

WESTERN AUSTRALIA

LIQUOR LICENSING ACT 1988

**LIQUOR LICENSING
REGULATIONS
1989**

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WESTERN AUSTRALIA

LIQUOR LICENSING ACT 1988

**LIQUOR LICENSING
REGULATIONS 1989**

Citation

1. These regulations may be cited as the *Liquor Licensing Regulations 1989*¹.

Commencement

2. These regulations shall come into operation on the day on which the *Liquor Licensing Act 1988* comes into operation¹.

Forms

3. (1) For the purposes respectively specified in the heading to those forms, a form set out in the manner specified in Schedule 1 shall be deemed to be in the prescribed form.

(2) Where particulars or matters are referred to in a form to be used under these regulations information as to those particulars and matters is required to be supplied, in accordance with the directions, if any, on that form, in so far as may be applicable to the particular case.

(3) All applications and accompanying documents, other than plans, shall be on paper of A4 size.

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- (4) An application for —
- (a) the grant of a licence, other than an occasional licence; or
 - (b) the transfer or removal of a licence,

shall, together with all accompanying documents other than plans, be lodged in triplicate.

“low alcohol liquor” — prescribed level

4. (1) For the purposes of the interpretation of the expression **“low alcohol liquor”** in section 3 (1) the concentration of ethanol shall not exceed —

- (a) in beer, a level of 3.5%; and
- (b) in wine, a level of 6.5%,

by volume at 20° Celsius.

(2) In subregulation (1) (b), the reference to **“wine”** does not include a beverage that contains wine mixed with any other substance.

[Regulation 4 amended in Gazette 16 May 1995 p.1859.]

“Liquor” — alcohol based food essence is a prescribed substance

4A. (1) For the purposes of paragraph (b) of the interpretation of **“liquor”** in section 3 (1), an alcohol based food essence that is sold by way of retail sale is prescribed as being liquor.

(2) In subregulation (1) —

“alcohol based food essence” means a preparation of flavouring substance in liquid form with a concentration of ethanol exceeding 1.15% by volume in a container that has a volume exceeding —

- (a) 100 millilitres, in the case of natural vanilla essence; or
- (b) 50 millilitres, in any other case;

“retail sale” has the meaning given in the *Retail Trading Hours Act 1987*.

[*Regulation 4A inserted in Gazette 23 September 1994 p.4901; amended in Gazette 30 December 1994 p.7329; 26 November 1996 p.6629.*]

“record” — section 3

5. (1) For the purposes of the interpretation of the expression “record” in section 3 (1) the following sources of information are prescribed —

- (a) in respect of any transaction involving the sale or purchase of liquor (not being a sale by the holder of a retail licence to a person who is not a liquor merchant), the original, or a true copy, of any order form, invoice, delivery docket or advice, or other record or document which evidences the sale or purchase and which is supplied, or to be supplied, to or by the licensee;
- (b) in respect of any transaction involving the sale or purchase of liquor, the original or a true copy of —
 - (i) any deposit slip or statement, lodged with or issued by a bank or other financial institution by or to the licensee, which records the deposit or withdrawal of moneys received or paid by the licensee in respect of the transaction;
 - (ii) any cheque butt or counterfoil of the licensee, indicating the name of the payee, a cheque number or other reference number, the amount paid by the cheque, and the date of the payment;
 - (iii) any document supplied to the licensee in relation to the movement of liquor to or from, or the storage of liquor in, premises which are —
 - (A) the subject of a warehouse licence under the *Customs Act 1901*; or
 - (B) an approved place under the *Excise Act 1901*, of the Commonwealth;

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- (iv) any return or other document which the licensee is required to complete or submit pursuant to —
 - (A) the *Sales Tax Assessment Act (No. 1) 1930*;
 - (B) the *Customs Act 1901*; or
 - (C) the *Excise Act 1901*,of the Commonwealth;
- (v) any other journal, document or other record which evidences —
 - (A) the sale or purchase of liquor by the licensee;
 - (B) any other transaction involving liquor to which the licensee is a party; or
 - (C) the delivery, transport or other movement of liquor.

(2) For the purposes of this regulation, a reference —

- (a) to a **“sale”**, shall be construed having regard to the interpretation of the expression **“sell”** in section 3 (1) and to the requirement of section 145 (1) that the record include transactions involving any other disposal of liquor; and
- (b) to a **“purchase”**, shall be construed having regard to the interpretation of the expression **“sell”** in section 3 (1) and to the requirement of section 145 (1) that the record include transactions involving any other acquisition of liquor.

Offer to sell by post

6. Where an offer to sell liquor is sent by post to a person in the State from a place outside the State that offer to sell shall not be deemed to constitute a sale of liquor concluded in the State for the purposes of section 4 (8), notwithstanding that delivery is effected in the State.

Approved courses

7. An educational course of instruction or training that includes as a required element the tasting, sampling or use of liquor is an approved course for the purposes of section 6 (1) (c) of the Act if it is conducted —

- (a) by a post-secondary or tertiary educational institution; or
- (b) by a person approved in writing by the Director.

[*Regulation 7 inserted in Gazette 16 May 1995 p.1859.*]

Exempt sales

8. (1) The following sales are exempted from the application of the Act —

- (a) the sale of liquor in bond by the proprietor of premises which are the subject of a warehouse licence under the *Customs Act 1901* of the Commonwealth, to a person who proposes personally to take the liquor outside Australia;
- (b) the sale by Australian National Railways of liquor on a train in the course of an interstate rail passenger service to or from Perth;
- (c) the sale or supply of liquor together with flowers, a food parcel or a gift hamper to be delivered by the vendor or supplier as a gift to a person other than the purchaser, vendor or supplier, where —
 - (i) the quantity of liquor sold or supplied does not exceed 2 litres; and
 - (ii) that liquor was purchased by the vendor or supplier from the holder of a hotel licence or a liquor store licence;
- (d) the sale or supply of liquor as a prize in a lottery conducted in accordance with the *Gaming Commission Act 1987*;

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- (e) the sale of liquor to the master of a ship as ships' stores for consumption on that ship outside the territorial waters of the State;
- (f) the sale or supply of liquor in the course of skills formation, as defined under the *State Employment and Skills Development Authority Act 1990*, for the purposes of the food industry or the hospitality and tourism industry conducted at a college under the *Colleges Act 1978* or at a technical education institution under the *Education Act 1928*;
- (g) the sale by a person, authorized in writing by the Director, of an alcohol based food essence, as defined in regulation 4A (2);
- (h) the sale or supply of liquor —
 - (i) by a person who conducts or manages an approved nursing home, within the meaning of the *Hospitals and Health Services Act 1927*, to a person who is a patient and resident of the nursing home;
 - (ii) by a person who conducts or manages an approved private psychiatric hostel, within the meaning of the *Mental Health Act 1962*, to a person who is a patient and resident of the private psychiatric hostel; or
 - (iii) by a person —
 - (I) who operates a hostel as; or
 - (II) who manages a hostel on behalf of,

an approved operator of hostels, to an aged person or disabled person who is a resident of the hostel.

(2) In subregulation (1) (h) (iii), “aged person”, “approved operator”, “disabled person” and “hostel” each has the same meaning as it has in the *Aged or Disabled Persons Care Act 1954* of the Commonwealth.

[*Regulation 8 amended in Gazette 21 February 1992 pp.933-4; 30 December 1994 p.7330; 26 November 1996 pp.6629-30.*]

Persons who may take and administer oaths and affirmations

9. For the purposes of section 18 (3) (c) the following persons are prescribed —

- (a) the Judge;
- (b) the Registrar;
- (c) the Director; and
- (d) a clerk of courts who is a person authorized by the Director under section 15 (1) (b) to determine applications for the grant of occasional licences or the issue of extended trading permits.

Prescribed time — sections 30 (2) and 30 (4)

10. The time prescribed for the purposes of sections 30 (2) (a) and 30 (4) (a) (i) shall be the period which ends on the date specified by the Director as set out in an advertisement or notice the form of which is approved by the Director under section 69 (3).

Plans and specifications

11. (1) Unless the Director otherwise authorizes, plans submitted under section 66 are required to include —

- (a) floor plans in triplicate, drawn to a scale of 1:100, of each level of each building on the premises to which the application relates, showing fixtures and the uses of all rooms, each floor plan being drawn on a separate sheet of paper;
- (b) a site plan in duplicate, drawn to a scale of 1:500 either on one of the floor plan sheets or on a separate sheet of paper, showing —
 - (i) an outline of every building on the premises to which the application relates;

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- (ii) the boundary of the land on which those premises are or are to be situated;
 - (iii) the front entrance of every building on those premises;
 - (iv) car parks and vehicular access to adjacent streets;
 - (v) the names of adjacent streets; and
 - (vi) features such as swimming pools and other outdoor areas on those premises;
- (c) a map in duplicate of the relevant district, drawn on paper of at least A4 size, or, if space permits, on a floor plan or site plan sheet, showing the land on which the proposed licensed premises are or are to be situated; and
- (d) a plan in duplicate, drawn to a scale of 1:100 and showing elevations and sectional drawings of every building on the premises to which the application relates, including the ceiling heights and the uses of all rooms,

and in the case of an application to alter premises, a distinguishing and contrasting colour shall be used to indicate the proposed alterations.

