

Our Club

Licensee responsibilities



Our liquor licence

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Our liquor licence

Overview

Introduction

This section contains information to assist you in understanding your liquor licence or BYO permit. It includes:

- general information that applies to **all** liquor licences
- specific information on each of the licence types
- specific information that applies to BYO permits.

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Overview

Obtaining a liquor licence

If your club wishes to sell liquor or allow members or visitors to bring liquor onto the premises, you require a liquor licence or BYO permit.

Liquor Control Reform Act 1998

The sale and supply of liquor in Victoria is regulated under the *Liquor Control Reform Act 1998* (the Act). The Victorian Commission for Gambling and Liquor Regulation (VCGLR) administers the Act.

A copy of the Act can be downloaded from the Victorian Law Today Library at www.legislation.vic.gov.au.

Overview

Types of liquor licences for clubs

Liquor licences enable clubs to supply liquor to members, guests and non-members within a licensed area.

The type of liquor licence your club requires will depend on the circumstances under which your club operates and any commercial objectives the club is pursuing.

There are four types of liquor licences and a permit available for clubs:

Type	Enables your club to...
Full club licence	<ul style="list-style-type: none">• supply liquor to a member of the club for consumption on or off the licensed premises• supply liquor to a guest of a member or an authorised gaming visitor for consumption on the licensed premises only (take-aways are not permitted).
Restricted club licence	<ul style="list-style-type: none">• supply liquor to a member or guest of a member for consumption on the licensed premises only (take-aways are not permitted).
Renewable limited licence	<ul style="list-style-type: none">• supply liquor to a member or guest of a member for consumption on the licensed premises only (take-aways are not permitted)• supply liquor from a point of sale during sporting events for drinking outside the licensed premises (for example, from a canteen or marquee), provided specific approval is endorsed on the licence• allows you to hold functions generally, not just specific dates as a temporary limited licence. <p>Note: To qualify for a renewable limited licence, the supply of liquor must be substantially limited in nature or scope of supply.</p>
Temporary limited licence	<ul style="list-style-type: none">• hold a one-off event (such as a ball or presentation night)• extend trading hours for a one-off event or• hold a series of events over a limited season.
BYO permit	<ul style="list-style-type: none">• allow people to bring their own liquor and drink it on club premises. This permit authorises the consumption, possession and control of liquor in a club that does not hold a liquor licence.

Each of these licence types is explained in more detail in the sections that follow.

Under-18-year olds

If your club is used primarily by people under 18 years old, the VCGLR has discretion to determine applications in accordance with the Act. This includes premises that are used primarily by junior sporting clubs.

Understanding your liquor licence

Introduction

Your liquor licence is an important document. It is important to read and fully understand the conditions of your liquor licence to ensure you do not breach any conditions of your licence and the Act.

This section covers the different parts of a liquor licence.

Tip: Find a copy of your liquor licence and use it to assist you while referring to the information in this section.

Licence number

Each licence has a number. It is useful to quote this number if you ever need to contact the VCGLR on 1300 182 457.

Licensee

The licensee is the holder of the licence. The licensee can be a:

- company
- incorporated club
or
- unincorporated club.

Address for service of notices

This is your postal address and should be kept up-to-date. For the postal address, you should consider having a post office box address. This ensures your mail goes to one location where you will receive your annual renewal notice and liquor licence from the VCGLR. It also avoids the problems that can arise from using a committee member's private address. For example, if the committee member moves house or leaves the club and fails to notify the VCGLR, then the club may not receive vital notices.

Please notify the VCGLR of any changes on 1300 182 457.

Trading as

This is the name that the club trades under.

Nominee

A nominee is a person nominated by a licensee or permittee and approved by the VCGLR. They assume the day-to-day running of liquor sales activities on behalf of the club.

Trading hours

You are only licensed to sell and supply liquor on the days and hours shown on your licence, under 'Trading hours'.

For example, if your licence states that you can trade until 11pm, then no drinks can be sold or supplied after 11pm.

Conditions

All liquor licences have conditions to ensure that the operation of the club (or business) does not cause undue detriment to the amenity of the area.

See: 'Amenity' (page 10) in this section.

Understanding your liquor licence continued

Underage approval

The 'Approvals/consents' section of the licence will cover conditions for having underage persons on your premises.

Many clubs have minors (under 18 years) who participate in their sporting activities. If this is the case in your club, you must have approval from the VCGLR to allow them to be there unaccompanied. If you do not already have an underage approval, you can apply for one by completing a simple application form.

Under certain circumstances minors can be on licensed club premises (see page 7).

To allow minors on licensed club premises for reasons other than those listed on page 7, an endorsement has to be on the licence. That endorsement will allow minors to be present during certain events, such as:

- presentations
- training days
- match days.

See: 'Managing underage patrons' section of this resource kit for more information.

Licence renewal

Liquor licence renewal fees are due for payment on **31 December** every year. Failure to renew your licence may mean that you are trading illegally and you may need to re-apply for a licence.

Further information

See: vcglr.vic.gov.au and refer to the 'Understanding your liquor licence' fact sheet.

Star rating

A star rating system for licensed venues commenced in 2012. Under this system, you will receive a discount on your annual liquor licence renewal fees after two or more consecutive years without recording a non-compliance incident. The first discounts will apply to the 2015 renewal fees for a four star rating at 1 October 2014.

Rating	Criteria
One star	Three or more non-compliance incidents in the previous 12 months
Two star	One to two non-compliance incidents in the previous 12 months
Three star	No non-compliance incidents in the previous 12 months
Four star	No non-compliance incidents in the previous 24 months
Five star	No non-compliance incidents in the previous 36 months

General obligations

Introduction

As a committee member of a club, you have certain obligations associated with your club's liquor licence.

The obligations outlined in this section apply to all licence types held by clubs. They do not apply to BYO permits.

