



Victorian Commission for Gambling and Liquor Regulation

Liquor licensing fact sheet

Minors on licensed premises - underage or mixed-age events

Please note this fact sheet replaces the 'Underage and youth events' information sheet

From 1 July 2014, the process is simpler for liquor licensees or permittees wishing to hold mixed-age live music events that are open to minors (persons under 18 years of age) in licensed premises.

The changes relate to the *Liquor Control Reform Act 1998* and are part of the Victorian Government's commitment to reducing red tape for businesses.

Depending on the type of event, liquor licensees or permittees must lodge a notification or an application form to the Victorian Commission for Gambling and Liquor Regulation (VCGLR):

- mixed-age live music events – notification form
- underage or youth events (no live music) - application form
- 'Fast Track, Low Risk' underage or youth events (no live music) - application form.

Mixed-age live music events*

Licensees and permittees may have minors on that part of their premises or authorised premises when:

- a mixed-age live music event is being held in accordance with notice given to the VCGLR and prescribed conditions and
- liquor is not supplied, consumed or made available on that part of the premises.

How do I give notice for a mixed-age live music event?

To give notice to the VCGLR, licensees and permittees must:

- submit a 'Notification form for conduct of a mixed-age live music event where minors will be present on licensed or authorised premises' at least seven business days before the mixed-age live music event/s

- adhere to the 'prescribed conditions' that apply to such events (see notification form for a full list of 'prescribed conditions').

Licensees and permittees can notify the VCGLR of up to a maximum of three events in total on this form. There is no fee applicable.

*Definition: 'Live music event' - an event where sound is manipulated for artistic, cultural or religious purposes and performed to an audience.

What are the 'prescribed conditions' for the conduct of a mixed-age live music event where minors will be present on licensed or authorised premises?

The prescribed conditions for the conduct of these events are:

1. Telephone facilities for minors

The licensee or permittee must provide, in the performance area or in an area adjoining the performance area, telephone facilities that are:

- readily accessible to the minors who are attending the mixed-age live music event; and
- available for use by those minors free of charge.

Note: Performance area means the part of the premises in which the mixed-age live music event is performed.

2. Event must finish by 11 pm.

The licensee or permittee must ensure that the mixed-age live music event finishes before 11 pm.

3. Minors under 12 must be accompanied by an adult

The licensee or permittee must take all reasonable steps to ensure that a person under the age of 12 years who attends the mixed-age live music event is accompanied by a 'responsible adult' at all times.

4. Advertisements must include start and finish times

The licensee or permittee must not publish an advertisement for the mixed-age live music event that does not include start and finish times for the event.

5. Licensed crowd controllers

- (i) The licensee or permittee must ensure that at least the minimum number of licensed crowd controllers attend the mixed-age live music event for the purpose of acting as crowd controllers for the event.
- (ii) The minimum number of licensed crowd controllers is two licensed crowd controllers and if the mixed-age live music event is attended by more than 100 persons, one additional licensed crowd controller for every additional 100 persons attending the event.
- (iii) The licensee or permittee must ensure that at least one of the licensed crowd controllers is female.

Note: licensed crowd controller means a person who holds, under the *Private Security Act 2004*, a private security individual operator licence that authorises that person to act as a crowd controller.

6. No re-admission

- (i) The licensee or permittee must ensure that a person who leaves the performance area while the mixed-age live music event is being held (except by entering an area specified in 6(ii) below) does not re-enter the performance area while the event is being held.
- (ii) The following areas are specified for the purposes of 6(i):
 - (a) an area that adjoins the performance area and contains toilet and hand washing facilities;
 - (b) an area that adjoins the performance area and contains telephone facilities.

Underage or youth events** (no live music)

When holding underage or youth events which do not involve live music, licensees and permittees must submit an application to the VCGLR to approve the presence of minors on licensed premises at least 45 calendar days before the event.

Licensees and permittees can notify the VCGLR of up to a maximum of three events in total on this form. There is a fee applicable for the conduct of an underage or youth event.

If approval is granted, adults cannot be admitted unless they are members of staff or bona fide adult supervisors* and wear wristbands identifying themselves as being over 18 years of age.

Definition: 'Underage or youth event' - any event at which minors will be present on licensed premises without being accompanied by a parent, spouse, legal guardian or responsible adult but at which live music will **not be conducted.

'Fast Track, Low Risk' Underage Events (no live music)

'Fast Track, Low Risk' applications are also events at which minors will be present on licensed premises without being accompanied by a parent, spouse, legal guardian or responsible adult, but at which live music will **not** be conducted.

