APPLICATION FOR TRANSFER OF A LIQUOR LICENCE

Liquor Act 2010
Liquor Regulation 2010

BIL 002

IMPORTANT
This form is to be used by a licensee to apply for the transfer of a liquor licence to a new proposed licensee under Section 40 of the Liquor Act 2010 (the Act). You can access the legislation and its regulation at www.legislation.act.gov.au. You may also obtain further information and forms at www.act.gov.au/accessCBR.

PRIVACY
The Liquor Act 2010 authorises the Commissioner for Fair Trading (the Commissioner) to collect the personal information required by this form for the purposes of assessing the applicant’s suitability to hold a liquor licence under the Act. The Commissioner prevents any unreasonable intrusion into a person’s privacy in accordance with the Information Privacy Act 2014. The Privacy Policy can be found on the Access Canberra website at http://www.act.gov.au/privacy. The Commissioner provides identifiable information to law enforcement organisations and authorised organisations that have legal authority to request information under prescribed circumstances.

INSTRUCTIONS FOR COMPLETION
- A liquor licence can only be transferred whilst it remains in force. The application form must be submitted at least 30 days prior to the current licensee ceasing to trade.
- Read the Further Information provided below prior to completing the application form.
- You must complete all relevant sections of the form before it will be processed.
- The application fee must be provided with this application. Payment will be accepted in person at any Access Canberra shopfront (see below), alternatively credit card payment authority will be accepted by post or email. Your application will not be accepted until payment of the fee has been received.

TRANSLATING AND INTERPRETING SERVICE
If you require further information or require advice, a language assistance service is available by phoning the Translating and Interpreting Service (TIS) on 13 14 50.

LODGEMENT AND CONTACT INFORMATION

<table>
<thead>
<tr>
<th>In Person:</th>
<th>Email:</th>
<th><a href="mailto:Liquor@act.gov.au">Liquor@act.gov.au</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Please visit</td>
<td><a href="http://www.act.gov.au/accessCBR">www.act.gov.au/accessCBR</a></td>
<td></td>
</tr>
<tr>
<td>Or call 13 2281 to find an Access Canberra Shopfront</td>
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FURTHER INFORMATION ABOUT APPLYING FOR A LIQUOR LICENCE
An application must outline the suitability of the proposed new licensee/s, close associates, influential persons (if the new licensee is to be a corporation), and the person/s with day-to-day control (if not the licensee).

The proposed new licensee is the person/s or corporation that will hold the licence for the premises following the transfer of the licence.

If the new licensee is to be a club, they must be an eligible club. This is a club that:
- is established for the purposes of recreation, promoting social, religious, political, literary, scientific, artistic, sporting or athletic purposes, or a purpose prescribed by regulation;
- has a constitution or set of rules that requires the election of members to manage the affairs of the club; keeps records of elections for two or more years; nominates at least once every three years members to manage the affairs of the club; prohibits the sale of liquor to persons who are not members unless there at the invitation of a member; and prohibits the payment of a commission, profit or allowance from, or on receipts from, the supply of liquor at the club premises; and
- has a membership of at least 200 adult financial members; or if a club licence has been held continuously since before 1 July 1979, with at least 150 financial adult members.

A close associate is a person who: holds, or will hold, an executive position in the new licensee's business; is able to exercise significant influence over the conduct of the new licensee's business because they hold, or will hold, a financial interest in the business; or is entitled to exercise a relevant power in the business.

An influential person for a corporation is: an executive officer; a person who may exercise a power in relation to the corporation’s management, decision making, elections or appointments, and conduct; a related corporation; or an executive officer in a related corporation.

A person with day-to-day control is a person, beside the new licensee, who has control of the business operated under the licence on a day-to-day basis.

The licence may not be transferred if the Commissioner for Fair Trading (the Commissioner) determines that any of the people listed above are not suitable. This may include, but is not restricted to, any of the following occurring in the last five (5) years before the day the application is made:
- a person has been found guilty of an offence that makes them unsuitable to hold a liquor licence; or
- a person’s liquor licence has been cancelled or suspended on grounds that makes them unsuitable to hold a liquor licence; or
- a person is subject to a court order prohibiting their involvement in the sale of liquor.

If you consider that the proposed new licensee might not be eligible to hold a liquor licence, for example because of an occupational discipline order, past public representations, or past convictions, you should contact Access Canberra before you submit your application form.

