

Wine Merchant Licence



Wine Merchant

A person may obtain a wine merchant licence if the business that the person will conduct is a business that substantially contributes to the Queensland wine industry.

This category of licence was introduced in recognition that there are operations that add value to the wine industry, without the operator necessarily having a vineyard or winery of their own.

The *Wine Industry Act 1994* provides examples of practices that might be considered as acceptable, where the licensee is:

- buying fruit grown in the state and having it made into wine in the state;
- growing fruit in the state that will later be used to make wine but until that time buys fruit to make wine;
- blending different wines to create a unique wine.

The Act also provides examples of practices that are **not** considered to be contributing to the wine industry in a substantial way. A person's business will not contribute, or does not contribute, to the Queensland wine industry in a substantial way merely because the person –

- buys bulk wine from outside the State and bottles it in the State;
- sells only wine made and bottled by other persons.

Trading conditions

Under the authority of a wine merchant licence, wine may be sold to patrons:

- for tasting on the premises as a sample only
- to take away from the premises in sealed containers
- with approval, for consumption on the premises other than as a sample.

Annual fee

An annual fee is payable at the beginning of each Financial year for a wine producer licence. An annual fee notice is issued one month before the fee is due.

Licensees are required to provide details from their records in an annual return. Annual return forms are forwarded to licensees in June each year and must be lodged at the same time the annual fee is paid.

Trading hours

The standard trading hours for a wine merchant licence are 10am to 12midnight – Monday to Sunday, however, the supply of wine will be restricted to supply for consumption on premises to persons genuinely intending to dine at the premises.

No wine may be sold or supplied on Good Friday, Christmas Day and prior to 1:00pm on Anzac Day – unless an Extended Hours Permit is obtained for this purpose.

Extended trading hours

A licensee may apply to extend the trading hours during which the licensee is authorised to sell wine on the licensed premises, either on a permanent/regular basis or for one-off occasions.

Application for wine merchant licences

A completed [application form](#) (Wine Licence Form 2) and Personal Details Schedules (Wine Licence Form 5) must be lodged, and accompanied by all requirements stipulated in the forms. The application fee must also accompany the forms.

Advertising

Advertising is done at the expense of the applicant and consists of:

- Advertising twice in a local newspaper;
- Advertising once in the Government Gazette;
- Displaying a sign on the premises for 28 days up to and including the final day for lodging of objections.

The Liquor Licensing Division will advise the applicant of:

- The dimensions of the sign;
- The minimum print size;
- The wording for the advertisements and sign;
- Where the sign must be located for a mandatory 28-day period.

The advertising and sign notify the public of the type of application and the proposed trading hours and call for any public objections.

If objections are lodged against the application, a conference will be held. The conference is an opportunity for objectors and applicants to informally discuss any concerns.

The Chief Executive may **waive** these advertising requirements:

- If it is not likely that members of the public in the locality would be affected by, or concerned about, the grant of the application; or
- If the application is required to be advertised as part of another process related to the application (eg. for planning approval).

To apply to have the advertising waived, a written request must be submitted. The request must outline any special circumstances that exist that replace the need for advertising in relation to amenity or disturbance to residents or businesses in the locality.

Applications for new licences take **at least 2–3 months** to process. Applicants should be aware that lodgement of the application is no guarantee that the licence will be granted.