



# Liquor Promotion Guidelines

## Introduction

Promotions and activities that surround the sale and supply of alcohol can have a significant influence on patrons and the way they behave.

Undesirable or poorly managed liquor promotions can encourage people to drink irresponsibly and excessively, leading to alcohol-related violence, anti-social behaviour and adverse health impacts.

Promotions that appeal to minors and that are indecent, offensive, or are generally not in line with community standards can also encourage risky drinking and may lead to behaviours which harm or offend others.

Ensuring liquor promotions are run responsibly helps to minimise the harm that can arise. It also makes good business sense and supports the sustainability and responsible development of the hospitality industry in NSW.

The Secretary, Department of Creative Industries, Tourism, Hospitality and Sport, has the power to ban or restrict 'undesirable' liquor promotions run by licensed venues in NSW by issuing a notice under section 102 of the *Liquor Act 2007* (the Act). The Secretary can

also issue a notice to ban or restrict 'undesirable' promotions of non-alcoholic products held out to be 'beer, wine or spirit' if it is deemed 'undesirable'. This notice can be issued to a licensee or other person, where applicable.

Before the Secretary can exercise this power, publicly available guidelines must be released under section 102(4) of the Act. These Guidelines fulfil this requirement and indicate the kinds of promotions or activities that the Secretary would consider being the subject of a notice.

Under section 102A of the Act, the Secretary is also able to ban or restrict any activities at licensed premises that are likely to encourage the misuse and abuse of liquor. This does not require guidelines and can be relevant for promotional activities as well as broader activities run on licensed premises.

The Secretary may also ban or restrict licensees from selling or supplying specific liquor products where they are considered 'undesirable' under section 101 of the Act.

## Running promotions responsibly in NSW - The Law

### What are my obligations as a licensee?

All licensees and staff have obligations under the *Liquor Act 2007* (the Act) to maintain responsible attitudes and practices towards promoting and selling alcohol.

These Guidelines convey principles for running promotions responsibly in NSW, and help to set standards for licensees to follow by providing examples of unacceptable practices.

If a licensee runs a promotion that is inconsistent with any of the principles or related standards set out in the Guidelines, they may be subject to regulatory scrutiny and intervention.

Liquor & Gaming NSW actively monitors liquor promotions run by licensed venues and also assesses complaints raised by the public.

### What makes a promotion undesirable?

A promotional activity can be 'undesirable' and subject to a ban or restriction if the Secretary considers it contravenes one of seven principles in section 102 of the Act. These include that a promotion:

1. Must not have a special appeal to minors, because of the design, names, motifs or characters in the promotion that are, or are likely to be, attractive to minors, or for any other reason.
2. Must not be indecent or offensive.
3. Must not involve the use of non-standard measures that encourage irresponsible drinking and is likely to result in intoxication.
4. Should not use emotive descriptions or advertising that encourages irresponsible drinking and is likely to result in intoxication.
5. Should not involve the provision of free drinks, or extreme discounts or discounts of a limited duration, that creates an incentive for patrons to consume liquor more rapidly than they otherwise might.
6. Should not otherwise encourage irresponsible, rapid or excessive consumption of liquor.
7. Should not otherwise be considered to not be in the public interest.

### What can I do to ensure a promotion complies?

When running promotions licensees should always consider how the principles apply, as well as what actions they can take to minimise any risk of harm.

Examples of unacceptable promotions that are clearly inconsistent with the principles and must not be undertaken are provided in these Guidelines to help demonstrate relevant standards in relation to each principle. However, they are not intended to be a definitive list of what can and cannot be done.

The Guidelines also include information about some of the practical steps that can be taken by licensees to help manage any associated risks

### What happens if my promotion doesn't comply?

If a licensee runs a liquor promotion that may be considered 'undesirable' it can be actively investigated by Liquor & Gaming NSW.

