



TRANSFER OF LICENCE

Information Bulletin No. 8

Liquor Control Act 1988

When a licence is granted, it is granted to a specified entity that can consist of a person, company, incorporated body of persons, or partnership being made up of any of these, and is known as “the licensee”. The licence allows only the licensee to sell liquor and at a specified place (the licensed premises).

Generally, a transfer of licence application caters for a licensee who wishes to either sell or assign the right of the licensee to carry on business under the licence. The applicant must apply to take over the licence (transfer of licence application).

It is important to note that during the processing of the application the licensee must not vacate the premises and the applicant must not sell or supply liquor until approval has been given by the licensing authority.

CIRCUMSTANCES UNDER WHICH AN APPLICATION CAN BE MADE

There are three circumstances under which an application for the transfer of a liquor licence may be made. The licensing authority will not approve an application for transfer of a licence unless the application is made –

- pursuant to a *contract for the sale or assignment* of the business between the licensee and the applicant (purchaser or assignee) that will give the rights of the licence to the applicant to carry on business under the licence.
- by a person who has a right to carry on business of the licensee in accordance with section 86 of the Act (ie liquidator/administrator or executor of estate of the licensee) or by a person who may be granted a Protection Order pursuant to section 87 (ie freehold owner).

Condition Precedent

Any contract for the sale or assignment of the right to carry on business under the licence **must** be subject to a *condition precedent* under which the *prior* approval of the Director is a prerequisite to the contract taking effect.

This means that the contract should contain a condition which states that the contract does not have effect until the Director has approved an application for the transfer of the licence).

The applicant will need to provide a written submission outlining why there is no contract for the sale of the business or assignment of the right of the licensee to carry on business under the licence, providing justification as to why the Director should exercise discretion.

- with leave of the Director (ie where the licensee may have been evicted or vacated the premises and can no longer consent to the transfer of the licence).

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6004

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WHO MAY APPLY FOR THE TRANSFER OF LICENCE?

Section 35 of the Act sets out who can make application for a liquor licence. An application can be made by –

- an individual person;
- two or more individual persons jointly;
- a company; or
- an association.



In respect of an applicant consisting of a company, any person who will occupy a position of authority as a **director** or **shareholder** in any shareholding company with an interest in the business under the licence, is required to be approved and must be stated on the application.

PLANS AND SPECIFICATIONS

Plans of the licensed premises defined by the licensing authority should be given to the applicant by the licensee upon settlement.

Taking of Fingerprints

Please note that during the processing of the application, applicants may be required to have their fingerprints taken at their nearest Police Station in order to determine their probity.

LICENCES THAT CANNOT BE TRANSFERRED

The following licence types are not able to be transferred –

- a club or club restricted licence;
- an occasional licence; and
- a casino liquor licence is not capable of being transferred without the consent of the Gaming and Wagering Commission.

MANDATORY TRAINING REQUIREMENTS

Prior to the grant of an application for a transfer of licence, all new applicants will have to undertake an examination or complete an approved course of instruction in managing licensed premises and in the responsible service of alcohol (ie *Course in Liquor Licensing*).

Important Information

Applications cannot be granted if the applicant is -

- bankrupt or has assigned his/her estate for the benefit of his/her creditors;
- incapable of managing his/her affairs because of mental disorder;
- under sentence of imprisonment;
- under receivership or official management, or is in liquidation (companies only);
- disqualified from holding a licence, or holds a licence which has been suspended, as a result of previous disciplinary proceedings;
- a juvenile (ie: less than 18 years of age); and
- a Commonwealth or State public servant (including employees of Crown instrumentalities), unless the licensing authority is satisfied that there is no conflict of interest between the applicant's employment and the operation of the licence.

Section 34

In addition, within four (4) weeks of commencing employment at the premises, or as otherwise determined by the licensing authority, any person who will be engaged in the sale, supply and service of liquor on proposed licensed premises, senior staff, and any other person required to do so by the Director, will be required to undertake an examination or complete the nationally accredited *Responsible Service of Alcohol* unit of competency.

In order to demonstrate compliance with the training of staff, licensees will be required to maintain a register detailing each staff member's name and date of training, and retain a copy of the relevant training certificate(s).

For more details on the training requirements, refer to policy guideline "Mandatory Training" available upon request or on our website at www.rgl.wa.gov.au.

