Liquor & Gaming NSW
1.2	2 October 2021	Liquor & Gaming NSW
1.3	15 October 2021	Liquor & Gaming NSW
1.4	18 March 2024	Liquor & Gaming NSW

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Introduction:

Welcome to the Liquor & Gaming NSW Responsible Supply of Alcohol Training

This course handbook includes an introduction, a detailed breakdown of the six modules, and an explanation of the next steps to obtain your RSAT competency.

- Introduction
- Session 1: NSW liquor laws
- Session 2: Intoxication
- Session 3: Minors
- Session 4: Refusing supply responsibly
- Session 5: Harm minimisation strategies and approaches
- Session 6: Compliance and enforcement
- Next steps

Purpose of the training

The purpose of Responsible Supply of Alcohol training (RSAT) is to:

- make sure you have the knowledge and skills to meet your legal responsibilities
- understand how important your role is for responsible sale, supply, and delivery, of alcohol in the NSW liquor industry.

NSW alcohol delivery laws have requirements in place to make sure your role helps to reduce alcohol-related harms. This course handbook covers information about same day alcohol delivery in NSW.

It includes how to:

- follow alcohol delivery laws
- identify intoxication
- reduce the risk of supplying alcohol to minors
- stay safe when delivering alcohol.

The training will give you the skills and knowledge to deliver alcohol responsibly.

Who needs to complete RSAT training?

Anyone involved in the same day alcohol delivery to the public in NSW.

This includes same day:

- delivery providers (supply the alcohol to be delivered).
- delivery agents (organise delivery of the alcohol)
- delivery persons (deliver the alcohol to the customer)

You must complete your RSAT. This is the law. There are no exceptions. Even if you have your RSA (responsible service of alcohol) qualification, you still must complete the RSAT to be involved in same day delivery of alcohol in NSW.

To gain the RSAT competency, you must:

- complete RSAT with Liquor & Gaming NSW or with any same day delivery provider or Registered Training Organisation
- pass L&GNSW's online knowledge test.

Renewal of RSAT certification

Your RSAT certification is valid for five years. At the end of this period, you will be required to complete your RSAT training again. Make sure you are aware when your certificate expires and complete the training and assessment before the expiry.

Terms and meanings

There are many terms in this resource that you may not know. Here is a bank of words and terms to refer to.

Table 2: Terms and meanings

Name	Definition
Age checking	How to check a customer is 18 or over. This ensures the law is being followed in relation to minors and the supply of alcohol.
Attended delivery	Acceptance of a same day alcohol delivery at a nominated address by the purchaser or the nominated person, who is an adult and not intoxicated.

Name	Definition
Cut-off period	The period of time where delivery of alcohol is not permitted to occur. This is between 11pm on Sunday and 9am on Monday morning and between midnight and 9am every other day of the week. It is against the law to supply alcohol during the cut off period.
Dry zone or declared area	<p>A declared area is where alcohol cannot be consumed. Therefore, delivery of alcohol is prohibited. These areas may be referred to as:</p> <ul style="list-style-type: none"> • alcohol free zones – these include public roads and footpaths • restricted areas – these include parks and public spaces. <p>If you deliver to these areas, it could cost you a maximum penalty of \$3,300.</p> <p>You must check that the delivery address is not in one of these areas.</p>
Enforcement	Action taken by Liquor & Gaming NSW or NSW Police force against persons or licenses who breach NSW liquor laws.
Initiative	To take action to put something into place.
Intoxication	Intoxication happens when too much alcohol has been drunk. Intoxication interferes with memory and thinking, speech and coordination.
Judgement	In New South Wales, if you have a good reason to believe that someone is intoxicated (has had too much to drink), it means that you're making a judgment based on what you know and what you have seen. This may also be referred to 'forming a reasonable belief'.
Mandatory	Something that you must do or have, to comply with the law. For example, it is mandatory to have your RSAT before you can deliver alcohol.
Mandatory initiative	You and your service provider must implement these steps under the law.
Minor	Someone under the age of 18.

Name	Definition
Non-same day delivery	The delivery of alcohol occurring on any day after the day of purchase.
Reasonable belief	This means forming an opinion by assessing the situation. You base your opinion on the facts and the situation as you see it.
Recipient	This is the person who receives the goods. This is the adult purchaser, or another adult named on the delivery instructions.
Responsible service of alcohol	The sale, supply, and service of liquor in licensed premises in NSW in a responsible manner and in accordance with the law.
Responsible supply of alcohol	Delivery and supply of packaged liquor to a person in NSW irrespective of the State or Territory in which the sale is made. This is done in a responsible manner and in accordance with the law.
Responsible supply of alcohol training	Mandatory training and knowledge test. This must be completed by all same day alcohol delivery persons (includes delivery persons, same day delivery providers and delivery agents) making same day deliveries.
Regulatory authority	For RSA in NSW, a 'regulatory authority' is one of three bodies involved in regulating the liquor industry: Liquor & Gaming NSW, Independent Liquor & Gaming Authority, and the NSW Police Force.
Same day delivery	Supply and delivery of packaged liquor to a person in NSW on the same day it is purchased, no matter which State or Territory in which the sale is made.
Same day delivery agent	Those engaged in organising alcohol delivery on the same day it has been ordered.
Same day delivery Person	A person who delivers alcohol on the same day it is ordered. This includes delivery providers, delivery agents and delivery persons.
Same day delivery provider or service provider	Licensee that supplies the alcohol for same day delivery or engages another person, to supply the alcohol by same day delivery in NSW.

Name	Definition
Same day delivery recipient (or customer)	The person named on the delivery instructions to accept delivery of the alcohol. This person must be 18 or over. They are also referred to as the 'customer' in this handbook.
Secondary supply	Obtaining alcohol for a minor. Also known as second-party sales.
Self-exclusion agreement	An agreement between a customer and an online alcohol delivery provider. The customer requests to be excluded from an online alcohol delivery service for a specified period or permanently.
Unattended delivery	<p>Delivery person leaves the alcohol unattended at the nominated delivery address in accordance with the instructions provided by the purchaser.</p> <p>Note: this can ONLY apply to non-same day deliveries.</p>
Voluntary	Something that you choose to do.
Voluntary initiative	Not a legal requirement but highly recommended for responsible service.

Module 1:

NSW liquor laws

Introduction

In NSW, people who deliver alcohol on the same day it is ordered must complete the Responsible Supply of Alcohol Training (RSAT) and Liquor & Gaming NSW's online knowledge test.

Why do you need to do this?

Because alcohol deliveries will be consumed in the home, especially when delivered on the same day.

By supplying alcohol responsibly to customers, you will help to:

- reduce alcohol-related harm and violence
- reduce health risks for customers
- reduce the possibility of someone getting alcohol for a minor
- encourage positive social experiences in the community
- improve the reputation of the business you work for.

You must:

- not sell or supply liquor to a minor (anyone under the age of 18)
- not sell or supply alcohol to anyone who is intoxicated (has had too much to drink)
- follow the NSW alcohol delivery laws.

Meaning – Same day delivery provider or service provider

Someone who has employed you to deliver alcohol on the same day it has been ordered.

They include:

- licensed takeaway liquor providers that offer online sale and deliveries in NSW
- food delivery providers that deliver alcohol as a part of food deliveries
- individuals offering same day delivery of alcohol in NSW, and
- any other businesses that deliver alcohol to the public.

Same day delivery agent

Anyone who is employed to organise alcohol delivery on the same day it has been ordered.

Same day delivery person

Anyone who delivers alcohol on the same day it is ordered in NSW. This includes delivery providers, delivery agents and delivery persons.

Same day delivery recipient

The person named on the delivery instructions to accept delivery of the alcohol. This person must be 18 or over. They are also referred to as the 'customer' in this handbook.

Module 1: Key topics

Module 1 covers the following key topics:

- meaning, purpose, and importance of RSAT
- purpose and objectives of NSW liquor laws and what they mean for you
- role and purpose of NSW liquor regulatory authorities.

What is RSAT?

RSAT is the responsible supply of alcohol training. It is needed for anyone involved in the delivery of alcohol to someone in NSW on the same day it is purchased regardless of the state or territory where it was purchased.

Meaning – Responsible supply of alcohol

Responsible supply of alcohol means selling or supplying liquor in a way that doesn't cause problems or danger in your community and follows the law.

Sometimes same day delivery laws don't apply. These times include:

- delivery of packaged alcohol to other licensed businesses
- delivery of less than 1.5 litres of packaged alcohol in a food hamper with other items, such as a picnic basket or a gift hamper.

Why is the RSAT important?

Technology has improved and people want things faster and easier. This has led to more alcohol being sold online and delivered on the same day, all over Australia. This increases the risk of underage or drunk people getting alcohol.

How does RSAT help?

Here are some benefits for responsibly supplying alcohol.

Table 3: Benefits for responsibly supplying alcohol

Who benefits?	How do they benefit?
Same day delivery providers and delivery agents	<ul style="list-style-type: none"> • Have a better reputation in the local community because there will be fewer complaints • Follow the law so spend less money on making sure things are being done right • Have less interruptions to the business from dealing with harmful incidents • Have reduced turnover of drivers, and external contractors • May attract more skilled and experienced drivers and couriers • Will make more money because they run their business well • Less money spent on legal costs
Delivery persons	<ul style="list-style-type: none"> • Know how to responsibly supply customers • Know they are protected from getting fined because they have followed the rules to refuse delivery to minors or intoxicated people • Have a safer and more enjoyable working environment • Get on better with customers because the customers are aware of the delivery restrictions • Know about the alcohol-free zones and restricted alcohol areas, and where they are
Local community	<ul style="list-style-type: none"> • Are happier so do not complain as much
Customers	<ul style="list-style-type: none"> • Have a safer and more enjoyable social experience • Are happier with same day delivery providers and delivery persons because they understand the delivery restrictions • Know about the self-exclusion agreement
Government agencies	<ul style="list-style-type: none"> • Don't have to take action as often because the law is followed • Don't have to spend as much money enforcing the law

NSW liquor laws

Each state and territory in Australia have legal requirements for responsible service and supply of alcohol.

