

Remote seller's packaged liquor licence

This kit contains all the forms and materials required to apply for a remote seller's packaged liquor licence in Victoria.

Contents:

1. Useful information and definitions
2. Lodgement checklist
3. Application form – remote seller's packaged liquor licence
4. Right to occupy the premises declaration
5. Personal history questionnaire
6. Declaration of associates
7. Public notice (this must be displayed as A3 size) and guidelines
8. Statement of display
9. 'Red line plan' fact sheet

Visit vic.gov.au/liquor-licence-application-fees to confirm the licence application fee.

How to apply

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 are still able to print the form and complete it by hand if you prefer.

This form has been designed 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 device's app store.

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

Email your application to:

contact@liquor.vic.gov.au

Or send it to:

Liquor Control Victoria
PO Box 1019
Richmond VIC 3121

Need help?

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

- visit Liquor Control Victoria (LCV) website at liquor.vic.gov.au
- telephone LCV on 1300 182 457
- email LCV at contact@liquor.vic.gov.au

Privacy

Liquor Control Victoria (LCV) is committed to protecting the privacy of your personal information. LCV endorses fair information handling practices and uses of information in compliance with its obligations under the *Privacy and Data Protection Act 2014* (Vic). Personal information collected from you is only used for the purposes of the application for the licence or permit and Acts administered by LCV. Personal information is not disclosed to third parties unless required or authorised by law, or with your consent. As part of the application process information provided may be forwarded to and retained by Victoria Police.

Remote seller's packaged liquor licence

Remote seller's packaged liquor licence

This licence allows the licensee to supply liquor ordered by off-premises request in sealed containers, bottles or cans on the licensed premises for consumption off the licensed premises.

Off-premises request

Off-premises request means a request for the supply of liquor by mail, telephone, facsimile, internet or other electronic communication, by a person who is not on the licensed premises at the time the request is made.

Application fee

If you are paying by cheque or money order you must submit your payment with your application. If you wish to pay by credit card and your application is complete and correct, we will contact you for payment. Otherwise we will let you know that we have not accepted your application. Information on application fees can be found at vic.gov.au/liquor-licence-application-fees. Your application fee will not be refunded if your application is not granted.

If your application is granted, the annual renewal fee for the licence is due **every year by 31 December**. This is regardless of when your licence is issued. A renewal notice will be issued prior to the due date detailing how to make payments.

Declaration of the right to occupy the premises

For a licence to be issued, the applicant must have the right to occupy the premises. You will need to provide a declaration of your right to occupy the premises once the lease agreement has been executed and/or settlement has occurred for the sale of the property and/or you have otherwise acquired the legal right to occupy the premises (i.e. you are the freehold owner of the premises, the Certificate of Title is in your name or your name is on the executed lease agreement, etc).

Declaration of associates

The purpose of the declaration of associates form is to identify an applicant's associates. The application must be accompanied by completed declaration of associates form(s).

- If the applicant is an individual, the individual must complete the declaration of associates form part B.
- If the applicant is a partnership, each partner must complete the declaration of associates form part B separately.
- If the applicant is a body corporate (such as a company or incorporated association), a director or executive committee member must complete a declaration of associates form part A for the body corporate. Each associate of the body corporate must also complete a declaration of associates form part B separately.

Incorporated association information

If you are applying for a licence in the name of an incorporated association you must make sure the applicant name on this form matches your registered name with Consumer Affairs Victoria.

Current and historical company extract – company applicants only

If you are applying for a licence in the name of a company you are required to provide a recent (no more than 90 days old) Current and historical company extract from the Australian Security and Investments Commission (ASIC). Current and historical company extract identifies the type, status, registered address, roles within the organisation, share structure, members and charges and documents lodged (current and historical) of organisations registered with ASIC.

When making a search application to ASIC, ensure that you specify that you require a Current and historical company extract and not a Current company extract. A Current and historical company extract identifies both current and historical information about the applicant, while the Current Extract identifies only current information. You can purchase a Current and historical company extract from the ASIC website at asic.gov.au

Incorporated association information

If you are applying for a licence in the name of an incorporated association you must make sure the applicant name on this form matches your registered name with Consumer Affairs Victoria.

Display of application

A public notice must be displayed at the premises to which this application relates. Once your application has been accepted for processing, LCV will tell you the exact dates that you must display your public notice in writing.

Important: You must NOT display your public notice until LCV has advised you to do so in writing.

After the display of notice has ended, you must then lodge a 'Statement of display' to LCV certifying that you have undertaken a public notice of display. Please refer to the enclosed 'Guidelines for displaying public notices' and 'Statement of display'.

Remote seller's packaged liquor licence

Planning permission

Please provide a copy of a planning permit from the local council (or responsible planning authority) which shows that you have planning permission to supply liquor as outlined in your application. For example, this should show that you have planning permission for the activities permitted by the licence type, the trading hours you are applying for and the area where you would like to supply liquor (red-line area). If a planning permit has not been granted at the time of your application, you are required to provide a copy of an application for a planning permit made to the local council (or responsible planning authority).

Alternatively, you can provide evidence that a planning permit is not required to supply liquor as outlined in your application. For example, a letter from the local council (or responsible planning authority)

Red line plan

Remote seller's packaged liquor licences are granted for a specific area or areas where the orders for liquor are picked and packed for delivery. This area is called the licensed premises. For example, the licensed premises may be a warehouse or part of a warehouse set aside where you fulfillment your orders. The licensed area is marked by a red line drawn on a plan of the premises outlining the area for your use. The red line plan must be provided to LCV with your application.

For **shared premises**, only the area set aside for you to pick and pack orders should be red lined. Shared areas where liquor is stored but not picked and packed, or where orders are placed for pick-up for takeaway or delivery, should not be included in the red line plan.

If you have **more than one premises** where orders are picked and packed, you must provide a red line plan for each premises.

