

# Ararat Liquor Accord

## 2021-2027



Victorian Commission for  
Gambling and Liquor Regulation



VICTORIA POLICE

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Ararat Rural City

**CONTENTS:**

1.	Aim	3
2.	Background	3
3.	Introduction	3
4.	Priorities/Objectives	4
5.	Best Practice Principles	5
	5.1 Responsible Service of Alcohol	5
	5.1.2 Minors	6
	5.1.3 Checking ID	6
	5.1.4 Discouraging activities	7
	5.1.5 Promoting activities	8
	5.1.6 Training	9
	5.2 Responsible Service of Alcohol Self Audit Checklist	10
6.	Crowd Controllers	11
7.	Improved Safety and Security	11
	7.1 Self-Audit Checklist	12
	7.2 Records Management	13
	7.3 Patron Safety	13
	7.4 Safety Checklist	14
8.	Commitment to Being Good Neighbours	15
	8.1 Self-Audit Checklist	15
9.	Acknowledgement of Commitment	16
10.	Accord Banning Guidelines	17
	10.1 Release of information	18
11.	Victoria Police	19

## 1. AIM

*“To improve public safety, amenity and perceptions of safety by reducing alcohol related crime and harm in Ararat Rural City”.*

## 2. BACKGROUND

The purpose of the Ararat Liquor Accord is to draw together representatives of key licensed venues to recognise and address issues of excessive alcohol consumption and unacceptable practices that contribute to community and social problems.

Licensees give a written commitment to uphold the codes of conduct outlined within the Accord document, including the support of measures to reduce levels of alcohol-related crime, disorder and nuisance within the Ararat Rural City.

## 3. INTRODUCTION

The Ararat Liquor Accord provides partnership opportunities for developing collaborative and proactive approaches to minimising the harms associated with alcohol misuse, improving safety and amenity and reducing alcohol related violence and anti-social behaviour.

The Ararat Liquor Accord involves a variety of partners including Victoria Police, Ararat Rural City Council, Liquor Licensees, Victorian Commission for Gambling and Licensing Regulation and community stakeholders.

The Ararat Liquor Accord is committed to strategies, which promote positive and effective outcomes through:

- minimising the harms associated with the excessive alcohol consumption;
- improving safety and amenity; and
- reducing alcohol related violence and anti-social behaviour

Benefits include:

- Keeping up-to-date with changes to liquor and gambling laws
- Contributing and making a difference in your local community
- Getting to know your local police, council and VCGLR representatives
- Enhancing your business and making your venue welcoming and safe for everyone
- Networking with colleagues and stakeholders.

#### 4. PRIORITY AREAS, OBJECTIVES AND STRATEGIES

<b>Priority Area:</b>	Addressing contributors to alcohol related crime and harm
<b>Objective:</b>	To reduce factors that contribute to alcohol related crime and violence in and around licensed venues
<b>Strategies:</b>	<ul style="list-style-type: none"> <li>• Adhere to Responsible Service of Alcohol (RSA);</li> <li>• Eliminate practices that lead to the misuse of alcohol;</li> <li>• Eliminate illegal underage patronage at all licensed premises;</li> <li>• Eliminate false identification used by underage persons;</li> <li>• Eliminate promotions and practices that encourage the irresponsible service and consumption of alcohol; and</li> <li>• Adhere to Accord lockouts</li> </ul>
<b>Priority Area:</b>	Creating a safe environment in and around licensed premises.
<b>Objective:</b>	To improve safety and perceptions of safety in and around licensed venues
<b>Strategies:</b>	<ul style="list-style-type: none"> <li>• <i>Maintain a high standard of public amenity within the central business district;</i></li> <li>• <i>Working collaboratively with responsible body to protect physical amenity;</i></li> <li>• <i>Adhere to best practice in the management of licensed premises;</i></li> <li>• <i>Identify and report issues of public safety to the responsible body;</i></li> <li>• <i>Actively contribute to the development of projects and programs that improve safety and perceptions of safety around licensed venues.</i></li> </ul>
<b>Priority Area:</b>	Positively contributing to public health, wellbeing and safety.
<b>Objective:</b>	To contribute to the health, wellbeing and safety of residents and visitors to Ararat
<b>Strategies:</b>	<ul style="list-style-type: none"> <li>• Encouraging positive health and social behaviours by the community, in relation to the consumption of alcohol;</li> <li>• Promote and encourage the use of “Designated Driver” programs</li> <li>• Support and promote best practice programs which improve the health, wellbeing and safety of residents and visitors to the precinct.</li> </ul>

