

SEPT 2018

Self-paced guide

Full Club licence



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 full club licence means for you
 - the conditions and approvals on full club licences
 - the requirements under Schedule 1 of the *Liquor Control Reform Act 1998*
- Who should use this guide?** Anyone who needs to know about a full club licence and its conditions.
- This may include:
- new licensees or nominees
 - existing licensees who don't feel they know enough about their licence and its conditions
 - club committee members
 - managers or supervisors at a club with a full club licence.
- Learning outcomes** By the time you have completed this guide, you should be able to:
- identify when and where you are permitted to supply alcohol to members, guests and visitors
 - identify strategies to deal with any amenity issues
 - identify breaches to full club licences
- Topics** The following topics are in this guide:
- Introduction
 - About a full club licence
 - Full club licence conditions

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 the Victorian 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've completed the **Check your understanding**, this icon directs you to the answers at the back of the guide.

Topic 2 - About a full club licence

What this topic covers	This topic looks at the types of clubs that hold a full club licence , who may consume alcohol in your club and where they may consume alcohol.
What type of club has a full club licence?	<p>If you have applied for or have been issued a full club licence, then you are the licensee or nominee at a large-scale sporting or other club such as:</p> <ul style="list-style-type: none">• an RSL club• an AFL club• a club with gaming machines. <p>A full club licence is for clubs that operate on a commercial level, employing permanent staff and that offer a range of services for members, such as, gaming, dining facilities or a gymnasium.</p> <p>Note: If your club is used primarily by people under 18 years old, then you cannot be licensed. This includes premises that are used primarily by junior sporting clubs.</p> <p>A club licence is subject to:</p> <ul style="list-style-type: none">• the rules of the club complying with Schedule 1 of the <i>Liquor Control Reform Act 1998</i>• a condition that registers be kept (see page 6)• sufficient records are kept to explain the financial situation of the club.• a condition the club comply with the planning scheme.• any other condition set down by the VCGLR
Who can you serve alcohol to?	<p>You may serve alcohol to:</p> <ul style="list-style-type: none">• your club members• guests of your members• authorised gaming visitors (An authorised gaming visitor must live more than 5 km (metropolitan areas) or 10 km (regional areas) from the licensed premises).

Topic 2 - About a full club licence (continued)

Where can alcohol be served and consumed?

Under a **full club licence**, you can serve **members** alcohol for consumption **on** and **off** the club premises.

Guests may only be served alcohol for consumption **on** the club premises.

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

Minors are not allowed to drink liquor on licensed premises under any circumstances

Topic 2 - About a full club licence (continued)

On-premises

Alcohol that is to be consumed **on your premises** must be served and consumed by your members, their guests and authorised gaming visitors within the red-line area.

Off-premises

Only **club members** can be served alcohol for **off-premises** consumption.

Alcohol that is served to club members for off-premises consumption may be supplied in sealed containers, such as stubbies, wine or spirits and taken and consumed anywhere off the club premises.

Members can therefore buy alcohol at the club and take it to any area outside your clubrooms such as a sporting event in your grounds.

They may also, for example, take stubbies to the park down the road to watch a game of football or cricket. However, drinking in public places should be discouraged via club house rules.

Local council

The local council may have a local law that prohibits people drinking in public places.

It is advisable to check with your local council to find out what the council local law is, and if applicable, display a sign advising patrons that they may be fined by council if they are found drinking in a public place other than at the tables and chairs provided by you.



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.

Topic 2 - About a full club licence (continued)

What is your red-line plan?

The red-line plan is the plan submitted with your club's original application for its liquor licence.

This plan is important as it shows where alcohol can be:

- supplied to members for on and off-premises consumption
- consumed by members, guest and visitors whilst on the club premises.

The red-line plan is important too if you intend to do renovations to your club. You may need to submit a new plan to the VCGLR for their consideration prior to making the proposed changes.

If you get a visit from Victoria Police or the VCGLR Inspector, they will likely have a copy of your plan and may check that you are operating within the red-line area.

It is an obligation under the *Liquor Control Reform Act 1998* that you not only keep a copy on your premises, but that you produce it if requested to by the police or a VCGLR Inspector.

Club committee

Clubs are required to have a management committee responsible for club affairs. The committee needs to meet periodically and have minutes of the meetings.

Schedule 1 (see Appendix 1) of the *Liquor Control Reform Act 1998* outlines this in more detail.

Members, guests and gaming visitors registers

Clubs must keep a register with the details of their members, guests and gaming visitors.

Members' register must contain the name and address of each member and their membership subscription. Members are not required to sign in each time they use the club; the register is to show who the members are.

