

# Club Licence Information

(From November 2019)

*This licence lets clubs sell liquor for consumption on and, in some circumstances, off the premises.*

## Existing licences

The existing club licence category will remain.

All existing club licences, limited club licences and some special circumstances licences will be incorporated into the category.

## Key points about club licences

Subject to the conditions of the licence, the category authorises the licensee to sell liquor:

- > for consumption on the premises
- > to a resident of the premises for consumption on or off the premises
- > to a club member through direct sales transactions, as long as liquor is despatched and delivered in South Australia between 8am to 9pm.

Licensees may also be authorised to sell take-away liquor but will need to apply to the licensing authority.

The licence does not authorise the sale of packaged liquor from a drive-in or drive through bottle shop.

The licence requires the club to:

- > notify the Commissioner of changes to their management committee within 14 days, using the notice of change form
- > remove persons from the management committee urgently if the licensing authority considers them not a fit and proper person to be in a position of authority.

## Eligibility to hold club licence

A licence may only be held by a club that is:

- > a non-profit association incorporated under the *Associations Incorporation Act 1985*
- > a company limited by guarantee under the *Corporations Act 2001* (Cth).

The licensing authority may grant a club licence to a trustee for an association if satisfied that:

- > the association is unable to become incorporated
- > it is not appropriate to require the incorporation of the association.

The licence cannot be held unless the licensing authority is satisfied that:

- > the club is solely in control of the premises at the times that liquor is being sold
- > the club rules require:
  - management by a committee elected by the club members
  - regular meetings of members and the management committee
  - admission to club membership
  - membership fees
  - records of club proceedings and financial affairs.



Two or more clubs—e.g. a football club and a cricket club—may be granted a licence over a single premises if:

- > they are solely in control of the premises at the time that liquor is being sold
- > each licensee maintains a register of details required by the licensing authority e.g. hours when they had exclusive possession of the premises.

## Endorsements

The new club licence category includes provisions to remove administrative burden on clubs that wish to hold club events involving the sale or supply of liquor outside of a clubs licensed area. Rather than having to apply for a short term licence, under the new club licence a club may seek a club event endorsement on its licence for events held on a site used for club activities, but which is outside the licensed area. For example, a football club may be licensed to sell liquor in their club room, but wish to also sell liquor on the football grounds on game days. Rather than apply for a short term licence for each game day, they may wish to apply for a club event endorsement, which is ongoing.

Similarly under the new club licence category, a club may seek a club transport endorsement to allow the sale, supply or consumption of liquor by members of the club on a public conveyance, for example a bus, for the purpose of transporting members to and from club activities. This may be used, for example, by football clubs who wish to licence the bus which transports their football teams from a home ground to an away ground. Rather than having to apply for a short term licence each time, a club transport endorsement would be an ongoing authorisation.

This information should not be relied upon as a substitute for professional legal advice or reference to the actual legislation.