Typically, Liquor & Gaming NSW will first contact the licensee to seek an explanation when there are concerns that standards are not being met, and may request changes or withdrawal of the promotion.

If any concerns are not addressed then the Secretary, or a Liquor & Gaming NSW delegate, can restrict or prohibit any promotion considered to be undesirable by issuing a written notice under section 102 of the Act.

A notice may also be issued under section 102A to restrict or prohibit any activities likely to encourage the misuse or abuse of liquor.

If a licensee does not comply with a notice, they face fines of up to \$5,500.

### What promotions do the Guidelines apply to?

NSW licensees should be mindful that the Guidelines apply to all types of promotional activities by all licensees - whether they are run within the premises, using traditional advertising channels like flyers or posters or for online sales using digital platforms, tools and technologies. Some examples of digital marketing include brand websites, instant messaging, blogs, smartphone applications, social channels (Instagram, Facebook, Twitter, Snapchat, Tik Tok), YouTube, podcasts, online/ banner advertising, email marketing or SMS.

The Guidelines extend to any kind of promotions, including digital marketing activities, that use social media influencers or other third parties, including any promoters engaged by a licensee as well as any user-generated comments on an account owned by a licensee.

The Guidelines also apply across different licensed environments where alcohol is being promoted:

- for consumption on premises
- for take-away, including online delivery services.

Past examples of promotions investigated by Liquor & Gaming NSW are included in the Guidelines to help demonstrate how each of the principles apply in these different contexts.

### What are my obligations as a non-licensee regarding non-alcoholic products?

Alcohol-free products are now able to be sold at licensed and unlicensed premises. This change allows non-alcoholic products labelled or promoted as 'beer, wine or spirits' to be sold without a liquor licence, where they do not contain more than the 1.15% ABV threshold considered to be 'liquor' under the Liquor Act 2007.

However, these products should never be promoted in ways that could be considered to have special appeal to minors or pose significant risk to public safety and community wellbeing. In these circumstances, regulatory action could be taken in line with these Guidelines.

Under Section 102(5) of the Liquor Act 2007, the sale and supply of these products must still comply with these Guidelines but only in relation to Principle 1 'appeal to minors' and Principle 7 'Not in Public Interest'.

Liquor & Gaming NSW will respond to community complaints in relation to the sale and supply of these products and may take action where any business acts irresponsibly when promoting or selling them.

### Principle 1 - Appeal to Minors

**Promotions must not have a special appeal to minors, because of the design, names, motifs or characters in the promotion that are, or are likely to be, attractive to minors, or for any other reason.**

#### Explanation

It is illegal to sell alcohol to minors or to supply alcohol to minors on licensed premises.

Promotions that hold particular appeal to minors can pose a significant risk as they may lead to increased levels of alcohol-related harm in a vulnerable group.

The National Health and Medical Research Council Guidelines refer to the increased risks of harm from alcohol for minors. Early drinking is related to increased alcohol consumption in adolescence and young adulthood. These drinking patterns are also related to the possibility of damage to the developing brain and development of alcohol-related harms in adulthood.

Principle 1 'appeal to minors' applies to both liquor products and non-alcoholic products held out to be 'beer, wine or spirit', and can apply to both licensees or other persons involved in the sale or supply of those products.

#### Examples of unacceptable promotions

- Using characters, imagery, motifs, naming or designs that would appeal to minors.
- Including merchandise that primarily appeals to minors.
- Using interactive games or technology that would appeal to minors.
- Using images of people that look under 18 years of age that suggests they are or have been consuming liquor or may be about to.

#### Managing related risks

Care should be taken in using celebrities or other role models that have a special appeal to minors as part of the promotion of relevant products. This may be construed as having a special appeal to minors under the Act.

Licensees and other persons involved in the sale or supply of relevant products should also exercise extra caution if running any promotions in environments where young people are more likely to be present.

For example, minors can readily be exposed to promotional material published over digital and social media platforms.

