

SEPT 2018

Self-paced guide

BYO Permit for a Party Bus



Victorian Commission for
Gambling and Liquor Regulation



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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.

Topic 1 - Introduction

Introduction This is a self-paced training guide outlining what holding a BYO permit for party buses means.

Who should use this guide? Anyone who needs to know about a BYO permit for party buses and its conditions.

This may include:

- party bus operators
- party bus hosts

Learning outcomes Once you have completed this guide, you should be able to:

- define your responsibilities as a party bus operator
- identify possible breaches of a BYO permit for party buses

Topics The following topics are included in this guide:

- Introduction
- About a BYO permit for party buses
- Code of conduct for party buses

Topic 1 – Introduction (continued)

Before you begin

Make sure you are clear about the type of licence you have or have applied for.

Locate your licence or a copy of the application form you submitted to Victoria Commission for Gambling and Liquor Regulation (VCGLR).

How to use this guide

This guide is self-paced so you can work through it in your own time and at your own pace.

Icons you will see in this guide

The following icons have been used throughout this guide:



This is a tip – something you may find useful.



Each topic has a **Check your understanding**. It includes questions on the content covered and in some instances, uses a scenario and questions.



Once you have completed the **Check your understanding**, this icon directs you to the answers at the back of the guide.

Topic 2 - About a BYO permit for party buses

What this topic covers This topic looks at the obligations of a party bus operator.

Obligations of a party bus operator From **1 April 2010**, party bus operators are required to have a BYO permit to allow patrons to bring their own alcohol onto the party bus. Without this permit, party bus operators face heavy fines from Victoria Police or VCGLR inspectors.

Who needs a BYO permit for a party bus? If you:

- run a commercially operated party bus
- take pre-bookings from patrons for the bus
- allow passengers to bring alcohol onto the bus

You need a BYO permit if you:

- operate between 8pm and 5am (regardless of the time you pick up passengers)
- operate in a designated area, or take passengers to or from a designated area.

Note: If you sell alcohol to passengers, you need to apply for a liquor licence.

What is a designated area?

A designated area is the surrounding area of one or more licensed premises where there has been alcohol-related violence.

An area is declared a 'designated area' by the VCGLR at the request of the Chief Commissioner of Victoria Police.

Victoria Police monitor the designated area more heavily as a result of past events. The police can ban individuals who have caused trouble in the area; this prevents them from drinking in a venue within the designated area.

Topic 2 - About a BYO permit for party buses (continued)

Where are the designated areas?

Designated areas include:

- Ballarat Central Business District
- Bendigo
- City of Yarra (bounded by Fitzroy, Alexandra, Young and Moor Streets)
- City of Yarra (bounded by Gore, Alexandra, Wellington, Cambridge and Victoria Streets)
- Colac Central Business District
- Dandenong
- Docklands
- Footscray
- Frankston
- Geelong
- Knox City Shopping Centre
- Melbourne and the surrounding suburbs
- Mildura Central Business District
- Mornington Central Business District
- Shepparton
- South Yarra and Prahran
- St Kilda
- Sunshine
- Traralgon
- Warrnambool

Maps of the designated areas can be viewed on the VCGLR website.

vcglr.vic.gov.au/utility/community/government+initiatives/designated+areas/

Topic 2 - About a BYO permit for party buses (continued)

Where is alcohol permitted? The patrons of your party bus may bring alcohol onto the bus for consumption on the bus. They must not take the alcohol off the bus to drink in a public place or licensed venue.

You are not permitted to sell alcohol to patrons.

Party bus visiting more than one venue At the first venue, all alcohol on the bus must be put into the bus storage area until the end of the trip.

Check your understanding – About BYO permit for party buses



It is 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 guide.

Q.1

List the criteria for a BYO permit for party buses.

Q.2

Keeping a few bottles of beer or wine on the bus to sell to patrons is permitted.

True / False



Now check your answers on page 14.

Topic 3 – Party bus operator’s code of conduct

What this topic covers	<p>This topic looks at the code of conduct that applies to party bus operators holding a BYO permit.</p> <p>The code of conduct is <u>not</u> applicable for party bus operators who hold a liquor licence.</p>
What does it contain?	<p>The code of conduct outlines the responsibilities of both patrons and the bus operators and the offences, should there be a breach.</p> <p>As the bus operator, you have a responsibility to ensure patrons are aware of the type of behaviour that is not permitted, and the course of action you intend to take should they choose to behave in this way.</p>
The code of conduct	<p>Read a copy of the code of conduct (Appendix 1, page 17) and then answer the questions on the next page</p>

Check your understanding – Party bus operator’s code of conduct



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 guide.

