

JANUARY 2022



# Applying for approval of a liquor accord

## This information sheet outlines what is required to obtain approval of accord documentation as per 146A on the *Liquor Control Reform Act 1998*

A liquor accord is a written document that sets out best practice principles and harm minimisation strategies developed and committed to by forum members and is approved by a Victoria Police Licensing Inspector and the VGCCC.

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The accord document usually includes specific aims, actions, objectives and strategies to provide practical solutions to alcohol-related problems and gambling issues.

## What is required with your application?

To assist with the processing of your application please include the following:

* a copy of the draft accord document (including a list of potential members/venues)
* a copy of any certificates that may be displayed in the licensed venues (if applicable)
* a signed copy of the Licensing Inspector’s approval of the accord document (see page three of this document)

## Where should you send your application?

Email your application to:contact@vcglr.vic.gov.au

## How long will the process take?

It may take up to four weeks to process from the time the VGCCC receives your application.

An education officer will be allocated to assist you with the approval process.

You may be asked to provide further information, documentation, or make amendments to the draft.

Please refer to the checklist on page two to ensure you have considered all the necessary components of a liquor accord.

Once approved, a formal confirmation email and a copy of the approved accord document will be sent.

## Checklist - what to include in your liquor accord

Use this checklist as a guide on what to put in your accord document. The list of recommended topics provided are the sorts of principles and policies that you may choose to include. Templates for a liquor accord document and certificate are also available on the VGCCC website.

* Responsible service of alcohol (RSA) principles

Employees must complete an approved RSA training program within one month of commencing employment, and must undertake an RSA refresher course every three years.

* Responsible advertising and promotions Display mandatory signage, do not run promotions banned by the VGCCC, or promotions which contradict responsible service and consumption of alcohol.

Abide by the VGCCC’s Guidelines for responsible liquor advertising and promotions.

* Intoxication

Refuse service of alcohol to any patron showing signs of intoxication.

* Crowd controllers (if applicable) Adhere to *Private Security Act 2004* and maintain a crowd controllers register. Only use registered crowd controllers who have a current licence.
* Minors

Adhere to legislation regarding when a minor is permitted in a licensed venue.

* Administration

Display liquor licence and required signage prominently. Ensure the red line plan is available for viewing on request.

* Acceptable forms of identification

Be vigilant and have a policy for checking for acceptable forms of identification – refuse admission if acceptable identification is not produced.

* Management of events

Advise Victoria Police in advance of any events likely to increase patronage.

* Staff training

Policies on induction, ongoing training, emergency evacuation and regular fire drill practices are encouraged. Ensure staff understand liquor licence conditions.

* Amenity of venue

Include policies around minimising noise and litter, ensuring queues are orderly and not blocking footpaths. Be considerate of neighbours.

* Closed circuit television (CCTV) policy (If applicable)

Ensure CCTV equipment is serviced regularly and staff know how to access footage if requested.

* Gambling

If applicable, policies and procedures that relate to responsible service of gambling.

* Contacts list

Include contact details for local police and the VGCCC. List all potential accord members on a separate page and their contact details.

* Packaged liquor information

Adhere to the VGCCC ‘Packaged Liquor Code of Conduct’, develop a ‘house rules’ document, ensure if alcohol is suspected of being purchased for a minor (third party), the sale is declined.

* Communication

Policy for notifying other venues of problematic patrons.

* New Year’s Eve initiatives

Licensees will restrict the sale of alcohol to non-glass products where possible to reduce glass injuries. Employ extra crowd controllers and have a first aid officer on shift throughout New Year’s Eve.

* School leavers initiatives (if applicable) During School Leaver’s period (around November) increase vigilance in checking identification to identify underage patrons.
* VGCCC accord banning guidelines (compulsory insert)

To ban patrons through your liquor accord, you must include page four of this document in your draft document.

Your forum does not have to implement a banned patron’s policy however if you do want to ban patrons through the accord, a separate banning policy should be produced and agreed to by forum members.

This policy does not form part of the formal approval by the VGCCC. The banning policy does not need to be submitted for approval with your accord document.

Should you have any further queries about drafting your liquor accord, please email contact@vcglr.vic.gov.au or contact the VGCCC on 1300 182 457.

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# Victoria Police Approval of Liquor Accord

## Legislation

‘Liquor Accord’ as defined in s146A of the *Liquor Control Reform Act 1998* (the Act), means a code of practice or an agreement-

1. that affects the supply of liquor, the opening and closing of premises or other aspects of the management of or conduct of business on licensed premises; and
2. that is entered into in writing between two or more licensees or permittees (or both), with the approval of the Chief Commissioner and the Commission, for the purpose of minimising harm arising from the misuse and abuse of alcohol

The Chief Commissioner has delegated to all licensing inspectors appointed under s172 of the Act authority to approve a liquor accord.

## Approval

|  |
| --- |
| I, |
| Licensing Inspector of |
| have read and approve the draft Accord |

|  |  |
| --- | --- |
| Name of Licensing Inspector | Signature of Licensing Inspector |
|  |
|  | Date | D | D | M | M | Y | Y | Y | Y |

Accord banning guidelines

The *Liquor Control Reform Act 1998* provides that two or more licensees or permittees may enter into a liquor accord with the approval of the Chief Commissioner of Police and the Victorian Gambling and Casino Control Commission (VGCCC), for the purpose of minimising harm arising from the misuse or abuse of alcohol.

The terms of a liquor accord may make provisions for licensees or permittees to cease to supply liquor or allow the consumption of liquor at their premises or ban access to the premises by the public or individual members of the public.

Liquor accord bans should be implemented only for the purpose of minimising harm arising from the misuse and abuse of alcohol in relation to behaviour that has occurred in or around licensed premises. It is recommended that parties to an accord:

* + ensure that a decision to ban is fair and reasonable, providing the banned person with an opportunity to respond to or apply for the reconsideration of the decision to ban them;
	+ ensure that a ban is non-discriminatory and made for a clear harm minimisation purpose;
	+ ensure that the privacy of personal information in relation to banned persons in maintained;
	+ ensure that a ban complies with the provisions of the the [Charter of Human Rights and Responsibilities Act 2006 (Vic);](https://www.legislation.vic.gov.au/in-force/acts/charter-human-rights-and-responsibilities-act-2006/014)
	+ Do not ban a persons for unreasonable periods of time (maximum 12 months) unless clearly justified by the circumstances; and
	+ appropriately notify the subject of a ban that a decision has been made to exclude them.

## From 31 January 2022, the maximum period for which a person may be banned under a liquor accord is 12 months.

## A licensee or permittee may consult Victoria Police to assist with developing or enforcing a liquor accord.

## Release of information for the purpose of enforcing the Accord ban

The Commission or a police officer may disclose to a licensee or permittee who is party to a liquor accord that contains a liquor accord ban, information about a person who is the subject of the ban. It is a criminal offence for a person to use or disclose any information received from us or Victoria Police regarding banned persons except for the purposes of enforcing a liquor accord ban or other purposes required by law, with a maximum penalty of 60 penalty units (refer to Section 146DA of the *Liquor Control Reform Act 1998).*

Information will only be disclosed by the VGCCC in accordance with Section 146D of the *Liquor Control Reform Act 1998* where necessary for the purposes of the effective and efficient enforcement of the ban. When determining whether to disclose information, the VGCCC may require a party to an accord to undertake not keeping the information private.

This publication avoids the use of legal language. Information about the law may have been summarised or expressed in general statements. This information should not be relied upon as a substitute for professional legal advice or reference to the actual legislation. Authorised by the Victorian Government.



Victorian Commission for Gambling and Liquor Regulation

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