Body corporate definition

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, co-operatives, municipal councils, government agencies and institutes. Unincorporated clubs/associations and unincorporated partnerships are not body corporates. A minimum of one director must reside in Victoria unless a proposed nominee has been nominated.

Nominee definition

A body corporate may apply to LCV for the approval of a person to be the nominee of the applicant. Once approved, the nominee then becomes liable as if they were the licensee or permit holder. The nominee will cease being a nominee if they cease to manage or control the licensed premises. Where this occurs, the licensee or permit holder needs to notify LCV within 14 days. The nominee must reside in Victoria.

Alcohol management plan

An alcohol management plan is a document which explains the actions you will take to reduce the harm associated with the supply of liquor from your packaged liquor outlet. As you will be supplying liquor for delivery, please give us a copy of your alcohol management plan with your application.

If you intend to offer **rapid delivery**, your alcohol management plan should include information in response to (but not limited to) the following:

- what kind of training and support will be given to your staff about your obligations around delivery of liquor
- will you manage the risk of harm in any other way, for example, will you limit the amount of liquor that can be ordered at a time, or the times that liquor can be ordered for rapid delivery
- provide details of how you will make sure that only a person over the age of 18 receives a delivery
- provide details of how you will manage an intoxicated or drunk person trying to receive a delivery
- how will you make sure that a delivery is received by a person, and not dropped off unattended?

If you intend to do **promotions**, your alcohol management plan should include information in response to (but not limited to) the following:

- what kind of discounting or liquor promotions do you intend to do, for example, will you do two-for-one promotions, discounts for bulk buying or offer gifts of bonus alcohol with purchases
- how will you manage the risks associated with discounting or doing liquor promotions?

The LCV website has more information on what to include in an alcohol management plan at [vic.gov.au/management-plans](https://www.vic.gov.au/management-plans).

Remote seller's packaged liquor licence

This checklist details the documents required to accompany your application. Supplying these with your application will allow Liquor Control Victoria (LCV) 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. LCV may contact applicants to request additional documentation depending on the circumstances of their business. All forms and fact sheets referred to are available on LCV's website liquor.vic.gov.au

Please tick that you have provided all the required documents with lodgement of your application

Application form

Please ensure:

- all fields on the application form are completed
- the nature of the business is detailed, clearly demonstrating why a liquor licence is sought
- the applicant signs and dates the application form
- that correct fees are attached, as detailed at vic.gov.au/liquor-licence-application-fees

Planning permit OR evidence that a permit is not required

A copy of the planning permit from the local council (or responsible planning authority) showing that you have planning permission to supply liquor as detailed in your application OR a copy of an application for a planning permit made to the local council (or responsible planning authority).

Alternatively, you can provide evidence that a planning permit is not required to supply liquor as outlined in your application. For example, a letter from the local council (or responsible planning authority).

New entrant training

A copy of an approved new entrant training certificate for all required persons is needed in order to determine the application, as detailed at vic.gov.au/advice-completing-liquor-licence-form.

Responsible Service of Alcohol (RSA) training

Evidence of completion of an approved RSA training course for all required persons is needed in order to determine the application, as detailed at vic.gov.au/advice-completing-liquor-licence-form.

Declaration of the right to occupy the premises

For a licence to be issued, the applicant must have the right to occupy the premises. If you already have the right to occupy the premises, you must sign and attach the declaration provided at the end of this form.

The red line plan(s)

You must provide us with a plan of your premises, with the proposed area where liquor orders will be picked and packed drawn with a red line around the area. If you have more than one premises, we require a red line plan for each premises. The plan must meet requirements detailed at vic.gov.au/red-line-plan.

Personal history questionnaire

Each person listed on the application, including any nominee, must complete a 'Personal history questionnaire' attached in this application kit. For companies, partnerships or clubs, personal history questionnaires are required from each director, partner or executive committee member respectively. Questionnaires will only be accepted if they are dated within the last three months.

Declaration of Associates

The declaration of associates form attached within this application kit must be completed by each of the following:

- If the applicant is an individual, the individual must complete the form.
- If the applicant is a partnership, each partner must complete the form separately.
- If the applicant is a body corporate, the body corporate must complete the form advising of its associates and each director of the body corporate must complete this form separately.

Understanding and reducing risks and harms

LCV expects you to understand the harms that your venue could cause to the community. You will be asked a series of questions to check that you understand those harms and what you will do to try and mitigate them.

Current and historical company extract

A recent (no more than 90 days old) Current and historical company extract is required if a company is applying for a liquor licence. A Current and historical company extract can be purchased from the ASIC website at asic.gov.au

Refer to the 'Useful information' section for further information.

Incorporated association information

If you are applying for a licence in the name of an incorporated association you must make sure the applicant name matches your registration with Consumer Affairs Victoria at consumer.vic.gov.au.

Alcohol management plan

As you will be supplying liquor for delivery, please give us a copy of your alcohol management plan.

How to lodge this form

By post

Liquor Control Victoria
PO Box 1019, Richmond VIC 3121
Phone: 1300 182 457

By email

contact@liquor.vic.gov.au

What happens next

If your application is accepted, you will be emailed an acknowledgement letter. This will confirm that LCV has received your application and outline any further information required and the date by which it must be submitted. Once LCV has received all required information and documents, your application will be determined. You will be advised of the outcome in writing.

Remote seller's packaged liquor licence

1. Details of premises

Trading name of the business
(This is the name your customers know you by)

Postal address of premises to be licensed
(for service of documents if different from street address)

Street address of premises to be licensed (if you have more than one premises, tell us your main premises here)

Owner (landlord) of premises to be licensed (if you have more than one premises, use your main premises here)

Owner's (landlord) postal address (for service of documents if required)

2. Applicant details

Type of applicant (tick one box)

Person

Partnership

Company

Incorporated association

Name(s) of applicant (person/partnership/company/incorporated association)

Australian Business Number (The ABN is an 11 digit unique identifier issued by the Australian Business Register)

Australian Company Number (An ACN is a unique 9 digit number issued by the Australian Securities and Investments Commission to companies only)

Contact name

Mobile number

Email address (all application correspondence will be sent to this email)

Give us the details of each person, partner, director, or executive committee member who is part of this application (if more than six people, attach a separate page which lists all names and addresses).

