

Application for a transfer liquor licence

Office of Liquor and Gaming Regulation

Department of Justice and
Attorney-General

Office use only

Date received _____

Receipt no. _____

Amount received _____

Fees:

To find out the current
application fee go to
www.olgr.qld.gov.au

Instructions

Please complete in BLOCK letters. Attach extra pages if needed. If you need help completing this form, visit our website www.olgr.qld.gov.au or contact the Office of Liquor and Gaming Regulation (OLGR) on 13 QGOV (13 74 68).

Privacy statement – please read

OLGR is collecting the information on this form to assess your application to transfer a Liquor Licence. This information is authorised by section 105 of the *Liquor Act 1992*. This information is authorised by section 105 of the *Liquor Act 1992*. This information will only be accessed by authorised employees within the department. Some information may be given to Queensland Police Service for the purpose of assisting with criminal history searches. Business information is placed on a register that may be inspected by the public, authorised by section 43 of the *Liquor Act 1992*. Your information will not be disclosed to any other parties unless authorised or required by law.

Warning

False or misleading statements will attract a maximum penalty of 100 penalty units or six months imprisonment and may lead to immediate cancellation of licence.

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Part A – Full requirements for lodging applications

OLGR requires applications for transfers to be completed in full prior to commencing processing of the application.

This means any transfer application lodged without full documentation attached will not be accepted. The application will be **returned** for completion, along with notification of the outstanding requirements.

Your application will not be accepted unless the following items have been completed and/or are attached:

- All questions are answered on the application for transfer of a liquor licence form and all necessary attachments have been included
- Form 5** 'Personal details schedules' to be completed by the proposed licensee
- Prescribed application fee
- If any incoming parties have ticked 'yes' at **Section 5** on the 'Personal details schedule', it is necessary for details in writing to be attached surrounding the circumstances relating to the bankruptcy, liquidation or receivership. These details should include evidence of discharge and details of monies owed and/or debts paid back
- Current company extract if the proposed licensee is a company
- Risk Assessed Management Plan (RAMP) – please refer to Guideline 42
- The name of the proposed licensee/s must reflect the name/s on the lease (e.g. if more than one person/company named or if the name on the lease is for a trust, this should be incorporated in the name for the proposed licensee)
- If any of the signatures on the application for transfer form have been signed by a power of attorney, OLGR will accept such power subject to a copy of the power of attorney being supplied with the relevant power highlighted
- For community club and community other licences only – a copy of the club's constitution or memorandum and articles of association

	<p>Criminal history check</p> <p><input type="checkbox"/> A criminal history check will be conducted for each person named on the application form who has not held a licence within the last six months (e.g. company director).</p> <p>Criminal history checks are not required for applicants who are members of management committees for licensed clubs.</p> <p>Do not lodge this application unless all mandatory requirements listed above are attached.</p> <p>Note: the collection of annual licence fees commenced on 1 January 2009. Any licence where fees remain unpaid will be automatically suspended and then cancelled. It is the licensee's responsibility to ensure fees payable are up to date at the time of application to transfer the licence.</p>
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Part B – To be completed by outgoing licensee

Section 1 Premises details	Name of premises (as shown on licence document) Address of premises Locality/suburb State <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Postcode <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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Section 2 Liquor licence number	Liquor licence number (as shown on licence document)
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Section 3 Outgoing licensee	Full name of outgoing licensee (as shown on licence document)
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Section 4 Proposed licensee	Full name of proposed licensee (exactly as shown on lease or contract)
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Section 5 Settlement/ takeover date	Proposed settlement or takeover date <input type="checkbox"/> <input type="checkbox"/> / <input type="checkbox"/> <input type="checkbox"/> / <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <small style="margin-left: 100px;">D D M M Y Y Y Y</small>
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Section 6 Outgoing licensee address	Outgoing licensee address for future correspondence Address Locality/suburb State <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Postcode <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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Section 7 Your responsibilities	<p><input type="checkbox"/> a. Please provide details below of any registered interests that are released because of this transfer (e.g. mortgagees)</p> <p>.....</p> <p>.....</p> <p>.....</p> <p><input type="checkbox"/> b. You are the only person authorised to sell and supply liquor on these premises until the transfer has been approved. Takeover must not occur before the approval of the transfer by the department's chief executive</p>
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Section 8

Signature of outgoing licensee

A director or secretary must sign if the outgoing licensee is a company. Each licensee needs to sign if more than one individual.

