

Western Australia

Liquor Licensing Regulations 1989

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Liquor Licensing Regulations 1989

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Liquor Licensing Regulations 1989

1. Citation

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

2. Commencement

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

3. Forms

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

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

3A. Interpretation

- (1) In these regulations, unless the contrary intention appears —
- “notional wholesale selling price”**, in relation to wine that is low alcohol liquor sold by a wholesaler or producer, means the price for which the wholesaler or producer could reasonably have been expected to sell the wine by wholesale under an arm’s length transaction and without the benefit of a subsidy under section 130 of the Act;
- “producer”** has the meaning given in section 129 of the Act;
- “tax period”** has the meaning given by section 195-1 of the Commonwealth *A New Tax System (Goods and Services Tax) Act 1999*;
- “wholesaler”** has the meaning given in section 129 of the Act;
- “WET”** has the meaning given to “wine tax” in section 33-1 of the Commonwealth *A New Tax System (Wine Equalisation Tax) Act 1999*.
- (2) In these regulations, unless the contrary intention appears, a reference to a section is to be taken to be a reference to a section of the Act.

[Regulation 3A inserted in Gazette 30 Jan 1998 p. 561; amended in Gazette 22 May 1998 p. 2940; 28 Jul 2000 p. 4029; 28 Jun 2002 p. 3105-6; 10 Aug 2004 p. 3186.]

3AB. Mist of gas and liquid (containing ethanol) is “a kind” of liquor

For the purposes of paragraph (e) of the definition of “a kind” in section 3(1) of the Act, a substance that regulation 4AB prescribes as being liquor is prescribed as being a kind of liquor.

[Regulation 3AB inserted in Gazette 11 Jan 2005 p. 98.]

3AC. Liquid containing ethanol and sold in aerosol container is “a kind” of liquor

For the purposes of paragraph (e) of the definition of “a kind” in section 3(1) of the Act, a substance that regulation 4AC prescribes as being liquor is prescribed as being a kind of liquor.

[Regulation 3AC inserted in Gazette 11 Jan 2005 p. 98.]

4. “Low alcohol liquor” — prescribed level

For the purposes of the definition of “low alcohol liquor” in section 3(1) of the Act, the prescribed concentration of ethanol in liquor is 3.5% at 20° C.

[Regulation 4 inserted in Gazette 22 May 1998 p. 2940; amended in Gazette 28 Jul 2000 p. 4029.]

4AA. “Liquor” — proportion of ethanol

For the purposes of paragraph (a) of the definition of “liquor” in section 3(1) of the Act, 0.5% ethanol by volume is prescribed as the proportion of a beverage which at 20° C is liquor.

[Regulation 4AA inserted in Gazette 22 May 1998 p. 2940; amended in Gazette 6 Oct 1998 p. 5564.]

4A. “Liquor” — alcohol based food essence is a prescribed substance

(1) The following substances are prescribed under paragraph (b) of the definition of “liquor” in section 3(1) as being liquor for the purposes of the Act —

- (a) an alcohol based food essence that is sold by way of retail sale;
- (b) an alcohol based novelty food item that is sold by way of retail sale.

(2) In subregulation (1) —

“alcohol based food essence” means a preparation of flavouring substance in liquid form with a concentration of

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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;

“alcohol based novelty food item” means a food item or ice confection which contains more than 0.5% ethanol by volume and is modelled on children’s food stuff, including but not limited to, lollipops, ice-creams, or jellies;

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

[Regulation 4A inserted in Gazette 23 Sep 1994 p. 4901; amended in Gazette 30 Dec 1994 p. 7329; 26 Nov 1996 p. 6629; 30 Apr 1999 p. 1820-1.]

4AB. “Liquor” — mist of gas and liquid (containing ethanol) is a prescribed substance

For the purposes of paragraph (b) of the definition of “liquor” in section 3(1) of the Act, a substance that is a mist made up of —

- (a) a gas; and
- (b) droplets of a liquid that at 20° Celsius contains more than 0.5% ethanol by volume,

is prescribed as being liquor.

[Regulation 4AB inserted in Gazette 11 Jan 2005 p. 98-9.]

4AC. “Liquor” — liquid containing ethanol and sold in aerosol container is a prescribed substance

For the purposes of paragraph (b) of the definition of “liquor” in section 3(1) of the Act, a substance that —

- (a) is sold in an aerosol container;
- (b) is intended to be inhaled by humans; and

- (c) at 20° Celsius contains more than 0.5% ethanol by volume,

is prescribed as being liquor.

[Regulation 4AC inserted in Gazette 11 Jan 2005 p. 99.]

5. “Record” — section 3

- (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, 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;

- (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.

[Regulation 5 amended in Gazette 30 Jan 1998 p. 562.]

6. Exception to section 4(8)

For the purposes of section 4(8) of the Act, the sale of liquor —

- (a) by a liquor merchant who is authorised under the law of another State, or of a Territory, to sell liquor; and
- (b) the delivery of which is effected in the State,

is not deemed to be concluded in the State.

[Regulation 6 inserted in Gazette 11 Jul 2003 p. 2741-2.]

7. Approved courses

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.]

8. Exempt sales

- (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 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 and Wagering Commission Act 1987*;
- (e) the sale of liquor to the master of a ship as ships' stores for consumption on that ship outside the WA territorial seas;
- (f) the sale or supply of liquor for use during a course of vocational instruction and training at a college or other vocational education and training institution under the *Vocational Education and Training Act 1996*;
- (g) the sale by a person, authorised 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;
 - (ia) by a person who conducts or manages a hospital, within the meaning of the *Hospitals and Health Services Act 1927*, to a patient of that hospital;
 - (ii) by a person who conducts or manages an approved private psychiatric hostel, within the meaning of the *Hospitals and Health Services Act 1927*, to a person who is a 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;
- (i) the sale of liquor on an aircraft in the course of a flight of the aircraft;
 - (j) the supply of liquor by a person who conducts, supervises or manages a bed and breakfast facility (being an accommodation facility that offers bed and breakfast) if —
 - (i) that supply of the liquor is to an adult recipient staying at the facility;
 - (ii) that supply of the liquor is at the facility;
 - (iii) that supply of the liquor is gratuitous;
 - (iv) that supply of the liquor does not exceed 1.5 litres in quantity, either by itself or in aggregate with any other liquor supplied gratuitously by that person to that recipient during the period for which that recipient stays at the facility;
 - (v) the liquor was purchased by that person from the holder of a licence to sell packaged liquor, except if the licence was a wholesaler's licence or a club licence; and
 - (vi) no more than 8 persons can stay at the facility at any one time;
 - (k) the sale or supply of liquor during a special event, if —
 - (i) the liquor is produced as a part of an approved viticulture course by —
 - (I) the W A College of Agriculture at either the Denmark or the Harvey campus;
 - (II) Manjimup Senior High School;
 - (III) Margaret River Senior High School;

