

Scarboro Surf Life Saving Club

Policy 6.2 Service of Alcohol



1. Introduction

Social activities and functions are an important part of maintaining a strong and positive social environment and opportunity for social interaction in our Club.

A 'Club Restricted Licence' has been granted to Scarborough Surf Life Saving Club, in accordance with the Liquor Control Act 1988 (the Act), for the purpose of providing an additional service to our members.

The Club understands the key objective of the Act is to minimize harm or ill-health caused to people, or any group of people, due to the abuse of alcohol.

An extract of the Act is attached as an Appendix to this Policy

2. House Management Plan

It is the intent of the Board of the Scarborough SLSC to provide an additional service to our members by way of a 'Club Restricted Licence' and to provide this service in accordance with the requirements of the Act. The Board will undertake to ensure that the Club complies with all conditions under the Act by completing the following tasks:

- Maintain an incident register to be available for inspection at any time.
 - Provide potable drinking water for patrons to consume on the premises free of charge during all hours alcohol is available.
 - Licensee and Approved Manager/s will complete the 'Short Course in Liquor Licensing'.
 - The Licensee and Approved Manager/s will be advertised within the licensed area.
 - An Approved Manager will be present on licensed premises during trading hours.
 - All staff engaged in the sale, supply and service of alcohol will have completed, or be in the process of completing within four (4) weeks of appointment, the 'Responsible Service of Alcohol' course.
 - Maintain an up to date register of all members who have acquired the 'Responsible Service of Alcohol' training certificate.
 - Trade only within the hours as stated on the Licence.
 - No alcohol shall be sold or disposed of on Christmas Day, Good Friday or before noon on Anzac Day, except as permitted under the provisions of the Act.
 - Maintain and have available for inspection, an up to date copy of the club membership register, in the different membership categories.
 - Abide by the requirements regarding the serving of juveniles.
 - Display posters relating to the sale or supply of alcohol.
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3. Liquor Licence Obligations

When serving or supplying alcohol on Club premises under the Club's Restricted Licence, appropriately trained bar attendants will ensure that:

- No alcohol is sold or supplied for consumption elsewhere than within the Club licensed premises.

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- Only alcohol purchased from the Club is to be consumed within the Club licensed premises.
- No packaged alcohol is sold.
- Service is refused to a person who is exhibiting signs of being drunk and/or acting in a loud and disorderly manner.
- No alcohol is sold or supplied to any juvenile (i.e any person under the age of 18).
- No stranger (a non-member who is not a guest of a member) is permitted to enter the Club licensed premises and no member or other person admits any stranger to enter the Club licensed premises.
- The Club licensed premises is only open for the sale of alcohol during such hours (within the hours permitted under the Act) as the Board from time to time determines.

4. Guests

Members may introduce guests to the Club licensed premises at any time, provided that;

- The maximum number of guests per member, per day for the purposes of section 48(4) of the Act is five (5).
- A guest shall not be supplied with alcohol while on the Club licensed premises, except on invitation and in the company of that member.
- The member introducing the guest shall be responsible for the proper conduct of that guest while on the Club licensed premises.
- Any person who has been refused membership of the Club or who is under suspension or expulsion from the Club, shall not be admitted as a guest of any member of the Club.
- The guest/s must sign in the Club's visitors' book, prior to entering the licensed area.
- A person who is on any day visiting the Club as a member or official of another Club;
 - That is to engage in a pre-arranged event with the host Club, conducted for the purposes of one of the host Club's principle objects; or
 - That is to hold a pre-arranged function at the host Club involving the use of the host Club's sporting facilities;may be taken to be a person who is accorded temporary membership on that day in accordance with section 48 (5) of the Act

5. Juveniles

Juveniles Permitted on Licensed Premises

Juveniles (persons under the age of 18 years) are permitted to be on the Club's licensed premises only when accompanied by, and under the supervision of a responsible adult. For the purposes of the Act:

- A person is considered to be a 'responsible adult' if that person is in 'loco parentis' (meaning in place of parent) of the juvenile.
- A legal guardian, parent, step-parent or any other person who has control of and responsibility for a juvenile could be considered a responsible adult (although the decision to allow entry is entirely at the discretion of the licensee).

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Permitted Without Supervision

Sections 120 and 121(5) of the Act prescribe situations where juveniles may be permitted on licensed premises without supervision.

- On a club licensed premises, provided that it:
 - Does not contravene the constitution or rules of the club;
 - Is permitted, expressly or by implication, by the committee of the club; and
 - Does not contravene a condition of the club's license.

In the case of the Scarboro SLSC licensed premises, juveniles are not excluded under the constitution or rules and therefore are permitted to be on the club licensed premises without supervision.

In such cases there is no rule excluding juveniles from purchasing soft drinks from the bar.

6. Constitution and Rule Changes

Within one (1) month after the making of any amendments to the Constitution of the Club, the Director Administration (or their delegate) shall provide the Director of Liquor Licencing, certified particulars of the amendments made. No such amendments made will take effect until approved by the Director.

As soon as is practicable after the making of any proposal for a change in the appointment of a person as Trustee to hold the licence for the Club, certified particulars of the change shall be provided to the Director Liquor Licencing and the change is not effected without the prior approval of the Director.