Each individual listed below will need to complete a 'Personal history questionnaire' and 'Declaration of associates', which forms part of this application.

Full name	Home address	Position held/Relationship to applicant (i.e. director etc.)

3. Nominee details – body corporate only (body corporate can be companies, incorporated associations, municipal councils and co-operatives)

A company or incorporated association may apply for approval of a person as nominee of the applicant. The nominee must complete a 'Personal history questionnaire'.

Full name of the individual who will be the nominee*

* Once approved, the nominee then becomes liable as if they were the licensee or permit holder. Please refer to the Definitions section.

A nominee must complete either RSA or New entrant training.

4. Authorised representative

The applicant can authorise a person or an organisation (such as a legal representative) to access and discuss details about this application.

Organisation name

Do you want an authorised representative to make enquiries and provide information on your behalf regarding this application?

Business land line (optional)

NO

Mobile number

YES – please provide details below

Contact name

Email address

5. Proposed person in day-to-day management or control of premises

It is MANDATORY for body corporate applicants (company, incorporated association, a co-operative or a municipal council) to nominate the person in management or control of the premises who will run the day-to-day operations of the business.

Name of proposed person in management or control of premises

Daytime telephone number/mobile telephone number

The person who will be in management and control of the licensed premises must complete an LCV approved RSA training course and details of course completion must be provided in the 'Mandatory training' section.

6. Multiple licensed premises

Will orders be picked and packed from more than one premises?

YES – please provide details for each premises below and attach a copy of the red line plan for each premises to your application

NO

	Street address	Postal address (if different from street address)	Owner (landlord) of premises	Owner's (landlord) postal address
1.				
2.				
3.				
4.				
5.				

7. Nature of the business

Tell us about your business and how it will operate. This information could include how you will distribute liquor, a description of the types of liquor you will distribute and any other information you think is important for us to know. The details you add here will help us know if you've applied for the correct licence.

8. Understanding and reducing risks and harms

Licensees have an obligation to understand and minimise alcohol-related harm. LCV expects you to understand the harm that the supply of liquor from your business can cause and put in place measures to mitigate that harm. We have more information on the LCV website at vic.gov.au/liquor-licence-risks-and-harms to help you understand the types of harm and measures that you can put in place to mitigate these harms.

What alcohol-related harm may occur as a result of the supply of liquor from your business?

Tell us how you will mitigate these risks.

Do you intend to offer rapid delivery? Rapid delivery is delivery within two hours of the order being made.

NO YES – please provide an alcohol management plan that addresses this risk.

Does your business intend to sell discounted liquor (for example by selling dead or discontinued stock) or do you intend to do promotions that encourage bulk purchases?

NO YES – please provide an alcohol management plan that addresses this risk.

You can add extra information by attaching documents to this application.

9. Trading hours

Ordinary trading hours are:	Sunday:	Between 10am and 11pm
	ANZAC Day:	Between 12noon and 11pm
	On any other day other than Good Friday and Christmas day:	Between 9am and 11pm

Please indicate the days and hours you propose to supply liquor. Please note that supply means when the order is picked and packed, not when it is shipped or delivered. Refer to vic.gov.au/liquor-licence-application-fees for applicable fees.

10. Size of licensed premises

What is the size of the licensed premises in square metres? If you have multiple premises, please tell us the size of each location.

11. Conditional approval

If the licence is granted, are you able to commence trading immediately?

YES

NO – provide details of likely date of commencement.

12. Mandatory training - new entrant training and Responsible Service Alcohol (RSA) training

Go to the LCV website for [advice on completing your application](#) to work out if you need new entrant and/or RSA training.

Have all required person(s) completed an LCV approved **new entrant training** course?

YES – please attach a copy of your certificate.

NO – please attach a copy of your course enrolment notice.

Have all required person(s) completed an LCV approved **RSA training** course within the past three years?

YES – please provide the RSA details below.

NO – please attach a copy of your course enrolment notice.

Full name	Position	RSA certificate number	Date you completed the course

13. Right to occupy

For a licence to be issued, the applicant must have the right to occupy the premises. You need to provide a declaration of your right to occupy the premises once either:

- the lease agreement has been executed and/or
- settlement has occurred for the sale of the property and/or
- you otherwise acquired the legal right to occupy the premises.

Please tick that you have attached the 'Right to occupy the premises declaration' form with your application if you already have the right to occupy the premises.

If you do not have the right to occupy the premises to which this application relates, please provide the proposed date on which you expect to have the right to occupy the premises.

Please send or email LCV your declaration once you have the right to occupy the premises. LCV cannot finalise your application until this declaration has been received.

14. Signature by applicant

This application must be signed by the applicant if the applicant is:

A person –
That person

A company –
One director of the company

A partnership –
All partners

An incorporated association –
One executive committee member

I/ we declare/certify that:

- the information contained in this application, including attachments is true and correct.
- if a body corporate applicant, I am authorised to sign this application on behalf of the body corporate.

Signature:

Date (dd/mm/yyyy):

Signature:

Date (dd/mm/yyyy):

Print name and position:

Print name and position:

Signature:

Date (dd/mm/yyyy):

Signature:

Date (dd/mm/yyyy):

Print name and position:

Print name and position:

It is an offence under section 118 of the *Liquor Control Reform Act 1998* to make a statement that is false or misleading in relation to this application. An offence under section 118 of the *Liquor Control Reform Act 1998* carries a maximum penalty of 60 penalty units.

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Payment method

IMPORTANT INFORMATION

Applications must be accompanied by the relevant fee. Please note that once an application has been registered, the application fee is non-refundable. Visit vic.gov.au/liquor-licence-application-fees to confirm the licence application fee. The application fee can be paid by:

- cheque or money order, made payable to Liquor Control Victoria; or
- credit card (Visa or MasterCard)

If you wish to make payment by credit card, please lodge your completed application with LCV and we will contact you directly to arrange payment if your application is accepted.

