

Pre-retail licence

This kit contains all the forms and related materials required to apply for a pre-retail licence in Victoria.

Items

1. Useful information
2. Definitions
3. Lodgement checklist
4. Application form – pre-retail licence
5. Questionnaire

To confirm the current fee, please refer to 'Liquor licence fees' on our website at vcglr.vic.gov.au

Need help?

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

- visit the Victorian Commission for Gambling and Liquor Regulation (VCGLR) website at vcglr.vic.gov.au
- telephone the VCGLR on 1300 182 457
- email the VCGLR at contact@vcglr.vic.gov.au



Pre-retail licence

Pre-retail licence

A pre-retail licence authorises the licensee to supply liquor at any time and on any premises

- to a person licensed under the *Liquor Control Reform Act 1998*, and
- to a person licensed to sell or supply liquor under a law of another State or Territory if the liquor is to be consumed outside Victoria, and
- to a person for the purpose of exporting the liquor supplied out of Australia.

Application fee

The application fee must be paid at the time of application. There is no GST payable on this fee. Please refer to the 'Liquor licence fees' fact sheet for current details. The fee can be paid by cheque, money order or credit card. Cheques and money orders are to be made payable to 'Victorian Commission for Gambling and Liquor Regulation'.



Pre-retail licence

Associate

According to the *Liquor Control Reform Act 1998*, an associate of an applicant is:

- (a) a person who:
 - (i) holds or will hold any **relevant financial interest**, or is or will be entitled to exercise any **relevant power** (either in his or her own right or on behalf of another person) in any business of the applicant involving the sale of liquor, and
 - (ii) by virtue of that interest or power, is able or will be able to exercise a significant influence over or with respect to the management or operation of that business, or
- (b) a person who is or will be a director (either in his or her own right or on behalf of another person) of any business of the applicant involving the sale of liquor, or
- (c) if the applicant is a natural person, a **relative** of the applicant unless the relative:
 - (i) is not, and has never been, involved in any business of the applicant involving the sale of liquor, or
 - (ii) will not be involved in the business the applicant proposes to conduct as licensee.

Where:

'relative' in relation to the applicant means:

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

'relevant financial interest' in relation to the business involving the sale of liquor means:

- (a) any share in the capital of the business, or
- (b) any entitlement to receive any income derived from the business, or
- (c) any entitlement to receive any payment as a result of money advanced.

'relevant power' means any power, whether exercisable by voting or otherwise and whether exercisable alone or in association with others:

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

Body corporate

A body corporate is an organisation which has a separate legal status to its members (i.e. it can own property, sue and be sued, and enter into contracts in its own name). Examples of body corporates include companies, incorporated associations, incorporated partnerships, municipal councils and co-operatives. Unincorporated clubs/associations and unincorporated partnerships are not body corporates. A minimum of one director must reside in Victoria unless a proposed nominee has been nominated.

Nominee

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

Privacy – the Victorian Commission for Gambling and Liquor Regulation is committed to responsible and fair handling of personal information consistent with the *Privacy and Data Protection Act 2014* and its obligations under the *Liquor Control Reform Act 1998*. All information provided in this application is available for public viewing, except for the questionnaire form (if applicable) which is forwarded to and retained by Victoria Police.

Lodgement checklist

Pre-retail licence

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

The VCGLR may contact applicants to request additional documentation depending on the circumstances of their business. All forms and fact sheets referred to are available on the VCGLR website vcglr.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 application form is signed and dated by the applicant
- that correct fees are attached, as detailed in the 'Liquor licence fees' fact sheet.

Business name certificate

A business name certificate is required if an individual or partnership is applying for a liquor licence, or if the trading name of the business registered with Australian Securities and Investment Commission (ASIC) is different to the company's name or incorporated club's name. A copy of the business name certificate from ASIC is required. To register your business name, go to the ASIC website at asic.gov.au for further information.

Questionnaire

Each person listed on the application, including any nominee, **must** complete a 'Questionnaire' attached in this application kit. For companies, partnerships or clubs, 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.

What happens next

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

How to lodge this form

By post

Victorian Commission for Gambling and Liquor Regulation
GPO Box 1988, Melbourne VIC 3001

By email

contact@vcglr.vic.gov.au

In person

Victorian Commission for Gambling and Liquor Regulation
49 Elizabeth Street, Richmond



Application

Pre-retail licence

Liquor Control Reform Act 1998

OFFICE USE ONLY

03/16

Date rec'd / /

Receipt no. _____

File no. _____

1. Details of premises

Trading name of business*

(as stated on your certificate of registered business name)

* Please tick that you have attached a copy of your business name certificate from ASIC as it is required to finalise processing of your application (see lodgement checklist for further information)

Postal address (for service of documents)

Postcode _____

Business email

Correspondence may be sent by email. Please mark the box if you DO NOT wish to receive correspondence by email.