If the licensee has vacated the premises this section can be signed by the owner of the freehold of the premises; however, a signed written submission must also be attached to the application stating the reasons why the owner is completing the application and not the current licensee.

Name

Signature

Date / /
D D M M Y Y Y Y

Name

Signature

Date / /
D D M M Y Y Y Y

Name

Signature

Date / /
D D M M Y Y Y Y

Name

Signature

Date / /
D D M M Y Y Y Y

Part C – to be completed by proposed licensee

<p>Section 1 Premises details</p>	<p>Name of premises (as shown on licence document)</p> <p>Address of premises</p> <p>Locality/suburb State <input type="checkbox"/><input type="checkbox"/><input type="checkbox"/> Postcode <input type="checkbox"/><input type="checkbox"/><input type="checkbox"/><input type="checkbox"/></p> <p>Postal address of premises</p> <p>Locality/suburb State <input type="checkbox"/><input type="checkbox"/><input type="checkbox"/> Postcode <input type="checkbox"/><input type="checkbox"/><input type="checkbox"/><input type="checkbox"/></p>
<p>Section 2 Liquor licence number</p>	<p>Liquor licence no. (as shown on licence document)</p>
<p>Section 3 Outgoing licensee</p>	<p>Full name of outgoing licensee (as shown on licence document)</p> <p>.....</p>
<p>Section 4 Proposed licensee</p>	<p>Full name of proposed licensee (exactly as shown on lease/contract)</p> <p>.....</p> <p>ABN</p> <p>Note: 'Personal details schedule' (Form 5) to be completed by persons named in this section.</p>
<p>Section 5 Contact details</p>	<p>Your contact details</p> <p>Postal address.....</p> <p>Locality/suburb State <input type="checkbox"/><input type="checkbox"/><input type="checkbox"/> Postcode <input type="checkbox"/><input type="checkbox"/><input type="checkbox"/><input type="checkbox"/></p> <p>Phone..... Fax.....</p> <p>Mobile..... Email.....</p>
<p>Section 6 Proposed licensee</p>	<p>Is the proposed licensee a company?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes – please attach a copy of a current company extract from ASIC, ABN number, and advise below if the company has been known by any other name</p> <p>Present name</p> <p>Previous name</p>
<p>Section 7 Incorporated club</p>	<p>Is the proposed licensee an incorporated club or a 'limited' club?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes – please attach a copy of the certificate of incorporation constitution (or memorandum and articles of association)</p>

<p>Section 8 Trading name change</p>	<p>Will the trading name of the premises change?</p> <p><input type="checkbox"/> No – go to Section 10</p> <p><input type="checkbox"/> Yes – go to Section 9</p>
<p>Section 9 Change of name of premises</p>	<p>If it is intended to change the trading name of the premises, an additional application fee is required. Please write the new name as it appears on the certificate of registration of business name.</p> <p>.....</p>
<p>Section 10 Changes to premises</p>	<p>Will you be making any changes to the structure or layout of the premises?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes – please contact this office prior to commencing any alterations</p>
<p>Section 11 Service changes</p>	<p>Will you be making any changes to the types of services or facilities currently offered at the premises?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes – give details</p> <p>.....</p> <p>.....</p>
<p>Section 12 Food court</p>	<p>Does this application relate to a food court?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes – please supply a copy of your menu and details of any catering agreements entered into</p>
<p>Section 13 Adult entertainment</p>	<p>Will you be conducting adult entertainment at the premises?</p> <p><input type="checkbox"/> No – go to Section 15</p> <p><input type="checkbox"/> Yes – go to Section 14</p>
<p>Section 14 Adult entertainment permit</p>	<p>Adult entertainment permits are not transferable. Even if there is an existing permit, you must lodge a new application. Is an adult entertainment permit application attached?</p> <p><input type="checkbox"/> No – no adult entertainment may be conducted at the premises until a permit is approved</p> <p><input type="checkbox"/> Yes</p>
<p>Section 15 Transfer application</p>	<p>Is this application being made by an executor, receiver or administrator under section 129 or an owner or mortgagee under section 113(1)(b) of the <i>Liquor Act 1992</i>?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes – please attach a submission detailing your eligibility under that section</p>

Section 19

Landlord's consent

(If the owner is not the outgoing or proposed licensee at settlement)
If signing under power of attorney, please provide copy of appointment.

As owner of the premises described in this form, or an authorised delegate of the owner, I consent to this transfer of a liquor licence.