- (IV) Mount Barker Senior High School;
 - (V) Albany TAFE;
 - (VI) Denmark TAFE; or
 - (VII) Mount Barker TAFE;
- (ii) the liquor is only sold or supplied on campus or school grounds;
 - (iii) the liquor is only sold or supplied by, and to, persons aged 18 years or older; and
 - (iv) the amount of liquor being sold or supplied is limited —
 - (I) in the case of liquor supplied for consumption on the campus or school grounds, to supply of free 30 ml samples for tasting purposes; and
 - (II) in the case of packaged liquor, to provision of no more than 9 litres per person and per transaction.
- (1a) In subregulation (1)(e) —
- “WA territorial seas”** means 12 nautical miles of sea off the coast of the State, measured from baselines determined in accordance with Part II Section 2 of the United Nations Convention on the Law of the Sea done at Montego Bay on 10 December 1982.
- (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.
- (3) In subregulation (1)(k) —
- “approved viticulture course”** means a course that delivers “Units of Competency” from the Food Processing Industry Training Package (Wine Sector) endorsed by the Australian National Training Authority;

“**special event**” means a graduation ceremony, speech night or annual open day that relates to that campus or school, and any other related event approved in writing by the Director;

“**TAFE**” means Tertiary and Further Education college.

[Regulation 8 amended in Gazette 21 Feb 1992 p. 933-4; 30 Dec 1994 p. 7330; 26 Nov 1996 p. 6629-30; 30 Jan 1998 p. 562; 28 Apr 1998 p. 2198; 22 May 1998 p. 2941; 30 Apr 1999 p. 1821; 6 Jul 2001 p. 3415; 28 Mar 2003 p. 983-4; 28 Oct 2003 p. 4528-9; 30 Jan 2004 p. 417; 9 Jul 2004 p. 2773; 19 Aug 2005 p. 3873-4.]

9. Persons who may take and administer oaths and affirmations

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

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

[Regulation 9 amended in Gazette 22 May 1998 p. 2941.]

9AA. Prescribed distance outside country townsites — section 36A

For the purpose of section 36A(2)(b) of the Act a distance of 25 kilometres is prescribed.

[Regulation 9AA inserted in Gazette 29 Sep 2000 p. 5549.]

9A. Purposes for which a special facility licence may be granted

Works canteen

- (1) A special facility licence may be granted for the purpose of allowing the sale of liquor at a works canteen, or at other premises specified in the licence, to workers and their guests.
- (2) A licence granted for this purpose may permit the sale of packaged liquor.
- (3) In subregulation (1) —
“**workers**” means the persons working on a project or for a business in relation to which a works canteen is provided;
“**works canteen**” means a canteen, located at or near the place where a project is being undertaken or a business carried on, catering for the needs of persons working on the project or for the business.

Theatre or cinema

- (4) A special facility licence may be granted for the purpose of allowing the sale of liquor at a theatre or cinema to persons attending a performance or film at the theatre or cinema.

Reception or function centre

- (5) A special facility licence may be granted for the purpose of allowing the sale of liquor at a reception or function centre (being premises primarily used as a venue for functions and receptions) to persons attending a reception or function at the centre.

Transport

- (6) A special facility licence may be granted for the purpose of allowing the sale of liquor —
 - (a) at an airport, railway station, bus station or seaport; or
 - (b) on a train, bus, ship or vehicle,to passengers and their guests.

Tourism

- (7) A special facility licence may be granted for the purpose of allowing the sale of liquor to persons likely to be attracted to, or present at, a place that, in the opinion of the licensing authority, is or will become —
 - (a) an attraction for tourists; or
 - (b) a facility that enhances the State's tourist industry.
- (8) A licence granted for this purpose may permit the sale of packaged liquor.
- (9) In subregulation (7) —
 - “**tourist**” means a person who is —
 - (a) staying at a place that is at least 40 kilometres from his or her usual place of residence for a period of at least one night;
 - (b) intending to stay away from his or her usual place of residence for a period of less than 12 months;
 - (c) not in the course of travelling on a regular journey between his or her usual place of residence and his or her place of work or education; and
 - (d) travelling in the course of a holiday or for leisure, business, to visit friends or relatives or for any other reason.

Post secondary educational institution

- (10) A special facility licence may be granted for the purpose of allowing the sale of liquor at a post secondary educational institution to students and staff of the institution and their guests.

Sports arena

- (11) A special facility licence may be granted for the purpose of allowing the sale of liquor at a sports arena (being premises

primarily used for playing and viewing sport) to persons playing or viewing sports, or attending any other event, at the arena.

Foodhall

- (12) A special facility licence may be granted for the purpose of allowing the sale of liquor at a foodhall to customers of the foodhall for consumption ancillary to a meal.

Catering

- (13) A special facility licence may be granted for the purpose of allowing at a function the sale, by a caterer, of liquor supplied at premises at which the caterer has agreed with the person organising the function to provide liquor (whether with or without food), for consumption by persons at that premises.

- (13a) In subregulation (13) —

“**caterer**” means a person who —

- (a) is in the business of providing food for consumption at functions; and
- (b) prepares that food at food premises, as defined in section 246G of the *Health Act 1911*.

Bed and breakfast facility

- (14) A special facility licence may be granted for the purpose of allowing the sale of liquor at a bed and breakfast facility (being an accommodation facility that offers bed and breakfast) to persons staying at the facility.

Room service restaurant

- (15) A special facility licence may be granted for the purpose of allowing the sale, at or from a room service restaurant —
- (a) of liquor to customers at the restaurant for consumption ancillary to meals eaten in the restaurant; and
 - (b) of packaged liquor supplied from the restaurant as room service to the accommodation serviced by the restaurant, whether ancillary to a meal or not.

- (16) A special facility licence granted for the purpose referred to in subregulation (15) may also be granted for the additional purpose of allowing the sale at the room service restaurant of liquor other than ancillary to a meal if —
- (a) dining tables making up not more than 20% of the restaurant's seating capacity are set aside for the consumption of liquor other than ancillary to meals; and
 - (b) the liquor is sold for consumption at those tables.
- (17) In subregulations (15) and (16) —
- “room service restaurant”** means a restaurant that provides room service to persons residing or staying in residential accommodation on the same premises as the restaurant or adjacent premises (not being accommodation provided by the licensee).

