



# LIQUOR REGULATIONS 2006

[Consolidated as at 5 June 2007  
on the authority of the Administrator  
and in accordance with  
the *Enactments Reprinting Act 1980*]

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## TABLE OF PROVISIONS

### PART 1 - PRELIMINARY

1. Short title
2. Interpretation

### PART 2 – FEES FOR LICENCES

3. General licence – application and renewal
4. Restaurant licence – application and renewal
5. Club licence – application and renewal
6. Special event permit - application
7. Manufacturer’s licence – application and renewal
8. BYO licence – application and renewal
9. Variation of licence
10. Relocation of licence
11. Transfer of licence
12. Objection to application

### PART 3 – STANDARDS FOR LICENSED PREMISES

13. Licensing Standards Manual
14. Form of Licence

### PART 4 – RESPONSIBLE SERVING OF LIQUOR

15. Responsible practices in the service, supply and promotion of liquor
16. Establishment of a house policy
17. What is a house policy

18. Where to get advice
19. Refusal of service
20. Why service is refused
21. When refusing service to a patron

**PART 5 - MISCELLANEOUS**

22. Where no forms are prescribed
23. Persons serving liquor

**SCHEDULE**



## LIQUOR REGULATIONS 2006

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### PART 1 — PRELIMINARY

#### Short title

1. These Regulations may be cited as the *Liquor Regulations 2006*.

#### Interpretation

2. In these Regulations a reference to “the Act” is a reference to the *Liquor Act 2005* and a reference to forms is a reference to a form in the Schedule.

### PART 2 — FEES FOR LICENCES

#### General licence — application and renewal

3. (1) For the purposes of subsection 17(2) of the Act, the fee for an application for a general licence is 20 fee units and the form is form 1.

- (2) For the purposes of subsection 31(2) of the Act, the fee for the renewal of a general licence is —

....

- (b) 20 fee units,

whichever is the greater and the form is form 4.

- (3) If there is a period of less than 12 months between the grant of a general licence and the application for renewal, the licence fee payable by the licensee for the renewal is —

....

- (b) 20 fee units,

whichever is the greater.

#### Restaurant licence — application and renewal

4. (1) For the purposes of subsection 17(2) of the Act, the fee for an application for a restaurant licence is 20 fee units and the form is form 1.

- (2) For the purposes of subsection 31(2) of the Act, the fee for the renewal of a restaurant licence is —

....

- (b) 20 fee units,

whichever is the greater and the form is form 4

#### Club licence — application and renewal

5. (1) For the purposes of subsections 17(2) of the Act, the fee for an application for a club licence is 20 fee units and the form is form 2.

- (2) For the purposes of subsection 31(2) of the Act, the fee for the renewal of a club licence is —

....

- (b) 20 fee units,

whichever is the greater and the form is form 4.

(3) If there is a period of less than 12 months between the grant of a restaurant licence and the application for renewal, the licence fee payable by the licensee for the renewal is —

....

- (b) 20 fee units,

whichever is the greater.

**Special event permit — application**

6. For the purposes of subsections 64(3) of the Act, the fee for an application for a special event permit is □

- (a) for cliff top fish fries;
- (b) progressive dinners  
10 fee units for a permit for 12 months,
- (c) for events such as Jazz festival, Country music and the like  
8 fee units for a permit for 7 days,
- (d) for events such as a wedding or birthday  
2 fee units for one night, and
- (e) any other event  
2 fee units per night

and the form is form 8.

**Manufacturer's licence — application and renewal**

7. (1) For the purposes of subsections 17(1) of the Act, the fee payable by the applicant for the grant of a manufacturer's licence is 20 fee units and the form is form 1.

(2) The fee payable for the renewal of a manufacturer's licence is 20 fee units and the form is form 4.

(3) If there is a period of less than 12 months between the grant of a manufacturer's licence and the application for the renewal, the fee payable for the renewal of the licence is calculated on a pro rata basis.

**BYO licence — application and renewal**

8. (1) For the purposes of subsections 17(2) of the Act, the fee payable by the applicant for the grant of a BYO licence is 20 fee units and the form is form 1.

(2) The fee payable for the renewal of a BYO licence is 20 fee units and the form is form 4.

(3) If there is a period of less than 12 months between the grant of a BYO licence and the application for the renewal, the fee payable for the renewal of the licence is calculated on a pro rata basis.

**Variation of licence**

9. For the purposes of subsections 26(3) of the Act, the fee for an application for variation of a licence is 3 fee units.

**Relocation of licence**

10. For the purposes of subsection 28(2) of the Act, the fee for an application for a relocation of a licence is 20 fee units.