## 5. BEST PRACTICE PRINCIPLES

This section outlines industry accepted best practice principles for licensees. It is expected that licensees committed to the Ararat Liquor Accord adhere to these principles in order to operate a business within a best practice framework.

The Ararat Liquor Accord – Best Practice Principles are founded on a harm minimisation approach that aims to minimise and reduce harm to individuals, families and the broader community as a result of alcohol and other drugs misuse.

In applying these principles, it is recognised that some aspects outlined may only apply to a certain types of liquor licence. For example ‘*Ensure that the maximum capacity numbers of patrons are adhered to at all times*’ would not apply to packaged liquor outlets. However, most of the recommendations contained in this section have been modified to apply to all licence types.

### 5.1. Responsible Service of Alcohol

- Refuse service of alcohol to any patron showing signs of **intoxication**;
- Refuse entry to all intoxicated patrons;
- Encourage patrons to drink responsibly and let them know they will be asked to leave if they become intoxicated, disorderly, violent or quarrelsome; and
- Notify crowd controllers of patrons who are showing signs of intoxication so that crowd controllers can monitor and manage the situation.
- Ensure staff, are adequately trained to identify intoxicated patrons.

[https://www.vcglr.vic.gov.au/sites/default/files/Intoxication\\_guidelines.pdf.pdf](https://www.vcglr.vic.gov.au/sites/default/files/Intoxication_guidelines.pdf.pdf)  
<https://www.youtube.com/watch?v=GQ1xpd8phF4>



## Remember the 4 RSA principles

1. Recognise and refuse liquor service to intoxicated patrons.
2. Drunk and disorderly patrons are not allowed on premises.
3. Do not supply liquor to minors.
4. Discourage activities that may cause harm to themselves and others

## If you need to refuse service

- |                 |                              |
|-----------------|------------------------------|
| Tell early      | Clarify refusal              |
| Avoid put-downs | Alternatives offered         |
| Keep calm       | Report                       |
| Ever courteous  | Echo the message to regulars |

Penalties apply.  
Know your responsibility.



### Intoxication Guidelines

These Intoxication Guidelines are issued pursuant to section 3AB (2) of the *Liquor Control Reform Act 1996* (the Act) and provide information about how to determine if a person is in a state of intoxication for the purposes of the Act, the *Casino Control Act 1991* and the *Gambling Regulation Act 2003*.

#### What is the law in Victoria?

The Act states it is an offence for a licensee or permittee to supply liquor to a person who is in a state of intoxication.

#### How can you decide if a person is in a state of intoxication?

- Consider whether the person is displaying one or more of the signs of intoxication and;
- Consider whether this is the result of the consumption of liquor, by taking into account information such as:
  - How much alcohol have you witnessed the person drink? and/or
  - Information about how much the person has had to drink and/or
  - Does the person smell of alcohol?

#### Signs of intoxication may include the following:

- |   |   |
|---|---|
| • becoming loud, boisterous                     | • difficulty walking straight                           |
| • becoming argumentative                        | • bumping into furniture or customers                   |
| • annoying other patrons and staff              | • rambling conversation                                 |
| • using offensive language                      | • loss of train of thought                              |
| • spilling drinks                               | • difficulty in paying attention                        |
| • fumbling and difficulty in picking up objects | • not hearing or understanding what is being said       |
| • swaying                                       | • drowsiness or dozing while sitting at a bar or table. |

#### Conditions that exhibit similar symptoms and signs to intoxication

Sometimes physical and mental disabilities exhibit some of the same signs and symptoms as alcohol intoxication. You should consider the possibility of the existence of any conditions prior to refusing service on the basis that a person is intoxicated.

