



This Information Bulletin briefly explains some of the requirements when applying for a restaurant liquor licence as per the *Liquor Control Act 1988* (the Act). This is meant to be read in conjunction with Bulletin 'New Licence Applications' available from DRGL or www.rgl.wa.gov.au.

WHAT IS A RESTAURANT LICENCE?

A restaurant licence under section 50 of the Act, authorises the sale and supply of liquor to persons on the licensed premises for consumption with a meal supplied by the licensee.

In essence, the business should be focused on the regular supply of genuine meals. The supply of liquor should be secondary to this.

The premises must have a kitchen for preparing food. It must also have sufficient toilet facilities for patrons and staff. In addition, the dining area must always be set up with tables and chairs for dining.

The licensing authority may impose certain conditions on the grant of a restaurant licence to ensure the nature of the business conducted under the licence conforms with representations made to the licensing authority when applying for the grant of the licence or other proceedings under the Act.

Licensees need to be careful when advertising the business to ensure that liquor is not used as an attraction to the premises.

RESTAURANT TRADING HOURS

Generally, a licensee is authorised by a restaurant licence to trade at any time ancillary to a *meal, except on Anzac Day when the sale, supply and consumption of liquor cannot occur between 3am and midday.

*A 'meal' is defined under the Act as '..... food that –

- is eaten by a person sitting at a table, or fixed structure used as a table, with ^cutlery provided for the purpose of eating the food;
- is of sufficient substance as to be ordinarily accepted as a meal; and
- is taken to comprise of such courses as would ordinarily be accepted as forming part of a meal.'

^Cutlery also includes eating utensils such as chopsticks.

PURCHASED LIQUOR FOR CONSUMPTION ANCILLARY TO A MEAL

A person may bring their own liquor onto licensed premises (with the consent of the licensee), to consume it with a meal provided by the licensee. A person may also remove any unconsumed portion of that liquor from the licensed premises when they leave, regardless of whether they purchased the liquor on the premises or brought the liquor with them (**s 110**).

Disclaimer

This Bulletin is designed to provide authoritative information in regard to the subject matter covered, and with the understanding that the Director 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.



Please ensure that all documentation is provided with your application to avoid delays. To assist with this please complete the checklist below and submit with your application. Applications may be returned to the applicant or their solicitor/consultant if the application is incomplete.

Please note that during the processing of the application, applicants may be required to have their fingerprints taken at their nearest Police Station in order to fulfil probity requirements.

All Director's Policies, Information Bulletins and Application Packs referred to in the checklist are available from DRGL or at www.rgl.wa.gov.au.

DOCUMENTATION TO BE LODGED - MINIMUM REQUIREMENTS

This checklist is to be completed and submitted with your application. Please tick boxes to show item lodged with application and sign and date at the bottom.

- Completed **Form 2** – Notice of Application
- Completed **Form 20** – Further applicant/premises details
- Prescribed **Application Fee** (refer to '*Fee Schedule for Liquor Activities*')
- Completed **Personal Particulars** form (LLD/5 or LLD/5A) for each person involved – in the case of a limited company each director, and in the case of a proprietary limited company each director and shareholder
- Public Interest Assessment** (PIA) submissions (refer to Director's Policy '*Public Interest Assessment*' and the [PIA Form 2A](#))
- Plans and specifications** of licensed premises (refer to Information Bulletin 25 '*Plans and Specifications*' and Director's Policy '*Standards of Licensed Premises*')
- Section 39 Certificate** – Certificate of Local Government to be completed by the Local Government. This certificate is not required to be lodged at the same time as the application if the applicant is seeking the conditional grant of a licence. The certificate, however, must be lodged prior to the issue of the licence.
- Section 40 Certificate/Development Approval** – Certificate of Local Planning Authority to be completed by the Local Government or Development Approval specifying the type of liquor licence sought and all conditions. The certificate or development approval is not required to be lodged at the same time as the application, however, the application cannot be determined until the certificate or development approval has been provided, unless the licensing authority otherwise determines.
- Certificate of Title**, including sketch of the land
- Evidence of tenure** – where the applicant is not the freehold owner of the premises. This document must give the applicant exclusive right to occupy the premises (pro forma evidence of tenure document available in the application kit).
- Training Certificate** – Management of Licensed Premises (refer to Director's Policy '*Mandatory Training*')

Continued over....



- Harm Minimisation** – House Policy, Code of Conduct and management Plan (refer to Director’s Policy ‘*Harm Minimisation*’)

OTHER DOCUMENTS THAT MAY BE REQUIRED

- Trust Schedule** – a copy is required where the applicant is a trustee for a trust. The Schedule must detail each primary or specified beneficiary and/or unit holder. In the case of a company this information is also required in respect of the directors and shareholders if they are trustees in their own right
- Where any of the people involved hold office or are employed in the Public Service of the State or Commonwealth or in any agency or instrumentality of the Crown, a letter from the Department which employs that person stating that they have no objection to the person being involved with a licensed premises
- Where any of the people involved has been previously bankrupt and the bankruptcy has been discharged, a letter evidencing the discharge of the bankruptcy must be lodged.
- Form 120** – if applicant is seeking to apply for Liquor without a Meal Permit restricted to 120 persons or less (refer to Application Pack ‘*Extended Trading Permit – Liquor without a meal (Restaurant restricted to 120 persons or less)*’)
- Form 6** – if application is seeking to apply for an Alfresco Dining Permit (refer to Application Pack ‘*Extended Trading Permit – Alfresco*’)
- A menu showing the typical meals supplied by the applicant
- If the applicant is a corporation a company extract showing all current directors may be required (this can be obtained from the Australian Securities and Investments Commission)

I confirm that the required documentation accompanying this application is attached.

Applicant/agent signature and date



This Information Bulletin briefly explains some of the requirements when applying for a liquor licence as per the *Liquor Control Act 1988* (the Act). For information regarding applications for an Occasional Liquor Licence refer to 'Occasional Lodgement Guide' available from Department Racing, Gaming and Liquor (DRGL) or at www.rgl.wa.gov.au.

When a licence is granted, it is granted to a specified entity (the licensee). The licence allows only the licensee to sell liquor and from a specified place (the licensed premises).

