



# RGL FORM



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**NOVEMBER 2016  
EDITION**

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## Renewing your approved manager status

In 2011 the Licensing Authority introduced five-year approved manager periods and as a result the first of those began expiring earlier this year.

The renewal process is carried out in the following stages:

1. An email will be sent four months prior to expiry requesting those managers whose details have changed to update their information via their online account; and
2. Approximately three months before expiry, a notice will be sent to the approved manager requesting they complete the renewal process via their online account. Once logged into their account, managers will be required to respond to a series of questions relating to their renewal; they will also have access to a comprehensive lodgement guide. After the renewal process has been completed, the card will be valid for five years from the original expiry date.

It is important to note that only those managers who have received a renewal reminder will be able to undertake the renewal process as those outside the 90-day expiry period will not have had a renewal option added to their account.

It is imperative that the Department has current email and postal addresses of all approved managers.

Failure to renew an approval before the expiry date will result in the manager no longer being able to work as an approved manager in Western Australia.

Licensees are reminded to check the approved manager credentials of their staff as it their responsibility to ensure they have an approved manager on the premises at any time that the business is being conducted. Failure to do so may result in a maximum penalty of \$10,000.

## Department on the move

The Department of Racing, Gaming and Liquor will be relocating to Gordon Stephenson House at 140 William Street, Perth on November 14.

The main switchboard number at the new location is 6551 4888, however the 9425 1888 number will divert to the new office number for some months following the relocation.

During the move, there may be some disruption to our services, however any inconvenience is expected to be kept to a minimum.

Members of the public wishing to visit the Department should make their way to level 2, 140 William Street where the front counter will be situated.



The Department will be located at Gordon Stephenson House, 140 William Street, Perth

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## Approval must be sought to change club constitutions

The recent introduction of the *Associations Incorporation Act 2015* has a number of implications for clubs across Western Australia.

Essentially, all clubs must update their rules to include new Schedule 1 matters, and ensure their rules comply with the requirements of the new Act by July 1, 2019.

During the three-year transition period, a club's committee has the power to make any necessary alterations to the rules so they comply with the Act without requiring members to pass the changes by special resolution at a general meeting.

However, according to section 48 of the *Liquor Control Act 1988*, all licensed clubs must first seek approval from the Director of Liquor Licensing before any changes are made to the constitution or rules of the club and submitted to the Department of Commerce.

Further information about the requirements under the liquor legislation is included in the Directors policy entitled Club Constitutions – Club and Club Restricted Licences at [www.rgl.wa.gov.au](http://www.rgl.wa.gov.au) or by calling 9425 1888.

For more information on the *Associations Incorporation Act 2015*, go to the Department of Commerce website: [www.commerce.wa.gov.au/books/inc-guide-incorporated-associations-western-australia/Updating-rules](http://www.commerce.wa.gov.au/books/inc-guide-incorporated-associations-western-australia/Updating-rules)



People occupying certain positions in a licensed venue must report all convictions within 14 days.

## Offences must be reported to the Director

Under section 37A of the *Liquor Control Act 1988*, the following people must inform the Director of Liquor Licensing if they are convicted of an offence within 14 days of conviction:

- A licensee;
- A person who occupies a position of authority in a body corporate which is a licensee;
- An approved unrestricted manager; and
- An approved restricted manager.

Failure to do so could result in a fine of \$10,000.

For more information, please call the Department on 9425 1888.



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Amendments to the *Liquor Control Regulations 1989* have resulted in changes to the quantity of liquor that tourist operators can gratuitously supply to their customers.

## New rules allow more flexibility for tourist operators

Recent amendments to the *Liquor Control Regulations 1989* have resulted in changes to the quantity of liquor that tourist operators can gratuitously supply to their customers as part of their business.

Previously, all business operators were permitted to gratuitously supply up to two standard drinks per customer for consumption on the premises.

However, many tourism operators were unable to take advantage of that exemption because their businesses involved conducting tours away from their actual business premises.

As a result, the 2013 review of the *Liquor Control Act 1988* recommended that an exemption from the Act be provided for tourism businesses to gratuitously supply liquor to their customers – the amount of liquor that can be provided is five standard drinks.

This condition is dependent on the following circumstances being met:

- The supply of liquor is ancillary to the purpose of the tour or tourist attraction;
- Liquor cannot be supplied or consumed on a premises that already holds a liquor licence;
- Liquor cannot be supplied or consumed on a road;
- Liquor cannot be supplied without the permission of the land owner/controlling body;
- Liquor cannot be supplied in an area that has been declared a restricted area;
- The business of the operator must be genuinely marketed as a provider of a tourism service.

