

IN THE MATTER OF THE ROYAL COMMISSION
INTO FAMILY VIOLENCE

ATTACHMENT CC-5 TO STATEMENT OF CATHERINE MARY CARR

Date of document: 13 July 2015
Filed on behalf of: State of Victoria
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This is the attachment marked '**CC-5**' produced and shown to **CATHERINE MARY CARR** at the time of signing her Statement on 13 July 2015.

Before me:



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An Australian legal practitioner
within the meaning of the
Legal Profession Uniform Law (Victoria)



Victorian Commission for Gambling and Liquor Regulation

Liquor Licensing Fact Sheet Demerit points system

The demerit points system operates to improve the regulation of liquor licensing in Victoria. This system operates in addition to the compliance history risk fee system to encourage good business practices in all licensed premises.

Under the demerit points system, licensees incur demerit points on their licence for a non-compliance incident.

What is the demerit points system?

Licensees will incur demerit points on their licence if there has been a non-compliance incident in relation to that licence. One incident equals one demerit point.

A licence will be automatically suspended if it reaches one of the three demerit point thresholds.

Demerit points apply to the licence for a period of three years from the date on which the demerit point is recorded against the licence.

The number of demerit points that apply to a licence is published on the Demerit Points Register and Licences and Applications Online and both can be accessed at www.vcglr.vic.gov.au.

How will demerit points affect licences?

Licences will be suspended at the following thresholds:

- 5 demerit points will lead to a 24 hour suspension
- 10 demerit points will lead to a 7 day suspension
- 15 demerit points will lead to a 28 day suspension.

It is not possible to appeal a licence suspension. However, a licensee may apply to the Minister to suspend, cancel or delay a suspension in certain circumstances.

What is a non-compliance incident?

A non-compliance incident relates to the following offences.

| Offences | Section of the <i>Liquor Control Reform Act 1998</i> |
|---|---|
| Supply liquor to intoxicated person | 108(4)(a) |
| Permit drunken/disorderly person on licensed premises | 108(4)(b) |
| Supply liquor to underage person, other than as permitted (licensee/permittee offence) | 119(1)(a) |
| Permit liquor to be supplied to underage person, other than as permitted (licensee/permittee offence) | 119(1)(b) |
| Liquor is supplied to underage person on licensed premises, other than permitted | 119(2) |
| Permit underage person on licensed premises, other than as permitted | 120(1) |

A non-compliance incident occurs when one of these offences has been detected and:

- an infringement notice for the offence has been paid in full or partially paid; or
- an infringement in respect of one of these offences has been lodged at the Infringements Court and an Enforcement Order has been issued; or
- the offence has been successfully prosecuted.

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.

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