SUPERVISION AND MANAGEMENT

Section 100 of the *Liquor Control Act 1988* requires that an approved manager must, *unless the Director of Liquor Licensing determines otherwise*, be present on the licensed premises at any time that the business is conducted at those premises. It is the obligation of the licensee to ensure that the business is personally supervised at all times by a person holding a valid approval of manager ID card. Applications for approval as either a Restricted Manager or an Unrestricted Manager must be lodged online at www.rgl.wa.gov.au by the person that will be appointed as a manager at your premises.

For more details, refer to policy guideline "Approved Managers" or the lodgment guide available upon request or on our website.

LODGING THE APPLICATION

Applicants must lodge *completed* applications at the Department of Racing, Gaming and Liquor. An application for the transfer of licence should be made using the forms provided in the *application kit* available upon request or on our website. A Lodgment Guide is also provided in this kit that identifies all documentation which should accompany the application.

Department staff will be available between 8:30am and 4:30pm to assess your application to ensure that it meets the legislative requirements prior to lodgment.

APPLICATION FEES

The application fee must be lodged with the application. Please refer to the fee schedule available upon request or on our website. Please note that the application cannot be examined until the fee is received. Generally, the application fee is not refundable, even if the application is refused or withdrawn.

LICENCE FEES

An annual licence fee is payable prior to the grant of the licence and on 1 January each year. The licence fee is based on the licence type and any extended trading permits of an on-going nature that are attached to the licence.

Disclaimer

This Bulletin is designed to provide authoritative information in regard to the subject matter covered, and with the understanding that the Director is not passing legal opinion or interpretation or other professional advice.

The information is provided on the understanding that all persons undertake responsibility for assessing the relevance and accuracy of its contents.



TRANSFER OF LICENCE

Lodgement Guide and Checklist

Liquor Control Act 1988

Documentation to be lodged

The licensing authority will generally only accept complete applications. Therefore, please ensure that all documentation is provided with your application to avoid delays.

- Form 10** - Notice of Application
- Application fee.** Please refer to the fee schedule available on our website or upon request.
- A signed copy of the offer and acceptance document for the sale of the business or a written agreement between the existing licensee and the applicant assigning the rights and responsibilities under the licence.** This document must contain a condition stating that this transaction is conditional upon the prior approval of the Director of Liquor Licensing to the transfer of licence. Effectively, the licence cannot be transferred until the applicant has been notified in writing of the approval of the application ([section 84\(1\)\(a\)](#)).
- A written submission explaining the circumstances surrounding the application** in the case where there is no sale or assignment document due to the fact that a protection order has been granted to a person and that person wishes to become the licensee under the protection order; or the licensee no longer has tenure and is not conducting business under the licence and the applicant wishes to conduct business under the licence ([section 84\(1\)\(b\) & 84\(1\)\(c\) of the Act respectively](#)).

Where the licensee no longer has tenure and is not conducting business under the licence and the applicant wishes to conduct business under the licence (ie [section 84\(1\)\(c\) of the Act](#)) the applicant must give notice of the application to the licensee recorded on the licence document, which is to be sent by registered post, and evidence demonstrating that this was carried out (ie registered post receipt) must be provided with the application when lodging ([section 84\(3\) of the Act](#)).

- Personal Particulars form** - for each person seeking to be approved. In the case of a limited company each director, and in the case of a proprietary limited company, each director and shareholder. If any of the persons to be approved have previously lodged a *Personal Particulars* form within the last two (2) years, that person may lodge a *Declaration of Particulars*.
- A copy of the Trust Schedule** where the applicant is trustee for a trust. The Schedule must detail each primary or specified beneficiary and/or unit holder. In the case of a company this information is also required in respect of the directors and shareholders if they are trustees in their own right.

- Where any of the applicants (i.e. individuals or directors of a company) holds office or is employed in the Public Service of the State or Commonwealth or in any agency or instrumentality of the Crown, a letter from the Department which employs that person stating that they have no objection to the person being involved with a licensed premise.

Taking of Fingerprints

Please note that during the processing of the application, applicants may be required to have their fingerprints taken at their nearest Police Station in order to determine their probity.

- A copy of the lease agreement** or similar document in the case where the applicant is not the freehold owner of the premises (proforma available in the application kit). If the applicant is also purchasing the land, a copy of the contract for the sale of the land is required.
- A copy of the training certificate** issued by the Accredited Training Provider evidencing that the licensee complies with the mandatory training requirement (ie *Course in Liquor Licensing*). For more information please refer to policy guideline "Mandatory Training" available on our website at www.rgl.wa.gov.au or upon request.
- A copy of the House Policy, Code of Conduct and Management Plan.** For more information please refer to policy guideline "Harm Minimisation" available on our website at www.rgl.wa.gov.au or upon request.

