

Liquor Control Victoria

Monitoring and enforcement policy

VICTORIA
State
Government

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Acknowledgement of country

The Victorian Government acknowledges Aboriginal and Torres Strait Islander people as the Traditional Custodians of the land and acknowledges and pays respect to their Elders, past and present.

Purpose

The purpose of this policy is to:

- Outline Liquor Control Victoria's (LCV) approach to monitoring and enforcing compliance with the *Liquor Control Reform Act 1998* (the Act), associated regulations and licensee obligations that are expressed in their licence conditions.
- Provide a consistent and transparent framework for compliance and enforcement activities carried out by LCV in regulating the supply and consumption of alcohol.

The policy is relevant to all licensees, as well as any other parties subject to regulation under the Act and its associated regulations.

Background

The Act and associated regulations govern the supply and consumption of liquor (commonly referred to as alcohol) in Victoria and support harm minimisation, responsible service of alcohol and the maintenance of public order and community amenity caused by alcohol consumption.

LCV, which includes the Victorian Liquor Commission (VLC), regulates Victoria's liquor industry in accordance with the objects and powers detailed in the Act.

To ensure the integrity of LCV's regulatory functions, and to uphold community expectations, LCV monitors compliance and contraventions through education, engagement and, where required, proportionate enforcement actions. This supports a fair, transparent and effective regulatory environment that benefits the industry and the wider community.

LCV works with licensees, permit holders and other stakeholders to educate them on their obligations, promote voluntary compliance and, where necessary, use a range of enforcement options in response to non-compliance. This ensures an effective administration of the liquor licensing framework and appropriate support for compliance across the industry.

LCV's role is to ensure that licensees comply with their responsibilities, which include:

- selling and supplying alcohol within the conditions of their licence or permit
- meeting all responsible service of alcohol (RSA) obligations, including ensuring staff are appropriately trained and liquor service is in line with RSA requirements
- not supplying alcohol to minors or intoxicated persons
- complying with legal obligations, including licence conditions, trading hours and conditions of operation
- managing community impacts, including noise and amenity concerns appropriately
- providing accurate and complete information to LCV both at application stage and as the business needs change
- complying with LCV directions, notices and decisions.

Principles and priorities

The way LCV monitors and enforces compliance is informed by a range of principles and priorities.

Regulatory principles

LCV's regulatory work is based on principles that support it to be a model regulator. LCV's regulatory principles are outlined in its [Regulatory Approach](#).

1. Risk based

LCV is committed to a risk-based regulatory approach, utilising risk frameworks to prioritise activities, inform procedures, allocate resources and make decisions. This means that we prioritise regulation and regulatory effort on what poses the greatest risk of alcohol-related harm.

2. Collaborative

LCV takes a collaborative approach by actively engaging with industry, government partners and the community to encourage compliance and reduce alcohol-related harm.

3. Proactive

LCV strives to address emerging harms before they impact the community. This is achieved through the analysis of data and intelligence to identify patterns and themes that relate to current and projected risk.

4. Transparent

LCV is committed to embedding transparency in its regulatory practice and recognises that open communication and accountability are essential for building trust and engagement with our stakeholders.

5. Outcome driven

LCV is dedicated to an outcome-driven regulatory approach and is dynamic, responsive and adaptive to ensure impactful and sustainable outcomes are achieved.

Monitoring and enforcement principles

LCV's monitoring and enforcement work is based on the following principles, which inform who we inspect and what action we take when non-compliance is detected.

1. Proportionate

LCV will apply regulatory approaches, including sanctions, regarding the nature of the breach and its resulting harm.

2. Risk based

LCV will prioritise its compliance and enforcement activities for those licensees, their activities and breaches which present the greatest risk of alcohol-related harm to the community.

3. Targeted

LCV will use an intelligence and data-driven approach to ensure that resources are allocated where they will have the greatest impact.

4. Transparent

LCV will work to ensure licensees and stakeholders have information about how we will

address non-compliance, including sharing details of specific actions taken (for example, prosecutions).

5. Consistent

LCV will use its risk framework, Regulatory Approach and Monitoring and Enforcement Policy to support consistency in decision making about non-compliance.

6. Effective

LCV will work to ensure the tools used to address non-compliance are effective in minimising alcohol-related harm to the community.

Compliance priorities

LCV's compliance priorities reflect the key object of the Act, being a reduction in alcohol-related harm. As a result, LCV prioritises high harm activities, which have the highest potential to cause significant harm to individuals and the broader community. High harm activities include:

- selling alcohol without a liquor licence
- selling, serving, or supplying minors with alcohol
- serving an intoxicated person
- allowing drunk people on the premises.