Placing promotional material at or close to primary or secondary schools, or other areas mostly used by minors, is likely to be 'unacceptable' in all cases.

Minors can no longer access most licensed premises, unless in the company of a responsible adult. However, it is still important for licensees to be aware of their presence when running any promotions on-site.

Principle 1 'Appeal to Minors' applies to both liquor products and non-alcoholic products held out to be 'beer, wine or spirit', and can apply to both licensees or other persons involved in the sale or supply of those products. Promoting non-alcoholic products held out to be 'beer, wine or spirits' in a way that is likely to appeal to minors could send a message that underage drinking is acceptable in society. Non-alcoholic products are often manufactured and packaged to look just like existing alcohol products, and often carry the same company branding.

#### Past examples of promotions that have been investigated

##### On-premises environment

- Cartoon animal characters that would appeal to minors were depicted on a hotel's Facebook page promoting a liquor activity.

##### Take-away environment

- A take-away liquor store packaged bottles of vodka with a box of Skittles and included instruction on how to mix Skittle bombs.
- Images on a licensee's Facebook page depicted young people in a heavily drunken state.
- An image on a licensee's Facebook and Instagram account paired an image of a large crowd of young people at a concert with a large-sized bottle of liquor on stage with the provocative title 'Raise your hand if you have been personally victimized by vodka'.

### Principle 2 – Indecent or Offensive

#### Promotions must not be indecent or offensive.

##### Explanation

The use of indecent or offensive material in a liquor promotion is of poor taste and is against general community standards.

While determining what is indecent or offensive can be subjective, licensees should be mindful of what would reasonably be considered offensive in the broader community.

Indecent and offensive promotions may be a catalyst for crime or violence, including sexual crime against women.

##### Examples of unacceptable promotions

- Using images, including of human bodies, that may be considered offensive to a reasonable adult.
- Offering free or discounted drinks for participating in an activity that may be offensive to a reasonable adult present on the premises, for example, encouraging participants to remove items of clothing.
- Using insulting or offensive language.
- Using any form of discriminatory, demeaning or vilifying language or imagery.
- Using sexual, degrading or sexist images, symbols, figures or innuendo.

##### Managing related risks

Some drink brands and cocktails have provocative language in their names. While the sale of these products is largely accepted in society, care should be taken not to use language that may be insulting or offensive as a key part of the branding of any related liquor promotions. Branding a promotion with this language is likely to be considered 'undesirable'.

Caution should be exercised in promoting these products within or externally to a venue to limit the potential to cause offence.

#### Past examples of promotions that have been investigated

##### On-premises environment

- A hotel's Facebook post promoted ANZAC Day celebrations using sexual imagery with the title 'Let's re-enact Gallipoli;' 'Screw battle, we're getting drunk;' and 'Terrible shape for Dawn Service.'

##### Take-away environment

- A producer/wholesaler posted a promotion for a liquor product on its Facebook and Instagram pages depicting the consumption of liquor with sexual acts.
- A producer/wholesaler shared a video on its Facebook page created by another account user which promoted cheap liquor and excessive drinking using obscene language. The video was tagged 'Like, watch and share'.

### Principle 3 – Non-Standard Measures

**Promotions must not involve the use of non-standard measures that encourage irresponsible drinking and is likely to result in intoxication.**

#### Explanation

A standard measure is the level of alcohol used to work out safe drinking levels. Standard measures enable patrons to make informed decisions about their alcohol intake. In Australia, a standard measure contains 10 grams of pure alcohol. Licensees may refer to the National Guidelines for Alcohol Consumption on the Australian Department of Health website for further details on standard measures.

Where standard measures are not used the likelihood of irresponsible drinking is increased as the alcohol content of the drink is unknown.

This principle, and the use of standard measures, is most relevant for promotions that offer liquor for consumption on licensed premises.

Separate requirements apply to packaged liquor sales to ensure standard drink information is clearly stated on liquor products (Food Standards Australia New Zealand) and to restrict the sale or supply of undesirable liquor products that may encourage irresponsible drinking (section 101 of the Act).