Amendments to the licence
This form cannot be used to change particular details of the licence. If you wish to change aspects such as trading hours, on licence subclass or occupancy loading you may submit an amendment form at the time of submitting this application.
### APPLICATION FOR TRANSFER OF A LIQUOR LICENCE

**Liquor Act 2010**

**Liquor Regulation 2010**

#### BIL 002 – PART A

**CURRENT LICENCE DETAILS**

<table>
<thead>
<tr>
<th>Catering</th>
<th>General</th>
<th>On</th>
<th>Off</th>
<th>Club</th>
<th>Special</th>
</tr>
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<tbody>
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*If an on licence, please select sub-class*

<table>
<thead>
<tr>
<th>Bar</th>
<th>Nightclub</th>
<th>Café and Restaurant</th>
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</thead>
</table>

**Lic No:**

#### YOU MUST PROVIDE THE FOLLOWING AS PART OF YOUR APPLICATION, FOR THE FOLLOWING PERSONS:

- **Proposed new licensee/s**
  - Attached? (✓ / ✗ / N/A)
  - Documentation required
    - Evidence of Citizenship or Resident status (if born outside Australia)
    - Personal particulars (Part B)
    - Two forms of identification (at least one form to be current photo identification)
    - Declaration regarding their suitability and any required attachments

- **Close associates**

- **Influential persons** (if applicable)

- **Person/s with Day-to-day control of the premises (if not the proposed new licensee)**

- **Organisation**
  - Attached? (✓ / ✗ / N/A)
  - Documentation required
    - Organisation particulars (Part C)
    - Police certificate for the corporation issued within the previous three (3) months (consent form can be obtained from the AFP)
    - Evidence of business registration / creation of the organisation (e.g. company or incorporation extract, club constitution and evidence of financial member numbers, enabling legislation, or certificate of registration)
    - If the proposed licensee if a corporation, a current company extract issued by the Australian Securities and Investment Commission (ASIC) within the last 30 days

- **Current Licensee/s**
  - Attached? (✓ / ✗ / N/A)
  - Documentation required
    - Current licensees’ details (Part E)

#### FOR THE LICENSED PREMISES YOU MUST PROVIDE:

- **Licensed premises**
  - Attached? (✓ / ✗ / N/A)
  - Documentation required
    - Licensed premises details (Part D)
    - Amendment to Risk Assessment Management Plan (RAMP) if substantial changes required.

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**Risk-Assessment Management Plan**

If the licensed premises sells liquor for consumption on the premises (general, on, club or special licence), it should already have a RAMP approved by the Commissioner. Prior to submitting this form, you should check that the details contained within the RAMP are still accurate and appropriate.

If the existing RAMP is not accurate, the new licensee must submit an amendment to the approved RAMP or complete a new RAMP. The pro forma to assist the new licensee in completing a RAMP can be found on the [Access Canberra website](http://www.accesscanberra.gov.au).
**APPLICATION FOR TRANSFER OF A LIQUOR LICENCE**

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**Liquor Regulation 2010**

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**BIL 002 – PART B**

**PERSONAL PARTICULARS** - A copy of this part must be completed by every: proposed new licensee, close associate, influential person (for a corporation) and person with day-to-day control (if not the licensee)

**PERSON COMPLETING THIS PART**

- [ ] Proposed new licensee
- [ ] Close associate
- [ ] Influential person
- [ ] Day-to-day control

**TITLE** (Ms, Mr, Dr) **FIRST GIVEN NAME** **SECOND GIVEN NAME** **FAMILY NAME / SURNAME**

**DATE OF BIRTH** **CITY / TOWN OF BIRTH** **COUNTRY OF BIRTH** **NATIONALITY**

- / /

**AUSTRALIAN BUSINESS NUMBER (A.B.N)**

**HOME ADDRESS** (Property Name, Unit, Flat No, Street Number, Street Name)

**CITY / SUBURB / TOWN** **STATE** **POSTCODE** **COUNTRY**

**HOME PHONE NUMBER** **MOBILE NUMBER**

- ( )

**WORK PHONE NUMBER** **EMAIL ADDRESS**

- ( )

**DECLARATION**

I, ________________________________

a) declare that I have read and understood the information provided in this form, that the details shown are true and correct;

b) agree to abide by any conditions that form part of the licence issued by the Commissioner;

c) consent to Access Canberra having access to the records relating to my history, only for the purposes of this application; or in relation to a liquor licence subsequently granted by the Commissioner; and

d) understand that it is an offence to provide false or misleading information in an application for the transfer of a liquor licence.