Alcohol-related harm can result in and can be exhibited in many forms, including, but not limited to:

- family violence
- occupational violence and aggression
- physical and sexual violence
- anti-social and criminal behaviour
- intoxication harms.

These alcohol-related harms are a central focus for LCV due to their severe and far-reaching impacts. By targeting high-risk venues and behaviours, LCV seeks to ensure licensed locations operate in a manner that upholds public safety, community wellbeing and the integrity of Victoria's liquor licensing framework.

LCV's risk-based approach allows for proactive compliance monitoring, prioritising venues and offences where the likelihood and consequence of harm is greatest. This enables LCV to deploy resources efficiently, support responsible service and intervene early to prevent the escalation of harm.

Table 1: High harm offences

Section	Offence
107	A person who is not a licensee must not sell liquor or offer liquor for sale
108(4)(a)	A licensee or permittee must not supply liquor to an intoxicated person
108(4)(b)	A licensee or permittee must not permit drunken or disorderly persons to be on the licensed premises on or any authorised premises
119(1)(a)	A licensee or a permittee must not supply liquor to a person under the age of 18 years

Section	Offence
119(1)(b)	A licensee or a permittee must not permit liquor to be supplied to a person under the age of 18 years
119(2)	Supplying liquor to a person under the age of 18 years on the licensed premises or any authorised premises of a licensee or permittee
120(1)	Permitting a person under 18 on a licensed premises other than as permitted

Roles and responsibilities

The licensee

Licensees or permittees should be familiar with their liquor licence and the conditions of their planning permit.

A liquor licence does not override planning permit conditions. If a planning permit is more restrictive than a licence, the licensee must trade within the conditions of the planning permit.

The liquor licence must be read carefully as it may have special conditions. Licensees are required to adhere to any special conditions endorsed on the licence, as well as meet obligations under the law. Special conditions may include numbers of patrons, security guards, surveillance cameras, management plans or when certain areas of the venue may be used.

A licensee or permittee:

- ensures compliance with their licence or permit conditions
- keeps appropriate records
- maintains a duty of care to staff and customers
- is a fit and proper person to hold a licence or permit
- co-operates with LCV inspectors
- trains and supervises their staff
- notifies LCV in accordance with their legislative obligations
- pays licence renewal fees on time
- follows advertising and promotional restrictions
- conducts their business in an ethical manner.

The licensee has responsibility to complete the required mandatory training and to ensure that their staff, where applicable, do the same. New licensees must complete mandatory training to understand their legal obligations and the responsibilities of holding a liquor licence before they are granted a licence. If a licensee was granted a late-night licence after 2014, one director and a responsible person must complete the Advanced RSA course. Licensees of [some licensed venues](#) must ensure all staff who serve, sell or offer alcohol complete Responsible Service of Alcohol (RSA) training.

The Commission

The Victorian Liquor Commission (the Commission) delivers licensing, investigative, disciplinary and other regulatory functions under the Act and regulations relating to the supply and consumption of liquor in Victoria. The Commission delegates specific regulatory powers to LCV staff.

The Commission:

- undertakes licensing approval, authorisation and registration activities
- performs regulatory, investigative and disciplinary functions
- promotes and monitors compliance
- detects and responds to contraventions of the Act

- provides advice to the Minister on the operation of the Act and regulations, and the Commission's functions under the Act and regulations
- implements Government policy in relation to the supply and consumption of liquor
- informs and educates the public about the Commission's regulatory practices and requirements.

The Commission also has a broader policy role to consider emerging issues that impact the delivery of regulatory functions and the operation of the Act and regulations.

The public

Members of the public have a responsibility to engage with licensed premises in a manner that upholds safety, legality and community standards. The public must comply with all applicable laws and venue-specific rules, specifically, those related to alcohol consumption, public conduct and the use of licensed services.

Members of the public are expected to act responsibly, respect the rights of others and refrain from behaviours that may compromise public safety or contribute to non-compliance. This includes intoxication, drunkenness, disorderly conduct that compromises amenity and encouraging unlawful activity.

Where relevant, the public is encouraged to report unsafe or unlawful behaviour to the appropriate authority and to participate constructively in regulatory processes, including investigations conducted by LCV. These responsibilities support compliance and ensure that licensed operators are held accountable through both regulatory oversight and community engagement. Adherence to these responsibilities is essential for fostering a safe, fair and well-regulated environment across all sectors governed by the Act.