#### Legal definition of intoxication

Intoxication is defined in Section 3AB (1) of the Act:

*For the purposes of this Act, a person is in a state of intoxication if his or her speech, balance, co-ordination or behaviour is noticeably affected and there are reasonable grounds for believing that this is the result of the consumption of liquor.*

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.

### 5.1.2. Minors

#### Minors on licensed premises

Anyone under the age of 18 years is considered a minor.

The legal drinking age in Victoria is 18 years. **It's illegal for any person to supply alcohol to a minor on licensed premises.** It's also illegal for a minor to be on licensed premises to purchase, receive or consume alcohol.

**Minors are not permitted to drink alcohol on licensed premises under any circumstances.**

Depending on the situation, a minor may be allowed on licensed premises.

A minor may be on licensed premises if they are in the company of a *responsible adult*.

A *responsible adult* is defined as a person who is 18 years or older and is:

- the minor's parent, step-parent, guardian, grandparent, or
- the minor's spouse who is over the age of 18 years, or
- a person who is acting in place of a parent and who could reasonably be expected to exercise responsible supervision of the minor – for example, a sporting coach.

An unaccompanied minor cannot be on licensed premises unless:

- there is a condition allowing them to be on the licence (for example, a junior sports club)
- it holds a restaurant and cafe licence (until 11pm)
- it holds an on-premises licence with restaurant conditions (until 11pm)

Other circumstances that permit minors on licensed premises are if the minor is:

- having a meal, or
- is a resident of the premises if accommodation is supplied, or
- employed by the licensee but not involved in the supply of alcohol, or
- completing a VCGLR approved training program in hospitality if it is part of a hospitality training program and the course provider has the approval of the Victorian Commission for Gambling and Licensing Regulation for that to occur. This approval is normally given in writing and under the condition they are closely supervised whilst serving.

### 5.1.3. Checking Identification

One of the key aims of this Code of Practice is to actively discourage illegal underage patronage and with that, illegal underage drinking on or from licensed premises of all kinds. To achieve this:

- Insist on the production of evidence of age documents, as specified by the *Liquor Control Reform Act 1998*, for entry to all licensed venues/point of sale where appropriate;
- Prominently display Victorian Commission for Gambling and Licensing Regulation signage about restrictions on minors;
- When checking ID, the ID is removed from a wallet/purse or cardholder and held by the staff member conducting the check to ensure it is current and an approved form of identification - see acceptable ID below.

- If an approved form of ID is not supplied, no admittance to the premises is to be permitted unless the patron is obviously over the age of 18 years. Entry will be at the discretion of the venue operator or delegate;
- If an approved form of ID is requested and not supplied at a packaged liquor outlet, no sale will be permitted to take place; unless the patron is obviously over the age of 18 years. Entry will be at the discretion of the venue operator or delegate; and
- If staff believe that a document being presented is false, defaced or in the possession of a person who is not the owner of the ID then the document will be confiscated and handed to the police (excluding a driver's licence).

Acceptable evidence of age documents under the *Liquor Control Reform Act 1998* are:

- Australian driver licence (including NSW & SA [digital drivers licence](#))
- Victorian learner permit
- Foreign driver licence in the English language or if not in the English language, must be accompanied by an official English translation or an International Driving Permit
- [Victorian proof of age card](#) or an equivalent from another state or territory of Australia
- Keypass card (including [digital keypass](#) ⓘ)
- Australian or foreign passport
- Victorian marine licence

#### 5.1.4 Discourage activities that encourage drinking alcohol excessively

Actively discourage irresponsible alcohol consumption practices such as:

- Free or heavily discounted drinks on entry or during the night at licensed venues;
- Lay backs, two for one drinks, short term price reductions and the indiscriminate distribution of drink cards (**Distribution of free drink cards must be in a direct sponsorship or formally structured promotional plan**);
- All-inclusive events which have the potential for alcohol abuse
- Serving of liquor to persons already adversely affected by alcohol;
- Serving of 'shooters' after 12:01AM;
- No pricing practices or promotions that encourage rapid consumption of alcohol or alcohol abuse are conducted;
- No practices or promotions to encourage rapid consumption of alcohol such as Drinking Games, Skolling Competitions, Dares or Challenges and no Pouring Straight Alcohol into patrons mouths;
- No advertising of events that encourage excessive consumption of alcohol eg, being binge drinking, sporting clubs end of season celebrations (Mad Monday), end of school celebrations (schoolies week), start of university celebrations (O-Week);
- Happy Hours will be kept to a maximum of two hours per day, per venue operation and will be completed by 11:00pm on any operating night; and

- Serve drinks at standard measures.
- All licensees (members) of the Ararat Liquor Accord are to become familiar with the VCGLR “Responsible Liquor Advertising and Promotions” guidelines.

### Amounts for only 1 Standard Drink

The following amounts are a guide for 1 standard drink based on the alcohol content. These are calculated based on the formula supplied by the Department of Health and Ageing ([reference](#)).

							
<b>260ml</b>	<b>360ml</b>	<b>470ml</b>	<b>255ml</b>	<b>30ml</b>	<b>60ml</b>	<b>110ml</b>	<b>100ml</b>
Full Strength Beer 4.9% Alc./Vol	Mid Strength Beer 3.5% Alc./Vol	Light Beer 2.7% Alc./Vol	Pre-Mix Spirits 5% Alc./Vol	Spirit Nip 40% Alc./Vol	Port/Sherry Glass 20% Alc./Vol	Sparkling Wine/ Champagne 11.5% Alc./Vol	Wine 12.5% Alc./Vol

<https://www.vcqlr.vic.gov.au/promotions-banned-vcqlr>

<https://www.vcqlr.vic.gov.au/liquor/restaurant-cafe/understand-your-liquor-licence/responsible-alcohol-advertising-and-promotion>

#### 5.1.5 Promote non-alcoholic or low alcoholic beverages and snacks

- At all times, offer and promote the availability of low and non-alcoholic drinks, through signage;
- Ensure bottled water is available for purchase and free tap water is available to all patrons; (This is a legal requirement under section 99A *Liquor Control Reform Act 1998* – <https://www.vcqlr.vic.gov.au/free-water-patrons>)
- Ensure refreshments (food) are readily available on the licensed premises for purchase and be in a position to provide such refreshments on request at any time where liquor is available for supply (This is a legal requirement under section 99 *Liquor Control Reform Act 1998*)

#### 5.1.6 Ensure all staff, are adequately trained.



- RSA training is mandatory for licensees and staff selling, offering or serving liquor for general, on-premises, late night and packaged liquor licences.
- Licensees and staff who are subject to mandatory RSA requirements have one month from the date they first sell, offer for sale or serve liquor on a licensed premise to complete an approved RSA training course

<https://www.vcglr.vic.gov.au/resources/education-and-training/responsible-service-alcohol>  
[https://liquor.vcglr.vic.gov.au/rsa\\_refresher/](https://liquor.vcglr.vic.gov.au/rsa_refresher/)

- Once you have completed an initial SITHFAB002 RSA course, you must complete a free online refresher course every three year  
[https://liquor.vcglr.vic.gov.au/rsa\\_refresher/](https://liquor.vcglr.vic.gov.au/rsa_refresher/)
- A list/register of minors employed on the premises (which may be the business time and wages record book) is maintained by the licensee and is available upon request for viewing by an authorised officer of the Victorian Police or authorised person;
- Have a copy of every staff members most recent Responsible Service of Alcohol VCGLR branded Certificate available on request
- Provide regular updates to all staff regarding the Accord and related responsible service of alcohol and harm minimisation policies and practices;
- Ensure strict reference checks are conducted on all staff in the context of good recruitment practices, including security staff;
- Ensure staff have access to relevant literature on the Accord, liquor laws and regulations and surrounding business owners and residents to achieve this outcome; and
- Cooperate with Victoria Police, Ararat Rural City Council and fellow operators to ensure this code of practice can be effectively implemented across Ararat.