**Transfer of licence**

11. For the purposes of subsection 29(3) of the Act, the fee for an application for the transfer of a licence is 3 fee units and the form is form 6.

**Objection to application**

12. For the purposes of subsection 38(2) of the Act, the fee to lodge an objection to an application is 3 fee units.

**PART 3 — STANDARDS FOR LICENSED PREMISES****Licensing Standards Manual**

13. (1) The Board shall cause a book, to be called the Licensing Standards Manual, to be prepared.

(2) The Board shall set out in the manual the general standards that, have effect as the standards to be met in relation to the premises in respect of which licences are sought.

(3) In relation to premises in respect of which a general licence or a BYO licence or a restaurant licence is sought the Board may include in the manual general standards in relation to —

- (a) the materials that may be used in the surfacing of floors, walls and ceilings;
- (b) the materials that may be used in the surfacing of bars, counters, tables, fitments and items of furniture to be used in connection with the service or consumption of liquor or meals;
- (c) the treatment of walls and ceilings in bar-rooms and dining rooms to reduce noise;
- (d) the means to be adopted for heating, cooling, ventilating and lighting the premises;
- (e) the material that may be used in the surfacing of walls and floors in outdoor areas to be used for the sale of or consumption of liquor or food;
- (f) the furnishing of the premises including the seating accommodation to be provided and the manner in which that seating is to be distributed over the premises;
- (g) the equipment and facilities to be provided for the preparation of meals;
- (h) the quantity and quality of cutlery, crockery and glassware to be provided and kept available in the premises;
- (i) the provision of toilet facilities for members of the public;
- (j) the location and construction of facilities for the storage of liquor;
- (k) the provision of areas suitable for dancing; and
- (l) other general standards that the Registrar deems appropriate to recommend.

(4) In relation to premises in respect of which a manufacturer's licence is sought the Board may include in the manual general standards in relation to —

- (a) the location and construction of facilities for the storage of liquor;
- (b) the location and construction of facilities for the sampling of liquor;
- (c) the means to be adopted for the display of liquor for sale; and
- (d) other general standards that the Board deems appropriate to recommend.

(5) In relation to premises in respect of which a club licence is sought the Board may include in the manual general standards in relation to —

- (a) the materials that may be used in the surfacing of bars, counters, tables, fitments and items of furniture to be used in connection with the service or consumption of liquor or meals;
- (b) the materials that may be used in the surfacing of walls and floors in areas adjacent to bars and counters used in connection with the service of liquor;
- (c) the location and construction of facilities for the storage and display of liquor;
- (d) the treatment of walls and ceilings to reduce noise; and
- (e) other general standards that the Registrar deems appropriate to recommend.

(6) In exercising its powers under subregulations (1) to (5) (inclusive) the Board may, under the same subregulation, include in the manual different general standards in respect of different types or classes of premises or premises situated in different parts of Norfolk Island.

(7) The Board may include in the manual details of the prescribed course referred to in paragraph 45(1)(e) of the Act.

#### **Form of Licence**

14. A licence issued under the Act shall be in the form of form 3.

### **PART 4 — RESPONSIBLE SERVING OF LIQUOR**

#### **Responsible practices in the service, supply and promotion of liquor**

15. (1) Each licensee and special event permit holder must behave responsibly in the service, supply and promotion of liquor.

(2) A licensee or special event permit holder must not engage in a practice or promotion that may encourage rapid or excessive consumption of liquor.

##### **Examples—**

- promoting the consumption of drinks known as 'laybacks', 'shooters' or 'test-tubes'
- promoting 'free drinks for 2 hours', '3 drinks for the price of 1' or 'all you can drink for \$10.00'.

•  
**(3)** Each licensee and special event permit holder must engage in practices and promotions that encourage the responsible consumption of liquor.

**Examples—**

- promoting the consumption of light or low alcohol drinks
- promoting a “designate driver” program whereby a person designated to drive persons from the licensed premises is provided with free or low priced soft drink in consideration of their agreeing not to consume alcoholic drink.
- serving food with drinks to slow the rate of consumption of drinks and the absorption of alcohol
- supplying liquor in standard or recognisable quantities
- serving half measures of spirits on request.

**(4)** Each licensee and special event permit holder must provide and maintain a safe environment in and around the licensed premises.

**Examples—**

- arranging the supply and convenient positioning of public telephones displaying
- taxi and emergency numbers
- providing lighting outside the external doors of the premises
- not promoting activities that might encourage harassment by patrons of the staff or other patrons.

**Note:** Persons planning a function which may infringe this regulation, should discuss the activity with the inspector to ensure adequate measure have been put in place to prevent rapid or excessive consumption of liquor by those attending.