If the licensee wishes to sell the licence to another entity then the applicant who wishes to purchase or be assigned the licence must apply to the Department to take over the licence (transfer of licence application). It is important to note that settlement cannot take place until prior approval has been given by the licensing authority. For information regarding applications to transfer a liquor licence, please refer to the application kit on the Department's website.

Approval can also be given by the licensing authority for the licensee to operate the licence at a place other than the licensed premises (removal of licence). For further information regarding applications for the removal of a liquor licence, please refer to the application kit on the Department's website.

WHO MAY APPLY FOR THE GRANT OF A LICENCE

Section 35 of the Act sets out who can make an application for a liquor licence. An application can be made by -

- an individual person;
- a company;
- an association; or
- two or more of the above, jointly.

In respect of an application by a company, any person who will occupy a position of authority as a **director** or **shareholder** in any shareholding company with an interest in the business under the licence is required to be approved and their name(s) must be stated on the application.

Important Information

Section 34 of the Act sets out that applications **cannot** be granted if the applicant is –

- bankrupt or has assigned his/her estate for the benefit of his/her creditors;
- incapable of managing his/her affairs because of a mental disorder;
- under sentence of imprisonment;
- under receivership or official management, or is in liquidation (companies only);
- disqualified from holding a licence, or holds a licence which has been suspended, as a result of previous disciplinary proceedings;
- a juvenile (i.e. less than 18 years of age); and
- a Commonwealth or State public servant (including employees of Crown instrumentalities), unless the licensing authority is satisfied that there is no conflict of interest between the applicant's employment and the operation of the licence.

SECTION 46 LICENCES

Section 46 of the Act provides for the grant of a special facility licence for a prescribed purpose. The Act further provides that a special facility licence should not be granted if granting or varying a licence of another class, or imposing, varying or cancelling a condition on a licence of another class, or issuing an extended trading permit in respect of another class of licence, would achieve the purposes for which the special facility licence is sought.

The licensing authority may substitute an alternative type of licence where an applicant seeks the grant of a special facility licence, but in the view of the licensing authority a licence of another class would be adequate for the purpose. Furthermore, an existing special facility licence cannot be varied to such an extent that a licence of another class, with or without permits, would achieve the same purpose. Accordingly, the licensing authority may convert an existing special facility licence to a licence of another class.

For further information regarding special facility licences please refer to the application kit available from DRGL or www.rgl.wa.gov.au.



PLANS AND SPECIFICATIONS

Plans of the proposed premises are required to be lodged with the application in order for the licensing authority to define the area in which the sale, supply and in some cases, the consumption of liquor will occur if the licence is granted (**section 66**). Please refer to Bulletin 'Plans and Specifications' available from DRGL or www.rgl.wa.gov.au.

PUBLIC INTEREST ASSESSMENT

In the case of an application for the grant of a licence, the applicant will be required to demonstrate that the application is in the public interest, having regard to the likely health and social impacts on the community and sub-groups within the community.

The public interest assessment will require the applicant to satisfy the licensing authority that it is in the public interest for the application to be granted. For more details on the public interest assessment, refer to Director's Policy and the [Public Interest Form](#).

ADVERTISING

In respect of applications for the grant of a licence (other than an occasional licence), the applicant may be required to:

1. Undertake a letter drop to residents and businesses within a 200 metre radius of the proposed premises, giving notice of the application and the intended manner of trade (a template notice will be provided by the Department). This notice must be delivered on the first day of the advertising period and must clearly identify the last date by which objections may be lodged with the licensing authority.

In the case of hotels, taverns, small bars, nightclubs, liquor stores and some special facility licences the advertising period is 28 days.

For applications relating to restaurants, clubs, producers, wholesalers and some special facility licences (such as a bed and breakfast facility), a 14 day advertising period (or such other period as determined by the licensing authority) will apply.

2. Serve notice of the application and intended manner of trade on all: schools and educational institutions; hospitals; hospices; aged care facilities; any drug and alcohol treatment centres; any short term accommodation or refuges for young people; child care centres; churches; any local government authority and any local police stations, which may be situated in the specified locality of the proposed premises; and any other such places at the Director's discretion (a template notice will be provided by the Department). This notice must be served on the first day of the advertising period, clearly identifying the last date by which objections may be lodged with the licensing authority and specifying an address, within the locality, at which the applicant's PIA submissions may be inspected by interested persons.
3.
 - a) Applications in respect of hotels, taverns, small bars, nightclubs, liquor stores and some special facility licences are to be advertised in *The West Australian* newspaper and on the site of the premises for a 28 day period (forms will be provided by the Department).
 - b) Applications in respect of restaurants, clubs, producers, wholesalers and some special facility licences are to be advertised on the site of the premises for a 14 day period or such other period as determined by the licensing authority (forms will be provided by the Department).
4. Make a copy of the PIA submission available for public inspection at the address that has been identified in the letter drop and notice served to the parties in point 2 and 3 above. In addition, the licensing authority will make available on its website for the duration of the advertising period the applicant's PIA. PIAs are accessible at advertised apps on www.rgl.wa.gov.au.
5. Lodge a copy of the House Management Policy, Code of Conduct, and Management Plan, with the application



(for further information on these documents, refer to the Director's policy on Harm Minimisation.)

6. Provide a written declaration that these requirements have been met and that all information contained in the PIA submission is accurate and valid at the date of application.

MANDATORY TRAINING REQUIREMENTS

Prior to the grant of an application for a liquor licence, all new applicants must undertake an examination or complete an approved course of instruction in managing licensed premises and in the responsible service of alcohol (i.e. Course in Management of Licensed Premises).

In addition, within four (4) weeks of commencing employment at the premises, or as otherwise determined by the licensing authority, any person who will be engaged in the sale, supply or service of liquor on proposed licensed premises will be required to successfully complete the nationally accredited Responsible Service of Alcohol unit of competency. In order to demonstrate compliance with the training of staff, licensees will be required to maintain a register detailing each staff member's name and date of training, and retain a copy of the relevant training certificate(s). For more details on the training requirements, refer to policy guideline 'Mandatory Training' available from DRGL or www.rgl.wa.gov.au.

SUPERVISION AND MANAGEMENT

Section 100 of the Act requires that an approved manager must, unless the Director of Liquor Licensing determines otherwise, be present on the licensed premises at any time that the business is conducted at those premises. It is the obligation of the licensee to ensure that the business is

personally supervised at all times by a person holding a valid Approved Manager ID card.

