

# Renewal of licence or permit by owner, mortgagee or other affected person

**This kit contains all the forms and related materials required to apply for a renewal of licence or permit by owner, mortgagee or other affected person in Victoria.**

## Items

1. Pre-lodgement checklist - renewal of licence or permit by owner, mortgagee or other affected person
2. Application form - renewal of licence or permit by owner, mortgagee or other affected person
3. Questionnaire
4. 'Training for licence applicants' fact sheet

To confirm the current fee, please refer to 'Liquor licence fees' on our website at [vgccc.vic.gov.au](http://vgccc.vic.gov.au)

## Need help?

For more information on how to apply for a liquor or gambling licence or permit:

- visit the Victorian Gambling and Casino Control Commission (VGCCC) website at [vgccc.vic.gov.au](http://vgccc.vic.gov.au)
- telephone the VGCCC on 1300 182 457
- email the VGCCC at [contact@vgccc.vic.gov.au](mailto:contact@vgccc.vic.gov.au)

## Pre-lodgement checklist

# Renewal of licence or permit by owner, mortgagee or other affected person

This checklist details the documents required to accompany the lodgement of your application. Supplying these with your application will allow the Victorian Gambling and Casino Control Commission (VGCCC) to commence assessment of the application and can reduce processing time. Your application may be returned if the accompanying documents do not meet the requirements below.

The VGCCC may contact applicants to request additional documentation depending on the circumstances of their business. All forms and fact sheets referred to are available on the VGCCC website [vgccc.vic.gov.au](http://vgccc.vic.gov.au).

### Please ensure the following forms/documents are attached to this application

Tick all boxes below when a requirement has been met, then sign and date your confirmation at the end of this form.

#### Application form

Please ensure:

- all fields on the application form are completed
- the application form is signed and dated by the applicant
- that correct fees are attached, as detailed in the 'Liquor licence fees' fact sheet.

#### Questionnaire

- Each person listed on the application, including any nominee, **must** complete and submit the 'Liquor licensing questionnaire.' For companies, partnerships or clubs, questionnaires are required from each director, partner or executive committee member respectively.

#### New entrant training (if applicable)

- A copy of an approved new entrant training certificate for all required persons is needed in order to determine the application, as detailed in the 'Training for licence applicants' fact sheet.

#### Responsible Service of Alcohol (RSA) training

- A copy of an approved RSA certificate for all required persons is needed in order to determine the application, as detailed in the 'Training for licence applicants' fact sheet.

#### Evidence of eligibility

This is required when an applicant who is not the current licensee is seeking to renew a licence.

- Evidence that you are the owner, mortgagee or that you are prejudicially affected by the failure of the licensee or permittee to renew the licence or permit, and you are entitled to possession of the premises.

#### Declaration of associates

- Each person listed on the application must complete and submit the 'Declaration of associates' form. For companies, partnerships or clubs, declarations are required from each director, partner or executive committee member respectively.

#### Current and historical company extract

- A current and historical company extract is required if the applicant is a company. A current and historical company extract can be purchased from the ASIC website at [asic.gov.au](http://asic.gov.au).

### Please note

Applicants will be sent an acknowledgement letter when the application and required documentation detailed in the above checklist are lodged. The letter may also outline a list of additional information required and the date by which it must be submitted. The VGCCC will then complete the assessment and determine the application.

**One applicant to sign and date below to confirm all required documentation has been completed and is attached to this application.**

Name

Signature

Date





# Questionnaire

*Liquor Control Reform Act 1998***OFFICE USE ONLY**

v17-10

Date rec'd / /

File no. \_\_\_\_\_

The following information is required from each applicant for a liquor licence or permit. If the application is from a company, partnership or club, a questionnaire is required from each director, partner or executive committee member. If a nominee is to be appointed, then they are also required to provide the following information.