(2) A plan referred to in subregulation (1) shall be drawn —

- (a) by a duly qualified architect, surveyor, town planner, engineer, builder or draftsman in ink on opaque drafting bond paper of at least A1 size, or be xerographic photocopies which are of the same size as the original within a tolerance of 5%; and
- (b) so as to comply with Australian Standard 1100, Technical Drawing Part 101 — 1984 General Principles and Part 301 — 1985 Architectural Drawing of the Standards Association of Australia,

and shall show the date of preparation, the scale, the direction of north and the name of the person who prepared the plan.

(3) The specifications to be submitted under section 66 (5) shall be in duplicate, typed on paper of at least A4 size, and include a detailed list of materials used or to be used in the construction of the premises to which the application relates, together with a description of all wall and ceiling finishes, floor coverings and kitchen equipment.

(4) Details of all fixtures, fittings, liquor services, food storage areas, food preparation areas, and sanitary conveniences shall be —

- (a) included in any plan to which subregulation (1) (a) or (1) (d) refers; and
- (b) provided in the specifications.

Requirements relating to advertisement of certain applications

12. A notice of an application required to be kept posted and displayed under section 67 (4) (b) shall —

- (a) be affixed to a board or other stiff material;
- (b) be typed or printed on paper of A4 size in bold-faced, upper case letters at least 4 millimetres in height; and
- (c) be headed by the words “*LIQUOR LICENSING ACT — NOTICE OF APPLICATION*” in bold-faced, upper case letters at least 70 millimetres in height.

Records — section 68 (1)

13. (1) The records required to accompany a notice of application for the grant or transfer of a licence, other than an occasional licence, under section 68 (1) (b) shall be in the form of a written statement and shall contain, in respect of each applicant, the details set out in the third column of Schedule 2 opposite the relevant category of applicant described in the second column of that Schedule.

(2) If the applicant is a body corporate the records referred to in subregulation (1) shall be verified under the seal of the body corporate.

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Persons entitled to object

14. In any case where an affected area is not specified, a right to object to an application is conferred under section 73 (2) (b) —

- (a) on any person; and
- (b) on any ground permitted by section 74.

Particulars to be included in register of lodgers

15. For the purposes of section 105 (4) (c) the following particulars are to be included in the register of lodgers —

- (a) the date of the lodger's arrival at the premises;
- (b) the room assigned to the lodger, identified by its number or other unambiguous means; and
- (c) the date of the lodger's proposed departure from the premises, and the actual date of departure if different.

Liability of licensee — prescribed amount

16. For the purposes of section 107 a licensee is not liable to a lodger beyond the amount of \$200 per item of property lost or damaged.

Notice to juveniles declaring out of bounds area

17. A notice for the purposes of section 121 (6) shall —

- (a) be in the form set out in Form 18 in Schedule 1; and
- (b) be printed, on paper or durable material of at least A4 size, in bold-faced, upper case letters —
 - (i) in the heading, at least 20 millimetres in height; and
 - (ii) otherwise, at least 10 millimetres in height.

Regulated premises

18. For the purposes of section 122 (1) (f) the following premises are deemed to be regulated premises —

- (a) a theatre; or
- (b) an educational institution, including any grounds surrounding that institution.

Evidence of age

18A. A person who is required to produce evidence of his or her age —

- (a) to an authorized person, because the person is a suspected juvenile within the meaning of section 126 (1) of the Act; or
- (b) to an authorized officer, because the age of the person is or may be material to a suspected offence within the meaning of section 160 (1) of the Act,

may comply with the requirement by producing a Proof of Age Card issued to the person under regulation 18B.

[Regulation 18A inserted in Gazette 3 December 1996 pp.6689-90.]

Proof of Age Cards

18B. (1) The Director may issue a Proof of Age Card to a person if the person is at least 18 years old and applies to the Director in accordance with this regulation.

(2) An application for a Proof of Age Card shall be made in a form approved by the Director and be accompanied by —

- (a) sufficient documentary evidence of the applicant's identity and age;

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- (b) 2 identical colour photographs (of the size required for a passport) of the applicant, taken within the 6 months immediately preceding the date of the application, with each photograph bearing the endorsement set out in subregulation (4) and the signature of the approved person who makes the endorsement; and
- (c) the fee prescribed in item 15A of Schedule 3.

(3) The applicant shall provide any other information or documents (which may include an example of the applicant's signature in a medium specified by the Director) that the Director may require in relation to the application.

(4) The endorsement referred to in subregulation (2) (b) shall be made by an approved person in the following words: "This is a true photograph of [*the full name of the applicant to be inserted here*]."

(5) In this regulation —

"approved person" means a person —

- (a) who is not related by birth or marriage to the applicant;
- (b) who has known the applicant for at least one year; and
- (c) before whom a statutory declaration may be made under section 2 of the *Declarations and Attestations Act 1913*;

"sufficient documentary evidence of the applicant's identity and age" means —

- (a) the applicant's birth certificate;
- (b) the applicant's passport;
- (c) the applicant's motor vehicle driver's licence (but only if it displays a photograph of the applicant); or

- (d) a document that the Director considers to be equivalent to the document referred to in paragraph (a), (b) or (c),

and any other document or documents that the Director may require the applicant to produce to prove the applicant's identity and age to the Director's satisfaction.

[Regulation 18B inserted in Gazette 3 December 1996 p.6690.]

Form and content of Proof of Age Cards

18C. (1) A Proof of Age Card issued to a person under regulation 18B —

- (a) shall be in a form approved by the Director; and
- (b) shall display a photograph of the person, the person's date of birth, the person's signature and any other matter that the Director may approve.

(2) In subregulation (1) —

“photograph” and **“signature”** include a reproduction, produced by any process approved by the Director, of a photograph or signature.

[Regulation 18C inserted in Gazette 3 December 1996 pp.6690-1.]

Lost, stolen or destroyed Proof of Age Cards

18D. A person may obtain a replacement for a Proof of Age Card that has been lost, stolen or destroyed, or that otherwise needs to be replaced, by applying to the Director in accordance with regulation 18B.

[Regulation 18D inserted in Gazette 3 December 1996 p.6691.]

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Prescribed amount — section 130 (2)

19. For the purposes of section 130 (2) (b) (i) the prescribed amount is \$105.00.

[Regulation 19 amended in Gazette 8 November 1991 p.5769; (amendment disallowed see Gazette 1 May 1992 p.1844); amended in Gazette 20 November 1992 p.5695.]

Prescribed licence fees — section 132

20. Pursuant to section 132 —

(a) the prescribed licence fee payable in respect of —

(i) a club restricted licence, is related to the maximum number of days of trading permitted in each week, as follows —

1-2 days	\$100.00
3 days	\$150.00
4 days	\$200.00
5 or more days	\$250.00; and

(ii) an occasional licence, is for the first 24 hour period included in the application fee and in respect of each subsequent such period is payable on issue of the licence at the rate, and up to the maximum, set out in Schedule 3; and

(b) the prescribed minimum fee payable under a licence for the purposes of section 132 (6) is \$105.00.

[Regulation 20 amended in Gazette 8 November 1991 p.5769; (amendment disallowed see Gazette 1 May 1992 p.1844); amended in Gazette 20 November 1992 p.5695.]

Prescribed amount and licence fee — section 140

21. For the purposes of section 140 the prescribed amount and the prescribed licence fee are —

- (a) in the case of a wholesaler's licence, \$265.00; and
- (b) in any other case, \$105.00,

respectively.

[Regulation 21 amended in Gazette 8 November 1991 p.5769; (amendment disallowed see Gazette 1 May 1992 p.1844); amended in Gazette 20 November 1992 p.5695.]

