

Liquor Act 2007 and Liquor Regulation 2008

# Statutory licence conditions and requirements

## Factsheet

### Packaged liquor licence

Section/Clause		C/R*	Condition
s.11A	Special licence condition – 6-hour closure period for licensed premises	C	<p><b>6-hour closure period</b></p> <p>Liquor must not be sold by retail on the licensed premises for a continuous period of 6 hours during each consecutive period of 24 hours (known as the <i>6-hour closure period</i>). The 6-hour closure period is 4am to 10am each day, or as determined by Liquor &amp; Gaming NSW. During the 6-hour closure period:</p> <ul style="list-style-type: none"> <li>(a) the licensed premises are not authorised to stay open for the retail sale of liquor on the premises, and</li> <li>(b) the licensee is not authorised to sell take away liquor by retail.</li> </ul> <p>This condition only applies to:</p> <ul style="list-style-type: none"> <li>(a) a packaged liquor licence granted on or after 30 October 2008</li> <li>(b) a packaged liquor licence in force before 30 October 2008, but only where an <i>extended trading authorisation</i> was granted for the licence on or after 30 October 2008 and is in force.</li> </ul>

### Kings Cross additional conditions

Additional statutory conditions apply to liquor licences in the Kings Cross precinct to reduce alcohol related violence and anti-social behaviour. An exemption from certain conditions can be sought in limited circumstances. Detailed information about the conditions applying in Kings Cross is available from: [www.liquorandgaming.justice.nsw.gov.au](http://www.liquorandgaming.justice.nsw.gov.au)

\*C=condition R=requirement

## Packaged liquor licence

Section/Clause	C/R*	Condition
s.29	<p>Authorisation conferred by packaged liquor licence</p>	<p><b>R</b> <b>Selling liquor by wholesale or to employees</b></p> <p>A packaged liquor licence also authorises the licensee:</p> <p>(a) to sell liquor by wholesale, at any time on the licensed premises, to persons authorised to sell liquor (whether by wholesale or by retail), and</p> <p>(b) to sell or supply liquor, at any time on the licensed premises, to the employees of the licensee or of a related corporation of the licensee.</p> <p><b>R</b> <b>Tastings</b></p> <p>A packaged liquor licence also authorises the licensee to sell or supply liquor on the licensed premises during the approved retail trading hours to customers and intending customers for tasting purposes.</p>
s.30	<p>Liquor sales area required if bottle shop is part of another business activity</p>	<p><b>R</b> <b>Separate liquor sales area required if primary purpose not liquor sales</b></p> <p>If the primary purpose of the business carried out on the premises is not the take away sale of liquor, liquor may only be sold in an area of the licensed premises (the <i>liquor sales area</i>) that is adequately separated from those parts of the premises in which other activities are carried out. The principal activity carried out in the <i>liquor sales area</i> must be the sale or supply of take away liquor.</p>

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## Packaged liquor licence

Section/Clause	C/R*	Condition
s.55	Requirement to provide information in relation to persons interested in licensee's business	<p><b>C Licensee must notify changes to business ownership</b></p> <p>Where a person (other than the licensee or a financial institution) becomes interested in the business, or the conduct of the business, carried out on licensed premises, Liquor &amp; Gaming NSW must be provided with the following information within 28 days after the other person becomes interested:</p> <ul style="list-style-type: none"> <li>(a) the name and date of birth of the interested person and, in the case of a proprietary company, the names of the directors and shareholders</li> <li>(b) a statement, signed by the licensee, that the licensee has made all reasonable inquiries to ascertain the information referred to in paragraph (a).</li> </ul> <p>A person is interested in the business, or the conduct of the business, carried out on licensed premises if the person is entitled to receive:</p> <ul style="list-style-type: none"> <li>(a) any income derived from the business, or any other financial benefit or financial advantage from the carrying on of the business (whether the entitlement arises at law or in equity or otherwise), or</li> <li>(b) any rent, profit or other income in connection with the use or occupation of the premises on which the business is to be carried on.</li> </ul> <p>This information may be provided by the licensee or the interested person. See form AM0555.</p>
c.37	Requirement to provide information relating to persons no longer interested in licensee's business	<p><b>C Cessation of persons interested in licensee's business</b></p> <p>If a person (other than the licensee or a financial institution) ceases to be interested in the business, or the conduct of the business, carried out on licensed premises, Liquor &amp; Gaming NSW must, within 28 days of the person ceasing to have that interest, be notified in writing that the person is no longer an interested person.</p>

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## Packaged liquor licence

Section/Clause		C/R*	Condition
c.36	Display and availability of licence and licence-related authorisations	C	<p><b>Licensee must make liquor licence available</b></p> <p>A copy of each of the following must be available at all times for the information of the members of staff of the licensed premises:</p> <ul style="list-style-type: none"> <li>(a) the licence</li> <li>(b) any licence-related authorisation</li> <li>(c) any conditions imposed by Liquor &amp; Gaming NSW on the licence or the authorisation.</li> </ul> <p>This information must be available to any member of staff who:</p> <ul style="list-style-type: none"> <li>(a) sells, supplies or serves liquor on the licensed premises, or</li> <li>(b) carries on any security activity (such as a crowd controller or bouncer) on or about the licensed premises, or</li> <li>(c) exercises any functions under the <i>Liquor Act</i> or <i>Liquor Regulation 2008</i>.</li> </ul>
s.93	Cessation of trade	R	<p><b>Premises ceasing trade – licensee must notify Liquor &amp; Gaming NSW</b></p> <p>If the licensed premises cease trading during any continuous period of more than 6 weeks, the licensee must notify Liquor &amp; Gaming NSW in writing that the premises have ceased to trade. See form AM0490.</p>
c.38	Resumption of trade	C	<p><b>Licensee must notify when resuming trade</b></p> <p>If the licensed premises resumes trading, the licensee must notify Liquor &amp; Gaming NSW as soon as practicable. See form AM0490.</p>
c.44	Licensee to keep register of RSA certificates	C	<p><b>Licensee must maintain a responsible service of alcohol register</b></p> <p>The licensee must keep a register containing:</p> <ul style="list-style-type: none"> <li>(a) a copy of any current existing RSA certificate for the licensee, and</li> <li>(b) a copy of any current existing RSA certificate for each staff member whose duties include the sale, supply or service of liquor by retail, and</li> <li>(c) a copy of any current existing RSA certificate for each person employed or engaged by the licensee to carry on activities as a crowd controller or bouncer on or about the licensed premises.</li> </ul> <p>The licensee must make the register available for inspection on request by a police officer or inspector.</p>

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## Packaged liquor licence

Section/Clause		C/R*	Condition
c.51	Drinking water to be available free of charge where liquor served	C	<p><b>Free drinking water must be available</b></p> <p>Drinking water must be available free of charge at all times while liquor is sold or supplied for consumption on the licensed premises. The drinking water must be available to patrons at or near liquor service points, or by the same means of service that liquor is available (e.g. waiter service).</p>
c.53	Codes of practice	C	<p><b>Licensee must comply with approved Code of Practice</b></p> <p>The licensee must comply with any applicable code of practice approved by Liquor &amp; Gaming NSW. No code has been approved for packaged liquor licences at this stage.</p>

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