**Important information you must read and note before completing this form**

The information supplied on this form to the Victorian Gambling and Casino Control Commission (the Commission) will be disclosed to Victoria Police as part of your application under the *Liquor Control Reform Act 1998* (the Act).

Victoria Police will use the information you supply to make an informed decision on whether to object to your application on the grounds that you or anyone named on this form are not suitable to be involved directly or indirectly in the sale of liquor.

**Please Note:**

- Complete all sections of this form in **BLOCK CAPITALS ONLY**.
- If you require any help in completing this form, assistance can be obtained from a legal practitioner or liquor consultant.
- Failure to provide requested information (no matter how minor) may be detrimental to the outcome of your application.
- Having a criminal record in itself may not prevent you or a body corporate you are involved with from being successful with your application.
- It is a criminal offence under Section 118 of the Act to provide false or misleading statements.
- This form is to be completed and dated no more than three months prior to your application being submitted.

**Personal information**

Family name

First given name

Second given name

Date of birth

 Man  Woman Self-described**Residential address**

Flat/unit number Street number Lot number

Street name

Town/suburb

Postcode

State

Victorian Gambling and Casino Control Commission

ABN 56 832 742 797

Level 3, 12 Shelley Street  
Richmond VIC 3121

GPO Box 1988

Melbourne VIC 3001

E: [contact@vgccc.vic.gov.au](mailto:contact@vgccc.vic.gov.au)

T: 1300 182 457

[vgccc.vic.gov.au](http://vgccc.vic.gov.au)

ABN 56 832 742 797

**Contact details**

Home phone (incl. area code)

Mobile phone

Business phone (incl. area code)

Fax number (incl. area code)

Email address (please indicate correct case)

Driver licence number

If you do not hold a drivers licence, please provide details of another form of photo identification

State of issue

**Business address**

Flat/unit number Street number Lot number

Street name

Town/suburb

Postcode

State

**Business details**

Name of business

Details of any other person who will, or is likely, to or is likely to directly or indirectly have a management role or exercise control over the business.

Family name

First given name

Date of birth

 Man  Woman Self-described*continued over the page*

## Business details *continued*

Family name

First given name

Date of birth

Man  Woman

Self-described

*If you require further space, please photocopy this section and attach it to the questionnaire.*

## Criminal and other proceedings history

Have you ever been convicted of any offence in Australia or overseas? (not including traffic offences)

No

Yes  *provide details in the history detail section*

Have you been found guilty of any offence in Australia or overseas? (includes findings without conviction and good behaviour bonds) (not including traffic offences)

No

Yes  *provide details in the history detail section*

Have you ever been the subject of a diversion order?

No

Yes  *provide details in the history detail section*

Do you have any charges pending against you?

(not including traffic offences)

No

Yes  *provide details in the history detail section*

Have you ever been charged with drink driving or driving whilst disqualified?

No

Yes  *provide details in the history detail section*

Has the Commission (or prior to 6 February 2012, the Director of Liquor Licensing or VCAT) previously made a finding that you were unsuitable under the Act?

No

Yes  *provide details in the history detail section*

Have police previously objected to your suitability in an application under the Act?

No

Yes  *provide details in the history detail section*

Have you, or have you been a director or a nominee of a body corporate and been found guilty of an offence under the Act?

No

Yes  *provide details in the history detail section*

Have you, as an individual received an infringement notice, or been a director or nominee of a body corporate that has received an infringement notice under the Act?

No

Yes  *provide details in the history detail section*

Have you been a director, nominee of a licensee, or a person who was concerned in or who took part in the management of licensed premises, that was the subject of a disciplinary action under the *Victorian Gambling and Casino Control Commission Act 2011* or a disciplinary hearing (VCAT) under the *Liquor Control Reform Act 1998*?

No

Yes  *provide details in the history detail section*

RLOM 20220218

Has a licensed venue where you have been a director, nominee or licensee incurred liquor licence demerit points?