For more information, contact the Department on 9425 1888.

## Calcuttas go online

The Department recently changed over to an online lodgement system for Calcutta lottery applications.

A Calcutta is a combination of a lottery and an auction, commonly known as a “sweepstake”.

These types of lotteries are usually conducted on major horse racing events, but consideration is given for a Calcutta to be conducted on other major sporting events.

All applications and financial returns will now be processed through the new system.

Where a permit was issued prior to the “go live” date (October 3, 2016), financial returns can be lodged manually with the return form that was provided when the permit was issued.

To access the online application, applicants are required to create an account with the Department. To create an account, follow the link on the Department’s homepage under the heading Important Notice, then follow subsequent links to the create account section.

People requiring help to lodge an online application can contact the office on the number below, or visit the Department during business hours where a customer service officer will be available to assist.

Applications for a Calcutta must be submitted at least 14 days before the event.

As well as Calcutta applications, standard lottery applications, occasional liquor licence applications, and approved manager applications/renewals can all now be lodged online.

It is intended that online permanent liquor licence applications will be introduced at some time in the future – more information on this will be published at a later date.

For more information call the Department on 9425 1888 (or 6551 4888 after November 14, 2016).

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## Annual licence fees

Licensees will receive their annual licence fee invoices soon and should pay them in full by January 1, 2017.

When paying your fee, ensure all details are filled out correctly and in full.

For example, when paying by Bpay/Bpoint please ensure the correct reference number is entered, as this number changes every year.

By failing to enter the reference properly, the payment will not be registered and will result in a late penalty.

Subsequently, if the late payment penalty is not paid it could result in the suspension of the licence and ultimately lead to the licence being cancelled.

When paying either the initial fee, penalty fee or both by Bpay/Bpoint, please ensure the correct reference number is entered for each fee notice, as this number also changes every year.

Moreover, do not pay both the initial and penalty notice fees against one reference number as the payment will not be registered properly and may result in the suspension of the licence.

As a licensee, it is your responsibility to pay the fee(s) on time and with the proper information attached to your payment.

For more information contact the Department on 9425 1888 / 6551 4888.

ANNUAL LICENCE FEE	
Club Restricted	\$288
For all other licence types	\$584
Extended Trading Permit – Ongoing:	
• No more than two	\$277
• Three or more	\$556

## A reminder to charter boat operators

Charter boat operators should be aware of their obligations relating to the sale, supply and consumption of liquor on commercial charter boats as outlined in the Director's Policy.

Essentially, charter boat operators are required to obtain a liquor licence under the *Liquor Control Act 1988* if they are selling and supplying liquor for consumption on a boat; the type of licence is determined by the nature of the operator's business model.

If an operator is selling/supplying liquor on an on-going basis, a permanent licence is required; however, if it is a one-off event, an application for an occasional licence can be lodged with the Department.

The conditions of a licence, whether permanent or temporary, will depend on the nature of the charter boat and the event. For example, an occasional licence for a small private function may have less conditions imposed than a "raft up event" whereby a number of boats tie up to one another.

A full list of conditions relating to charter boat operators [can be found here](#)

However, whether it is a permanent or temporary licensed event, the following best practices should be followed:

1. A tender boat should be present and available at all times during the event (in case of an emergency or for patron removal);
2. A designated swimming area should be made available that is roped off and not positioned in-between boats; and
3. Swimming to only be permitted during daylight hours;

Furthermore, all commercial vessels must adhere to the safety and certification requirements as directed by the Australian Maritime Safety Authority. For more information visit [www.amsa.gov.au](http://www.amsa.gov.au)



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## Support available for people with gambling issues

A week dedicated to promoting responsible gambling practices across the nation took place on October 17-23, 2016.

Known as Responsible Gambling Awareness Week, the theme of this year's event was "Gamble Aware – When does the fun stop for you?", and emphasised that balance and control are the keys to responsible gambling.

The week is coordinated by the Problem Gambling Support Services Committee (PGSSC) which brings together representatives from the gambling industry and Government to raise awareness of the issues associated with problem gambling.

The objectives of the PGSSC are to:

- Promote the concept of minimising harm from problem gambling in the community;
- Provide direction to the gambling industry and public to minimise problems with gambling behaviour;
- Identify and determine the appropriate support services for people with gambling related problems; and
- Facilitate the provision of support services for those affected by gambling related problems in Western Australia.

The Committee currently has representatives from the following organisations:

- Gaming and Wagering Commission of Western Australia;
- Crown Perth;
- Lotterywest;
- Racing and Wagering Western Australia;
- WA Bookmakers Association; and
- Department of Local Government and Communities.