Applications for approval as either a Restricted Manager or an Unrestricted Manager must be lodged online at www.rgl.wa.gov.au by the person that will be appointed as a manager at the premises. For more details, refer to policy guideline 'Approved Managers' or the lodgement guide available on the Department's website.

LODGING THE APPLICATION

Applicants must lodge *completed* applications at the Department of Racing, Gaming and Liquor. An application should be made using the forms provided in the *application kit* relevant to the type of liquor licence being sought, available from DRGL or www.rgl.wa.gov.au. A Lodgement Guide is also provided in this kit that identifies all documentation which should accompany the application.

APPLICATION FEES

The application fee must be lodged with the application. Please refer to the fee schedule available upon request or on the Department's website. Please note that the application cannot be examined until the fee is received. Generally, the application fee is not refundable, even if the application is refused or withdrawn.

LICENCE FEES

An annual licence fee is payable prior to the grant of the licence and on 1 January each year. The licence fee is based on the licence type and any extended trading permits of an on-going nature that are attached to the licence.

EXTENDED TRADING PERMITS

The licensee of a may apply for an extended trading permit for an indefinite period or for a one-off function in accordance with **section 60** of the Act. Refer to Bulletin 'Extended Trading Permits' available from DRGL or www.rgl.wa.gov.au.

Disclaimer

This Bulletin is designed to provide authoritative information in regard to the subject matter covered, and with the understanding that the Director 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.



Office Use Only	
Paid Date	
Receipt No.	
Amount Paid	

NOTICE OF APPLICATION FOR LICENCE - (Other than Club Licence)
LIQUOR CONTROL ACT 1988
Section 68

Please print neatly in **BLOCK LETTERS** with a *black* pen only

1. DETAILS OF APPLICANT/S

If there are 2 or more applicants, give details for each applicant

- (a) Name of Applicant (individual/partnership/company): _____
Postal Address: _____

Postcode: _____
- Name of Applicant (individual/partnership/company): _____
Postal Address: _____

Postcode: _____
- (b) Address for Service of documents: _____

Postcode: _____
- (c) Address for Service of documents **after** application is determined: _____

Postcode: _____
- (d) Contact Person: _____ Email: _____
Telephone: () _____ Mobile: _____

PLEASE NOTE THIS COMPLETED FORM WILL BE PUBLISHED TO THE DEPARTMENT'S WEBSITE DURING ANY ADVERTISED PERIOD

2. APPLICATION DETAILS

Type of Licence

- | | | | |
|---|--|---------------------------------------|---|
| <input type="checkbox"/> Casino | <input type="checkbox"/> Hotel (Tavern) | <input type="checkbox"/> Liquor Store | <input type="checkbox"/> Restaurant |
| <input type="checkbox"/> Hotel | <input type="checkbox"/> Hotel (Tavern Restricted) | <input type="checkbox"/> Nightclub | <input type="checkbox"/> Special Facility |
| <input type="checkbox"/> Hotel (Restricted) | <input type="checkbox"/> Hotel (Small Bar) | <input type="checkbox"/> Producer's | <input type="checkbox"/> Wholesaler's |

- (a) Is the licence conditional on completion of the premises? YES NO
- (b) A section 40 Certificate of Local Planning Authority or Development Approval specifying the type of liquor licence sought is required to be lodged prior to the determination of the application. Please specify the date on which an application for planning approval in respect of the proposed premises will/has been lodged with the relevant local government authority
_ / _ / _____.

Premises to be Licensed

- (c) Trading Name: _____
- (d) Address: _____

Postcode: _____
- (e) Expected maximum number of patrons to be accommodated on the premises at any one time? _____
(Applicable where the consumption of liquor will take place on the licensed premises other than by way of tastings)

3. SPECIAL CONDITIONS

(a) Liquor Store Licence

Is approval sought for a sampling area? YES NO

If YES, part of the premises to be used as a sampling area: _____

(b) Wholesaler's or Producer's Licence

Is approval sought for a sampling area? YES NO

If YES, part of the premises to be used as a sampling area: _____

Is approval sought to store liquor off the licensed premises? YES NO

If YES, address of storage premises: _____

_____, Postcode: _____

(c) Special Facility Licence

Purpose for which the licence is required: (refer to regulation 9A of the *Liquor Control Regulations 1989*)

- | | | |
|--|---|---|
| <input type="checkbox"/> Works Canteen | <input type="checkbox"/> Theatre/Cinema | <input type="checkbox"/> Reception/Function Centre |
| <input type="checkbox"/> Transport | <input type="checkbox"/> Tourism | <input type="checkbox"/> Education & Training Institution |
| <input type="checkbox"/> Education & Training Course | <input type="checkbox"/> Sports Arena | <input type="checkbox"/> Foodhall |
| <input type="checkbox"/> Catering | <input type="checkbox"/> Bed & Breakfast Facility | <input type="checkbox"/> Room Service Restaurant |
| <input type="checkbox"/> Amusement Venue | <input type="checkbox"/> Auction | <input type="checkbox"/> Online Wine Sales |

4. TRADING HOURS

Monday	_____	am/pm	to	_____	am/pm
Tuesday	_____	am/pm	to	_____	am/pm
Wednesday	_____	am/pm	to	_____	am/pm
Thursday	_____	am/pm	to	_____	am/pm
Friday	_____	am/pm	to	_____	am/pm
Saturday	_____	am/pm	to	_____	am/pm
Sunday	_____	am/pm	to	_____	am/pm

Christmas Day: YES NO Good Friday: YES NO Anzac Day: YES NO

Any special trading conditions being sought? _____

5. PUBLIC INTEREST ASSESSMENT

(a) In accordance with section 68(1) of the Act, the Public Interest Assessment required to be submitted pursuant to section 38 of the Act, forms part of this Notice of Application and is provided at Attachment _____

Address where the application, Public Interest Assessment including submissions and evidence lodged can be viewed during the advertised period: (Please note that this address must be within the same locality as the proposed premises)

_____, Postcode: _____

6. DECLARATION – must be signed by all applicants

The applicant:

- (I) declares that all the information in this form, Public Interest Assessment and in any supporting documentation is true and correct and no relevant information has been omitted; and
- (II) consents to the Public Interest Assessment being displayed on the licensing authority's website during the advertising period.