No

Yes  *provide details in the history detail section*

## History details

If you have answered yes to any of the questions under the criminal and other proceedings history section, please provide full details below:

Date

Court

Offence

  

Result

  

Date

Court

Offence

  

Result

  

*If you require further space, please photocopy this section and attach it to the questionnaire.*

## Personal bankruptcy

Are you currently insolvent or under administration?

No

Yes  *provide full details*

  

Have you ever been declared bankrupt?

No

Yes  *provide full details*

  

**Please ensure this form is completed in full, as incomplete, or partially completed forms may require you to submit a further questionnaire and will delay your application.**

## Signature of applicant

I acknowledge that this declaration is true and correct and is made in the belief that a person making a false declaration is liable to prosecution for making a misleading statement.

Date

Name

# Declaration of associates

Liquor Control Reform Act 1998

OFFICE USE ONLY

v19-01

Date rec'd / /

File no. \_\_\_\_\_

## Directions for completing the form

This is an interactive PDF form which allows you to:

- complete the form using a computer or tablet
- save your progress and continue at a later time
- print the completed form to sign and return.

You may still print this form and complete it by hand if you prefer.

This form has been design to be completed using the free Adobe Acrobat Reader software. To download this free software, **please visit the following link** or search for the free “Adobe Acrobat Reader” on your devices app store.

**This form may not function as intended if you use any other software.**

## Who should complete this form?

If the applicant is a **body corporate**:

- the body corporate must complete PART A: Declaration of associates – Body corporate (only) (page three).
- each director of the body corporate must also complete a separate PART B: Declaration of associates – Individual/s (pages four and five).

If the applicant is an **individual**:

- the individual must only complete PART B: Declaration of associates – Individual/s (pages four and five).

If the applicant is a **partnership**:

- each partner must complete a separate PART B: Declaration of associates – Individual/s (pages four and five).

### Examples:

Where the applicant is a body corporate:

1. ABC Pty Ltd is applying for a restaurant and café liquor licence. There are two directors, John Smith and Jane Smith.
2. ABC Pty Ltd completes PART A: Declaration of associates – Body corporate (only).
3. John Smith and Jane Smith both complete separate PART B: Declaration of associates – Individual/s.

Where the applicant is an individual:

1. John Smith is applying for a BYO permit.
2. John Smith only needs to complete PART B: Declaration of associates – Individual/s.

Where the applicant is a partnership:

1. John Smith and Jane Smith are applying for a pre-retail liquor licence and have entered a partnership agreement.
2. John and Jane Smith both complete separate PART B: Declaration of associates – Individual/s.

Where the applicant is an Associated Incorporation:

1. ABC Inc is applying for a Full Club liquor licence. There are 4 Executive Committee members, John Smith, Jane Smith, Tony Smith and Carl Smith.
2. ABC Inc completes PART A: Declaration of associates - Body Corporate (only).
3. John Smith, Jane Smith, Tony Smith and Carl Smith complete separate PART B: Declaration of associates - Individual/s.

## Definitions - Associate

Before completing this declaration, please ensure that you read and understand the explanation of what is meant by “associate”.

Section 3AC of the *Liquor Control Reform Act 1998* (“the Act”), defines an associate as

1. For the purposes of this Act, an associate of a person (the “first person”) is-
  - a) a person who-
    - i. holds or will hold any relevant financial interest, or is or will be entitled to exercise any relevant power (whether in right of the person or on behalf of any other person) in any business of the first person involving the sale of liquor; and
    - ii. by virtue of that interest or power, is able or will be able to exercise a significant influence over or with respect to the management or operation of that business, or

- b). a person who is or will be a director, whether in right of the person or on behalf of another person, of any business of the first person involving the sale of liquor; or
- c). if the first person is a natural person, a person who is a relative of the first person, other than a relative -
  - i. who is not, and has never been, involved in any business of the first person involving the sale of liquor; or
  - ii. who will not be involved in the business the first person proposes to conduct as a licensee or permittee.

