



Policy

Extended Trading Permits - Sale and Supply of Liquor to Non-Members at Club and Club Restricted Licensed Premises

Disclaimer

This Policy Guideline is designed to provide information in regard to the subject matter covered, and with the understanding that the Director of Liquor Licensing is not passing legal opinion or interpretation or other professional advice. The information is provided on the understanding that all persons undertake responsibility for assessing the relevance and accuracy of its contents.

Introduction

This document provides guidance on the legislative requirements relating to extended trading permits for non-member functions and the circumstances that the licensing authority may have regard to when considering applications for these permits. Licensees should also refer to the policy on Extended Trading Permits for One-Off Events or Functions in conjunction with Information Bulletin No. 14.

Pursuant to section 60 of the *Liquor Control Act 1988*, on application by the licensee, the licensing authority may grant an extended trading permit authorising the licensee to sell and supply liquor under the licence, according to the tenor of a permit, in circumstances to which that licence would not otherwise apply.

Section 60(4)(cb) specifically identifies that one of the purposes for which a permit may be granted is to authorise the sale and supply of liquor by club and club restricted licences, to persons who are not members (or genuine guests of a member) of the club for a special occasion or function. For example, an open day, or function such as a wedding reception held by a non-member.

As this type of extended trading permit allows clubs to sell and supply liquor to the general public, the function or event to be held must not conflict with the rules of the club's constitution as approved by the Director of Liquor Licensing.

Generally speaking, a club will be able to apply for up to 12 permits to sell and supply liquor to non-members in any 12-month period. Approval of these 12 events can be sought in advance in one application. However, where a club makes more applications within a 12-month period, the onus will be on the club to demonstrate that the grant of the additional permit(s) will be in the public interest.

Lodging an Application

An application for an extended trading permit under section 60(4)(cb) will be required to meet the following criteria –

1. Applications must be submitted well in advance of the proposed function date. Regulation 14AC of the *Liquor Control Regulations 1989* identifies the minimum lodgement periods.
2. A request to trade outside the permitted hours or the area of the licensed premises will require consent of the premises owner and local council.
3. Payment of the prescribed application fee as outlined in Schedule 3 of the *Liquor Control Regulations 1989*.
4. Lodgement of a Form 7A *Notice of Application for Extended Trading Permit for Non-Members*.

5. Applications for 'non-members permits' in excess of 12 permits in a 12-month period must be accompanied by written submissions demonstrating why the grant of further permits is in the public interest.

DIRECTOR OF LIQUOR LICENSING