Form and content of record under section 145

22. (1) A record required to be made under section 145 shall be derived from the sources of information prescribed in regulation 5 and be maintained in the form of a book, or in some other form which is intelligible by, and readily accessible to, an authorized officer, and shall contain the following information —

- (a) in the case of each transaction involving the sale of liquor by the holder of a special facility licence, a wholesaler's licence or a producer's licence to a liquor merchant —
 - (i) the name and, where applicable, licence number of the liquor merchant to whom liquor was sold;
 - (ii) the date of the invoice or credit note, and the date on which the goods were sent or returned;
 - (iii) the invoice or credit note number;
 - (iv) the total amount paid or payable to the licensee in respect of the transaction, with a separate statement of the amount for —
 - (A) low alcohol liquor;
 - (B) liquor other than low alcohol liquor;

- (C) goods other than liquor;
 - (D) freight and delivery charges, where separate charges are made;
 - (E) any discount given;
 - (F) any liquor or other goods returned or not accepted by the liquor merchant; and
 - (G) each duty or charge which is payable in respect of the liquor but which is not otherwise included in an item in the invoice;
- (b) in the case of each transaction involving the purchase or other acquisition of liquor by the holder of a licence —
- (i) the name, address and licence number of the supplier;
 - (ii) the date of the invoice or credit note, and the date on which the goods were received or returned;
 - (iii) the invoice or credit note number;
 - (iv) the method by which payment was made and, if by cheque, the cheque number and date;
 - (v) the amount paid or payable for low alcohol liquor;
 - (vi) the amount paid or payable for liquor other than low alcohol liquor; and
 - (vii) the amount paid or payable for any goods other than liquor;
- and
- (c) in the case of transactions involving the sale or other disposal of liquor by the holder of a wholesaler's licence or a producer's licence otherwise than to liquor merchants — the weekly aggregate of the gross amounts paid or payable to the licensee in respect of such transactions.

(2) A record in the form of a book containing the information required by subregulation (1) (b) shall —

- (a) be made up of pages in the form set out in Form 19 in Schedule 1; and
- (b) comply with the following requirements —
 - (i) each page shall be of at least A4 size;
 - (ii) each page shall give details of transactions involving one supplier only;
 - (iii) each page shall be consecutively numbered; and
 - (iv) the pages shall be bound inside a stiff cover.

Verification and lodgement of returns

23. (1) For the purposes of section 146 (2) (c) returns required under section 146 shall be verified as being an accurate and complete statement of the transactions or other matters to which the returns relate —

- (a) if the licence is held by a natural person, an unincorporated club or other unincorporated body of persons — by the signature of the licensee, that signature being duly witnessed; or
- (b) if the licence is held by a company, club or other body of persons that is incorporated — by the signature of a duly authorized officer of that company, club or other body of persons, the returns being verified under the seal of that body corporate.

(2) Returns required to be lodged under the Act shall be lodged at the office of the Director.

(3) Where a return required to be lodged under the Act is not lodged before the expiry of the prescribed time, does not include the required information or is otherwise incomplete or is not verified as required —

- (a) if a person required to lodge the return, or being the director of a company required to lodge the return, fails to

take all reasonable steps to comply with, or secure compliance with, or has knowingly been the cause of any default under, the provisions of the Act or these regulations the person is guilty of an offence;

Penalty: \$1 000;

- (b) the Director may assess and determine a fee under section 135 and thereafter serve on the licensee under section 139 (4) a notice in writing requiring the payment of that fee unless the required return is lodged, or the deficiency is corrected, within 7 days of the service of that notice; and
- (c) if the section 139 notice is not complied with or the required return is not lodged or the deficiency is not corrected, the Director may suspend the operation of the licence and any extended trading permit relating to that licence until the requirement is met,

and for the purposes of this subregulation where a time for lodgement is not prescribed under section 146 but a time or interval is specified by the Director under section 146 (2) the expiry of the period of time or interval so specified shall be deemed to be the expiry of a prescribed time.

(4) Where, under section 71 of the *Interpretation Act 1984*, a person becomes liable to a penalty in respect of an offence constituted by a failure to do an act or thing required by the Act, this regulation or regulation 24 in relation to any return or information thereby required, the penalty applicable to each such offence is \$100.

Prescribed information — returns

24. (1) Each licensee shall in the return lodged with the Director under section 146 include the following information in respect of the relevant assessment period —

- (a) in respect of each aggregate amount that is stated, the amount which relates to low alcohol liquor and the amount which relates to liquor other than low alcohol liquor;

- (b) where the licensee is the holder of a special facility licence, a producer's licence or a wholesaler's licence, the aggregate amounts paid or payable to the licensee in respect of transactions involving the sale or other disposal of liquor —
 - (i) to liquor merchants who in the relevant period held or hold a licence under the Act;
 - (ii) to persons other than liquor merchants, including transactions involving the sale of liquor —
 - (A) to any person who held or holds only an occasional licence under the Act;
 - (B) by auction in Western Australia;
 - (C) pursuant to an occasional licence held by the licensee;
 - (D) of a particular type to a person who held a licence under the Act but not a licence authorizing the sale of liquor of that type; or
 - (E) to any person, sales of liquor by whom were or are not subject to the Act, or who was or is otherwise exempt from the application of the Act;
 - (iii) to liquor merchants not licensed under the Act;
 - (iv) to employees of the licensee; and
 - (v) to persons outside Australia;
- (c) where the licensee is the holder of a producer's licence or a wholesaler's licence, the name and address of each liquor merchant to whom liquor was sold or otherwise disposed of, and the gross amount paid or payable to the licensee in respect of each such sale or other disposal;

- (d) where the licensee is the holder of a special facility licence, a retail licence, or a club restricted licence, the aggregate amounts paid or payable by the licensee in respect of transactions involving the purchase of liquor —
 - (i) at auction;
 - (ii) from liquor merchants who hold or in the relevant period held a licence under the Act;
 - (iii) from liquor merchants not licensed under the Act; or
 - (iv) from persons outside Australia;
- (e) where the licensee is an auctioneer who sells liquor under an occasional licence, whether a person on whose behalf liquor was sold at auction, or who purchased liquor, was a liquor merchant and, if so, the name and class of any licence held by the liquor merchant;
- (f) where the licensee is a body corporate —
 - (i) the full name and address of each person who occupied a position of authority in the body corporate, and a description of that position, on the last day of the relevant assessment period;
 - (ii) the registered office of the body corporate; and
 - (iii) in the case of a proprietary company, the number of shares held by each shareholder, and whether any of those shares is held in trust for another person;
- (g) where the licensee is a club that is an incorporated association, the full name and address of each person who was the manager of the business conducted in pursuance of the licence, or who was a member of the committee of management or other governing body of the club, and a description of the position or office held by that person, on the last day of the relevant assessment period;

- (h) where the licensee is a club that is not an incorporated association, the full name and address of each person who was the manager of the business conducted in pursuance of the licence, or was a trustee of the club, on the last day of the relevant assessment period;
- (j) where the licensee is a club, whether or not the club is an incorporated association —
 - (i) whether the constitution or rules of the club were altered during the relevant assessment period and, if they were altered, a copy of the new constitution and rules and details of when and how they were altered and whether the approval of the Director was sought or obtained; and
 - (ii) the total number of members of the club, of each class, on the last day of the relevant assessment period;
- (k) where the licence is held jointly by 2 or more persons, the full name and address of each such person, and of the person who was the manager of the business conducted under the licence, on the last day of the relevant assessment period;
- (m) where the licence is held by one natural person, the full name and address of that person, and of the person who was the manager of the business conducted under the licence, on the last day of the relevant assessment period; and
- (n) the name and address of the owner of the licensed premises.

(2) In this regulation, “**aggregate amount**” means the sum of the individual gross amounts paid or payable to or by the licensee (as the case may be) and, where the aggregate amount is to be advised in respect of different categories of transaction, the aggregate in respect of each such category.

Payment of moneys

25. (1) The Director may require in a particular case that moneys payable under the Act be paid by bank cheque or in cash.

(2) All moneys payable under the Act shall be payable —

(a) at the office of the Director; or

(b) where the moneys are payable in respect of an application or function, or a licence fee related to an application or function, which a Clerk of Courts or other person is authorized by the Director to determine or to carry out under section 15, at the office of that Clerk of Courts or to that person.

[Regulation 25 amended in Gazette 24 August 1990 p.4337.]

Fees generally

26. (1) In relation to a provision specified in the first column of Schedule 3, for the purposes of an item described in the second column of that Schedule, the amount specified in the third column of that Schedule in respect of that item shall be the amount payable as the prescribed fee.

(2) The Director may reduce, waive or refund, in whole or in part, a fee referred to in subregulation (1).

(3) Where a person is required to lodge a document with the Director within a prescribed time and a fee is payable under subregulation (1) for or in respect of the lodgement and the document is submitted for lodgement —

(a) without payment of the fee, the document shall be deemed not to have been lodged until the fee has been paid; and

- (b) after the expiry of the prescribed time, in addition to the fee for lodgement prescribed there shall be payable a late lodgement fee —
 - (i) if the document is lodged not later than 1 month after the expiry of the prescribed time, of an amount equal to the fee for lodgement prescribed; or
 - (ii) if the document is lodged more than 1 month after the expiry of the prescribed time, of an amount equal to 3 times the fee for lodgement prescribed.

Infringement notices

27. (1) For the purposes of section 167 —
- (a) the notice to be given to a person under section 167 (2) shall be in the form set out in Form 21 in Schedule 1;
 - (b) the description of the offence set out in the form is for convenience of reference only, and shall not be taken to alter or otherwise affect the nature or elements of the offence or the operation of the Act or these regulations, notwithstanding that the nature or any element of the offence in relation to which a notice is served may not be, or may not properly be, set out in the description; and
 - (c) the notice withdrawing an infringement notice under section 167 (5) shall be in the form set out in Form 22 in Schedule 1.