## Definitions - Associate (cont'd)

2. In this section-

“**relative**”, in relation to a person, means-

- a). the spouse or domestic partner of the person, or
- b). a parent, son, daughter, brother or sister of the person; or
- c). a parent, son, daughter, brother or sister of the spouse or domestic partner of the person;

“**relevant financial interest**”, in relation to a business involving the sale of liquor, means-

- a). any share in the capital of the business; or
- b). any entitlement to receive any payment as a result of money advanced;

“**relevant power**” means any power, whether exercisable by voting or otherwise and whether exercisable alone or in association with others-

- a). to participate in any directorial, managerial or executive decision; or
- b). to elect or appoint any person as a director.

Please note: Further to the above, a person who is or will be able to exercise a significant influence over includes a shareholder owning 10 percent or more of the shares of any business of the first person involving the sale of liquor.

## Definitions - Body Corporate

A body corporate is an organisation which has a separate legal status to its members (i.e. it can own property, sue and be sued, and enter into contracts in its own name).

Examples of body corporates include companies, incorporated associations, incorporated partnerships, municipal councils and co-operatives.

Unincorporated clubs/associations and unincorporated partnerships are not body corporates.

The director of a body corporate includes –

- any person occupying or acting in the position of director of the body corporate, by whatever name called (including partner, office holder, chief executive officer, executive committee member) and whether or not validly appointed to occupy or duly authorised to act in the position; and
- any person in accordance with whose directions or instructions the directors of the body corporate are instructed to act.

Please note that Directors of a Council, university or TAFE institute are not required to complete a declaration.

## Who should be declared as an associate?

Examples of persons who may be captured as associates include, but are not limited to, the following:

- each director, public officer, secretary, chief executive, chief financial officer, committee member of a body corporate.
- shareholders who are able to exercise a significant influence over or with respect to the management or operation of any business of the applicant/director of the body corporate involving the sale of liquor.
- where the applicant is a trustee of a trust, associates may include trust unit holders or beneficiaries who, by virtue of the Trust Deed, have voting rights enabling them to remove or change the trustee, or to influence decisions of the trustee.



## PART A: Declaration of associates - Body Corporate (only) to complete

NOTE: Individuals, partnerships and directors of a body corporate are not required to complete this part. Please proceed to **Part B**.

### 1: Name of body corporate making declaration

### 2: Businesses involving the sale of liquor

Provide details of all businesses that the body corporate has that involve the sale of liquor (including the business which is the subject of this declaration).

Business name/ Company name	Type of business	Registered address	ACN/ABN

### 3: Declaration of associates - Relevant financial interest/relevant power and significant influence or director

For each business listed above in question two, provide details of all individuals who are associates. This includes:

- directors (either in their own right or on behalf of another person) of the business.
- individuals that hold a relevant financial interest in the business AND is/will be able to exercise a significant influence over the management or operation of the business.
- individuals that will be entitled to exercise any relevant power in the business (either in their own right or on behalf of another person) AND is/will be able to exercise a significant influence over the management or operation of the business.

Name of individual	Residential address	Date of birth (dd/mm/yyyy)	Business name/ (as listed in Part 2)	Tick if also a director of this business

### 4: No associates to declare (if applicable)

I have read the definition of associates and confirm that the body corporate has no associates as defined in the *Liquor Control Reform Act 1998*.

### Signature/declaration of person/body corporate who is making this declaration

I declare that:

- the information contained in this form is true and correct
- if a body corporate is making this declaration by declaring its associates, I am authorised to sign this application on behalf of the body corporate.

Name:

Position (if body corporate):

Signature:

Date (dd/mm/yyyy):

## PART B: Declaration of associates - Individual/s to complete

NOTE: Directors of the body corporate in PART A, applications in an individual's name and all members of a partnership need to complete this form. Please refer to the 'Who should complete this form' section on page one.

