



Victorian Commission for Gambling and Liquor Regulation

Liquor Licensing Fact Sheet

Fire safety in licensed premises

Protecting patrons and staff from a serious fire threat in a licensed premises is important. The powers in the *Liquor Control Reform Act 1998* (the Act) allow a licensed premises to be temporarily shut down and evacuated if they do not meet fire safety standards.

Improving the safety of patrons and staff in licensed premises

Fire services have the ability to immediately address any serious breaches of fire safety standards. Fire safety inspectors from the Metropolitan Fire Brigade and the Country Fire Authority can enter and inspect licensed premises at any time without prior notice where they suspect a serious fire threat exists.

What are the powers for the VCGLR?

Under Part 8B of the Act the VCGLR can order the temporary closure and evacuation of licensed premises that present a serious fire threat to the public until that serious fire threat is rectified.

When can the VCGLR use these powers?

If a fire safety inspector searches a licensed premises and believes a serious fire threat exists, they will notify the VCGLR who must then order the evacuation and closure of the premises.

The licensee may be offered an opportunity to undertake immediate rectification work to avoid being evacuated and closed. This is up to the fire safety inspector to decide.

Inspections and decisions to close down and evacuate licensed premises can occur at any time, including after business hours.

What happens when a licensed premises is closed and evacuated?

If the VCGLR orders the closure of a licensed premises, the licensee or manager will be given a closure and evacuation notice. The notice outlines the rectification work required to address the serious fire threat. The premises must remain closed while this work is carried out. Only those undertaking the rectification work are allowed to enter the premises. The fire safety inspector will post clearly visible stickers to all entry and exit points at the venue to advise the public that it has been closed. These stickers must not be removed or tampered with. The fire safety inspector will remove them when the premises has been allowed to re-open.

Within 48 hours of serving a closure and evacuation notice, a fire safety inspector may issue an additional notice to the licensee or manager that includes more information about the rectification work required to address the serious fire threat.

Contacting a fire safety inspector

A fire safety inspector will include their name and contact details on the closure and evacuation notice. A licensee or manager may contact the fire safety inspector if they have any questions about the rectification work required to remove the serious fire threat.

Re-opening the licensed premises

Once rectification work is complete, the licensee must notify the VCGLR in writing, this can be done by email at: contact@vcglr.vic.gov.au.

The VCGLR will then arrange for a fire safety inspector to conduct another inspection of the premises. If the fire safety inspector is satisfied that the serious fire threat has been rectified, they will advise the VCGLR to revoke the closure and evacuation notice. This will allow the licensed premises to re-open.

Failure to cooperate with a fire safety inspector

The Victorian Government takes fire safety seriously. If a licensee does not allow a fire safety inspector into their premises to conduct an inspection or refuses to cooperate, they could face a fine of more than \$8,000.

How to ensure a licensed premises is fire safe

Licensees have a duty of care to make sure their venue is fire safe. The licensee is required to know which fire standards apply to their venue under the *Building Act 1993*, Building Regulations and Building Code of Australia.

Examples of what might constitute a serious fire threat include locked and blocked exit doors, obscured exit signage and faulty alarm systems. However, licensees can seek advice from a professional fire safety inspection service to be certain that their venue is safe for the public.

Public concerns

If a member of the public is concerned that a licensed premises is not fire safe, they should contact the Metropolitan Fire Brigade or the Country Fire Authority (depending on the location of the licensed premises).

Appealing a decision to close and evacuate a licensed premises

If a licensee disagrees with the VCGLR's decision to close down and evacuate their venue, they have a right to apply for internal review of that decision. Section 153 of the Act explains the licensee's rights to seek a review.

An application for a review should be made within 28 days of receiving notice of a decision or a statement of reasons for the decision and can be made by completing the 'Application to the Commission for internal review' form.

Further information, as well as an application form, is available at www.vcglr.vic.gov.au.

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