Read the code of conduct and then answer the following questions:

Q.1 What must you do before visiting licensed premises?

Q.2 Jemma has made a booking for her sister Sarah’s 21st birthday. She has booked for a group of 30 people to visit licensed premises in Melbourne CBD and St Kilda.

The group have brought their own beer, wine and pre-mixed drinks to drink on the bus.

a) What must you give Jemma at the time of the booking?

b) What must you do as people get on the bus?

Check your understanding – Party bus operator’s code of conduct (continued)

- c) As the group come onto the bus, some of the girls in the party seem concerned about a man in the group. He has been at the pub for several hours and you hear other men in the group teasing him about vomiting so early in the evening.

What will you do?

- d) Once everyone is on the bus, and before you drive to the first venue, what must you explain to patrons?

Check your understanding – Party bus operator’s code of conduct (continued)

e) The first venue the patrons visit is a St Kilda bar.

When you arrive at the bar, the patrons haven’t finished the drinks that they brought with them. There are two bottles of wine, a bottle of champagne and a dozen cans of beer, all unopened.

What should you do with the alcohol?



Now check your answers on page 15.

Conclusion

Congratulations You have completed the limited licence self-paced guide. If you think further training would benefit you, go to vcglr.vic.gov.au and click **Liquor** from the menu bar.



For information on liquor licences, training, liquor licence application/variation forms and fact sheets, go to vcglr.vic.gov.au/home/resources/publications/liquor/ **Liquor Publications A – Z.**

Answers



Check your understanding – About BYO permit for party buses

Q.1

List the criteria for a BYO permit for party buses.

A.

- *run a commercially operated party bus*
- *take pre-bookings from patrons for the bus*
- *operate between 8pm and 5am (regardless of the time you pick up passengers)*
- *operate in a designated area, or take passengers to or from a designated area*
- *allow passengers to bring alcohol onto the bus.*

Q.2

Keeping a few bottles of beer or wine on the bus to sell to patrons is permitted.

A.

False



Check your understanding – Party bus operator's code of conduct

- Q.1** What must you do before visiting licensed premises?
- A.** *Notify the owners/managers of:*
- *The date and approximate time of arrival*
 - *The number of patrons who will be attending.*
- Q.2** Jemma has made a booking for her sister Sarah's 21st birthday. She has booked for a group of 30 people to go into Melbourne CBD and St Kilda.
- The group has brought their own beer, wine and pre-mixed drinks to drink on the bus.
- a)** What must you give Jemma at the time of the booking?
- A.** *Give her a copy of the Code of Conduct*
- b)** What must you do as people get on the bus?
- A.** *Check their proof of age documentation*
- c)** As the group come onto the bus, some of the girls in the party seem concerned about a man in the group. He has been at the pub for several hours and you hear other men in the group teasing him about vomiting so early in the evening.
- What will you do?
- A.**
- Have a conversation with the man to ascertain if he is slurring or unable to speak clearly due to too much alcohol.
 - Watch how he walks and interacts with others in the group.
 - If you feel he is showing signs of intoxication, explain that you are not permitted to allow him onto the bus.
- Note: If the pick-up point is not nearby the man's home or access to public transport, offer to ring a taxi to take him home.

Check your understanding – Party bus operator’s code of conduct (continued)

d) Once everyone is on the bus, and before you drive to the first venue, what must you explain to patrons?

- A.
- *Explain the behaviour that is not permitted on or disembarking from the bus. This includes:*
 - *distracting the driver*
 - *urinating in a public place*
 - *littering*
 - *vandalism*
 - *excessive noise*
 - *drugs*
 - *violence or aggression*
 - *indecent or offensive behaviour*
 - *taking alcohol off the bus.*

e) The first venue the patrons visit is a St Kilda bar.

When you arrive at the bar, the patrons have not finished the drinks that they brought with them. There are two bottles of wine, a bottle of champagne and a dozen cans of beer, all unopened.

What should you do with the alcohol?

- A. *Place the unopened bottles and cans in the storage area under the bus, and do not return them to patrons until the end of the trip.*

Note: If you are visiting licensed premises during the trip, you should explain to patrons at the beginning of the trip that any alcohol remaining at the first venue will be stored in the bus and returned to patrons at the end of the trip.