In NSW, the *Liquor Act 2007* and the *Liquor Regulation 2018* states the legal requirements.

Liquor Act 2007

To regulate the sale and supply of alcohol on licensed premises:

- where alcohol can be sold
- who can sell alcohol
- when alcohol can be sold
- who can serve alcohol
- who can drink alcohol
- how alcohol should be delivered.

It has three main objectives:

1. To make sure the sale, supply and use of alcohol satisfies the aims and needs of the local community.
2. To develop the liquor industry so it works with, and adds to, the local community.
3. To assist with the improvement and growth of businesses like live music, entertainment, tourism, and other hospitality industries.

Liquor Regulation 2018

Outlines certain things that must be done so businesses can comply with the *Liquor Act 2007*. This applies to delivery providers.

The regulation outlines:

- liquor licence and training fees (i.e., to complete RSAT)
- liquor licence application processes
- requirements for different types of licences, such as the laws that apply to online liquor sale and same day delivery
- requirements and rules for businesses that provide RSA and RSAT training
- harm minimisation measures related to the sale and supply of liquor, and the regulation of the same day delivery framework.

It is important that you know what you must do under these laws, as both you and your employer may be fined if you do not follow them.

The following laws and fines apply to anyone who delivers alcohol on the same day it has been ordered.

Unit values are reviewed annually, and the current penalty unit value in NSW can be found at [Liquor & Gaming NSW](#) or at [Crimes \(Sentencing Procedure\) Act 1999 No 92](#).

Currently, one penalty unit equals \$110.

Table 4: Penalties

Liquor Act 2007	Obligations for same day delivery	Maximum penalty for breaches	Reference
Section 114I	Before alcohol is delivered, you must check that the identity and age of the buyer, and any adult nominated to accept delivery, is verified prior to delivery.	50 penalty units	Liquor Amendment (Night-time Economy) Act 2020 (nsw.gov.au)
Section 114J	You must not supply liquor to someone who has had too much to drink. Defence: If it can be proved that the delivery person who delivered the alcohol didn't know that they were delivering alcohol.	100 penalty units 12 months imprisonment, or both	Liquor Amendment (Night-time Economy) Act 2020 (nsw.gov.au)
Section 117	Liquor is not to be sold or supplied to a minor.	100 penalty units 12 months imprisonment, or both	Liquor Act 2007 No 90 - NSW Legislation
Section 114K	Liquor must not be supplied in areas where alcohol is not allowed. This would include alcohol-free zones, alcohol prohibited areas or restricted alcohol areas.	30 penalty units	Liquor Amendment (Night-time Economy) Act 2020 (nsw.gov.au)

Liquor Act 2007	Obligations for same day delivery	Maximum penalty for breaches	Reference
Section 114L	<p>Liquor must not be delivered by same day delivery between:</p> <ul style="list-style-type: none"> • 11pm on Sunday and 9am on Monday (the next day) • midnight and 9am (the next day) on other days. 	100 penalty units	Liquor Amendment (Night-time Economy) Act 2020 (nsw.gov.au)
Section 114M(1)	<p>A record of refusals must be kept when same day deliveries are not completed. This would be because the person taking delivery is:</p> <ul style="list-style-type: none"> • a minor • an intoxicated person • unable to be identified as the person whose name is on the written instructions. 	30 penalty units	Liquor Amendment (Night-time Economy) Act 2020 (nsw.gov.au)

What does the law mean for you?

As a same day delivery person or agent, you should aim to:

- reduce the harm that can be caused by alcohol being used irresponsibly
- encourage responsible attitudes and practices towards the sale and supply of alcohol
- ensure that the sale and supply of alcohol makes a positive contribution to the community.

NSW regulatory authorities

Various authorities and organisations play a role in managing the liquor industry in NSW. This section explains their roles and their responsibilities.

Table 5: NSW regulatory authorities roles and their responsibilities

Item	Liquor & Gaming NSW (part of NSW Dept. of Customer Service)	Independent Liquor & Gaming Authority	NSW Police Force
Role	Regulates the liquor and gaming activities in NSW and provides policy advice to the NSW Government.	Makes decisions about many of the liquor laws.	The NSW Police Force and Liquor & Gaming NSW inspectors make sure that people follow the alcohol laws in the community.
Responsibilities	<p>Administers RSAT.</p> <p>Makes sure that alcohol is being sold responsibly by doing inspections.</p> <p>Investigates complaints and possible offences about supply of alcohol.</p> <p>Provides regular updates and education via monthly e-news and industry engagement.</p>	<p>Makes decisions about liquor licence applications.</p> <p>Decides what fines or actions should be taken against those who break the alcohol laws in New South Wales.</p> <p>Considers certain decisions made by Liquor & Gaming NSW.</p>	<p>Works with Liquor & Gaming NSW to do inspections and investigations.</p> <p>Provides information to help Liquor & Gaming NSW and the Independent Liquor & Gaming Authority approve or reject licensing applications.</p> <p>Uses their authority to make sure the liquor laws in New South Wales are followed (for example issuing fines).</p>



Module summary

To recap, the key topics covered in Module 1: NSW liquor laws were understanding:

- what RSAT means
- why it exists
- why it's essential
- why we have the liquor laws in New South Wales and their purpose
- the role and purpose of NSW liquor regulatory authorities.

Module 2: Intoxication

Introduction

If you supply alcohol responsibly, you can help to prevent the problems that can happen when people become intoxicated.

By not giving alcohol to someone who's intoxicated, you can encourage people to drink responsibly in the community. This also helps improve the image of your same-day alcohol delivery service.

Meaning – Intoxication

The NSW *Liquor Act 2007* states that a person is intoxicated if:

- (a) the person's speech, balance, coordination, or behaviour is noticeably affected, and
- (b) you think that their speech, balance, coordination, or behaviour is affected because they've been drinking alcohol.

Module 2: Key topics

Module 2 covers the following key topics:

- the definition of intoxication and how to decide if someone is intoxicated
- knowing what to do if someone is intoxicated under NSW liquor laws
- knowing when to refuse to supply alcohol.

What does the law say?

As a delivery person, you must not deliver alcohol to an intoxicated person.

Fines and penalties

Selling or supplying alcohol to an intoxicated person is an offence. Serious consequences apply. These include:

- an on-the-spot fine of \$1,100
- court imposed fines of up to \$11,000 for an individual
- court-imposed fines of up to \$27,500 for companies
- up to 12 months imprisonment
- loss of demerit points for the service provider (review the section on **Incentives and demerit points system**).

Under the liquor laws, incentives or rewards are applied for responsible same day delivery providers who do the right thing. Demerit points are applied when the wrong thing is done.

Under the incentives and demerit point system, if the delivery person doesn't follow the law, demerit points may also be imposed on the service provider. This means a liquor licence can be suspended or cancelled. Selling or supplying alcohol to an intoxicated person attracts double demerit points.

What does this mean for you?

You have a legal responsibility to prevent intoxicated persons from being supplied alcohol. There are serious consequences for you and your same day delivery provider or delivery agent. As well as receiving a fine, you could lose your job and your income.

What is intoxication?

The NSW *Liquor Act 2007* states that a person is intoxicated if:

- (a) the person's speech, balance, coordination, or behaviour is noticeably affected and
- (b) you think that their speech, balance, coordination, or behaviour is affected because they've been drinking alcohol.

Signs of intoxication

The table below outlines some signs that may indicate that someone has had too much alcohol to drink.

Table 6: Signs of Intoxication

Appearance	Balance	Speech	Coordination	Behaviour
Breath smells of alcohol	Unsteady on feet	Slurring words	Fumbling with their licence	Using rude or offensive language
Person smells of alcohol	Swaying or staggering	Can't remember what they are talking about	Finding it hard to get money from their wallet	Being argumentative
Red eyes	Bumping into or knocking over objects or people.	Not understanding normal conversation	Finding it hard to open or close the door	Being annoying or upsetting others
	Finding it hard to walk in a straight line	Finding it hard to pay attention.	Dropping objects	Getting sleepy
	Falling down	Not making sense when they talk	Spilling drinks	Being really friendly

Remember: These signs may not always be obvious. Signs of intoxication can be different in different customers.

If you are not sure if a person is intoxicated, ask them some questions like 'How is your day going?' or 'How is the weather?' Try to get them to talk with you. Watch their movements. There will usually be more than one sign that they are intoxicated.

If you think they are intoxicated, you must politely but firmly refuse to leave their order. You must return the order to the collection point.

Reasonable belief

You need to form a **reasonable belief** that a person is intoxicated before refusing delivery.

A belief can be formed by observing the situation around you at the time. You must use your judgement to evaluate each situation.

Meaning – Reasonable belief

This means you need to: assess the situation that is happening and think about what you know and the circumstances you're facing.

You should have good reasons for refusing to supply alcohol. These reasons should not be due to discrimination, for example, due to race, gender, or disability. A person can take the matter to the Anti-Discrimination Board if they feel they have been discriminated against.

You should think about the physical signs a person is showing. You may talk to the person and their family or friends. This might help you to decide if the signs they are showing are due to intoxication, or because of something else like a medical condition.

If the person is showing signs of intoxication but you are not sure if the signs are due to drinking alcohol:

- Talk to them politely about the possible causes of their signs: You might say something like:
 - “I am not allowed to deliver alcohol to someone who is intoxicated.”
 - “Have you already had a drink today?”
 - “Could there any reasons you may be showing signs of intoxication?”
- The person may answer by saying they have a medical condition. If that is the case and you:
 - **don't think** that they are intoxicated, you may complete the delivery
 - still think they are intoxicated, after hearing their answers to your questions, then clearly explain that by law you cannot deliver their order.