(2) Pursuant to section 167 (2) (a) (ii), an offence against regulation 23 (3) (a) shall be a prescribed offence.

Transitional provisions — licence fees

28. (1) The licence fee payable for the licence period commencing on the appointed day and ending on 31 December 1989 in respect of a licence (other than a club restricted licence) that comes into force by operation of Schedule 1 to the Act shall be —
- (a) an amount equal to three-quarters of the licence fee assessed under the repealed Act or later reassessed under

Liquor Licensing Regulations 1989

r. 28

that Act or the Act in respect of the corresponding licence under the repealed Act for the year commencing on 1 July 1988; and

- (b) paid in 3 instalments, as nearly equal as practicable, on or before the last day of April, July and October 1989 respectively.

(2) Any amount already paid by the holder of a licence under the repealed Act in respect of the period commencing on 1 May 1989 and ending on 31 July 1989 to which a corresponding class of licence relates shall be credited against the instalments referred to in subregulation (1) (b).

(3) If after the appointed day a licence fee in respect of a licence under the repealed Act for the year commencing on 1 July 1988 is reassessed under the repealed Act or the Act and the original assessment is altered, a due adjustment shall be made in respect of the instalments payable under subregulation (1) and any amount overpaid shall be credited against those instalments.

(4) Sections 139 (2), 141 and 142 apply to and in relation to an instalment of a licence fee payable on 31 January 1989 in accordance with these regulations in respect of a licence under the repealed Act as if that instalment was an instalment of a licence fee payable under the Act.

(5) The licence fee payable for the licence period commencing on the appointed day and ending on 31 December 1989 in respect of a club restricted licence that comes into force by operation of Schedule 1 to the Act shall be —

- (a) an amount equal to the fee that would have been payable under the repealed Act if the corresponding unlicensed club permit had been renewed under that Act on 1 January 1989; and
- (b) paid in full within one month of the grant of a club restricted licence under clause 6 (2) of that Schedule.

(6) Where the Director grants a licence under clause 11 (2) of Schedule 1 to the Act, the licence fee for that licence shall be assessed and determined under sections 129 and 130 and any amount already paid under the repealed Act or under subregulation (1) in respect of the period to which that licence applies shall be credited against the licence fee.

(7) Sections 129 and 130 apply to the assessment and determination of the licence fee for a new licence (not being a licence in force immediately prior to the appointed day and continued in operation under Schedule 1 to the Act or granted in substitution under clause 11 (2) of that Schedule) of any class granted during the period commencing on the appointed day and ending on 31 December 1989, save that for the purposes of such an assessment or determination the reference in section 130 (2) (b) (ii) to "first day" shall be construed as "last day".

(8) Nothing in subregulation (1), (2) or (3) shall be affected by the grant of a licence under clause 6 (2) of Schedule 1 to the Act.

(9) In this regulation, expressions defined in clause 1 (1) of Schedule 1 to the Act have the meanings given in that clause.

SCHEDULE 1

[Regulation 3]

Forms

Form 1

Liquor Licensing Act 1988

[Section 14]

CERTIFICATE OF IDENTITY

(Front of Certificate)

(State)
(emblem)

LIQUOR LICENSING ACT 1988
(Section 14)
CERTIFICATE OF IDENTITY

(photograph)

.....
Name of authorized officer

.....
Signature

.....
Date of issue

(Reverse of Certificate)

LIQUOR LICENSING ACT 1988

This is to certify that the person whose name, signature and photograph appear on the front of this certificate is an authorized officer appointed under the *Liquor Licensing Act 1988* and^{/*}has the functions and the power authorized in that Act^{/*}is authorized to #.

It is an offence for a person to fail to comply with a requirement of an authorized officer under the *Liquor Licensing Act 1988*.

(* delete whichever is not applicable)

(# insert details of specific authority)

Form 2

Liquor Licensing Act 1988

[Section 68]

NOTICE OF APPLICATION FOR LICENCE
(OTHER THAN CLUB LICENCE OR OCCASIONAL LICENCE)

To the Director of Liquor Licensing

1. DETAILS OF APPLICANT(S)

- (a) Full name(s)
- (b) Postal address for service of documents
- (c) Daytime contact name and telephone number
- (d) Full name and address of proposed manager (if any)

2. APPLICATION DETAILS

- (a) Class of licence sought
- (b) Address of proposed licensed premises
- (c) Proposed trading name for premises (if any)
- (d) Is a licence sought conditional upon construction or completion of the premises (Yes/No)
- (e) Does the applicant own the proposed licensed premises? (Yes/No)
 - If No — (i) What is the full name and address of the owner?
 - (ii) What form of tenure of the premises will the applicant have (including term of tenure)?

Liquor Licensing Regulations 1989

Sch. 1

3. COMPANY DETAILS (to be completed only if the applicant is a body corporate)

(a) Date of incorporation

(b) Place of incorporation

(c) Full details of each Director, Secretary, Managing Director and Executive Officer —

Name	Address	Date of Birth	Place of Birth	Office Held
------	---------	---------------	----------------	-------------

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(d) Full details of each shareholder or other member (only if applicant is a proprietary company) —

Name	Address	Date of Birth	Place of Birth	No. of shares held in applicant company and class of share
------	---------	---------------	----------------	--

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(e) Where the applicant company, or a shareholder or other member in the case of a proprietary company, is trustee of or beneficiary under a trust, or holds company shares or trust units in trust for another person, provide full details of each such trust or person —

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4. SPECIAL CONDITIONS

(a) Is approval for a free sampling area sought (liquor store, wholesaler's or producer's licence only)?

(Yes/No)

If Yes, what part of premises?

- (a) In the case of a hotel licence application only —
 - (i) is approval sought to sell liquor for consumption off the licensed premises?
(Yes/No)
 - (ii) will accommodation be provided for lodgers?
(Yes/No)
- (c) In the case of a hotel licence or liquor store licence application only, for what obligatory trading period will approval be sought (does not apply to Sunday, Good Friday, Christmas Day or Anzac Day)?
..... am/pm to am/pm
- (d) In the case of a special facility licence application only —
 - (i) for what purpose under section 46 (5) is the licence sought?
.....
 - (ii) what trading hours are sought? (Give details for each day, and of any seasonal changes)
.....
.....
 - (iii) is approval sought to sell liquor for consumption off the licensed premises?
(Yes/No)
 - (iv) details of any other special trading conditions sought
.....
.....

5. EXTENDED TRADING PERMITS

- (a) is an indefinite extended trading permit also sought?
(Yes/No)
- If Yes —
 - (i) for what purpose under section 60 (4) is the permit sought?
.....
.....
 - (ii) in respect of what area(s) is the permit sought?
.....
.....
 - (iii) what trading hours or other special trading conditions are sought?
.....
.....

Liquor Licensing Regulations 1989

Sch. 1

Notice of application is hereby given for a licence 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 19

Where the applicant is a company

The common seal of

.

was hereunto affixed by order
of its directors in accordance
with its articles of association,
in the presence of —

Signature of Director

Name of Director

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Where the applicant is one or more natural persons

Signature of Person

Signature, Name and Address of
Witness

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Form 3

Liquor Licensing Act 1988

[Sections 48 and 68]

NOTICE OF APPLICATION FOR CLUB LICENCE

To the Director of Liquor Licensing

1. DETAILS OF APPLICANT CLUB

- (a) Full name of club
- (b) Postal address for service of documents
- (c) Daytime contact name and telephone number
- (d) Is the club an incorporated association?
(Yes/No)
If Yes, date of incorporation
- (e) How long has the club existed and operated
- (f) What are the objects of the club?
- (g) What are the classes of member, and number of members in each class, as at the date of this application?

Class of membership	No. of members
.....
.....
.....
.....

- (h) Give full details of each member of committee of management —

Name	Address	Date of Birth	Place of Birth	Office Held	When Elected
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

Sch. 1

2. DETAILS OF APPLICATION

- (a) Address of the proposed licensed premises
- (b) Full name and address of proposed manager
- (c) Is the licence sought conditional on construction or completion of the premises? (Yes/No)
- (d) Does the club own the proposed licensed premises? (Yes/No)
If No —
 - (i) What is the full name and address of the owner?
 - (ii) Will the club have an exclusive right to occupy the proposed licensed premises? (Yes/No)
 - (iii) What form of tenure of the premises will the club have (include term of tenure)?
- (e) For what number of guests per member per day is approval sought?
- (f) Is the application for a club restricted licence? (Yes/No)
If Yes —
 - (i) specify licensees of hotels or liquor stores nominated for approval as liquor suppliers —

Name of Licensee	Address of Licensed Premises
.....
.....
 - (ii) Are the suppliers nominated in (i) above all situated within 8 kilometres of the club premises? (Yes/No) . . .
If No, how far are they from the club, and why is approval sought for them?