## 5.2 RESPONSIBLE SERVICE OF ALCOHOL SELF AUDIT CHECKLIST

The attached Self-Audit Checklist is designed to assess the effectiveness of the licensee's commitment to Responsible Service of Alcohol.

Requirement	Yes	No	Action Required
Licensees have completed and are trained in the Licensees "New Entrant Training" course.			
Licensees and staff have read and understood their liquor licence. The current liquor licence is prominently displayed.			
All liquor service staff have completed and are trained in "RSA" within one month of commencing employment or are the holder of an approved Responsible Service of Alcohol Certificate. Complete the RSA Refresher program every three years			
The current red line plan of the premises is available for inspection by Victoria Police or Compliance Inspectors.			
Required signage is prominently displayed.			
Minors employed in the licensed premises are not involved in the sale or supply of alcohol and their employment is registered and available to Police or an authorised officer when requested.			
Patrons' identification is actively monitored at the door to ensure they are not underage.			
Promotions and advertising do not encourage the rapid consumption of alcohol.			
Low and non-alcoholic drinks are readily available. Water is available free, in line with legislation.			

<https://www.youtube.com/watch?v=SC5q8BfgYqA>

<https://www.youtube.com/watch?v=WXsaE-T6sCg>

## 6. CROWD CONTROLLERS

The State Government has implemented *The Private Agents Act 2004* and set up the Private Agents Register within the structure of the Victoria Police. Both the Statutory and the Regulatory bodies are required to screen, control and monitor the behaviour and the bona fide's of all persons employed for this purpose. This has extended to requiring all such persons that are employed in the capacity of Crowd Controllers to be licensed and to abide by the operational requirements of the Act. (Licensees should be actively enforcing this in their premises).

*The Private Agent's Act 2004* at Part 1 VA, contains legislation covering the keeping of Crowd Controllers Register, and the identification required to be worn by persons employed for that purpose.

**This code of practice requires all licensees who employ crowd controllers to be thoroughly conversant with their obligations under the *Private Agents Act 2004*, and to ensure that all persons employed in that capacity are properly licensed and work in a professional manner.**

Crowd Controllers must adopt effective conflict resolution and communication skills with the aim of reducing violence on or around licensed premises.

This proposal also stresses the proposition that licensees have a duty of care with respect to their patrons, and that this duty of care should be demonstrated through the professional application of crowd controllers and bar staff to the principles of 'Responsible Service' and the creation of a safe environment. It is suggested that venues, which provide entertainment, should employ adequate crowd controllers in order to ensure the provision of that safe environment (Recommended - two crowd controllers for the first 100 patrons and one extra for each additional 100 patrons or as per licence conditions) – ensure adherence to the liquor licence conditions.

Conferences and courses held to update crowd controllers on techniques and best practice should be encouraged by licensees, as well as the necessity to expose crowd controllers to the Responsible Service of Alcohol Training Sessions in order to highlight, better equip and assist the proactive aspects of their duties

## 7. IMPROVE SAFETY AND SECURITY

Actively monitor the behaviour of patrons to detect early signs of intoxication or inappropriate behaviour

- Clearly display a house policy that details acceptable and unacceptable behaviour on premises, including non-acceptance of excessive consumption of alcohol or illicit drug use;
- Signage that educates patrons and explains the harms associated with drug misuse and abuse, including drink spiking, drink/drug driving and tobacco smoking, is displayed throughout the premises;
- Discourage glass in toilets or on the dance floor, to reduce both intentional and accidental injuries;