#### Examples of unacceptable promotions

- Encouraging the consumption of liquor in a yard glass for skolling.
- Encouraging the consumption of laybacks, slammers, blasters, bombs or consumption from a water pistol or test tubes.
- Encouraging an individual to purchase and consume on their own an alcoholic drink intended to be shared (that is, a drink containing a significant number of standard drinks).
- Encouraging the consumption of multiple shooters or shots by an individual.

### Managing related risks

Care needs to be taken where liquor is being served in vessels that are not well recognised (e.g. schooner or wine glass) to ensure patrons have the ability to judge how much they consume.

If a promotion is being undertaken where an alcoholic drink is being sold in a large volume (such as jugs) or 'novelty' drinkware (such as teapots or jam jars) the following approach should be taken:

- Accurate standard measures should be used to pour the drink into the vessel.
- If the drink is meant to be shared, standard sized drinking vessels should be provided.
- Patrons should be made clearly aware of the alcohol content of the drink. For example, details of the number of standard drinks should be available on the drinks menu or on other suitable promotional material for the drink such as posters.

#### Past examples of promotions that have been investigated

##### On-premises environment

- A hotel supplied liquor in three litre cocktail balloons and two litre towers. Large vessels such as these can make it difficult for patrons to monitor their rate of alcohol consumption.
- A registered club promoted 'Mid-week Fishbowl Cravings' offering cocktails served in fishbowls with a straw.
- A hotel promoted \$10 cocktail buckets where patrons consumed the cocktail directly from the bucket with straws.

### Principle 4 – Emotive Description or Advertising

**The promotion should not use emotive descriptions or advertising that encourages irresponsible drinking and is likely to result in intoxication.**

#### Explanation

The use of emotive descriptions in a liquor promotion can encourage irresponsible drinking.

A promotion that focuses on drinking irresponsibly or uses emotive descriptions to encourage excessive or rapid drinking can influence the actions of consumers and increase the likelihood of drinking to excess, intoxication and other alcohol related-harm.

#### Examples of unacceptable promotions

- Promoting events which focus primarily on the excessive consumption of alcohol e.g. 'Mad Monday'.
- Using language, labelling or titling that suggest irresponsible or excessive consumption of alcohol (e.g. 'Drink like a fish', 'beat the clock' and challenges to drink within certain timeframes).
- Engaging a person who, as part of the promotion, enthusiastically talks up excessive consumption of alcoholic beverages, encourages intoxication or irresponsible or illegal behaviour.
- Encouraging consumers to get drunk. This may involve the use of language images or slogans such as 'drink till you drop' or 'drink your money's worth'.
- Encouraging patrons to post pictures on social media of themselves in an intoxicated state.

### Managing related risks

Licencees should take particular care in determining whether the name of a promotion or any promotional material used contains descriptions that may encourage irresponsible drinking.

#### Past examples of promotions that have been investigated

##### On-premises environment

- A hotel promoted a challenge to drink 30 tequila shots in 10 minutes. The challenge encouraged excessive drinking and posed significant risk to patron health and safety.
- A restaurant promoted a five-litre beer stein challenge for Oktoberfest.
- A bar promoted frozen cocktails with the tag line 'let's get slushie sloshed.' Emotive tag lines may encourage people to drink irresponsibly.
- A hotel challenged patrons to drink six beers in 60 minutes.

##### Take-away environment

- A takeaway liquor store promotion used the words 'stock up, party and don't risk running out of drinks.'

### Principle 5 - Extreme Discounts

**Promotions should not involve the provision of free drinks or extreme discounts, or discounts for a limited duration that create an incentive for patrons to consume liquor more rapidly than they otherwise might.**

#### Explanation

Discounting alcohol can be used as a marketing tool for licensees to encourage business. However, discounts should not be excessive to the point where the promotion could encourage irresponsible drinking and intoxication.