Dated the _____ day of _____ / _____

WHERE THE APPLICANT IS A COMPANY THAT HAS A COMMON SEAL

The common seal of _____

was hereunto affixed in accordance with section 127 of the *Corporations Act 2001* and the Articles of Association in the presence of:

Signature of Director

Name of Director (*Please print clearly*)

Signature of Director

Name of Director (*Please print clearly*)

WHERE THE APPLICANT IS A COMPANY THAT DOES NOT HAVE A COMMON SEAL

Executed in accordance with section 127 of the *Corporations Act 2001* and the Articles of Association

Signature of Director

Name of Director (*Please print clearly*)

Signature of Director

Name of Director (*Please print clearly*)

WHERE THE APPLICANT IS ONE OR MORE INDIVIDUAL PERSONS:-

Signature of Applicant

Signature of Witness

Signature of Applicant

Signature of Witness

7. Payment Details

Entering your credit card details below, you give consent for the appropriate application fee to be deducted from your card

Card Type: Visa <input type="checkbox"/> MasterCard <input type="checkbox"/>	Copy of Receipt (<i>email only</i>): YES <input type="checkbox"/> NO <input type="checkbox"/>
Card Number:	Expiry Date:
Cardholder's Name:	Cardholder's Signature:
Email Address:	

Level 2, Gordon Stephenson House, 140 William Street, Perth Western Australia, 6000
Postal Address: PO Box 6119, East Perth, Western Australia, 6892
Tel: (08) 6551 4888 Facsimile: (08)9325 1041 Country Callers: 1800 634 541
Email: rgl@rgl.wa.gov.au Web Site: www.rgl.wa.gov.au



FURTHER APPLICANT/PREMISES DETAILS
NOTICE OF APPLICATION FOR LICENCE - (Other than Club Licence)
LIQUOR CONTROL ACT 1988
Section 68

Please print neatly in **BLOCK LETTERS** with a *black* pen only

1. DETAILS OF PREMISES

- (a) Certificate of Title – Volume No: _____ Folio No: _____
- (b) Is the premises owned by the applicant? YES NO If *NO*, give details of the owner and the applicants tenure
 - (I) Name: _____
 - (II) Address: _____
_____ Postcode: _____
 - (III) Applicant's tenure: Lease Other _____
 - (IV) Duration of lease/tenure: _____

2. COMPANY DETAILS – To be completed if the applicant is a company

- (a) Australian Company Number (ACN): _____
- (b) Place of Incorporation/Registration: _____
- (c) Date of Incorporation/Registration: ____ / ____ / ____
- (d) **Directors and other Officers**
(Give details of all directors, company secretaries, executive officer and any other officers)
 - Name: _____
 - Position: _____
 - Address: _____
_____ Postcode: _____
 - Place of Birth: _____ Date of Birth: ____ / ____ / ____

 - Name: _____
 - Position: _____
 - Address: _____
_____ Postcode: _____
 - Place of Birth: _____ Date of Birth: ____ / ____ / ____

 - Name: _____
 - Position: _____
 - Address: _____
_____ Postcode: _____
 - Place of Birth: _____ Date of Birth: ____ / ____ / ____

(e) Shareholders

Name: _____

Address: _____

_____ Postcode: _____

Place of Birth: _____ Date of Birth: ____ / ____ / ____

Name: _____

Address: _____

_____ Postcode: _____

Place of Birth: _____ Date of Birth: ____ / ____ / ____

Name: _____

Address: _____

_____ Postcode: _____

Place of Birth: _____ Date of Birth: ____ / ____ / ____

3. TRUSTEE DETAILS

(a) Will the applicant hold the licence as a trustee? YES NO

(b) If the applicant is a proprietary company, does any shareholder hold the shares as a trustee? YES NO

(c) If YES, give full details of the trust (including name, address and date of birth of all beneficiaries)

Name of Trust: _____

Name of Beneficiary/Unit Holder	Address	Date of Birth
---------------------------------	---------	---------------

_____	_____	_____
-------	-------	-------

Name of Beneficiary/Unit Holder	Address	Date of Birth
---------------------------------	---------	---------------

_____	_____	_____
-------	-------	-------

Name of Beneficiary/Unit Holder	Address	Date of Birth
---------------------------------	---------	---------------

_____	_____	_____
-------	-------	-------

Name of Beneficiary/Unit Holder	Address	Date of Birth
---------------------------------	---------	---------------

_____	_____	_____
-------	-------	-------

4. DECLARATION – must be signed by all applicants

The applicant declares that all the information in this form is true and correct and no relevant information has been omitted.

Dated the _____ day of _____ / _____

WHERE THE APPLICANT IS A COMPANY THAT HAS A COMMON SEAL

The common seal of _____

was hereunto affixed in accordance with section 127 of the *Corporations Act 2001* and the Articles of Association in the presence of:

Signature of Director

Name of Director (*Please print clearly*)

Signature of Director

Name of Director (*Please print clearly*)

WHERE THE APPLICANT IS A COMPANY THAT DOES NOT HAVE A COMMON SEAL

Executed in accordance with section 127 of the *Corporations Act 2001* and the Articles of Association

Signature of Director

Name of Director (*Please print clearly*)

Signature of Director

Name of Director (*Please print clearly*)

WHERE THE APPLICANT IS ONE OR MORE INDIVIDUAL PERSONS:-

Signature of Applicant

Signature of Witness

Signature of Applicant

Signature of Witness



LIQUOR CONTROL ACT 1988 PERSONAL PARTICULARS

INSTRUCTIONS

- Please print neatly in **BLOCK LETTERS** with a *black* pen only
- The declaration on the last page **must** be signed and dated where indicated
- If there is insufficient space please provide details on a separate sheet
- **Every question must be answered unless not applicable - if a question is not applicable, please indicate with "N/A"**
- Any omission or false or misleading information may itself lead to the application being refused
- The form must be lodged with the appropriate application form at the office of the Director of Liquor Licensing

PURPOSE OF FORM LLD/5

Provides personal particulars about any person associated with a liquor licence application in a capacity as a licensee, director, shareholder or a trustee.

Completion of the form by the relevant individuals will amount to compliance with Regulation 13 and Schedule 2 of the *Liquor Control Regulations 1989*, in most cases. If further details are required the applicant will be advised of those requirements.