Gaming visitors' register for clubs with a venue operator's licence, must keep a register of its gaming visitors' names and addresses and the date they visited the premises.

Gaming visitors should produce identification before being admitted to the licensed premises and carry it with them at all times whilst on the licensed premises.

Topic 2 - About a full club licence (continued)

Guest register for member's guests. A simple register with the guest's names and addresses, the member they are guests of, and the date they are visiting the club will be adequate.

The Club Secretary is responsible for ensuring these registers are kept on the club premises and that they are available for inspection by an authorised person who may be from Victoria Police or the VCGLR.

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 under-18-year-olds in the club.

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**.
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 for the venue only.

What is a limited licence?

A limited licence is just that, limited in what it allows you to do.

There are two types of limited licences:

- **Temporary**: for one-off events/functions or a limited season
or
- **Renewable**: for regular events/functions outside your full club licence over a 12-month period.

See also: *Self-paced Guide for a limited licence*

Topic 2 - About a full club licence (continued)

Sub-letting	A licensee must not let or sublet any part of the licensed premises or assign the right to supply liquor without the consent of the VCGLR.
Control of the business of the supply of liquor	A licensee must not permit any person who is not employed by the licensee to carry on a business of supplying liquor on the licensed premises.

Check your understanding – About a full club licence



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.

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

Yes / No

Q.2 Your on and off-premises trading hours today finish at 11pm. At 10.55pm a guest of one of your members orders a six-pack of beer. Will you serve them?

Yes / No

Why?

Q.3 The regular guest of a club member can use the club without the member on occasions.

True / False

Q.4 What three pieces of information must the guests and gaming visitors' register contain?

1. _____
2. _____
3. _____

Check your understanding – About a full club licence (continued)

Q.5 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?

Use the red-line plan on the page 11 to answer the following questions:

Q.6 A member can take alcohol into the grandstand or out onto the club grounds?

True / False

Q.7 A non-member can take alcohol into the grandstand?

True / False

Q.8 Anyone using the club may take alcohol from the dining area into the Star Bar.