Please note that in accordance with section 100(2a), the licensee is to ensure, unless the Director otherwise approves, that an approved unrestricted manager is present at the licensed premises at any time when business is being conducted. An application for Approval of Manager must be lodged online at www.rgl.wa.gov.au by the person that will be appointed as a manager at your premises.

LIQUOR CONTROL ACT 1988
Section 68 & 82

NOTICE OF APPLICATION FOR APPROVAL OF TRANSFER OF LICENCE

To the Director of Liquor Licensing

1. DETAILS OF LICENCE

Please print neatly in **BLOCK LETTERS** with a *black* pen only

(a) Licence number: _____

(b) Name of Licensed Premises: _____

(c) Address of Licensed Premises: _____
 _____ Post Code: _____

(d) Name of Licensee: _____

2. DETAILS OF APPLICANT(S)

(a) Full name of applicant(s): _____ / _____ / _____
 Where the applicant is an individual please provide Date of Birth

(b) Daytime contact name: _____ E-mail: _____
 Telephone number: () _____ Mobile number: _____

(c) Postal address for service of documents: _____
 (during processing of application) _____ Post Code: _____

(d) Postal address for service of documents: _____
 (upon determination of application) _____ Post Code: _____

(e) Proposed Trading Name: _____

3. COMPANY DETAILS - If not applicable please enter N/A and proceed to Part 4

(a) Date of Incorporation: _____ / _____ / _____ Place of Incorporation: _____

(b) ACN number: _____

(c) Full details of each Director, Secretary, Managing Director and Executive Officer:-

| | |
|-------------------|-----------------------|
| _____ | _____ / _____ / _____ |
| Name of Director | Date of Birth |
| _____ | _____ / _____ / _____ |
| Name of Director | Date of Birth |
| _____ | _____ / _____ / _____ |
| Name of Director | Date of Birth |
| _____ | _____ / _____ / _____ |
| Name of Secretary | Date of Birth |

3. COMPANY DETAILS

(d) Full details of each shareholder or other member (if the applicant is a proprietary company):

_____/_____/_____
Name of Shareholder Date of Birth

No & Class of shares held

_____/_____/_____
Name of Shareholder Date of Birth

No & Class of shares held

_____/_____/_____
Name of Shareholder Date of Birth

No & Class of shares held

_____/_____/_____
Name of Shareholder Date of Birth

No & Class of shares held

(e) Where the applicant, applicant company or a shareholder or other member of the company in the case of a proprietary company is trustee of or beneficiary under a trust or holds company shares or trust units in trust for another person, provide full details of each such trust or person:

Name of Trust: _____

_____/_____/_____
Name of Beneficiary/Unit Holder Date of Birth

Address of Beneficiary/Unit Holder

_____/_____/_____
Name of Beneficiary/Unit Holder Date of Birth

Address of Beneficiary/Unit Holder

_____/_____/_____
Name of Beneficiary/Unit Holder Date of Birth

Address of Beneficiary/Unit Holder

4. STATUS OF LICENCE

(a) Is the licence subject to a Protection Order under section 87 of the Act?

YES NO

If **YES**, to whom is the Protection Order granted? _____

(b) Is there any dispute between the licensee/former licensee and the owner/lessor of the premises?

YES NO

If **YES**, what is the nature of the dispute and what stage has it reached?

5. TENURE OF PREMISES

The application cannot be granted unless the applicant has, or will have from the date of transfer, exclusive possession of the whole of the licensed premises. Describe the tenure which the applicant has/will have? (including term of tenure)

6. CONSENT OF LICENSEE

The person who is the current licensee, whether or not by virtue of a protection order under section 87, or an interim authorisation under section 86 must complete this part unless that person is also the applicant.

