

# Applying for a Banned Drinker Order

## Policy

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Version	Active from	Author	Changes made
1.0	8/09/2017	Operational Policy	Guidance on when to make an application for a Banned Drinker Order
1.1	28/02/2018	Operational Policy	Added statement – an application must be made by a Case Manager in their capacity as an Authorised Officer under the <i>Care and Protection of Children Act 2007</i>
2.0	7/06/2021	Operational Policy	Revised to include information regarding the ability of Public Housing Safety Officers, prescribed under the <i>Alcohol Harm Reduction Regulations 2017</i> , to apply to the Registrar for a BDO for an adult.

Acronyms	Full form
AHR Act	Alcohol Harm Reduction Act 2017
AHR Regulations	Alcohol Harm Reduction Regulations 2017
BDO	Banned Drinker Order
BDR	Banned Drinker Register
Department	Department of Territory Families, Housing and Communities

# 1. Policy Purpose

To provide direction to staff of the Department of Territory Families, Housing and Communities about when to make an application to the Banned Drinker Registrar for the making of a Banned Drinker Order.

# 2. Policy Statement

The [Alcohol Harm Reduction Act 2017](#) (the AHR Act) aims to reduce the misuse of alcohol and alcohol-related harm to individuals, families and the community, across the Northern Territory.

The AHR Act enables the Banned Drinker Registrar (the Registrar) to make a Banned Drinker Order (BDO) and place a person on the Banned Drinker Register (BDR). People on the BDR are prohibited from possessing, consuming and purchasing alcohol.

- Under the AHR Act, Child Protection Practitioners are Authorised Officers under the [Care and Protection of Children Act 2007](#) and can make an application to the Registrar for an adult to be placed on the BDR; and
- Under [the Alcohol Harm Reduction Regulations 2017](#) (AHR Regulations), Public Housing Safety Officers appointed under section 28Q of the [Housing Act 1982](#) are prescribed persons who may make an application to the Registrar for an adult to be placed on the BDR.

Child Protection Practitioners must consider making an application to the Registrar for a BDO when alcohol misuse by a parent, guardian or carer (the adult) has resulted in, or is a complicating factor in, substantiated harm to a child, and the application is considered to be in the best interests of the child.

Public Housing Safety Officers must consider making an application to the Registrar for a BDO when alcohol misuse is a risk to the health, safety and wellbeing of the adult, their family, community or any other person. This may include circumstances where the adult's alcohol consumption places their public housing tenancy at risk.

Upon receiving the application the Registrar may decide to refer the adult for an assessment. The assessment report provided by the clinician to the Registrar will include recommendations as to whether or not a BDO should be made, and appropriate therapeutic support programs for the adult is needed.

The information in the application and the assessment outcome must enable the Registrar to determine if the adult's misuse of alcohol is causing a risk to the health, safety or wellbeing of themselves or others and will inform the Registrar's decision whether or not to make the BDO and place the adult on the BDR.

It is always preferable for the adult to make a self-application to the Registrar under these circumstances. Staff should encourage and support the adult to make a self-application. The Registrar must make a BDO for a self-applicant and place the Adult on the BDR within two business days.

For information about how to make an application refer to [Procedure: Applying for a Banned Drinker Order](#) and for more information go to [www.banneddrinkerregister.nt.gov.au](http://www.banneddrinkerregister.nt.gov.au)

# 3. Legislative Basis and Related Documents

[Alcohol Harm Reduction Act 2017](#)

[Alcohol Harm Reduction Regulations 2017](#)

[Care and Protection of Children Act 2007](#)

[Housing Act 1982](#)

[Procedure: Applying for a Banned Drinker Order](#)

[Authorised Person Referral Pathway Banned Drinker Register Information Sheet](#)