Responsible Service of Alcohol (RSA)

- You must not supply alcohol to a person who is intoxicated. They may remain on the premises, but must not be served any more alcohol.
 - You must not allow a drunken or disorderly person to be on your premises. If they are already on your premises, then you must remove them.
-

Minors

People under the age of 18 years are not allowed to be on licensed premises unless:

- they are in the company of a responsible adult
- they are having a meal
- it is prior to 11pm and the premises has an on-premises licence with restaurant conditions or a restaurant and cafe licence
- they are employed on the premises in duties other than the supply of liquor
- they are residing on the premises
- the person is engaged in a hospitality training program or in training for employment or work experience
- they are employed to deliver packaged liquor to a person over 18 years of age for consumption off the licensed premises
- approval has been given by the VCGLR for underage functions or entry into club rooms during specified times
or
- they have the approval of the VCGLR and subject to any conditions of that approval.

See: 'Responsible Service of Alcohol' (section 7 page 1) section of this resource kit for more information.

Signage

There are certain signage requirements associated with your liquor licence:

- Your current licence must be displayed in an obvious place where anybody can read the conditions.
- There are certain posters that must be displayed as specified by the type of licence you hold.

See: 'Posters' (page 8) in this section for more information.

Managing drunk and disorderly behaviour

You must not allow a drunken or disorderly person to be on your premises.

There is a difference between a person being intoxicated and being drunk. A person would typically be regarded as 'drunk' if they are intoxicated to the point where they have lost control of their faculties or behaviour. If they are drunk **or** disorderly you must not let them into your premises and if they're already there, you must remove them.

Free drinking water

Clubs are required to make sure that suitable free drinking water is available to members and guests on the licensed premises where alcohol is consumed on-site.

The law does not specify how the water is to be provided. This is up to the club's discretion.

General obligations continued

Posters

The VCGLR has produced posters to promote the responsible consumption of alcohol:

- *Intoxicated? Drunk? Disorderly?*
- *Under 18? No supply*
- *Under 18? Can you enter*

You must display the required posters according to the type of liquor licence you hold.

The table below lists the minimum signage requirements that you must have displayed according to the type of liquor licence your club holds.

	Intoxicated? Drunk? Disorderly?	Under 18? No supply
Full club	✓	✓
Limited (temporary and renewable)	✓	✓
BYO permit	✓	
Restricted club	✓	✓

Posters can be downloaded from the Victorian Commission for Gambling and Liquor Regulation website vcglr.vic.gov.au. You are welcome to print more copies if you would like to put them up in more than one area at your venue.

Other obligations

Other obligations to keep in mind include the following:

- Food is available for purchase upon request.
- Your club premises must meet the required fire safety requirements.
- Your club must not cause problems with the amenity of the surrounding area.
- If your club provides sexually explicit entertainment, you must notify the VCGLR within 21 days of commencing that entertainment.

See: 'Amenity' (page 10) in this section, for more information on your obligations regarding the amenity of the surrounding area.

Club specific obligations

In addition to the general obligations listed already, you will have conditions listed on your licence that apply specifically to your club's venue. You need to comply with these conditions or you will be committing an offence.

Breaches

See: 'Where clubs go wrong' (section 6, page 1) section of this resource kit for information about the consequences of breaching the conditions of your liquor licence.

Check your understanding 1 – about liquor licences

Checkpoint

It's time to check your understanding of what has been covered so far.

Please complete the questions below and check your answers against the answers provided at the end of this section of the resource kit.

Questions

1. What type of licence is appropriate for holding a one-off occasion at your club?

2. You can hold non-member functions if you have a restricted club licence.

True False

3. Which licence type allows you to supply alcohol to your members for consumption off the premises?

Amenity

What is amenity?

All club liquor licences have an amenity condition on their licence.

Amenity is the effect that your club and its patrons may have on the surrounding area. The Act defines amenity as *'The quality that the area has of being pleasant and agreeable'*.

This means that you are responsible for what happens in and around your club when you are open and when members and guests are leaving your club.

This condition relates to the Environment Protection Authority (EPA). For further information, visit the EPA website at www.epa.vic.gov.au/noise.

Your club's responsibility

All club liquor licences have conditions to ensure that the operation of your club does not cause undue detriment to the amenity of the area. Experience shows that if licensees ignore the reasonable concerns of neighbours, the situation will rapidly deteriorate.

Residents living near your club premises should not be unreasonably affected by the operation of your club.

Incidents that are detrimental to amenity

Incidents that are detrimental to the amenity of an area include the following:

- unacceptable levels of patron noise
- parking problems
- excessive traffic – hoon behaviour
- nuisance or vandalism
- build-up of rubbish
- indecent or offensive behaviour
- drunkenness in the street.

Noise

Noise includes things such as:

- entertainment noise
- loud music
- loud conversations.

Amenity continued

Strategies to avoid noise problems

You should put strategies in place to avoid any noise problems. Some suggestions include:

- encouraging your members to be considerate of your neighbours
- having heavy curtains over windows
- installing noise insulation
- having a sound limiting device on your amplifier.

The most practical solution may be to keep your music volume down.

People arriving and leaving the club

When members and guests have had a few drinks, they can be loud when they leave your club. They can disrupt the quiet enjoyment of the neighbourhood by:

- fighting
 - urinating in public
 - doing wheelies in the car park
 - knocking over letter boxes.
-

Strategies for avoiding problems when arriving and leaving the club

Again, you must ensure you put strategies in place to avoid any of these problems. Some suggestions include:

- making announcements during the night asking members and guests to leave in a responsible manner
- ensuring a club official is outside your club reminding members and guests to leave the premises quietly
- ensuring the club has signage asking members and guests to leave in an orderly manner.

You do not want your neighbours to have to complain to the police, council or VCGLR inspectors. Try to prevent problems from happening.

Other factors to consider

Consider the following factors that may cause amenity issues near your club:

- **Parking facilities**
Do you have a car park? Do members and guests park in nearby residential streets?
- **Traffic movement and density**
Is there a lot of traffic in the surrounding area from members and guests coming and going to your club?
- **Noise levels**
What measures do you have in place to minimise noise from your club if you have amplified music, or from members and guests leaving your club?
- **Possibility of nuisance or vandalism**
Is your clientele likely to cause a nuisance to nearby residents? Is there a potential that they may cause noise, nuisance or damage to property or cars?
- **Harmony and coherence of the environment**
What general impact is your club having on the local community and neighbouring businesses/residents?

Your club rules and Schedule 1

Introduction

Your club's rules outline how you will manage your club.