I, (full name of current licensee) _____

hereby consent to the transfer of this licence to (full name of applicant) _____

Dated the _____ day of _____

This consent was freely given by me on the _____ day of _____

WHERE THE LICENSEE IS A COMPANY THAT HAS A COMMON SEAL:-

The common seal of _____ was hereunto affixed in accordance with *The Corporations Law* in the presence of:-

Signature of Director

Name of Director (Please print clearly)

Signature of Director

Name of Director (Please print clearly)

WHERE THE LICENSEE IS A COMPANY THAT DOES NOT HAVE A COMMON SEAL:-

Signature of Director

Name of Director (Please print clearly)

Signature of Director

Name of Director (Please print clearly)

WHERE THE LICENSEE IS ONE OR MORE INDIVIDUAL PERSONS:-

Signature of Licensee

Signature of Witness

Signature of Licensee

Signature of Witness

7. DECLARATION

Notice of application is hereby given for transfer of the licence and related permits in accordance with, and on the basis of, the information set out above. It is declared that all information and details provided in this form, and in any documentation lodged in support of the application are true and correct and do not omit any relevant information;

Dated the _____ day of _____

WHERE THE APPLICANT IS A COMPANY THAT HAS A COMMON SEAL:-

The common seal of _____
was hereunto affixed in accordance with section 127 of the *Corporations Act 2001* and the Articles of Association in the presence of:-

Signature of Director

Name of Director (Please print clearly)

Signature of Director

Name of Director (Please print clearly)

WHERE THE APPLICANT IS A COMPANY THAT DOES NOT HAVE A COMMON SEAL:-

Executed in accordance with section 127 of the *Corporations Act 2001* and the Articles of Association

Signature of Director

Name of Director (Please print clearly)

Signature of Director

Name of Director (Please print clearly)

WHERE THE APPLICANT IS ONE OR MORE INDIVIDUAL PERSONS:-

Signature of Applicant

Signature of Witness

Signature of Applicant

Signature of Witness

8. PAYMENT DETAILS

If you wish to expediate the processing of this application, by entering your credit card details below, you give consent for the appropriate application fee to be deducted from your credit/debit card.

| | |
|---|---|
| Card Type: Visa <input type="checkbox"/> MasterCard <input type="checkbox"/> | Copy of Receipt (email only): YES <input type="checkbox"/> NO <input type="checkbox"/> |
| Card Number: | Expiry Date: |
| Cardholder's Name: | Cardholder's Signature: |
| Office Use Only | |
| Application Fee: \$ | Receipt Number: |



Department of
Racing, Gaming and Liquor

LIQUOR CONTROL ACT 1988
PERSONAL PARTICULARS

INSTRUCTIONS

- Please print neatly in **BLOCK LETTERS** with a *black* pen only
- The declaration on the last page **must** be signed and dated where indicated
- If there is insufficient space please provide details on a separate sheet
- **Every question must be answered unless not applicable - if a question is not applicable, please indicate with "N/A"**
- Any omission or false or misleading information may itself lead to the application being refused
- The form must be lodged with the appropriate application form at the office of the Director of Liquor Licensing

PURPOSE OF FORM LLD/5

Provides personal particulars about any person associated with a liquor licence application in a capacity as a licensee, director, shareholder or a trustee.

Completion of the form by the relevant individuals will amount to compliance with Regulation 13 and Schedule 2 of the *Liquor Control Regulations 1989*, in most cases. If further details are required the applicant will be advised of those requirements.

PERSONS TO PROVIDE PARTICULARS

This form is to be completed by the following persons in relation to the following applications:-

Grant of Licence (except an Occasional Licence) or Transfer of Licence

Where the application is made by:-

- two or more individuals jointly - each such person
- a club or association - in the case of an unincorporated association, the person nominated as trustee of the club
- a company - each director of the company and each shareholder of the company (except for public companies)

Approval of a Director or Shareholder

- the director and shareholder

Approval of Persons or Arrangement under Section 104

Where the application is to approve an:-

- unlicensed agent - the person to be approved
- agreement or arrangement between the licensee and another person or persons, that other person or persons, or if the other is a company, each director and shareholder of that company

Any other Application

- as specified by the Director of Liquor Licensing

PENALTY - FALSE OR MISLEADING INFORMATION

It is a serious offence to give false information (fine up to \$10,000)
Applicants are advised that this form must be completed personally
All information provided should be checked thoroughly before signing

LIQUOR CONTROL ACT 1988
PERSONAL PARTICULARS

LLD/5

ALL QUESTIONS MUST BE ANSWERED

If a question does not apply to you, write Not Applicable or N/A in response.