Health conditions that display similar signs to intoxication

Some disabilities or health conditions have similar signs to intoxication.

Before refusing to deliver the alcohol, check that the signs aren't related to disability, medical condition, or medication.

Some people might be taking drugs for conditions such as heart complaints, blood pressure and pain relief. Combining alcohol with medication may have adverse effects. In the table below there are examples of medical conditions that may have signs like intoxication.

Table 7: Examples of medical conditions

Medical conditions that may mimic intoxication	Possible side effects from medication
<ul style="list-style-type: none"> • Acute infections • Acquired brain injury • Brain trauma or tumours • Diabetes or hypoglycaemia • Epilepsy • Head injuries • Pneumonia • Seizures and post-seizure states • Stroke 	<ul style="list-style-type: none"> • Jerky or rapid movements • Incoherence • Dilated pupils • Rapid breath • Odd behaviour

If a person has a medical condition but has been drinking, you still might decide they are showing signs of intoxication due to drinking alcohol. In this case, you must not deliver the order.



Remember

- You must follow the *NSW Anti-Discrimination Act 1977* and Commonwealth anti-discrimination laws when assessing intoxication.
- It is against the law to supply alcohol to a person you think is intoxicated.

So long as you are not discriminating, it is alright to form the belief that someone is intoxicated due to the effects of alcohol, even if you are wrong.



Top tips

How can I tell the difference?

Let the person know you believe they are showing signs of intoxication, and by law you cannot deliver to them if they are intoxicated. Politely ask if there might be a medical reason for the signs they are showing.

If you are still not sure and still believe they are intoxicated, you must not deliver the order.



Module summary

To recap, the key topics covered in Module 2: Intoxication, were:

- the definition of intoxication and understanding your responsibilities under NSW liquor laws
- how to assess a person to decide if they are intoxicated.

Module 3:

Minors

Introduction

A minor is a person under the age of 18. The younger and smaller a person is, the more they can be affected by alcohol. This means that minors are at a greater risk from the effects of alcohol. If minors drink alcohol, they are more likely to take part in activities that could harm themselves or others. These activities could include binge drinking, dangerous physical activities, and risky sexual behaviour.

If you supply alcohol to a minor, it can lead to harm. You have an important role in preventing underage drinking.

Meaning – Minor

A minor is anyone under the age of 18 years.

Module 3: Key topics

Module 3 covers the following key topics:

- knowing your responsibilities under NSW liquor laws about minors, and how to prevent underage drinking
- having tips and techniques to help you identify minors and prevent underage drinking
- being able to identify acceptable proof of identity documents and conduct documentation checks
- following the correct procedure for dealing with false or misleading proof of identity documents.

What does the law say?

It is against the law to sell or supply alcohol to anyone under the age of 18 (a minor).

It is also against the law for anyone to obtain alcohol for a minor. This is known as 'secondary supply'.

Legal action can be taken against same day delivery persons, delivery agents and delivery providers if alcohol is sold or supplied to a minor. This is a serious offence, and you could receive a fine and lose your job and income if this occurs.

Defences under the law

If a minor is supplied with alcohol but either of the following took place, then you may not be breaking the law:

- if the minor is older than 14 years of age and provided ID that looked genuine and proved they were over 18
- if you delivered a package but did not know it contained alcohol.

Fines and penalties

Selling or supplying alcohol to a minor is an offence and serious penalties apply. These include:

- an on-the-spot fine of \$1,100
- court imposed fines of up to \$11,000 for an individual
- court-imposed fines of up to \$27,500 for companies
- 12 months imprisonment
- demerit points.

Under the incentives and demerit point system, demerit points may also be imposed on the Licensee. This means a liquor licence can be suspended or cancelled. Selling or supplying alcohol to a minor attracts double demerit points.

Penalties for secondary supply

Secondary supply is where someone over 18 buys alcohol and then supplies it to a minor.

If a person supplies alcohol to a minor, they have committed an offence. Serious penalties can apply for them, including:

- an on-the-spot fine of \$1,100
- court imposed fines of up to \$11,000 and/or 12 months imprisonment.

What does this mean for you?

You have a legal responsibility to prevent minors from being supplied alcohol.

Do not supply or deliver alcohol to anyone under the age of 18.

- When you arrive at a delivery location, look for signs that minors may be present, for example, L or P plates on cars.
- Look for signs of people involved in activities which can harm others, for example, an adult buying alcohol for a minor (secondary supply).

Remember, supplying alcohol to a minor is a serious offence. You may receive a fine and you could lose your job and income.

Preventing underage drinking

When alcohol is delivered on the same day it has been purchased, you must:

- check the identity and proof of age ID of the addressee if they appear under 25 years old
- make sure that the delivery is only made to the adult who placed the order, or another adult who is named on the delivery instructions
- only leave alcohol if you have a signature from the person named to take delivery.

Proof of age

To prevent minors from accessing alcohol, your same day delivery provider must have a process for you to properly check proof of age ID documents.

This process should include:

- asking a customer who looks under 25 years old to produce their proof of age ID documents
 - for anyone who looks 25 years old or over, view their ID – if they cannot produce an ID, take a signed declaration that states the person's name and that they are 18 years or over
- closely checking the ID to make sure it is valid
- only accepting the forms of ID that are valid under NSW liquor laws
- asking for a second form of ID when in doubt.

Acceptable proof of age ID

You need to know about valid IDs and what they look like. This includes approved forms of digital ID and their security features.

To be valid as proof of age, an ID must:

- include a photograph of the person
- include their name and date of birth

- not be expired
- be issued by a recognised government authority.

Images, screenshots, or copies of ID are not acceptable.

In NSW, the following documents are acceptable forms of ID:

- Australian driver or rider licence
- NSW Digital Driver Licence (DDL)
- foreign Driver Licence
- Australian or foreign passport
- Photo Card issued in Australia
- NSW Digital Photo Card
- Proof of Age or Evidence of Age Card issued in Australia
- Keypass (over 18) identity card issued by Australia Post
- Digital Keypass issued by Australia Post.

Note: The acceptable forms of ID are different for each state and territory of Australia.

Examples of acceptable ID

NSW Driver Licence and Digital Driver Licence (DDL)



NSW Photo Card and Digital Photo Card



Australia Post Keypass and Digital Keypass



Top tips

Remember, some forms of ID can be issued to people under 18 years of age, so be careful when checking the date of birth. For example, NSW Photo Cards and NSW Learner Driver Licences can be issued to people aged 16 and over, and passports can be issued to people of any age.

Best practice for checking ID

Check the ID carefully:

- ask the customer to remove the ID from their wallet or purse so you can check it carefully
- take the ID from the customer and take your time checking it
- check the birth date on the ID and confirm the person is over 18
- look at the photograph and check it matches the customer – pay attention to facial features
- there should be no signs of the ID being fake, altered or tampered with – feel around the photo, birth date and edges of the card. An ID that has wrinkles, bumps or air bubbles could mean the ID has been altered
- check the built-in security features for each ID card, for example, holograms.

Examine the ID carefully. The customer may be hoping you will be too busy to check the ID closely.

Top tips

Using borrowed ID is one of the most common forms of ID fraud. Minors may borrow an ID from an older brother or sister, a friend, or from a stranger. You must compare the photograph on the ID with the person standing in front of you.

Checking ID under contact-free delivery

To check an ID for contact-free deliveries:

- Ask the customer to remove the ID from their wallet or purse and hold it up for checking.
- Sight the ID from a safe distance without physically touching it.
- If you cannot see the ID from the NSW government recommended 'social distancing for safe ID checking practices', ask the customer to place the ID on a flat surface for viewing, such as a table or windowsill. If the customer is wearing a face mask or any other type of facial covering (for example, a helmet, religious head scarf or sunglasses), responsible service of alcohol requirements still apply. Check that the photograph on the ID matches the customer.
- If you are not satisfied, then take additional steps to confirm the customer's age. This may be asking for another form of ID or asking the customer to briefly remove any facial covering for this purpose.

Note: Under the law, you can't make the customer remove any item of clothing to check ID. However, if you can't confirm the identity or age of the customer, you must refuse delivery.

Checking Digital ID

Many customers are using digital forms of ID, so it's important you know how to check these.

Note: You can ask the customer to hold the digital device at a distance when checking a digital ID, for contact-free deliveries. If you have difficulty viewing, ask the customer to adjust the phone to make checking easier.

NSW Digital Driver Licence and NSW Digital Photo Card

There are many security features to look for when checking these IDs. Ask the customer to:

- swipe down to refresh the screen – it will then show the current time
- tilt the phone – the waratah hologram should move around
- check there is a watermark of the customer's photo underneath their address.

Table 8: NSW Digital Driver Licence and Photo Card examples

NSW Digital Driver Licence	NSW Digital Photo Card
 <p>1 Animated NSW Government logo</p> <p>2 Last refreshed time <i>Swipe down to refresh licence information</i></p> <p>3 QR code expires and reloads</p> <p>4 Waratah hologram moves when phone is tilted <i>Scroll for more</i></p> <p>5 Watermark matching licence photo</p> <p>6 Address details (scrolling is not always required to view address)</p> <p>7 Horizontal view when phone is flipped</p>	 <p>1 Animated NSW Government logo</p> <p>2 Last refresh time <i>Swipe down to refresh information</i></p> <p>3 QR code expires and reloads</p> <p>4 Waratah hologram moves when phone is tilted <i>Scroll for more</i></p> <p>5 Watermark matches the photo card image</p> <p>6 Address details (scrolling is not always required to view address)</p>

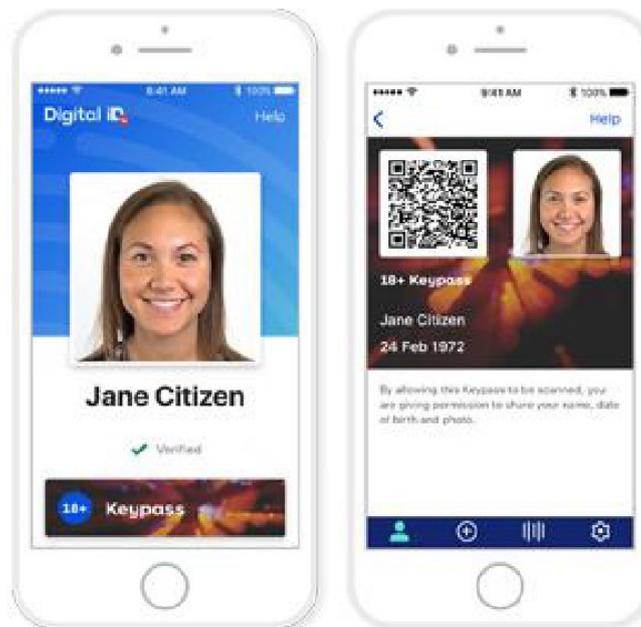
Holders who are under 18 years of age will have an icon next to their date of birth for quick identification.