#### Examples of unacceptable promotions

- Providing free drinks which encourage rapid consumption of alcohol (e.g. all you can drink in a limited time frame).
- Using drink cards, promotional cards, vouchers or shopper docket which encourage rapid consumption of alcohol over a short period of time (e.g. \$50 voucher redeemable between 9pm and 10pm).
- Promoting happy hours encouraging or facilitating the rapid consumption of alcohol.
- Promotions that link the consumption of alcohol to unpredictable events (e.g. free drinks until the first points scored).
- Encourage the purchase of large amounts of alcohol with rewards of free or discounted drinks (e.g. buy six drinks and get two free drinks) to be redeemed within the same trading period.
- Run for very short periods, creating incentive for patrons to stockpile or consume liquor rapidly.
- Run for extended periods over two hours, where patrons may drink more than they otherwise would.
- Offer 'all you can drink' for a set price or long periods of free drinks (e.g. \$50 entry and free drinks all night).
- Involve discounts of greater than 50% off the normal retail price.

### Managing related risks

It is important for licensees to consider implementing harm minimisation measures to reduce any risk of irresponsible drinking and intoxication that can arise from discounting practices. Licensees need to be aware that some discount promotions pose higher risks and are likely to be 'unacceptable' unless these risks are managed appropriately.

There are a range of measures licensees can adopt to reduce the risk from discount liquor promotions, such as controls on the timing, drinks limits, promoting lower strength drinks, and close monitoring of patron behaviour on the premises during and after discount promotions.

Licensees should be cautious in offering discounts on drinks associated with rapid alcohol consumption (e.g. shots). Extreme discounting of any product designed for rapid consumption, whether for consumption on-premises or for take-away, is likely to be unacceptable.

#### Additional Information

Across the hospitality industry, there are a range of businesses that offer functions packages inclusive of all drinks for a set price (such as wedding packages, corporate events, etc). The Guidelines do not seek to prevent this type of activity. However, it is the responsibility of licensees to ensure the function is run safely and alcohol is served responsibly.

#### Past examples of promotions that have been investigated

##### On-premises environment

- A hotel promoted \$2 beers, this being at significant discount from the hotel's regular sale price.
- A restaurant promoted unlimited sake for two hours for \$17.90 per person.
- A night club promoted a \$30 door charge which included free house spirits, beer, wine and cider from 9pm till 3am.
- A hotel State of Origin promotion offered free middies until the first points scored.

##### Take-away environment

- A takeaway liquor store promoted packaged single shots for 50c each. Extreme discounts on products designed for rapid consumption are likely to encourage irresponsible consumption.

### Principle 6 – Irresponsible, Rapid or Excessive Consumption

#### Promotions should not otherwise encourage irresponsible, rapid or excessive consumption of liquor.

##### Explanation

Licensees should always be mindful that liquor promotions they run do not encourage people to drink irresponsibly, rapidly or excessively.

It is important to consider how and when any alcohol will be consumed as a result of any promotion, and what related measures could help manage the risk of people drinking irresponsibly.

While promotions such as happy hours, competitions and games can enliven the environment on licensed premises, if not well managed they may incentivise irresponsible or excessive consumption.

Licensees should take care to ensure these types of promotions do not encourage people to drink in greater amounts or faster than they otherwise would.

##### Examples of unacceptable promotions

- Using drinkware which encourages rapid consumption, such as test tubes, water pistols or yard glasses.
- Drinking games, competitions, challenges, dares, scoreboards, lotteries or games of chance that involve the rapid or excessive consumption of liquor (e.g. beer pong, skolling games, flip and win, 'around the world', '60 shots in 60 minutes', pub golf).
- Challenging or daring patrons to drink a particular drink because of its higher alcohol content.
- Happy hours occurring late into the trading period or early hours of the morning.
- Encourage the stockpiling of drinks.
- Encourage alcohol to be consumed with kava in a single drinking session. Mixing kava with alcohol can increase the intoxicating effects of alcohol<sup>1</sup>. NSW licensed premises should not offer kava to patrons. Liquor & Gaming NSW would consider the service and consumption of kava and alcohol at licensed premises to go against responsible service of alcohol practices.