Signed: ____________________________ Date: / /

**ACCEPTABLE FORMS OF IDENTIFICATION:**

- Photo Identification
- Driver’s licence
- Learner driver’s licence/permit
- Proof of age or identity card
- Passport
- Gun licence
- Shooter’s licence
- Security licence

- Other acceptable identification
- Bank passbook
- Birth certificate/extract (certified copy)
- Certificate of Australian citizenship
- Credit card
- Credit union passbook

- Health benefits card
- Marriage certificate
- Medicare card
- Naturalisation certificate
- Public utility account
- Rates notice
- Taxation assessment notice

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**FORMS OF IDENTIFICATION PROVIDED**

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<thead>
<tr>
<th>Type</th>
<th>Number</th>
<th>Expiry Date</th>
<th>Copy Attached</th>
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</thead>
<tbody>
<tr>
<td>Primary Identification</td>
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<tr>
<td>Secondary Identification</td>
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</table>
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Liquor Act 2010
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SUITABILITY INFORMATION – PERSON
This part must be completed for the proposed licensee/s, each close associate, each influential person for a corporation, and the person/s who are to have day-to-day control of the business (if not the licensee)

DECLARATION

I, Name in full_______________________________________________________________________________________,
of Full residential address______________________________________________________________________________,
whose current occupation is ____________________________________________________________________,
make the following declaration,
- That I will give true answers to all questions in this declaration by selecting the corresponding YES or NO box beside the questions; and
- That for each question I answer YES, I will provide full and accurate details of the facts or matters specified or associated with the question, attaching additional details on an annexure form.

1. Have you ever been convicted or found guilty of an offence under any of the laws in any State or Territory in Australia listed below? You may refer to your attached police certificate in the attached additional details.

| ACT Liquor Act 2010 or any corresponding liquor laws | No | Yes |
| ACT Crimes Act 1900 or the Crimes Act 1914 (Cwlth) | No | Yes |
| ACT Criminal Code 2002 or the Criminal Code Act 1995 (Cwlth) | No | Yes |
| ACT Unlawful Gambling Act 2009 | No | Yes |
| Trade Practices Act 1974 (Cwlth) | No | Yes |
| ACT Fair Trading Act 1992 or corresponding fair trading laws | No | Yes |
| A law of the ACT or elsewhere with a maximum penalty of imprisonment for 1 year or more | No | Yes |

2. Have you ever been convicted or found guilty of an offence against a law in Australia or anywhere else relating to the supply or consumption of liquor?

| No | Yes |

3. Have you ever been proven to be non-compliant with any legal obligation in relation to the supply of liquor?

| No | Yes |

4. Have you ever been refused a licence, permit or other authority (however described) in relation to the supply of liquor?

| No | Yes |

5. In the last five (5) years have you been declared bankrupt, personally insolvent, or been involved in the management of a corporation when the corporation was insolvent?

| No | Yes |

6. If the proposed licensee is a corporation, in the last five (5) years has the corporation been insolvent?

| No | Yes |

7. If the proposed licensee is a club, is the club an eligible club? (see page 2 for definition of an eligible club)

| No | Yes |

Understanding of Obligations under the Act:

8. I understand that I may not serve liquor without a current Responsible Service of Alcohol (RSA) Certificate or equivalent interstate qualification

| No | Yes |

9. I understand that I may not serve liquor to persons under the age of 18

| No | Yes |

10. I understand that I may not serve liquor to intoxicated persons

| No | Yes |

11. I understand that I must supply water free of charge and ensure food is available to patrons

| No | Yes |

12. I understand that I am required to report incidents directly to Access Canberra within 24 hours of an incident occurring

| No | Yes |

I understand that a person who intentionally makes a false statement may be guilty of an offence. I believe that the statements in this declaration are true and correct.

*Signature of person making the declaration*

Full Name (Print) On the Day of 20
**ORGANISATION PARTICULARS**

If the proposed new licensee is to be corporation, partnership, association, not-for-profit organisation or statutory authority this part must be completed. The personal particulars form (Part B) must still be completed for each close associate, influential person, and person with day-to-day control. If applying under a corporation a current company extract (issued by the Australian Securities and Investment Commission (ASIC) within the last 30 days) must be supplied.

A corporation must apply for a “Company Check” for a national police check to be conducted on the Corporation (exempt if the corporation has been established within 6 months of submission of this application). This police check must be obtained prior to submitting this application. Please be aware that there may be an extended processing time for these police checks.