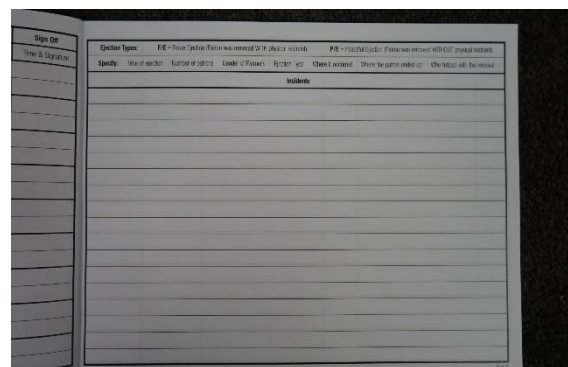
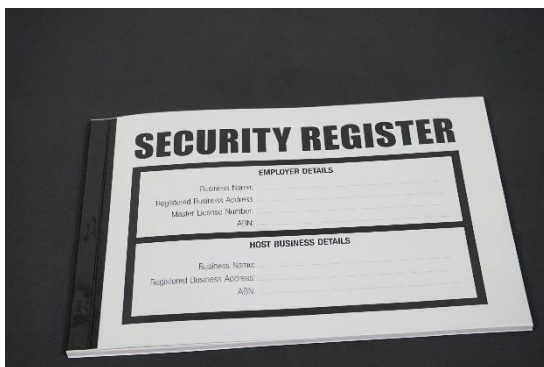
- Ensure internal and external security procedures are well maintained and functioning effectively;
- Encourage phased and orderly exit of patrons from premises when closing;

### 7.1 Maintain safety and security throughout the premises

- An Emergency Procedures Management Plan is maintained and available to Victoria Police. All staff are trained in emergency procedures and the use of emergency equipment;
- Conduct regular WorkSafe crowd control safety and security risk assessment of premises and immediate surrounds;
- Ensure entrances and exits are well lit and that immediate surrounds are safe and allow good visibility;
- Implement good surveillance systems, such as closed circuit television systems (CCTV), on premises;
- Ensure staff, including security staff, are clearly identifiable (for example, distinctive t-shirts, uniforms, name tags etc);
- Serve alcohol in containers selected to minimize possible harm to patrons. Where possible, glasses are made of shatter proof glass;
- Where possible stock liquor in unbreakable containers, such as cans or plastic bottles, instead of glass bottles;
- Fully cooperate with police and other Accord members on ways to improve public safety;
- Prevent criminal activity and disorderly conduct from occurring on premises. Notify police immediately if something illegal or suspicious does occur;
- When required, agree to implement additional or local strategies that relate to specific safety and security issues in and around the premises. These strategies will be negotiated as part of the Ararat Liquor Accord;
- Door/security or reception personnel will:
  - Wear clear ID at all times;
  - Not harass or intimidate passers-by or potential customers;
  - Record incidents of false ID and fraudulent use of ID into the incident book;
  - Monitor and discourage anti-social behaviour when patrons leave the premises, both near and immediately surrounding the premises, and call police if necessary;
  - Not let people back into premises who have caused a disturbance – Immediately contact police and other premises to inform them of patrons that have been ejected and/or problem patrons in the vicinity;
  - Have public transport information available including taxis, trains, buses and car parking for patrons and location of the nearest public telephone;
  - Assist patrons in accessing safe transportation out of the area; and
  - Uphold any statutory requirements relating to security personnel and enter details of any incidents in the incident book.

## 7.2 Maintain records of incidents and have regular communication with police

- Maintain a register of all types of incidents that occur in and around the premises that includes the time, date and nature of the incident and the response taken by staff and management
- Ensure all staff are familiar with the incident register book and are aware of how to use it when required;
- Notify the police of any special events likely to significantly increase the number of people in the area, in advance of the event;
- Ensure close liaison and open communication with all Ararat Liquor Accord Stakeholders.



## 7.3 Patron and premises safety

- Maintain a current list of emergency phone numbers and locate close to all key phones;
- Ensure that the maximum capacity numbers of patrons are adhered to at all times;
- Ensure that crowd controllers employed by the premises hold a current Private Security Licence;
- Encourage a policy of no pass-outs after midnight;
- Train all staff to know help procedures and emergency numbers and how to use the incident register book;
- Encourage all staff members to undertake first aid courses and ensure one staff member with a first aid certificate is rostered on for each shift; and
- Ensure the telephone listing, for communication with security at other venues, is routinely updated.