##### Managing related risks

While some competitions and games involving alcohol consumption are 'unacceptable', others can help to create enjoyable and safe environments in venues if run responsibly. Licensees should ensure that consuming alcohol is not required to take part in any competition or game. If there is a prize on offer, licensees are also

encouraged to offer prizes other than liquor, such as meals, movie tickets or other products.

It is common for licensees to run happy hours to promote their business. When run responsibly, with suitable limits on duration, timing and frequency, this poses limited risk of irresponsible drinking.

There are many different harm minimisation measures licensees can adopt to manage risks relating to irresponsible, rapid or excessive consumption of alcohol from broader liquor promotions. A detailed summary of practical steps licensees can take is included at page 10 of these Guidelines.

#### Past examples of promotions that have been investigated

##### On-premises environment

- A restaurant promoted a Soju Bomb challenge on its Facebook page encouraging diners to create a new record for the number of bombs consumed in a sitting.
- A hotel promoted drinking games linked to scissor, paper, rock and toss the boss on its Facebook page. These and similar games, are unacceptable as they encourage patrons to drink more and in a shorter timeframe than they otherwise would.
- A karaoke venue's house policy instructed staff to 'make customers drink more.' Staff should never encourage patrons to drink more. This is an unacceptable practice.
- A bar encouraged patrons to pair sparkling wine with kava known as a 'washdown'. Licensees should never promote or encourage patrons to mix alcohol and kava.

##### Take-away environment

- A hotel promotion offered the chance to win 100 cans of beer when patrons download a mobile phone app.
- A hotel promoted a competition to win your height in a canned premixed alcoholic drink.

<sup>1</sup>NSW Health advice recommends against mixing kava and alcohol. There is evidence that consuming kava and alcohol at the same time can cause increased intoxication and drowsiness, impaired reflexes and increased risk of liver damage. Further information on kava can be found at [NSW Health's website](#).



### Principle 7 – Not in Public Interest

Promotions should not otherwise be considered to not be in the public interest.

#### Explanation

A range of liquor promotions may not necessarily promote rapid or excessive consumption of alcohol, or meet the other principles in the Guidelines, but may be considered undesirable as they are not in the public interest.

Generally, if something is not in the public interest it goes against principles of fairness, equity, decency or lawfulness in society. Public interest is linked to the wellbeing of the community or risk of detriment to the community at large.

Licensees need to ensure promotions do not contain discriminatory or demeaning content, or promote unlawfulness.

Principle 7 'Not in the public interest' applies to both liquor products and non-alcoholic products held out to be 'beer, wine or spirit', and can apply to both licensees or other persons involved in the sale or supply of those products.

#### Examples of unacceptable promotions

- Using images or messages that could be seen to be encouraging or condoning breaking the law or other anti-social behaviour.
- Using images or messages which link the promotion of alcohol with illicit drugs or allude to drug taking behaviour.
- Associating liquor consumption with aggressive or violent behaviour towards other people.
- Including discriminatory elements into a promotion such as a gender-based free drinks or discounts (e.g. 'women drink free').

#### Past examples of promotions that have been investigated

##### On-premises environment

- A hotel promoted a jelly wrestling event to raise money for a charity. VIP tickets were on sale that included unlimited drinks for three hours. The event schedule also included boat race drinking games. The promotion was not consistent with several principles in the Guidelines. It was therefore considered to not be in the public interest.
- A club promotion alluded to drug usage with the consumption of shots. The promotion was titled 'Shots or Lines'.