Schedule 1 of the Act details a number of provisions that must be included in the rules of any club that holds a:

- full club licence
- renewable limited licence
or
- restricted club licence.

It is the responsibility of your club to ensure your club rules comply with Schedule 1 of the Act.

Note: Schedule 1 does not apply to BYO permits.

Purpose of Schedule 1

The main purpose of Schedule 1 is to ensure the club operates as a club for its members.

This includes being under the control of the members through a duly elected management committee. Members must be nominated and appointed through a process usually conducted at an annual general meeting.

Requirements of Schedule 1

Holders of a club liquor licence must abide by Schedule 1 of the Act, which sets out a number of items that must be included in the club rules.

Some of the requirements for Schedule 1 are that:

- alcohol must not be supplied to a guest of a member unless they are with a member, or they are an authorised gaming visitor
- people under the age of 18 years are not granted membership, unless the club is primarily a sporting club
- the club management committee is responsible for the affairs of the club, and members are elected by club members for a minimum of 12 months
- a record of guests and gaming visitors is maintained
- a club that holds a gaming licence must ensure gaming visitors:
 - show proof of their residential address before being admitted to the club
 - carry their ID with them at all times
 - comply with any relevant club rules
- a person cannot be admitted as an honorary or temporary member of the club, unless that class of members is specified in the club rules.

In certain circumstances, a club may seek an exemption from the VCGLR from any or all of these requirements.

Your club rules and Schedule 1 continued

Sample Schedule 1

A sample of the Schedule 1 form is displayed below.
Please visit vcglr.vic.gov.au and go to home/resource/forms/liquor to download a copy of the form.

Club licence		OFFICE USE ONLY	
Schedule 1		Date Rec'd	12/12
<i>of the Liquor Control Reform Act 1998</i>		File No.	_____

The *Liquor Control Reform Act 1998* provides that the rules of a club that holds or seeks to hold a club licence must comply with Schedule 1, except as otherwise determined by the Victorian Commission for Gambling and Liquor Regulation.

Failure to ensure that the rules of a club continue to comply with the Schedule is a breach of the conditions of licence. Please use this form to check that your rules comply with Schedule 1 requirements prior to signing the "Club Rules" declaration on the application form.

Schedule 1 Clauses

(a) The rules of a club must preclude the payment of any amount to an officer or servant of the club by way of commission or allowance from the receipts of the club for the sale and disposal of liquor;

(b) The rules of a club must provide that a visitor to the club must not be supplied with liquor in the club premises unless the visitor is:

(i) a guest in the company of a member of the club; or

(ii) an authorised gaming visitor admitted in accordance with the rules of the club.

(c) The rules of a club must provide that a person shall not:

(i) be admitted as an honorary or temporary member of the club; or

(ii) be exempted from the obligation to pay the ordinary subscription for membership of the club unless the person is of a class specified in the rules and admission or exemption is in accordance with the rules.

(d) The rules of a club, except in the case of a club primarily for sporting purposes, must provide that a person under the age of 18 years shall not be admitted to membership of the club.

(e) The rules of a club must provide for a Management Committee of the club with responsibility for the affairs of the club.

(f) The rules of a club must provide that the members of the Management Committee of the club be elected for a term or not less than 12 months by members of a class of members that constitutes not less than 60 per centum of the total membership of the club, excluding temporary or honorary members and persons who are members by reason only of reciprocal arrangements with another club and persons whose rights as members are limited to rights as social, gaming or neighbourhood members.

(g) Unless the club is a corporation or is registered under the *Associations Incorporation Reform Act 2012*, the rules

(i) must provide that the facilities of the club are provided and maintained from the joint funds of the club;

(ii) except as otherwise permitted under the *Liquor Control Reform Act 1998*, must not enable any person to receive a greater profit, benefit or advantage from the club than that to which any member is entitled;

(iii) must provide for periodic meetings of the Management Committee and the recording of minutes of the meetings;

(iv) must provide -

(a) that not less than two weeks shall elapse between the date of nomination and the date of election of ordinary members; and

(b) that the names and addresses of persons proposed for election as members of the Management Committee of the club shall be displayed in a conspicuous place in the club premises for not less than one week before the date of the election; and

(c) for the election of members of the Management Committee by the general body of members; and

(d) for the keeping of records of members voting at an election of members.

(h) Must provide for the keeping of records of guests.

(i) In the case of a club in respect of which a venue operator's licence is in force, must provide that an authorised gaming visitor must:

(i) produce evidence of his or her residential address before being admitted to the licensed premises; and

(ii) carry identification at all times whilst on the licensed premises; and

(iii) comply with any relevant rules of the club whilst on the licensed premises.

Victorian Commission for Gambling and Liquor Regulation
49 Elizabeth Street, Richmond VIC 3121
(Hours: 8:30 - 5:00) Monday to Friday - closed on public holidays
GPO Box 1988, Melbourne VIC 3001

Telephone 1300 182 457
www.vcglr.vic.gov.au
DX 210976
ABN 56 832 742 797

 Victorian Commission for
Gambling and Liquor Regulation



Types of visitors to your club

Types of visitors

Clubs will have the following types of visitors or patrons:

- members
- guests of members
- authorised gaming visitors
- non-members
- honorary members.

This section also describes what you need to do to change your club rules to incorporate honorary members.

Members

Members of the club are people who are recognised as a member, as per the club's rules.

Guests of members

Guests can accompany a member to the club.

A guest of a member may be supplied with liquor to consume in the club's premises, provided they are in the company of the member. A record of guests attending the club must be maintained. Usually, the record of guests will include the:

- date
- guest's name and address
- member's name.

The record of guests may be inspected by Victoria Police or VCGLR inspectors.

The Act sets no maximum number of guests that a member may invite to the club premises at any one time. The club may choose to do so in its club rules.

Types of visitors to your club continued

Authorised gaming visitors

An authorised gaming visitor is a visitor to a licensed club with gaming machines, who is neither a member of the club nor a guest of a member.

The Act provides for gaming visitors to be admitted to the premises unaccompanied by a member as long as the following conditions are met:

- The visitor resides more than:
 - 5km from the licensed club if situated in the metropolitan area or
 - 10km if situated in regional Victoria.
- A register of authorised gaming visitors is maintained providing:
 - details of the visitor's name
 - residential address
 - date of admission.
- The register of authorised gaming visitors is available for inspection.