(iii) What trading hours are sought (give details of each day, and include any seasonal changes)?

.....
.....

(iv) Is approval sought to sell liquor for consumption off the licensed premises? (Yes/No)

If Yes, what great inconvenience would occur if the approval were not given?

.....
.....

TO BE COMPLETED BY CLUB PRESIDENT (OR TRUSTEE) AND SECRETARY

Notice of application is hereby given for a club licence 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 19.....

Signature

Office Held

.....
.....

.....
.....

Form 4

Liquor Licensing Act 1988

[Sections 68 and 75]

NOTICE OF APPLICATION FOR OCCASIONAL LICENCE BY NATURAL PERSON (ONE DAY ONLY)

To the Director of Liquor Licensing or the clerk of courts at

1. Full name(s) of applicant(s)

2. Postal address for service of documents

3. Daytime contact name and telephone number

4. Description of occasion or function for which licence is sought

5. Date and times of occasion or function —

Date	Commencement Time	Finishing Time
.....

6. Where will the occasion or function be held?

7. How many persons are expected to attend?

8. Will the applicant be in charge of that place?
(Yes/No)
If No —

(i) who will be in charge?

Name	Address	Contact Phone No.
.....

(ii) has that person consented to this application?
(Yes/No)

9. Who is proposed to supply the liquor to be sold or supplied under the licence?

Name	Address
.....

- 10. What facilities and expertise will the applicant have to ensure the licence is operated in a proper manner and not in a manner detrimental to the public interest?
.....
.....
.....
- 11. Is it proposed to sell or supply liquor in sealed containers?
(Yes/No) If Yes, what sort?
.....
- 12. Will liquor be sold direct, or as part of an entry or cover charge?
(specify)
- 13. Will entertainment be provided? (Yes/No)
If Yes, what sort, and who will provide it
.....

Notice of application is hereby given for an occasional licence in accordance with, and on the basis of, the information set out above. It is declared that all information and details provided are true and correct, and no relevant information is omitted.

Dated the day of 19

Signature of person lodging application

(If not the applicant, state your name and relationship to applicant)

Form 5

Liquor Licensing Act 1988

[Sections 68 and 75]

NOTICE OF APPLICATION FOR OCCASIONAL LICENCE (GENERAL)

To the Director of Liquor Licensing or the clerk of courts at

1. DETAILS OF APPLICANT(S)

- (a) Full name(s)
(b) Postal address for service of documents
(c) Daytime contact name and telephone number
(d) Is the applicant a club or association? (Yes/No)
If Yes, give the following details —
(i) name of club or association
(ii) address of its premises
(iii) objects of club or association
(iv) who are the President and Secretary?
Name Address
President
Secretary

2. DETAILS OF APPLICATION

- (a) Description of occasion(s) or function(s) for which licence is sought.
(b) Date(s) and times of the occasion(s) or function(s) —
Date Commencement Time Finishing Time

(c) Where will the occasion(s) or function(s) be held?

(d) How many persons are expected to attend?

(e) Will the applicant be in charge of that place?
(Yes/No)

If No — (i) who is in charge?

Name	Address	Contact Phone No.
.....

(ii) has that person consented to this application?
(Yes/No)

(f) Who is proposed to supply the liquor to be sold or supplied
under the licence?

Name	Address
.....

(g) Is the applicant conducting or organizing the function on
behalf of or for the benefit of another person or group?
(Yes/No)

If Yes, give the name, address and contact telephone
number of that person or group

(h) Is any other person organizing or conducting the function
for or on behalf of the applicant?
(Yes/No)

If Yes, give the name, address and contact telephone
number of that person

(i) Does the applicant seek approval of an arrangement to
share with someone else any benefit arising from the
holding of the licence? (Yes/No)

If Yes — (i) give details of that other person —

Name	Address
.....

(ii) describe the arrangement and type and amount of
benefit

Liquor Licensing Regulations 1989

Sch. 1

- (j) What facilities and expertise will the applicant have to ensure the licence is operated in a proper manner and not in a manner detrimental to the public interest ?
.....
.....
- (k) Is it proposed to sell or supply liquor in sealed containers? (Yes/No) If Yes, what sort?
.....
- (l) Will liquor be sold direct, or as part of an entry or cover charge? (specify).....
- (m) Will entertainment be provided? (Yes/No)
If Yes, what sort, and who will provide it
.....

Notice of application is hereby given for an occasional licence in accordance with, and on the basis of, the information set out above. It is declared that all information and details provided are true and correct, and no relevant information is omitted.

Dated the day of19.

Signature of person lodging application

(If not the applicant, state your name and relationship to applicant.)

Form 6

Liquor Licensing Act 1988

[Sections 68 and 76]

NOTICE OF APPLICATION FOR INDEFINITE EXTENDED TRADING PERMIT

To the Director of Liquor Licensing

1. DETAILS OF APPLICANT LICENSEE

- (a) Licence number.
- (b) Name(s) of licensee(s).
- (c) Licence address.
- (d) Daytime contact name and telephone number
.....

2. DETAILS OF APPLICATION

- (a) For what purpose under section 60 (4) is the permit sought?
.....
- (b) Will it apply to part of the premises already licensed?
(Yes/No)
If Yes, what part?
If No —
 - (i) to what place or premises, or part of a place or premises, will the permit apply
.....
 - (ii) who is in charge of the place or premises?
.....

Has that person consented to this application?
(Yes/No).....
- (c) is the permit to be operated for the benefit of, or on behalf of, any person other than the applicant?
(Yes/No)
If Yes —
 - (i) give details of that other person —

Name	Address
.....

Sch. 1

- (ii) is there any, and if so what, arrangement to share any benefit arising from the holding of the permit?
.....
.....
- (iii) what would be the type and amount of benefit to the applicant and the other person respectively?
.....
.....

Notice of application is hereby given for an extended trading permit in accordance with, and on the basis of, the information set out above. It is declared that all information and details provided are true and correct, and no relevant information is omitted.

Dated the day of 19

Signature of person lodging application

(If not the applicant, state your name and relationship to applicant)

Form 7

Liquor Licensing Act 1988

[Sections 68 and 76]

NOTICE OF APPLICATION FOR EXTENDED TRADING PERMIT FOR SPECIAL OCCASION OR FUNCTION

To the Director of Liquor Licensing or the clerk of courts at

1. DETAILS OF APPLICANT LICENSEE

- (a) Licence number
- (b) Name(s) of licensee(s)
- (c) Licence address.
.
- (d) Daytime contact name and telephone number
.

2. DETAILS OF APPLICATION

- (a) For what purpose under section 60 (4) is a permit sought?
- (b) Will it apply to part of the premises already licensed?
(Yes/No)
If Yes, what part?
If No —

 - (i) to what place or premises, or part of a place or premises, will the permit apply?
.
 - (ii) who is in charge of the place or premises?
.
Has that person consented to this application?
(Yes/No)

- (c) For what date(s) and times will the permit apply?

Date	Commencement Time	Finishing Time
.
.
.
- (d) Who will be in charge of the permit operation?

Name	Relationship to applicant
.

Liquor Licensing Regulations 1989

Sch. 1

- (e) Will entertainment be provided? (Yes/No)
If Yes, what sort, and who will provide it?
- (f) Is it proposed to sell liquor in sealed containers?
(Yes/No)
If Yes, what type of liquor?
- (g) How many persons are expected to attend?
- (h) Is the permit to be operated for the benefit of or on behalf
of, any persons other than the applicant?
(Yes/No)
If Yes —
 - (i) give details of that other person —
Name Address
.....
 - (ii) is there any, and what, arrangement to share any
benefit arising from the holding of the permit?
.....
 - (iii) what would be the type and amount of benefit to the
licensee and the other person respectively?
.....

Notice of application is hereby given for an extended trading permit in accordance with, and on the basis of, the information set out above. It is declared that all information and details provided are true and correct, and no relevant information is omitted.

Dated the day of 19

Signature of person lodging application

(If not the applicant, state your name and relationship to applicant).

Form 8

Liquor Licensing Act 1988

[Sections 68 and 77]

NOTICE OF APPLICATION FOR APPROVAL FOR ALTERATION OR REDEFINITION, OF LICENSED PREMISES

To the Director of Liquor Licensing

1. DETAILS OF LICENSEE AND APPLICANT

- (a) Licence number...
(b) Name(s) of licensee(s)...
(c) Name and address of licensed premises...
(d) is the applicant in this case the licensee? (Yes/No)...
If No —
(i) name of the applicant...
(ii) address of applicant for service of documents...
(iii) status of applicant (e.g. owner, lessor)...
(e) Daytime contact name and telephone number for applicant...

2. DETAILS OF APPLICATION

Describe the alteration or redefinition to be approved...

