

## VCGLR NEWS

The Victorian Commission for Gambling and Liquor Regulation (“VCGLR”) has recently issued its summer 2015 newsletter which carries a number of items of interest for Clubs and others. [Click here](#) to read.

### **Requirements for Clubs**

The VCGLR reminds that club licensees need to have at least one committee member at all times who has successfully completed a VCGLR approved:-

- New Entrant Training course.
- Responsible Service of Alcohol course.

An approved New Entrant Training course must also be completed by all applicants:-

- For appointment as a nominee.
- Seeking approval to sublet any part of the licenced premises, or to carry on the business of supplying liquor on the licensed premises.

### **Up to date liquor signage**

The VCGLR also reminds licensees that from 15 October 2014 penalties for offences concerning the supply of liquor to minors have doubled. As a consequence signage must be updated. The VCGLR provides access to updated signage but notes that it will no longer automatically mail posters to licensees.

### **“Giving away” liquor without a licence**

Licensees will be very familiar with the prohibition that liquor must not be sold or offered for sale by an unlicensed person. However, liquor can be given away in some limited circumstances such as:-

- Provision of liquor on a complimentary basis that is not part of an indirect sale.
- Where the *Liquor Control Reform Act* (the “Act”) does not specifically prohibit a venue from providing complimentary liquor.

- Provision of complimentary liquor is not breaching a condition of an existing licence.

The question of indirect sales has, in the past, raised many interesting questions. However, the VCGLR provides some helpful assistance in determining what may constitute an indirect sale and provides an example of small businesses providing special shopping events or “customer nights” that include the provision of complimentary champagne or wine.

An indirect sale occurs when:-

*“Liquor is supplied as part of the sale of another product or service. For example, providing complimentary liquor to attendees at a ticketed or “members only” event or where attendees are compelled to purchase a product as a condition to receiving complimentary liquor.*

*When determining whether an indirect sale has occurred a good test is whether it is a condition to purchase goods or services before a person can receive liquor. If a person can attend an event and receive complimentary alcohol without having to purchase any goods or services, then an indirect sale has likely not occurred and a licence may not be required.*

*However, if there is a requirement to make a donation, buy raffle ticket or a program or spend money on goods or services in order to receive complimentary liquor then an indirect sale may have occurred, which would require a licence to avoid contravening section 107 of the Act”.*

## **Footy Tipping**

The VCGLR news also provides assistance in discussing footy tipping competitions and provides a series of questions and answers which include:-

- Do I need a permit?
- What if my footy tipping competition does involve chance?
- What if I want to use my footy tipping competition to raise money?
- What if my footy tipping competition involves using the internet or other interactive technology?
- Are there guidelines for conducting a footy tipping competition – what about entry rules, deciding winners, prizes?

## **Subscribe**

The VCGLR news provides information over a range of matters that are within the responsibility of the VCGLR and that are useful to licensees and employees.

If licensees are not already subscribers then we recommend not only subscribing to VCGLR news but suggesting to senior operational staff that they subscribe.

Such encouragement may prove to be a useful risk management technique for a licensee in that a greater number of staff will be familiar with liquor licensing and gambling obligations and requirements.

To subscribe to VCGLR news [click here](#).

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