Our approach to monitoring and enforcing compliance

Risk-based regulatory approach

LCV's commitment to a risk-based regulatory approach means that we prioritise regulation and regulatory effort on what poses the greatest risk of alcohol-related harm. This can be done by assessing the risk of each identified offence and applying the appropriate regulatory options. LCV's systematic approach involves the following actions.

Identify harm

Identify the type of alcohol-related harm based on an activity and the breach of the Act or licence condition.

Assess risk

The consequences of non-compliance are considered against the risk matrix to determine the impact and risk. This includes reviewing compliance history and assessing the licensee's risk profile in relation to the offence to determine the regulatory response.

Educate to comply

A licensee must understand their responsibilities to actively manage alcohol-related risks and ensure ongoing compliance with the Act. When conducting inspections, LCV inspectors take the time to ensure that a licensee understands their responsibilities. These conversations are an important part of the compliance response when breaches are detected.

Monitor compliance

Compliance is monitored through inspections, targeted compliance activities, intelligence and information sharing, and the review of licence conditions to better achieve ongoing compliance outcomes. LCV's licensing and compliance teams work together closely during the assessment of liquor licence applications and in the monitoring of existing licences. This enables compliance considerations to inform licensing decisions, and licensing considerations to support monitoring and enforcement activities undertaken by LCV inspectors. This integrated approach supports consistent decision-making, strengthens regulatory outcomes and enhances the ongoing compliance monitoring of licence conditions over time.

Enforce compliance

Where further non-compliance is detected, or the initial offence is serious, LCV will undertake an escalated enforcement approach. The Act provides a broad range of enforcement options, and LCV exercises discretion in determining the most appropriate and proportionate response based on the offending. Discretion applies to the:

- nature, severity and impact of the offence
- public interest in the offence
- accused's culpability
- accused's risk profile, compliance history and likelihood of reoffending
- accused's engagement with LCV and their efforts to rectify, mitigate or eliminate future risk
- management systems and staff training procedures in place
- commercial or personal benefit gained from the offence
- risk to public safety.

Enforcement actions need not be sequential and may escalate directly to higher-level responses, including prosecution or licence cancellation, where warranted. This ensures that serious or wilful breaches are addressed effectively in line with regulatory objectives.

Encourage continuous improvement

LCV's ongoing education, engagement and communication with licensees support continuous improvement. Licensee can access information on key obligations through the website, webinars, e-newsletters and emails. Resources such as checklists, templates, policies and posters are also readily available on the website.

We directly engage with licensees through liquor forums and during inspections. LCV also engages with peak bodies and other licensee representatives, event organisers, representatives of specific activities (for example, music festivals), and community-based interest groups to support the use of education to drive meaningful compliance.

Monitoring and investigating non-compliance

Monitoring and detection

Intelligence plays an important role in LCV's efforts to regulate the liquor industry and reduce alcohol-related harm. By analysing data and identifying patterns, LCV can plan more effectively and allocate resources where they are most needed, thereby regulating the liquor industry more efficiently.

Through the analysis of behaviours, trends and risks, LCV develops a better understanding of the compliance environment. This intelligence pinpoints where non-compliance may be occurring or emerging, enabling timely and targeted interventions. It also supports strategic planning to ensure that LCV's regulatory efforts are focused, responsive and proportionate. Intelligence gathered is used to produce targeted reports and assessments that guide enforcement action, inform policy development and support regulatory improvements. These insights help ensure that LCV's work remains adaptive to emerging risks and continues to protect community safety.

LCV works closely with co-regulators, law enforcement and government agencies to share valuable information. This collaboration strengthens LCV's understanding of complex issues and helps inform broader responses to alcohol-related harm.

LCV receives complaints and information about licensees from a range of sources, including co-regulators and the public (via our website or social media reporting). Information received informs how we use our resources to investigate, monitor compliance and take appropriate action. All information we receive about licensees is carefully considered, and any action we take reflects LCV's approach of prioritising high-harm activities.

Inspections

LCV inspectors are active at all times of day when alcohol is served. Inspections can be pre-arranged with a licensee or unannounced. Often, inspectors observe discreetly before identifying themselves to a licensee. Inspectors target higher-risk licensed locations or activities at high-risk times. Sometimes inspections include other co-regulators such as Victoria Police or local council staff.