2. Applicant details

Type of applicant (tick one box)

Person Partnership Company Club

Name(s) of applicant (person/partnership/company/body corporate/club)

Contact name (business hours contact details)

Email address

Australian Business Number (ABN)*

Australian Company Number (ACN)**

Daytime telephone number (business hours contact details)

Mobile telephone number (business hours contact details)

Correspondence may be sent by email. Please mark the box if you DO NOT wish to receive correspondence by email.

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

Each individual listed below will need to complete a 'Questionnaire', which forms part of this application.

Full name	Residential address	Position held/Relationship to applicant (i.e. director, company secretary, etc.)

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

A body corporate may apply for approval of a person as nominee of the applicant. The nominee must complete a 'Questionnaire'.

Please refer to the 'Training for licence applicants' fact sheet to determine if the nominee requires new entrant and/or RSA training.

Name of proposed nominee*

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

*ABN is a unique identifier issued by the Australian Business Register which is operated by the Australian Tax Office.

**ACN is a unique nine-digit number issued by the Australian Securities and Investments Commission to companies.



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.

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

- NO
- YES – please provide details below

Contact name

Organisation name

- Correspondence may be sent by email. Please mark the box if you DO NOT wish to receive correspondence by email.

Daytime telephone number

Mobile telephone number

Postal address for service of documents

Postcode

Email address

5. Declaration of associates

An application for a liquor licence must provide the names, dates of birth and addresses of the applicant's associates. If the applicant is a body corporate, this should include associates of the directors. Before completing this application for a liquor licence, ensure that you read and understand the explanation of what is meant by 'associate' on the 'Definitions' page of this application form.

Associates are **not** required to complete a 'Questionnaire'.

- The applicant has no associates as defined in the *Liquor Control Reform Act 1998* OR
- The names of all the applicant's associates are (attach another sheet if necessary):

Full name	Residential address	Associate's relationship to applicant	Date of birth
			/ /
			/ /
			/ /
			/ /

6. Nature of the business

Provide details of the nature of the business you are intending to conduct and the purpose for which the liquor licence is sought.

Describe the liquor products you will be distributing.



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

A club –
One 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

Print name and position

Signature

Date

Print name and position

Signature

Date

Print name and position

Signature

Date

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 carries a maximum penalty of 60 penalty units.

Payment method

Please select your payment method:

Money order

Cheque

Credit card

For credit card payments, please enter your payment details on the next page.



This page intentionally left blank.

Credit card payment details

Visa Mastercard Amex

Amount

Card number

Name of cardholder

Card expiry date

 /

Daytime telephone number of cardholder

Signature

Date

Privacy – the VCGLR is committed to responsible and fair handling of personal information consistent with the *Privacy and Data Protection Act 2014* and its obligations under the *Liquor Control Reform Act 1998*. This page will be destroyed once your payment has been processed.

Questionnaire

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

03/16

Date rec'd / /

File no. _____

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

Important information you must read and note before completing this form

The information supplied on this form to the Victorian Commission for Gambling and Liquor Regulation (the Commission) will be disclosed to Victoria Police as part of your application under the *Liquor Control Reform Act 1998* (the Act). Victoria Police will use the information you supply to make an informed decision on whether to object to your application on the grounds that you or anyone named on this form are not suitable to be involved directly or indirectly in the sale of liquor.

Please Note:

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

Personal information

Family name

First given name

Second given name

Date of birth

 Male Female**Residential address**

Flat/unit number Street number Lot number

Street name

Town/suburb

Postcode

State

Contact details

Home phone (incl. area code)

Mobile phone

Business phone (incl. area code)

Fax number (incl. area code)

Email address (please indicate correct case)

Driver licence number

State of issue

Business address

Flat/unit number Street number Lot number

Street name

Town/suburb

Postcode

State

Business details

Name of business

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

Family name

First given name

Date of birth

 Male Female*continued over the page*

Business details *continued*

Family name

First given name

Date of birth

Male

Female

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

Criminal and other proceedings history

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

No

Yes provide details in the history detail section

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

No

Yes provide details in the history detail section

Have you ever been the subject of a diversion order?

No

Yes provide details in the history detail section

Do you have any charges pending against you?

(not including traffic offences)

No

Yes provide details in the history detail section

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

No

Yes provide details in the history detail section

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

No

Yes provide details in the history detail section

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

No

Yes provide details in the history detail section

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

No

Yes provide details in the history detail section

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

No

Yes provide details in the history detail section

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

No

Yes provide details in the history detail section

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

No

Yes provide details in the history detail section

History details

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

Date

Court

Offence

Result

Date

Court

Offence

Result

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

Personal bankruptcy

Are you currently insolvent or under administration?

No

Yes provide full details

Have you ever been declared bankrupt?

No

Yes provide full details

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

Signature of applicant

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

Date

Name