The **difference** between 'Underage or youth events' and 'Fast Track, Low Risk' underage or youth events' is that 'Fast Track, Low Risk' underage or youth events have a lower risk of harm to the community and so they can be approved more quickly.

The VCGLR can determine these applications more quickly – or 'fast track' them – because Victoria Police is not asked to comment on these applications. However, Victoria Police may advise the VCGLR that a particular licensed premises, location or event is considered high risk and so not eligible for the 'Fast Track, Low Risk' application.

Eligibility for 'Fast Track, Low Risk' underage or youth events

To find out if an underage or youth event is eligible for fast-tracking, the applicant must be able to answer 'yes' to all questions on the eligibility checklist below. Please note, if you are not eligible for a 'Fast Track, Low Risk' application, you must

use the application form for the conduct underage or youth events.

Eligibility checklist

Experience

1. Have you (the licensee) had approval from the VCGLR for unaccompanied underage persons for an event within the last 24 months?
 Yes No

Good Compliance History

2. Did you comply with the conditions of previous approval/s obtained from the VCGLR within the last 24 months for unaccompanied underage persons for an event?
 Yes No

Note: The VCGLR must be satisfied that there was compliance with conditions of the previous approval and may check its own records, or those of Victoria Police, to verify your answer to this question.

3. Do you have a history of complying with liquor laws during the last 24 months?
 Yes No

Note: The VCGLR may check its own records, or those of Victoria Police, to verify your answer to this question.

Low Risk Event

4. Will your event be 'alcohol free' in that no alcohol will be available on the part of the premises where the underage event/s will take place for the duration of the event/s?
 Yes No
5. Will the event/s be an underage event/s where persons over 18 years of age will only be permitted if they are members of staff or bona fide adult supervisors?
 Yes No
6. Will the event/s conclude by 10pm?
 Yes No

If you are not sure whether you are eligible, please contact the VCGLR on 1300 182 457 to check before lodging your application.

How do I apply for standard underage events?

If you are not eligible for a 'Fast Track, Low Risk' application, you should use the 'Temporary approval for conduct of underage or youth events application form' available on the VCGLR website.

Up to three events can be applied for in the same form and licensees should allow 45 days for these applications to be determined. The VCGLR will ask Victoria Police to comment on these applications. More information can be found on the application form.

Standard conditions for underage events

The VCGLR applies standard conditions for underage events where underage persons can attend events on licensed premises without needing to be accompanied by a parent, spouse, legal guardian or responsible adult.

New standard conditions

New standard conditions are:

1. All other conditions of the liquor licence remain valid for the period of the approval.
2. Persons over 18 years of age are not admitted to the area to which the approval relates unless they are members of the staff or bona fide adult supervisors and will wear wrist bands identifying themselves as over 18 years.
3. The licensee must ensure that liquor will not be advertised, sold, supplied or consumed in that part of the premises to which the minors will be admitted. Further, the licensee must ensure that all liquor is removed, or securely locked away, or is made inaccessible to minors in the area where the event is taking place.
4. Underage events are to be alcohol and drug free. Patrons consuming, possessing or appearing to be affected by alcohol or drugs shall be refused entry to the premises. If detected within the venue, such patrons should be assisted to make contact with a responsible adult and be escorted from the venue by a crowd controller.
5. The licensee will not permit smoking at the venue either indoors or outdoors.
6. All advertising and promotion of the event must:
 - (a) be targeted to those who are 12-17 years of age
 - (b) not include any inappropriate titles or innuendoes
 - (c) state that the event is drug, alcohol and smoke free.

7. In regard to crowd controllers, you must ensure that:
 - (a) crowd controllers, licensed under the *Private Security Act 2004*, are to be employed at a ratio of two crowd controllers for the first 100 patrons and one crowd controller for each additional 100 patrons or part thereof
 - (b) at least one of the crowd controllers must be female
 - (c) at least one crowd controller is to be present outside the premises to monitor patrons arriving at and departing from the premises.
8. The provision of 'pass outs' during the event(s) is prohibited.
9. A first aid officer (minimum qualification of St John Ambulance level 2) must be in attendance while this approval is in force.
10. Telephone facilities must be provided in the licensed premises.
11. If the premises (or relevant part of the premises) is to be open for adults on the same day as the underage event:
 - (a) adults will not be admitted in the premises (or relevant part of the premises) until 45 minutes after the underage event is completed
 - (b) in the case of an event with a capacity in excess of 500 people, adults will not be admitted in the premises (or relevant part of the premises) for at least 60 minutes after the completion of the underage event
 - (c) queuing procedures must ensure minimum interaction between patrons exiting the underage event and those adults being admitted after the completion of the underage event.
12. The event must conclude by 10pm.