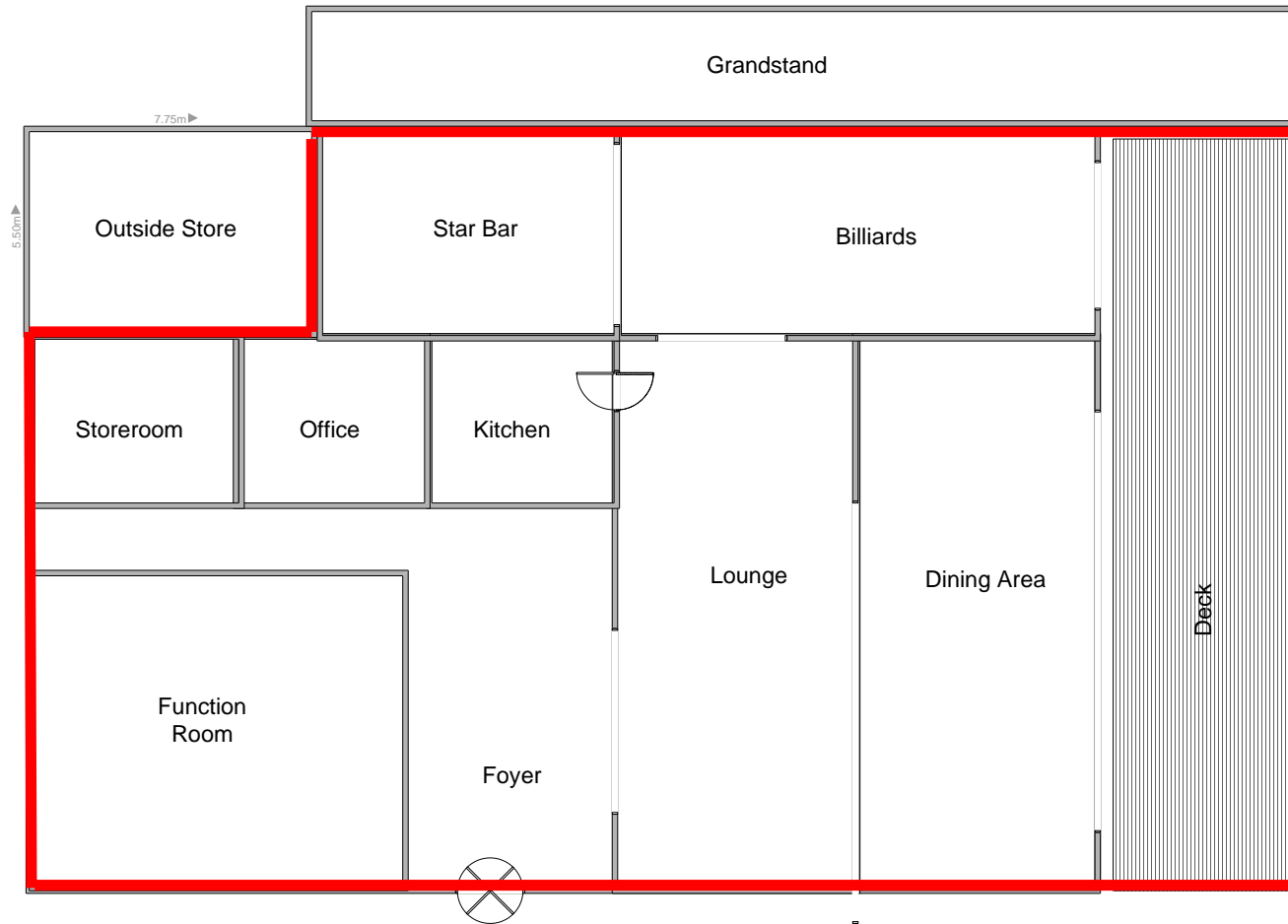
True / False



Now check your answers on page 21.

Sample red-line plan

The Club Club



Topic 3 – Full club licence conditions

What this topic covers This topic looks at the conditions that are applied to a full club licence.

What are licence conditions? They are the conditions that reflect what you must abide by in your licensed premises. Licence conditions are monitored and enforceable by Victoria Police and VCGLR inspectors.

Full club licence conditions include:

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

Ordinary trading hours Unless you request otherwise, your licence will have ordinary trading hours applied to it.

Ordinary trading hours for a full club licence are:

- Monday to Saturday: Any time
- Sunday: 10am to 11pm
- Anzac Day and Good Friday: 12 noon to 11pm
- New Year's Eve extended ordinary trading hours from 11.00pm on 31 December to 1.00am on 1 January (for the supply of liquor to a member of the club, an authorised gaming visitor, or a guest or a member for consumption on the licensed premises).

The VCGLR still has the power to restrict the above extended trading hours if there are concerns about alcohol-related harm and all licensees are reminded that local planning requirements still need to be met.

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

Remember, you have a 30-minute grace period after closing time for patrons to finish the drinks they have already purchased.

Topic 3 – Full club licence conditions (continued)

What is amenity?

All full club licences have the amenity condition on their licence.

Amenity is the affect that your venue and its patrons may have on the surrounding area.

The Liquor Control Reform Act 1998 defines amenity as:

‘The quality that the area has of being pleasant and agreeable.’

Amenity includes:

- **Parking facilities**

Do you have a car park? Do patrons park in nearby residential streets?

- **Traffic movement and density**

Is there a lot of traffic in the surrounding area from patrons coming and going to your venue?

- **Noise levels**

What measures do you have in place to minimise noise from your venue if you have amplified music, or from patrons leaving your venue?

- **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 affect does your venue have on the local community and neighbouring businesses/residents?

Topic 3 – Full club licence conditions (continued)

Amenity condition

The amenity condition on your licence and what it means is outlined below:

Condition	What this means
<p>The licensee shall not cause or permit undue detriment to the amenity of the area to arise out of, or in connection with the use of the premises to which the licence relates during or immediately after the trading hours authorised by this licence.</p> <p>The licensee shall ensure that the level of noise emitted from the licensed premises shall not exceed the permissible noise levels for entertainment noise as specified in the State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2.</p>	<p>You are responsible for what happens in and around your venue. This includes the time that you are open for business and when customers are leaving your venue.</p> <p>This condition relates to the Environment Protection Authority (EPA).</p> <p>For further information go to www.epa.vic.gov.au/noise and then click Entertainment venue noise.</p>

Topic 3 – Full club licence conditions (continued)

Responsible adult

There are additional conditions placed on some club licences that relate to minors (under 18 years) being on the club premises. However, the *Liquor Control Reform Act 1998* states that a person under 18 years may be on a licensed premises if they are in the company of a 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, or
- the younger person's spouse (over the age of 18 years), 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 (e.g. a sports coach).

Approvals and consents

The approvals and consents placed on some club licences are to ensure that minors 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. 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 above.	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.