Note: Details of guests of members and authorised gaming visitor details may be entered in the same register.

These provisions allow public access to clubs with gaming machines, while still encouraging those within close proximity to the club to become members. The club rules should set out the rights of gaming visitors to use any of the club facilities.

Non-members

Non-members can be supplied alcohol at the club when a temporary or renewable limited licence is in place. This might be at a:

- booth or stall or
- pre-booked function, such as a wedding or a wake.

Honorary members

Your club rules may contain a category called 'Honorary member' that allows you to supply alcohol to individuals and visiting teams on game days. Honorary membership can be granted for a lifetime or just for the purpose of the game day. Honorary members can include players, officials or umpires affiliated with the visiting team.

Having honorary members as part of your club rules will save you from the need to sign everyone in. You can also have reciprocal rights at their club as part of your club rules.

Changing your club rules

If you need to change your rules to incorporate honorary and reciprocal members, you will have to call a general meeting to change your constitution.

The club rules should make it clear that honorary or reciprocal members have full membership rights with the exception of voting and standing for office.

See: 'Our responsibilities' (section 2 page 1) section of this resource kit for further information about your obligations.

Summary

What we've covered so far

So far in this section, we have outlined some general information that applies to all liquor licences:

- types of liquor licences
- understanding your liquor licence
- general obligations under the Act
- your club rules and Schedule 1
- types of visitors to your club.

Where to next

In the sections that follow, you can select which parts to read depending on what type of licence or permit you have.

The next four parts describe the three types of liquor licences and a BYO permit that are available for clubs. Find the copy of your liquor licence (or

If your club holds a...	Then go to...
Full club licence	Part 3: Full club licence on page 18
Limited licence – temporary or renewable	Part 4: Limited licence on page 22
Restricted club licence	Part 5: Restricted club licence on page 27
BYO permit	Part 6: BYO permit on page 32

Check your understanding 2 – general information

Checkpoint

It's time to check your understanding of what has been covered so far.

Please complete the questions below and check your answers against the answers provided at the end of this section of the resource kit.

Questions

1. Guests of members are allowed on licensed premises if they are accompanied by a member and the guest signs the guest register.

True False

2. What three pieces of information must the guests and gaming visitors register contain?

a. _____

b. _____

c. _____

3. You have regular member functions with live music on Saturday nights. On occasions, the under 25s team bring along guests who can get a bit rowdy when they leave the club.

- a. What are the issues in this scenario?

- b. What measures could you put in place to prevent these issues?

About full club licences

Type of clubs

A full club licence is for clubs that:

- operate on a commercial level
- employ permanent staff and
- offer a range of services for members, such as:
 - gaming
 - dining facilities
 - a gymnasium.

Some examples of types of clubs that may be issued a full club licence are:

- an RSL club
- an AFL club
- a club with gaming machines.

Factors

In determining whether a full club licence is appropriate, consideration is given to:

- the number of members at the club
- the number of full time staff employed
- the standard and extent of facilities and services
- the hours of operation
- any other matters that the VCGLR considers relevant.

General conditions

A full club licence is subject to:

- the rules of the club complying with Schedule 1 of the Act
- a condition that the required registers are kept

See: 'Record keeping' (section 5 page 1) section of this resource kit for more information about registers.

- keeping sufficient records to explain the financial situation of the club
- the club complying with any planning schemes
- any other condition set down by the VCGLR.

Duration of licence

This licence type is subject to renewal every 12 months. The licence is renewed on the payment of your renewal fee.

About full club licences continued

Trading hours

Unless specified on the licence, the ordinary trading hours for a full club licence are:

- at any time on any day other than:
 - Sunday
 - Good Friday
 - ANZAC dayor
- Sunday – between 10am and 11pm
- Good Friday – between noon and 11pm
- ANZAC day – between noon and 11pm

Note: Your licence may state a different set of trading hours for on premises and off premises consumption.

Extended trading hours New Year's Eve

A full club licence authorises the sale of liquor to members, guests of members and authorised gaming visitors between 11pm on 31 December and 1am on 1 January.

However, the VCGLR has the power to restrict the above if there are concerns about alcohol-related harms.

Licensees are reminded to ensure local planning requirements relating to their extended trading hours are met.

Grace period

You have a 30-minute grace period after closing time for visitors and patrons to finish the drinks they have already purchased.

Consumption and supply of alcohol

Area allowed for consumption

The service of alcohol to members and guests must be carried out within the red-line area on the plan of your licensed premises.

See: 'Licensed areas' (section 4 page 1) section of this resource kit for more information about red-line plans.

Who can be supplied alcohol?

A full club licence permits the supply of liquor during ordinary trading hours, or as specified on the licence, to:

- members
- guests of members
- authorised gaming visitors.

Note: An authorised gaming visitor must live more than 5km (metropolitan areas) or 10km (regional areas) from the licensed premises.

On and off premises consumption

The licence will set the conditions for the:

- consumption of liquor on the premises to members and guests
- supply of liquor for consumption off the premises by members only.

Consumption and supply of alcohol continued

Underage members

Many sporting clubs have junior teams that train and play games at the club. Clubs must submit an application to the VCGLR requesting permission to allow anyone under 18 years to participate in club activities.

Where permission is granted, the terms and conditions will be stated on your licence. This usually contains a time by which the under 18-year-olds must leave the premises and any other conditions that apply to permitting underage members in the club.

There are additional conditions placed on some club licences that relate to minors being on the club premises. However, the Act states that a person under 18 years may be on licensed premises if they are in the company of a responsible adult.

See: 'Managing underage patrons' (section 8 page 1) section of this resource kit for more information about underage members.

Responsible adult

A responsible adult is a person who is over the age of 18 years and who is:

- the younger person's parent, step-parent, guardian or grandparent
 - the younger person's spouse
or
 - a person who is acting in place of a parent and who could reasonably be expected to exercise responsible supervision of the younger person (for example, a sports coach).
-

Non-member functions

Your full club licence does **not** permit you to hold non-member functions at your club. Non-member functions can only be held on your club premises if you apply for an additional liquor licence.