3. CONSENT OF THE OWNER/LESSOR

Has the consent of any owner and/or lessor of the premises been obtained? (Yes/No)... (If Yes, attach a copy of consent)

Dated the... day of... 19...

Signature of *licensee/*applicant/*person authorized (if a company) (*delete whichever is not applicable)

Form 9

Liquor Licensing Act 1988

[Sections 68 and 81]

NOTICE OF APPLICATION FOR REMOVAL OF LICENCE

To the Director of Liquor Licensing

1. DETAILS OF LICENCE

- (a) Licence number.
- (b) Name(s) of licensee(s).
- (c) Daytime contact name and telephone number.
- (d) Address of licensed premises.
- (e) Licence trading name.

2. DETAILS OF APPLICATION

- (a) Address of premises to which the licence is sought to be removed.
- (b) Proposed new licence trading name
- (c) Is the removal sought conditional upon construction or completion of the proposed new premises? (Yes/No)
- (d) Does the licensee own the proposed new licensed premises? (Yes/No)
If No —
 - (i) what is the full name and address of the owner?
.....
 - (ii) what form of tenure of the premises will the applicant have (including term of tenure)?
.....

3. SPECIAL CONDITIONS

(Answer all relevant questions in relation to the proposed new licensed premises)

(a) Is approval for a free sampling area sought (liquor store, wholesaler's or producer's licence only)?
(Yes/No)
If Yes, what part of premises?

(b) In the case of a hotel licence or liquor store licence application only, for what obligatory trading period will approval be sought (does not apply to Sunday, Good Friday, Christmas Day or Anzac Day)?
..... am/pm to am/pm

(c) In the case of a special facility licence application only —
(i) what purpose under section 46 (5) will the removed licence fulfil?
.....
(ii) what trading hours are sought? (Give details for each day, and of any seasonal changes)
.....
(iii) is approval sought to sell liquor for consumption off the licensed premises?
(Yes/No)
(iv) details of any other special trading conditions sought
.....

4. EXTENDED TRADING PERMITS

(a) Is an indefinite extended trading permit also sought?
(Yes/No)
If Yes —
(i) for what purpose under section 60 (4) is the permit sought?
.....
(ii) in respect of what area(s) is the permit sought?
.....

Liquor Licensing Regulations 1989

Sch. 1

(iii) what trading hours or other special trading conditions are sought?

.....
.....

Notice of application is hereby given for removal of the licence 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 19.....

Where the applicant is a company

The common seal of

.....
was hereunto affixed by order of
its directors in accordance with
its articles of association, in the
presence of —

Signature of Director

Name of Director

.....
.....
.....

Where the applicant is one or more natural persons

Signature of Person

Signature, Name & Address of Witness

.....
.....
.....

Form 10

Liquor Licensing Act 1988

[Sections 68 and 82]

**NOTICE OF APPLICATION FOR APPROVAL OF TRANSFER
OF LICENCE**

To the Director of Liquor Licensing

1. DETAILS OF LICENCE
 - (a) Licence number
 - (b) Name(s) of current licensee(s)
 - (c) Class of licence
 - (d) Licence address
 - (e) Licence trading name

2. DETAILS OF APPLICANT(S)
 - (a) Full name(s)
 - (b) Postal address for service of documents
 - (c) Daytime contact name and telephone number
 - (d) Full name and address of proposed manager (if any)

3. COMPANY DETAILS (to be completed only if the applicant is a body corporate)
 - (a) Date of incorporation
 - (b) Place of incorporation

Liquor Licensing Regulations 1989

Sch. 1

- (c) Full details of each Director, Secretary, Managing Director and Executive Officer —

Table with 5 columns: Name, Address, Date of Birth, Place of Birth, Office Held. Includes dotted lines for data entry.

- (d) Full details of each shareholder or other member (only if applicant is a proprietary company) —

Table with 5 columns: Name, Address, Date of Birth, Place of Birth, No. of shares held in applicant company and class of share. Includes dotted lines for data entry.

- (e) Where the applicant company, or a shareholder or other member of the company in the case of a proprietary company, is trustee of or beneficiary under a trust, or holds company shares or trust units in trust for another person, full details of each such trust or person must be provided —

Dotted lines for providing details of trusts or persons.

4. STATUS OF LICENCE

- (a) Is the licence subject to a protection order under section 87? (Yes/No) ... If Yes, to whom is the order granted?
(b) Is any person carrying on business under an interim authorization under section 86? (Yes/No) ... If Yes, who is that person?
(c) Is there any dispute between the licensee/former licensee and the owner or lessor of the premises? (Yes/No) ... If Yes, what is the nature of the dispute and what stage has it reached

5. TENURE OF PREMISES

The application cannot be granted unless the applicant has, or will have from the date of transfer, exclusive possession of the whole of the licensed premises. Describe the tenure which the applicant has/will have (including term of tenure).

.....

6. CONSENT OF LICENSEE

(The person who is the current licensee, whether or not by virtue of a protection order under section 87, or an interim authorization under section 86, must complete this part unless that person is also the applicant.)

I, (full name) hereby consent to the transfer of this licence to (name of applicant)

This consent was freely given by me on the day of 19.....

Dated the day of 19.....

Signature of *licensee/*person authorized company seal
(if a company) (if applicable)
(*delete whichever is not applicable)

Witnessed by (signature) (person other than applicant)

(full name)

(address)

Notice of application is hereby given for transfer of the licence and related permits in accordance with, and on the basis of, the information set out above. It is declared that —

- (a) all information and details provided in this form, and in any document lodged in support of the application, are true and correct and do not omit any relevant information;
(b) the applicant has inquired whether there are any licence fees or other amounts payable to the Director of Liquor Licensing, and undertakes to ensure that any such amounts are paid before the application is approved; and

Liquor Licensing Regulations 1989

Sch. 1

(c) the applicant has enquired whether there are any outstanding work requirements or orders in respect of the licensed premises, and undertakes to comply with those orders or requirements.

Dated the day of 19.

Where the applicant is a company

The common seal of

.
was hereunto affixed by order of
the directors in accordance with
its articles of association,
in the presence of —

Signature of Director

Name of Director

.
.
.

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.

Where the applicant is one or more natural persons

Signature of Person

Signature, Name and Address of Witness

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Form 11

Liquor Licensing Act 1988

[Sections 64 and 68]

NOTICE OF APPLICATION TO ADD, VARY OR CANCEL
CONDITION OF LICENCE OR PERMIT

To the Director of Liquor Licensing

1. DETAILS OF LICENSEE

- (a) Licence number
- (b) Name(s)
- (c) Name and address of licensed premises
.
- (d) Daytime contact name and telephone number
.

2. DETAILS OF APPLICATION

- (a) Does the application relate to the licence, or to an extended trading permit relating to that licence? (specify)
- (b) If it relates to an extended trading permit, what is the number of that permit?
- (c) What new condition, or variation or cancellation of existing condition, is sought?
.
.
- (d) What are the reasons in support of the application?
.
.
.

Dated the day of 19

.....

Signature of *applicant/*person authorized
(if a company)

(*delete whichever is not applicable)

Form 12

Liquor Licensing Act 1988

[Sections 68 and 86]

NOTICE OF APPLICATION FOR APPROVAL TO CARRY ON BUSINESS

To the Director of Liquor Licensing

- 1. DETAILS OF LICENCE
 - (a) Licence number
 - (b) Name(s) of licensee(s)
 - (c) Address of licensed premises
 - (d) Trading name of licensed premises

- 2. DETAILS OF APPLICANT(S)
 - (a) Full name(s)
 - (b) Residential address(es) /registered office (if company)
 - (c) Address for service of documents
 - (d) Daytime contact name and telephone number

- 3. APPLICATION DETAILS
 - (a) Explain in detail your status under section 86 (attach documentary evidence of status, if available)
 - (b) Do you occupy the licensed premises now? (Yes/No)
If Yes, when did occupation take place?

Notice of application is hereby given for approval to carry on business under the licence described 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 19 ...

.....
Signature of *applicant/*person authorized
(if a company)
(*delete whichever is not applicable)

Form 13

Liquor Licensing Act 1988

[Sections 68 and 87]

NOTICE OF APPLICATION FOR PROTECTION ORDER

To the Director of Liquor Licensing

1. DETAILS OF LICENCE

- (a) Licence number
- (b) Name(s) of licensee(s)
- (c) Address of licensed premises
- (d) Trading name of licensed premises

2. DETAILS OF APPLICANT(S)

- (a) Full name(s)
- (b) Residential address(es) /registered office (if company)
.
- (c) Address for service of documents
- (d) Daytime contact name and telephone number
.
- (e) Explain in detail the status of the applicant under section
87 (attach documentary evidence of status)
.
.
- (f) Does the applicant occupy the licensed premises now?
(Yes/No)
If Yes, when did occupation take place?
- (g) Is the applicant already conducting business at the licensed
premises under an interim authorization pursuant to
section 86? (Yes/No).
- (h) For what period is the protection order sought?
From to

Liquor Licensing Regulations 1989

Sch. 1

3. COMPANY DETAILS (to be completed only if the applicant is a body corporate)

(a) Date of incorporation

(b) Place of incorporation

(c) Full details of each Director, Secretary, Managing Director and Executive Officer —

Name	Address	Date of Birth	Place of Birth	Office Held
------	---------	---------------	----------------	-------------

.
.
.

