



New South Wales

# Liquor Amendment (Online Age Verification Requirements) Regulation 2022

under the  
Liquor Act 2007

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Liquor Act 2007*.

KEVIN ANDERSON, MP  
Minister for Hospitality and Racing

## Explanatory note

The objects of this Regulation are to—

- (a) prescribe the minimum standards for a temporary process that a same day delivery provider may use to verify the age of a person entering into an agreement for same day liquor delivery for the first time, and
- (b) prescribe the form of authentication the person is required to provide for a second and subsequent agreement.

This Regulation is made under the *Liquor Act 2007*, including sections 114HA(1)(b) and (2) and 159 (the general regulation-making power).

## **Liquor Amendment (Online Age Verification Requirements) Regulation 2022**

under the

Liquor Act 2007

### **1 Name of Regulation**

This Regulation is the *Liquor Amendment (Online Age Verification Requirements) Regulation 2022*.

### **2 Commencement**

This Regulation commences on the day on which it is published on the NSW legislation website.

## Schedule 1 Amendment of Liquor Regulation 2018

### Clause 107I

Insert after clause 107H—

#### 107I Age verification for same day deliveries—alternative temporary process

- (1) This clause prescribes, for the Act, section 114HA(1)(b) and (2)—
  - (a) the minimum standard for a process used by a same day delivery provider to verify the age of a person entering into an agreement for same day liquor delivery, and
  - (b) the form of authentication the person is required to undergo for a second or subsequent occasion on which the person intends to enter into an agreement for same day liquor delivery with the same day delivery provider.
- (2) The minimum standard is—
  - (a) the person entering into the agreement (the *purchaser*) must give the same day delivery provider the purchaser's name and date of birth, and
  - (b) the same day delivery provider must either—
    - (i) use a process provided by an accredited identity service provider or provisionally accepted provider that uses an artificial intelligence system to authenticate an evidence of age document for the purchaser, or
    - (ii) require the purchaser to state that the purchaser is, or would be, able and willing to produce, at the time of the same day delivery, an evidence of age document for the purchaser that verifies the purchaser's identity and age.
- (3) The form of authentication the person is required to undergo must—
  - (a) use a system that relies on credentials, or
  - (b) require the purchaser to—
    - (i) give the same day delivery provider the purchaser's name and date of birth, and
    - (ii) state that the purchaser is, or would be, able and willing to produce, at the time of the same day delivery, an evidence of age document for the purchaser that verifies the purchaser's identity and age.
- (4) In this clause—

*credentials* means credentials issued to proofed individuals by the same day delivery provider, an accredited identity service provider or a provisionally accepted provider of at least credential level 1 as specified in the role requirements for the TDIF.

*proofed individual* means a person who has been verified as being at least 18 years of age by the same day delivery provider using a process that meets the minimum standard specified in subclause (2).
- (5) This clause is repealed on 31 May 2023.