##### Take-away environment

- A social media account associated with a producer/wholesaler shared a video of two males jumping off letter boxes with the caption 'Sink a couple and you too will become a gymnastics gold medalist #undertheinfluence.' Promoting any inappropriate activity while under the influence of alcohol is against the public interest.

### Harm Minimisation Measures

#### What additional steps can licensees take to ensure their promotions are run responsibly?

Licensees should never run promotions identified in these Guidelines as being ‘unacceptable’.

Beyond that, licensees also need to actively consider the risk of harm from any other liquor promotion activities.

There can often be risks that need to be managed through appropriate harm minimisation measures. It’s up to individual licensees to manage and minimise these risks within their own business environment.

Adopting harm minimisation measures can help ensure liquor is consumed responsibly, and allows patrons to enjoy safer environments together with the benefits of a promotion. This makes good sense for the business and supports responsible industry development. It also reduces the potential for serious liquor law breaches.

#### On-premises environment

For venues selling liquor for consumption on the premises, it is particularly important to plan for, control and monitor how promotions could impact patrons and ensure it does not encourage excessive drinking and intoxication on the premises. Some suggested steps licensees can take to reduce risk with running liquor promotions include, but are not limited to:

- Consider the timing of a promotion

*Time of day* – Licensees should be mindful of the times they run promotions and consider doing so at a time that poses lower risk. Running a promotion during certain times of the day can pose higher risks of irresponsible consumption. Promotions run earlier typically pose less risk than during the later trading period (e.g. before 10pm), as patrons are less likely to have consumed as much and more likely to have eaten.

*Duration* – Where the duration of a promotion is either too short or too long it can elevate the risk. Short promotions may encourage patrons to consume alcohol rapidly (e.g. discounted drinks for the first 10 minutes of each hour). Promotions that run for too long can pose a risk of patrons drinking excessively over an extended period, especially where they have been at the same venue for a number of hours. Licensees should appropriately time the duration of promotions to reduce the risk of irresponsible drinking. For example, happy hours should not exceed one to two hours.

*Frequency* – Running multiple promotions during a single trading period can increase the likelihood of patrons drinking excessively, especially if patrons have been at a particular venue for a long time, and can take advantage of multiple promotions. Licensees should consider restricting the number of promotions run over a single trading period.

- Consider placing limits on volume and strength

*Drink limits* – A drink limit on the number of drinks a person can purchase during a promotion, or each visit to the bar, provides an opportunity for patrons to enjoy the benefit of a promotion while facilitating responsible service of alcohol. For example, maximum two drinks per person.

*Liquor strength* – Drinks containing high alcohol content can lead to patrons to become intoxicated quickly. Offering drinks containing lower alcohol content in a promotion is an easy way to reduce the likelihood of intoxication.

- Monitor and manage patrons during promotions

*Drink stockpiling* – Bar staff should always keep a look out for patrons who try to stockpile several unconsumed drinks. Stockpiling drinks poses a significant risk of excessive or rapid intoxication. Where bar staff see a patron attempting to do so, they should cease any further service.

*RSA marshals* – Employing RSA marshals during the course of a promotion can help venues monitor consumption of alcohol. It also makes it easier to identify and respond early to patrons who may be at risk of becoming intoxicated.

#### Take-away environment

For venues selling liquor for take-away it is important to consider and apply appropriate harm minimisation measures that are suitable for the take-away business environment.

- Consider placing limits on coupons

Discount promotions such as discount vouchers, cards or ‘shopper docket’ without purchase limits or other suitable controls in place can pose a risk of irresponsible drinking. If using coupons, licensees should consider applying limits on the volume of alcohol that can be purchased and/or restricting their use to one per person.

### Online sales environment

L&GNSW takes a case-by-case and risk-based approach to monitoring and/or taking action against specific online marketing tools. However, for licensees selling and delivering alcohol online, it is important to plan for, monitor, and implement effective control measures to mitigate against the harms associated with the online sales environment. In particular, the increased risk of excessive and rapid alcohol consumption, targeting vulnerable consumers and appealing to minors. Some voluntary steps licensees can take to reduce these risks include:

- Consider limiting discounts and bulk buying offers

Advertising products online using discounts and bulk buying options or sending out emails offering either free or discounted deliveries can encourage higher risk alcohol consumption.

