

Liquor Control Victoria

Self-paced guide

Producer's licence



VICTORIA
State
Government

Introduction

This guide is for anyone who needs to know about a producer's licence and its conditions. This may include:

- new licensees and nominees
- existing licensees
- company directors
- staff who work at a venue with a producer's licence.

Once you have completed this guide, you should be able to:

- identify when and where you are allowed to supply alcohol to customers
- identify any special conditions on your licence
- identify possible breaches of a producer's licence.

This guide includes:

- **general information** – about a producer's licence (pages 3 to 6)
- **licence conditions** – explaining in detail parts of your licence (page 7)
- **Q&A** – to test your understanding of the licence (pages 8 and 9).

Please note: Information about the law may have been summarised or expressed in general statements. This information should not be relied upon as a substitute for professional legal advice or reference to the ***Liquor Control Reform Act 1998***.

Relevant information about the producer's licence can be found at vic.gov.au/apply-producers-liquor-licence

General information

Trading hours	<p>Trading hours for a producer's licence are defined in the <i>Liquor Control Reform Act 1998</i> (the Act):</p> <ul style="list-style-type: none"> • Sunday, Good Friday and ANZAC Day: 10am to 11pm • on any other day: 7am to 11pm.
Extended trading hours	<p>A producer's licence allows the licensee to supply liquor that is:</p> <ul style="list-style-type: none"> • your product (wholesale) to any other licensee at any time and any place. • your product for consumption on and off the licensed premises: <ul style="list-style-type: none"> – during trading hours and – during any other times only if specified in the licence. • not your product for consumption on the licensed premises: <ul style="list-style-type: none"> – during trading hours and – during any other times only if specified in the licence. <p>You must have planning permission from your local council to trade during the trading hours displayed on your liquor licence.</p> <p>You have a 30-minute period after closing time for customers to finish purchased drinks. During this time, you cannot sell customers any more alcohol.</p>
Liquor licence and posters	<p>At your venue, you are required to display:</p> <ul style="list-style-type: none"> • a copy of the current liquor licence where customers can see it • the following posters (signage): <ul style="list-style-type: none"> – 'Intoxicated, Drunk, Disorderly?' – 'Under 18? No supply'. <p>Posters must be printed in colour on A4 (210 x 297mm) paper and displayed so the public can see the information.</p>
Red line plan	<p>Your red line plan (the plan) shows where alcohol can be sold and consumed at your venue. The plan is submitted with the application for a licence. If the licence is transferred to you from an existing licence owner, Liquor Control Victoria (LCV) will have an approved plan.</p> <p>If Victoria Police or an LCV inspector visits you, they will likely request a copy of your plan to check you are operating within the red line area.</p>
Liquor deliveries	<p>A producer's licence allows alcohol delivery via orders taken by an off-premises request (that is, orders taken by internet, phone, mail, fax). You must notify LCV before taking off-premises orders. For more information, see vic.gov.au/supplying-liquor-person-who-makes-premises-request</p> <p>You must comply with the following conditions set out in section 18C of the Act:</p> <ul style="list-style-type: none"> • Display your licence number and any other notice required by LCV: <ul style="list-style-type: none"> – on your website or other platform where customers can order alcohol

	<ul style="list-style-type: none"> – in any promotional or advertising materials regarding off-premises orders. • Instruct delivery drivers that: <ul style="list-style-type: none"> – alcohol can only be delivered within trading hours – not deliver alcohol if no one is at the address provided for same day deliveries. • For first time orders (that are not gifts): <ul style="list-style-type: none"> – customers must confirm they are aged 18 or over – instruct delivery drivers that: <ul style="list-style-type: none"> ▪ alcohol must be delivered to the customer who made the order and ▪ they must see an ID document confirming the person is aged 18 or over. • For subsequent orders by the same customer, you are required to: <ul style="list-style-type: none"> – obtain instructions where to leave the order if the customer is not at home – provide these instructions to the driver and advise that the order must be delivered in accordance with the customer's instructions. • For gift orders: <ul style="list-style-type: none"> – customers must confirm that they and the person receiving the gift are aged 18 or over – you must obtain the name and address of the gift recipient – delivery driver must be instructed to only deliver the alcohol to: <ul style="list-style-type: none"> ▪ the address provided ▪ the gift recipient or a person who is aged 18 years or over ▪ the recipient who must provide an acceptable form of identification. <p>A report of failed alcohol deliveries must be provided to LCV by 30 July each year. For further information see vic.gov.au/failed-packaged-liquor-deliveries</p>
<p>Underage customers (minors)</p>	<p>Minors are not allowed to be served or drink alcohol on licensed premises under any circumstances.</p> <p>A person under 18 years of age is allowed at your venue if they are:</p> <ul style="list-style-type: none"> • in the company of a 'responsible adult', or • having a meal, or • employed in duties other than the supply of alcohol (for example, preparing food, taking orders (other than for alcohol)), or • in an LCV approved hospitality training program, or • otherwise approved by LCV to be there. <p>A responsible adult is a person who is over the age of 18 years and who is:</p> <ul style="list-style-type: none"> • the younger person's parent, step-parent, guardian or grandparent • the younger person's spouse (over the age of 18 years)