Please select your payment method:

Money order

Cheque

Privacy – LCV is committed to responsible and fair handling of personal information consistent with the *Policy and Data Protection Act 2014* and its obligations under the *Liquor Control Reform Act 1998* (Vic). Your credit card details will not be retained once your payment has been processed.

Declaration – right to occupy

For a liquor licence to be issued, **the proposed licensee must have the right to occupy the premises**. A right to occupy the premises may arise from being a tenant under a lease agreement, as a freehold owner of the property, or through some other legal arrangement.

If you do not have the right to occupy the premises when you lodge your liquor licence application, you will need to sign and submit this declaration once you have acquired the right to occupy the premises. Please mail or email your declaration to Liquor Control Victoria (LCV).

Section A: Right to occupy the premises

Address of premises where right to occupy is held:

Please provide details of how you have obtained the right to occupy the premises by completing the section below that applies to your situation.

1. Freehold owner of property

Name the certificate of title is held in (person(s)/company/club):

2. Tenants of premises

Name of the tenant on the lease (person(s)/company/club):

3. Legal right to occupy premises

Name on the agreement or other document providing legal right to occupy premises is held in (person(s)/company/club):

Please specify how you have acquired the legal right to occupy the premises:

Please proceed to Section B if you are a transfer applicant, if not proceed to Section C.

Section B: Date of settlement (transfers only)

Do not submit this form until settlement has occurred. LCV cannot accept your declaration until settlement has occurred.

Please specify the date settlement occurred:

(dd/mm/yyyy)

Section C: Applicant declaration

Who must declare?

If the applicant or proposed licensee is:

- **A person:** That person
- **A company:** One director of the company
- **A partnership:** One partner
- **A club:** One committee member

I/we declare that this statement is true and correct and that the person(s)/company/club listed under section A has the right to occupy the premises, and I/we are authorised to make and sign this declaration:

Name of person making this declaration:

Signature of person making this declaration: Date (dd/mm/yyyy):

Name of person making this declaration:

Signature of person making this declaration: Date (dd/mm/yyyy):

It is an offence under section 118 of the *Liquor Control Reform Act 1998* to make a statement that is false or misleading in relation to this application.

Penalties may apply.

Personal history questionnaire

Each person who is a part of this application must complete and sign their own copy of this questionnaire. 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

We're going to ask you some questions regarding your background and personal history. This is so we can decide whether it's suitable for you to be involved with a liquor licence. The questions will go into the following subjects.

- Your personal details
- Your criminal history
- Whether you've ever declared bankruptcy
- Any history you have with holding a liquor licence.
- Your history involving running other companies or involvement in professional organisations in Victoria, interstate or overseas.

We will share this information with Victoria Police, and they'll compare it against their records. LCV or Victoria Police may also ask you for more information about older offences if they're relevant. This is so we can ensure you're being truthful with the information you've given us.

Victoria Police may also decide to object to your application if they believe you or anyone else involved with the application is unsuitable to hold a licence. Having a criminal record may not necessarily prevent you or a business you are involved in from having a licence approved.

This form is to be completed and dated no more than three months prior to your application being submitted.

Your personal information

Given names(s):

Middle name(s):

Family name:

Date of Birth (dd/mm/yyyy):

Director ID (if you are a nominee, skip this question)

(This is a 15-digit number that is a unique identifier obtained through the Australian Business Registry Services).

You must give us the details of **one** of the below ID options:

Australian drivers licence	Passport
Proof of Age card	Firearm/Shooters licence
Document ID number	State/Country of issue

Leaving out information we need could delay your application or result in a refusal. Making a false or misleading statement is an offence and may lead to a refusal and a fine, or a criminal prosecution.

If you are found to have made a false or misleading statement in your application, it may indicate that you are unsuitable to hold a licence and your application may be refused.

Your contact details

Mobile number

Business number

Email address

Residential address

Postal address (tick the box if it is the same as above)

Criminal history

Remember to be truthful, detailed and provide everything we need.

Have you ever been known by another name?

NO

YES *please provide details below*

Within the last 10 years, have you ever been found guilty of any offence at any court in Australia or overseas? (This includes any findings without conviction and good behaviour bonds).

NO

YES *please provide details below*

Do you have any charges pending against you? (Select 'Yes' if you have been told you may receive, or currently have a court summons, or are on bail).

NO

YES *please provide details below*

Have you ever participated in a diversion program?

NO

YES *please provide details below*

Has your drivers licence ever been cancelled, suspended or have you ever been disqualified from driving? (This includes by a court, an infringement notice, or by a roads and traffic authority)

NO

YES *please provide details below*

If you have answered YES to any of the above questions, please provide details.

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Professional history

Have you ever been disqualified from acting as a director by ASIC?

NO YES *please provide details below*

Have you ever been disqualified from practising in a profession?

NO YES *please provide details below*

Have you ever been found unsuitable to hold a licence by another regulator? (If yes, tell us what the licence was, the regulator that declined it, and why you were found to be suitable).

NO YES *please provide details below*

Has any company you are or were a director of, ever been insolvent, under administration or declared bankrupt?

NO YES *please provide details below*

If you answered YES to any of the above questions, please provide details.

Liquor licence history

These questions are for those who have held a liquor licence previously, or have been part of an application for a liquor licence. If these situations do not apply to you, select 'NO'.

Have you ever been granted or applied for a liquor licence anywhere in Australia? (Including as a director, nominee or licensee).

NO YES *please provide details below*

Has anyone previously made a finding that you were unsuitable to hold a liquor licence?

NO YES *please provide details below*

Have police previously objected to your suitability to hold a liquor licence?

NO YES *please provide details below*

Have you, either as a natural person or as a director or nominee of a body corporate, been found guilty of an offence applicable liquor legislation?