(d) Full details of each shareholder or other member (only if applicant is a proprietary company) —

Name	Address	Date of Birth	Place of Birth	No. of shares held in applicant company and class of share
------	---------	---------------	----------------	--

.
.
.

(e) Where the applicant company, or a shareholder or other member of the company in the case of a proprietary company, is trustee of or beneficiary under a trust, or holds company shares or trust units in trust for another person, provide full details of each such trust or person —

.
.
.
.

Notice of application is hereby made for a protection order 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 19. . . .

Where the applicant is a company

The common seal of

.....
was hereunto affixed by order of its
directors in accordance with its
articles of association, in the
presence of —

Signature of Director

Name of Director

.....
.....
.....

.....
.....
.....

Where the applicant is one or more natural persons

Signature of Person

Signature, Name and Address of Witness

.....
.....
.....
.....

.....
.....
.....
.....

Form 14

Liquor Licensing Act 1988

[Sections 68 and 100]

NOTICE OF APPLICATION FOR APPROVAL OF MANAGER

To the Director of Liquor Licensing

1. DETAILS OF LICENSEE

- (a) Name(s) of licensee(s)
- (b) Licence number
- (c) Name and address of licensed premises

2. DETAILS OF PROPOSED MANAGER

The licensee seeks approval of the person whose details follow —

- (a) Full name
- (b) Residential address
- (c) Is the person an approved manager under another licence?
(Yes/No)
- If Yes, which licence?
- (d) Is the approval for a temporary period only?
(Yes/No)
- If Yes, approval is sought from
- to
- If No, approval is sought from
- (e) Has the person already commenced employment as
manager?
(Yes/No)
- (f) Has the person previously been approved as a manager or
nominee?
(Yes/No)
- If Yes, which licence(s) and when?
.....
-

Dated the day of 19...

Signature of *applicant/*person authorized
(if a company)
(*delete whichever is not applicable)

Form 15

Liquor Licensing Act 1988

[Sections 68 and 102]

NOTICE OF APPLICATION FOR APPROVAL OF PERSON IN POSITION OF AUTHORITY OR OF SHAREHOLDING

To the Director of Liquor Licensing

1. DETAILS OF LICENSEE

- (a) Licence number
- (b) Name(s) of licensee(s)
- (c) Name and address of licensed premises
.
- (d) Daytime contact name and telephone number
.

2. DETAILS OF PERSON TO BE APPROVED

- (a) Full name
- (b) Address (registered office if company)
.
- (c) In the case of a company to be approved —
 - (i) Date of incorporation
 - (ii) Place of incorporation
 - (iii) Attach details of full name and address of and position held by each director, secretary, managing director and executive officer. In the case of a proprietary company, also give full name and address of each shareholder or other member, and in each case the number and class of shares held.
- (d) What is the position of authority to be assumed by the person? (*director/*shareholder/*other)
(*delete whichever is not applicable)
If other, specify
.
- (e) From what date is the approval sought?

Sch. 1

3. DETAILS OF CHANGE OF SHAREHOLDING

(only if the licensee is a proprietary company)

- (a) What change of shareholding is sought to be approved? . . .
- (b) From what date is the approval sought?

4. COMPANY DETAILS IF APPLICATION IS APPROVED

- (a) If the application is approved, state the resulting name and position held of each director, secretary, managing director and executive officer of the licensee company —

Name	Position Held
.....
.....
.....
.....

- (b) If the application is approved, and the licensed company is a proprietary company, state the resulting name of each shareholder or other member, and the number and class of shares to be held, in each case —

Name	Class of Shares	No. of Shares
.....
.....
.....
.....

Notice of application is hereby given for approval of the person named in item 2 (a) to assume a position of authority in the licensee body corporate or to alter the shareholding in the licensee proprietary company in accordance with the details set out in the application.

..... (common seal)
Signature of person lodging the application
(State your name and authority to make the application)



Form 16

Liquor Licensing Act 1988

[Sections 68 and 104]

NOTICE OF APPLICATION FOR APPROVAL OF AGREEMENT OR ARRANGEMENT

To the Director of Liquor Licensing

1. DETAILS OF LICENSEE

- (a) Licence number
(b) Name(s) of licensee(s)
(c) Name and address of licensed premises
(d) Daytime contact name and telephone number

2. DETAILS OF AGREEMENT OR ARRANGEMENT

Approval is sought for the licensee to enter into an agreement or arrangement as described below —

- (a) Full name and address of other party
(b) Date from which the agreement or arrangement is to operate
(c) Briefly describe the nature of the agreement or arrangement
(d) What monetary benefits will the licensee and the other party gain from the agreement or arrangement?
(e) Is the agreement or arrangement in writing? (Yes/No) (If Yes, attach a copy)

Dated the day of 19.

Signature of *applicant/*person authorized (if a company) (*delete whichever is not applicable)

Form 17

Liquor Licensing Act 1988

[Section 73 (4)]

NOTICE OF OBJECTION

To the Director of Liquor Licensing

- 1. DETAILS OF APPLICATION OBJECTED TO
 - (a) Name of applicant
 - (b) Nature of application
 - (c) Name of premises/proposed premises
 - (d) Address of premises/proposed premises

- 2. DETAILS OF OBJECTOR(S)
 - (a) Full name
 - (b) Postal address for service of documents
 - (c) Daytime contact name and telephone number
 - (d) Status of objector under section 73
 - (e) Does the objector have any direct or indirect pecuniary interest in the refusal of the application, or any expectation of such an interest?
(Yes/No)
 - If Yes, describe it
 - (f) Is any person other than the objector interested in the lodging of the objection?
(Yes/No)
 - If Yes, who?

- 3. DETAILS OF OBJECTION
 - (a) What ground(s) of objection is or are alleged?
 -
 -
 -

(b) What are the particulars in support of each ground?
.....
.....

(c) If one of the grounds is that the grant of the application would be contrary to the public interest, attach a statement in writing setting out the reasons why you think the objection can be made out.

Dated the..... day of..... 19....

Where the objector is a body corporate

The common seal of

.....
was hereunto affixed by order of its
directors in accordance with its
articles of association, in the
presence of —

Signature of Director	Name of Director
.....
.....
.....

Where the objector is a natural person

Signature of Objector(s)	Signature, Name and Address of Witness
.....
.....
.....

Liquor Licensing Regulations 1989

Sch. 1

Form 18

Liquor Licensing Act 1988

[Section 121 (6) and regulation 17]

NOTICE TO JUVENILES

Under the *Liquor Act 1988* *These premises/*This part of the premises/is declared to be out of bounds to juveniles *At all times/*At#.

A juvenile who enters this area/*when it is out of bounds/commits an offence and may be forcibly removed from the licensed premises.

Penalty: \$1 000.

Proof of age may be required.

(*delete if not applicable)
(#insert details of specific times)

Form 19

Liquor Licensing Act 1988

[Section 145 and regulation 22]

RECORD OF TRANSACTIONS

SUPPLIER'S LICENSED NAME Licence No:
 Address Telephone:

Date Received Returned	Date Invoice/Credit Note	Invoice Number/Credit Note Number	Details	Low Alcohol Liquor Amount		Other Liquor Amount		Non-Liquor Amount		Total Invoice/Credit Note Amount	Total Amount Paid	Cheque Number Date Paid
				\$		\$		\$				
Totals C/fwd to page												

Form 20

Liquor Licensing Act 1988

[Section 161]

SEARCH WARRANT

Under section 161 of the *Liquor Licensing Act 1988* I, [insert name of Justice of the Peace granting the warrant], of

.....
being a Justice of the Peace and being satisfied upon complaint by [insert name of complainant] that there is reason to suspect that [insert description of circumstances justifying issue of warrant]

.....
.....
.....
.....
.....

at [insert address of premises]

.....
hereby grant to [insert name and designation of authorized officer]

.....
this warrant empowering that person to enter those premises with such other persons as may be necessary to assist, using such force as may be necessary, and there to do any of the things referred to in section 161 (1). This warrant continues to have effect until the purposes for which it was granted are satisfied.

Granted on the..... day of..... 19.....

at.....

.....
Signature of Justice of the Peace granting
the warrant

Form 21

Liquor Licensing Act 1988

[Section 167 (2)]

INFRINGEMENT NOTICE

No
Date. / /

1. To
(Surname) (Other names)
of
Postcode

It is alleged that at about am/pm on the
day of 19. at
you committed the offence described below and are liable for the
modified penalty stated.

