Liquor Licensing Act 1997

# Limited (Event based) licences Existing Licensees

## When do you need a Limited Licence

The *Liquor Licensing Act 1997* permits liquor to be sold and consumed subject to any conditions on your licence. Any changes for one-off special events need to be approved by the licensing authority via a limited licence applications. Such changes may include extended trading hours, additional trading areas, or to obtain entertainment consent.

A limited licence is granted subject to certain conditions, which include the requirement to display the licence in a prominent position during the whole of the event.

## How do I apply?

Complete an application form available at www.cbs.sa.gov.au - Liquor Apply on Line.

## When to lodge your application

Small events - no later than **14 days** before the event Large events - no later than **60 days** before the event

## What information may I need to provide with my application form?

□ Fees

All Fees are required at time of application. For the latest fees, refer to <a href="www.cbs.sa.gov.au">www.cbs.sa.gov.au</a>. High risk events require the payment of the High risk fee.

No fee is payable where, in the opinion of the licensing authority, the function is to be held for a charitable, or other community, purpose. To qualify for this fee, please outline the benefit of the event to your charity, community and self.

## The following may be required for outdoor or large events

	Approval -	Local	Council,	SA	Police,	Landlord
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If you will be holding an event in a public place, or on a premises not owned by you, you will need to provide evidence that the you have approval for the event.

#### ☐ Map of area

A sketch or onsite plan outlining where the licence is required.

#### ☐ Public liability insurance detail

You need to insure you are covered for any accident or injury.

#### □ Safety measure

- Risk management plan and emergency procedures.
- Provide details of any licensed security or approved crowd controllers at the function.
- Details of any safety equipment being provided
- First aid, medical or ambulance services.

#### □ Toilets and drinking water and shelter

Large events should ensure there are adequate toilets and free drinking water for the number of people expected to attend.

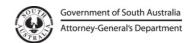
If you are erecting a marquee, provide details of the size and location.

#### □ Entertainment

You need to provided details of the type or entertainment being provided, including location and duration.

#### Other points to consider

- Liquor cannot be sold or supplied in glass containers for outdoor functions unless specific approval has been given by the licensing authority.
- If the function is to go past 1am or is in an outside area, written council consent may be required.
- As police views are often sought in respect of limited licence applications, you may wish to obtain the views of the local police before lodging your application.



## Sale of Liquor

The Liquor Licensing Act 1997 broadly defines the term 'sale' to include -

- To barter or exchange;
- To offer or expose for sale, barter or exchange;
- To supply, or offer to supply, in circumstances in which the supplier derives, or would derive, a direct or indirect pecuniary benefit;
- To supply, or offer to supply, gratuitously but with a view to gaining or maintaining custom, or otherwise with a
  view to commercial gain.

If the use of liquor falls into any one of these categories you will need a licence.

Examples defined as 'selling' liquor include events where:

- There is a cover charge but liquor is BYO
- The consumption of liquor is included in the cover charge, eg, food, drinks and entry included in the ticket price, even at a private home
- Entry is by donation
- Wine tasting is being offered with a view to selling wine, whether at the event or in the future
- Liquor is supplied as part of a pooled money arrangement, eg, where social club fees are used to purchase liquor
- Where liquor is offered as a 'gift' when an item is purchased.

## Consumption of liquor on a regulated premises

Regulated premises are defined to include -

- Licenses premises;
- A restaurant, café or shop;
- An amusement parlour or amusement arcade;
- A public place that is being used for the purposes of an organised event, where admission to the event is gained on payment of money, presentation of a pre-paid ticket or purchase of some item;
- A public conveyance, e.g., bus, limousine, boat;
- Premises declared to be a regulated premises, e.g., Dry Area.

Whether or not you are selling liquor, you will need a limited licence if you are simply supplying liquor on a regulated premises.

Some examples of events where liquor is supplied on regulated premises, even where no sale of liquor or entry fee is involved, include:

- Using a bus for consumption of liquor, e.g., winery tour
- Hosting a private party or function in an unlicensed restaurant, café or shop;
- Consuming liquor in a limousine, train or boat
- Hosting a party in a public place which has been declared a regulated premises.

You will need a limited licence if you intend to hold a function where alcohol will be consumed in a declared dry area. Council permission is required in these circumstances.

## **Useful resources**

SA Health has published a "Guideline for the Management of Public Health and Safety at Public Events" to assist event planning. To obtain a copy visit www.health.sa.gov.au.

# For more information

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