NO YES *please provide details below*

Have you been a director, nominee or involved in the management, of a licensed premises that was subject to disciplinary action by a liquor regulator?

NO YES *please provide details below*

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

NO YES *please provide details below*

If you answered yes to any of the above questions, please provide details in 'History details' section on this page.

History details

If you have answered yes to any of the questions on this form and need more room to tell us your information,

Personal bankruptcy

Are you currently insolvent? (Insolvency is when a company or person can't pay debts when they are due).

NO YES *provide full details*

Have you ever been declared bankrupt? (If YES, please provide bankruptcy dates and trustee details).

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.

Your signature:

Date (dd/mm/yyyy):

Your full name:

Declaration of associates

Liquor Control Reform Act 1998

Instructions for completing this form

This is an interactive PDF form which allows you to:

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- 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 device’s app store.

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

Who must complete this form?

If the applicant is a **company or co-operative**:

- **One** director must complete the [PART A: Declaration of associates](#) (page three) for the **company**.
- **each director** of the company **must complete their own separate** [PART B: Declaration of associates – Individuals](#) (pages four and five).

For example: ABC Pty Ltd is applying for a restaurant and cafe liquor licence. There are two directors, John Smith and Jane Smith.

1. Only ABC Pty Ltd completes PART A: Declaration of associates – Body corporate. **AND**
2. John Smith completes PART B: Declaration of associates – Individuals. **AND**
3. Jane Smith completes PART B: Declaration of associates – Individuals.

If the applicant is an **individual** (sole trader):

- the individual **must complete** [PART B: Declaration of associates – Individuals](#) (pages four and five).

For example: John Smith is applying for a BYO permit.

1. John Smith completes PART B: Declaration of associates – Individuals.

If the applicant is a **partnership**:

- each partner **must complete their own separate** [PART B: Declaration of associates – Individuals](#) (pages four and five).

For example: John Smith and Jane Smith are applying for a pre-retail liquor licence and have entered a partnership agreement.

1. John Smith completes PART B: Declaration of associates – Individuals. **AND**
2. Jane Smith completes PART B: Declaration of associates – Individuals.

If the applicant is an **incorporated association**:

- **One** executive committee member must complete [PART A: Declaration of associates – Body corporate](#) (page three) for the **incorporated association**.
- **each executive committee member** of the incorporated association **must complete their own separate** [PART B: Declaration of associates – Individuals](#) (pages four and five).

For example: 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.

1. Only ABC Inc completes PART A: Declaration of associates – Body Corporate. **AND**
2. John Smith completes separate PART B: Declaration of associates – Individuals. **AND**
3. Jane Smith completes separate PART B: Declaration of associates – Individuals. **AND**
4. Tony Smith completes separate PART B: Declaration of associates – Individuals. **AND**
5. Carl Smith completes separate PART B: Declaration of associates – Individuals.

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

1. an associate of a person (the “first person”) as—
 - b). 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
 - c). 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
 - d). 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.
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;

“**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 excisable 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 includes a shareholder owning 10% 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).

Companies, incorporated associations, municipal councils, universities, TAFE institutes and co-operatives are all considered ‘body corporates’.

Unincorporated clubs/associations 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: Directors of a Council, university or TAFE institute are not required to complete a declaration **Part B**.

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 – If you are applying as a company or incorporated association, you must complete this form

NOTE: Individual (including partners and directors) are not required to complete Part A. You must complete [Part B](#) (see next page).

1: Name of the company or incorporated association applying for a liquor licence

2: Tell us about any businesses supplying liquor

Tell us about any businesses which involve the sale of liquor that the applicant runs, owns or is owned by. This includes businesses based in Victoria, interstate or overseas.

Business name or company name	Liquor licence number	Is this a Victorian business? (Tick the box if YES)

3. Tell us about any directors or people with significant influence over the businesses listed above

Tell us about any directors, executive committee members or associates for all of the businesses listed above. Before you start, make sure you understand what an associate is.

An associate is any who has, or is likely to have **significant** influence over the management or operation of the business **AND** who either has a financial interest in the business or is (or will be) entitled to exercise a relevant power.

A **financial interest** means any one or more of the following:

- any share in the capital of the business
- any entitlement to receive any income derived from the business
- any entitlement to receive any payment as a result of money advanced

A **relevant power** means:

- any relevant power, whether by voting or otherwise to participate in any directorial, managerial or executive decision, or to elect or appoint any person as a director.

Full name of individual <small>(Have they ever been known by another name? If yes, provide)</small>	Date of birth <small>(dd/mm/yyyy)</small>	Home address	Business name where they are associated <small>(as listed in question 2)</small>	Director ID <small>(if applicable)</small>

If you leave this section blank, you are confirming you have no associates to declare.

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

I declare that:

- the information contained in this form is true and correct
- I am authorised to sign this application on behalf of the body corporate (company or incorporated association).

Your full name

Your position in the business:

Your signature:

Date this form was signed (dd/mm/yyyy):

PART B: Declaration of associates – All individuals must complete this form

NOTE: All individual, partners, directors and executive committee members of the applicant must complete this form. It must be completed in your own name. Please refer to the '[Who should complete this form](#)' section on page one.

1: Your full name

2: Your relationship to applicant (for example director of a company or partner of a partnership)

3: Tell us about any businesses supplying liquor that you are involved in

Tell us about any businesses you are involved in that supply liquor. This includes businesses based in Victoria, interstate or overseas. You must include the business that is applying for a liquor licence.

Business name or company name	Liquor licence number	Is this a Victorian business? (Tick the box if YES)

If you leave this section blank, you are confirming you have no associates to declare.

4. Tell us about any directors or people with significant influence over the businesses listed above

Tell us about any directors, executive committee members or associates for all of the businesses listed above. Before you start, make sure you understand what an associate is.

An associate is any who has, or is likely to have **significant** influence over the management or operation of the business **AND** who either has a financial interest in the business or is (or will be) entitled to exercise a relevant power.