.....
Authorized Officer

Table with 3 columns: Section or regulation, Description of offence, Modified penalty

3. You may dispose of this matter by payment of the modified penalty
within 28 days of receiving this notice.

4. If the modified penalty is not paid within the time specified in this
notice a complaint for the alleged offence may be heard and determined
by a court.

5. Payment of the modified penalty may be made by completing
item 6 and either —

- (a) posting this form and a cheque, money order or postal note
for the amount of the modified penalty specified in item 2,
to Director of Liquor Licensing, Liquor Licensing Division,
P.O. Box 6119, East Perth W.A. 6004; or
(b) delivering this form and paying the amount to the Liquor
Licensing Division, 1st Floor, Hyatt Centre, 87 Adelaide
Terrace, Perth W.A. 6000.

Liquor Licensing Regulations 1989

Sch. 1

6. I,
(Full name)
of
(Number and street)
..... (Town or suburb) (Postcode)

agree to pay the modified penalty for the offence indicated in this form.

.....
(Signature of Offender)

Form 22

Liquor Licensing Act 1988

[Section 167 (5)]

WITHDRAWAL OF INFRINGEMENT NOTICE

No
Date / /

To
(Name)
of
(Address)

Infringement Notice No. . . . dated / / for the offence described below is hereby withdrawn.

.....
Director of Liquor Licensing

Section or regulation	Description of offence	Modified penalty
.....
.....
.....

SCHEDULE 2

[Regulation 13]

DETAILS OF APPLICANT

Item	Category of applicant	Details to be provided
1.	Natural person. . .	<ul style="list-style-type: none"> <li data-bbox="767 613 975 640">(a) full name; <li data-bbox="767 663 1353 689">(b) any other name used now or previously; <li data-bbox="767 712 1198 739">(c) present residential address; <li data-bbox="767 770 1362 848">(d) any other residential address in the past 5 years, including dates of each change of address; <li data-bbox="767 880 1139 907">(e) date and place of birth; <li data-bbox="767 938 991 965">(f) citizenship; <li data-bbox="767 996 1334 1023">(g) full name of spouse or <i>de facto</i> spouse; <li data-bbox="767 1055 1362 1111">(h) present occupation, and name and address of employer; <li data-bbox="767 1142 1362 1220">(j) present height, weight, build, colour of hair and eyes, complexion and any distinguishing bodily marks; <li data-bbox="767 1252 1362 1397">(k) licences relating to the sale of liquor held in the State or elsewhere, the name and address of premises to which any such licence relates or related and the period during which the licence is or was held; <li data-bbox="767 1429 1362 1507">(m) any other involvement in the operation of licences relating to the sale of liquor in the State or elsewhere; <li data-bbox="767 1538 1362 1644">(n) any position of authority held in a body corporate concerned with the proposed licence and a description of the position held;

Liquor Licensing Regulations 1989

Sch. 2

Item	Category of applicant	Details to be provided
		<ul style="list-style-type: none"> (o) any conviction for an offence under the Act, the repealed Act or any other written law relating to the sale or supply of liquor, including the date, place and nature of each conviction and penalty; (p) any other conviction, excluding minor traffic convictions, for an offence in the State or elsewhere, including the date, place and nature of each conviction and penalty; (q) any bankruptcy proceedings, including creditors' petitions and sequestration orders, taken or pending in respect of the person, the date and place of bankruptcy and whether the applicant is discharged; and (r) any liquidation, receivership or official management in force or pending in respect of a body corporate of which the person is — <ul style="list-style-type: none"> (i) a director; or (ii) in the case of a proprietary company, a shareholder.
2.	Company.	<ul style="list-style-type: none"> (a) full name, registered office and address for service of documents; (b) date and place of incorporation, including a copy of the certificate of incorporation; (c) any change of the company name during the past 2 years, including the date of any such change of name; (d) a list of directors; (e) in respect of each director, the details set out in item 1;

Item	Category of applicant	Details to be provided
		<ul style="list-style-type: none"> (f) in the case of a proprietary company — <ul style="list-style-type: none"> (i) the full name, residential address and date of birth of each shareholder who is a natural person; and (ii) the full name, date and place of incorporation of each shareholder that is a body corporate; (g) any liquidation, receivership or official management in force or pending in respect of the company; (h) the full name, date and place of incorporation of any related body corporate, and the nature of the relationship; and (j) in respect to any person sought to be approved as manager, the details set out in the third column of item 1 of this Schedule.
3.	Club or other body of persons.	<ul style="list-style-type: none"> (a) full name and address for service of documents; (b) date and place of formation; (c) any change of name in the past 2 years; (d) if incorporated, the date and place of incorporation, including a copy of the certificate of incorporation; (e) the full name of, residential address of, and office held by, any trustee or office bearer and the date of that person's appointment or election as the case may be; and (f) in respect of any person sought to be approved as manager, the details set out in the third column of item 1 of this Schedule.

SCHEDULE 3

[Regulation 26 (1)]

FEES

1.	Application for the grant, removal or transfer of a licence (other than club restricted licence or occasional licence)	210.00
2.	Application for club restricted licence	55.00
2a.	Application for certificate of exemption under section 54 (1) of the Act	50.00
3.	For an occasional licence —	
	(a) application fee	10.00
	(b) licence fee payable on issue for each 24 hour period or part period after the first, up to a maximum of \$100	10.00
4.	Application for extended trading permit for an indefinite period	160.00
5.	Application for an extended trading permit for a specified period (for each day, up to a maximum of \$150)	20.00
6.	Application for approval of manager (other than under club restricted licence), after licence is granted	50.00
7.	Application for approval of manager under club restricted licence, after licence is granted	10.00
8.	Application for approval of person in position of authority, after licence is granted	55.00
9.	Application for approval for alteration or redefinition of licensed premises	50.00
9a.	Application for a protection order under section 87 (1) of the Act	55.00
10.	Application for duplicate licence	15.00
11.	Application for approval of change of name of licensed premises	45.00
12.	Application to add, vary or cancel condition of licence or permit (other than club restricted licence)	55.00

13.	Application to add, vary or cancel condition of club restricted licence	15.00
14.	On the issue of a list of licensed premises or a list of owners of licensed premises	35.00
15.	Address labels for licensed premises	65.00
15A.	Application for Proof of Age Card	15.00
16.	" <i>Liquor Licensing Act</i> — Notice of Application" heading	10.00
17.	Copy of plan — per sheet	10.00
18.	Certified copy of plan defining licensed premises	10.00
19.	Issue of a summons to a witness	10.00
20.	Copy of a licence or a permit, or a decision of the Court or the Director	10.00
21.	For the certification of a copy of a licence or permit or a decision of the Court or the Director — an additional fee of	10.00
22.	For a search of records of licences — per licence	10.00
23.	For a certified copy of notes, depositions or evidence, per page	3.00

[Schedule 3 amended in Gazette 3 August 1990 p.3791; (8 November 1991 p.5769; (amendment disallowed see Gazette 1 May 1992 p.1844); amended in Gazette 20 November 1992 p.5695; 3 December 1996 p.6691.]



Liquor Licensing Regulations 1989

NOTES

¹ This reprint is a compilation as at 8 September 1997 of the *Liquor Licensing Regulations 1989* and includes the amendments effected by the regulations referred to in the following Table.

Table of Regulations

Regulation	Gazettal	Commencement	Miscellaneous
<i>Liquor Licensing Regulations 1989</i>	27 January 1989 pp.209-61	1 February 1989 (see regulation 2 and <i>Gazette</i> 27 January 1989 p.263)	
<i>Liquor Licensing (Amendment) Regulations 1990</i>	3 August 1990 p.3791	3 August 1990	
<i>Liquor Licensing (Amendment) (No. 2) Regulations 1990</i>	24 August 1990 p.4337	24 August 1990	
<i>Liquor Licensing Amendment Regulations 1991</i>	8 November 1991 pp.5768-9	8 November 1991	Disallowed: see <i>Gazette</i> 1 May 1992 p.1844
<i>Liquor Licensing Amendment Regulations 1992</i>	21 February 1992 pp.933-4	21 February 1992	
<i>Liquor Licensing Amendment Regulations (No. 2) 1992</i>	20 November 1992 p.5695	1 January 1993 (see regulation 2)	
<i>Liquor Licensing Amendment Regulations 1994</i>	23 September 1994 p.4901	23 September 1994	
<i>Liquor Licensing Amendment Regulations (No. 2) 1994</i>	30 December 1994 pp.7329-30	30 December 1994	
<i>Liquor Licensing Amendment Regulations 1995</i>	16 May 1995 p.1859	16 May 1995	
<i>Liquor Licensing Amendment Regulations 1996</i>	26 November 1996 pp.6629-30	26 November 1996	

Liquor Licensing Regulations 1989

Regulation	Gazetta	Commencement	Miscellaneous
<i>Liquor Licensing Amendment Regulations (No. 2) 1996</i>	3 December 1996 pp.6689-91	3 December 1996	