PERSONS TO PROVIDE PARTICULARS

This form is to be completed by the following persons in relation to the following applications:-

Grant of Licence (except an Occasional Licence) or Transfer of Licence

Where the application is made by:-

- two or more individuals jointly - each such person
- a club or association - in the case of an unincorporated association, the person nominated as trustee of the club
- a company - each director of the company and each shareholder of the company (except for public companies)

Approval of a Director or Shareholder

- the director and shareholder

Approval of Persons or Arrangement under Section 104

Where the application is to approve an:-

- unlicensed agent - the person to be approved
- agreement or arrangement between the licensee and another person or persons, that other person or persons, or if the other is a company, each director and shareholder of that company

Any other Application

- as specified by the Director of Liquor Licensing

PENALTY - FALSE OR MISLEADING INFORMATION

It is a serious offence to give false information (fine up to \$10,000)
Applicants are advised that this form must be completed personally
All information provided should be checked thoroughly before signing

PERSONAL PARTICULARS

ALL QUESTIONS MUST BE ANSWERED

If a question does not apply to you, write Not Applicable or N/A in response.

1. DETAILS OF LICENCE TO WHICH THIS APPLICATION RELATES

- (a) Nature of application: _____
 (ie. transfer of licence, grant of licence, position of authority, etc)
- (b) Name of premises/proposed premises: _____

2. PERSONAL PARTICULARS OF PERSON TO BE APPROVED

- (a) Applicant's Name(s):

 first name middle name(s) surname/family name
- (b) Other names: include any maiden name, aliases and other names (legal or otherwise) that you have used or by which you have been known.

 first name middle name(s) surname/family name
- (c) Date of birth:

--	--	--	--	--	--	--	--	--	--

 Male Female
 day month year
- (d) Place of birth: _____
 city state country
- (e) Current Residential Address:

 number street suburb postcode
- Postal Address (if different to residential address):

 number street suburb postcode
- (i) Home Telephone:

--	--	--	--	--	--	--	--	--	--
- Work Telephone:

--	--	--	--	--	--	--	--	--	--
- Mobile:

--	--	--	--	--	--	--	--	--	--
- Email Address: _____

2. PERSONAL PARTICULARS OF PERSON TO BE APPROVED (continued...)

(f) Residences - list *all* addresses (include your current address) at which you have been a permanent resident (for a period of 6 months or more) over the last **5 years**

From	To	Number, Street & Suburb	State	Country
_____ month year	_____ month year			
_____ month year	_____ month year			
_____ month year	_____ month year			
_____ month year	_____ month year			
_____ month year	_____ month year			

Please attach a separate sheet if required

(g) If born outside of Australia, date of arrival in Australia:

day		month		year			

Citizenship: _____

(i) If an Australian Citizen by naturalisation, Certificate number: _____
certificate number

(ii) If a non-Australian Citizen: _____
passport/identity number country of issue

(h) Current occupation: _____

Employer's name: _____

Employer's address: _____
Number street suburb postcode

If the application is granted, do you intend to continue in this occupation? YES NO

If YES, please give details of how you intend to properly carry out your responsibilities under the Act as well as the above position:-

(i) Do you hold a current motor vehicle driver's licence? YES NO

Licence Number	State or Country of Issue	Expiry Date												
		<table border="1"> <tr> <td> </td><td> </td><td> </td><td> </td><td> </td><td> </td> </tr> <tr> <td colspan="2">day</td> <td colspan="2">month</td> <td colspan="2">year</td> </tr> </table>							day		month		year	
day		month		year										

2. PERSONAL PARTICULARS OF PERSON TO BE APPROVED (continued...)

(j) Will your spouse or de facto partner be assisting you in the conduct of the licensed premises? If the answer is yes, please complete the following:

Spouse/De facto partner's full name: _____
first name middle name(s) surname

Date of birth:

--	--	--	--	--	--	--	--

day month year

Spouse's address _____
Number street suburb postcode

3. MANDATORY KNOWLEDGE REQUIREMENT

(a) Have you completed an accredited training course in liquor licensing requirements and/or responsible server practices?
 YES NO

If YES,

(i) Where did you undertake the training course? _____

(ii) Date of approval/graduation:

--	--	--	--	--	--	--	--

day month year

(iii) Certificate/Approval number: _____

(iv) Please attach a copy of training certificate

4. LICENSING EXPERIENCE

a) Give details of any liquor licence where you personally are or have been *the licensee* (in Western Australia or elsewhere)

Licence/Premises Name	Premises Address	When Held

b) Give details of any liquor licence where you are or have been *the approved manager* (in Western Australia or elsewhere)

Licence/Premises Name	Premises Address	When Held

c) Give details of any liquor licence where you are or have been *a director, shareholder or other person in a position of authority* in a licensee company (in Western Australia or elsewhere)

Licence/Premises Name	Premises Address	When Held

Please attach a separate sheet if required

5. RECORD OF CRIMINAL OFFENCES

- a) Have you ever been:-
- i) convicted of *any offence whatsoever* (whether or not resulting in a fine) other than Traffic Infringement Notices not dealt with by a Court eg. speeding either in Western Australia or elsewhere? (Juvenile offences or offences which have been spent under the *Spent Convictions Act 1988* do not need to be declared)
 YES NO If YES, give details of each offence below:-
- ii) issued with a Liquor Infringement Notice either in Western Australia or elsewhere?
 YES NO If YES, give details of each offence below:-

A copy of this form will be provided to the Commissioner of Police who will check the truth of any of the statements made and report on them to the Director of Liquor Licensing. *All relevant offences must be declared - it is an offence under section 159 of the Liquor Control Act 1988 to omit information or make a statement that is false or misleading and may result in your application being refused.*

Date of Offence	Nature of offence	Place of Conviction	Full name under which Convicted	Sentence Imposed

- b) Have you ever been a *director or shareholder of a company* which has been convicted of any offence under any legislation, either in Western Australia or elsewhere?
 YES NO If YES, give details of each offence below:-

Date of Offence	Nature of offence	Place of Conviction	Full name under which Convicted	Sentence Imposed

- c) Have you ever been disqualified from holding or being involved in a liquor licence either in Western Australia or elsewhere?
 YES NO If YES, give details

Please attach a separate sheet if required

6. FINANCIAL BACKGROUND

- a) Are you or have you ever been bankrupt, the subject of a sequestration order or creditor's petition or had your estate assigned for the benefit of creditors? YES NO

If YES, give full details of the circumstances of the bankruptcy and provide evidence that this matter has been discharged

- b) Are you or have you ever been a director of a company or shareholder of a Pty Ltd company when it was placed under receivership or official management or in liquidation? YES NO

If YES, give full details of the circumstances surrounding the receivership and advise if you are currently liable for any debts as a result of the receivership/liquidation

- c) Do you know of any proceedings of the type referred to in (a) & (b) above which are pending against you or a company of which you are a director or shareholder? YES NO

If YES, give details

- d) Are you or have you ever been declared bankrupt either as an individual or as a company director or shareholder of a Pty Ltd company? YES NO

If YES, give full details, including place and time

Please attach a separate sheet if required

7. DECLARATION

I declare that all details are true and correct and no relevant information is omitted.