For non-member functions, there are two options:

1. You supply the alcohol at the function under an additional limited licence (temporary or renewable).
2. The non-member function organisers supply their own alcohol at their function under their own limited licence. They would then just hire your club venue only.

Note: Members need to be aware of local council by-laws regarding the consumption of alcohol in a public place. It is advisable to check with your local council and display a sign advising patrons about any conditions governing the consumption of alcohol in public.

Sub-letting

A licensee must not let or sub-let any part of the licensed premises or assign the right to supply liquor without the consent of the VCGLR.

See: 'Further information' (section 12 page 1) section of this resource kit for more information about sub-letting.

Check your understanding 3 – full club licence

Checkpoint

The service of alcohol to members and guests must be carried out within the red-line area on the plan of your licensed premises.

See: ‘*Licensed areas*’ section of this resource kit for more information about red-line plans.

Questions

1. A member drinks one glass out of a bottle of wine they’ve purchased with their dinner in the club dining room. Can they take the bottle of wine home with them?

Yes No

2. A 21st birthday party has been booked by the friends of one of your club members in your club function room. They want you to provide full bar facilities for the party, including staff and alcohol.

Does your full club licence allow you to have this function in your club?

Yes No

Why / Why not?

3. You are a large club with a full club licence. Your clubrooms have been renovated to include a new function centre. You will be hosting conferences for organisations and private functions to non-members on a regular basis. Your full club licence does not permit you to serve alcohol at these functions.

What additional type of licence permits you to serve alcohol at these functions?

Renewable limited Temporary limited

Overview

Types of limited licences

A limited licence can be:

- renewable for an ongoing business in which the scale and scope of the supply of alcohol is limited
or
- temporary for one-off events or functions in which the scale and scope of the supply of liquor will be for a limited time.

This section provides more details on each of these licence types.

Duration

A temporary limited licence is only valid for the events/dates specified on the licence. A temporary limited licence cannot be renewed.

A renewable limited licence is generally valid for 12 months, unless it is issued to a seasonal sporting or recreational club, in which case it may only be valid for the sporting season, for example a football or netball club. A renewable limited licence can be renewed annually upon payment of the renewal fee.

Renewable limited licence

Introduction

A renewable limited licence is significantly limited in scope. This licence allows you to supply alcohol on an ongoing basis, where the scale and scope of the supply is limited, that is:

- how much is supplied
or
 - the time of the year that corresponds to a sporting season, for example a football or netball season.
-

Types of events

Clubs who already hold a liquor licence can apply for a renewable limited licence to allow them to trade at times other than those indicated on their licence, or hold events that their other liquor licence does not permit.

For example, you may want to:

- have an outside booth that is not within your red-line area selling alcohol to spectators on match days
- hold non-member functions and events, such as weddings in your club rooms where you supply the alcohol
- a small one-off event, such as a festival, fundraising event or function (there must be less than 5,000 people)
or
- a series of events for a limited time period.

Renewable limited licence continued

Small seasonal clubs with a renewable limited licence

If you are a small seasonal club, you may choose to only hold a renewable limited licence and not a full club or restricted club licence.

However, your licence will be restricted to:

- supply of alcohol to members and guests of members only
- the club rules abiding by Schedule 1 of the Act
- limited trading days during the week. For example:
 - two playing days per week
 - two practice days per week.

Conditions

There are many conditions that may be applied to a renewable limited licence and they are very specific to the type of club you operate.

Tip: Refer to your liquor licence for the conditions that apply to your club.

Underage members

Many sporting clubs have junior teams that train and play sporting games at the club. Clubs must submit an application to the VCGLR requesting permission to allow anyone under 18 years to be on licensed premises and participate in club activities.

Where permission is granted, the conditions will be stated on your licence. This usually contains a time by which underage patrons must leave the premises, and any other circumstances.

See: 'Managing underage patrons' (section 8 page 1) section of this resource kit for more information about underage members.

Record keeping

You are required to keep details of your members and guests:

- The **members' register** must contain the:
 - member's name
 - member's address
 - membership subscription details/number.

Note: Members are not required to sign in each time they use the club; the register is to show who the members are.

- The **guest register** is for recording details of members' guests. You need to record the:
 - guest's name and address
 - the member they are a guest of
 - the date they are visiting the club.

See: 'Record keeping' (section 5 page 1) section of this resource kit for more information about the registers your club needs to keep.

Renewable limited licence continued

Who is responsible for the registers?

The club secretary is responsible for ensuring these registers are:

- kept on the club premises
- available for inspection by an authorised person who may be from Victoria Police or the VCGLR.

See: 'Record keeping' (section 5 page 1) section of this resource kit for further information about the required records your club needs to keep.

Area where alcohol can be consumed

Under a renewable limited licence, you can serve alcohol to members and their guests for consumption on the club premises.

The service and consumption of alcohol must be carried out within the red-line area on the plan of your club.

Your licence does not allow you to sell alcohol to be taken off the club premises.

See: '*Licensed areas*' section of this resource kit for more information about red-line plans.

Temporary limited licence

Introduction

A temporary limited licence may be granted for one-off occasions or to allow the supply of liquor in conjunction with a special event. A temporary limited licence can also be used to enable the use of club facilities for non-member functions and outside 'booths' for spectators on match days.

Three dates or events can be put on one application. Eight weeks' notice is required for applications to be processed.

Area where alcohol can be consumed

Under a temporary limited licence, you can serve alcohol to members and their guests for consumption **on** the club premises.

The service and consumption of alcohol must be carried out within the red-line area on the plan of your club.

Your licence **does not** allow you to sell alcohol to be taken off the club premises.

See: 'Managing underage patrons' (section 8 page 1) section of this resource kit for more information about underage members.

Temporary limited licence conditions

Conditions

The table below outlines some of the conditions that **may** be applied to a temporary limited licence.

Tip: Find your liquor licence and check the conditions that apply using the table below and on the next page.