	<ul style="list-style-type: none"> a person acting in place of a parent and supervising the young person (for example an aunt or uncle).
Amenity	<p>Amenity is the impact that your venue and customers may have on the surrounding area.</p> <p>Your venue should consider the following amenity impacts:</p> <ul style="list-style-type: none"> Parking facilities Do you have a car park? Do customers park on nearby residential streets? Traffic movement and density Is there a high volume of customer traffic from customers coming to your venue? Noise levels What measures do you have in place to minimise noise from your venue (if you have amplified music) or from customers leaving your venue? Possibility of nuisance or vandalism Are your customers likely to cause a nuisance to nearby residents? Could they cause noise, nuisance or damage to property? Harmony and coherence of the environment What general effect does your venue have on the local community and neighbouring businesses/residents?
Promotional event authorisation	<p>Producer's licensees can apply to sell their own alcoholic product at farmers markets, craft markets, festivals and other promotional events. This is called a promotional event authorisation.</p> <p>This approval does not include selling alcohol at major events or horse racing events.</p> <p>Licensees must pay a promotional event authorisation fee and annual licence renewal fee.</p>
Retail premises	<p>You may specify in your application an area where you will be selling alcohol to the public. This is considered as a retail premises.</p> <p>The location of the retail premises must be in the same geographical region as the primary premises on the licence. The licence can include the retail premises address, as well as the primary address.</p> <p>You can only sell your product for take away at the retail premises.</p>
Responsible Service of Alcohol (RSA)	<p>The licensee must complete RSA training before the licence is granted. Licensees must also complete RSA refresher training every three years.</p> <p>The RSA refresher course is free and available at liquor.vcglr.vic.gov.au/rsa_refresher/ Victoria Police and LCV inspectors may request a copy of the most recent RSA Certificate of Completion during inspections.</p>
Other	<p>Relevant information about your licence:</p> <ul style="list-style-type: none"> Annual licence renewal is due on 31 December. A good compliance history can reduce your fees see vic.gov.au/demerit-point-star-rating-systems-liquor-licensing Join the Liquor Portal at liquorportal.vcglr.vic.gov.au/liquorportal/ to access your licence, renewal notice or update your details. Apply for a temporary licence at vic.gov.au/apply-temporary-limited-liquor-licence if you wish to extend your trading hours or red line area for a one-off event.

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| | <ul style="list-style-type: none">• Vary your licence by completing the variation to an existing licence form at vic.gov.au/vary-or-transfer-liquor-licence• Surrender your licence when you no longer need it at vic.gov.au/surrender-liquor-licence• Find out more about your obligations as a licensee at vic.gov.au/liquor-licensee-obligations |
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Licence conditions

You are responsible for your customers when they are at your venue and as they are leaving (this includes immediate footpath area).

You must keep records of promotional events at which you have supplied your product.

The register could be in the form of a diary, electronic spreadsheet, or a dedicated notebook.

The register needs to be easily accessible and must be produced on request to Victoria Police or LCV inspector.

Liquor Control Victoria

Liquor Licence 2024

Victorian Liquor Commission
Section 101, Liquor Control Reform Act 1998

PRODUCER'S LICENCE

Licence No. 32899999

Subject to the provisions of the Liquor Control Reform Act 1998 and any conditions specified in the licence, the licensee is authorised to supply liquor up to and including 31 December 2024

Licensee	JANE CITIZEN		
Address for service of notices	15 YARRA VALLEY ROAD YARRA VALLEY 5555	Licensed premises address	15 YARRA VALLEY ROAD YARRA VALLEY 5555
Trading as	WINES R US		

GENERAL INFORMATION
A liquor licence does not override local laws, planning schemes and conditions on planning permits. It is the responsibility of the licensee to ensure they comply with these and all conditions of a planning permit above what is specified on the liquor licence. Where the trading hours on your planning permit are less than the trading hours on this liquor licence, you must comply with the hours on the planning permit.

TYPE OF LICENCE
This licence is a producer's licence and authorises the licensee to supply liquor that is the licensee's product at any time and on any premises to a person who holds a licence under the Liquor Control Reform Act 1998.