1. DETAILS OF LICENCE TO WHICH THIS APPLICATION RELATES

- (a) Nature of application: _____
(ie. transfer of licence, grant of licence, position of authority, etc)
- (b) Name of premises/proposed premises: _____

2. PERSONAL PARTICULARS OF PERSON TO BE APPROVED

- (a) Applicant's Name(s):
_____ first name middle name(s) surname/family name
- (b) Other names: include any maiden name, aliases and other names (legal or otherwise) that you have used or by which you have been known.
_____ first name middle name(s) surname/family name
- (c) Date of birth:

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| | | | | | | | |
|--|--|--|--|--|--|--|--|

 day month year Male Female
- (d) Place of birth: _____ city state country
- (e) Current Residential Address:
_____ number street suburb postcode
- Postal Address (if different to residential address):
_____ number street suburb postcode
- (i) Home Telephone:

| | | | | | | | | | |
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- Work Telephone:

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- Mobile:

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|--|--|--|--|--|--|--|--|--|--|
- Email Address: _____

2. PERSONAL PARTICULARS OF PERSON TO BE APPROVED (continued...)

(f) **Residences** - list *all* addresses (include your current address) at which you have been a permanent resident (for a period of 6 months or more) over the last **5 years**

| From | To | Number, Street & Suburb | State | Country |
|--------------------------|--------------------------|-------------------------|-------|---------|
| _____ month year | _____ month year | | | |
| _____ month year | _____ month year | | | |
| _____ month year | _____ month year | | | |
| _____ month year | _____ month year | | | |
| _____ month year | _____ month year | | | |

Please attach a separate sheet if required

(g) **If born outside of Australia, date of arrival in Australia:**

| | | | | | | | |
|-----|--|-------|--|------|--|--|--|
| | | | | | | | |
| day | | month | | year | | | |

Citizenship: _____

(i) **If an Australian Citizen by naturalisation, Certificate number:** _____
certificate number

(ii) **If a non-Australian Citizen:** _____
passport/identity number country of issue

(h) **Current occupation:** _____

Employer's name: _____

Employer's address: _____
Number street suburb postcode

If the application is granted, do you intend to continue in this occupation? YES NO

If YES, please give details of how you intend to properly carry out your responsibilities under the Act as well as the above position:-

(i) **Do you hold a current motor vehicle driver's licence?** YES NO

| Licence Number | State or Country of Issue | Expiry Date | | | | | | | | | | | | | | | | |
|----------------|---------------------------|--|--|------|--|--|--|--|--|--|-----|--|-------|--|------|--|--|--|
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| day | | month | | year | | | | | | | | | | | | | | |

2. PERSONAL PARTICULARS OF PERSON TO BE APPROVED (continued...)

- (j) Will your spouse or de facto partner be assisting you in the conduct of the licensed premises? If the answer is yes, please complete the following:

Spouse/De facto partner's full name: _____
first name middle name(s) surname

Date of birth:

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|--|--|--|--|--|--|--|--|

day month year

Spouse's address _____
Number street suburb postcode

3. MANDATORY KNOWLEDGE REQUIREMENT

- (a) Have you completed an accredited training course in liquor licensing requirements and/or responsible server practices?
 YES NO

If YES,

(i) Where did you undertake the training course? _____

(ii) Date of approval/graduation:

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|--|--|--|--|--|--|--|--|

day month year

(iii) Certificate/Approval number: _____

(iv) Please attach a copy of training certificate

4. LICENSING EXPERIENCE

- a) Give details of any liquor licence where you personally are or have been *the licensee* (in Western Australia or elsewhere)

| Licence/Premises Name | Premises Address | When Held |
|-----------------------|------------------|-----------|
| | | |
| | | |
| | | |

- b) Give details of any liquor licence where you are or have been *the approved manager* (in Western Australia or elsewhere)

| Licence/Premises Name | Premises Address | When Held |
|-----------------------|------------------|-----------|
| | | |
| | | |
| | | |

- c) Give details of any liquor licence where you are or have been a *director, shareholder or other person in a position of authority* in a licensee company (in Western Australia or elsewhere)

| Licence/Premises Name | Premises Address | When Held |
|-----------------------|------------------|-----------|
| | | |
| | | |
| | | |

Please attach a separate sheet if required

5. RECORD OF CRIMINAL OFFENCES

a) Have you ever been:-
 i) convicted of *any offence whatsoever* (whether or not resulting in a fine) other than Traffic Infringement Notices not dealt with by a Court eg. speeding either in Western Australia or elsewhere? (Juvenile offences or offences which have been spent under the *Spent Convictions Act 1988* do not need to be declared)
 YES NO If YES, give details of each offence below:-

ii) issued with a Liquor Infringement Notice either in Western Australia or elsewhere?
 YES NO If YES, give details of each offence below:-