Condition	What this means
The licensed area is the area marked on the plan as approved by the VCGLR.	The red-line area on the plan is where alcohol can be served and consumed.
Any licensed area which is not an enclosed building must be enclosed by an immovable barrier.	For outside events, the barriers mark the area licensed to sell and consume alcohol.
Liquor may not be removed from the licensed area.	Members and guests are not permitted to take alcohol they have bought in the licensed area outside of this area.
Liquor supplied from public bars may only be served in plastic containers or opened cans.	No glass is permitted, only plastic containers and opened cans.
The licensee shall not serve more than four (4) containers of which a maximum of two (2) may be pre-mixed spirits, per customer, per time.	Any one member or guest at any one time can only be served a maximum of four drinks, two of which may be spirits.
The licensee shall not serve more than four (4) containers of liquor between 12noon and 6pm. per person, per time. The licensee shall not serve more than two (2) containers of liquor between 6pm and 8pm per person, per time. The licensee shall not serve more than one (1) container of liquor between 8pm and 10pm per person, per time.	Any one member or guest at any one time can only be served a maximum of four drinks, then two drinks, then only one drink during a certain timeframe, determined by the trading time on each individual licence.
All staff engaged in the serving of liquor in the licensed area shall have undertaken a 'Responsible Service of Alcohol' (RSA) course approved by the VCGLR.	All volunteers or members serving alcohol must have completed an approved RSA course. Evidence of this is a certificate signed by the club director or president.

Temporary limited licence conditions continued

Conditions (continued)

Condition	What this means
A copy of the limited licence must be displayed in the licensed area.	A copy of the licence must be displayed so members and guests can see it.
The licensee shall employ crowd controllers registered under the <i>Private Security Act 2004</i> at a ratio of two for the first hundred and one for every hundred thereafter. All bars will have present a security officer, registered under the <i>Private Security Act 2004</i> , and trained in RSA to ensure liquor is not provided in any way contrary to the Act.	Crowd controllers must be employed at a ratio of two for the first 100 patrons and then one for each 100 patrons over 101. All bars must have a registered security officer who has done the RSA course and act as an RSA monitor.
A director of the licensee company must be present for the entire event and wear identification showing he or she is the licensee.	At all times, a director or president of the licensed club must be in attendance throughout the duration of the event and able to be identified as the licensee.

Check your understanding 4 – limited licences

Checkpoint

It's time to check your understanding of what has been covered so far. Please complete the questions below and check your answers against the answers provided at the end of this section of the resource kit.

Questions

1. You are a bowls club with a restricted club licence operating all year round. You have a small kiosk at the end of the bowls lawns where you sell alcoholic and non-alcoholic drinks. The kiosk is not within the club's red-line plan.

Do you need a licence to sell alcohol from the kiosk?

Yes No

If yes, which one?

Renewable limited Temporary limited

2. As a club with a renewable limited licence, during a sporting event what are the restrictions when selling alcohol from a point of sale booth?

Part 5: Restricted club licence

About restricted club licences

Introduction

If you have applied for, or have been issued, a restricted club licence, then you are probably a sporting or recreational club run by volunteers, such as a cricket and/or football club or a community club.

A restricted club licence permits the supply of liquor to:

- members
 - guests of members.
-

Record keeping

You are required to keep details of your members and guests:

The **Members' register** must contain the:

- member's name
- member's address
- membership subscription details/number.

Note: Members are not required to sign in each time they use the club; the register is to show who the members are.

- The **Guest register** is for recording details of members' guests. You need to record the:
 - guest's name and address
 - the member they are a guest or guests of
 - the date on which they visited the club.

See: 'Record keeping' section of this resource kit for more information about the registers your club needs to keep.

Who is responsible for the registers

The club secretary is responsible for ensuring these registers are kept on the club premises and that they are available for inspection by Victoria Police or VCGLR inspectors.

Trading hours

Your trading hours will apply to the times your club is open. Trading hours for a restricted club licence will be specified on your licence. The hours may include:

- set days and times of the week
- specific areas of the club
- set periods of the year.

Examples:

- Thursday and Saturday between 5pm and 9.30pm
 - specified area: kitchen, bar and reception area
 - restricted to months of April to September.
-

About restricted club licences continued

Purchase of liquor

There is no longer any restriction on where holders of a restricted club licence may purchase their liquor.

Storage of liquor

Liquor can be stored away from the red-line area as long as the alcohol is not in public view and is not for sale or consumption.

Area where alcohol can be consumed

Under a restricted club licence, you can serve members and their guests alcohol for consumption **on** the club premises.

The service and consumption of alcohol must be carried out within the red line area on the plan of your club.

Your licence **does not** allow you to sell alcohol to be taken off the club premises.

If you want to be able to serve alcohol outside the red-line area, such as from a kiosk on football game days, then you will need to apply for an additional licence called a limited licence.

See: 'Licensed areas' section of this resource kit for more information about red-line plans.

Non-member functions

Your restricted club licence does not permit you to hold non-member functions at your club.

Non-member functions can only be held on your club premises if you apply for an additional limited licence.

Underage members

Many sporting clubs have junior teams that train and play sporting games at the club. Clubs must submit an application to the VCGLR requesting permission to allow anyone under 18 years to participate in club activities.

Where permission is granted, the terms and conditions will be stated on your licence. This usually contains a time by which underage patrons must leave the premises.

See: 'Managing underage patrons' section of this resource kit for more information about underage members.

Conditions – restricted club licence

Introduction

Restricted club licence conditions include:

- your trading hours
- approvals and consents primarily to allow persons under 18 years on club premises.

Licence conditions are monitored and enforceable by Victoria Police and VCGLR inspectors.

The amenity condition

What is amenity (see: section 3 Part 2 General Information)

Licence effective for a specified period

The following condition is placed on some club licences that are seasonal, that is, they are only open for a few months of the year, which is the case for most sporting clubs.

Condition	What this means
<p>Period of licence</p> <p>This licence will only have effect and continue in force during a specified period in each year.</p> <p>This licence will not be in force outside the period specified below during a period when the premises are the subject of a limited licence issued by the VCGLR.</p>	<p>The licence is in effect for a specified period only.</p> <p>The club must not sell or consume alcohol outside the specified period or when a limited licence is in effect.</p>

Conditions – restricted club licence continued

Approvals and consents

The approvals and consents placed on some club licences are to ensure that underage patrons are not on club premises other than for specific activities and when in the company of a responsible adult.

