



Government of **Western Australia**
Department of **Racing, Gaming & Liquor**

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Policy

Mandatory Training

Disclaimer

This Policy is designed to provide information in regard to the subject matter covered, and with the understanding that the Director of Liquor Licensing 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.

Introduction

Sections 33 and 103A of the *Liquor Control Act 1988* (“the Act”) impose mandatory training requirements on licensees, approved managers, supervisory staff, bar staff and crowd controllers¹ in relation to the management of licensed premises and the responsible service of alcohol.

Well managed premises and the responsible service of alcohol is seen as an important tool in providing consumers with safer venues that are committed to practising harm-minimisation techniques. Training provides licensees, managers, bar staff and crowd controllers with important skills and knowledge about the State’s liquor laws; alcohol and the effects of excessive alcohol intake; standard drink measures; options to assist customers to drink within appropriate limits; how to refuse service to an intoxicated patron; and how to deal with difficult patrons and conflict situations.

Increasing the skill levels of people working in the industry will ultimately raise the standard and professionalism of the industry, which will benefit consumers and the public in general. This policy provides guidance as to the minimum requirements to be met in respect of this training.

Accredited Training Courses

There are two levels of training:-

- **Provide Responsible Service of Alcohol (SITHFAB002)** – a nationally accredited course of training in responsible practices in the sale, supply and service of liquor which covers topics such as duty of care, harm minimisation, refusal of service, effects of alcohol, juveniles, identifying intoxication and conflict resolution; and
- **The Course in Management of Licensed Premises 52735WA (MLPLCA401A, MLPLCA402A and MLPLCA403A)** – a course on the legislative obligations and responsibilities of licensees and managers.

Training Requirements

Under section 33(6b) of the Act, persons seeking approval to occupy positions of authority under a licence; that is, as licensee, are required to demonstrate that they have successfully completed an approved Course in the Management of Licensed Premises and in the Responsible Service of Alcohol prior to the approval of an application for a licence, or approval of a transfer of licence.

Similarly, applicants for a restricted or unrestricted manager approval must successfully complete either an approved Course in the Management of Licensed Premises and or in the Responsible Service of Alcohol, depending on the type of approval they are seeking.

¹ The requirement for crowd controllers to complete responsible service of alcohol training will come into effect from 1 July 2018.

These requirements and the training requirements for staff occupying supervisory positions and all other staff engaged in the sale and supply of liquor, including under an occasional licence, are set out below.

Mandatory Training Requirements		
Permanent Liquor Licences	Responsible Service of Alcohol	Course in Management of Licensed Premises
Licensee – Individual		✓
Licensee – Partnership*		✓
Licensee – Company**		✓
Licensee – Club***		
Crowd controllers, supervisory and other serving staff	✓	
Approved Managers		
Unrestricted Approved Manager		✓
Restricted Approved Manager§ (Clubs & Occasional Licences)	✓	
Occasional Licence – less than 250 people		
Licensee – Individual		
Licensee – Partnership*		
Licensee – Company**		
Licensee – Club***		
Restricted Approved Manager	✓	
Unrestricted Approved Manager (if required#)		✓
Crowd controllers, supervisory and other serving staff		
Occasional Licence – 251 to 300 people		
Licensee – Individual	✓	
Licensee – Partnership*	✓	
Licensee – Company**	✓	
Licensee – Club***		
Restricted Approved Manager	✓	
Unrestricted Approved Manager (if required#)		✓
Crowd controllers, supervisory and other serving staff		
Occasional Licence – more than 300 people		
Licensee – Individual	✓	
Licensee – Partnership*	✓	
Licensee – Company**	✓	
Licensee – Club***		
Restricted Approved Manager	✓	
Unrestricted Approved Manager (if required#)		✓
Crowd controllers, supervisory and other serving staff	✓	

^ it is a prerequisite of enrolment for the Core Unit, **MLPLCA401A**, of the **Course in Management of Licensed Premises (52735WA)** that participants have completed the nationally accredited unit of RSA training (**SITHFAB002**)

* at least one partner must complete the required training

** at least one Director must complete the required training

*** club committee members are not required to undertake training, however approved managers, supervisory staff & other serving staff must comply

only required if a condition is imposed on the occasional licence

§ If a Restricted Manager subsequently completes the Core Unit, **MLPLCA401A**, of the **Course in Management of Licensed Premises (52735WA)**, they may apply to upgrade to an Unrestricted Manager Approval.