Penalty: Suspension of licence for a period not exceeding one month.

**Establishment of a house policy**

**16.** The applicant for a licence under the Act is encouraged to establish and maintain a house policy.

**What is a house policy?**

**17.** A house policy is a document that contains general information on the manner in which the business is operated. It should broadly outline the applicant’s business—philosophy and what the applicant intends to achieve in relation to atmosphere, entertainment, patron enjoyment and customer service.

The creation and adoption of a house policy is considered by the Board to be a desirable strategy to encourage responsible service of alcohol practices from staff.

**Where to get advice**

**18.** The Board and the Registrar encourages all applicants and existing licensees and staff to develop and implement House Policies. Once a draft document has been prepared, the Registrar will provide comments back to an applicant and staff.

**Refusal of service**

**19. (1)** Staff of licensed premises may refuse service to patrons at any time  
 For example: patrons not meeting management's dress regulations.

**(2)** Staff must refuse service to patrons who are minors or unduly intoxicated or disorderly.

**Why service is refused**

**20.** A licensee and staff of a licensee are entitled to refuse service to a patron for the following reasons:-

- (a) safety of the patron
- (b) safety of others
- (c) contravention provisions of the Liquor Act and Regulations

For example: If the person is a minor or unduly intoxicated or disorderly.

- (b) civil liability

**When refusing service to a patron**

**21.** A licensee or the staff of a licensee in refusing service are, so long as may be reasonable in the circumstances, required to comply with the following-

- (a) Use tact. Politely inform the patron that they will not be served any more alcohol. Don't speak to the patron in front of others if it can be reasonably avoided.
- (b) Repeat firmly, that by law they cannot be served another drink. Management policy may be to offer a non-alcoholic drink or to suggest ordering food.
- (c) Notify the manager/licensee/supervisor or security or if necessary the Inspector or police. Also notify other bars in the premises that service to the patron has been refused. The Inspector or police may be notified of the action in order to that, if it is thought appropriate, other licensed premises may be warned of the action.
- (c) If considered necessary, management may impose a short term ban.

**PART 5 – MISCELLANEOUS****Where no forms are prescribed**

**22.** Where no forms are prescribed for a purpose the Registrar may provide forms or may accept an application if it is on paper of A4 size, and typewritten or legibly handwritten, provided that it contains all of the information required for the particular purpose and is accompanied by the prescribed fee, if any.

**Persons serving liquor**

**23. (1)** All licensees and persons who serve liquor to members of the public are required to have passed a course on the responsible serving of liquor prescribed or approved by the Board.

**(2)** A licensee who serves or who permits a person to serve liquor in breach of subregulation (1) commits an offence.

Penalty: 3 penalty units

**(3)** Subregulation (2) does not come into effect until the day that is 3 months after the commencement of the Act or such later date being a date that is not later than a further 6 months as may be prescribed.



SCHEDULE  
FORMS

NORFOLK



ISLAND

Liquor Regulations 2006  
Form 1  
APPLICATION

Application for –

- General Licence**  Tavern  Hotel  Guest house
- Restaurant Licence**
- BYO Licence**
- Manufacturer’s Licence**

This application must be lodged with the Registrar of the Liquor Licensing Board and must be accompanied by a plan showing the parts of the premises in which liquor will be sold.

**Full name of applicant**

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**Address of applicant** – in the case of a body corporate, address of registered office

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**If appropriate, full name of nominee**

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**Particulars of premises to which Licence or approval is sought**

**Name:** \_\_\_\_\_

**Road:** \_\_\_\_\_

**Portion No:** \_\_\_\_\_

**Complete for General, Restaurant, BYO, Special, Manufacturer’s Licence** (describe by reference in plan attached to application)

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Room/s proposed for use as bar/rooms

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Place on premises at which food will be available for sale in relation to each bar-room

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Particulars of food that will be available at such place

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**Proposed trading hours**

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**Complete for application for approval of alterations only.**

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Outline of nature of proposed alteration. Rooms proposed as bar-rooms must be specified. Plans and specifications of the alterations together with planning approval must be lodged with the application.