There are many different types of approvals and consents; however, three examples are outlined below:

Condition	What this means
The licensee has the approval of the VCGLR to allow the presence of underage persons on the licensed premises in connection with sporting activities only. This approval does not include social activities (but does include attendance at a presentation function).	Persons under 18 years may be on the premises for sporting activities and presentation functions only.
Persons under the age of 18 years are permitted on the licensed club premises other than in the company of a responsible adult in relation to preparation for and participation in sporting events during the trading hours specified.	Persons under 18 years may be on the premises for sporting events in the specified trading hours without being in the company of a responsible adult only when preparing for and participating in sporting events.
Unaccompanied minors are permitted to be on the licensed premises in connection with sporting activities (including a presentation function).	Persons under 18 years may be unaccompanied for sporting activities and presentation functions.

Check your understanding 5 – restricted club licence

Checkpoint

It's time to check your understanding of what has been covered so far. Please complete the questions below and check your answers against the answers provided at the back of this section.

Questions

1. Your club rooms are to be renovated and will now have a room that could be used to hold functions.

Does your restricted club licence permit you to hold non-member functions?

Yes No

Why? / Why not?

2. Some members, including the club secretary and president, are having an all-day Saturday working bee to do some maintenance at the football club in late March.

Your club holds a restricted club licence. The licence is in operation on Tuesdays and Saturdays from 5pm to 11pm from April to September.

They finish working around 5.30pm and have a BBQ for all those involved.

Some members have brought along beer and wine for the BBQ.

- a. Can they drink the alcohol without being in breach of the club licence?

Yes No

Why? / Why not?

- b. Can one of the members open the bar for those involved in the working bee?

Yes No

Part 6: BYO permit

Overview

Introduction

A BYO permit for clubs authorises the consumption, possession and control of liquor in a club that does not hold a liquor licence. It allows for members and guests to bring their own liquor and drink it on club premises.

Trading hours

There are no set trading hours for BYO permits, as club applicants specify the trading hours they desire when applying for a permit.

Clubs that hold BYO permits should refer to the 'Trading hours' section on their permit.

Where can alcohol be consumed?

The members and guests can only consume alcohol within the permit area. This area is also known as the red-line area and is clearly documented in the original plan that was approved with your permit.

See: 'Licensed areas' section of this resource kit for more information on red-line plans.

BYO permit obligations

Specific conditions in your permit

As well as the general obligations, there may be conditions listed on the permit that are directed specifically at the club. These conditions need to be complied with to avoid committing offences.

Administration and record keeping

The following obligations must be met in relation to administration and record keeping.

You must:

- keep a copy of the latest red-line plan that was submitted for approval to the VCGLR
 - notify the VCGLR in writing if anyone stops being a director or nominee within 14 days of the change
 - not let or sub-let any part of the premises without the consent of the VCGLR
 - advise the VCGLR of any changes to your associates within 14 days of the change.
-

Managing drunk and disorderly behaviour

You must not allow a drunken or disorderly person to be on your premises.

There is a difference between a person being intoxicated and being drunk. A person would typically be regarded as 'drunk' if they are intoxicated to the point where they have lost control of their faculties or behaviour. If they are drunk **or** disorderly you must not let them into your premises and if they're already there, you must remove them.

See: 'General obligations' (page 7) of this section.

BYO permit obligations continued

Managing underage members and guests

The following obligations must be met for underage members and guests:

- You must not allow people under 18 years into the permitted area, unless you have an underage approval from the VCGLR, or the younger person is:
 - with a responsible adult (see below)
 - having a meal
 - employed in duties other than the supply of liquor
 - engaged in a training program in hospitality or work experience.
- You must not allow people under 18 years to drink alcohol under any circumstances.
- You must not allow people under 18 years to be involved in the supply of alcohol.

See: 'Managing underage patrons' (section 8 page 1) section of this resource kit for more information about underage members.

Responsible adult

A responsible adult is defined as a person who is over 18 years of age and who is:

- the younger person's parent, step-parent, guardian or grandparent
 - the younger person's spouse
 - a person who is acting in place of a parent and who could reasonably be expected to exercise responsible supervision of the younger person.
-

Free drinking water

Clubs are required to make sure that suitable free drinking water is available to members and guests on the licensed premises where alcohol is consumed on-site.

The law does not specify how the water is to be provided. This is up to the club's discretion.

See: 'General obligations' (page 7) of this section.

Fire safety

Fire safety inspectors from the Metropolitan Fire Brigade or the Country Fire Authority have the power to enter BYO licensed premises, without notice, to inspect for serious fire threats.

If a serious fire threat is discovered, the fire safety inspector will advise the VCGLR, who has the power to immediately evacuate and close the licensed premises.

If this occurs, the premises cannot be re-opened until a fire safety inspector has declared it safe and the VCGLR has revoked the closure and evacuation order.

BYO permit obligations continued

Posters

The following obligations must be met in relation to signage:

- Your current permit must be displayed in an obvious place where anybody can read the conditions.
- The poster approved by the VCGLR that must be in an obvious position at the premises is are titled:
 - *Intoxicated? Drunk? Disorderly?*

You must replace your existing posters with the current one. The poster is available to download from vcglr.vic.gov.au. Printing guidelines apply. The VCGLR no longer automatically mail posters to licensees and permittees.

Inspections

The VCGLR or Victoria Police can inspect clubs that have a BYO permit. They ensure permit holders meet their obligations under the Act including any conditions listed on their permit.

They can issue:

- warnings
 - infringement notices (fines)
or
 - recommend disciplinary action for permittees who fail to comply with their obligations.
-

Check your understanding 6 – BYO permit

Checkpoint

It's time to check your understanding of what has been covered so far. Please complete the questions below and check your answers against the answers provided at the back of this section.

Questions

1. Your club holds a BYO permit. Where are members and guests allowed to consume the alcohol they bring?

2. Name the poster that must be displayed if your club holds a BYO permit.

Summary

Tips

- Placing signs near doorways advising members and guests of your house rules may help to prevent members or guests from drinking in a public place, such as a park.
 - Display your trading hours prominently in the area used for alcohol consumption, including information about the 30-minute grace period.
 - Display the sign-in requirements specified by your liquor licence in the same proximity as the sign-in register.
 - Display a sign which outlines the definition of a responsible adult near the sign-in register.
-

Additional resources

The following resources can be downloaded at vcglr.vic.gov.au.