Digital Keypass

There are three things that can be done to check this ID:

1. Shake to animate. Ask the customer to shake their phone or tap their photo. This displays a moving image confirming the ID isn't a screenshot.
2. Check the 18+ badge to ensure they are over 18.
3. Ask the customer to scroll to the second page to view their date of birth.

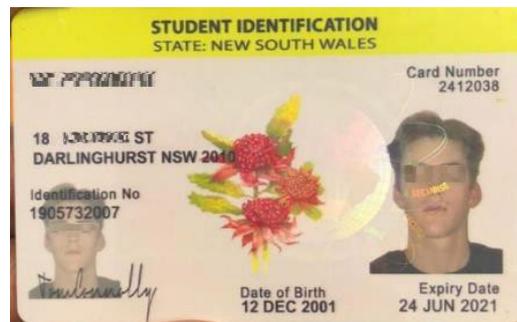


Beware of fake IDs

There are many websites that offer good quality, fake IDs, which can be purchased by minors. Common issues with fake IDs:

- the title of the card may not be exactly right, for example, it might say “Age Proof Card” instead of “Proof of Age Card” or the state name may be preceded by “State”, such as, State: NSW
- the emblems or logos may not be right
- the holograms may not be right

- there may be an additional black or coloured border around the edge of the card
- digital ID security features are not animated for example, the holograms don't move, or when shaken, do not animate.



You may choose to ask extra questions, which may assist in confirming the ID is valid. For example, you might ask the person to state some details on the ID:

- “Can you confirm your address?”
- “Do you live on a street or a road?”
- “What is your month and year of birth?”
- “Can you spell your middle name?”

If you are unsure if the ID belongs to that customer or if the ID is valid, politely ask the customer to provide a secondary form of ID.

If you are still unsure, you must refuse service.

False ID procedure

It is against the law for a person to present a false ID so they can be supplied alcohol. If you are shown a fake ID, you will need to:

- refuse supply and return the ID to the person
- complete a non-delivery report and advise the service provider to report the fake ID. The service provider should report the fake ID to police.

Note: In NSW, only the police and people authorised by the Roads and Maritime Services (RMS) can take identification.



Module summary

To recap, the key topics covered in Module 3: Minors were:

- knowing your responsibilities regarding minors, and how to prevent underage drinking under the NSW liquor laws
- requesting acceptable proof of age identification and conducting detailed documentation checks
- following the correct procedure for dealing with false or misleading proof of identity documents.

Module 4:

Refusing supply responsibly

Introduction

Under the NSW liquor laws, you need to understand who you shouldn't supply alcohol to, and how to refuse supply.

Module 4: Key topics

Module 4 covers the following key topics:

- knowing your responsibilities about responsible supply under NSW liquor laws
- knowing what to check before delivery
- knowing who should be refused supply under the law
- how to assess the delivery location and recipient before supply
- having tips and strategies to responsibly refuse supply.

What can enforcement action mean for you as a delivery person?

Breaching the liquor laws could result in a heavy penalty. It could also result in losing your job or source of income.

Penalties for offences under the liquor laws can cost up to:

- \$11,000 for individuals
- \$27,500 for corporations.

Enforcement action taken against you under the liquor laws can have lasting effects. It can lead to:

- being unable to work in the liquor or gaming industry
- being unable to get a liquor licence
- negative impacts on your reputation

- preventing you from pursuing certain careers, for example a police officer or restaurant owner
- having a criminal record.

It is important that you abide by the liquor laws and make sure you have made the appropriate checks before delivery.



Ask yourself...

Could I afford a fine of up to \$11,000?

Would I have other employment options if my responsible supply of alcohol competency is revoked and I'm no longer able to work as a same day alcohol delivery person?

How would I feel if my actions resulted in a fine for my service provider?

Before delivery

Before making any delivery, you must check that:

- the delivery will not be delivered in the cut off times
- the alcohol will not be delivered to certain public areas.

Delivery cut off times

When people run out of alcohol, they will stop drinking. If alcohol is delivered after the cut off times, people may continue to drink. This could lead to unsafe behaviour.

The following cut-off times apply to same day delivery of alcohol:

- Sunday: 11pm – 9am
- Other days: midnight – 9am

Any alcohol sold before 9am can be delivered on the same day, but it cannot be delivered before 9am.

Never sell, supply or deliver alcohol after the cut-off times – this is breaking the law. Supplying alcohol during cut-off times could result in a maximum penalty of \$11,000, 12 months' imprisonment, or both.

Alcohol free zones

- Do not deliver alcohol to public areas that are alcohol-free zones. These include public roads and footpaths.
- Do not deliver to areas where alcohol is prohibited or restricted. These include parks and public spaces.

These delivery restrictions help prevent alcohol-related anti-social behaviour and crime in public places.

Identifying customers who must be refused service

The law requires that you identify and refuse supply to:

- the person named to take delivery who looks under 25 years old and cannot present valid proof of age ID
 - where the delivery recipient looks over 25 years old, check their ID accept a signed declaration – the declaration must state their name and confirm they are 18 or older
- persons who look under 25 years old who produce ID you suspect is fake
- intoxicated persons
- anyone you suspect may be purchasing alcohol on behalf of a minor or intoxicated person (secondary supply)
- anyone who attempts to accept delivery but isn't the person named on the delivery instructions.

Failing to refuse supply puts the safety of the customer, yourself and others at risk.

Serious penalties include an on-the-spot fine of \$1,100, court fines of up to \$11,000 and/or 12 months imprisonment.



Remember

The law protects you from being financially disadvantaged by your service provider for refusal to supply alcohol in the above circumstances.

Making an assessment before supply

You must make sure you, others, and your property is safe.

This means you must remember to assess:

- the delivery location – to avoid risky situations
- the person accepting delivery – to make sure your decision to supply complies with the law.

The following flow chart follows the process for making an assessment.

When you arrive at the delivery location

Before you exit your vehicle:

- Assess your delivery environment.
- Don't leave your vehicle if there is anything that might threaten your safety. Be aware of people displaying signs of intoxication near the home or anti-social behaviour such as a person jumping in front of your vehicle or knocking on the window loudly.
- Watch for any risks of secondary supply to minors such as young people around or L or P plates on cars near the delivery location.
- You may consider leaving the alcohol in your vehicle until you verify the receiver's ID.



If there is no immediate threat to your surroundings, approach the premises.



At the door

- Greet the customer and introduce yourself. Be friendly and respectful.
- Request proof of identity and age ID. Can the customer provide valid ID?
- Check: Do the delivery instructions match the person accepting the order?
- Check: Is the receiver showing signs of intoxication?
- Check: Are there other intoxicated people around?
- Check: Are there young people around who could have access to the alcohol?
- If you decide there are no risks, then proceed to deliver the alcohol.

If you decide it is unsafe to leave alcohol, you should not proceed with the delivery.



If you must refuse delivery, do it politely and record this information on the correct form (refer to the section on **Recording refusals**).

How to refuse supply

If refusing delivery, you must do so respectfully and professionally.

Do

- Be friendly and polite
- Speak clearly, use short simple sentences
- Be sure of your reason for refusing service
- Clearly tell the customer why they are being refused service
- Offer alternatives, for example, 'I'd be happy to supply you next time if you provide ID'
- Explain to the customer that you do not have a choice – it is the law
- If challenged, repeat calmly and firmly that you are not permitted to supply alcohol due to the law
- Suggest the customer contacts customer service for more information
- Leave the situation if you feel threatened or unsafe

Don't

- Embarrass the person, especially in front of their friends
- Talk down to the person
- Use bad or offensive language or insulting names
- Take the situation personally and become emotionally involved
- Raise your voice or be aggressive
- Argue with the person
- Put yourself at risk

Strategies to use when refusing supply

It can be difficult to refuse delivery to a customer who is intoxicated or underage. They may become angry and aggressive. Below are some strategies that may help you to improve the situation.

If the customer becomes aggravated

Table 9: Strategies to use when refusing supply

Situation	Approach – what you might do	Things you might say
Customer is upset at being refused delivery	<p>Be friendly and polite.</p> <p>Speak clearly, use short simple sentences.</p> <p>Clearly tell the customer why they are being refused service.</p> <p>Respond to the customer and their concerns.</p>	<p>‘I understand you’re upset at the moment’.</p> <p>‘I understand you were expecting this delivery for your party’.</p>
Customer is demanding delivery	<p>Defuse the situation by blaming refusal on the law.</p> <p>If challenged, repeat calmly and firmly that you are not permitted to supply alcohol due to the law.</p> <p>Do not talk down to the recipient or talk sharply.</p>	<p>‘I’m sorry, it’s against the law for me to deliver alcohol to someone – who is a minor, purchasing for a minor or who I believe is intoxicated’.</p>
Customer raises their voice and is becoming unreasonable	<p>Stay calm and respectful.</p> <p>Keep your voice low and calm because tone of voice is very important when refusing service.</p> <p>Maintain eye contact and keep your face neutral.</p> <p>Stand tall and confident at a slight angle leaning towards the customer.</p> <p>Maintain at least one arm’s length between you and the customer.</p>	<p>‘Sorry, it’s not my decision, it’s the law’.</p> <p>‘Sorry, it’s the law, I might lose my job if I give you the alcohol’.</p>

Situation	Approach – what you might do	Things you might say
If a solution isn't reached	Suggest the recipient contacts customer service who will assist with their concerns.	'Please contact our customer service, they can help you with your concern or re-schedule the delivery on another day'.
If you feel unsafe at any stage	Leave the situation. If required, call the police for assistance when safe to do so. Remember: your safety is the most important thing!	



