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LawTalk Blog



Changes in Liquor Licencing in South Australia: What you need to know

Author: [Bill Moody](#)

Email: enquiry@andersons.com.au

Phone: 08 8238 6666

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What is the Liquor Licencing Act and why was it amended?

Changes to the [Liquor Licensing \(Liquor Review\) Amendment Act 2017 \(SA\)](#) came into effect on 14 November 2019 transitioning current licence holders into new categories of liquor licences. In addition to this transition there will be a change in relation to how licenses in certain categories are obtained.

It is important to note that unless there are exceptional circumstances, no applications will be heard by the Office of the Liquor and Gaming Commissioner between 28 October 2019 and 22 November 2019.

We recommend you consider your licence, the venue may own, and how this licence may be subject to changes.

How do the new categories of Liquor Licences affect you?

Eight new liquor licence categories are being introduced from November 2019. These eight categories will replace twelve existing liquor licence categories.

All current licence holders should have received a notification from the Licensing Authority informing them of the new licence category of which their liquor licence will transition to under the new legislation. This transition will result in existing licences being

transferred into the appropriate "new" licence category.

In addition to these changes, there will be a change in relation to how licenses in certain categories maybe obtained.

Below is a table of current licence categories and their new equivalent category subject to the legislation:

Current Licence Categories	New Licence Categories
Hotel licence	General and Hotel Licence
Residential licence	Residential Licence (no change)
Restaurant licence	Restaurant and Catering Licence
Entertainment Venue Licence	On Premises Licence
Club Licence	Club Licence
Limited Club Licence	
Retail Liquor Merchant's Licence	Packaged Liquor Sales Licence
Direct Sales Licence	
Wholesale Liquor Merchant's Licence	Liquor production and sales licence
Producer's Licence	
Small Venue Licence	Small venue licence (no change)
Special Circumstances Licence (SCL)	SCL's are being abolished under the new legislation. This means all SCL's will transition to one of the above categories of licence.

Important changes to South Australian Liquor Licencing you should consider:

Special Circumstances Licence changes where:

1. the licensee holds a gaming machine licence in the same venue as their liquor licence, the existing SCL will be transitioned to a General and Hotel Licence;
2. the SCL authorises the sale of liquor on the licensed premises for consumption off the licensed premises, it will be transitioned to a Packaged Liquor Sale Licence; and
3. a licence holder holds an SCL licence holders which will transition to an On-premises Licence.

Increase in Annual fees:

For some licence categories fee increases may be very substantial. These fees are now based on a 'risk-based structure' with consideration of the licensees trading hours. For example:

1. past 2am until 3am = \$2,000
2. past 3am until 4am = \$6,000
3. past 4am until 5am = \$15,000
4. past 5am = \$30,000

Licence fee changes discussed will be of affect from the 1st of July 2020.

If you have any enquiries in relation to any matters relating to liquor and/or gaming, please contact [Bill Moody](#) at [Andersons Solicitors](#) on 8238 6667.

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