A **financial interest** means any one or more of the following:

- any share in the capital of the business
- any entitlement to receive any income derived from the business
- any entitlement to receive any payment as a result of money advanced

A **relevant power** means:

- any relevant power, whether by voting or otherwise to participate in any directorial, managerial or executive decision, or to elect or appoint any person as a director.

Full name of individual (Have they ever been known by another name? If yes, provide)	Date of birth (dd/mm/yyyy)	Home address	Business name where they are associated (as listed in question 3)	Director ID (if applicable)

If you leave this section blank, you are confirming you have no associates to declare.

continued over the page

5. Tell us about any of your relatives who are connected to any of your businesses

A close relative connected to any of your businesses is also considered an associate. Tell us about any close relatives that:

- are working for your businesses
- have worked for one of your businesses in the past
- are likely to work for one of your businesses in the future

A close relative can be your spouse or domestic partner, your parents, children or siblings or a close relative of your partner.

Full name of individual <small>(Have they ever been known by another name? If yes, provide)</small>	Date of birth <small>(dd/mm/yyyy)</small>	Home address	Business name where they are associated <small>(as listed in question 3)</small>

If you leave this section blank, you are confirming you have no associates to declare.

Signature/declaration of individual who is making this declaration

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

Your full name:

Date this form was signed (dd/mm/yyyy):

Your signature:

PUBLIC NOTICE

Liquor licence application

Details of liquor licence application lodged
with Liquor Control Victoria (LCV)

Liquor Control Reform Act 1998

Name of applicant: (person/partnership/company/club)		
Display period:	Start date (dd/mm/yyyy):	End date (dd/mm/yyyy):
Type of application:	Application no:	
Name and address of premises to which the application relates:		
Address of previous premises if relocating:		
The purpose of the application is to:		
The proposed days and hours of trade are:		
Will these hours apply to an external area?	YES	NO
The current days and hours of trade are: (if existing licensee)		
I/we have requested authority to supply liquor at the kerbside area	YES	NO

Objections

All objections will be treated as public documents. Full details of the objection, including the name and address of the objector will be provided to the applicant.

Grounds for objection

Any person may object to the grant of this application on the ground that it would detract from, or be detrimental to, the amenity of the area in which the premises are located.

Objection periods

All objections must state the grounds and the reasons for the objection and be made within 30 days of this notice being first displayed.

Additional grounds for objection to the grant relating to a packaged liquor licence

Any person may object to the grant of an application relating to a packaged liquor licence on the ground that the grant, variation or relocation would be conducive to encourage harm.

The following are not valid reasons for objection:

- the business would not be successful
- another licensed business would be adversely affected, or
- there is insufficient need or demand to justify the grant of the application.

LCV may refuse to accept an objection if:

- the person making the objection is not affected by the application,
- the objection is frivolous or vexatious, or
- the objection is not otherwise in accordance with the *Liquor Control Reform Act 1998*.

Objections must be made in writing to LCV:

- online at liquor.vic.gov.au
- via email at contact@liquor.vic.gov.au
- or via post to: Liquor Control Victoria, PO Box 1019, Richmond VIC 3121

Display requirements

This notice must be displayed as A3 size.

This notice must be continuously displayed as A3 size on the site or premises that are the subject of the application for the period advised in writing by LCV. If you are unable to print the public notices as A3 size, email contact@liquor.vic.gov.au or telephone 1300 182 457 to request a copy.

The notice must be displayed in a manner that invites public attention to the application on the main street frontage of the site or premises in a visible position and at eye level.

Statement of Display requirements

Statement of Display forms cannot be lodged until the Public Notice display period has ended.

Liquor Control Victoria



Guidelines for displaying public notices

Liquor Control Reform Act 1998
Issued by Liquor Control Victoria

Insert the full name of the applicant(s) as written on the application form.

Once the application has been accepted, the applicant will be advised in writing of the start and end date that the public notice must be continuously displayed.

Describe the type of application (eg new packaged liquor licence, variation to an on-premises and restaurant and cafe licences, relocation of a general licence).

Insert the full name and address of the premises for which a licence is sought.

If relocating a licence, insert the address of the previous premises.

Provide details of your application. (Applications to vary the conditions of existing licences must clearly contrast your proposed conditions with your current conditions).

This section must be completed for all applications. Hours of trade for consumption off the premises must be shown separately. Insert "No change" if the hours on your existing licence are to remain unchanged.

Indicate "yes" or "no" if the proposed trading hours apply to an external area.

This section must be completed for all variation and relocation applications. Hours of trade for consumption on and off the premises must be shown separately.

On-premises licence holders may, with the consent of the local municipal authority, offer a kerbside area. Indicate "Yes" or "No" if you have requested an authority to supply liquor in such an area.

The public notice must be displayed in a manner that invites public attention to the application on the main street frontage of the site or premises in a visible position and at eye level.
(If you are unable to print the public notices as A3 size, email contact@liquor.vic.gov.au or telephone 1300 182 457 to request a copy)

Example of Completed Notice

PUBLIC NOTICE Liquor licence application		Details of liquor licence application lodged with Liquor Control Victoria (LCV) <i>Liquor Control Reform Act 1998</i>	
Name of applicant: (person/partnership/company/club)	Smithies Pty Ltd	Start date (dd/mm/yyyy):	13 10 2022
Display period:	Variation of a General Licence	End date (dd/mm/yyyy):	11 11 2022
Type of application:	Smithies Bar, 400 Smith Street, Smithville	Application no:	
Name and address of premises to which the application relates:	Operate a restaurant, operate a bar, extend my licensed area, increase the patron numbers to 500. Extend trading hours on Friday and Saturday nights to 1am.		
Address of previous premises if relocating:	Sunday 10am to 12 Midnight Good Friday and ANZAC Day 12 noon to 12 Midnight On any other day 7am to 1am		
The purpose of the application is to:	✓ YES NO		
The proposed days and hours of trade are:	✓ YES NO		
Will these hours apply to an external area?	✓ YES NO		
The current days and hours of trade are: (if existing licensee)	Sunday 10am to 11pm Good Friday and ANZAC Day 12 noon to 11pm On any other day 7am to 11pm		
I/we have requested authority to supply liquor at the kerbside area	✓ YES NO		

Objections

All objections will be treated as public documents. Full details of the objection, including the name and address of the objector will be provided to the applicant.

