

Events involving alcohol

Legal information for Victorian community organisations

This fact sheet covers:

- liquor licensing law in Victoria
 - applying for a liquor licence
 - the role of Victoria Police in liquor licensing
 - the role of councils in liquor licensing
 - smoking areas
 - signage requirements, and
 - managing risk.
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This fact sheet outlines some of the important issues that may arise for community organisations when planning an event where alcohol will be sold, provided or consumed.

Victoria has liquor licensing laws to regulate the supply and consumption of alcohol in the state. The main piece of legislation that regulates how alcohol can be sold or provided to others is called the [Liquor Control Reform Act 1998 \(Vic\)](#). The Victorian Commission for Gambling and Liquor Regulation (VCGLR) is the government agency that has responsibility for liquor licensing laws, although the Victoria Police and your local council also have a role to play.

In Victoria, there are requirements for licensees and employees of licensed venues to undertake compulsory Responsible Service of Alcohol training. It is also compulsory for all venues serving alcohol on-site to provide free drinking water. Your organisation can apply for an exemption in certain circumstances. For more information, see the VCGLR [website](#).

Overview of liquor licensing law

In general, the Victorian liquor licensing law requires that any person or organisation selling or supplying alcohol to others must have a licence. If your community organisation is planning to sell or supply alcohol (which includes providing alcohol for free), it will require a liquor licence. It is an offence not to have a licence and fines apply.

The legislation provides for a number of different types of liquor licences for different types of activities. Some are ongoing licences, whereas others are temporary, for one-off events. It also sets out the eligibility criteria and process for applying for a licence.

If your organisation becomes a 'licensee', it will need to be aware of its legal responsibilities. In particular, it is an offence for a licensee to:

- fail to comply with the conditions of the licence

- provide alcohol to people or permit alcohol to be consumed on licensed premises (other than in accordance with the liquor licence)
- serve alcohol to a person who is intoxicated, and
- sell alcohol to a minor.

There are also offences in relation to:

- public drunkenness, and
- anti-social behaviour in and around licensed premises, and disturbance of the neighbourhood amenity.

The potential penalties for breaching these include fines and licence suspension or cancellation, to imprisonment.

We are holding an event with alcohol – what do we need to do?

1. Decide which licence your organisation needs

You will need to work out which type of liquor licence will suit your organisation's needs. The licence that might best suit community organisations holding a one-off event is called a 'temporary liquor licence'. Temporary liquor licenses are provided to people who are holding one-off events, for example a ball or presentation night or a series of events over a limited season of less than 3 months, such as a theatre performance.

RELATED RESOURCES

There are also a number of licences that are available for clubs and a 'BYO' permit for when your organisation is not selling alcohol but you want to allow people to bring along their own alcohol. The [VCGLR website](#) contains a list of all the licence types available.



2. Nominate a licensee (and possibly attend training)

If your community organisation requires a liquor licence, a representative from your organisation must be nominated as the 'licensee'. For many licences, it is a requirement that the licensee is required to undergo training at courses known as the "[New Entrant Training](#)" and the "[Responsible Service of Alcohol Course](#)". There is normally a cost for these courses and details can be obtained from the VCGLR [website](#).

3. Apply for a licence and pay fee

Application forms (and online applications) and details of the relevant fees are available from the Department of Justice's website (see link at bottom of page). Note that applications take a while to be processed and should be lodged at least 8 weeks before the event is to be held.

4. Receive a copy of the licence and read conditions

Your community organisation has a responsibility to read and understand the conditions of its liquor licence. If you are having difficulty understanding the different sections and terms of your licence, there is a section on liquor licensing on the Responsible Alcohol Victoria website (see the Resources section below).

What is the role of the police and the local council in the liquor licensing process?

When a representative from your group applies for a liquor licence, they will be required to complete a Police Questionnaire. This form will be provided to Victoria Police, who will consider the suitability of the applicant for a liquor licence. Victoria Police may lodge an objection to the application on a number of grounds (suitability of licensee, suitability of premises where event is to be held).

When a licence is granted, Victoria Police has the ongoing responsibility for the enforcement of liquor laws. If a law is breached, Victoria Police may issue on-the-spot fines or charges.

Your local council will also play a role in approving and administering your liquor licence. A council may be able to object to licence applications on the ground that the grant would detract from the amenity (that is, lessen the pleasantness or attractiveness) of the community area in which you are planning to hold your event. Councils can also introduce local by-laws which limit the place and time that open containers of alcohol may be carried or consumed in public places.

If we serve alcohol, what signs are required?