The purpose of inspections is to monitor compliance, identify breaches and take appropriate action. Additionally, inspections are an opportunity to engage with a licensee to discuss ways to strengthen compliance through education about better practice and proactive risk management. Inspectors observe various ways licensees meet their responsibilities, and they share their insights during inspections to promote and support compliance.

Investigations

LCV's investigations team prioritises high-harm breaches. They use a range of powers to investigate alleged offending, collect evidence and examine the circumstances in which the offending occurred. This allows the alleged offending to be mapped against a risk assessment matrix to identify the appropriate response.

In addition to investigating specific stand-alone breaches, LCV investigators also focus on areas of strategic importance by targeting a specific type of risk or licensee. This allows LCV to more effectively identify and hold to account licensees engaged in activity that contravenes the Act.

Risk-based enforcement response

The following factors are considered when choosing which breaches and licensees to focus on and what action to take.

- What is the **likelihood** of the licensee complying with their obligations under the Act, including licence conditions?
 - Are they willing to comply, and do they have the capacity to comply with their obligations? **or**
 - Are they unwilling or unable to comply with their obligations, demonstrated through their compliance history?
- What is their **attitude** towards compliance, and their **culpability** in non-compliance?
 - Is the licensee proactively engaged in actions to support the management of their alcohol-related responsibilities? **or**
 - Do they engage in conduct that seeks to avoid their responsibilities?
- What are the **risks** associated with non-compliance?
 - Is non-compliance short term?
 - Is the risk to customers or the community low?
 - Could the non-compliance result in an increase in high harm offences, such as offences involving minors or intoxicated people?
 - Could the non-compliance encourage irresponsible alcohol consumption?
 - Does non-compliance enable criminal behaviour which may put the safety of customers, staff or the community at risk?
- Does the conduct of the licensee suggest a lack of **suitability** to hold a liquor licence?

LCV's risk framework provides a guide to LCV staff to consider risk and other elements in their decision making. The framework promotes a consistent approach to risk across LCV.

LCV's response to breaches of the Act is based on the regulatory pyramid model of escalating compliance action. Note that some actions may sit on several levels of the pyramid and regulatory action can occur at the level indicated by the severity of the breach and the willingness of the licensee to meet their responsibilities. Actions shown in the diagram below are not an exhaustive list of actions available to LCV.

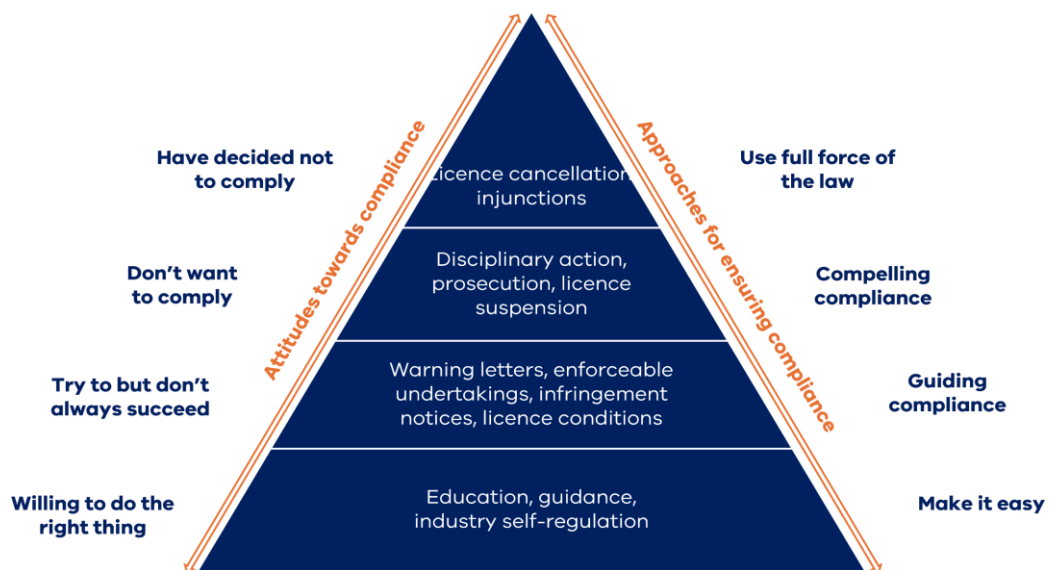


Figure 1: LCV's regulatory pyramid

Compliance tools

LCV's compliance tools include education, warning letters, enforceable undertakings, infringements, and, for the most serious offences, prosecution. In addition, the Victorian Liquor Commission has a range of tools at its disposal, which include disciplinary action, imposition of additional licence conditions, barring individuals from being involved in a liquor business and cancellation of liquor licences.