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Date:

Signature of Applicant

NORFOLK



ISLAND

**Liquor Regulations 2006  
Form 2**

**APPLICATION FOR CLUB LICENCE**

**APPLICATION** is made for the issue of a Club Licence to the Club named below.

Full Name of Applicant	_____
Address of Applicant - (in the case of a body corporate, address of registered office)	_____
Name of Nominee (if applicable)	_____
Name of Club	_____
Particulars of premises of the Club	Portion No. _____ Road _____
Purpose for which the Club is established	_____
Number of financial members of the club who had attained the age of 18 years on the day immediately preceding the day of which this Application is made	_____

Date:

Signature of Applicant



**Liquor Regulations 2006  
Form 3**

**LICENCE**

A TAVERN/HOTEL/GUESTHOUSE/RESTAURANT/CLUB/BYO/MANUFACTURER'S LICENCE under the *Liquor Act 2005* is hereby issued to **(full name of licensee)** of (address of licensee) in respect of (particulars of premises, including name (if any) of premises), situated at (address)

This licence is issued subject to the following conditions: (set out conditions)

This licence shall be in force until the expiration on 30 June, next

Registrar of Liquor Licenses

NORFOLK ISLAND



**Liquor Regulations 2006  
Form 4**

**APPLICATION FOR RENEWAL OF LICENCE**

APPLICATION is made for the renewal of

- General Licence**  **Tavern**  **Hotel**  **Guest house**   
**Restaurant Licence**   
**BYO Licence**   
**Club licence**   
**Manufacturers Licence**

Issued to (full name of licensee) of (address of Licensee) on (date of issue of licence) in respect of (particulars of licensed premises, including name) situated at (address of premises)

\*The number of financial members of the applicant Club who, at the date of this application, have attained the age of 18 years is

\* The renewal fee of \$            is paid with this application.

Date:

Signature of Applicant



**Liquor Regulations 2006  
Form 5**

**RENEWAL OF LICENCE**

The TAVERN/HOTEL/GUESTHOUSE/RESTAURANT/CLUB/BYO/MANUFACTURER'S LICENCE issued under the *Liquor Act 2005* to (full name of licensee) of (address of licensee) on (date of issue/renewal of licence) in respect of (particulars of premises including name if any) is hereby renewed.

\*This licence hereby renewed will continue in force for 12 months, expiring on 30 June, 20

The renewal fee of \$

Dated:

Registrar of Liquor Licences

NORFOLK



ISLAND

Liquor Regulations 2006

Form 6

APPLICATION FOR APPROVAL OF TRANSFER OF

- General Licence  Tavern  Hotel  Guest house
- Restaurant Licence
- BYO Licence
- Manufacturers Licence

Application is made for approval of the transfer of the licence specified below

Full name of licensee \_\_\_\_\_

Full name of proposed licensee \_\_\_\_\_

Address of proposed licensee (in case of a body corporate, address of registered office) \_\_\_\_\_

If the proposed licensee is a body corporate, Full name of the proposed nominee \_\_\_\_\_

Particulars of premises Name \_\_\_\_\_

To which licence relates Road \_\_\_\_\_

Portion No. \_\_\_\_\_

**Complete for General, Restaurant, BYO, Manufacturer's Licence only – If necessary describe by reference to plan attached to application**

Room/s on licensed premises proposed for use as bar-room/s \_\_\_\_\_

Place on licensed premises at which food will be available for sale in relation to each bar-room. \_\_\_\_\_

**Complete for Club Licence only**

Purpose for which transferee club established

Number of Financial member of transferee club who on date of application have attained 18 years.

Date:

Signature of Proposed Licensee

Signature of licensee

NORFOLK ISLAND



**Liquor Regulations 2006**

**Form 7**

**MEMORANDUM OF TRANSFER OF LICENCE**

LICENCE transferred to (full name of proposed licensee) of (address) as authorised under the *Liquor Act 2005*.

This transfer takes effect forthwith.

Date

Registrar of Liquor Licences

NORFOLK



ISLAND

Liquor Regulations 2006

Form 8

APPLICATION FOR SPECIAL EVENT PERMIT

APPLICATION is made for the grant of a special event permit to the applicant in respect of the special event specified below

Full name of Applicant

\_\_\_\_\_

Address of Applicant

\_\_\_\_\_

Particulars of Place(s) of special event/entertainment

Portion No. \_\_\_\_\_

Road \_\_\_\_\_

Name of Premises \_\_\_\_\_

(if premises are not licensed, please attach a site plan)

Date/s of special event/entertainment

\_\_\_\_\_

Hours during which special event/entertainment to be conducted

\_\_\_\_\_

Particulars of the special event/entertainment: (dance, social gathering, progressive dinner etc)

\_\_\_\_\_

Number of Persons Likely to be Present: at special event/entertainment

\_\_\_\_\_

\_\_\_\_\_

Particulars of toilet facilities to be provided

\_\_\_\_\_

Date:

Signature of Applicant:

APPLICATION APPROVED/REFUSED

To: Chief Inspector.....Date:.....

I,.....being the person in possession/control of the above premeises, hereby consent to the use of the premises for the above entertainment.

Signature.....

Date:.....

APPLICATION GRANTED SUBJECT TO:

REGISTRAR.....

Date:.....