Signature of Person to be Approved

--	--	--	--	--	--	--	--

day

month

year

DECLARATION OF PARTICULARS

ONLY COMPLETE AND LODGE THIS FORM IF AN LLD/5 (PERSONAL PARTICULARS FORM) WAS LODGED IN PREVIOUS 5 YEARS

Please print neatly in **BLOCK LETTERS** with a *black* ball point pen only

1. DETAILS OF APPLICANT

(a) Applicant's Name(s):

first name

middle name(s)

surname/family name

(b) Other names: include any maiden name, aliases and other names (legal or otherwise) that you have used or by which you have been known.

first name

middle name(s)

surname/family name

(c) Current Residential address:

number

street

suburb

postcode

(d) Current Postal address (if different to residential address):

number

street

suburb

postcode

(e) Daytime telephone or mobile number: _____

(f) Email address: _____ Date of Birth:/...../.....

(g) Full name of spouse or de facto partner: _____

Date of Birth:/...../.....

Will your spouse or de facto partner be assisting you in the conduct of the licensed premises?

YES NO

2. DECLARATION

I _____ declare that I was last approved by the Licensing Authority in _____ in relation to premises known as _____ (Year) _____ (Month)

_____ and since being approved:-

- I have not been convicted of any offences or been issued any infringements.
- I have not assigned my estate or been declared bankrupt.
- I have not become employed by the State or Commonwealth Public Service.

If any of these statements are untrue, please provide details: _____

Signature of Applicant

Date

It is a serious offence to give false or misleading information - Maximum penalty \$10,000



FEE SCHEDULE FOR LIQUOR ACTIVITIES
EXTRACT FROM LIQUOR CONTROL REGULATIONS 1989
EFFECTIVE AS FROM 1 JANUARY 2017

DESCRIPTION <i>(Please note: Fees are generally not refunded if an application is not approved)</i>	FEE
ADD, VARY OR CANCEL a condition of a licence or permit	
Permanent	
• Club restricted licence	\$43.00
• Any other type of licence	\$237.00
One-Off <i>(for a period of 21 days or less)</i>	
• Club restricted licence	\$43.00
• ¹ Any other licence type if the anticipated number of patrons is:	
○ Up to 500	\$110.00
○ Between 501 and 1,000	\$226.00
○ Between 1,001 and 5,000	\$1137.00
○ Between 5,001 and 10,000	\$2275.00
○ Over 10,000	\$4560.00
Alteration or redefinition of a licensed premises	\$399.00
APPROVAL OF MANAGER	
Application for Approval of Manager lodged at Australia Post	\$168.00
Upgrade from restricted licence to unrestricted licence	
• Lodged at Australia Post	\$56.00
• Lodged online	\$15.00
Renewal of Manager's Approval (Identification Card) for a period of five years	
• Application for renewal lodged at Australia Post	\$164.00
• Lodged online	\$126.00
Replacement identification Card	
○ Lodged at Australia Post	\$52.00
○ Lodged online	\$10.00
⁴ Approval of person in position of authority	\$159.00
Approval to conduct non-liquor business on licensed premises	\$221.00
Change of name of licensed premises	\$73.00
EXTENDED TRADING PERMIT	
Ongoing	
• Alfresco	\$348.00
• Liquor without a meal (not restricted to 120 persons)	\$466.00
• Liquor without a meal (restricted to 120 persons or less)	\$53.00
• Associations	\$348.00
• Hours, dining, late delivery, restaurant with accommodation	\$1168.00
• Cellar Door Operation (producers only):	
- new cellar door operation (one licensee only)	\$345.00
- new cellar door operation (two or more licensees) – applications must be lodged concurrently	\$345.00 plus \$290.00 per additional licensee
- existing cellar door permit where an additional licensee is seeking approval to operate under a permit	\$290 per additional licensee



FEE SCHEDULE FOR LIQUOR ACTIVITIES
EXTRACT FROM LIQUOR CONTROL REGULATIONS 1989
EFFECTIVE AS FROM 1 JANUARY 2017

EXTENDED TRADING PERMIT	
One-Off	
Increase hours, extend the licensed area and/or sell liquor to non-members	
<ul style="list-style-type: none"> • Club restricted licence 	\$43.00
<ul style="list-style-type: none"> • ^{1&3}For all other licence types <ul style="list-style-type: none"> ○ Up to 500 ○ Between 501 and 1,000 ○ Between 1,001 and 5,000 ○ Between 5,001 and 10,000 ○ Over 10,000 	\$110.00 \$226.00 \$1137.00 \$2275.00 \$4560.00
² Grant or Removal of a club, club restricted, restaurant, producer's or wholesaler's licence	\$886.00
² Grant or Removal of a hotel, hotel restricted, tavern, tavern restricted, small bar, casino liquor licence, nightclub, special facility or liquor store licence	\$3454.00
Juvenile function (under section 126A)	\$64.00
Application for Liquor Restricted Premises Declaration:	
<ul style="list-style-type: none"> • Where the applicant is the occupier of the premises 	No Charge
<ul style="list-style-type: none"> • Where the applicant is the owner of the restricted premises; or a prescribed class of persons as defined in the <i>Liquor Control Regulations 1989</i> 	\$264.00
^{1&3} OCCASIONAL LICENCE	
<ul style="list-style-type: none"> • Up to 250 • Between 251 and 500 • Between 501 and 1,000 • Between 1,001 and 5,000 • Between 5,001 and 10,000 • Over 10,000 	\$53.00 \$110.00 \$226.00 \$1137.00 \$2275.00 \$4560.00
³ Profit Sharing	\$231.00
² Protection order under section 87(1)	\$231.00
² Transfer of liquor licence	\$849.00
Vary or substitute plans approved under a conditionally granted licence	\$277.00
ANNUAL LICENCE FEE	
⁵ Club Restricted	\$288.00
⁵ For all other licence types	\$584.00
Extended Trading Permit – Ongoing:	
<ul style="list-style-type: none"> • No more than 2 	\$277.00
<ul style="list-style-type: none"> • 3 or more 	\$556.00
SEARCH AND SUPPLY FEES	
Address labels for licensed premises	\$142.00
Advertising Banner "Liquor Control Act – Notice of Application"	\$25.00