Amusement venue

- (18) A special facility licence may be granted for the purpose of allowing the sale of liquor at an amusement venue (being premises the primary purpose of which is the playing and viewing of snooker, bowling, electronic games or other similar amusements) to patrons at the venue.

Interstate wine club

- (19) A special facility licence may be granted for the purpose of allowing an interstate liquor merchant to sell packaged liquor, sent from the State or Territory in which the merchant is licensed, to persons in Western Australia who are members of a wine club.
- (20) A licence granted for this purpose does not permit the sale of liquor other than packaged liquor.
- (21) In subregulation (19) —
- “interstate liquor merchant”** means a person who is authorised under the law of another State or of a Territory

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to sell packaged liquor by sending it to persons outside that State or Territory.

Auction

- (22) A special facility licence may be granted for the purpose of allowing the sale by auction of packaged liquor at premises specified in the licence.
- (23) A licence granted for this purpose may permit the supply of samples of the packaged liquor that is for auction, for tasting.
[Regulation 9A inserted in Gazette 4 Jan 2002 p. 8-11; amended in Gazette 28 Mar 2003 p. 984; 10 Oct 2003 p. 4406; 10 Aug 2004 p. 3186; 19 Aug 2005 p. 3874.]

9B. Sale of packaged liquor

Unless otherwise provided in regulation 9A, a special facility licence —

- (a) permits the sale of liquor for consumption on the licensed premises; and
- (b) does not permit the sale of packaged liquor.

[Regulation 9B inserted in Gazette 4 Jan 2002 p. 11.]

9C. Types of special facility licences that may be exempted

For the purposes of section 46(6) of the Act a special facility licence is a licence of a type prescribed if it is granted for a purpose described in one of the following regulations —

- (a) regulation 9A(1) — works canteen;
- (b) regulation 9A(6) — transport;
- (c) regulation 9A(11) — sports arena;
- (d) regulation 9A(12) — foodhall;
- (e) regulation 9A(13) — catering;
- (f) regulation 9A(14) — bed and breakfast facility;
- (g) regulation 9A(15) and (16) — room service restaurant;
- (h) regulation 9A(19) — interstate wine club;

- (i) regulation 9A(22) — auction.

[Regulation 9C inserted in Gazette 4 Jan 2002 p. 11-12.]

10. Producer's licence — requirements to be met by applicant

For the purposes of section 57(d) of the Act the following requirements are prescribed —

- (a) where the applicant does not have appropriate liquor producing facilities at the premises specified in the application, the applicant —
 - (i) has access to such facilities; and
 - (ii) is the occupier of a vineyard, orchard or apiary at the premises which yields, or has the potential to yield, sufficient produce to enable the applicant to be regarded as a genuine producer of liquor;

or

- (b) where the applicant has appropriate liquor producing facilities at premises specified in the application, and is, or will be, a genuine producer of liquor, then —
 - (i) those premises; or
 - (ii) if those premises are not in a convenient location for the sale of the liquor produced, other premises in reasonable proximity to the premises where the liquor is, or is to be, produced,are suitable premises from which the applicant, as a producer of liquor, may sell the liquor produced.

[Regulation 10 inserted in Gazette 22 May 1998 p. 2942.]

10A. Producer's licence condition — blended wines

If the holder of a producer's licence produces wine by blending, it is a condition of that licence under section 55(2) of the Act that at least 50% of the wine produced is fermented by or under the direction of that person, so that the wine is uniquely that person's own produce.

[Regulation 10A inserted in Gazette 22 May 1998 p. 2942.]

11. Plans and specifications

- (1) Unless the Director otherwise authorises, 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;
 - (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 Australia²,

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.
- (5) An application under section 62(6) of the Act, by the holder of a licence conditionally granted under section 62 of the Act, to vary any plans or specifications the subject of a condition is to be accompanied by the appropriate fee set out in Schedule 3.

[Regulation 11 amended in Gazette 9 Jul 2004 p. 2778-9.]

12. Requirements relating to advertisement of certain applications

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.

[12A-12D. Omitted under the Reprints Act 1984 s. 7(4)(e).]

13. Records — section 68(1)

- (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.

14. Persons entitled to object

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.

14A. Prescribed premises

Licensed premises to which a hotel restricted licence relates are premises of a prescribed type or class for the purposes of section 77(5a)(b) of the Act.

[Regulation 14A inserted in Gazette 28 Feb 2003 p. 677.]

15. Particulars to be included in register of lodgers

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.

16. Liability of licensee — prescribed amount

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.

17. Notice to juveniles declaring out of bounds area

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.

18. Regulated premises

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.

r. 18A

18A. Evidence of age

- (1) A proof of age card issued under regulation 18B is a prescribed document for the purposes of section 126(1)(b)(i)(III) of the Act.
- (2) A person who is required to produce evidence of his or her age to an authorised 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 22 May 1998 p. 2943.]

18B. Proof of age cards

- (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;
 - (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 appropriate fee set out in 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: and is not in a de facto relationship with 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 Dec 1996 p. 6690; amended in Gazette 14 Nov 1997 p. 6446; 30 Jun 2003 p. 2612.*]

18C. Form and content of proof of age cards

- (1) A proof of age card issued to a person under regulation 18B —
 - (a) shall be in a form approved by the Director; and

r. 18D

(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 Dec 1996 p. 6690-1.]

18D. Lost, stolen or destroyed proof of age cards

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 Dec 1996 p. 6691.]

18E. Prescribed agreement or arrangement — section 104(2)

For the purposes of section 104(2) of the Act, an agreement or arrangement entered into by a licensee which is a body corporate under which the proceeds from the business carried on under the licence are distributed by way of dividends to shareholders in the body corporate, is a prescribed agreement or arrangement.

[Regulation 18E inserted in Gazette 22 May 1998 p. 2943.]

19. Application for a subsidy — Forms 19 and 19A

(1) Application for a subsidy is to be made to the Director —

(a) by a producer, in the form set out in Form 19 in Schedule 1; or

(b) by a wholesaler, in the form set out in Form 19A in Schedule 1.

- (2) Application for a subsidy is to be made not later than 2 years after the sale or other disposal, in respect of which the subsidy is claimed, took place.

[Regulation 19 inserted in Gazette 30 Jan 1998 p. 562; amended in Gazette 22 Oct 2002 p. 5255.]

20. Extension of definition of “wholesaler”

The following persons are prescribed for the purposes of the definition of “wholesaler” in section 129 of the Act —

- (a) a liquor merchant authorised under the law of another State or a Territory to sell liquor;
- (b) the holder of a special facility licence the conditions of which authorise the sale of liquor in the manner set out in section 58(1) of the Act.

