

## Fact sheet FS3052

# Club licence

## Statutory conditions and requirements

The *Liquor Act 2007* and Liquor Regulation 2018 govern the conditions that each type of liquor licence must fulfil, alongside its additional ongoing requirements. This fact sheet outlines statutory conditions and requirements for club licences.

- ▲ The first column refers to sections in the *Liquor Act 2007* (the Liquor Act) and clauses in the Liquor Regulation 2018 (the Liquor Regulation).
- ▲ In the second column, C = licence condition, R = ongoing licence requirement
- ▲ Kings Cross precinct additional conditions

### Kings Cross precinct additional conditions

Additional statutory conditions apply to liquor licences in the Kings Cross precinct to reduce alcohol-related violence and anti-social behaviour. An exemption from certain conditions can be sought in limited circumstances. You can find detailed information about the conditions applying in Kings Cross at [liquorandgaming.nsw.gov.au](http://liquorandgaming.nsw.gov.au).

| Section/clause |  | C/R*     | Condition  |
|----------------|--|----------|--|
| s.11A          | <b>Special licence condition – 6-hour closure period for licensed premises</b> | <b>C</b> | <p><b>6-hour closure period</b></p> <p>Liquor must not be sold by retail on the licensed premises for a continuous period of 6 hours during each consecutive period of 24 hours (known as the 6-hour closure period). The 6-hour closure period is 4am to 10am each day, or as determined by the Independent Liquor &amp; Gaming Authority. During the 6-hour closure period:</p> <ol style="list-style-type: none"> <li>a) the licensed premises are not authorised to stay open for the retail sale of liquor on the premises, and</li> <li>b) the licensee is not authorised to sell take away liquor by retail.</li> </ol> <p>This condition only applies to:</p> <ol style="list-style-type: none"> <li>a) a club licence granted on or after 30 October 2008</li> <li>b) a club licence in force before 30 October 2008, but only where an extended trading authorisation was granted on or after 30 October 2008 and is in force.</li> </ol> <p>This condition does not apply to the sale or supply of liquor to a resident of the licensed premises where the liquor is sold or supplied for consumption in the resident's room.</p> |

## Club licence

| Section/clause |   | C/R* | Condition   |
|----------------|---|------|---|
| s. 19          | Club licence – general provisions       | R    | <p><b>Separate club premises must have separate liquor licences</b></p> <p>If a registered club owns or occupies more than one set of premises:</p> <ol style="list-style-type: none"> <li>each set of premises must have a separate club liquor licence under the Liquor Act, and</li> <li>the registered club must hold the licence for each set of licensed premises.</li> </ol>   |
| s.20           | Club licence – miscellaneous conditions | C    | <p><b>Clubs cannot have an interest in a hotel</b></p> <p>A club must not hold a hotel licence or acquire any financial interest in a hotel.</p> <p><b>Note:</b> does not apply to or in respect of a hotelier’s licence or financial interest in a hotel that was granted to or acquired by a club before 2 April 2002.</p>  |
|                |   | C    | <p><b>Cash advances prohibited</b></p> <p>The manager of the club premises must not provide a cash advance, or permit a cash advance to be provided, on the club premises on behalf of the club, except as a prize or bonus won as a direct or indirect consequence of participating in a legal form of gambling.</p>   |
| s. 56          | Incident registers                      | C    | <p><b>Club with retail on-premises sales after midnight at least once a week</b></p> <p>The club must maintain an incident register in the form approved by the Secretary. The register must record details of the following incidents that occur between midnight and 5am the following day Monday to Friday, between midnight Saturday and 10am Sunday, and between 10pm Sunday and 5am Monday:</p> <ol style="list-style-type: none"> <li>any incident involving violence or anti-social behaviour occurring on the licensed premises</li> <li>any incident of which the licensee is aware that involves violence or anti-social behaviour occurring in the immediate vicinity of the licensed premises and that involves a person who has recently left, or been refused admission to, the premises</li> <li>any incident that results in a person being turned out of the licensed premises under the exclusion provisions of the Liquor Act</li> <li>any incident that results in a patron of the licensed premises requiring medical assistance.</li> <li>any incident that involves the possession or use on the licensed premises of any substance suspected of being a prohibited plant or drug.</li> </ol> <p>The register must also record details of any action taken in response to any such incident.</p> <p>Find out more about <a href="#">incident registers</a>.</p> |