A copy of this form will be provided to the Commissioner of Police who will check the truth of any of the statements made and report on them to the Director of Liquor Licensing. **All relevant offences must be declared - it is an offence under section 159 of the Liquor Control Act 1988 to omit information or make a statement that is false or misleading and may result in your application being refused.**

| Date of Offence | Nature of offence | Place of Conviction | Full name under which Convicted | Sentence Imposed |
|-----------------|-------------------|---------------------|---------------------------------|------------------|
| | | | | |
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b) Have you ever been a *director or shareholder of a company* which has been convicted of any offence under any legislation, either in Western Australia or elsewhere?
 YES NO If YES, give details of each offence below:-

| Date of Offence | Nature of offence | Place of Conviction | Full name under which Convicted | Sentence Imposed |
|-----------------|-------------------|---------------------|---------------------------------|------------------|
| | | | | |
| | | | | |
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c) Have you ever been disqualified from holding or being involved in a liquor licence either in Western Australia or elsewhere?
 YES NO If YES, give details

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Please attach a separate sheet if required

6. FINANCIAL BACKGROUND

a) **Are you or have you ever been bankrupt, the subject of a sequestration order or creditor’s petition or had your estate assigned for the benefit of creditors?** YES NO

If YES, give full details of the circumstances of the bankruptcy and provide evidence that this matter has been discharged

b) **Are you or have you ever been a director of a company or shareholder of a Pty Ltd company when it was placed under receivership or official management or in liquidation?** YES NO

If YES, give full details of the circumstances surrounding the receivership and advise if you are currently liable for any debts as a result of the receivership/liquidation

c) **Do you know of any proceedings of the type referred to in (a) & (b) above which are pending against you or a company of which you are a director or shareholder?** YES NO

If YES, give details

d) **Are you or have you ever been declared bankrupt either as an individual or as a company director or shareholder of a Pty Ltd company?** YES NO

If YES, give full details, including place and time

Please attach a separate sheet if required

7. DECLARATION

I declare that all details are true and correct and no relevant information is omitted.

Signature of Person to be Approved

| | | | | | | | |
|-----|--|-------|--|------|--|--|--|
| | | | | | | | |
| day | | month | | year | | | |

LIQUOR CONTROL ACT 1988

DECLARATION OF PARTICULARS

ONLY COMPLETE AND LODGE THIS FORM IF AN LLD/5 WAS LODGED IN PREVIOUS 2 YEARS

Please print neatly in **BLOCK LETTERS** with a *black* ball point pen only

1. DETAILS OF APPLICANT

(a) Surname: _____

Given Names: _____

Any other names used now or in the past: _____

(b) Current Residential address: _____

_____ Post Code _____

Daytime telephone and/or mobile number: _____

(c) Date of Birth:/...../.....Place of Birth: _____

(d) Full name of spouse or de facto partner: _____

Date of Birth:/...../.....

Will your spouse or de facto partner be assisting you in the conduct of the licensed premises?

YES NO

2. DECLARATION

I _____ declare that I was last approved by the Licensing Authority in _____ (Year) _____ (Month) in relation to premises known as _____

_____ and since being approved:-

- I have not been convicted of any offences or been issued any infringements;
- I have not assigned my estate or been declared bankrupt;
- I have not become employed by the State or Commonwealth Public Service;

If any of these statements are untrue, please provide details: _____

Signature of Applicant

...../...../.....
Date

It is a serious offence to give false or misleading information - Maximum penalty \$10,000



FEE SCHEDULE FOR LIQUOR ACTIVITIES

EXTRACT FROM LIQUOR CONTROL REGULATIONS 1989

EFFECTIVE AS FROM 1 January 2012

APPLICATION FEES (Please note: Fees are generally not refunded if an application is not approved)

