

PURPOSE

The purpose of this factsheet is to provide guidance for clubs on how to comply with:

- the requirement to have an approved manager; and
- the mandatory training requirements for approved managers and other persons engaged in the sale, supply or service of liquor at Club and Club Restricted licensed premises.

WHAT IS AN APPROVED MANAGER?

Well-managed premises and the responsible service of alcohol are seen as important tools in changing Western Australia's drinking environment and providing consumers with safer, more responsible venues that are committed to implementing harm-minimisation strategies.

In this context, the provisions of section 100 of the *Liquor Control Act 1988* (the Act) require that there is always a person in a position of authority on the premises who is capable of managing and supervising the conduct of business and exercising authority over the activities that occur at the premises. They must be approved by the licensing authority as an Approved Manager.

In practice, the club (i.e. the licensee) must appoint someone to be the responsible person in charge of the premises. That person represents the club and therefore also carries responsibility in respect of the obligations under the Act. That person must be present at the club premises at any time the club is operating at those premises.

A person seeking to become an approved manager must lodge an application with the Department of Local Government, Sport and Cultural Industries and pay the prescribed fee at a participating Australia Post outlet. Once the application is successfully lodged, that person is deemed to be an approved manager unless the licensing authority determines otherwise.

In determining whether to approve a person as a manager of licensed premises the licensing authority will assess the suitability in respect of whether that person is fit and proper to be approved.

There are two types of Approved Manager:

- **Restricted** – Entitles the manager to work at Club, Club Restricted and Occasional licensed premises only.
- **Unrestricted** – Entitles the manager to work at all types of licensed premises.

TEMPORARY APPROVED MANAGERS

Section 100(3) of the Act provides that where an approved manager is absent for any reason, the licensee or approved manager may appoint another person to act as a temporary manager for a period of:

- up to seven consecutive days; or
- no more than seven days in any 28 day period.

The temporary manager provisions are intended to be used in extenuating circumstances and should not be used as a means for the licensee to evade their obligations to appoint an approved manager.

Some examples of appropriate uses of the temporary manager provisions include:

- The approved manager has called in sick and the club cannot get another approved manager to work that shift on short notice.
- The approved manager has to leave due to an emergency and there is no other approved manager on site to take his/her place.
- The club terminates the approved manager's employment on short notice.
- The approved manager resigns on short notice.

Some examples of inappropriate uses of the temporary manager provisions include:

- The approved manager does not feel like working today.
- Where the approved manager has given sufficient notice that he/she is going on holidays and the club does not act to appoint another approved manager ahead of time.
- The club does not roster an approved manager so as to save money.

A temporary manager cannot be someone who has been found not "fit and proper" by the licensing authority.

It is good practice for the licensee to provide written authorisation to a person that they appoint as a temporary manager which can be recorded in the incident register.

OTHER STAFF ENGAGED IN THE SALE, SUPPLY OR SERVICE OF LIQUOR

For all other bar staff engaged in the sale, supply or service of liquor at a Club or Club Restricted licensed premises, the mandatory training requirement is the nationally accredited *Responsible Service of Alcohol (SITHFAB002)* unit of competency.

The following superseded courses are also accepted by the licensing authority:

- *Responsible Service of Alcohol (SITHFAB201)*
- *Responsible Service of Alcohol (SITHFAB009A)*
- *Responsible Service of Alcohol (THHBFB09A)*
- *Responsible Service of Alcohol (THHBFB09B)*
- *WA Abridged Responsible Service of Alcohol*

Club staff engaged in the sale, supply or service of liquor have 28 days from the date they commence employment/volunteer in that capacity to complete the course. They must provide a copy of their training certificate to the club as soon as practicable.

Currently (in Western Australia only) the above courses have no expiration date, so once the course has been completed no further training or licensing is required to be undertaken.

MANDATORY TRAINING REGISTER

Section 103A(1)(b) of the Act states that licensees must maintain, on the licensed premises, a training register that records the details of all employees/volunteers who have completed the *Responsible Service of Alcohol* unit of competency.

It is not necessary to record the details of any training completed by approved managers as they have already been issued with an Approved Manager's Identification Card by the licensing authority.