- *Your obligations as a liquor licensee – full club licence holders*
- *Your obligations as a liquor licensee – renewable limited licence holders*
- *Your obligations as a liquor licensee – restricted club licence holders*

These resources contain extra information about the different types of liquor licences that are applicable to community clubs.

Check your understanding answers

1 – About liquor licences

1. What type of licence is appropriate for holding a one-off occasion at your club?

Temporary limited licence.

2. You can hold non-member functions if you have a restricted club licence.

False. Your club would need to be covered by either a restricted club licence or temporary limited licence.

3. Which licence type allows you to supply alcohol to your members for consumption off the premises?

Full club licence or a renewable limited licence for a booth.

2 – General information

1. Guests of members are allowed on licensed premises if they are accompanied by a member and the guest signs the guest register.

True.

2. What three pieces of information must the guests and gaming visitors register contain?

- a. date
- b. guest's name
- c. guest's address.

3. You have regular member functions with live music on Saturday nights. On occasions, the under 25s teams bring along guests who can get a bit rowdy when they leave the club.

a. What are the issues in this scenario?

- Noise – music and the group being louder due to alcohol.
- Alcohol-related violence.
- Traffic – there could be additional traffic when members and guests are leaving the club.
- Possibility of nuisance or vandalism to the local area.

b. What measures could you put in place to prevent these issues?

- Timely removal of rubbish.
- Place signs by the door asking patrons to leave quietly, or to be respectful of neighbours.

Check your understanding answers continued

3 – Full club licence

1. A member drinks one glass out of a bottle of wine they've purchased with their dinner in the club dining room. Can they take the bottle of wine home with them?

Yes, they may take liquor away from the premises during off-premises trading hours.

2. A 21st birthday party has been booked by the friends of one of your club members in your club function room. They want you to provide full bar facilities for the party, including staff and alcohol.

Does your full club licence allow you to have this function in your club?

No, it does not permit you to hold non-member functions.

However, you can hold this function and supply the alcohol if you apply for and are granted a temporary limited licence or a renewable limited licence.

3. You are a large club with a full club licence. Your clubrooms have been renovated to include a new function centre. You will be hosting conferences for organisations and private functions to non-members on a regular basis. Your full club licence does not permit you to serve alcohol at these functions.

What additional type of licence permits you to serve alcohol at these functions?

Renewable limited licence.

4 – Limited licence

1. You are a bowls club with a restricted club licence operating all year round. You have a small kiosk at the end of the bowls lawns where you sell alcoholic and non-alcoholic drinks. The kiosk is not within the club's red-line plan.

Do you need a licence to sell alcohol from the kiosk?

Yes, you do need a licence to sell alcohol from the kiosk, as it is outside your red-line plan.

- a. Renewable limited – if you trade all year round this is the best licence for you.
- b. Temporary limited – if you only trade for a few months of the year (limitations apply), this is the best licence for you.
2. As a club with a renewable limited licence, during a sporting event what are the restrictions when selling alcohol from a point-of-sale booth?
- four cans or plastic cups of light or heavy beer per person opened at the point of sale
 - two cans or plastic cups of spirit-based drinks per person opened at the point of sale.

Check your understanding answers continued

5 – Restricted club licence

1. **Your club rooms are to be renovated and will now have a room that could be used to hold functions.**

Does your restricted club licence permit you to hold non-member functions?

No, for non-member functions you will need to apply for a limited licence.

2. **Some members, including the club secretary and president, are having an all-day Saturday working bee to do some maintenance at the football club in late March.**

Your club holds a restricted club licence. The licence is in operation on Tuesdays and Saturdays from 5pm to 11pm from April to September.

They finish working around 5.30pm and have a BBQ for all those involved.

Some members have brought along beer and wine for the BBQ.

- a. **Can they drink the alcohol without being in breach of the club licence?**

Yes, as long as it is not within the club red-line area and local by-laws are met.

However, you can hold this function and supply the alcohol if you apply for and are granted a temporary limited licence or a renewable limited licence.

- b. **Can one of the members open the bar for those involved in the working bee?**

No, it is outside the licence times. It is March, and the licence is effective from April to September.

6 – BYO permit

1. **Your club holds a BYO permit. Where are members and guests allowed to consume the alcohol they bring?**

Members and guests may only consume the alcohol they bring within the red-line area for the club.

2. **Name the poster that must be displayed if your club holds a BYO permit.**

- *Intoxicated? Drunk? Disorderly?*

Checklist – our liquor licence

Checklist

Use the following checklist to assist you in remaining compliant with your liquor licence.

- Check that your liquor licence is current.
- Check that your liquor licence is displayed in a location that can be read by patrons of the club.
- Check that you understand your liquor licence.
- Check that your club's rules include the required conditions specified in Schedule 1 of the Act.

See: 'Schedule 1 sample form' (page 13) in this section of the resource kit.

- Check your local council by-laws for any conditions governing the consumption of alcohol in public.
- If your venue provides sexually explicit entertainment, check that you have informed the VCGLR in writing.
- Check that the patrons of your club know their responsibilities and the club's expectations regarding the amenity conditions on the club's liquor licence.

See: 'Amenity' (page 10) in this section.

- Check that your premises meet the fire safety requirements.

See: 'Property & Planning' section of the Victoria Online website at www.vic.gov.au for more information about building regulations in relation to fire safety requirements.

- Check that your staff are up to date with their RSA training and you have maintained records of when they last attended training (subject to licence conditions).

See: 'Record keeping' (section 5 page 1) section of this resource kit for more information about what you need to record.

- Check that you have the required member information recorded and a sign-in register for guests to the club.

See: 'Record keeping' (section 5 page 1) section of this resource kit for details regarding the type of information that needs to be recorded in the register.

- Check that you have the required signs displayed in the club premises:

- Intoxicated? Drunk? Disorderly?*

- Under 18? No supply*

See: 'Posters' (page 8) in this section for information about what posters you need to display based on your licence type.

- Check that you have free drinking water available to your patrons.

See: 'Free drinking water' (page 7) of this section.

- Check that your club provides food, either free or available to buy.

See: 'Other obligations' (page 8) of this section.