FEE SCHEDULE FOR LIQUOR ACTIVITIES
EXTRACT FROM LIQUOR CONTROL REGULATIONS 1989
EFFECTIVE AS FROM 1 JANUARY 2017

Copy of a decision of the Commission or Director	
<ul style="list-style-type: none"> For each Additional fee for certification 	<p>\$25.00 \$25.00</p>
Copy of documentation, other than already prescribed, per page	\$4.00
Copy of plan (requires licensee's consent)	
<ul style="list-style-type: none"> For each sheet (up to a maximum of \$200) Certified (for each sheet) 	<p>\$25.00 \$35.00</p>
Database printout of record of general licence details	\$35.00
Duplicate licence (requires licensee's consent)	\$35.00
Full search of a licence record (requires licensee's consent and will incur additional fees for copies of documents as listed above)	\$52.00
Issue of a summons to a witness	\$20.00
List of licensed premises or owners of licensed premises	
<ul style="list-style-type: none"> Hardcopy Electronic format 	<p>\$89.00 \$58.00</p>
Search of postcodes	
<ul style="list-style-type: none"> 1 to 10 postcodes More than 10 postcodes 	<p>\$35.00 \$77.00</p>

FOOTNOTES

¹ Where an application is for a function or event that takes place over a number of consecutive dates, the fee will be based upon the total maximum number of persons expected to be present in the licensed/permit area at any one time over the consecutive dates. For example: if a function or event runs for 2 days and the maximum number of persons expected to be present in the licensed/permit area at any one time is 300, then the fee will be calculated on an attendance of 600 people in total and will be \$226.

² In addition to the application fee, new applicants in respect of protection orders and permanent liquor licences (i.e. grant or transfer applications, with the exception of a club or club restricted licence) will pay an additional \$148.00 fee for each individual in a position of authority (including each director and shareholder of a company and adult trust beneficiary or unit holder).

³ In addition to the application fee, new applicants in respect of profit sharing agreements or arrangements will pay an additional \$148.00 fee for each individual who is party to the agreement or arrangement and in relation to whom a background check is sought from the Police Service.

⁴ In addition to the application fee, in respect of a body corporate seeking to be approved as a shareholder in the licensee company after the licence is granted, an additional \$148.00 fee applies for each individual to whom a background check is sought from the Police Service (including each director and shareholder and adult trust beneficiary or unit holder related to that body corporate) other than for the first individual, which will be captured by the application fee.

⁵ Annual licence fees for newly granted licences are charged on a quarterly pro-rata basis as follows:

Licence Effective	Fee: Club Restricted	Fee – All Other Licences
1 January - 31 March (100%)	\$288.00	\$584.00
1 April – 30 June (75%)	\$216.00	\$438.00
1 July – 30 September (50%)	\$144.00	\$292.00
1 October – 31 December (25%)	\$72.00	\$146.00



PLANS AND SPECIFICATIONS

Information Bulletin No.25

Liquor Control Act 1988

INTRODUCTION

Plans of the proposed premises are required to be lodged with the application in order for the licensing authority to define the area in which the sale, supply and in some cases, the consumption of liquor will occur if the licence is granted.

If the licence is granted, the defined plans must be kept on the premises and be made available for inspection by an authorised officer upon request.

LODGING PLANS ELECTRONICALLY

Applicants are encouraged to lodge plans in an electronic format wherever possible, with PDF a preferred format.

GENERAL REQUIREMENTS AND SPECIFICATIONS

In order to be accepted by the licensing authority, the plans of the proposed premises to which the application relates must include the following –

- (a) Floor plans in duplicate, at least A3 size and to a scale of 1:100, of each level of each building forming part of the licensed premises showing the uses of each room; the location of all doors, windows, servery hatches and toilets; and fit out details for all toilets; the floor layout; the location of all bars, any areas that are not part of the building that showing how the boundary will be defined.
- (b) a site plan drawn to a suitable scale according the size of the lot showing –
 - an outline of every building on the relevant lot; and
 - the boundary of the relevant lot; and
 - features on the relevant lot such as car parks, vehicle access and adjacent streets and swimming pools; and
 - the name and location of any street forming part of the boundary of the relevant lot.
- (c) a map of the relevant district showing the locality of the relevant premises.
- (d) a plan drawn to a scale of 1:100 showing the front external elevation. If the premises is existing, photos of the external buildings will suffice.
- (e) in the case of an application to alter the licensed premises, a plan showing those premises as they would be if the proposed alteration or redefinition had taken place, distinguishing the areas of the current licensed premises from the areas of the proposed alteration or redefinition.

OTHER REQUIREMENTS

In addition to the above requirements, the plan must be drawn –

- by any person capable of preparing plans on good quality paper of at least A3 size.
- so as to comply with Australian Standard 1100, Technical Drawing Part 101-1984 General Principles and Part 301-1985 Architectural Drawing of the Standards Australia, and shall show the date of preparation, the scale, the direction of north and the name of the person who prepared the plan.

The specifications to be submitted must include the wall and ceiling finishes and the fit equipment in any bar, toilet or kitchen.

**Disclaimer**

This Bulletin is designed to provide authoritative information in regard to the subject matter covered, and with the understanding that the Director 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.