How do I apply for different standard conditions for underage events?

You can apply for different conditions and these applications will be considered by the VCGLR on a case-by-case basis.

If you wish to apply for different conditions, you should set out the different conditions you would like on the application form and explain to the VCGLR how you think these different conditions will appropriately manage any risks your event

poses to unaccompanied underage persons, the community and amenity. The VCGLR may decide at its discretion to approve your request for different conditions, or impose some or all of the standard conditions above.

Please note that if you apply for different conditions on a 'Fast track, low risk' application, it may take longer to determine and may not be determined within 20 days.

Alcohol-free, youth events

The VCGLR has introduced a new category of alcohol-free, youth events.

Youth events are only for patrons aged between 12 and 25 years, except for members of staff or bona fide adult supervisors who will wear wrist bands indentifying themselves. Underage patrons can attend without needing to be accompanied by a parent, spouse, legal guardian or responsible adult.

Up to three events can be applied for in the same form and licensees should allow 45 days for these applications to be determined. The VCGLR will ask Victoria Police to comment on these applications. More information can be found on the 'Temporary approval for underage persons for underage or youth events application form' available on the VCGLR website.

Standard conditions for alcohol-free, youth events

The VCGLR applies standard conditions for youth events:

1. All other conditions of the liquor licence remain valid for the period of the approval.
2. Only patrons between 12 and 25 years of age may be permitted to the event, unless they are members of staff or bona fide adult supervisors who will wear wrist bands indentifying themselves.
3. The licensee must ensure that liquor will not be advertised, sold, supplied or consumed in that part of the premises to which the minors will be admitted. Further, the licensee must ensure that all liquor is removed, or securely locked away, or is made inaccessible to minors in the area where the event is taking place.
4. The event is to be alcohol and drug free. Patrons consuming, possessing or appearing to be affected by alcohol or drugs shall be refused entry to the premises. If detected within the venue, such patrons should be escorted

- from the venue by a crowd controller. If the patron is a minor, they should be assisted to make contact with a responsible adult.
5. The licensee will not permit smoking at the venue either indoors or outdoors.
 6. All advertising and promotion of the event must:
 - (a) not include any inappropriate titles or innuendoes and be appropriate for patrons who are between 12 and 25 years of age
 - (b) state that the event is drug, alcohol and smoke free
 7. In regard to crowd controllers, you must ensure that:
 - (a) crowd controllers, licensed under the *Private Security Act 2004*, are to be employed at a ratio of two crowd controllers for the first 100 patrons and one crowd controller for each additional 100 patrons or part thereof
 - (b) at least one of the crowd controllers must be female
 - (c) one crowd controller is to be present outside the premises to monitor patrons arriving at and departing from the premises.
 8. The provision of 'pass outs' during the event(s) is prohibited.
 9. A first aid officer (minimum qualification of St John Ambulance level 2) must be in attendance while this approval is in force.
 10. Telephone facilities must be provided in the licensed premises.
 11. If the premises (or relevant part of the premises) is to be open after the youth event:
 - (a) patrons not attending the youth event will not be admitted in the premises (or relevant part of the premises) until 45 minutes after the youth event is completed
 - (b) in the case of an event with a capacity in excess of 500 people, patrons not attending the youth event will not be admitted in the premises (or relevant part of the premises) for at least 60 minutes after the completion of the youth event
 - (c) queuing procedures must ensure minimum interaction between patrons exiting the youth event and those adults being admitted after the completion of the youth event.
12. The event must conclude by 10pm.

How do I apply for different standard conditions for alcohol-free, youth events?

You can apply for different conditions and these applications will be considered by the VCGLR on a case-by-case basis.

If you wish to apply for different conditions, you should set out the different conditions you would like on the application form and explain to the VCGLR how you think these different conditions will appropriately manage any risks your event poses to unaccompanied underage persons, the community and amenity. The VCGLR may decide at its discretion to approve your request for different conditions, or impose some or all of the standard conditions above.

How much does it cost?

Refer to the 'Liquor licence fees' fact sheet for current fee, which may be paid by cheque, money order or credit card. Cash will be accepted only if paying in person and cheques and money orders are to be made payable to 'Victorian Commission for Gambling and Liquor Regulation'

How do I lodge an application?

By post to:

Victorian Commission for Gambling and Liquor Regulation

GPO Box 1988, Melbourne VIC 3001

In person to:

Victorian Commission for Gambling and Liquor Regulation

49 Elizabeth Street, Richmond

This publication avoids the use of legal language. Information about the law may have been summarised or expressed in general statements. This information should not be relied upon as a substitute for professional legal advice or reference to the actual legislation. Authorised by the Victorian Government.