These organisations also voluntarily contribute to the Gambling Support Services Fund (GSF).

Services supported by the GSF provide for a number initiatives, such as the Problem Gambling Helpline, online counseling and face-to-face support, all of which work towards raising awareness and reducing the amount of problem gambling in our community.

Responsible Gambling Awareness Week is a collaborative partnership between the Gaming and Wagering Commission of Western Australia, Crown Perth, Lotterywest, TAB, and help service providers Centrecare and Medibank.

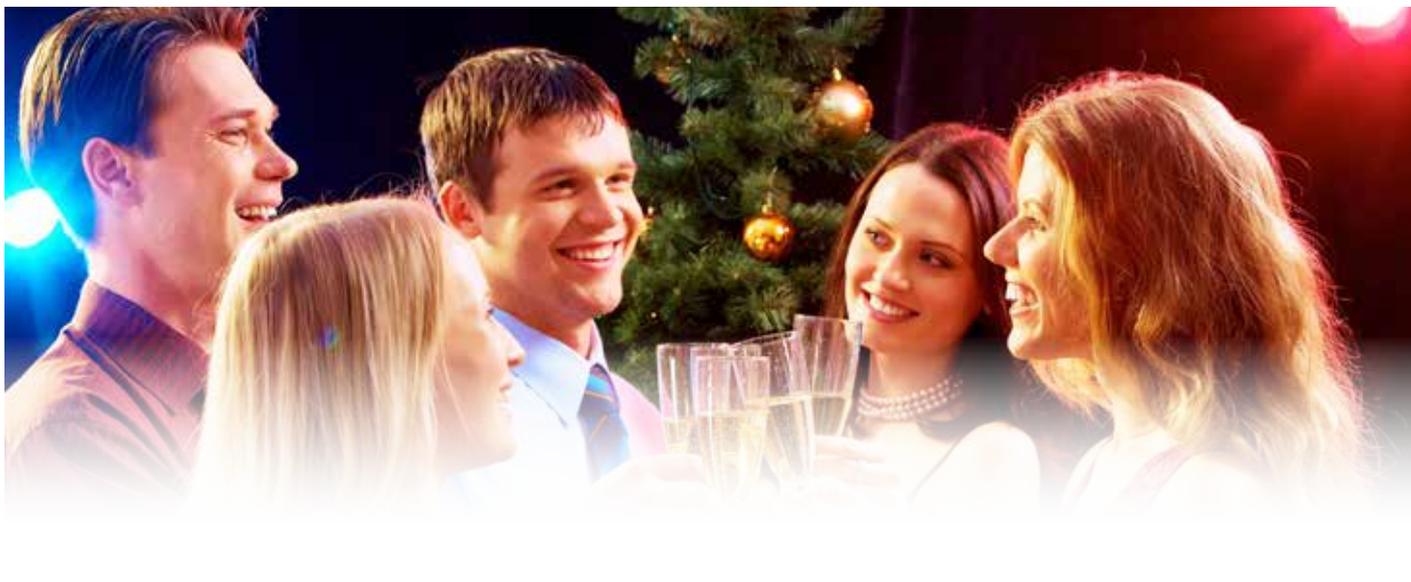
The Gamble Aware website provides people with the opportunity to complete an anonymous questionnaire to identify if gambling has become a problem for them, or a member of their family, and where they can seek help.

Support services are also available by calling the Problem Gambling Helpline on 1800 858 858 or visiting [Gamble Aware](#).



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## Christmas and New Year trading hours

Below are the permitted Christmas and New Year's trading hours relating to the various liquor licence categories.

LICENCE	CHRISTMAS DAY TRADING HOURS	NEW YEAR'S EVE TRADING HOURS
Hotel/Tavern/Small Bar	12 noon until 10pm ancillary to a meal	6am until 2am the following morning
Club	From 12 midnight the previous day until 12.30am; and 12 noon to 10pm ancillary to a meal	6am until 2am the following morning
Club Restricted	As specified on licence	As specified on licence
Liquor Store	No permitted trading	8am to 10pm
Restaurant	At anytime ancillary to a meal	At anytime ancillary to a meal
Nightclub	From 12 midnight the previous day until 3am and no further trading	6pm until 5am the following morning
Special Facility	As specified on licence	As specified on licence
Producer	12 noon until 10pm only ancillary to a meal	Wine producers: at any time as determined by licensee Beer producers; 10am-10pm for on premises consumption, and any time for tastings and sales
Wholesaler	No permitted trading	At anytime as determined by licensee

NB: Licensees should check the conditions on their particular licence to ensure compliance, as some of the above may not apply to specially conditioned licences.