CERTIFICATE OF LOCAL GOVERNMENT
LIQUOR CONTROL ACT 1988
Section 39

THIS SECTION TO BE COMPLETED BY THE LOCAL GOVERNMENT

I, (full name) _____

being the (title) _____

for the (name of Local Government) _____

with respect to an application by

(Name of applicant)

hereby certify that the premises known as _____

and situated at _____

Postcode _____

comply with all relevant requirements under the *Health Act 1911*, under the *Food Act 2008*, under any written law relating to the sewerage or drainage of those premises and under the *Local Government Act 1995* and the *Building Act 2011*;

OR

do not comply with the requirements set out above and could not reasonably be made to comply;

OR

Do not comply with the requirements set out above but could be made to conform if the following requirements were carried out:-

Dated the _____ day of _____

Signature of Authorised Officer

THIS SECTION TO BE COMPLETED BY THE APPLICANT BEFORE SUBMISSION TO THE LOCAL GOVERNMENT

Type of Licence:

- | | | | |
|--|--|---------------------------------------|---|
| <input type="checkbox"/> Casino | <input type="checkbox"/> Hotel (Restricted) | <input type="checkbox"/> Liquor Store | <input type="checkbox"/> Special Facility |
| <input type="checkbox"/> Club | <input type="checkbox"/> Hotel (Tavern) | <input type="checkbox"/> Nightclub | <input type="checkbox"/> Wholesaler's |
| <input type="checkbox"/> Club Restricted | <input type="checkbox"/> Hotel (Tavern Restricted) | <input type="checkbox"/> Producer's | |
| <input type="checkbox"/> Hotel | <input type="checkbox"/> Hotel (Small Bar) | <input type="checkbox"/> Restaurant | |

Nature of application and an outline of proposed use of the premises _____

In the case of a **Special Facility Licence** application:

a) What category is sought? Pursuant to Regulation 9A of the Liquor Control Regulations 1989)

- | | | |
|--|---|---|
| <input type="checkbox"/> Works Canteen | <input type="checkbox"/> Theatre/Cinema | <input type="checkbox"/> Reception/Function Centre |
| <input type="checkbox"/> Transport | <input type="checkbox"/> Tourism | <input type="checkbox"/> Education & Training Institution |
| <input type="checkbox"/> Education & Training Course | <input type="checkbox"/> Sports Arena | <input type="checkbox"/> Foodhall |
| <input type="checkbox"/> Catering | <input type="checkbox"/> Bed & Breakfast Facility | <input type="checkbox"/> Room Service Restaurant |
| <input type="checkbox"/> Amusement Venue | <input type="checkbox"/> Auction | <input type="checkbox"/> Online Wine Sales |

b) What trading hours are sought?

Monday:	_____	am/pm	to	_____	am/pm
Tuesday:	_____	am/pm	to	_____	am/pm
Wednesday:	_____	am/pm	to	_____	am/pm
Thursday:	_____	am/pm	to	_____	am/pm
Friday:	_____	am/pm	to	_____	am/pm

c) Is approval sought to sell and supply liquor on:

Christmas Day: YES NO ; Good Friday: YES NO ; ANZAC Day: YES NO

d) Is approval sought to sell liquor for consumption off the licensed premises: YES NO

e) Please detail the trading conditions sought and provide an outline on how it is proposed the premises will operate (attach separate submission if necessary):

LIQUOR CONTROL ACT 1988 CERTIFICATE OF LOCAL PLANNING AUTHORITY – SECTION 40

Reverse side to be completed by applicant BEFORE SUBMISSION TO THE LOCAL AUTHORITY

THIS SECTION TO BE COMPLETED BY THE LOCAL AUTHORITY

I, (full name)

being the

(Title)

for the.....

(Name of Local Planning Authority)

with respect to an application by

(Name of applicant)

hereby certify that the premises known as.....

and situated at.....

.....Post Code.....

will comply with all relevant planning laws, namely;

OR

would comply with the relevant planning laws if consent were to be given by the following authority;

- (i) It is not known whether the authority will give their consent; or
- (ii) It is known that the authority will give that consent subject to the following probable condition/restrictions;

.....
.....

OR

will not comply with the relevant planning laws for the following reasons:-

.....
.....

Dated the day of

Signature of Authorised Officer

**THIS SECTION MUST BE COMPLETED BY THE APPLICANT
BEFORE SUBMISSION TO THE LOCAL AUTHORITY**

APPLICATION DETAILS

Category and Type of Licence:.....

Nature of application and an outline of proposed use of the premises:

.....

.....

.....

In the case of a *SPECIAL FACILITY LICENCE* application:-

(a) For what purpose is the licence sought? (Refer to Regulation 9A of the *Liquor Control Regulations 1989*)

.....

.....

(b) What trading hours are sought?

Monday: am/pm to am/pm

Tuesday: am/pm to am/pm

Wednesday: am/pm to am/pm

Thursday am/pm to am/pm

Friday am/pm to am/pm

Saturday am/pm to am/pm

Sunday am/pm to am/pm

(c) Is approval sought to sell and supply liquor on:-

Christmas Day YES NO Good Friday YES NO Anzac Day YES NO

(d) Is approval sought to sell liquor for consumption off the licensed premises? YES NO

(e) Please detail the trading conditions sought and provide an outline on how it is proposed the premises will operate (attach separate submission if necessary):

.....

.....

.....



Attach copy
of certificate
of title

EVIDENCE OF EXCLUSIVE RIGHT OF OCCUPANCY AND PROFIT SHARING
SECTIONS 37(5) AND 104 OF THE LIQUOR CONTROL ACT 1988

1. Exclusive Right of Occupancy

I/We _____ being the registered proprietor/director of the company _____ identified as the registered proprietor on certificate of title volume no _____ folio no _____ hereby confirm that **(name of applicant)** _____

_____ will have the exclusive right to occupy the premises and operate a business at **(proposed address**

where liquor will be sold and supplied _____

_____ under a **(specify type of liquor)** _____ licence, upon the grant issue/transfer/removal of the liquor licence (please circle relevant application).

DATED: _____

**Signature of registered proprietor
(Director/Individual/Partner)**

**Signature of applicant
(Director/Individual/Partner)**

2. Profit Sharing

I/We _____ **(name of applicant)** certify that no other person or party is involved in any arrangement or agreement with me/us which will allow them to participate in the proceeds of the business (including percentage rent payment) under the **(specify type of liquor)** _____ licence, upon the grant/issue/transfer/removal of the liquor licence. (If a profit sharing arrangement is proposed under the liquor licence, an application for approval of arrangement or agreement will need to be lodged. Refer to the [application kit](#) in respect of profit sharing and management agreements for further information.

**Signature of Applicant
(Director/Individual/Partner)**