| | Fee \$ |
|--|---------|
| Add, Vary or Cancel a condition of a licence or permit | |
| Permanent | |
| • Club restricted licence | 40.00 |
| • Any other type of licence | 215.00 |
| One-Off | |
| • Club restricted licence | 40.00 |
| • ¹ Any other licence type for a period of 21 days or less if the anticipated number of patrons is: | |
| ○ Up to 500 | 103.00 |
| ○ Between 501 and 1,000 | 210.00 |
| ○ Between 1,001 and 5,000 | 1050.00 |
| ○ Between 5,001 and 10,000 | 2100.00 |
| ○ Over 10,000 | 4205.00 |
| Alteration or redefinition of a licensed premises | 360.00 |
| Approval of Manager | |
| • Application for Approval of Manager lodged at Australia Post | 165.00 |
| • Upgrade from restricted licence to unrestricted licence | |
| ○ Lodged at Australia Post | 55.00 |
| ○ Lodged online | 15.00 |
| • Replacement identification card | 10.00 |
| Renewal of Manager's Approval | |
| • Application for renewal (other than transitional approval) | 160.00 |
| • Lodged online | 120.00 |
| Application for Renewal of Manager's Approval (Transitional) | |
| • For 1 year | |
| ○ Lodged at Australia Post | 70.00 |
| ○ Lodged online | 30.00 |
| • For 3 years | |
| ○ Lodged at Australia Post | 115.00 |
| ○ Lodged online | 75.00 |
| • For 5 years | |
| ○ Lodged at Australia Post | 160.00 |
| ○ Lodged online | 120.00 |
| Application for replacement identification card | |
| ○ Lodged at Australia Post | 50.00 |
| ○ Lodged online | 10.00 |
| ⁴ Approval of person in position of authority | 145.00 |
| Approval to conduct non-liquor business on licensed premises | 205.00 |
| Change of name of licensed premises | 70.00 |
| Extended trading permit | |
| Ongoing | |
| • Alfresco | 315.00 |
| • Liquor without a meal | 420.00 |
| • Hours, dining, associations, late delivery, restaurant with accommodation | 1050.00 |
| One-Off (for a club restricted licence) | 40.00 |
| ^{1&4} For all other types | |
| • Up to 500 | 103.00 |
| • Between 501 and 1,000 | 210.00 |
| • Between 1,001 and 5,000 | 1050.00 |
| • Between 5,001 and 10,000 | 2100.00 |
| • Over 10,000 | 4205.00 |



FEE SCHEDULE FOR LIQUOR ACTIVITIES

EXTRACT FROM LIQUOR CONTROL REGULATIONS 1989

EFFECTIVE AS FROM 1 January 2012

| | |
|---|--|
| ² Grant or removal of a club, club restricted, restaurant, producer's or wholesaler's licence (see note below) | 800.00 |
| ² Grant or removal of a hotel, hotel restricted, tavern, tavern restricted, small bar, casino liquor licence, nightclub, special facility or liquor store licence (see note below) | 3100.00 |
| ⁴ Juvenile function (under section 126A) | 60.00 |
| Application for Liquor Restricted Premises Declaration: <ul style="list-style-type: none"> • Where the applicant is the occupier of the premises • Where the applicant is; the owner of the restricted premises; or a prescribed class of persons as defined in the Liquor Control Regulations 1989. | No charge 250.00 |
| ^{1 & 4} Occasional licence where the maximum number of person's expected to be present in the licensed area at any one time is <ul style="list-style-type: none"> • Up to 250 • Between 251 and 500 • Between 501 and 1,000 • Between 1,001 and 5,000 • Between 5,001 and 10,000 • Over 10,000 | 50.00 103.00 210.00 1050.00 2100.00 4205.00 |
| ³ Profit Sharing | 210.00 |
| Proof of Age card (Application must be made at the Department of Transport) | 25.00 |
| ² Protection order under section 87(1) | 210.00 |
| Review of barring notice | 228.00 |
| ² Transfer of liquor licence (see note above) | 785.00 |
| Vary or substitute plans approved under a conditionally granted licence | 250.00 |
| <p>¹ Where an application is for a function or event that takes place over a number of consecutive dates, the fee will be based upon the total maximum number of persons expected to be present in the licensed/permit area at any one time over the consecutive dates. For example: if a function or even runs for 2 days and the maximum number of persons expected to be present in the licensed/permit area at any one time is 300, then the fee will be calculated on an attendance of 600 people in total and will be \$210</p> <p>² In addition to the application fee, new applicants in respect of protection orders and permanent liquor licences (i.e. grant or transfer applications, with the exception of a club or club restricted licence) will pay an additional <u>\$140.00</u> fee for each individual in a position of authority (including each director and shareholder of a company and adult trust beneficiary or unit holder).</p> <p>³ In addition to the application fee, new applicants in respect of profit sharing agreements or arrangements will pay an additional <u>\$140.00</u> fee for each individual who is party to the agreement or arrangement and in relation to whom a background check is sought from the Police Service.</p> <p>⁴ In addition to the application fee, in respect of a body corporate seeking to be approved as a shareholder in the licensee company after the licence is granted, an additional <u>\$140.00</u> fee applies for each individual to whom a background check is sought from the Police Service (including each director and shareholder and adult trust beneficiary or unit holder related to that body corporate) other than for the first individual, which will be captured by the application fee.</p> <p>⁵ Penalty for late lodgement of applications is equal to the application fee, or the amount of \$115, whichever is less.</p> | |