This licence also authorises the licensee during the trading hours specified below to:

- ☐ supply liquor that is the licensee's product for consumption on or off the licensed premises; and
- ☐ supply liquor that is not the licensee's product for consumption on the licensed premises.

AMENITY
The licensee shall not cause or permit undue detriment to the amenity of the area to arise out of or in connection with the use of the premises to which the licence relates during or immediately after the trading hours authorised under this licence.

TRADING HOURS

Sunday, Good Friday and ANZAC Day	Between 10am and 11pm
On any other day	Between 7am and 11pm

AUTHORISATION TO SUPPLY LICENSEE'S PRODUCT AT EVENTS OFF THE LICENSED PREMISES
The licensee may supply liquor that is the licensee's product in sealed containers, bottles or cans and sales by the glass at events that are conducted off the licensed premises and that are not a major event within the meaning of Section 14B of the Liquor Control Reform Act 1998 and are not a horse racing event, subject to the following conditions:

- ☐ the licensee must keep a register of all events at which it has supplied its product and produce the records for inspection upon request by an authorised person.
- ☐ the licensee must have the consent of the event organisers to supply liquor at the event.
- ☐ any persons supplying liquor at a promotional event must have completed a responsible service of alcohol course approved by the Victorian Liquor Commission.
- ☐ liquor may be supplied at a promotional event between the hours of 7am and 8pm

End of Conditions - Printed on 01/01/2024

Liquor Control Victoria PO Box 1019, Richmond 3121
P: 1300 182 457 E: contact@liquor.vic.gov.au
liquor.vic.gov.au

This licence must be displayed in a conspicuous place on the licensed premises, in a manner that invites public attention.

Quiz

It's time to check your understanding of what has been covered in this guide. Please complete the questions below and check your responses against the answers provided at the back of this guide.

- Q.1 A customer only drinks one glass out of a bottle of wine they've purchased with their lunch in your winery restaurant. Can they take the bottle of wine home with them?**
- ☐ Yes ☐ No
- Explain your answer:
- Click or tap here to enter text.
- Q.2 During what hours are you allowed to supply your own product to other licence holders (wholesale)?**
- Click or tap here to enter text.
- Q.3 What does a promotional event authorisation allow a producer's licensee to do?**
- Click or tap here to enter text.
- Q.4 What time do trading hours finish?**
- ☐ 10pm
- ☐ 11pm
- ☐ 12 midnight.
- Q.5 Simone sells your wine in her restaurant. She calls to arrange to collect her next order at 8am on Sunday morning. Is it a breach of your licence to sell Simone wine at that time on a Sunday?**
- ☐ Yes ☐ No
- Explain your answer:
- Click or tap here to enter text.
- Q.6 You own a winery, a customer advises they don't like wine and ask if they can order a vodka and orange with their meal. Are you allowed to supply the customer vodka?**
- Click or tap here to enter text.
- Q.7 You have your own delivery driver who delivers cases of your wine to residents. Jane Smith is ordering a case of wine from you for the first time. Is your delivery driver required to only deliver to Jane and site her ID to confirm she is over 18?**
- Click or tap here to enter text.
- Q.8 You have a winery in the Yarra Valley Region, you want to set up a shop in Mornington Peninsula to sell your wine to the public. Can you do this under your existing licence?**
- Click or tap here to enter text.
- Q.9 What posters are you required to display at your venue?**
- Click or tap here to enter text.
- Q.10 When is the annual licence renewal fee due?**
- Click or tap here to enter text.

Answers

- Q.1 Yes, they may take it home providing it is within the off-premises trading hours listed on your licence and is the licensee's own product.
- Q.2 At any time.
- Q.3 A promotional event authorisation allows a producer's licensee to sell their product at as many farmers markets, craft markets, festivals, and promotional events as they wish.
- Q.4 11pm.
- Q.5 No, it is not a breach of your licence. She has a liquor licence too, so you can sell her your wine at any time on any day.
- Q.6 Yes, the licence allows the sale of any alcohol to a customer to consume at the venue, including alcohol that is not the licensee's own product.
- Q.7 Yes, for first time orders, alcohol must only be delivered and received by the customer who placed the order, and the delivery driver must verify their age by sighting an evidence-of-age document. It is your job as a licensee to instruct your delivery driver to do so.
- Q.8 No, you cannot set up a shop in Mornington Peninsula to sell your own wine using your existing licence, as the retail premises needs to be in the same geographical region as your winery. In this instance, you would need a separate licence for a shop in Mornington Peninsula.
- Q.9 'Intoxicated, Drunk Disorderly?' and 'Under 18? No supply'.
- Q.10 31 December.