



Inspections Harm  
Legislation Policy Probity Licensing minimisation

## Approved manager - licensees and permittees

Following amendments to the *Liquor Act 1992* the position of nominee will be replaced by an approved manager from 1 January 2009.

An approved manager will not be 'attached' to one licensed premises as nominees are now. A person with a manager's approval will be able to work at any licensed premises as an approved manager.

An approved manager **cannot be** a licensee.

### An approved manager must have:

- current Responsible Management of Licensed Venues (RMLV) and Responsible Service of Alcohol (RSA) training
- an approval card issued by the chief executive of the Office of Liquor, Gaming and Racing.

The manager's approval will be valid for a period of five years, unless cancelled.

It should be noted that the mandatory training component of the approval is valid only for three years. It is the responsibility of the licensee and approved manager to ensure training requirements remain current. The approval is not valid for any period where the RMLV or RSA training is not current.

### When is a licensee required to have an approved manager?

If the licensee is a corporation, an approved manager must be present or **reasonably available**, at the licensed premises during ordinary trading hours.

#### **Reasonably available:**

- readily contactable by each person involved in the service or supply of liquor at the premises and
- not more than 1 hour travelling time is needed to be present on the premises, if requested.

An approved manager **must be present** at the licensed premises during approved extended trading hours after 12midnight.

These requirements also apply when a permittee is a corporation.

An approved manager is not required in the following instances:

- At licensed premises to which a community club licence or community other licence relates if liquor is served or supplied at the premises by **volunteers only**.
- At premises to which a community liquor permit or restricted liquor permit relates if liquor is served or supplied at the premises by **volunteers only**.

If the licensee is an individual, an approved manager is only required to be rostered on duty if:

- the licensee cannot be reasonably available during ordinary trading hours; or
- the licensee cannot be present at the licensed premises during approved extended hours trading.

The licensee must take *reasonable steps* to ensure that an approved manager is present.

### Do current nominees automatically become approved managers of licensed premises?

Yes, but only for an interim period. Nominees at 31 December 2008 will be deemed approved managers. This status will apply until 30 June 2010 or until the nominee ceases employment at the licensed premises.

For approved manager status to continue to apply after 30 June 2010, the nominee must have completed the approved manager application process.

If a person who is the nominee resigns from this position after 1 January 2009, the licensee, including corporations, must ensure they comply with the requirements of the *Liquor Act 1992* in relation to approved managers (refer to 'when is a licensee required to have an approved manager?').



### Can a licensee have more than one approved manager?

Yes. Licensees may employ as many approved managers as they consider necessary to meet the need for an approved manager to be reasonably available or on site.

For example, if a business trades from 9am to 5am, it would be unreasonable for one person to be on duty as an approved manager for this entire time and fulfil their obligations in accordance with the *Liquor Act*.

### Responsibilities of licensees and permittees

The licensee or permittee must keep a register with the following information:

- name of approved manager
- date, start and finish times of each shift the approved manager is rostered on duty
- copies of current training course certificates.

This register must be made available for inspection by an investigator.

### Transition period

The licensee must take *reasonable steps* to ensure that an approved manager is reasonably available or on site.

To assist licensees in the implementation of this requirement, the chief executive will initially interpret the lodgement of an approved manager application as a *reasonable step*.

If an employee of the licensee lodges an application for acceptance as an approved manager by 1 January 2009, these applicants will therefore be able to work as approved managers on an interim basis until such time as their applications are approved.

This interim arrangement will cease to apply from 30 June 2009.

### Information for holders of an adult entertainment permit

An approved manager is **not** authorised to supervise adult entertainment.

However, they are responsible for ensuring that the conduct of entertainment under an adult entertainment permit is in accordance with the Act and conditions of the permit.

This means they **must ensure** the supervision of entertainment provided under an adult entertainment permit is by an authorised controller endorsed on the licence or permit.

An approved manager can apply to become a controller for an adult entertainment permit.

For further information, please contact the Office of Liquor, Gaming and Racing on 13 13 04 or visit [www.olgr.qld.gov.au](http://www.olgr.qld.gov.au)

