



This Information Bulletin briefly explains some of the requirements when applying to surrender an existing liquor licensed premises as per the *Liquor Control Act 1988* (the Act).

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### WHEN IS AN APPLICATION REQUIRED?

When a licensee and/or landlord of a premises no longer wishes to trade in liquor they must submit an application to surrender the liquor licence. This form must be completed by both the current licensee (if able) and the landlord to ensure the licence is being surrendered with consent.

Please note that the annual liquor licence fee is due on the 1 January every year, any licensees wishing to avoid having to pay the annual fees should lodge this notification before this date each year.

This application is not used for situations where the licensee has vacated or terminated their lease on the licensed premises.

### 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 this application kit.

#### Application Fees

No application fees apply to a surrender of licence.

#### Liquor Return

A liquor return is required to be lodged electronically via the Department's website for the following liquor producing premises wanting to surrender their liquor licence from 1 July to the date the licensee ceased to operate:

- Producers
- Wholesalers
- Special Facility

Further information in respect of lodging your liquor return online can be found on our website at [Liquor/Liquor Returns](#).

### 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.*



### DOCUMENTATION TO BE LODGED - MINIMUM REQUIREMENTS

- Completed **Notice of Intention to Surrender Licence** – The notice must be signed by anyone with a freehold interest in the premises unless the licensee is a club, in which case consent must be sought from the members of the club by way of majority vote at a meeting.

### OTHER DOCUMENTS THAT MAY BE REQUIRED

- A **Liquor Return** for the period 1 July to the date of surrender. This requirement applies only to Producers, Wholesalers and Special Facility licence holders who are permitted to produce liquor under the licence. The liquor return must be lodged online via our website. Further information in respect of lodging your liquor return online can be found on our website at [Liquor/Liquor Returns](#).

I confirm that the liquor return for the period 1 July to the date of surrender has been submitted online via the Department's website.

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Applicant/agent signature and date

LIQUOR CONTROL ACT 1988  
Section 94

**NOTICE OF INTENTION TO SURRENDER LICENCE**

To the Director of Liquor Licensing

Please print neatly in BLOCK LETTERS using a black pen only

**1. DETAILS OF LICENCE**

(a)	Licence Number: _____
(b)	Name of Licensee: _____
(c)	Name of licensed premises: _____
(d)	Address of licensed premises: _____ _____ Post Code: _____
(e)	Daytime contact name: _____  Telephone number: (    ) _____ Mobile: _____
(f)	Forwarding address/address for service of documents: _____ _____ Post Code: _____
(g)	Are any extended trading permit attached to the licence: YES <input type="checkbox"/> NO <input type="checkbox"/>  If YES, specify them _____

**2. DETAILS OF SURRENDER**

The licensee requests the Director of Liquor Licensing to accept surrender of the above licence and permits.
The surrender is to be effective from:    ____/____/____
The reason for the surrender is: _____ _____ _____ _____

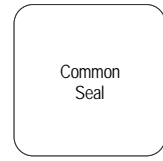
**3. DECLARATION**

Notice of intention to surrender the licence is hereby made in accordance with, and on the basis of, the information set out above. It is declared that all information and details provided in this form and in any plan or document lodged in support of the application, are true and correct and do not omit any relevant information.
Dated the _____ day of _____ 20____

**3. DECLARATION (continued...)**

**WHERE THE LICENSEE 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

\_\_\_\_\_  
Signature of Director

\_\_\_\_\_  
Name of Director

**WHERE THE LICENSEE 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

\_\_\_\_\_  
Signature of Director

\_\_\_\_\_  
Name of Director

**WHERE THE LICENSEE IS ONE OR MORE INDIVIDUAL PERSONS:-**

\_\_\_\_\_  
Signature of Licensee

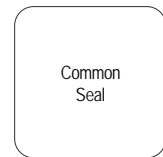
\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Licensee

\_\_\_\_\_  
Signature of Witness

**WHERE THE LICENSEE IS A CLUB:-**

The common seal of \_\_\_\_\_  
was hereunto affixed by order of its Committee Members in accordance with its  
constitution in the presence of:



\_\_\_\_\_  
Signature of Committee Member

\_\_\_\_\_  
Name of Committee Member

\_\_\_\_\_  
Signature of Committee Member

\_\_\_\_\_  
Name of Committee Member

**4. NOTIFICATION OF PERSONS WITH INTEREST**

A licence cannot be surrendered unless consent has been sought from every person who is entitled to any interest in the licensed premises, including a freehold interest (see page 3) or interest under a lease, mortgage, charge or security affecting the licensed premises. From whom have you sought such consent?

Name

Interest in Premises

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**4. NOTIFICATION OF PERSONS WITH INTEREST (continued...)**

Is there any person with a relevant interest from whom consent has not been sought? YES  NO

If YES, who? \_\_\_\_\_

Name	Interest in Premises
_____	_____
_____	_____

**5. CLUBS**

A club licence cannot be surrendered unless:-

(a) the members of the club at a duly convened general meeting of members; or

(b) where no such meeting is convened, any trustees of the club,

have by a majority resolution consented to the surrender, or the surrender is otherwise appropriate.

What steps have been taken in your case:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

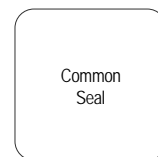
**6. FREEHOLD OWNERS CONSENT**

I \_\_\_\_\_  
being the freehold owner of the licensed premises known as \_\_\_\_\_  
and situated at \_\_\_\_\_

(Certificate of Title - Folio \_\_\_\_\_ Volume \_\_\_\_\_) hereby consent to the surrender of the liquor licence.

**WHERE THE OWNER 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

\_\_\_\_\_  
Signature of Director Name of Director

**6. FREEHOLD OWNERS CONSENT (continued...)**

**WHERE THE OWNER 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

\_\_\_\_\_  
Signature of Director

\_\_\_\_\_  
Name of Director

**WHERE THE OWNER IS ONE OR MORE INDIVIDUAL PERSONS:**

\_\_\_\_\_  
Signature of Owner

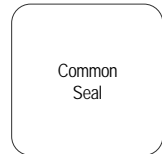
\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Signature of Witness

**WHERE THE OWNER IS A CLUB:-**

The common seal of \_\_\_\_\_  
was hereunto affixed by order of its Committee Members in accordance with its  
constitution in the presence of:



\_\_\_\_\_  
Signature of Committee Member

\_\_\_\_\_  
Name of Committee Member

\_\_\_\_\_  
Signature of Committee Member

\_\_\_\_\_  
Name of Committee Member