**REGISTERED NAME OF CORPORATION / PARTNERSHIP / ASSOCIATION / STATUTORY AUTHORITY**

**AUSTRALIAN BUSINESS NUMBER (A.B.N)**

**AUSTRALIAN COMPANY NUMBER (A.C.N)**

**INCORPORATED ASSOCIATION NUMBER or COOPERATIVE NUMBER**

**REGISTERED BUSINESS ADDRESS** (Property name, unit, flat, floor or level number, street number and street name)

**CITY/ SUBURB/ TOWN**  **STATE / TERRITORY**  **POSTCODE**

**POSTAL ADDRESS** – (if different to the one shown above)

**CITY/ SUBURB/ TOWN**  **STATE / TERRITORY**  **POSTCODE**

**APPLICATION CONTACT PERSON**  **POSITION**

**BUSINESS TELEPHONE NUMBER**  **CONTACT MOBILE NUMBER**

( )

**BUSINESS OR CONTACT EMAIL ADDRESS**
**APPLICATION FOR TRANSFER OF A LIQUOR LICENCE**

**Liquor Act 2010**

**Liquor Regulation 2010**

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**BIL 002 – PART D**

**LICENSED PREMISES DETAILS**

<table>
<thead>
<tr>
<th>REGISTERED BUSINESS NAME</th>
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<tr>
<th>PREMISES ADDRESS (NOT a PO Box)</th>
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<tbody>
<tr>
<td></td>
<td></td>
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<tr>
<th>DISTRICT / DIVISION</th>
<th>BLOCK</th>
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<thead>
<tr>
<th>POSTAL ADDRESS FOR PREMISES</th>
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<th>STATE</th>
<th>POSTCODE</th>
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<table>
<thead>
<tr>
<th>PREMISES CONTACT PERSON</th>
<th>POSITION</th>
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<table>
<thead>
<tr>
<th>BUSINESS PHONE</th>
<th>BUSINESS MOBILE</th>
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<thead>
<tr>
<th>BUSINESS EMAIL OR WEBSITE</th>
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**PROPOSED LICENCE TRADING HOURS WILL BE WITHIN THE FOLLOWING TIMEFRAMES:**

- [ ] 7am – 6pm *(OFF only)*
- [ ] 7am – 11pm *(OFF only)*
- [ ] 7am – Midnight *(standard)*
- [ ] 7am – 1 am
- [ ] 7am – 2am
- [ ] 7am – 3am
- [ ] 7am – 4am
- [ ] 7am – 5am

*Note – On 25 April, 24 December and 31 December, standard licensed times are 7am – 1am the following day.*

**Note – Premises that sell liquor for consumption off the premises are permitted to trade until 11pm only.**

***Note - The licensee may apply (in writing) to the commissioner to extend trading hours for special events on 6 occasions within a 12 month period. (A special event is defined under Section 214A of the Liquor Act 2010).***
CURRENT LICENSEE/S’ DETAILS

Following approval of the transfer, the current licensee/s must return the liquor licence certificate, all associated documents and marked plans of the licensed premises to the Commissioner for Fair Trading at Access Canberra within 21 days. The maximum penalty for failing to comply is 20 penalty units.

It is also recommended that at the time the transfer is approved, that the new licensee obtains from the current licensee the liquor sales information required to be provided to the Chief Health Officer at the end of each financial year. Further information and a template are available on the Access Canberra website.

LICENSEE/S NAME

Surname /Licensee name                First name

I, __________________________________________, being the licensee/or on behalf of the licensee of the premises at premises address and/or business name__________________________________________ hereby apply for the transfer of licence number number________________________ to the proposed new licensee, proposed new licensee name______________________________.

SIGNATURE OF/ON BEHALF OF LICENSEE CONSENTING TO TRANSFER  DATE

× __________________________________________________________________________ / /

× __________________________________________________________________________ / /

LIQUOR PURCHASE INFORMATION FOR PREMISES (OFF LICENCES ONLY) (attach another page if insufficient room)

From 1 July (year) To / /

SUPPLIER NAME SUPPLIER ADDRESS

GROSS* PRICE PAID/PAYABLE FOR LIQUOR PURCHASES

$ .00

* Gross price includes any duty, tax or other charge payable; but does not include costs for freight, or packaging for freight.
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**Liquor Regulation 2010**

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### Payer Details

**Name/Corporation:**

Provide a mailing address for the tax invoice:

________________________________________________________________________________________

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### Licensing Fee Queries

For queries regarding the relevant licence fee, please contact Access Canberra, Liquor Licensing during business hours quoting 'Liquor Licensing Fee' on (02) 6207 2343 or at liquor@act.gov.au.

The Access Canberra Territorial ABN is: 68 367 113 536

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### Credit Card Payment Authority

This part is provided for your convenience for payment of the relevant licence fee.

Please note that the licence fee is GST exempt.

| Please charge payment of the application fee to my: | ☐ VISA card | ☐ MasterCard |
| Credit Card Number | ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ | Expiry date | ☐ ☐ / ☐ ☐ |

**CARD HOLDER’S AUTHORISATION:** I consent to Access Canberra debiting the following amount from my credit card to the value of $ ☐ ☐, ☐ ☐ ☐.00

| Card holder’s full name | Card holder’s signature | Date |
| ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ | ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ | ☐ ☐ / ☐ ☐ / ☐ ☐ |