## 7.4 SELF-AUDIT CHECKLIST FOR SAFETY AND SECURITY

Self - Audit Checklist designed to assess the effectiveness of the licensee's commitment to safety and security.

Requirement	Yes	No	Action Required
All crowd controllers are trained and hold a current Private Security Licence.			
The crowd controllers register is properly maintained.			
A house policy has been developed and is displayed for patrons' information.			
An Emergency Procedure Management Plan is in place.			
Staff are informed and trained in emergency procedures.			
A Patron Management Plan is in place and all staff are trained in implementing the plan.			
Where applicable, video surveillance cameras are installed and placed in the appropriate locations.			
Surveillance footage is retained in accordance with licence requirements.			
Where possible, glasses are shatter glass and preference is given to stock liquor in unbreakable containers.			
Security and reception staff are aware of the closest taxi and public transport options.			
An employee is present who holds a current accredited first-aid certificate during operating hours.			
All relevant staff are aware of maximum numbers permitted on the premises. This includes relevant management and security personnel.			
Staff will monitor and discourage anti-social behaviour both in and near licensed premises.			
All staff understand the procedures of recording an incident in the incident book.			

## 8. COMMITMENT TO 'BEING GOOD NEIGHBOURS'

### Improve the local amenity

- Assist patrons in accessing safe transportation out of the area. For example, door staff are able to provide information about access to the supervised taxi rank or train station and encourage patrons to use these quickly and quietly when departing;
- Minimise noise generated from the premises, wherever possible, keep doors closed;
- Educate patrons, including through signage, about the need to respect the local amenity and to arrive and depart the area in a quiet and orderly manner;
- Prevent the unlawful removal of liquor (other than packaged liquor where permitted) from licensed premises;
- Ensure door and security staff, are briefed on local environment issues, including potential traffic, noise or security problems;
- Ensure police are informed of regular closing hours and any variations, such as special events or new activities;
- Record all legitimate complaints in the incident book, respond to resident concerns and take all reasonable steps to ensure the premise is functioning as a 'good neighbour'; and
- Communicate with neighbouring premises to discuss any common issues surrounding the premises.

### Patron responsibility

- Display signage that clearly explains licensee and patron responsibility regarding the responsible service of alcohol <https://www.vcglr.vic.gov.au/print-my-liquor-signage> ;
- Ensure staff are trained appropriately to advise patrons when they will no longer be served and will be asked to leave the premises;

### 8.1 Self-Audit Checklist designed to assess the effectiveness of the licensee

Requirement	Yes	No	Action Required
Queues are managed so as to be orderly and do not obstruct access to footpaths for other users.			
The crowd controllers register is properly maintained. Management and security staff will work cooperatively with other venues and authorities to protect the amenity of other people.			
Staff and management will encourage people to leave the premises in a quiet and orderly manner.			
All staff are aware of the process of recording complaints in the incident book and know how to respond to them.			

### 9. ACKNOWLEDGEMENT OF COMMITMENT

Licensees adopting this Code of Practice will be invited to sign a standardised Certificate of Commitment to adhere to the objectives of the code. The Local Police Service Area Licensing Inspector will also endorse the certificate.

The licensee should ensure the Certificate of Commitment is displayed in a conspicuous place on the licensed premises in a manner that invites public attention.

Current members of the Ararat are;

Ararat Hotel	Ararat Rural City Council (Alexandra Over and Town Hall)
Courthouse Bar and Grill	IGA Liquor
Leopold Hotel	BWS – Woolworths Ararat
Chalambar Golf Club	Liquor Stax
Ararat RSL	Aldi
Blue Duck Hotel	
Maroona Hotel	
Lake Bolac Hotel	

Name of Premises:

Signed Licensee:

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Date:

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## 10. VCGLR ACCORD BANNING GUIDELINES