[Regulation 20 inserted in Gazette 30 Jan 1998 p. 562.]

21. Subsidy for wholesalers

- (1) For the purposes of section 130(3) of the Act, the subsidy for a wholesaler in respect of sales of wine in a tax period is to be calculated as follows:

$$S = (6.18 \div 29) W$$

where —

S = the wholesaler’s subsidy payment;

W = the total WET paid by the wholesaler on sales of wine that is low alcohol liquor in the tax period, in respect of which the wholesaler is eligible for a subsidy under subregulation (2).

- (2) For the purposes of section 130(1) of the Act, subsidies are payable to a liquor merchant prescribed as a wholesaler by regulation 20 only in respect of wine that is low alcohol liquor —
- (a) sold to —

r. 21A

- (i) unlicensed individuals in this State for their personal consumption; or
 - (ii) persons licensed under the Act, otherwise than by an occasional licence only, to sell liquor;
- and
- (b) sold at a price that —
 - [(i) deleted]*
 - (ii) for wine, is at least 6.18% less than the notional wholesale selling price of that wine.

[Regulation 21 inserted in Gazette 28 Jul 2000 p. 4030; amended in Gazette 28 Jun 2002 p. 3106; 9 Jul 2004 p. 2774.]

21A. Subsidy for producers of wine

- (1) For the purposes of section 130(3) of the Act, the subsidy for a producer of wine in respect of sales of wine in a tax period is to be calculated as follows —

$$S = (15 \div 29) W$$

where —

S = the producer's subsidy payment;

W = the total WET paid —

- (a) by the producer on sales of wine in the tax period, in respect of which the producer is eligible for a subsidy under subregulation (2); or
 - (b) by a wine maker on wine sold to the producer in the tax period, being wine fermented using produce of the producer, in respect of which the producer is eligible for a subsidy under subregulation (2).
- (2) For the purposes of section 130(1) of the Act, subsidies are payable to a producer only in respect of —

- (a) wine produced by the producer in this State and sold by the producer from licensed premises (including by mail order) to unlicensed individuals for their personal consumption, on which sale WET has been paid by the producer; or
 - (b) wine fermented by a wine maker from the produce of the producer in this State and sold by the wine maker to the producer, on which sale WET has been paid by the wine maker.
- (3) In subregulation (2) —
“**wine produced by a producer**” does not include wine that is deemed to have been produced by the producer under section 55(3) of the Act.

[Regulation 21A inserted in Gazette 28 Jul 2000 p. 4030-1; amended in Gazette 9 Jul 2004 p. 2774.]

[21AB. Repealed in Gazette 28 Jun 2002 p. 3106.]

21AC. Subsidy only payable once in respect of a sale of liquor

A subsidy is only payable once in respect of a sale of liquor.

[Regulation 21AC inserted in Gazette 6 Oct 1998 p. 5565.]

21B. Conditions imposed by Director in respect of a subsidy

For the purposes of section 130(2) of the Act, the Director may impose conditions by notice in writing given to the person on whom the condition is to be imposed.

[Regulation 21B inserted in Gazette 30 Jan 1998 p. 565.]

21C. Licensees required to keep records — section 145(1)

The following licensees are prescribed for the purposes of section 145(1) of the Act —

- (a) the holder of a wholesaler’s licence;

- (b) the holder of a special facility licence the conditions of which authorise the sale of liquor in the manner set out in section 55(1) or 58(1) of the Act; and
- (c) the holder of a producer's licence.

[Regulation 21C inserted in Gazette 30 Jan 1998 p. 565; amended in Gazette 22 May 1998 p. 2943; 6 Oct 1998 p. 5565.]

22. Form and content of record under section 145

- (1) The records to be made and maintained under section 145(1) and (1a) of the Act are to 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;

- (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;
- (ba) in the case of each transaction involving the sale or other disposal of liquor by the holder of a producer's licence, a separate statement of the amount for —
 - (i) sales to persons other than liquor merchants (including sales made in any restaurant on the licensed premises);
 - (ii) mail order sales; and
 - (iii) tastings, promotions and donations,and a separate statement is to be kept of the amount of liquor sold or otherwise disposed of as referred to in subparagraphs (i) and (ii) where, in respect of one sale or other disposal, the aggregate quantity sold or disposed of exceeds 45 litres; and

- (c) in the case of transactions involving the sale or other disposal of liquor by the holder of a wholesaler's licence, special facility 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) repealed]

[Regulation 22 amended in Gazette 30 Jan 1998 p. 565-6; 22 May 1998 p. 2943; 6 Oct 1998 p. 5565-6.]

23. Verification and lodgement of returns

- (1) For the purposes of section 146(2)(c) returns required under section 146 shall be verified in accordance with subregulation (1a) as being an accurate and complete statement of the transactions or other matters to which the returns relate —
 - (a) by at least one licensee, where the licence is held by one or more licensees; or
 - (b) by the trustee, where the licence is held by a trustee on behalf of an unincorporated body of persons who are not joint holders of the licence.
- (1a) A return is verified —
 - (a) by a natural person, where the return is signed by that person, and witnessed; and
 - (b) by a body corporate, by the affixing of the common seal of that body corporate.
- (2) Returns required to be lodged under the Act shall be lodged at the office of the Director.
- (2a) Returns to be lodged under the Act are to be lodged within one month after 30 June in each year and are to relate to the financial year ending on that date.
- (3) Where a return required to be lodged under the Act —
 - (a) is not lodged as required under subregulation (2a);

- (b) does not include the required information; or
- (c) is otherwise incomplete or is not verified as required,

if a person who is required to lodge the return, or who is 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 commits an offence.

Penalty: \$1 000.

- (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.

[Regulation 23 amended in Gazette 30 Jan 1998 p. 566; 22 May 1998 p. 2943; 6 Oct 1998 p. 5566.]

24. Prescribed information — returns

- (1) Each person required to make a record under section 145 of the Act shall lodge a return with the Director containing the following information —
 - (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 authorising 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, a special facility 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) deleted]*
- (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 financial year to which the return relates;

- (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)-(j) deleted]

- (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 financial year to which the return relates;
 - (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 financial year to which the return relates; 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.

[Regulation 24 amended in Gazette 30 Jan 1998 p. 566-7; 22 May 1998 p. 2943.]

