

Disciplinary complaint against liquor licence, registered club or associated individuals

Liquor & Gaming NSW

Before you complete this form

What this form is for

This form allows the Commissioner of Police or the Secretary of the NSW Department of Customer Service to lodge a complaint with the Independent Liquor & Gaming Authority in relation to any of the following:

- ▲ licensee of licensed premises
- ▲ close associate of a licensee of licensed premises
- ▲ manager of licensed premises
- ▲ registered club
- ▲ secretary of a registered club
- ▲ member of the governing body of a registered club

Cost

There is no fee for this service.

If information is missing, we'll need to ask you to supply the required information to support the application. This may delay our response.

Please check

- ☐ Have you answered all questions in Parts 1 to 5?
- ☐ Have you attached copied, completed and attached additional pages if required (Part 5)?
- ☐ Have you have attached a detailed submission letter supporting this complaint (Part 6)?
- ☐ Have you read and signed Part 7?

How to lodge this form

✉ ilga.secretariat@liquorandgaming.nsw.gov.au

✉ Liquor & Gaming NSW
Att: ILGA Secretariat
GPO Box 7060
Sydney NSW 2001

Provide all pages of this application and supporting documents. There's no need to include this introduction page.

Need more information?

🌐 liquorandgaming.nsw.gov.au

✉ 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*. Complainant contact details will be provided to the licensee and other relevant persons associated with the licence for the purpose of processing your application. Providing this information is voluntary, but where relevant information is not provided this may lead to your application being delayed or not further considered. By providing this information, the Complainant consents to the licensee and/or other relevant parties directly contacting the complainant for the purposes of responding to the complaint. 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.

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intentionally blank**

Disciplinary complaint against liquor licence, registered club or associated individuals

Liquor & Gaming NSW

OFFICE USE ONLY

AM0222

By	<input type="checkbox"/> Email <input type="checkbox"/> Mail
Date lodged	<input type="text" value="DD / MM / YYYY"/>
Request no.	<input type="text"/>
Finalised by	<input type="text"/>
Date finalised	<input type="text" value="DD / MM / YYYY"/>
Notification issue date	<input type="text" value="DD / MM / YYYY"/>

Part 1 The applicant

This application is being lodged by:

- ☐ Commissioner of Police
- ☐ Secretary of the NSW Department of Customer Service

Part 2 About the liquor licence, registered club or associated individuals

Liquor licence / registration number

LIQ

Licence name

Registered club If applicable

Secretary or member of the governing body of registered club If applicable

Part 3 Grounds under the *Liquor Act 2007*

List the grounds under section 139 of the *Liquor Act 2007* on which the complaint is made, if applicable.Check ☒ all that apply

- ☐ The licensee or manager has, while holding a licence or managing licensed premises, been convicted of an offence under the *Liquor Act 2007*, *Liquor Regulation 2008*, *Liquor Act 1982* or of an offence prescribed by the regulations.
- ☐ The licensee or manager has failed to comply with any of the conditions to which the licence is subject.
- ☐ The licensee has failed to comply with any of the conditions to which any authorisation or approval held by the licensee under the *Liquor Act 2007* is subject.
- ☐ The licensee or manager has failed to comply with any other requirement under the *Liquor Act 2007*, *Liquor Regulation 2008* or *Liquor Act 1982* relating to the licence or the licensed premises.
- ☐ The licensee or manager has failed to comply with a direction or other requirement of Liquor & Gaming NSW (L&GNSW), the Secretary of the NSW Department of Customer Service, or the Commissioner of Police under the *Liquor Act 2007*, or of the Secretary or the Commissioner under the *Liquor Act 1982*.
- ☐ The licensee or manager has engaged in conduct or activities that are likely to encourage misuse or abuse of liquor (such as binge drinking or excessive consumption).*
- ☐ Intoxicated persons have frequently been on the licensed premises or have frequently been seen to leave those premises.*
- ☐ Acts involving violence against persons or damage to property have frequently been committed on or near the licensed premises by persons who have been on the licensed premises.*
- ☐ Two or more serious indictable offences involving violence have been committed within a 12-month period—
- (i) by persons on the licensed premises, or
 - (ii) near the licensed premises by persons who have been on the licensed premises within a reasonable time before the act occurred, or
 - (iii) near the licensed premises by persons attempting to enter, or who have been refused entry to, the licensed premises within a reasonable time before the act occurred*