- Consider including health warnings on your website

Consider displaying health warnings about the risks of alcohol use and a link to direct consumers to the [Australian Guidelines](#).

- Do not engage in predatory digital marketing

Consider avoiding targeted advertising, the use of push notifications or 'buy now' buttons as a tool in your digital marketing. These may promote excessive and rapid alcohol consumption and targets people who are most vulnerable.

- Use age restriction, targeting or affirmation technology tools to limit access to digital marketing by minors

Take advantage of options available online such as age affirmation and restriction tools in order to limit online access to alcohol marketing material to users of legal purchase age or over. Further detail is set out in [ABAC's Best Practice for Responsible Digital Marketing guide](#). In addition, information relating to the sale of liquor in the online environment can be found in Retail Drinks Australia's Online Alcohol Sale and Delivery Code of Conduct.'

### All licensed environments

- Apply common sense in discounting liquor

Discounts on alcohol designed for rapid consumption, such as shots, may pose significant risk of irresponsible drinking. Licensees should limit discounts on these products to ensure they are not excessive. It is also important to consider the normal retail price in determining the discount size. A 75% discount on an expensive bottle of wine may have a different effect to 75% off pre-packaged shots or cask wine.

- Apply strict controls on what promoters do for you

When a licensee engages any third party to run a promotion on their behalf, it is important to ensure it still complies with principles and standards set by the Guidelines. A notice may be issued to the licensee where a third party runs a promotion on their behalf that is considered undesirable.

- Be cautious in offering liquor as a prize

Licensees are encouraged to consider offering prizes other than liquor, particularly where the liquor can only be consumed on the licensed premises and there is increased risk of patrons consuming more than they otherwise would. If liquor is being offered as a prize in a trade promotion lottery, restrictions apply on how much liquor can be included. Licensees should refer to the NSW Fair Trading website for more details.

- Consider broader national advertising standards

Licensees should understand how their promotions operate within the broader national regulatory frameworks for alcohol advertising. This includes available national codes and guidelines relating to responsible advertising and marketing of alcohol. For example, codes such as the Alcohol Beverages Advertising Code (ABAC), available on their website [here](#), or other regulatory and quasi regulatory regimes that are relevant.

- Apply responsible digital marketing practices


Licensees are encouraged to implement and manage their digital marketing in line with the objectives of the ABAC Scheme, [ABAC Best Practice for Responsible Digital Marketing](#).

In addition, information relating to the sale of liquor in the online environment can be found in Retail Drinks Australia's Online Alcohol Sale and Delivery Code of Conduct.

### For further information

For more information about liquor promotions contact us:

 [liquorandgaming.nsw.gov.au](https://liquorandgaming.nsw.gov.au)

 1300 024 720

 [Contact us online](#)

To make a complaint about liquor promotions please contact the Compliance Unit:

 02 9995 0837

 [Contact us online](#)

### Disclaimer

This publication avoids the use of legal language. Information about the law may have been summarised or expressed in general statements. This information should not be relied upon as a substitute for professional legal advice or reference to the actual legislation.

This publication is intended as a guide only. We suggest you seek professional advice when necessary.

These guidelines are subject to periodic review. Please go to [liquorandgaming.nsw.gov.au](https://liquorandgaming.nsw.gov.au) to ensure you are using the latest guidelines.

Edition 2025 (e-publication only)

© State of New South Wales through Department of Creative Industries, Tourism, Hospitality and Sport, 2025. This publication is copyright. You may download, display, print and reproduce this material provided that the wording is reproduced exactly, the source is acknowledged and the copyright, update address and disclaimer notice is retained.