Remember

Reacting to the incident in an aggressive way can have consequences. This could include injury to yourself, other individuals and/or property damage.

If necessary, contact the Police on **000**.

Recording refusals

'Refusal of delivery' is when you do not deliver alcohol for any of the following reasons:

- the person named to accept delivery is a minor
- you suspected the alcohol would be supplied to minor
- you had reasons to believe the person was intoxicated
- you were unable to confirm the person was the adult specified to receive the delivery.

When this occurs, you must always record it.

There are other circumstances where a non-delivery may be recorded. These include incidents involving safety, threatening situations, risk of violence and anti-social behaviours.

Note: If you do refuse to deliver alcohol for any of the above reasons then your job and wages are protected by the law.

Your service provider will instruct you how to record incidents and refusals of service. To record refusals of delivery, use the application or tool provided by your service provider.

You should know what information to record on non-delivery, such as:

- customer name
- delivery address
- date and time of attempted delivery
- name of delivery person
- reason for non-delivery.

Obligations of a same day alcohol delivery person

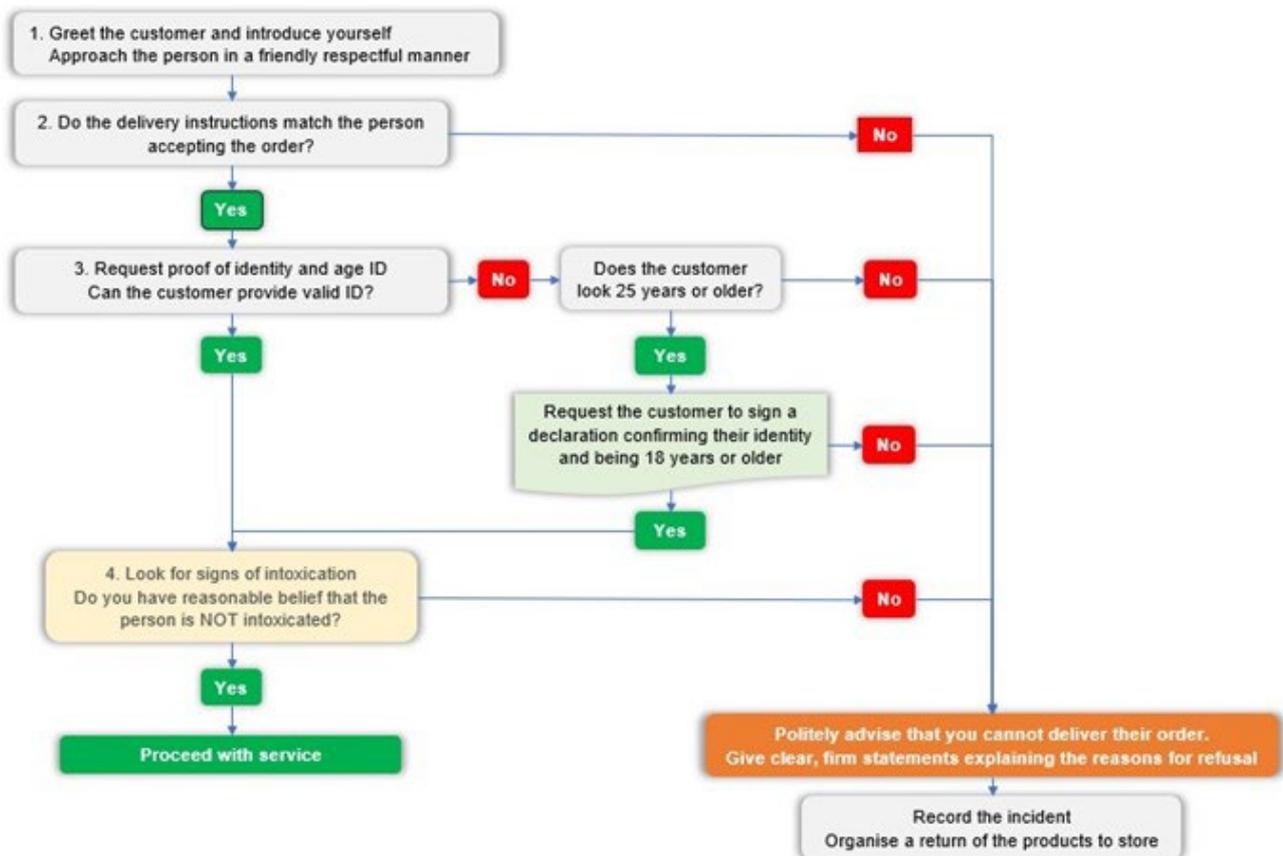
In summary, as a delivery person or delivery agent performing same day delivery of alcohol you have several requirements under the *NSW Liquor Act 2007*.

Table 10: Obligations of a same day alcohol delivery person

Your requirements	You meet your requirements by
To be authorised to deliver alcohol on the day it was ordered.	Completing the RSAT course and the knowledge test before making any same day deliveries of alcohol.
Do not deliver a same day delivery liquor order without checking the recipient's identity.	<ul style="list-style-type: none"> • Asking to view the ID of any person who looks under 25-years-old. • Refusing service to anyone who looks under 25-years-old and cannot present a valid ID. • Asking to view the ID of any person who looks 25-years-old or over, or take a signed declaration that states the person's name and that they are 18 or over.
Do not deliver to a minor or to an intoxicated person.	<ul style="list-style-type: none"> • Assessing customer for intoxication. • Not supplying alcohol to a person that you think will supply it to a minor.
To deliver alcohol to the adult named on the written instructions received from the same day delivery provider.	Not leaving alcohol at an address if the named recipient is not available. If the delivery instructions include an alternative address, you must take reasonable steps to deliver the alcohol to the recipient at that address.

Your requirements	You meet your requirements by
Do not deliver to an alcohol-free zone or alcohol prohibited/restricted area.	Ensuring that the delivery location is not in an alcohol-free zone or alcohol.
Do not deliver outside of the approved alcohol delivery hours of: <ul style="list-style-type: none"> 9am to midnight Monday to Saturday, and 9am to 11pm on Sunday. 	Making sure the delivery isn't during the delivery cut-off periods (midnight [or 11pm on Sunday] and 9am).
You must record all refusals of delivery.	Making sure that any refusal to deliver is recorded in the non-delivery register.

Process when making same delivery of alcohol



Scenarios for self-reflection

So far, you have learnt:

- your obligations as a same day alcohol delivery person
- to identify people who must be refused delivery
- how to refuse delivery responsibly under the NSW liquor laws
- practical tips and strategies to ensure your safety
- strategies to deal with potential aggression when refusing delivery.

Here are a few scenarios that Jake, our delivery person, encounters on his normal same day alcohol delivery. Consider these scenarios and decide whether Jake should make the delivery or refuse the delivery under the law, based on the facts and circumstances. On completion, turn to page 55 to verify your response.



Remember

The law offers you protection to ensure that you are not financially penalised for refusing to deliver alcohol where the named person:

- is a minor
- appears to be intoxicated
- is suspected of purchasing alcohol on behalf of a minor or intoxicated person (secondary supply)
- details don't match the service provider's delivery instructions.

Scenario 1: Intoxicated recipient

Jake is a delivery person. He is on his same day alcohol delivery run. It's a beautiful day and he is catching up with his mates to watch the footy finals in the evening. He's on his first delivery which is three cases of wine to Steve Clark. The customer answering the door appears unsteady. He looks happy to receive the cases he had ordered online. As Jake asks him for his ID, he notices his speech is slurred. He also stumbles over things as he gets his wallet and struggles to remove his ID. He also smells of alcohol.

Jake is concerned that if he refuses delivery, it might anger the customer, and that his employer might penalise him by cutting his pay or future deliveries. He also has other deliveries to get to.

What is Jake's obligation under the law?

Ask yourself:

- Should Jake deliver the alcohol as he has verified Steve's ID to confirm he is an adult. Also, Steve is the person named to take delivery as per the delivery instructions?
- Should Jake refuse service as he believes Steve is intoxicated?

Scenario 2: Minors – secondary supply

Jake's next delivery is to a person named Donna Cruz. Jake drives up to the house. He notices several vehicles with P and L plates around the property. He sees young people who could be under 18 around the house.

As Jake exits the vehicle, he realises there is a party on at the property. He walks up to the front door, knocks, and Donna answers. He notices more young people, who could be minors, who appear to be drinking inside. Donna appears to be sober and he's able to verify her ID. Donna notices his hesitation and demands the alcohol she purchased online. Jake is worried. If he refuses delivery, it might upset the customer. He is also worried that his employer might penalise him. They might reduce his pay or his future delivery requests. He also has other deliveries to make.

What is Jake's obligation under the law?

Ask yourself:

- Should Jake deliver the alcohol as Donna is an adult and not intoxicated?
- Should Jake refuse service as it might be considered secondary supply?

Scenario 3: Minors – potential secondary supply

Jake's got five more same day deliveries on his delivery run. He arrives at his next delivery location and asks for Amy Peters. A young lady carrying a bunch of toys and a full laundry basket answers the door.