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| Section/clause |  | C/R*     | Condition   |
|----------------|--|----------|---|
| c.44           | <b>Availability of licence and licence-related authorisations</b>            | <b>C</b> | <p><b>Club must make liquor licence available</b></p> <p>A copy of each of the following must be available at all times for the information of the members of staff of the licensed premises:</p> <ol style="list-style-type: none"> <li>the licence</li> <li>any licence-related authorisation</li> <li>any conditions imposed by the Independent Liquor &amp; Gaming Authority or Secretary on the licence or the authorisation.</li> </ol> <p>This information must be available to any member of staff who:</p> <ol style="list-style-type: none"> <li>sells, supplies or serves liquor on the licensed premises, or</li> <li>carries on any security activity (such as a crowd controller or bouncer) on or about the licensed premises, or</li> <li>exercises any functions under the Liquor Act or Liquor Regulation.</li> </ol> |
| s.93           | <b>Cessation of trade</b>  | <b>R</b> | <p><b>Club must notify when ceasing trade</b></p> <p>If the licensed premises cease trading during any continuous period of more than 6 weeks, the club must notify the Independent Liquor &amp; Gaming Authority in writing that the premises have ceased to trade.</p> <p>See form AM0490.</p>  |
| c.57           | <b>Resumption of trade</b>   | <b>C</b> | <p><b>Club must notify when resuming trade</b></p> <p>If the licensed premises has ceased trading for a continuous period of more than 6 weeks, the license must notify the Independent Liquor &amp; Gaming Authority as soon as practicable before trading is resumed.</p> <p>See AM0495: Recommence trading.</p>  |
| c.85           | <b>Drinking water to be available free of charge where liquor served</b>     | <b>C</b> | <p><b>Free drinking water must be available</b></p> <p>Drinking water must be available free of charge at all times while liquor is sold or supplied for consumption on the licensed premises. The drinking water must be available to patrons at or near liquor service points, or by the same means of service that liquor is available (e.g. waiter service).</p>  |
| s.22A          | <b>(Registered Clubs Act 1976) Access to club premises by junior members</b> | <b>C</b> | <p><b>Club with a junior members authorisation</b></p> <p>Tobacco vending machines must be unable to be operated while members under the age of 18 years are using the club premises under a junior members authorisation.</p>  |
| c.17           | <b>(Registered Clubs Regulation 2015) Junior members authorisations</b>      | <b>C</b> | <p><b>Conditions of junior members authorisation</b></p> <p>The club must keep a register of the dates on which members under the age of 18 years are given access to the club premises in accordance with the authorisation.</p> <p>The club must give written notice to the local police of each date on which members under the age of 18 years are to be given such access at least 7 clear days before that date.</p>  |

| Section/clause |   | C/R*     | Condition   |
|----------------|---|----------|---|
| s.23           | <b>(Registered Clubs Act 1976)<br/>Functions on club premises</b> | <b>C</b> | <b>Club with a club functions authorisation</b><br>Where a club functions authorisation permits functions for minors on the club premises, the following conditions apply: <ul style="list-style-type: none"><li>a) at least 7 days notice must be given to the local police before any function is held</li><li>b) the notice must specify the name and nature of the function, the number of minors attending, the number of adult supervisors, details of the security arrangements and such other particulars as may be prescribed by the regulations</li><li>c) the secretary of the club and person conducting the function must comply with any directions given by the local police or the Independent Liquor &amp; Gaming Authority with respect to the conduct of functions for minors</li><li>d) liquor must not be sold, supplied, disposed of or consumed in the area in which any function is held</li><li>e) gaming machines must not be located in the area in which any function is held and any area of the club in which gaming machines are located must not be accessible to any minor attending the function.</li></ul> |

### Need more information?

To find out more about the liquor laws, contact L&GNSW:

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

 [Contact us online](#)

 1300 024 720

You can also access the *Liquor Act 2007* and the *Liquor Regulation 2018* at [legislation.nsw.gov.au](http://legislation.nsw.gov.au).