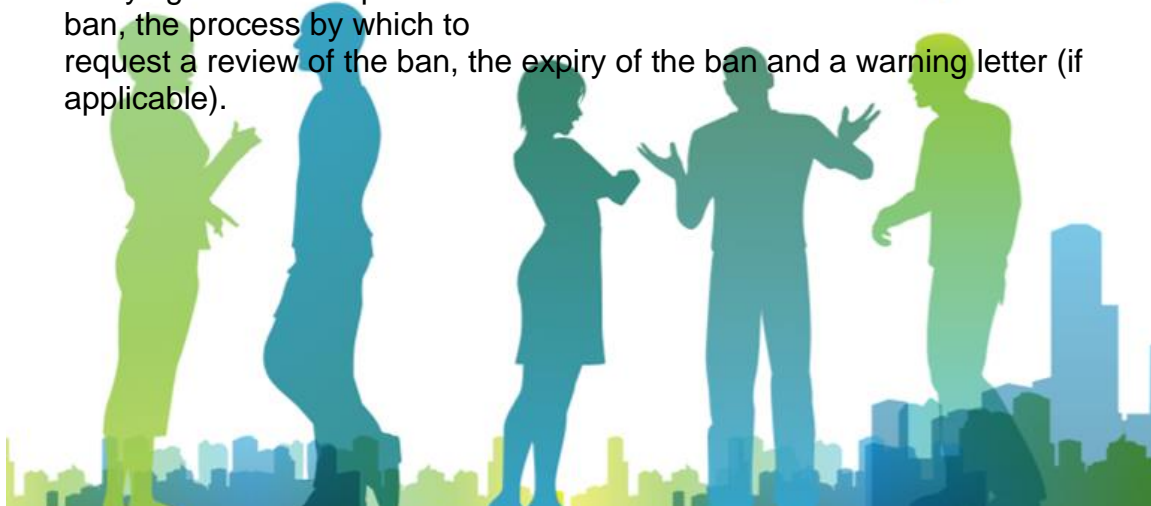
The *Liquor Control Reform Act 1998* states that liquor forum members who are party to a liquor accord may make provisions regarding the authorisation of licensees and permittees to ban patrons and share information about banned patrons.

To assist licensees and permittees who are members of liquor accords, these guidelines have been introduced to ensure that liquor accord bans are implemented 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.

Prior to implementing a liquor accord ban, the Ararat Liquor Accord agrees that they will be mindful of the principles of natural justice (also known as procedural fairness).

- The principles of natural justice ensure the process by which a decision is made is fair and reasonable. In order to maintain natural justice each person which the liquor accord will consider banning will be offered the right to request a review of the banning decision and the opportunity to present one's case.
- When formulating the banning policy all parties to the Accord must ensure that the banning provisions regarding the banning :
  - are non-discriminatory and are open and transparent;
  - include accurate record keeping processes and have clear and appropriate decision-making guidelines;
  - do not breach the *Charter of Human Rights and Responsibilities 2006* and privacy legislation;
  - provide an opportunity for the (potentially) banned person to request a review of the ban;
  - include fair and reasonable banning periods; and
  - include appropriate notification of a ban ( i.e. a set of letters notifying the banned person of the ban, the process by which to request a review of the ban, the expiry of the ban and a warning letter (if applicable)).

Liquor forum members can share information as long as the liquor accord document explains how this process will work and is subject to applicable privacy legislation.



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

Information will only be disclosed as provided in Section 146D of the *Liquor Control Reform Act 1998* for the effective and efficient enforcement of the ban.

This information disclosed is subject to the following:

- The disclosure is for the purpose of enforcing a liquor accord ban.
- The licensee or permittee must undertake not to engage in any unauthorised distribution or public display of the information and must ensure they comply with privacy obligations.
- All previous versions of banned lists must be discarded responsibly.

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This document is only approved by the Victorian Commission for Gambling and Liquor Regulation to this point. The following information is for the local accord agreement only.

## 11. VICTORIA POLICE

In addition to licensees adopting and implementing the principles and practices of the Ararat Liquor Accord, Victoria Police will use reasonable endeavours to:

- Maintain a visible Police presence in and around licensed premises
- Work with all stakeholders to implement the accord and improve community safety
- Work collaboratively with the Ararat Liquor Accord Licensees to develop solutions for identified problems/issues