As she looks under 25 years, he asks her for her ID. Amy calls out for Tilly and a little girl comes running to the front door. Amy asks Tilly to grab her wallet and give Jake her licence. The little girl hands over her mum's licence and Jake verifies that Amy is over 18. He hands the alcohol to Amy, and she says, "My hands are full, can you please hand it to my daughter so she can bring it inside for me?"

What is Jake's obligation under the law?

Ask yourself:

- Should Jake deliver the alcohol? Amy is an adult and not intoxicated. It's not likely that she intends to let her little girl have access to it.
- Should Jake refuse service as it might be considered secondary supply?

Scenario 4: Delivery as per written instructions – recipient is a minor

Jake continues his delivery run and arrives at his next delivery location. On his delivery instructions, the purchaser has chosen someone else to receive the delivery. This person is named on the instructions. On asking for the person named on the delivery instructions, a young person comes to the door. On verifying his ID, Jake determines that he is a minor.

Jake knows that his service provider verifies the buyer's identity, age and recipient when alcohol is purchased online. However, on checking the nominated person's ID, he has determined he is a minor.

What is Jake's obligation under the law?

Ask yourself:

- Should Jake make the delivery as per his delivery instructions?
- Should Jake refuse service as the nominated person is a minor?

Scenario 5: Delivery as per written instructions – recipient has not been nominated

Jake continues with his same day alcohol delivery run. His next delivery is 2 x 24 cases of beer. He's looking forward to finishing his deliveries soon to watch the footy finals with his friends!

He arrives at his next delivery location and asks for Jenny Crowley. The man who answers the door introduces himself as Jenny's husband. He offers to accept delivery as Jenny is grocery shopping. She won't be back for a while.

However, as per Jake's delivery instructions, Jenny did not specify an alternate person to collect her delivery in her absence.

What is Jake's obligation under the law?

Ask yourself:

- Should Jake deliver the alcohol as Jenny's husband looked over 25, and was not intoxicated?
- Should Jake refuse delivery? He was not nominated to collect the delivery as per his delivery instructions.

Scenario 6: Recipient looks over 25 but does not have a valid ID

Jake now has only two more deliveries to go. His next delivery is a case of 24 beers to Tim Smith. On arriving at the delivery location, Jake asks to see the customer's ID to verify his identity and age. Tim goes through his wallet but can't find it. Jake notes that he is over 40 years old and does not appear to be intoxicated.

What is Jake's obligation under the law?

Ask yourself:

- Should Jake deliver the alcohol to Tim, as Tim is the recipient, and is not intoxicated and does not appear to be a minor?

Scenario 7: Recipient and nominated adult not at home

This is Jake's last delivery for the day and he's got a case of wine for Shelly Bourke. He drives up to the delivery location and rings the bell, but after several attempts decides that no one's home. His delivery instructions do not include an alternate address or recipient. Just as he turns to leave, the customer calls Jake and requests him to leave the case behind the bushes over the front porch as she's just on her way home from the shops.

What is Jake's obligation under the law?

Ask yourself:

- Should Jake leave the package behind the bushes as per the customer's request?
- What is his responsibility under the law for same day delivery of alcohol?



Module summary

To recap, the key topics covered in Module 4: Refusing supply responsibly were:

- understanding who should be refused supply under the NSW liquor laws
- refusing supply in a responsible manner
- recording incidents and refusal of supply under same day delivery
- a range of delivery scenarios that consider the law, the facts and the circumstances.

Module 5:

Harm minimisation strategies and approaches

Introduction

Harm minimisation is at the core of the NSW liquor laws.

In this module, we will explore mandatory and voluntary initiatives. These apply to you and your service provider. They will help you understand harm minimisation. We will also cover how you can use these in your role as a same day alcohol delivery person.

Module 5 key topics

Module 5: covers the following key topics:

- identifying mandatory harm-minimisation requirements for a same day delivery person
- understanding mandatory strategies that apply to your same day delivery providers
- outlining voluntary strategies that might be used in your workplace.

Mandatory strategies for delivery persons

As a same day alcohol delivery person in NSW, you must follow the required harm minimisation strategies.

We have already covered the following harm minimisation strategies in the previous modules:

These strategies included:

- not supplying alcohol to a minor
- liquor is not to be sold or supplied to a minor
- not supplying alcohol to someone who is intoxicated
 - you must not supply liquor to someone who has had too much to drink
- mandatory training
- delivery cut-off times for same day delivery
 - liquor must not be delivered by same day delivery between:

- 11pm on Sunday and 9am on Monday (the next day)
- midnight and 9am (the next day) on other days
- not delivering to certain public areas
 - liquor must not be supplied in areas where alcohol is not allowed. This would include alcohol-free zones, alcohol prohibited areas or restricted alcohol areas.
- verifying identity and age before delivery
 - before alcohol is delivered, you must verify the identity and age of the buyer, and any adult nominated to accept delivery.
- recording non-delivery due to recipient being a minor or intoxicated
- no financial penalty for non-delivery in certain circumstances.

Mandatory strategies for same day delivery providers

Your same day delivery provider must have mandatory strategies in place to responsibly sell, supply and deliver alcohol. This contributes to minimising alcohol related harm in NSW.

These strategies include:

- mandatory signage and notices
- identity and age verification of customers at point of sale
- written instructions for delivery persons
- a non-delivery register
- a self-exclusion agreement.

The following information is for same day delivery providers, but **you** need to know what they must do.

Mandatory signage

Same day delivery by online sales is a potential source of supply for minors. By law, the service provider must display the following notice on their website.

‘No alcohol can be sold or supplied to anyone under 18. It’s against the law.’

Identity and age verification by service provider at point of sale

The identity and age of a customer must be verified the first time an order is placed for same day delivery of alcohol in NSW. For future occasions, an alternative form of authentication, as outlined in the [liquor regulation](#), may be used.

Provide written instructions for delivery persons

Written delivery instructions must be provided to delivery persons or agents making same day delivery of alcohol in NSW.

These should include:

- details of the adult who placed the order
- the adult nominated to accept the delivery (this would include their name and age)
- an adult at an alternative delivery address nominated to accept delivery.

Maintaining a non-delivery register

By law, the service provider is required to keep a record of non-deliveries to minors and intoxicated persons. These records are kept in a non-delivery register. The template provided by the service provider must be used to maintain this record.

The section on **Recording refusals**, includes more information on what must be recorded in the register and when.

Same day delivery providers

You may use your own app or template to maintain this record or download a template from the Liquor & Gaming NSW website. These refusal records must be kept for a minimum of 1 year after the day the delivery was refused.

You cannot financially penalise a delivery person for refusal in the above circumstances. A financial penalty includes any action that has a financial impact to a delivery person, such as withholding or delaying payment or a loss of hours of employment.

Self-exclusion

As a delivery person, you should be aware of your provider's self-exclusion process. When a customer makes the request to you, you should refer it to your service provider.

Self-exclusion is an important harm minimisation strategy. If a customer decides they do not want alcohol to be delivered for a certain time or permanently, they can make a formal agreement with a same day delivery provider. The agreement means the customer won't get alcohol for the time they have specified.

Many people enter into a self-exclusion agreement when they are undertaking a rehabilitation program. Some customers may only choose to self-exclude for a short period rather than permanently. For example, Dry July, Feb-Fast, Sober October.

Note: A customer who has self-excluded can change their mind. They would notify the service provider that they would like to be removed from the self-exclusion list.

Same day delivery providers

If a person requests to be self-excluded from same day alcohol deliveries then you must follow their wishes. Online sales and other electronic applications used for purchases must display signs about self-exclusion options.

Advertising and promotions

Promotional activities relating to the sale, supply and delivery of alcohol can influence customers' consumption patterns and behaviour. Undesirable promotions, or ones that are not responsibly managed, can contribute to alcohol-related harm and anti-social behaviour. This can impact individuals, families, and communities.

The *Liquor Act 2007* (see links below) details the types of promotions that may be restricted or prohibited. Same day delivery providers must be familiar with these requirements to avoid being in breach of the law.

Same day delivery providers

For more information refer to the Liquor & Gaming NSW website:

- [Liquor promotions - Liquor & Gaming NSW](#)
- [Liquor promotion guidelines \(pdf\)](#)

Best practice strategies for same day delivery providers

The service provider can use voluntary strategies and approaches to minimise harm. This can create a safe, healthy, and prosperous business. These strategies will reflect how serious your service provider is about addressing potential harms.

Voluntary signage

Liquor & Gaming NSW provides a range of voluntary signs. These can assist your service provider in minimising harm, such as using an ID checklist. They can be purchased or downloaded from the [Liquor & Gaming NSW website](#).

UNDER 25?

Be prepared to show ID

The **ONLY** acceptable forms of evidence of age in NSW are a current:

- Driver or rider licence or permit issued in Australia or another country
- NSW Digital Driver Licence
- Australian or other passport
- NSW photo card
- Proof of age card (issued by an Australian state or territory except NSW)
- Keypass (over 18) identity card issued by Australia Post



If you're under 18, you can be fined up to \$2,200 if you enter a venue illegally or obtain/consume alcohol

NSW GOVERNMENT

NSW GOVERNMENT

Tough measures on sale of alcohol to under 18s*

ID checklist

- Accept only current photo ID**
 - **NSW Photo Card** (issued by NSW Roads & Maritime Services)
 - **Driver's licence** (issued by an Australian State or Territory or another country)
 - **Passport** (issued by Australia or another country)
 - **Proof of Age card** (issued by an Australian State or Territory except NSW)
 - **Keypass (over-18) identity card** (issued by Australia Post)

Look at the photograph. Does it look like the person in front of you?
- Dates**

Check the date of birth. Are you satisfied about the person's age?
Check expiration date. Do not accept expired IDs.
- ID Appearance**

Has the card been tampered with?
Is the font type and card thickness consistent?
Is the card surface dusty, peeling, wrinkled, bubbled or corners lifted?
- Unsure?**

Quiz the holder about details from the ID.
Ask for secondary ID.
Compare the person's signature with what appears on the ID.