Course in Management of Licensed Premises (52735WA)

The **Course in Management of Licensed Premises (52735WA)** is comprised of a core unit and two elective units.

Unit	Code	Unit Description
Core Unit	MLPLCA401A	<ul style="list-style-type: none"> Covers managing legislative responsibilities for the sale, supply and service of liquor. Completion of this course is the licensing authority's minimum training requirement for new licensees and new unrestricted approved managers. A prerequisite to completing this unit is the successful completion of the nationally accredited unit Provide Responsible Service of Alcohol (SITHFAB002) which must be completed separately.
Elective Unit	MLPLCA402A	<ul style="list-style-type: none"> Focuses on managing licensed premises for the sale, supply and service of liquor to the general public.
Elective Unit	MLPLCA403A	<ul style="list-style-type: none"> Focuses on managing licensed premises used for the production or wholesale supply of liquor.

While the minimum requirement for new licensees and new unrestricted approved managers is the completion of the Core Unit (**MLPLCA401A**), applicants are strongly encouraged to complete either elective unit to gain a greater depth of knowledge.

Evidence of Compliance

A certificate proving the satisfactory completion of a **Course in Management of Licensed Premises**:-

- Course in Management of Licensed Premises (52735WA/MLPLCA401A)
- Course in Management of Licensed Premises (52735WA/MLPLCA401A & MLPLCA402A or MLPLCA403A)
- Course in Management of Licensed Premises (52473WA) (MLP1, MLP2 and MLP3)**;
- Course in Liquor Licensing (52065**)
- Short Course in Liquor Licensing (51544**)
- Course in Liquor Licensing (51136**)

A certificate proving the satisfactory completion of a **Responsible Service of Alcohol** course:-

- Provide responsible service of alcohol (SITHFAB002)
- Provide responsible service of alcohol (SITHFAB201**)
- Provide responsible service of alcohol (SITHFAB009A**)
- Provide responsible service of alcohol (THHBFB09A**)
- Provide responsible service of alcohol (THHBFB09B**)

** These courses are no longer delivered by Registered Training Organisations, however, past successful completion will still be accepted by the licensing authority.

Training Providers

The Registered Training Organisations in respect of the **Course in Management of Licensed Premises (52735WA)** and the nationally accredited unit of **Provide Responsible Service of Alcohol (SITHFAB002)** are listed on the Department's [website](#).

Training Register

Section 103AA of the Act states that licensees must maintain, on the licensed premises, a training register that records employee information and their training compliance. This requirement does not apply to an approved manager as they must have completed the relevant training in order to have been issued with either a restricted manager approval or unrestricted manager approval by the licensing authority.

The training register must contain the following details:-

- Employee name;
- Date employment commenced;
- Course provider name;
- State or Territory where training was done; and
- Date of training certificate.

The penalty for non-compliance is \$5,000.

Each record must be maintained in the Register for a period of four years or for the duration of employment of the trained employee. The Register may be kept in any way the licensee considers appropriate, including by electronic means.

The licensee or an employee of the licensee must allow an authorised officer to inspect the Register and to take copies of the Register or any of its parts.

It should be noted that while there is no requirement to keep a copy of the training certificate with the Training Register, it is nevertheless a requirement for the licensee to keep a copy of the certificate on the premises as per regulation 14AG(2). This can either be hard copy or stored electronically provided it is available for inspection when required. To assist licensees, an approved standard format for this training register can be downloaded [here](#).

Non-compliance

If a person fails to comply with these requirements, the licensing authority may decide to:

- 1) in the case of an application for a licence or approval as a manager, find the person not fit and proper to hold a licence or occupy a position of authority in respect of a licence; or
- 2) issue an infringement under section 167 to the licensee, approved manager, or member of staff; or
- 3) require the licensee to show cause why more restrictive conditions should not be imposed on the licence; or
- 4) lodge a section 95 complaint for disciplinary action against the licensee. Under section 96 of the Act, if such a complaint was upheld by the Liquor Commission, a range of disciplinary action could be imposed including: a reprimand and a fine of up to \$30,000. However, the penalty sought could also include the suspension of the licence for a specified period of time or the cancellation of the licence.

Further information

For further information, please contact the Department of Racing, Gaming and Liquor on (08) 9425 1888 (country callers please use our toll-free number: 1800 634 541) or [write to the Director of Liquor Licensing](#).

DIRECTOR OF LIQUOR LICENSING