25. Payment of moneys

- (1) The Director may require in a particular case that moneys payable under the Act be paid by bank or other financial institution 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 authorised 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 Aug 1990 p. 4337;
30 Oct 1998 p. 6015.]*

26. Fees generally

- (1) A fee specified in Schedule 3 is the fee payable for the purpose set out opposite the fee in that Schedule.
- (1a) The licence fees specified in items 3a and 3b of Schedule 3 are payable not later than 1 January in each year in respect of each licence in force.
- (1b) A licensee who has not paid a licence fee payable under subregulation (1a) by 8 January in any year shall, in addition to the licence fee, pay to the Director a penalty of an amount equal to the fee.
- (1c) Where a licensee has not paid a licence fee payable under subregulation (1a) by 15 January in any year, the Director may serve on the licensee a notice requiring payment of the fee, and any penalty under subregulation (1b), within 7 days after service of the notice and, if the requirement in the notice is not complied with, the Director may, whether or not a complaint is, or is to be, lodged under section 95 of the Act in respect of that non-payment, suspend the operation of the licence to which the fee relates until the amount outstanding is paid.
- (1d) Where a licensee has not paid a licence fee payable under subregulation (1a) by 29 January in any year, the Director may serve on the licensee a notice requiring payment of the fee, and any penalty under subregulation (1b), within 7 days after service

of the notice and, if the requirement in the notice is not complied with, the Director may, whether or not a complaint is, or is to be, lodged under section 95 of the Act in respect of that non-payment, cancel the licence to which the fee relates.

- (2) The Director may reduce, waive or refund, in whole or in part, any moneys due under this regulation.
- (3) Where, under the Act, a person is required to lodge a document with the Director within a particular 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 that 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 that time, of an amount equal to the fee for lodgement prescribed, or the amount of \$115, whichever is the lesser; or
 - (ii) if the document is lodged more than 1 month after the expiry of that time, of an amount equal to 3 times the fee for lodgement prescribed.
- (4) In calculating the fee for an application for an occasional licence for an occasion or event lasting more than one day, the anticipated number of persons attending the area that is the subject of the application is the sum of the number of persons expected to attend the area on each day, calculated using the information provided in the application form.

[Regulation 26 amended in Gazette 30 Jan 1998 p. 567-8; 21 Dec 1999 p. 6419; 28 Jul 2000 p. 4032.]

27. Infringement notices

- (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) For the purposes of section 167(2)(a) of the Act, an offence against a provision listed in the following Table is a prescribed offence.

Table

Provisions of Act

Sections 37A, 51(2) or (4), 65(1), 77(1), 100(2), (4), (5), (6) or (8), 102(1), 103(3), 104(1), 105(8), 106(1) where the alleged offender is the lodger or (3), 108(2) or (5), 110(1), (2), (3), (4), (5) or (7), 111(1) or (2), 115(1), (2), (5), (6) or (7), 116, 118(3), 119, 121(1), (3), (4) where the alleged offender is a licensee or a juvenile, (7), (9) or (10), 122(2) or (3), 123, 124, 126(2) or (4), 135(3), 145(4), 146(1), 150(2), 154(3), 158(1), 159(1) or (3), 160(4) or 161(7).

Provisions of these regulations

Regulation 23(3).

*[Regulation 27 amended in Gazette 30 Jan 1998 p. 568;
22 May 1998 p. 2943-4; 30 Nov 2004 p. 5491.]*

[28. *Repealed in Gazette 30 Jan 1998 p. 568.]*

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 authorised 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 authorised officer appointed under the *Liquor Licensing Act 1988* and/*has the functions and the power authorised in that Act/*is authorised to #.

It is an offence for a person to fail to comply with a requirement of an authorised 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]

APPLICATION FOR LICENCE(For a Club Licence use Form 3 and for
an Occasional Licence use Form 4 or 5)

To the Director of Liquor Licensing

Applicant's details

(If there are 2 or more applicants, give detail for each one)

Name _____

Address _____

Postcode _____

Address for service of documents _____

Postcode _____

Address for service of documents after application is determined _____

Postcode _____

Contact person _____

Phone No. _____ Mobile _____

Date of birth (If applicant is an individual) ____/____/____

Manager (if not the applicant)

Name _____

Address _____

Postcode _____

Place of Birth _____ Date of birth ____/____/____

Application details

Type of licence Hotel Hotel (Tavern) Hotel (Restricted)
 Cabaret Casino Liquor store
 Restaurant Producer's Wholesaler's
 Special facility

Premises to be licensed

Address _____

Postcode _____

Certificate of Title Volume _____ Folio _____

Trading name _____

Is the premises owned by the applicant? Yes No

If no, give details of owner and applicant's tenure

Name _____

Address _____

Postcode _____

Applicant's tenure Lease Other _____

Duration of lease/tenure _____

Is licence conditional on construction or completion of the premises? Yes No

Company details

(To be filled in if applicant is a company)

ACN number _____

Place of registration _____

Date of incorporation/registration ____/____/____

Directors and other officers

(Give details of all directors, company secretaries, executive officer and any other officers)

Name _____

Office _____

Address _____

_____ Postcode _____

Place of Birth _____ Date of birth ____/____/____

Name _____

Office _____

Address _____

_____ Postcode _____

Place of Birth _____ Date of birth ____/____/____

Name _____

Office _____

Address _____

_____ Postcode _____

Place of Birth _____ Date of birth ____/____/____

Name _____

Office _____

Address _____

_____ Postcode _____

Place of Birth _____ Date of birth ____/____/____

Shareholders

(To be filled in if applicant is a proprietary company. Give details of all shareholders)

Name _____

Address _____

_____ Postcode _____

Place of Birth _____ Date of birth ____/____/____

Name _____

Address _____

_____ Postcode _____

Place of Birth _____ Date of birth ____/____/____

Name _____

Address _____

_____ Postcode _____

Place of Birth _____ Date of birth ____/____/____

Name _____

Address _____

Postcode _____

Place of Birth _____ Date of birth ____/____/____

Trusts

Will the company hold the licence as a trustee? Yes No

If the applicant is a proprietary company, does any shareholder hold the shares as a trustee? Yes No

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

Special conditions

Liquor store licence

Is approval sought for a sampling area? Yes No

If yes, part of premises to be used as sampling area _____

Wholesaler's or producer's licence

Is approval sought for a sampling area? Yes No

If yes, part of premises to be used as sampling area _____

Is approval sought to store liquor off the licensed premises? Yes No

If yes, address of storage premises _____

Postcode _____

Special facility licence

Purpose for which licence is required (see *Liquor Licensing Regulations 1989*, r. 9A)

- Works canteen Theatre or cinema Reception or function centre
- Transport Tourism Post secondary educational institution
- Sports arena Foodhall Catering
- Bed and breakfast facility Room service restaurant
- Amusement venue Interstate wine club Auction

