

Liquor Industry Updates



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Here is your weekly news updates from the liquor industry.

Good Friday and Anzac Day trading hours

With Good Friday and Anzac Day approaching, licensees are reminded of their trading obligations under the Liquor Control Act 1988.

Good Friday (April 2):

Under section 98 of the Act, hotels, taverns and small bars are required to close at midnight on Thursday, April 1 – trading is only permitted on Good Friday if liquor is sold and supplied ancillary to a meal supplied by the licensee between the hours of 12 midday and 10pm.

Hotels may sell and supply liquor to lodgers at any time.

Nightclubs are permitted to trade until 3am on Good Friday – they cannot resume normal trading until 6pm, Saturday, April 3.

Clubs are authorised to trade until 12.30am on Good Friday, but only if liquor is sold and supplied ancillary to a meal supplied by the licensee. No other trading is authorised.

Liquor stores and wholesalers are not permitted to trade on Good Friday.

Producers are only permitted to trade on Good Friday if liquor is sold and supplied ancillary to a meal supplied by the licensee in a specified dining area between the hours of 12 midday and 10pm.

Restaurants can trade at any time on Good Friday subject to normal trading conditions (that is, only ancillary to a meal). Liquor Without a Meal permits do not apply on Good Friday.

The permitted trading hours under a club restricted licence and a special facility licence are specified in the licence conditions. Licensees should check their licence document to ascertain if they are authorised to trade on Good Friday.

Anzac Day (Sunday, April 25)

Under Section 98 of the Act, hotels, taverns and small bars are required to close at midnight on April 24 – they can then open at 12 midday on April 25 until 12 midnight. Hotels may sell and supply liquor to lodgers at any time on Anzac Day.

Trading before 12 midday on Sunday, April 25 is not authorised by an Extended Trading Permit (ETP) unless the permit specifies that trading before 12 midday on Anzac Day is permitted.

In addition to the permitted trading hours, hotels, taverns and small bars may seek a permit for the purpose of holding an Anzac Day-related function specifically for RSL members and their guests – no general public will be allowed entry to the function.

Nightclubs are permitted to trade until 3am on April 25 – they can then resume normal business hours which, being a Sunday, are from 8pm until midnight.

Club licences are authorised to trade until 1am on Anzac Day, then from 12 midday to 12 midnight. In addition to the permitted trading hours, Returned and Services League clubs that hold a club or club restricted licence may apply for an ETP to trade between 6 am and 12 midday on Anzac Day.

These permits will be subject to normal trading conditions, that is, liquor may only be sold and supplied to members and guests. Non member ETPs may also be sought.

Producers and wholesalers are permitted to trade between 12 midday and 12 midnight on Anzac Day. Section 98 authorises liquor stores (both metropolitan and country) to trade from 12 midday until 10pm on April 25.

The permitted trading hours for restaurants are at any time except from 3am to 12 midday on Anzac Day, subject to normal trading conditions (that is, liquor must only be sold ancillary to a meal). Liquor Without a Meal permits do not apply on Anzac Day.

The permitted trading hours under a club restricted licence and a special facility licence are specified in the licence conditions. Licensees should check their licence document to ascertain if they are authorised to trade on Anzac Day.

Amended Public Interest Assessment Policy

The licensing authority recently amended its Public Interest Assessment (PIA) guideline policy. Knowledge of this policy is essential for anyone applying for the grant or removal of a licence, seeking an extended trading permit and some applications for variation to conditions and alterations to premises.

Non-compliance with the policy most likely will result in a refusal to process an application and could doom its prospects even if processed.

The motivation for being required to prepare and file a PIA is to identify how a proposal will impact on the community and at the same time address how an applicant will manage the impact.

The new policy is by and large a perpetuation of the previous policy with some minor alterations. The new version is clearer and better laid out.

The new policy emphasises the need for applicants for more complex licences, including hotels, taverns, nightclubs, liquor stores and some special facility licences, to: minimise harm or ill-health; and provide a separate document, not included as part of the PIA, if they wish to dispute the size of the locality as stipulated by the licensing authority.

If you have any queries or would simply like to know more about the new PIA policy please do not hesitate to contact Dan Mossenson on 9288 6769 / dan.mossenson@lavanlegal.com.au or Jessica Patterson on 9288 6946 / jessica.patterson@lavanlegal.com.au.

Data sourced from Lavan Legal. For more information go to www.lavanlegal.com.au



Any ideas or information you would like seen in this newsletter, please contact marketing@clubswa.com.au.

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Kind regards

Chloe Scaruaci | Marketing | **Clubs WA**

P 08 9312 1655 | F 08 9312 1644

E marketing@clubswa.com.au | W www.clubswa.com.au

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