Still unsure? REFUSE TO SELL

* A liquor licence can be suspended or cancelled when alcohol is sold to a minor.
A person's RSA certification can also be suspended or revoked when alcohol is sold to a minor.

January 2019

More information

- [Signs for your business - Liquor & Gaming NSW](#)
- [Liquor promotion guidelines \(pdf\)](#)

Plan of management

A plan of management is a detailed document that identifies the policies and procedures relating to selling alcohol online or delivering alcohol. Each business has its own management plan. This shows how the business will follow the law. As a delivery person, you may be involved in reviewing this plan.

Same day delivery providers

The plan should be a working document that is regularly reviewed to ensure continued validity. For example, if a new risk or an emerging trend is identified, a strategy will be put in place to manage it.

Preparing for high-risk periods

Several local community events present an increased risk of supply to a minor, secondary supply and/or supplying alcohol to an intoxicated person. You should be aware of these events and have additional training.

These events may include:

- schoolies
- school formals
- Mardi Gras
- University orientation ('O Week')
- football grand finals
- Anzac Day
- St Patrick's Day
- concerts and festivals.

Your service provider should make sure that all staff receive refresher training before a high-risk period. They should regularly communicate during the period. Key RSAT principles should be reinforced to reduce any possible alcohol-related harm and underage drinking.

Your service provider should also ensure that staff are aware of any upcoming local events or community issues, like being aware of emerging fake ID trends.

Best practice workplace strategies

Your service provider can implement many best practice strategies to minimise harm. This will ensure your safety during same day delivery.

Some examples of strategies your service provider may use include:

- ZERO-tolerance policy signage on their website against delivery to minors, intoxication, and driver
- driver and courier apps and regular communication including emails, text, podcasts and newsletters for up-to-date information
- creating a group for delivery persons where information can be shared.
- refresher training courses – particularly for newly identified risks
- a complaints and feedback register for consumer
- customers with a history of violent or inappropriate behaviour facing a temporary or permanent ban
- working with other same day same day delivery providers on strategies to combat emerging risks and/or recent activities.

Other business policies and procedures

Many businesses develop policies and procedures to manage the day-to-day operations under same day delivery. This includes any licence conditions which must be met. These can help minimise harm. They also protect delivery persons and customers and comply with NSW liquor laws.

These may include:

- internal policies or standard operating procedures for delivery persons.
- checklists, tools or applications for delivery persons
- resource centres with fact sheets, case studies, videos, scenarios, and tips
- safety procedures manuals to ensure the delivery person/s and customer health and safety
- calendar dates and alerts for upcoming events or busy periods
- online alcohol sale limits and examples (with information on consumption)
- having early cut-off time for online sales and delivery requests for same day deliveries. This makes sure that delivery persons can complete all deliveries before the cut-off time.

Top tips

As a delivery person, you need to understand all plans, policies and procedures that apply to same day alcohol delivery. You can suggest ideas, improvements, or changes to these.

Module summary

To recap, the key topics covered in Module 5: Harm minimisation strategies and approaches, were to:

- understand and support the implementation of the mandatory harm minimisation strategies in NSW
- understand the purpose and benefits of voluntary harm minimisation strategies.

Module 6:

Compliance and enforcement

Introduction

Various measures are in place to monitor and enforce the NSW liquor laws. This ensures that alcohol is sold and delivered responsibly. This keeps you, your customers and the community safe. These measures include enforcement actions. They can affect you because you make same day alcohol deliveries.

Your actions can result in severe penalties for you and for your same day delivery provider.

Module 6 – key topics

Module 6 covers the following key topics:

- understanding compliance and enforcement of NSW liquor laws
- understanding why NSW has a regulatory system in place and how it operates
- understanding the potential consequences of non-compliance.

Compliance and enforcement in NSW

Most staff in the industry operate safely and comply with NSW liquor laws.

Liquor & Gaming NSW promotes a voluntary culture of compliance through education, such as the RSAT. It encourages responsible sale, supply and delivery of alcohol through industry best practices.

If industry workers fail to comply with the liquor laws, then Liquor & Gaming NSW will take action. Factors that will be considered will be repeat or ongoing non-compliance and the harm that may be caused.

The more serious the breach is, the more severe the consequences will be.

Liquor & Gaming NSW's approach to compliance and enforcement is supported by harm minimisation principles.

Identifying non-compliance

The first step in compliance action is to identify any breaches of the NSW liquor laws. To do this, Liquor & Gaming NSW may:

- receive complaints via various channels, including members of the public (for example, neighbours or parents)
- undertake targeted operations. This could identify a breach in the supply and delivery of alcohol to minors or intoxicated people
- work in conjunction with NSW Police to conduct regular inspections. Some of these inspections may be undercover.



Remember

Liquor & Gaming NSW will conduct controlled purchasing operations. These are part of its compliance activities. The operations will investigate whether same day alcohol delivery providers or their employees or agents are breaching laws by supplying to minors. This means that minors can be appointed to purchase, or attempt to purchase, alcohol. This will be under the supervision of an adult Compliance Inspector. If a minor's purchase is successful, a provider, employee or agent can be liable for breaches of the law.

Investigation and enforcement for same day delivery providers

Liquor & Gaming NSW or NSW Police will investigate any alleged breach of the liquor laws. They will assess the seriousness of the breach by making enquiries, gathering evidence, and working with other government bodies where relevant.

Liquor & Gaming NSW can enforce the NSW liquor laws through:

Table 11: Enforce the NSW liquor laws

Penalties	When the penalties will be applied
Warning notices	For less serious offences with lower levels of risk and harm.
Penalty notices	For offences such as a breach of a liquor licence condition.

Penalties	When the penalties will be applied
Licence conditions or orders	Additional controls applied to liquor licences to address possible or actual risks.
Incentives and demerit points system	Incentives are applied to licensees as rewards for responsible service. Penalties are given to reduce repeated non-compliance with NSW liquor laws.
Disciplinary action	When liquor laws are breached. This may result in additional licence conditions, or the suspension, cancellation, disqualification and/or withdrawal of a licence.
Prosecution	For the most serious levels of offences, and patterns of behaviour that could lead to criminal conviction, financial penalties, loss of assets and/or imprisonment.

These regulatory actions encourage positive attitudes and proactive compliance. It's all about harm minimisation to keep the industry and community safe.

For same day delivery providers, the following are key obligations under the *Liquor Act 2007* for same day delivery of alcohol in NSW:

Table 12: Same day delivery of alcohol obligations

Liquor Act 2007	Obligations for same day delivery	Maximum penalty for breaches	Reference
Section 114H	You must hold a licence to supply alcohol under a same day delivery arrangement where the products are stored in NSW.	100 penalty units	Liquor Amendment (Night-time Economy) Act 2020 (nsw.gov.au)

Liquor Act 2007	Obligations for same day delivery	Maximum penalty for breaches	Reference
Section 114HA	<p>When recording a same day alcohol sale, you must make sure that the identity and age of the person named to take delivery is verified using an accredited identity service provider.</p> <p>For future deliveries to the same person, a different form of verification provided by the liquor regulation can be used</p>	<p>50 penalty units</p> <p>50 penalty units</p>	<p>Liquor Amendment (Night-time Economy) Act 2020 (nsw.gov.au)</p>
Section 114I	<p>At the time of delivery, your same day delivery persons must make sure that the identity and age of the purchaser, and any adult nominated to accept delivery is verified prior to delivery.</p>	<p>50 penalty units</p>	<p>Liquor Amendment (Night-time Economy) Act 2020 (nsw.gov.au)</p>
Section 114(3)(b)	<p>You must give written instructions to the same day delivery person, that the alcohol must be delivered to the nominated adult at the delivery location.</p>	<p>50 penalty units</p>	<p>Liquor Amendment (Night-time Economy) Act 2020 (nsw.gov.au)</p>
Section 114M(1)	<p>A record of refusals must be kept when same day deliveries are not completed. This happens when the person taking delivery is:</p> <ul style="list-style-type: none"> • a minor • an intoxicated person • unable to be verified as the person named to take delivery. 	<p>30 penalty units</p>	<p>Liquor Amendment (Night-time Economy) Act 2020 (nsw.gov.au)</p>

Liquor Act 2007	Obligations for same day delivery	Maximum penalty for breaches	Reference
Section 114M(2) Section 114M(3)	If records of non-delivery are requested by a police officer or a Liquor and Gaming inspector, they must be provided. These records must be kept for 12 months	30 penalty units	Liquor Amendment (Night-time Economy) Act 2020 (nsw.gov.au)
Section 114N*	You must ensure that your delivery person is not financially penalised for refusals to deliver in the circumstances detailed in Section 114M(1). *Note: A financial penalty includes any action that has a financial impact to a delivery agent or employee This could include withholding or delaying payment or a loss of hours of employment.	50 penalty units	Liquor Amendment (Night-time Economy) Act 2020 (nsw.gov.au)
Section 114O	If someone asks to enter into a self-exclusion agreement with you, you must follow the procedure to make this happen. Where alcohol is sold online for same day delivery, you must make sure the persons ordering the alcohol are aware of the self-exclusion procedure on your business's website.	50 penalty units 30 penalty units	Liquor Amendment (Night-time Economy) Act 2020 (nsw.gov.au)
Section 114P	You must not allow a delivery person to make same day deliveries unless they have successfully completed this Responsible Supply of Alcohol training (RSAT) and the Liquor & Gaming NSW online RSAT test.	50 penalty units	Liquor Amendment (Night-time Economy) Act 2020 (nsw.gov.au)

Liquor Act 2007	Obligations for same day delivery	Maximum penalty for breaches	Reference
Section 114Q	As a same day delivery provider, you are liable for the actions of your employees involved in same day sale and delivery of alcohol. This includes any penalty for associated breaches under the liquor laws.		Liquor Amendment (Night-time Economy) Act 2020 (nsw.gov.au)

More information

Penalty amounts outlined in this section are for same day delivery providers who break the law. They are based on a system of penalty units which is a set amount of money used for each fine.