7. Extract from Liquor Control Act 1988 amended

Refer to Appendix I for a copy of section 48, reference Club Licence, as an addendum to this Policy

Ends.



Appendix I.

Extract from Liquor Control Act 1988, amended

Section 48: Club Licence, Kinds, Conditions and effect of

(1) For the purposes of this Act a club licence —

- (a) which is expressed to be granted as a club restricted licence; or
- (b) which is subject to conditions prohibiting the sale of alcohol for consumption off the premises, or the removal of alcohol from the premises, unless subsection (9) applies,

shall be referred to as a club restricted licence.

(2) Subject to this Act a club licence authorises the sale, during permitted hours, of alcohol —

- (a) to a member and to the guests of that member in the company of that member —
 - (i) for consumption on the licensed premises, subject to subsection (4)(b); or
 - (ii) ancillary to a meal supplied at the club by or on behalf of the club to a member and to each of the guests of that member (without limitation as to number), being guests of whose attendance prior notice was given to the club in accordance with the rules of the club;

or

- (b) to a member, for consumption by the guests of that member (without limitation as to number) at a function held by or on behalf of that member at the club if in accordance with the rules of the club; or
- (c) to a member, if —
 - (i) the licence is not a club restricted licence; or
 - (ii) subsection (9) applies,and the alcohol is packaged alcohol, subject to subsections (3) and (4)(c),

if the rules of the club are not thereby contravened.

(2A) Subject to this Act, a club licence authorises the sale, during permitted hours, of alcohol to a visitor for consumption on the licensed premises if the sale does not contravene the rules of the club.

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- (2B) In subsection (2A) —
- visitor** means a person, other than a member, a guest of a member or a person referred to in subsection (5), who —
- (a) is at least 40 km or, if a greater distance is prescribed for the purposes of this paragraph, at least that distance from their usual place of residence; and
 - (b) is visiting the club while travelling in the course of a holiday or travelling for leisure or business; and
 - (c) is required, at the time of their visit, to pay a fee to the club for the use of its facilities.
- (3) At a time when a sale of packaged alcohol to a member who was not a lodger would not be within permitted hours or at a time authorised by the licence, any authority conferred by a club licence to sell packaged alcohol to a member who is a lodger extends only to such quantities as might reasonably be consumed by the lodger on that day.
- (4) Every club licence is subject to the conditions that —
- (a) unless an extended trading permit otherwise authorises, the club has —
 - (i) where a club restricted licence applies — a right to occupy the licensed premises to the exclusion of others during the times when the sale of alcohol is authorised by the licence; and
 - (ii) in any other case — exclusive right to occupy the licensed premises;and
 - (b) the authority to sell alcohol for consumption by the guests of a member, otherwise than ancillary to a meal or at a function under subsection (2)(b), extends only to such persons, not exceeding 5 or such lesser number as may be permitted by the rules of the club, as are introduced as the guests of that member on that day; and
 - (c) packaged alcohol be not removed —
 - (i) from premises to which a club restricted licence applies, unless subsection (9) applies; or
 - (ii) in any other case, from the premises except by or on the instructions of the member to whom it was sold;and
 - (d) as soon as is practicable after the making of any proposal for a change in the appointment of a person as trustee to hold the licence for the club, the Secretary of the club shall provide to the Director certified particulars of the change proposed, and that effect is not given to the change without the prior approval of the Director; and
 - (e) an up to date register of members, in respect of each class of membership, be continually available for inspection at the club premises; and

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- (ea) an up-to-date register of visitors (as defined in subsection (2B)) be continually available for inspection at the club premises; and
 - (f) the club ensures that its rules are not contravened.
- (5A) Without limiting section 64, the Director may impose a condition on a club licence or club restricted licence requiring that any manager of the licensed premises (other than a person appointed under section 100(3)) be an approved unrestricted manager.
- (5) Subject to subsection (6), a person who is on any day visiting a club (the **host club**) as a member or an official of another club or a team, or a person assisting a member or an official of another club or a team —
- (a) that is to engage in a pre-arranged event with the host club conducted for the purposes of one of the host club's principal objects; or
 - (b) that is to hold a pre-arranged function at the host club involving the use of the host club's sporting facilities,
- may, for the purposes of this Act, be taken to be a person who is accorded temporary membership of the host club on that day, in accordance with the rules of the club.
- (6) Where the Director is satisfied that the circumstances so require the Director may impose a condition on the licence requiring a club specifically to seek the approval of the Director before admitting persons to temporary membership.
- (7) Where in relation to the sale of alcohol a club permits any contravention of its rules, a complaint may be lodged under section 95 on the ground that the licensed premises are not properly managed in accordance with this Act.
- [(8) *deleted*]
- (9) Where the Director is satisfied that the members of a club which holds a club restricted licence cannot, without great inconvenience, obtain supplies of packaged alcohol from a supplier other than the club —
- (a) the Director may, by endorsement on that licence and subject to such conditions as may be imposed, authorise the sale of packaged alcohol to members of the club; and
 - (b) effect shall be given to the endorsement as a variation of the terms of the licence fixed by this Act.

[Section 48 amended: No. 12 of 1998 s. 31; No. 73 of 2006 s. 38; No. 56 of 2010 s. 11; No. 9 of 2018 s. 25.]

Extract Ends.