Trading hours sought

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

Liquor Licensing Regulations 1989
Schedule 1 Forms

Is approval sought to sell liquor on —

- Christmas Day Christmas Day Anzac Day

Any special trading condition being sought _____

Extended trading permit

Is an extended trading permit sought? Yes No

If yes, give details

Purpose (see *Liquor Licensing Act 1988*, s. 60(4)) _____

Permit requested for —

Part of the licensed premises. Give details _____

Other area. Give details _____

Trading hours sought _____

Declaration

(Must be signed by all applicants)

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

If applicant is a Company

The common seal of
_____ }
was affixed by authority
of the directors

Date ___/___/___

Director Signature _____
 Name _____

Director Signature _____
 Name _____

If applicant is one or more individuals

Signature _____ Date ___/___/___

Witness Signature _____
 Name _____

Signature _____ Date ___/___/___

Witness Signature _____
 Name _____

[Form 2 inserted in Gazette 4 Jan 2002 p. 12-15.]

- (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 20

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 20

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 organising 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 organising 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
.....
.....
.....
- (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 of 20

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
.....

 - (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 20

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
.....
- (e) Will entertainment be provided? (Yes/No)
If Yes, what sort, and who will provide it?

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 20

Signature of *licensee/*applicant/*person authorised (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) deleted]*
- (c) In the case of a special facility licence application only —
 - (i) what purpose 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?
.....
.....
 - (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 20

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 9 amended in Gazette 22 May 1998 p. 2944.]

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
- (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 |
|-------|---------|---------------|----------------|--|
| | | | | |

Dated the day of 20

Signature of *licensee/*person authorised 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
- (c) the applicant has enquired whether there are any outstanding work requirements in respect of the licensed premises, and undertakes to comply with those requirements.

Dated the day of 20

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

Where the applicant is one or more natural persons

Signature of Person

Signature, Name and Address of Witness

[Form 10 amended in Gazette 22 May 1998 p. 2944.]

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 20

.....
Signature of *applicant/*person authorised
(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 authorisation pursuant to section 86?
(Yes/No)
 - (h) For what period is the protection order sought?
From to

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 20

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 20

.....
Signature of *applicant/*person authorised
(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?

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 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 20

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

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

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

Form 18

Liquor Licensing Act 1988

[Section 121(6) and regulation 17]

NOTICE TO JUVENILES

Under the *Liquor Licensing 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)

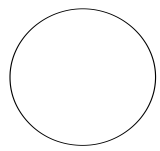
8. DECLARATION: I, _____ certify that:
 name of licensee

- (a) I am the licensee of the above named premises;
- (b) the claim I am making for liquor subsidy is complete, true and correct;
- (c) the claim I am making is honestly based on my WET obligations;
- (d) I have all the necessary records to provide information to substantiate my claim;
- (e) I will provide information to substantiate my claim, if requested, at any time by the relevant authorities;
- (f) I have prepared and issued invoices reflecting the liquor subsidy in accordance with requirements of the Australian Taxation Office; and
- (g) my prices to my customers incorporate the amount of the subsidy.

WARNING
 Penalties apply if you
 provide false or
 misleading
 information

WHERE THE LICENSEE 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:



Name and Signature of Director(s)	Date: ___ / ___ / ___	Common Seal Ph No: _____

WHERE THE LICENSEE IS ONE OR MORE INDIVIDUAL PERSONS:

Signature(s)	Date: ___ / ___ / ___	Ph No: _____

FOR OFFICE USE ONLY	DATE RECEIVED: ___ / ___ / ___ DATE PAID: ___ / ___ / ___	AMOUNT PAYABLE: \$ PAYMENT DETAILS:
--------------------------------	--	--

[Form 19 inserted in Gazette 9 Jul 2004 p. 2774-5.]

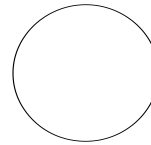
8. DECLARATION: I, _____ certify that:
name of licensee

- (a) I am the licensee of the above named premises;
- (b) the claim I am making for liquor subsidy is complete, true and correct;
- (c) I have all the necessary records to provide information to substantiate my claim;
- (d) I will provide information to substantiate my claim, if requested, at any time by the relevant authorities;
- (e) I have prepared and issued invoices reflecting the liquor subsidy; and
- (f) my prices to my customers incorporate the amount of the subsidy.

WARNING
Penalties apply if you
provide false or
misleading
information

WHERE THE LICENSEE 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:



Name and Signature of Director(s)

Common Seal

_____ Date: ____ / ____ / ____ Ph No: _____

_____ Date: ____ / ____ / ____ Ph No: _____

WHERE THE LICENSEE IS ONE OR MORE INDIVIDUAL PERSONS:

Signature(s)

_____ Date: ____ / ____ / ____ Ph No: _____

_____ Date: ____ / ____ / ____ Ph No: _____

FOR OFFICE	DATE RECEIVED: ____ / ____ / ____	AMOUNT PAYABLE: \$
USE ONLY	DATE PAID: ____ / ____ / ____	PAYMENT DETAILS:

[Form 19A inserted in Gazette 9 Jul 2004 p. 2776-7.]

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 20 at
.....
you committed the offence described below and are liable for the modified penalty stated.

.....
Authorised Officer

2. 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.

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">(a) full name;(b) any other name used now or previously;(c) present residential address;(d) any other residential address in the past 5 years, including dates of each change of address;(e) date and place of birth;(f) citizenship;(g) full name of spouse or de facto partner;(h) present occupation, and name and address of employer;(j) present height, weight, build, colour of hair and eyes, complexion and any distinguishing bodily marks;(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;(m) any other involvement in the operation of licences relating to the sale of liquor in the State or elsewhere;(n) any position of authority held in a body corporate concerned with the proposed licence and a description of the position held;(o) the number and nature of any convictions of that person for offences in any jurisdiction;

Item	Category of Applicant	Details to be provided
		<p>(p) any proceedings relating to insolvency under administration, within the meaning of the <i>Corporations Act 2001</i> of the Commonwealth, in respect of the person or any such proceedings, or applications in respect of any such proceedings, pending in respect of the person; and</p> <p>(q) any external administration, within the meaning of the <i>Corporations Act 2001</i> of the Commonwealth, of any corporation of which the person is —</p> <p style="padding-left: 20px;">(i) a director; or</p> <p style="padding-left: 20px;">(ii) where the corporation is a proprietary company, a shareholder,</p> <p>or any such administration pending.</p>
2.	Company	<p>(a) full name, registered office and address for service of documents;</p> <p>(b) date and place of incorporation, including a copy of the certificate of incorporation;</p> <p>(c) any change of the company name during the past 2 years, including the date of any such change of name;</p> <p>(d) a list of directors;</p> <p>(e) in respect of each director, the details set out in item 1;</p> <p>(f) in the case of a proprietary company —</p> <p style="padding-left: 20px;">(i) the full name, residential address and date of birth of each shareholder who is a natural person; and</p> <p style="padding-left: 20px;">(ii) the full name, date and place of incorporation of each shareholder that is a body corporate;</p> <p>(g) any liquidation, receivership or official management in force or pending in respect of the company;</p>

Item	Category of Applicant	Details to be provided
		(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.
3.	Club or other body of persons	(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.