Unit values are reviewed annually, and the current penalty unit value in NSW can be found at:

- [Liquor & Gaming NSW website](#)
- [Crimes \(Sentencing Procedure\) Act 1999 No 92 - NSW Legislation.](#)

Incentives and demerit points system

The incentives and demerit points system aims to:

- encourage and reward well-run businesses
- minimise alcohol-related violence
- reduce repeated non-compliance with the NSW liquor laws.

It provides ‘incentives’ or rewards, for responsible same day delivery providers. It applies ‘demerit points’ when the wrong thing is done.

How does it work?

The system rewards responsible same day delivery providers that comply with the liquor laws. It does this by discounting the annual licence fees. Providers who commit a serious offence automatically receive demerit points in addition to any penalty or fine.

Double demerit points are attached to offences involving the sale or supply to minors. This is due to the seriousness of this offence. This reflects the Government’s commitment to minimising the alcohol-related risks of harm to minors.

Same day delivery providers who don’t want to meet their obligations, and incur multiple demerit points, can be removed from the industry.

Same day delivery providers who have received demerit points are not eligible for discounts on annual licence fees. They must also pay additional compliance risk loading fees the year after the demerit point was incurred or imposed.

What can the demerit points system mean for you and your service provider?

Remember that your actions as a same day alcohol delivery person can directly affect the chance of you or your service provider being subject to a regulatory scheme.

It's important that you always supply and deliver alcohol in a responsible manner. Discuss any concerns relating to the risk of harm and non-compliance with your employer.



Module summary

To recap, the key topics covered in Module 6: Compliance and enforcement were:

- understanding compliance and enforcement of NSW liquor laws
- understanding why NSW has a regulatory system in place and how it operates
- understanding the potential consequences of non-compliance.

Next steps

Liquor & Gaming NSW RSAT knowledge test

After you complete the RSAT training you must successfully complete the Liquor & Gaming NSW RSAT knowledge test online.

After successful completion of the RSAT knowledge test, Liquor & Gaming NSW will issue you with a certificate of RSAT completion. This will allow you to make same day alcohol deliveries in NSW. The online test will only take about 15-20 minutes to complete.

More information

Visit the Liquor & Gaming NSW website to complete the RSAT knowledge test online: [Training - Liquor & Gaming NSW](#).

Renewal of RSAT certification

Remember, your RSAT certification is valid for five years. At the end of this period, you will be required to complete your RSAT training again. Make sure you are aware when your certificate expires and complete the training and assessment before the expiry.



Remember

You must hold a Liquor & Gaming NSW issued Certificate of RSAT completion to make same day alcohol deliveries in NSW.

Additional training

Responsible Service of Alcohol (RSA) training

If you plan to work in the sale, supply or service of alcohol, you will need to undertake the RSA training before you can start work. This includes roles such as service staff, food and beverage attendants, retail liquor salespersons, winery and brewery staff, promotional staff, RSA marshals,

licensees, club secretaries, and sales representatives working for suppliers. It also applies to security staff and crowd controllers monitoring customer behaviour.

Obtain an NSW RSA competency by completing the training in a classroom or online environment through a Liquor & Gaming NSW approved training provider.

Responsible Conduct of Gambling (RCG) training

If you plan to work in a venue where there are gaming machines and your work duties are going to involve gaming machines, you will also need to undertake the RCG training before you can start work.

Obtain an NSW RCG competency by completing the training in a classroom environment through a Liquor & Gaming NSW approved training provider.

Privacy training

If you work in the Kings Cross precinct and wish to operate an ID scanner, you will also need to obtain a privacy competency by completing the Privacy training course online.

Licensee and Advanced Licensee training

If you plan to apply for a liquor licence in NSW or be appointed as a club secretary or approved manager, you may need to complete the Licensee or Advanced Licensee training through a Liquor & Gaming NSW approved training provider. You must have a current NSW RSA competency before you can complete Licensee training.

More information

Find out everything you need to know about all the courses available, including RSA, RCG and licensee training: [Training - Liquor & Gaming NSW](#).

Scenario – responses

Scenario 1

When assessing the situation, Jake should consider:

- if the customer is showing signs of intoxication, can he reasonably believe that he is intoxicated due to the consumption of alcohol
- his responsibility under the law that prohibits delivery of alcohol to an intoxicated person, and the serious penalties involved.

Based on the above facts and assessment:

- Jake can conclude that the customer is showing reasonable signs of intoxication and must be refused service under the law.
- He should politely apologise and explain to Steve that the NSW liquor laws don't allow him to deliver alcohol to a person he believes to be intoxicated. He would ask Steve to contact the service provider to re-schedule the delivery.
- For his own safety, Jake must remain calm in such situations.
- Jake should record the reasons for his non-delivery and return the order back to the store.

Scenario 2

When assessing the situation, Jake should consider:

- if the recipient Donna is an adult, and is not intoxicated
- if the young people in the house who appeared to be drinking, who are likely minors, could access the alcohol if he delivered it, and
- his responsibility under the law to not deliver alcohol to a minor, or for anyone to obtain alcohol for a minor, and that serious penalties apply.

Based on the above facts, even though Donna is an adult and not intoxicated:

- Jake must politely but firmly explain to Donna that that he is unable to deliver as it's against the law for him to deliver alcohol where it might result in the supply to a minor
- record the reasons for his non-delivery and return the order back to the store.

Scenario 3

When assessing the situation, Jake should consider:

- if the recipient Amy is an adult and not intoxicated
- if it's likely that Amy might be purchasing the alcohol for the young person, in this case her child
- his responsibility under the law not to deliver alcohol to a minor, or for anyone to obtain alcohol for a minor, and the penalties that apply.

Based on the above facts, Amy is an adult and is not intoxicated, and it's not likely she is purchasing the alcohol for her young child:

- Jake should be aware of possible reputational risks associated with a minor carrying alcohol products
- Jake should politely request Amy to personally take delivery of the alcohol, and explain that he cannot hand over alcohol to a minor
- Jake could politely offer to place the alcohol item inside the door for Amy, provided he is satisfied the delivery is being made to her, and there are no other circumstances suggesting otherwise
- Amy may also be able to put the basket down so he can hand it to her directly.

It's important to note that the decision to refuse service is based on individual circumstances. To refuse supply, the delivery person must have reasonable belief that secondary supply may take place.

Further, in the above circumstances where Amy appears to be under 25, it is also important that Jake ensures that she has valid identification, and that she is 18 years or over, before she can accept delivery of the alcohol.

Scenario 4

When assessing the situation, Jake should consider:

- if the recipient is listed in his service provider's delivery instructions
- if the recipient (either the purchaser or a nominated person) is an adult
- if the recipient is intoxicated
- his responsibility under the law to deliver as per his service provider's delivery instructions, and not deliver alcohol to a minor. And that serious penalties apply.

Based on the above facts, even though the recipient is the nominated person for delivery as per his service provider's delivery instructions, the recipient is a minor:

- Jake must politely but firmly explain to the recipient that he is unable to deliver as it's against the law for him to deliver alcohol to a minor

- that the customer should discuss this with his service provider
 - record the reasons for his non-delivery and return the order back to the store.
-

Scenario 5

When assessing the situation, Jake should consider:

- his responsibility under the law to deliver to the nominated recipient listed on his delivery instructions, and that serious penalties apply
- that he cannot deliver if the purchaser is unavailable to receive the delivery and there is no alternate adult nominated as per his delivery instructions.

Based on the above facts, even though the person claiming to be Jenny's husband is an adult and not intoxicated, he cannot accept the delivery on her behalf:

- Jake must politely explain to Jenny's husband that he cannot accept delivery on behalf of Jenny as he was not named when the order was placed
 - explain that under the law he can only deliver to the purchaser, or an alternate adult named by the purchaser, and that Jenny should contact his service provider to re-schedule the delivery
 - record the reasons for non-delivery and return the order back to the store.
-

Scenario 6

When assessing the recipient, Jake should consider:

- if the recipient's identity and age match the written delivery instructions
- if the recipient is an adult, and not intoxicated
- his responsibility under the law to ensure delivery is made to the recipient or the adult named on the delivery instructions, and the penalties that apply.

Based on the above facts, even though Tim is not a minor and is not intoxicated, Jake cannot deliver the alcohol to Tim until he has verified Tim's identity and age.

Where the recipient appears to be 25 years or older, but is unable to produce a valid ID, the law requires that they sign a declaration stating their name and that they are 18 years or over, before they can accept delivery of the alcohol. Most same day delivery providers provide a form that customers must sign in such circumstances.

- Jake must ensure Tim completes this declaration before he delivers the alcohol to him.
- If Tim refuses to complete the declaration, Jake must refuse delivery, record the reasons for non-delivery and return the order back to the store.

Scenario 7

When assessing the situation, Jake should consider:

- if the recipient's verbal instructions are sufficient for him to consider leaving the same day alcohol delivery unattended
- is he able to leave alcohol unattended when making same day deliveries?
- his responsibility under the law to check that the identity of the recipient matches the delivery instructions
- that the delivery is not made to a minor or intoxicated person before proceeding.

Based on the above facts, even though Shelly (presumably) has authorised Jake to leave the alcohol in her garden, the law DOES NOT permit leaving same day alcohol delivery unattended as minors may access it.

- Jake should politely but firmly explain to Shelly that it's against the law for him to leave alcohol unattended when making same day deliveries, and explain the potential risk of the alcohol being accessed by minors.
- Record the reasons for his non-delivery and return the order back to the store.