Appendix 1

FEBRUARY 2012



Victorian Commission for
Gambling and Liquor Regulation

Liquor Licensing Code of Conduct Party bus operators

This Code of Conduct outlines the minimum standards of behaviour that the Victorian Commission for Gambling and Liquor Regulation expects of party bus operators and patrons. Party bus operators may choose to include additional requirements that are appropriate to their own business.

This code applies only to party bus operators who hold a BYO permit. Party bus operators who hold a licence to supply alcohol on board must meet different requirements under the *Liquor Control Reform Act 1998*, and should adopt a Code of Conduct that complies with the conditions of their licence.

Responsibilities of patrons

Patrons boarding the bus:

- must produce proof of age documentation at the time of pick-up
- must not take alcohol off the bus during the course of the trip
- must not, at any stage while travelling on or disembarking from the bus:
 - behave in a manner likely to distract the driver of the bus
 - urinate in a public place—including a street, lane, alleyway or doorway
 - litter—including empty drink containers, food wrappings or cigarette butts
 - vandalise property, the bus, or another vehicle
 - make excessive noise
 - bring, consume or distribute illegal drugs
 - behave in a violent or aggressive manner
 - behave in an indecent or offensive manner
- must comply with a direction by a police officer or gambling and liquor inspector, including a direction to produce proof of age documentation.

Offences

Under the *Summary Offences Act 1966*, it is an offence to be drunk or drunk and disorderly in a public place.

In addition, the *Liquor Control Reform Act 1998* prohibits:

- underage drinking
- antisocial behaviour in and around licensed premises
- disturbance of the neighbourhood amenity
- refusing a direction by a police member or gambling and liquor inspector

Patrons who do not comply with the *Liquor Control Reform Act 1998* may be guilty of an offence and issued an infringement notice or be ordered by a court to pay a fine.

Responsibilities of the party bus operator

The operator of the party bus will promote the responsible behaviour of patrons, including the responsible consumption of alcohol. To meet this requirement, the operator will comply with the following:

- If visiting licensed premises during the trip, notify the owners beforehand of the date, approximate time and number of patrons who will be attending.
- Avoid entering into any agreements with licensed venues that encourage irresponsible consumption of alcohol.
- Display the BYO permit in a prominent place on the bus.
- Display the following signs, approved by the Victorian Commission for Gambling and Liquor Regulation, in a prominent place on the bus:
 - Unruly Behaviour
 - Fines for Supplying Alcohol to Minors.
- Provide the hirer with a copy of the Code of Conduct at the time of booking and make the code available on the website.
- Keep a copy of the Code of Conduct on the bus, and make a verbal announcement about patron responsibilities and prohibited behaviours at the commencement of the trip.
- Check each patron's proof of age documentation and refuse entry to minors unless accompanied by a parent, guardian, spouse or responsible adult.
- If stopping at one or more destinations during the trip, remove any alcohol still remaining at the first venue stop, place it in the storage area under the bus, and return it to patrons at the end of the trip.
- If stopping at licensed premises during the trip, inform staff members or crowd controllers about any patrons who appear to be intoxicated.
- Monitor the amount of alcohol consumed and attend to any patron who appears to be intoxicated by:
 - asking the patron to remain on the bus with a 'buddy' to sober up
 - arranging a taxi for the patron, if practicable.
- Take all reasonable steps to ensure that patrons do not cause a public nuisance—for example: littering, making excessive noise, congregating in a public place, or behaving in an offensive or indecent manner.
- Take all reasonable steps to ensure that pick-up and drop-off points provide easy access to public toilets and public transport (e.g. train, tram, bus or taxi).
- Take all reasonable steps to ensure that patrons do not take alcohol off the bus during the trip.
- Familiarise yourself with the local laws operating in the areas in which you will be travelling.
- Allow a police officer or gambling and liquor inspector on board to carry out their functions under the *Liquor Control Reform Act 1998*.

Offences

The *Liquor Control Reform Act 1998* prohibits behaviour including:

- allowing patrons to bring or consume alcohol on the bus in a designated area between 8pm and 5am without a BYO permit
- permitting underage drinking
- refusing a direction by a police officer or gambling and liquor inspector.

A party bus operator who does not comply with the *Liquor Control Reform Act 1998* may be charged or issued with an infringement notice.

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