[Schedule 2 amended in Gazette 22 May 1998 p. 2944; 6 Oct 1998 p. 5567; 28 Sep 2001 p. 5357-8; 30 Jun 2003 p. 2612.]

Schedule 3 — Fees

[r. 26(1)]

[Heading inserted in Gazette 14 Oct 2005 p. 4565.]

	\$
1. Application for the grant or removal of a Category A licence	1 750.00
2. Application for the grant or removal of a Category B (other than an occasional licence) licence	450.00
3. Application for the transfer of a licence	450.00
3a. Licence fee for all licences other than a wholesaler's licence	140.00
3b. Licence fee for a wholesaler's licence	300.00
4. Application for an occasional licence where the anticipated number of persons attending* is —	
(a) up to 250	30.00
(b) between 251 and 500	70.00
(c) between 501 and 1 000	130.00
(d) between 1 001 and 5 000	565.00
(e) between 5 001 and 10 000	1 130.00
(f) over 10 000	2 260.00
<i>[*See regulation 26(4) as to the anticipated number of persons attending]</i>	
5. Application for extended trading permit for a period of over 21 days —	
(a) issued for a purpose referred to in section 60(4)(ca) of the Act	340.00
(b) issued for a purpose referred to in section 60(4)(h) of the Act	225.00
(c) issued for any other purpose	610.00
6. Application for extended trading permit for a period of 21 days or less (for each day, up to a maximum of \$500)	60.00
7. Application for approval of manager (other than under club restricted licence), after licence is granted	70.00
8. Application for approval of manager under club restricted licence, after licence is granted	20.00
9. Application for approval of person in position of authority, after licence is granted	80.00
10. Application for approval for alteration or redefinition of licensed premises	280.00
11. Application for a protection order under section 87(1) of the Act	70.00
12. Application for duplicate licence	30.00
13. Application for approval of change of name of licensed premises	60.00

	\$
14. Application to add, vary or cancel condition of licence or permit (other than club restricted licence)	70.00
15. Application to add, vary or cancel condition of club restricted licence	30.00
16. On the issue of a list of licensed premises or a list of owners of licensed premises	70.00
17. On the issue of a list of licensed premises on computer disk ...	85.00
18. Address labels for licensed premises	105.00
19. Application for Proof of Age Card (reg. 18B)	20.00
20. "Liquor Licensing Act — Notice of Application" heading	20.00
21. Copy of plan — per sheet	20.00
22. Certified copy of plan defining licensed premises	30.00
23. Issue of a summons to a witness	15.00
24. Copy of a licence or a permit, or a decision of the Court or the Director	20.00
25. For the certification of a copy of a licence or permit or a decision of the Court or the Director — an additional fee of ..	20.00
26. For a search of records of licences — per licence	30.00
27. For a notice of application for approval of arrangement or agreement (section 68(1)(b)(i))	60.00
28. For a copy of documentation, other than that already prescribed, per page	4.00
29. For a search of postcodes —	
(a) 1 to 10 postcodes	30.00
(b) more than 10 postcodes	65.00
30. For a full search of the licence record	40.00
31. Application under section 62(6) of the Act to vary any plans or specifications the subject of a condition	210.00

[Schedule 1 inserted in Gazette 14 Oct 2005 p. 4565-6.]

Notes

¹ This is a compilation of the *Liquor Licensing Regulations 1989* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Liquor Licensing Regulations 1989</i>	27 Jan 1989 p. 209-61	1 Feb 1989 (see r. 2 and <i>Gazette</i> 27 Jan 1989 p. 263)
<i>Liquor Licensing (Amendment) Regulations 1990</i>	3 Aug 1990 p. 3791	3 Aug 1990
<i>Liquor Licensing (Amendment) (No. 2) Regulations 1990</i>	24 Aug 1990 p. 4337	24 Aug 1990
<i>Liquor Licensing Amendment Regulations 1991</i> ³	8 Nov 1991 p. 5768-9	8 Nov 1991
<i>Liquor Licensing Amendment Regulations 1992</i>	21 Feb 1992 p. 933-4	21 Feb 1992
<i>Liquor Licensing Amendment Regulations (No. 2) 1992</i>	20 Nov 1992 p. 5695	1 Jan 1993 (see r. 2)
<i>Liquor Licensing Amendment Regulations 1994</i>	23 Sep 1994 p. 4901	23 Sep 1994
<i>Liquor Licensing Amendment Regulations (No. 2) 1994</i>	30 Dec 1994 p. 7329-30	30 Dec 1994
<i>Liquor Licensing Amendment Regulations 1995</i>	16 May 1995 p. 1859	16 May 1995
<i>Liquor Licensing Amendment Regulations 1996</i>	26 Nov 1996 p. 6629-30	26 Nov 1996
<i>Liquor Licensing Amendment Regulations (No. 2) 1996</i>	3 Dec 1996 p. 6689-91	3 Dec 1996
Reprint of the <i>Liquor Licensing Regulations 1989</i> as at 8 Sep 1997 (includes amendments listed above)		
<i>Liquor Licensing Amendment Regulations 1997</i>	14 Nov 1997 p. 6446-8	1 Jan 1998 (see r. 2)
<i>Liquor Licensing Amendment Regulations 1998</i>	30 Jan 1998 p. 559-73 (correction 6 Feb 1998 p. 662)	31 Jan 1998 (see r. 2 and <i>Gazette</i> 30 Jan 1998 p. 577)