Grounds for objection
Any person may object to the grant of this application on the ground that it would detract from, or be detrimental to, the amenity of the area in which the premises are located.

Objection periods
All objections must state the grounds and the reasons for the objection and be made within 30 days of this notice being first displayed.

Additional grounds for objection to the grant relating to a packaged liquor licence
Any person may object to the grant of an application relating to a packaged liquor licence on the ground that the grant, variation or relocation would be conducive to encourage harm.

The following are not valid reasons for objection:

- the business would not be successful
- another licensed business would be adversely affected, or
- there is insufficient need or demand to justify the grant of the application.

LCV may refuse to accept an objection if:

- the person making the objection is not affected by the application,
- the objection is frivolous or vexatious, or
- the objection is not otherwise in accordance with the *Liquor Control Reform Act 1998*.

Objections must be made in writing to LCV:

- online at [liquor.vic.gov.au](mailto:contact@liquor.vic.gov.au)
- via email at contact@liquor.vic.gov.au
- or via post to: Liquor Control Victoria, PO Box 1019, Richmond VIC 3121


Display requirements

This notice must be displayed as A3 size.

This notice must be continuously displayed as A3 size on the site or premises that are the subject of the application for the period advised in writing by LCV. If you are unable to print the public notices as A3 size, email contact@liquor.vic.gov.au or telephone 1300 182 457 to request a copy.

The notice must be displayed in a manner that invites public attention to the application on the main street frontage of the site or premises in a visible position and at eye level.

Statement of Display requirements
Statement of Display forms cannot be lodged until the Public Notice display period has ended.

Liquor Control Victoria


Liquor Control Victoria

PO Box 1019, Richmond 3121
P: 1300 182 457 E: contact@liquor.vic.gov.au
liquor.vic.gov.au



Statement of display

To be completed after the 28 day public notice period has passed

Liquor Control Reform Act 1998

Details of application lodged with Liquor Control Victoria (LCV)

Licence number: (if licence has already been granted)

File number: (this can be found on correspondence sent to you by the Commission)

Name of licence applicant: (person/partnership/company/club)

ACN: (if applicable)

Address of premises:

Display period required by the Victorian Liquor Commission (the Commission):

Start date (dd/mm/yyyy):

End date:(dd/mm/yyyy):

Signature and certification of public notice display

Certification

I being the applicant, or on behalf of the applicant certify that:

- during the period specified in this form, a public notice of the size and in the format required by the Commission and containing all relevant details of the application was displayed on the premises or site to which the application relates; and
- the public notice was continuously and conspicuously displayed during the period advised by the Commission in accordance with the guidelines for the display of liquor licensing applications.

I understand that it is an offence under Section 118 of the *Liquor Control Reform Act 1998* to make a false or misleading statement and that penalties apply.

Signature of person making this declaration:

Printed name:

Date (dd/mm/yyyy):

Address:

Daytime telephone number:

How to lodge this form

By post

Liquor Control Victoria
PO Box 1019, Richmond VIC 3121
Phone: 1300 182 457

By email

contact@liquor.vic.gov.au

Red line plans of licensed premises

When a liquor licence or BYO permit is granted, it is for a defined area where liquor can be supplied or consumed. This is shown by a red line drawn on a plan of the premises. This red line plan needs to be submitted to Liquor Control Victoria (LCV) as part of the application process and may be required upon request at any time.

The plan of the premises must accompany applications for:

- a licence or BYO permit excluding a pre-retail licence.
- a variation of a licence or BYO permit that involves a change to the size or perimeter of the licensed premises.
- a transfer of a licence or BYO permit if the current floor layout of the premises differs from the plan held at LCV.
- the relocation of a licence or BYO permit.

Internal changes to premises

If a change is made to the internal area of licensed premises (for example, by adding or removing a particular structure), the licensee should submit an updated plan of the licensed premises.

LCV requesting a plan

In addition to the above, under section 130(1)(a) of the *Liquor Control Reform Act 1998* an authorised person (such as an LCV Inspector or member of Victoria Police) may at any time request information relevant to the operations or the management of the premises. This may include a current plan of a licensed premises. You must comply with the request and produce the requested plan.