It is a requirement for the licensee to keep a copy of the training certificate on the premises as per regulation 14AG(2) of the *Liquor Control Regulations 1989*. This can either be hard copy or stored electronically, provided it is available for inspection when required.

To assist licensees, please refer to the approved standard format for this training register available [on our website](#).

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

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 approval of 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 of the Act 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.

HOW TO BECOME AN APPROVED MANAGER

There are four steps required to become an approved manager:

1. Complete the Mandatory Training requirements.
2. Obtain a National Police Clearance (NPC).
3. Complete the online Approved Manager Application.
4. Lodge the Application Summary with the fee at your local WA post office.

The Approved Manager ID Card lasts for a period of five years and can be renewed online prior to expiry.

A summary of the application process is provided below. Further information is provided in the [Approved Manager's Lodgement Guide](#).

Step 1: Mandatory Training Requirements

You must attain or have already completed one of the following training courses:

Restricted Approved Manager

The nationally accredited *Responsible Service of Alcohol (SITHFAB002)* unit of competency.

The following superseded courses are also accepted by the licensing authority:

- *Responsible Service of Alcohol (SITHFAB201)*
- *Responsible Service of Alcohol (SITHFAB009A)*
- *Responsible Service of Alcohol (THHBFB09A)*
- *Responsible Service of Alcohol (THHBFB09B)*

Unrestricted Approved Manager

The course in Management of Licensed Premises (52735WA – MLPLCA401A).

The following superseded courses are also accepted by the licensing authority:

- Course in Management of Licensed Premises (52473WA)
- Course in Liquor Licensing (52065)
- Short Course In Liquor Licensing (51544)
- Course in Liquor Licensing (51136)

Refer to our list of [Registered Training Organisations](#) to locate a training provider near you.

Do not give the original copy of your training certificate to anyone. Photocopies are sufficient to be retained by the club and to be lodged as part of the Approved Manager Application.

Step 2: National Police Clearance

You can obtain a National Police Clearance (NPC) from:

- Online – Search for *Australian Police Clearance*
 - [Click here](#) for a complete list of agencies
- Australia Post
- WA Police
- Federal Police

Please note that NPCs will only be accepted if they are less than three months old from the date of issue. If you provide an out of date NPC, you will be requested to provide a new NPC prior to approval of the application.

Step 3: Apply online at www.rgl.wa.gov.au

Applications to become an Approved Manager must be made under the name of the individual person, not the club.

First you must create an account. This account will be used to submit your application, change your address details and request replacement ID cards.

Once you are logged on to the website you can submit an Approved Manager application.

Print the Application Summary to take to the Post Office (the two page document generated upon completion of application).

Step 4: Lodge at Australia Post

The Application Summary, a copy of your Training Certificate, a copy of your National Police Clearance and the fee must be lodged at a WA Post Office to complete the application. The post office will confirm your identification (refer to page 1 of your Application Summary) and take your photo for the Approved Manager card.

Once the application is lodged with Australia Post you will be given a receipt which enables you to act as an Approved Manager until the application has been determined. Hold onto this receipt as you may be asked to present it by an authorised officer.

USING YOUR APPROVED MANAGER ID CARD

The Approved Manager ID Card is to be kept on you at all times whilst working in the capacity as an Approved Manager.

You must present this card for inspection when asked by an authorised officer, i.e., an inspector from the Department of Local Government, Sport and Cultural Industries or an officer from the WA Police Service. If you do not have the card on you at the time, then you have a period of 48 hours to produce it to an authorised officer or to the officer in charge at a police station.

The ID card is not suitable as identification for any other purpose and is valid for a period of five years. You will be notified prior to the expiry of your existing approval and given instructions on how to renew your application.

Please ensure you retain your log in details and update your contact details as required. This will enable you to receive information pertaining to your approval when applicable.

You are not required to notify the Department when you leave a licensed premises or move to a new licensed premises. Provided you retain your ID card it is valid at any licensed premises in WA subject to your level of approval (Unrestricted/Restricted).

FURTHER INFORMATION

For further information on approved managers and mandatory training requirements, please refer to the following policies:

- [Mandatory Training Policy](#)
- [Managers at Licensed Premises Policy](#).

Disclaimer

This factsheet is designed to provide authoritative 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.