At any event involving alcohol, the law requires that the licensee (your community organisation) display certain signage regarding laws relating to underage drinking, drunkenness and public safety issues. The kind of signage your organisation will be required to display will depend on the type of licence your community organisation holds.

The signs can be downloaded from the VCGLR [website](#), and must be displayed in a manner which invites public attention. If your organisation does not display the signs (or they are not displayed appropriately) your organisation may be fined.

FURTHER READING

The VCGLR [website](#) has useful information on the standard obligations of licensees.

What about smoking?

All indoor licensed venues in Victoria are smoke-free areas. Therefore, to comply with the law, people at your event may only smoke in certain outdoor areas. Additional amendments to the *Tobacco Act 1987* (Vic) commencing on 1 August 2017, will ban smoking at all outdoor dining areas (including outdoor events such as community festivals and fairs).

In light of these changes even for outdoor events, it is a good idea to consider having designated smoking areas or making your event a smoke-free event.

If your event sells tobacco there are additional requirements, including the requirement to display appropriate signage.

What steps can we take to minimise risks at our event involving alcohol?

There are a number of precautions that your community organisation can undertake to ensure that it is complying with its legal responsibilities and to promote the safe consumption of alcohol.

Responsible Service of Alcohol

Your community organisation should make sure that the person responsible for serving the alcohol is a responsible adult (who is not drinking alcohol), and is well informed of the relevant laws and risks associated with the service of alcohol. Provide a wide variety of drinks at your event, including mid-strength alcoholic drinks, non-alcoholic drinks and drinking water.

As mentioned, it is an offence to serve alcohol to anyone who is intoxicated. An [Intoxication Guidelines fact sheet](#) has been produced by the VCGLR and it is a good idea for relevant members of your organisation to familiarise themselves with these guidelines.

Food

It is a good idea to have food readily available throughout the event. Providing the right food in appropriate quantities at your event is a great way to discourage excessive alcohol consumption.

Inform your local neighbourhood

It is important that your community organisation advise neighbours and local businesses of any large event in your area, especially where alcohol will be served. Your community organisation may register its event with Victoria Police and therefore if the police need to be called to the event they already have information that they need to know.

First Aid

It is also important to plan what your community organisation will do if your guests become sick or intoxicated. This may involve preparing an appropriate first-aid kit and/or informing the local ambulance service about your event.

Public Liability Insurance

Public liability insurance is necessary for your community organisation to protect itself against claims made by participants at your event in respect of bodily injury arising out of those events or associated with your service of alcohol.

For more information about insurance, see our Risk and Insurance page on the Information Hub at www.nfplaw.org.au/riskinsurance.

Resources

Related Not-for-profit Law Resources

The Not-for-profit Law Information Hub contains many fact sheets on different topics. It can be accessed at www.nfplaw.org.au. The following topics contain relevant further information:

✔ Running the organisation – www.nfplaw.org.au/runningtheorg

This page contains resources to assist those running not-for-profit organisations to understand and comply with legal requirements.

✔ Risk and Insurance – www.nfplaw.org.au/riskinsurance

This page contains resources on background checks, occupational health and safety, negligence and incidents and accidents.

✔ Fundraising and Events – www.nfplaw.org.au/fundraisingandevents

This page contains resources on the main legal issues when fundraising in Victoria.

✔ Communications and Advertising – www.nfplaw.org.au/comms

This section offers information on advertising and promotions and social media, such as Facebook and twitter.

Victorian Commission for Gambling and Liquor Regulation (VCGLR)

✔ Liquor – www.vcglr.vic.gov.au/home/liquor

The VCGLR website provides information on application and compliance requirements for liquor licences and responsible service of alcohol.

✔ [Intoxication Guidelines](#)

This page explains the signs of intoxication and the legal definition of intoxication.

✔ [Standard obligations of licensees](#)

This page summarises the set of standard obligations that a licence holder must meet in order to comply with the requirements of the licence.

✔ [Responsible Service of Alcohol](#)

This page offers information on RSA training courses.

Commonwealth Attorney General

✔ [Planning Safe Public Events Practical Guidelines - Chapter 7 Alcohol](#)

These event planning guidelines were developed by the Commonwealth Attorney-General's department crime prevention branch. This chapter includes information and a range of checklists about planning safe events involving alcohol.

Legislation

✔ [Liquor Control Reform Act 1998 \(Vic\)](#)

✔ [Liquor Control Reform Regulations 2009 \(Vic\)](#)

These Regulations set out some of the detail of the liquor licensing laws in Victoria.

A Not-for-profit Law Information Hub resource. Access more resources at www.nfplaw.org.au

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