Citation	Gazettal	Commencement
<i>Liquor Licensing Amendment Regulations (No. 2) 1998</i>	28 Apr 1998 p. 2198	28 Apr 1998
<i>Liquor Licensing Amendment Regulations (No. 3) 1998</i>	22 May 1998 p. 2940-4	23 May 1998 (see r. 2 and <i>Gazette</i> 22 May 1998 p. 2921)
<i>Liquor Licensing Amendment Regulations (No. 4) 1998</i>	6 Oct 1998 p. 5563-7	6 Oct 1998
<i>Liquor Licensing Amendment Regulations (No. 5) 1998</i>	30 Oct 1998 p. 6015	1 Dec 1998 (see r. 2)
<i>Liquor Licensing Amendment Regulations 1999</i>	30 Apr 1999 p. 1820-1	30 Apr 1999 (see r. 2)
<i>Liquor Licensing Amendment Regulations (No. 2) 1999</i>	31 Aug 1999 p. 4236-9	31 Aug 1999
<i>Liquor Licensing Amendment Regulations (No. 3) 1999</i>	21 Dec 1999 p. 6418-20	1 Jan 2000 (see r. 2)
Reprint of the <i>Liquor Licensing Regulations 1989</i> as at 7 Jan 2000 (includes amendments listed above)		
<i>Liquor Licensing Amendment Regulations 2000</i>	12 May 2000 p. 2286	1 Jul 2000 (see r. 2)
<i>Liquor Licensing Amendment Regulations (No. 2) 2000</i>	28 Jul 2000 p. 4029-32	28 Jul 2000
<i>Liquor Licensing Amendment Regulations (No. 3) 2000</i>	29 Sep 2000 p. 5549	30 Sep 2000 (see r. 2 and <i>Gazette</i> 29 Sep 2000 p. 5533)
<i>Liquor Licensing Amendment Regulations 2001</i>	6 Jul 2001 p. 3415	6 Jul 2001
<i>Liquor Licensing Amendment Regulations (No. 2) 2001</i> ⁴	17 Jul 2001 p. 3637-8	17 Jul 2001
<i>Corporations (Consequential Amendments) Regulations 2001 Pt. 8</i>	28 Sep 2001 p. 5353-8	15 Jul 2001 (see r. 2 and <i>Cwlth Gazette</i> 13 Jul 2001 No. S285)
<i>Liquor Licensing Amendment Regulations (No. 3) 2001</i>	2 Oct 2001 p. 5455-7	2 Oct 2001
<i>Liquor Licensing Amendment Regulations (No. 4) 2001</i>	4 Jan 2002 p. 7-15	7 Jan 2002 (see r. 2 and <i>Gazette</i> 4 Jan 2002 p. 3)
Reprint of the <i>Liquor Licensing Regulations 1989</i> as at 8 Mar 2002 (includes amendments listed above)		
<i>Liquor Licensing Amendment Regulations 2002</i>	28 Jun 2002 p. 3105-6	1 Jul 2002 (see r. 2)
<i>Liquor Licensing Amendment Regulations (No. 2) 2002</i>	22 Oct 2002 p. 5254-5	22 Oct 2002

Liquor Licensing Regulations 1989

Citation	Gazettal	Commencement
<i>Liquor Licensing Amendment Regulations (No. 3) 2002</i>	19 Nov 2002 p. 5515-16	1 Jan 2003 (see r. 2)
<i>Liquor Licensing Amendment Regulations 2003</i>	28 Feb 2003 p. 676-7	28 Feb 2003
<i>Liquor Licensing Amendment Regulations (No. 2) 2003</i>	28 Mar 2003 p. 983-4	28 Mar 2003
<i>Equality of Status Subsidiary Legislation Amendment Regulations 2003 Pt. 22</i>	30 Jun 2003 p. 2581-638	1 Jul 2003 (see r. 2 and <i>Gazette</i> 30 Jun 2003 p. 2579)
<i>Liquor Licensing Amendment Regulations (No. 4) 2003</i>	11 Jul 2003 p. 2741-2	11 Jul 2003
<i>Liquor Licensing Amendment Regulations (No. 5) 2003</i>	26 Sep 2003 p. 4223-4	1 Jan 2004 (see r. 2)
<i>Liquor Licensing Amendment Regulations (No. 3) 2003</i>	10 Oct 2003 p. 4405-6	10 Oct 2003
<i>Liquor Licensing Amendment Regulations (No. 6) 2003</i>	28 Oct 2003 p. 4527-9	28 Oct 2003
<i>Racing and Gambling (Miscellaneous) Amendment Regulations 2004 Pt. 7</i>	30 Jan 2004 p. 413-18	30 Jan 2004 (see r. 2)
Reprint 4: The Liquor Licensing Regulations 1989 as at 2 Apr 2004 (includes amendments listed above)		
<i>Liquor Licensing Amendment Regulations 2004</i> ⁵	9 Jul 2004 p. 2773-7	9 Jul 2004
<i>Liquor Licensing Amendment Regulations (No. 2) 2004</i>	9 Jul 2004 p. 2778-80	1 Jan 2005 (see r. 2)
<i>Liquor Licensing Amendment Regulations (No. 3) 2004</i>	10 Aug 2004 p. 3186	10 Aug 2004
<i>Liquor Licensing Amendment Regulations (No. 6) 2004</i>	30 Nov 2004 p. 5491	30 Nov 2004
<i>Liquor Licensing Amendment Regulations 2005</i>	11 Jan 2005 p. 98-9	11 Jan 2005
<i>Liquor Licensing Amendment Regulations (No. 2) 2005</i>	19 Aug 2005 p. 3873-4	19 Aug 2005
Reprint 5: The Liquor Licensing Regulations 1989 as at 7 Oct 2005 (includes amendments listed above)		
<i>Liquor Licensing Amendment Regulations (No. 3) 2005</i>	14 Oct 2005 p. 4564-6	1 Jan 2006 (see r. 2)

² The Standards Association of Australia has changed its corporate status and its name. It is now Standards Australia International Limited (ACN 087 326 690). It also trades as Standards Australia.

³ Disallowed on 26 Apr 1992, see *Gazette* 1 May 1992 p. 1844.

⁴ The *Liquor Licensing Amendment Regulations (No. 2) 2001* r. 2(3) and (4) read as follows:

“

- (3) Subject to subregulation (4), the *Liquor Licensing Regulations 1989* as amended by this regulation apply to and in respect of any application for a special facility licence —
 - (a) made, but not finally determined, before the coming into operation of this regulation; or
 - (b) made on or after the coming into operation of this regulation.
- (4) Nothing in these regulations affects —
 - (a) an application for review under section 25 of a decision in respect of a special facility licence; or
 - (b) an appeal under section 28 in respect of a special facility licence,
instituted but not finally determined before the coming into operation of this regulation.

”

⁵ The amendments in the *Liquor Licensing Amendment Regulations 2004* cl. 3 and 5 are not included because of an error in the reference to the provision to be amended.