



What is the surrender of a licence?

Under Section 67 of the *Liquor Licensing Act 1997*, a licensee may by written agreement with the Liquor and Gambling Commissioner, surrender a licence from a fixed date. Before agreeing to the surrender of a licence, the Commissioner must inquire into the proposed use of the premises to which the licence applies.

The Commissioner will usually request confirmation that the landlord is aware of the intent of the licensee to surrender the licence.

The surrender of a licence does not affect liabilities incurred by the licensee under the Act up to the date on which the surrender takes effect. For example, if the licensee is facing disciplinary action, surrender of the licence will not affect the progress of that action.

What if there are gaming machines involved?

If a licensee surrenders a liquor licence, the gaming machine licence will automatically be surrendered.

If a licensee wishes to surrender only the gaming machine licence, the licensee must notify the Commissioner in writing, and the licence will cease to operate on acceptance by the Commissioner.

The Commissioner cannot accept the surrender of a gaming machine licence unless satisfied that all gaming machines have been removed from the premises.

As the surrender of a licence does not affect liabilities incurred by the licensee, the licensee is liable for any gaming tax outstanding up to the date of surrender.

How to apply

A document lodgement guide is provided overleaf which details all relevant forms and other documentation needed to make an application.

If further information is required, please contact this Office.

The publishers and authors of this material accept no responsibility whatsoever for any damage or loss suffered howsoever caused as a consequence of the reliance upon the statements or information contained in the materials.

DOCUMENTS REQUIRED FOR AN APPLICATION FOR THE SURRENDER OF A LICENCE

Minimum documentation.

An application must include the following:

- 'Application for the surrender of a licence' form

or

- 'Application for the surrender of a gaming machine licence' form

Other documentation required only if relevant to the application

- If the applicant does not own the freehold:
 - A letter of consent from the landlord
- Copy of Certificate of Title
If specifically requested



This page is left intentionally blank