### 1: Name of individual completing this declaration

### 2: Relationship to applicant (for example director of body corporate)

### 3: Businesses involving the sale of liquor

Provide details of all businesses that you have an interest in, that involve the sale of liquor (including the business which is the subject of this declaration).

Business name/ Company Name	Type of business	Registered Address	ACN/ABN

### 4: Declaration of associates - Relevant financial interest/relevant power and significant influence or director

If you are part of a body corporate completing this form, the directors that are part of that body corporate do not need to be listed below. For every business you are involved in listed above in question three, provide details of all individuals who are associated with those businesses. This includes:

- directors (either in their own right or on behalf of another person) of the business
- individuals that hold a relevant financial interest in the business AND is/will be able to exercise a significant influence over the management or operation of the business
- individuals that will be entitled to exercise any relevant power in the business (either in their own right or on behalf of another person) AND is or will be able to exercise a significant influence over the management or operation of the business.

Name of individual	Residential address	Date of birth (dd/mm/yyyy)	Business name/ (as listed in Part 3)	Tick if also a director of this business

### 5: Declaration of associates - Relatives

Please refer to the definition on page one of this form prior to completing this section.

Name	Residential address	Date of birth (dd/mm/yyyy)

## 6: No associates to declare (if applicable)

I have read the definition of associates and confirm that I have no associates as defined in the *Liquor Control Reform Act 1998*.

## Signature/declaration of individual who is making this declaration

I declare that the information contained in this form is true and correct

Name:

Date (dd/mm/yyyy):

Signature:

## Liquor licence fact sheet

# Training for liquor licence applicants

Training for licence applicants helps potential licensees to understand their obligations under the *Liquor Control Reform Act 1998*. Applicants must complete mandatory training requirements before a liquor licence is granted. There are three courses that applicants must complete depending on the licence type they are applying for. These are:

- A. New entrant training
- B. Responsible Service of Alcohol (RSA)
- C. Advanced Responsible Service of Alcohol (RSA)

It is the applicant's responsibility to ensure the correct course is completed and to provide evidence of completion with their application.

## A. New entrant training

### What is new entrant training?

New entrant training is a training course developed by the Victorian Gambling and Casino Control Commission (VGCCC) to ensure that liquor licence applicants have an adequate knowledge of the liquor law. This includes:

- liquor licensing legislation
- understanding liquor licence obligations
- best practice in managing licensed premises.

Section 44 (2)(iii) of the *Liquor Control Reform Act 1998* (the Act) provides that the VGCCC may refuse to grant a liquor licence application if the applicant does not have an adequate understanding of the Act.

### What must I do?

Applicants are required to complete one of the approved training courses to meet the new entrant requirements.

The approved courses and their providers are available on our website.

### Approved training courses

There are a number of Registered Training Organisations (RTOs) that provide new entrant training. Please refer to the VGCCC website for a list of RTOs that provide new entrant training, see [New entrant training](#)

### Which licence applications require evidence of new entrant training?

Applications for the following licences require evidence that the applicant has completed new entrant training:

- general
- on-premises
- packaged liquor
- late night (general, on-premises and packaged liquor)
- restaurant and cafe
- full club
- restricted club
- producer's
- renewable limited
- transfer of an existing licence or permit.

### Who must complete new entrant training?

The list below identifies who will need to complete new entrant training. If applying as:

- individuals – all natural persons
- partnerships – all partners
- company (body corporate) – at least one director
- club – at least one committee member

- association – at least one committee member.

In addition:

all persons being appointed as a liquor licence nominee must complete new entrant training.

all applicants seeking approval to sublet any part of the licensed premises, or to carry on the business of supplying liquor on the licensed premises, must complete new entrant training.

## B. Responsible Service of Alcohol (RSA)

### What is Responsible Service of Alcohol (RSA) training?

RSA training provides licensees and staff who work in licensed venues with the skills and knowledge necessary to contribute to a safe, enjoyable environment in licensed premises.