LCV takes a graduated approach to the sanctions it applies to breaches, using the lightest touch tool for the least serious matters, escalating through to more punitive actions as the severity of the breach increases.

Education

Where we are dealing with new licensees, or where we have detected breaches that warrant an education-led response, we will use this tool to help licensees become compliant. The aim is to help the licensee understand what they need to do and why.

Compliance through direction

Where licensees find compliance challenging, we will seek to encourage them by using stronger regulatory tools, such as warning letters, infringement notices, enforceable undertakings, or licence conditions. We will use this approach for licensees who have shown they need clearer instructions about what they must do to achieve compliance.

Compelling compliance

Where licensees have demonstrated they will not comply with their licence, LCV will increase its regulatory response by applying greater sanctions, such as exercising the Victorian Liquor Commission's powers to undertake disciplinary action, issuing infringement notices, or seeking court injunctions or prosecution.

Full force of the law

Where other approaches are not working, or where offending is sufficiently serious, we will seek to disrupt non-complying licensees through other sanctions such as seizing alcohol, seeking court

injunctions, prosecuting or using the powers of the Victorian Liquor Commission as described above.

Public disclosure of enforcement actions

A key principle of LCV's monitoring and enforcement policy is transparency. LCV supports transparency by communicating key enforcement actions in several ways, including publishing the:

- results of hearings of the Commission on the 'Victorian Liquor Commission hearings and decisions' page of the LCV website, vic.gov.au/liquor-commission-hearings-decisions
- details of undertakings, prosecutions and disqualified persons or companies on the 'Liquor licence and enforcement actions and outcomes' page of the LCV website, vic.gov.au/liquor-enforcement-actions
- results of hearings of the Commission on AustLII.

Appendix 1 – Offences and categorisation

The Act outlines offences related to the sale, supply and consumption of liquor. There are 113 offences prescribed as offences under the Act. These offences can broadly be grouped into the below categories. Note this is not an exhaustive list of offences and their categorisation.

Table 2: Offence categories

Category	Offence examples
High harm offences	<ul style="list-style-type: none"> Selling or supplying liquor without a licence Supply liquor to intoxicated person Supply liquor to a person under 18 Selling, supplying and permitting consumption of liquor on a premises without a licence or permit Supply or permitting supply to a minor Drunk or disorderly on premises
Offences related to specific licence conditions	<ul style="list-style-type: none"> Breach of licence conditions (e.g. inadequate security staff, trading outside of permitted hours, overcrowding) Failure to notify the Commission about changes relevant to operating conditions (e.g. hours of opening, red line plan)
Offences involving minors (where the minor is committing the offence)	<ul style="list-style-type: none"> Knowingly providing a false evidence of age document Purchase, receive or consume alcohol on a licenced premises
Offences relating to fraud, false statements and obstruction	<ul style="list-style-type: none"> Making a false or misleading statement Fail to produce any document, equipment or thing to an inspector when requested
Offences relating to record keeping and display of information	<ul style="list-style-type: none"> Fail display a copy of a liquor licence on the licenced premises Fail to display notices in the required form Fail to produce RSA records
Offences relating to general licence conditions	<ul style="list-style-type: none"> Prohibited advertising or promotion Failure to complete RSA training

Appendix 2 – Definitions

Note this is not an exhaustive list of terms and definitions. To view the extensive list of terms and definitions, refer to the *Liquor Control Reform Act 1998*.

Table 3: Definitions

Term	Definition
Alcohol-related harm	Harm resulting from or related to the consumption or supply of liquor/alcohol
Amenity	The features that enhance the pleasantness of a property, but not essential to its use
Associated regulations	Liquor Control Reform Regulations 2023
Contravention	A breach or violation of a law
Intoxication	A person is in a state of intoxication if his or her speech, balance, coordination, or behaviour is noticeably affected and there are reasonable grounds for believing that this is the result of the consumption of liquor.
Licence	A licence granted under the <i>Liquor Control Reform Act 1998</i>
Liquor	A beverage, or other prescribed substance, intended for human consumption with an alcoholic content greater than 0.5% by volume at a temperature of 20° Celsius
Minors	A person under the age of 18 years
Permit	A permit granted under the <i>Liquor Control Reform Act 1998</i>
Powers	The authority or capacity to act, granted by the relevant legislative instruments
Premises	Physical location or property
Risk	A situation that involves a level of danger, harm or loss
Supply	The provision or delivery of goods or services, often as part of a commercial transaction