SEARCH AND SUPPLY FEES

| | Fee \$ |
|--|------------------------------|
| Address labels for licensed premises | 135.00 |
| Advertising Banner "Liquor Control Act – Notice of Application" | 25.00 |
| Copy of a licence, permit or a decision of the Commission or Director <ul style="list-style-type: none"> • For each • Additional fee for certification | 25.00 25.00 |
| Copy of documentation, other than already prescribed, per page | 4.00 |



FEE SCHEDULE FOR LIQUOR ACTIVITIES

EXTRACT FROM LIQUOR CONTROL REGULATIONS 1989

EFFECTIVE AS FROM 1 January 2012

| | |
|--|------------------|
| Copy of plan (requires licensee's consent) | |
| <ul style="list-style-type: none"> For each sheet (up to a maximum of \$200) Certified (for each sheet) | 25.00 35.00 |
| Database printout of record of general licence details | 35.00 |
| Duplicate licence (requires licensee's consent) | 35.00 |
| Full search of a licence record (requires licensee's consent and will incur additional fees for copies of documents as listed above) | 50.00 |
| Issue of a summons to a witness | 20.00 |
| List of licensed premises or owners of licensed premises | |
| <ul style="list-style-type: none"> Hardcopy Electronic format | 85.00 55.00 |
| Search of postcodes | |
| <ul style="list-style-type: none"> 1 to 10 postcodes More than 10 postcodes | 35.00 75.00 |
| ANNUAL LICENCE FEES | Fee \$ |
| Club Restricted | 260.00 |
| Any other type of licence | 525.00 |
| ETP Ongoing | |
| <ul style="list-style-type: none"> No more than 2 3 or more | 250.00 500.00 |



PROVISION OF FREE POTABLE DRINKING WATER



Information Bulletin No. 26

Liquor Control Act 1988

The *Liquor Control Act 1988* has as a primary objective, the minimisation of harm or ill health caused by the use of liquor.

The licensing authority is committed to reducing harm associated with the use of alcohol, and to the promotion of a culture of responsible service and consumption of liquor in Western Australia.

One of our aims is for people to drink responsibly, and in moderation, in well-managed, low risk drinking environments in order to reduce the opportunity for alcohol misuse and protect the health and safety of consumers and the public.

The provision of water (and other non-alcoholic drinks) is considered to be an essential component of any strategy to minimise the effects of alcohol by providing patrons with an alternative to alcohol. Therefore, all licensees (other than liquor stores and wholesalers) will be required to provide free potable drinking water, free of charge, at all times liquor is sold and supplied on the licensed premises for consumption on the licensed premises. This will become a condition of licence.

Please note that penalty provisions apply to any person that does not comply with the requirements of the Act.

Important Information

Venues can choose to provide water from a jug at bar service areas or by way of water dispensers located at or near all bar service areas.

Water must be refreshed regularly, with clean glasses or disposable cups being available for use.

Filtered bottled water may still be purchased, however, free potable drinking water must also be available at all times that liquor is sold and supplied, for consumption on the premises.

For further information please refer to policy guideline "Provision of Drinking Water on Licensed Premises".

Disclaimer

This Bulletin is designed to provide authoritative information in regard to the subject matter covered, and with the understanding that the Director is not passing legal opinion or interpretation or other professional advice.

The information is provided on the understanding that all persons undertake responsibility for assessing the relevance and accuracy of its contents.

Attach copy
of certificate
of title

EVIDENCE OF TENURE

SECTION 37(5) OF THE LIQUOR CONTROL ACT 1988

I/We _____ being the registered proprietor/director of the company identified as the registered proprietor on certificate of title volume no _____ folio no _____ hereby confirm that **(name of applicant)** _____

_____ will have exclusive possession to operate a business at **(proposed address where liquor will be sold)** _____

under a **(specify type of liquor)** _____ licence, upon the grant/issue/transfer/removal of the liquor licence (please circle relevant application).

DATED: _____

Signature of registered proprietor
(director/individual/partner)

Signature of applicant
(director/individual/partner)

Signature of registered proprietor
(director/individual/partner)

Signature of applicant
(director/individual/partner)

Signature of registered proprietor
(director/individual/partner)

Signature of applicant
(director/individual/partner)