### Which licence applications require evidence of RSA training?

Applications for the following licences require evidence that the applicant has completed RSA training:

- general
- on-premises
- packaged liquor
- late night (general, on-premises and packaged liquor)
- restaurant and cafe
- full club
- restricted club
- producer's
- renewable limited (only where face-to-face sales occur)
- transfer of an existing licence or permit.

### Who must complete RSA training?

The list below identifies who will need to complete RSA training. If applying as:

- individuals – all natural persons
- partnerships – all partners
- body corporate applicants (companies, incorporated associations, co-operatives or municipal councils,) – the person who is or will be in management and control of the licensed premises and who will run the day-to-day operations of the business.

**Note:** Body corporate applicants must advise the VGCCC of the name of the person who manages or will manage the day-to-day operations of the business on the application form.

### Where can I find a Registered Training Organisation?

There are a number of registered training organisations that provide RSA training. Please refer to the VGCCC website at [vgccc.vic.gov.au](http://vgccc.vic.gov.au) for a list of RTOs that provide RSA training.

### I've previously completed an RSA course, is it still valid?

The approved RSA training course must have been completed within the past three years.

If you completed your RSA training course more than three years ago, you can complete a RSA refresher course online at [vgccc.vic.gov.au](http://vgccc.vic.gov.au).

### Can I be exempted from RSA training?

In exceptional circumstances, a liquor licence applicant may seek an exemption from one or all of the RSA training obligations.

General, on-premises, packaged liquor or late night (general, on-premises and packaged) licence applicants must complete the 'Application for the exemption from the Responsible Service of Alcohol training requirements' form available at [vgccc.vic.gov.au](http://vgccc.vic.gov.au)

All other liquor licence applicants are required to write a letter to the VGCCC detailing the reasons for seeking an exemption before the licence is granted.

## C. Advanced Responsible Service of Alcohol

### What is the Advanced Responsible Service of Alcohol (RSA) training?

The Advanced RSA training program was developed by William Angliss Institute in conjunction with the VGCCC. It is designed for licensees, managers and staff of late night venues who often face a range of challenges and issues.

For further information about the course and how to book, please visit the William Angliss Institute website at [shortcourses.angliss.edu.au](http://shortcourses.angliss.edu.au)

### Which licence applications require evidence of Advanced RSA training?

Applicants for a new late night (general) licence or late night (on-premises) licence that authorises the supply of liquor after 1am for on-premises consumption must complete the Advanced RSA training program.

This requirement does not apply in relation to late night (on-premises) licences with restaurant and café conditions.

### **When must Advanced RSA training be completed?**

For new applicants, the Advanced RSA training program must be completed within six months of the licence being granted. This is in addition to RSA training and new entrant training which must be completed prior to the licence being granted.

For licensees that receive a demerit point, the Advanced RSA training program must be completed within six months of the demerit point being recorded in the demerits register.

### **Who must complete the training program?**

The Advanced RSA training program must be completed by the holder of the licence and by the responsible person for the premises.

1. The holder of the licence means, in relation to a licence held by:
  - a natural person, that person
  - a partnership, one partner
  - a body corporate incorporated under the *Corporations Act 2001*, one director, and
  - an association incorporated under the *Associations Incorporation Reform Act 2012*, one committee member.
2. Responsible person is defined by section 3 of the *Liquor Control Reform Act 1998* as the person responsible for the management or control of licensed premises.

Where the holder of the licence is effectively the responsible person, only the holder of the licence is required to complete the training program.

Evidence of an approved new entrant and approved RSA training course must be provided to the VGCCC prior to a liquor licence being granted, transferred or endorsed. You will be required to provide this evidence with submission of your application.

For further information including frequently asked questions about new entrant and RSA training requirements, please visit the VGCCC website at [vgccc.vic.gov.au](http://vgccc.vic.gov.au)