

# Application to remove a demerit point incurred under the New Incentives and Demerit Point System

## Before you complete this form

### What this form is for

Use this form if you want to apply to the Independent Liquor & Gaming Authority (Authority) to remove a demerit point. The Authority can consider removing demerit points in two circumstances:

- ▲ where there is not more than one demerit point in force, the demerit point is a category 1 offence and the licensee, manager or club secretary has not committed a demerit offence in the preceding 10 years, or
- ▲ where operators can demonstrate they have addressed the risks that led to the demerit offence or prescribed complaint and 12 months have passed since the demerit point was incurred or imposed.

### Who can apply

- ▲ Applications for the removal of a demerit point are restricted to the following:
  - a. if the demerit point is in force in relation to a licensee – the licensee,
  - b. if the demerit point is in force in relation to a manager of licensed premises – the manager,
  - c. if the demerit point is in force in relation to a club licence – the secretary of the registered club that holds the club licence.

### What you need to know

In deciding an application, the Authority will consider the following:

- ▲ Applications to remove a demerit point based on the 10-year compliance history of the licensee, manager or club secretary.
  - a. the Secretary, Department of Customer Service or the Authority have not taken any action in relation to the licensee, manager or club secretary as a result of the demerit point or demerit offence.
  - b. the act or circumstances of the demerit offence did not result in serious harm to any person.
  - c. the licensee, manager or club secretary have implemented measures, or undertaken training or instruction to manage or reduce the risks that contributed to the commission of the demerit offence.

#### Note:

This does not include any measure or course of training or instruction required under a provision of the Act or regulations.

- d. a further category 1 or category 2 demerit offence has not been contravened since the demerit point was incurred.
- e. whether the licensee has entered into a liquor accord and the licensee's compliance with the terms of the liquor accord.

*continue overleaf*

## How to lodge this form

✉ [ilga.secretariat@liquorandgaming.nsw.gov.au](mailto:ilga.secretariat@liquorandgaming.nsw.gov.au)

Include 'APP997 Application to remove a demerit point incurred under the New Incentives and Demerit Point System' in the subject line.

✉ The Chairperson  
Independent Liquor &  
Gaming Authority  
GPO Box 7060  
Sydney NSW 2001

Provide all pages of this application and supporting documents with payment.

## Need more information?

🔍 [liquorandgaming.nsw.gov.au](http://liquorandgaming.nsw.gov.au)

Search for 'New Incentives and Demerit Point System'.

✉ [ilga.secretariat@liquorandgaming.nsw.gov.au](mailto:ilga.secretariat@liquorandgaming.nsw.gov.au)

☎ 1300 024 720

## Your privacy

We will handle your personal information in accordance with the *Privacy and Personal Information Protection Act 1998*. It is being collected by L&GNSW and will be used for the purpose of processing your application and may be disclosed to other Government agencies for this purpose. General information and the Authority's decision about your application may be published on the L&GNSW website. You have the right to request access to, and correct details of, your personal information held by us. You can access further information on privacy at [liquorandgaming.nsw.gov.au](http://liquorandgaming.nsw.gov.au).

# Application to remove a demerit point incurred under the New Incentives and Demerit Point System

- ▲ Applications to remove a demerit point after addressing the associated risks in a 12-month period since incurring the demerit point.
  - a. any remedial action taken by the Authority has been complied with.
  - b. the licensee, manager or club secretary have implemented measures, or undertaken training or instruction to manage or reduce the risks that contributed to the commission of the demerit offence.
  - c. a further category 1 or category 2 demerit offence has not been contravened since the demerit point was incurred. A copy of the review application will be provided to Liquor & Gaming NSW, NSW Police and Council for comment.

**Note:**

Do not use this form to request a review of an Authority decision by the NSW Civil and Administrative Tribunal (NCAT).

**Cost**

Fees payable for an application for review are prescribed under the Liquor Regulation 2018. The fee payable for this application is \$519.

Fees paid for by credit card will include a surcharge. GST is included. Fees are subject to change without notice. The application for review must be accompanied by the prescribed payment amount before processing can commence.

**Please check**

Have you answered all questions in Parts 1 and 2?

Have you read and signed Part 3?

**I have attached**

Any material in support of the application for review.

**OFFICE USE ONLY**

APP997

By

 Email    Mail

Date lodged

DD / MM / YYYY

Received by

**Residential street address**
  
  


Suburb/town/city

State

Postcode

**Is your postal address the same as above?**

- Yes
- No ▶ Please provide your postal address.

**Postal address**

GPO/PO Box or street address

  
  


Suburb/town/city

State

Postcode

**Part 2 About the review request**

This application for review requests the removal of a demerit point based on the following:

- 10-year clean compliance history of the licensee, manager or cub secretary.
- associated risks being addressed in a 12-month period since incurring the demerit point.

Are there additional pages attached to this application for review?

- Yes    No

Please attach any material in support of the application for review.

**Part 1 Review applicant details**

The review application relates to:

- Licensee
- Approved Manager
- Club Secretary

**\*Indicates mandatory fields**

Mr    Ms    Mrs    Miss    Other

\*Given name

Middle name

\*Family name

Licence name (usually the trading name)

Liquor licence number

LIQ  H  4 

Suburb/town/city

\*Email

  


Contact phone

continue overleaf

LQ6417\_151220

## Part 3 Applicant declaration

- ▲ I declare that the contents of this submission including attachments are true and correct.
- ▲ I acknowledge that under section 36 of the Gaming and *Liquor Administration Act 2007* and section 307A of the *Crimes Act 1900* it is an offence to provide false, misleading or incomplete information in this submission.
- ▲ I understand that this application will be provided to L&GNSW, NSW Police and Council for comment
- ▲ I understand that specific details I have supplied in this application may be 'personal information' under the *Privacy and Personal Information Protection Act 1998*.
- ▲ Personal information is any information or opinion that identifies an individual or enables someone to identify an individual.
- ▲ I acknowledge that L&GNSW is collecting information on behalf of Independent Liquor & Gaming Authority to enable processing of the application.
- ▲ I also understand that L&GNSW will use this information for its intended purpose only, store the information securely, and allow me to access and update the information. When processing this application, L&GNSW may disclose information to other Government agencies.

Name

Signature

Date

## Part 4 Payment

Fees payable for an application for review are prescribed under the Liquor Regulation 2018. The fee payable for this application is **\$519**.

Pay by credit card or PayPal® using the following link:

[www.liquorandgaming.nsw.gov.au/applicationpayments](http://www.liquorandgaming.nsw.gov.au/applicationpayments)

- ▲ **Step 1**  
Click on the link or type the URL into your web browser
- ▲ **Step 2**  
Follow the instructions online to complete the payment
- ▲ **Step 3**  
When the lodgement fee is paid online you will receive a receipt number. Please record the receipt number below before lodging the application. Not providing this information may result in delays in processing your application.

Receipt number: