



Victorian Commission for Gambling and Liquor Regulation

Liquor licensing fact sheet **mandatory water** (from 1 July 2015)

Offering free water is an important part of responsible service of alcohol as it helps patrons slow down their rate of intoxication and provides an alternative to consuming alcohol.

Licensed venues that supply alcohol for consumption on-site are required to provide free drinking water to their patrons. How water is supplied is left to the discretion of the licensee. Failure to supply free drinking water could attract substantial fines.

Exemptions to mandatory water requirements

Licensees may apply to the Victorian Commission for Gambling and Liquor Regulation (VCGLR) for an exemption to the requirement to provide free drinking water by submitting the exemption application form.

The VCGLR has discretion over which applications for an exemption are approved, and will judge each individual case on its own merits. However, under the *Liquor Control Reform Act 1998* the VCGLR must consider the risk of harm arising from the misuse and abuse of liquor supplied under the licence and the extent of the burden imposed on the licensee by the requirement to supply free drinking water.

An example of when an exemption may be granted is when the licensee does not have access to mains water providing the lack of free drinking water will not lead to any alcohol related harm.

The VCGLR and Victoria Police will enforce these laws, and members of the public will be able to

report venues that are not compliant with the water requirements by emailing contact@vcglr.vic.gov.au.

Can the VCGLR exempt a premises from the mandatory water requirement?

Yes. The VCGLR has the discretion to exempt a premises from the mandatory water requirement. You can apply for an exemption by submitting the exemption form found on the VCGLR website.

What happens if a venue does not supply free water?

Failure to provide free drinking water could result in a fine of up to \$4550.

How are venues expected to supply water?

How water is supplied is left to the discretion of the licensee. This could be via self-service or upon request. For example, a restaurant may find it more convenient to supply free water by providing a bottle of water and glasses or they may wish to provide water by the glass.

A nightclub may wish to provide free water at a water cooler. Provided free drinking water is readily available to patrons licensees will be considered to be meeting their obligations.

A poster notifying patrons of the availability of free water can be downloaded from the VCGLR website.

This publication avoids the use of legal language. Information about the law may have been summarised or expressed in general statements. This information should not be relied upon as a substitute for professional legal advice or reference to the actual legislation. Authorised by the Victorian Government.