



# Victorian Commission for Gambling and Liquor Regulation

## Liquor Licensing Fact Sheet Demerit points system

The demerit points system operates to improve the regulation of liquor licensing in Victoria. This system operates in addition to the compliance history risk fee system to encourage good business practices in all licensed premises.

Under the demerit points system, licensees incur demerit points on their licence for a non-compliance incident.

### What is the demerit points system?

Licensees will incur demerit points on their licence if there has been a non-compliance incident in relation to that licence. One incident equals one demerit point.

A licence will be automatically suspended if it reaches one of the three demerit point thresholds.

Demerit points apply to the licence for a period of three years from the date on which the demerit point is recorded against the licence.

The number of demerit points that apply to a licence is published on the Demerit Points Register and Licences and Applications Online and both can be accessed at [vcglr.vic.gov.au](http://vcglr.vic.gov.au).

When a transfer of licence occurs any demerit points will be removed, unless there is a relevant relationship between the parties.

If there is a relevant relationship between the parties, the new licensee can still apply to have the demerit points removed using the Removal of demerit points kit.

### How will demerit points affect licences?

Licences will be suspended at the following thresholds:

- 5 demerit points will lead to a 24 hour suspension
- 10 demerit points will lead to a 7 day suspension
- 15 demerit points will lead to a 28 day suspension.

It is not possible to appeal a licence suspension. However, a licensee may apply to the Minister to suspend, cancel or delay a suspension in certain circumstances.

### What is a non-compliance incident?

A non-compliance incident relates to the following offences.

Offences	Section of the <i>Liquor Control Reform Act 1998</i>
Supply liquor to intoxicated person	108(4)(a)
Permit drunken/disorderly person on licensed premises	108(4)(b)
Supply liquor to underage person, other than as permitted (licensee/permittee offence)	119(1)(a)
Permit liquor to be supplied to underage person, other than as permitted (licensee/permittee offence)	119(1)(b)
Liquor is supplied to underage person on licensed premises, other than permitted	119(2)
Permit underage person on licensed premises, other than as permitted	120(1)

A non-compliance incident occurs when one of these offences has been detected and:

- an infringement notice for the offence has been paid in full or partially paid; or
- an infringement in respect of one of these offences has been lodged at the Infringements Court and an Enforcement Order has been issued; or
- the offence has been successfully prosecuted.

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