Topic 3 – Full club licence conditions (continued)

Approvals and consents, continued

Condition	What this means
<p>Persons under the age of 18 years are permitted on the licensed premises, except for areas prohibited by the <i>Gaming Machine Control Act 1992</i>, (if any), between the hours of 7am and 11pm for purposes connected to club events or activities provided the minor is in the company of a member of the club being of the age of 18 years or over.</p>	<p>Persons under 18 years may be on the premises between the hours of 7am and 11pm for club events as long as they are in the company of a club member who is over 18 years. This excludes any gaming areas.</p>
<p>Unaccompanied minors are permitted to be on the licensed premises in connection with sporting activities (including a presentation function, live music and mixed age events (alcohol-free events)).</p>	<p>Persons under 18 years may be unaccompanied for sporting activities, and presentation functions, live music and mixed age events (alcohol-free events)).</p>

Check your understanding – Full club licence conditions



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

It is 1pm on Saturday afternoon at the local RSL. They have ordinary trading hours.

A member orders a bottle of wine for himself and two guests. He intends to take the wine to where they are working nearby as they are almost finished and they have ordered a picnic lunch from the bar.

Is there a breach of the licence?

Yes / No

Why?

Q.2

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?

Check your understanding – Full club licence conditions (continued)

Q.3 What measures could you put in place to prevent any amenity issues?

Q.4 You have a full club licence with no additional approvals or consents.

Jan and Stan attend a member function on a Saturday evening and bring Joey their 17-year-old son and Margy their 19-year-old daughter.

Is the club in breach of their licence?

Yes / No

Q.5 Your club has a condition on its licence that allows persons under 18 years on the premises for training to play sporting games and on presentation nights.

What strategies could you put in place to ensure that under 18 year olds are not served alcohol or given alcohol by other members?



Now check your answers on page 23.

Conclusion

Congratulations You've completed the full club licence self-paced guide.



If you think further training would benefit you, go to vcqlr.vic.gov.au/home/liquor/

and click **Education and Training** from the menu bar.

For information on liquor licenses, training, liquor licence application/variation forms and fact sheets, go to vcqlr.vic.gov.au/home/liquor/.

Answers



Check your understanding – About a full club licence

- Q.1** A member drinks one glass out of a bottle of wine they have purchased with their dinner in the club room.
Can they take the bottle of wine home with them?
- A.** *Yes, they may take liquor off the premises during off-premises trading hours.*
- Q.2** Your on and off-premises trading hours today finish at 11pm.
At 10.55pm a guest of one of your members orders a six-pack of beer.
Will you serve them?
- A.** *You are not allowed to sell liquor for off-premises consumption to non-members.*
- Q.3** The regular guest of a club member can use the club without the member on occasions.
- A.** *False*
- Q.4** What three pieces of information must the guests' and gaming visitors' registers contain?
- A.**
- *Name*
 - *Address*
 - *Date of visit*

Continued on next page...

Check your understanding – About a full club licence (continued)

Q.5 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?

A. *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.*

Q.6 A member can take alcohol into the grandstand or out onto the club grounds?

A. *True*

Q.7 A non-member can take alcohol into the grandstand?

A. *False*

Q.8 Anyone using the club may take alcohol from the dining area into the Star Bar?

A. *True*



Check your understanding – Full club licence conditions

Q1

It is 1pm on Saturday afternoon at the local yacht club. It has ordinary trading hours.

A member orders a bottle of wine for himself and two guests who are helping him with some work on his yacht. He intends to take the wine to where they are working in the marina as they are almost finished and they have ordered a picnic lunch from the bar.

Is there a breach of the licence?

Yes / No

Why?

A.

There is no breach; you can sell packaged liquor for consumption off the premises to a member.

Q.2

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.

What are the issues in this scenario?

A.

- *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.*

Q.3

What measures could you put in place to prevent any amenity issues?

A.

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

Check your understanding – Full club licence conditions (continued)

Q.4 You have the standard amenity condition on your licence with no approvals or consents.

Jan and Stan attend a member function on a Saturday evening and bring Joey their 17-year-old son and Margy their 19-year-old daughter.

Is the club in breach of their licence?

A. *No, Joey is in the company of a responsible adult.*

Q.5 Your club has a condition on its licence that allows persons under 18 years on the premises for training, to play games and on presentation nights.

What strategies could you put in place to ensure that under 18 - year-olds are not served alcohol or given alcohol by other members?

- *Signs at the bar*
- *Ensure staff are RSA trained and know to ask for ID.*
- *Provide information on liquor licensing that members can read about not giving alcohol to under 18s*
- *Information sessions for members*

Appendix 1 – Schedule 1

To download Schedule 1, visit the VCGLR website at vcglr.vic.gov.au

Club licence Schedule 1 <i>of the Liquor Control Reform Act 1998</i>	OFFICE USE ONLY		06/15
	Date Rec'd	/	/
	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 cent 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.