Name

Signature.....

Date: / /

Name

Signature.....

Date / /

- If more than one landlord, each owner is required to sign or a director/secretary of each company if there is more than one
- If the owner of freehold land relates to a shopping centre, centre management approval can be accepted in the case where it is a larger centre (e.g. Westfield). Please attach an accompanying letter to explain this. If a smaller establishment (e.g. strip shopping centre), then the owner of freehold land's consent should be provided
- If there is a lessee/sub-lessee involved (e.g. where a business is franchised), it will be necessary for the signatures of all parties to be lodged
- If the premises are leased from the Crown, then a representative of the Department of Environment and Resource Management must give their consent to the transfer
- The Department of Environment and Resource Management consent as owner of the freehold will not be necessary to meet full requirements. However, the application cannot be formally approved until this consent is received and will be included as a 'subject to' item at the end of the application process

Section 20

Landlord's consent of bottle shop

(Commercial hotel licences only, if applicable)
If more than one bottle shop is operated by this licence, the consent of all owners will be required.
If more than one landlord, each landlord is required to sign.
(The detached bottleshop owners' consents will not be necessary to meet full requirements. However, the application cannot be formally approved until these consents are received and will be included as a 'subject to' item at the end of the application process.)

I have no objection to the proposed licensee acquiring the use of the detached bottle shop situated at:

.....

.....

Name

Signature.....

Date / /

Name

Signature.....

Date / /

<p>Section 21</p> <p>For commercial other (Subsidiary on-premises) licences where accommodation is provided</p>	<p>Will the proposed licensee have control over the entire premises? (i.e. restaurants, units etc.)</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No – control over the entire premises is required. Where there is a separation of control over the dining and accommodation facilities, separate liquor licences will be required. A licensee cannot enter into an agreement, franchise or management arrangement for another party to have tenure over part of the licensed premises</p> <p>Are the units strata titled?</p> <p><input type="checkbox"/> Yes – the written consent to this application will be required from each individual unit owner who wishes to have the availability of sale of liquor on their respective lot, or alternatively, written consent from the body corporate to this application. In respect of common property, the consent of the body corporate will be required</p> <p><input type="checkbox"/> No</p>
<p>Section 22</p> <p>Signature of proposed licensee</p> <p>If the licensee is more than one person, all persons need to sign above.</p> <p>A director or secretary must sign if the proposed licensee is a company.</p>	<p>Name</p> <p>Signature.....</p> <p>Date <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> D D M M Y Y Y Y</p> <p>Name</p> <p>Signature.....</p> <p>Date <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> D D M M Y Y Y Y</p> <p>Name</p> <p>Signature.....</p> <p>Date <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> / <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> D D M M Y Y Y Y</p>
<p>Please note</p>	<p>Any person/financial institution/company having a financial interest in the premises, upon approval of the application, must complete and lodge Form 6 'Application for registration of financial interest' with OLGR accompanied by the fee. However, a separate Form 6 is not required with respect of the proposed licensee.</p>

Part D – Lodgement and fee payment

Payment details

Lodging applications

Please lodge the completed application, any supporting documentation and fees at OLGR at the address below or any OLGR office at Gold Coast (Southport), Sunshine Coast (Maroochydore), Toowoomba, Wide Bay, Rockhampton, Mackay, Mount Isa, Townsville or Cairns. Call 13 QGOV (13 74 68) for addresses or visit our website www.olgr.qld.gov.au

By mail: Locked Bag 180, City East Qld 4002

In person: Office of Liquor and Gaming Regulation, Upper Plaza, 33 Charlotte Street, Brisbane Qld 4000

or your nearest regional office

Payment type:

Money order

Cheque – make cheque payable to Office of Liquor and Gaming Regulation

Credit card – charge my:

Mastercard VISA

Credit card no.

Cardholder's name

Amount authorised \$..... Expiry date

Signature

A receipt will not be issued unless specifically requested.

For a full list of current fees, please go to www.olgr.qld.gov.au

Application for a transfer liquor licence	Form 3	x	1	=	\$ _____ . _____
Request to change name of premises	Form 3 (Section 8)	x		=	\$ _____ . _____
Personal details schedule (being one for each police check required)	Form 5	x		=	\$ _____ . _____
Application for registration of financial interest	Form 6	x		=	\$ _____ . _____
Total Amount					
(If paying by cheque, please make payable to Office of Liquor and Gaming Regulation or OLGR)					\$ _____ . _____