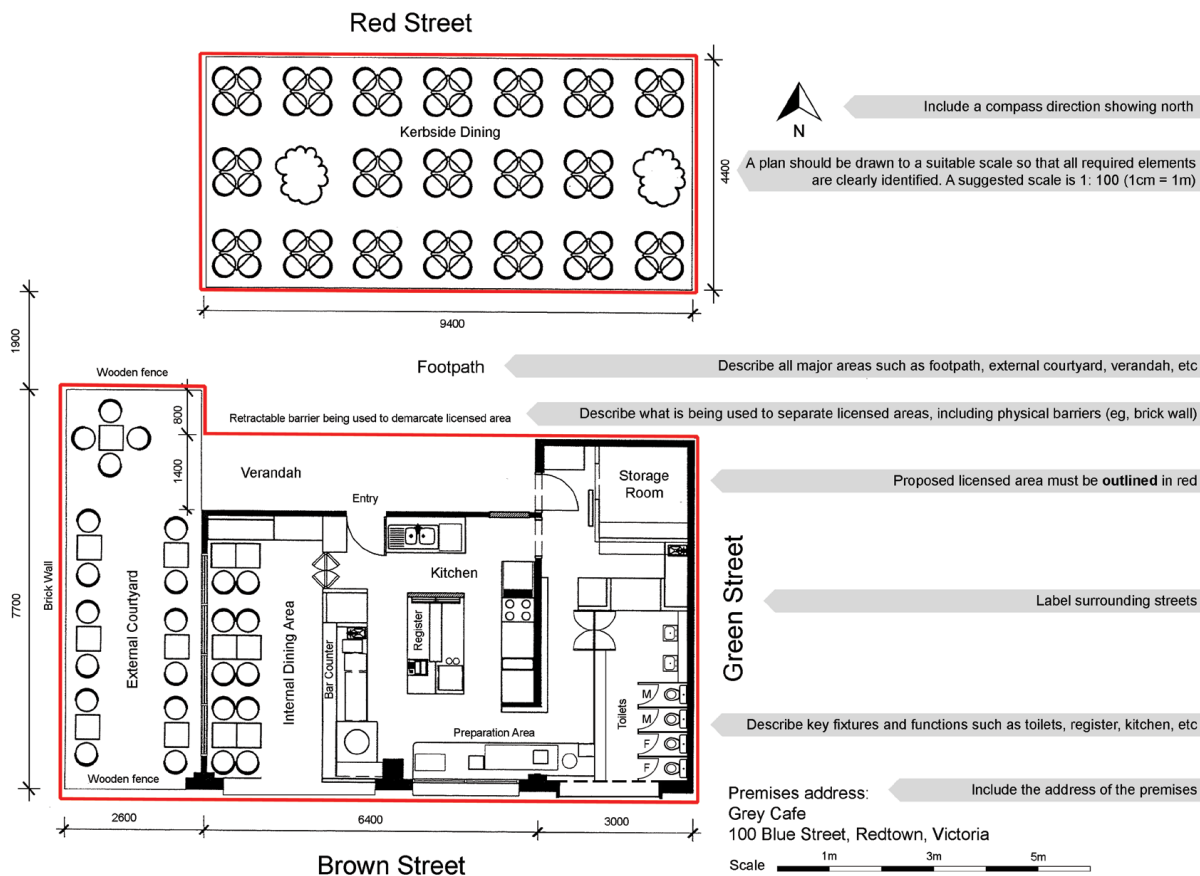
Plan format

A plan must contain the following elements:

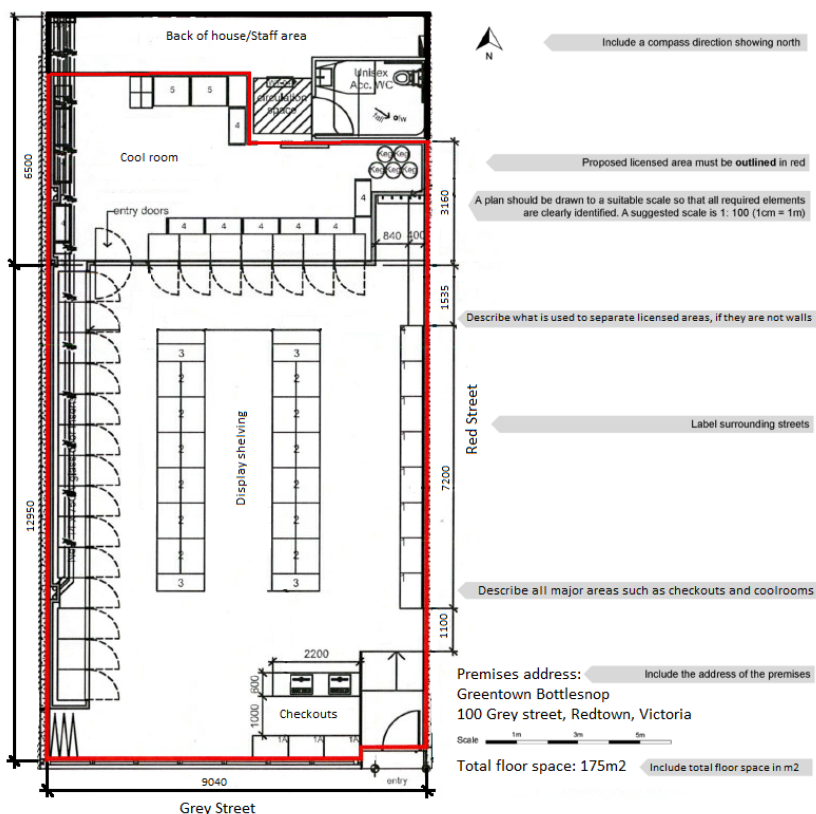
- be on A4 size paper
- be drawn in a neat and legible manner (either electronically or by hand)
- have an arrow or compass pointing North
- include the premises address
- include the name of the surrounding streets/roads
- describe any non-permanent or temporary structures that outline your licensed area, such as cafe barriers, ropes or other fencing arrangements you may have
- outline the proposed licensed area/s in a continuous red line
- show measurements of licensed areas
- include the total floor space of the licensed areas in square metres
- show and describe the key fixtures, example; the bar, dining area, the cash register, kitchen area, dance floor, toilets etc.

Plan format

An example of a plan for a venue supplying liquor on licensed premises



An example of a plan for a shop supplying packaged liquor



Restaurant and cafe licences and on-premises licences

If applying for kerbside trading, identify the area to be licensed and separately outline this area in on the plan. LCV will mark this area with an A.A on the approved copy of the plan. This area is referred to as the Authorised Area.

General licences

A general licence authorises the supply of liquor to patrons for consumption off the licensed premises, being a footpath or kerbside area. Therefore this area does not need to be identified on the plan.

Please note that licensees must comply with relevant local planning laws.

If the plan does not meet these requirements, the applicant will be required to resubmit the plan.

Storing an approved plan

A copy of the approved plan must be kept on the licensed premises and must be available for inspection on request by a member of Victoria Police or an LCV Inspector.

Failure to keep a copy of the plan on the licensed premises or produce a copy of the plan for inspection could result in a fine being issued.

If you do not have a copy of your approved plan, you can download a copy from the Liquor Portal at liquorportal.vcglr.vic.gov.au/liquorportal/. Creating an account is free.