continue overleaf

- ☐ Two or more incidents posing a serious risk to the health or safety of persons have occurred within a 12-month period—
- (i) involving persons on the licensed premises, or
- (ii) near the licensed premises involving persons who have been on the licensed premises within a reasonable time before the incident occurred, or
- (iii) near the licensed premises involving persons attempting to enter, or who have been refused entry to, the licensed premises within a reasonable time before the incident occurred*
- ☐ The licensee is not a fit and proper person to be the holder of a licence, or the manager is not a fit and proper person to be the manager of the licensed premises.
- ☐ A close associate is not a fit and proper person to be a close associate of the licensee
- ☐ A complaint against a licensee under this section has previously been made and:
- the close associate knew or ought reasonably to have known that the licensee was engaging (or was likely to engage) in conduct of the kind to which the complaint relates, and
 - the close associate failed to take all reasonable steps to prevent the licensee from engaging in conduct of that kind.
- ☐ The close associate is (or has become) a close associate of a licensee while disqualified by the Authority from being a close associate.
- ☐ A person who is interested in the business, or in the conduct or profits of the business, carried on under the licence is not a fit and proper person to be so interested
- ☐ A person is (or has become) a person who is interested in the business, or in the conduct or profits of the business, carried on under a licence while disqualified from being a person so interested.
- ☐ In the case of a limited licence – the licensee has not exercised proper control and supervision over a function held under the licence.
- ☐ In the case of a limited licence – it is not in the public interest for liquor to be sold or supplied at functions held by or under the auspices of the non-proprietary association on whose behalf the licence is held.
- ☐ In the case of a licence held by a corporation – a person who occupies a position of authority in the corporation is not a fit and proper person to occupy such a position in the corporation that is the holder of the licence.
- ☐ Public entertainment has been conducted on the licensed premises otherwise than in accordance with any requirements under the *Environmental Planning and Assessment Act 1979* relating to the use of the premises for public entertainment.
- ☐ The licence has not been exercised in the public interest.

- ☐ The continuation of the licence is not in the public interest.

*Grounds of complaint under section 139 of the *Liquor Act 2007* that are applicable under the New Incentives and Demerit Points System.

Part 4 Grounds under the *Registered Clubs Act 1976*

List the grounds under section 57F of the *Registered Clubs Act 1976* on which the complaint is made, if applicable.

Check ☒ all that apply

- ☐ The requirements specified in section 10(1) of the *Registered Clubs Act 1976* are not being met, or have not been met, by the club or the person.
- ☐ The supply of liquor to the club, or on the premises of the club, has not been under the control of the governing body of the club.
- ☐ The club or the person has contravened a condition to which any of the following authorisations held by the club is subject:
- a non-restricted area authorisation under section 22 of the *Registered Clubs Act 1976*
 - a junior members authorisation under section 22A of the *Registered Clubs Act 1976*
 - a club functions authorisation under section 23 of the *Registered Clubs Act 1976*.
- ☐ The club or the person has contravened a provision of the *Registered Clubs Act 1976* or the regulations, whether or not the club or the person (as the case requires) has been convicted of an offence in respect of that contravention.
- ☐ A rule of the club referred to in section 30(1) of the *Registered Clubs Act 1976* has been broken or any other rule of the club has been habitually broken.
- ☐ The club has been conducted, or the premises of the club have been habitually used, for an unlawful purpose
- ☐ The secretary of the club or any member of the governing body of the club is not a fit and proper person to act as such
- ☐ A requirement of the Secretary of the NSW Department of Customer Service in relation to the investigation of the secretary of the club or any member of the governing body of the club has not been complied with.
- ☐ The club has ceased to exist.
- ☐ Any other ground that the complainant considers appropriate for the taking of disciplinary action against the club or the person.

continue overleaf

Part 5 About the complaint

- ☐ Complaint relates to an individual
Complete 5A only
- ☐ Complaint relates to an organisation (e.g. a company)
Complete 5B only

5A If an individual

Supply all available details about the subject of this complaint. If there is more than one person, please copy this page and complete a separate page for each person.

☐ Mr ☐ Ms ☐ Mrs ☐ Miss ☐ Other

Given name

Middle name

Family name

Gender

Date of birth

City or town of birth

Email

Mobile

Home phone

Daytime phone

Driver licence no.

State

Residential street address

Suburb/town/city

State

Postcode

Country if not Australia

☐ **Correspondence address as above**

We will use this mailing address when we contact this person about the application or licence.

Correspondence address

GPO/PO box or street address

Suburb/town/city

State

Postcode

Country if not Australia

5B If an organisation (e.g. a company)

Supply all available details about the subject of this complaint. If there is more than one organisation, please copy this page and complete a separate page for each person.

Name of organisation

ABN

ACN

Email

continue overleaf

Daytime phone

Website

Business street address

Suburb/town/city

State

Postcode

Country if not Australia

☐ **Correspondence address as above**

Correspondence address

GPO/PO box or street address

Suburb/town/city

State

Postcode

Country if not Australia

Part 6 Supporting information

Please attach a detailed submission letter that supports this complaint.

Part 7 Declaration

- ▲ I declare that I am authorised to lodge this application.
- ▲ I declare that the contents of this application including attachments are true, correct and complete, and that I have made all reasonable enquiries to obtain the information required to complete the application.
- ▲ I undertake to immediately notify Liquor & Gaming NSW of any change to the information in this application if the information changes before the application.

- ▲ I acknowledge that under section 36 of the *Gambling 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 application.

Name

Position

Signature

Date

Contact person for this application If lodged by an authorised delegate of the Commissioner of Police or the Secretary of the NSW Department of Customer Service

☐ Mr ☐ Ms ☐ Mrs ☐ Miss ☐ Other

Given name

Family name

Agency

☐ Commissioner of Police

☐ Secretary of the NSW Department of Customer Service

Position within agency

Email

Contact phone

Correspondence address

Suburb/town/city

State

Postcode