



BUSINESS AND INDUSTRY LICENSING

APPLICATION FOR A LIQUOR LICENCE

*Liquor Act 1975
Liquor Regulation 1979
Liquor Licensing Standards Manual 2004*



BIL 001 - PART A

IMPORTANT INFORMATION

Applicants should be aware of their responsibilities under the **Liquor Act 1975**. You can view the legislation and its regulations or download them from www.legislation.act.gov.au. You may also obtain information and relevant forms at www.ors.act.gov.au.

Licence Number

(office use only)

Send Completed Applications to the **Office of Regulatory Services:**

Or provide in person at:

Or call for assistance on:

For email assistance, please refer to:

GPO BOX 158, CANBERRA ACT 2601

255 Canberra Avenue, Fyshwick.

02 6207 0562

ors.bil@act.gov.au

A LICENCE WILL NOT BE ISSUED IF THE PREMISES IS NOT COMPLETE

SELECT THE TYPE OF LICENCE YOU ARE APPLYING FOR

☐

General Licence

☐

On Licence

☐

Off Licence

☐

Club Licence

☐

Special Licence

**YOU MUST SUBMIT ALL RELEVANT PARTS OF THE APPLICATION PACKAGE BEFORE
YOUR APPLICATION WILL BE PROCESSED**

Part A – Information

(Part A seeks to provide you with an overview as to what you will require in applying for a liquor licence and the type of supporting documentation you will need to provide to the Registrar.

Part B – A Personal Particulars Form for an individual/sole trader or a defined influential person (company, association etc) or a partner in a partnership

Information required includes names, contact details, dates of birth and residency status. A copy of this form must be completed by every individual (eg. sole trader), every person in a partnership and all defined influential persons for a corporation. A “defined influential person” is a director or secretary of a body corporate or a person who is substantially concerned with the management of the body, or able to control or substantially influence the body’s activities or internal affairs (section 73).

Part C – An Organisation Particulars Form for a partnership or an incorporated body

(Where the applicant is a partnership, company, association, co-operative or statutory authority)

Part D – A Statutory Declaration

(Which must be provided by all applicants, partners, defined influential persons)

Part E – A Premises Details Form (including ACTPLA certificate to be attached)

(Details of the premises over which the licence is being sought)

Part F – Credit card payment authority

(If you choose to pay by credit card, please note that your payment will not be processed until such time as your application has been approved by the Registrar)

YOU MUST PROVIDE ALL OF THE FOLLOWING AS PART OF YOUR APPLICATION**(To assist ORS in assessing your application, please tick what is attached)**

All applicants MUST provide	☐	Personal Particulars Form (Part B) for every sole trader, every partner and every defined influential person
	☐	Statutory Declarations (Part D) for every sole trader, every partner and every defined influential person
	☐	Character References for every sole trader, every partner and every defined influential person (two written references must be provided)
	☐	A Police Certificate for every sole trader, every partner and every defined influential person (use the consent form available at the following link: http://www.afp.gov.au/data/assets/pdf_file/3683/NE_CR100.pdf) (Fees for the National Police check may be found at: http://www.afp.gov.au/services/operational/criminal_history_checks/national_police_checks.html)
	☐	Evidence of Citizenship or Resident status for every sole trader, every partner and every defined influential person not born in Australia (Citizenship, naturalisation, passport, visa to remain, certificate or evidence of residential status)
	☐	A copy of the menu or the type of food to be provided in the case of an On, Special or General Licence (MUST include prices).
	☐	A Premises Details Form (Part E)
	☐	An executed Lease or Sublease and a letter from the landlord stating no objection to the sale of liquor unless this provision has been provided for in the executed sublease.
	☐	ACTPLA Certificate – (Lease Advice provided to you by ACTPLA. An application form for this can be obtained from: http://www.actpla.act.gov.au/data/assets/pdf_file/0003/8913/leaseadvice-liquor.pdf)
	☐	Two complete copies of approved floor plans for proposed premises (Toilets not located on the premises must be identified on the plan).
☐	Certificate of Occupancy (For building and fit-out) (This may not be available at the time you lodge your application, but is required before a licence can be issued)	
In addition to the above, depending upon the type of applicant, you will also be required to provide the following:		
A body corporate MUST provide:	☐	An Organisation Particulars Form (Part C) for a body corporate, association, statutory body or partnership
	☐	If the applicant is a statutory authority or a cooperative, evidence must be provided of enabling legislation or registration
	☐	A Company Extract (An extract to be obtained from the Australian Securities and Investments Commission showing details of all company directors, secretary, etc)
	☐	Certificate of Incorporation (Company certificate, or certificate of incorporation if an association)
	☐	If the body is a Club, a copy of the Club's Constitution (Clubs must be incorporated – association or company) – The club must identify which parts of the constitution or rules satisfy the requirements of section 54(2) of the Act)
	☐	If the body is a Club, details of financial membership (Provide the number of financial members of the age of 18 or over)
A partnership MUST provide:	☐	An Organisation Particulars Form (Part C) for a body corporate, association, statutory body or partnership
	☐	Evidence of Partnership Name as registered on Australian Business Register

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OFFICE OF
REGULATORY
SERVICES

DEPARTMENT OF
JUSTICE & COMMUNITY SAFETY

BIL 001 - PART B

(A copy of this form must be completed by every sole trader, every person in a partnership, and all defined influential persons)

TITLE (Ms, Mr, Dr)	FIRST GIVEN NAME	SECOND GIVEN NAME	FAMILY NAME / SURNAME

DATE OF BIRTH	CITY / TOWN OF BIRTH	COUNTRY OF BIRTH	NATIONALITY

AUSTRALIAN BUSINESS NUMBER (A.B.N) – required if applicant is a sole trader

[illegible]

(Property Name, Unit, Flat, Room No, Street Number, Street Name)

CITY / SUBURB	STATE	POSTCODE	COUNTRY

☐ Australian Citizen (Evidence required if not born in Australia)	☐ Permanent Resident (Evidence required)
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(If different to residential address)

CITY/ SUBURB/ TOWN	STATE / TERRITORY	POSTCODE	COUNTRY

HOME TELEPHONE NUMBER	MOBILE TELEPHONE NUMBER

WORK TELEPHONE NUMBER	EMAIL ADDRESS

DECLARATION

I confirm that the information supplied in this application is true and accurate and understand that the provision of false or misleading information is an offence.

SIGNATURE OF A SOLE TRADER, PARTNER OR DEFINED INFLUENTIAL PERSON

Applicant Signature _____

Dated _____

/ / 20

Date Received Details (ORS Stamp)

FORMS OF IDENTIFICATION PRESENTED IN SUPPORT OF APPLICATION

	Type	Number	Expiry Date	Copy Attached
Primary Identification				☐
Secondary Identification				☐
Evidence of Citizenship				☐

ACCEPTABLE FORMS OF PERSONAL IDENTIFICATION**PRIMARY ID**

YOU MUST HAVE AT LEAST ONE OF THE FOLLOWING – WHICH MUST BE CURRENT AND MUST BEAR A PHOTOGRAPH OF YOU THAT IS STILL A GOOD LIKENESS

Current Driver's licence (photo)
Current Learner driver's licence/permit (photo)
Current Passport (photo)
Current Proof of age card or Identity Card issued by a State or Territory Identity (photo)
Current Firearms licence (photo)
Current Shooter's licence (photo)
Current Security licence (photo)
Current Boat licence (photo)
Current Defence forces ID (photo)
Current Government department ID (photo)

SECONDARY ID

YOU MUST HAVE A SECOND FORM OF ID, EITHER FROM THE PRIMARY ID LIST ABOVE OR ANY OF THE FOLLOWING, WITH OR WITHOUT PHOTO

Bank passbook Current
Birth certificate
Birth certificate extract
Birth certificate (certified copy)
Boat licence Current
Certificate of Australian Citizenship
Credit card Current
Credit union passbook Current
Defence forces ID Current
Driver's licence Current
Firearms licence Current
Government department ID Current

Health benefits card Current
Learner driver's licence/permit Current
Marriage certificate
Medicare card Current
Naturalisation Certificate
Passport Current
Proof of age card
Public utility account Current or recent
Rate notice Current of recent
Shooter's licence Current
Taxation assessment notice Recent

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**BIL 001 - PART C****ORGANISATION PARTICULARS FORM****REGISTERED NAME OF CORPORATION / PARTNERSHIP / ASSOCIATION / STATUTORY AUTHORITY**

(Full registered name of Company, Incorporated Association, Cooperative, Statutory Authority, or Partnership)

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AUSTRALIAN BUSINESS NUMBER (A.B.N)

--	--	--	--	--	--	--	--	--	--	--	--	--	--

AUSTRALIAN COMPANY NUMBER (A.C.N)

--	--	--	--	--	--	--	--	--	--	--	--	--	--

INCORPORATED ASSOCIATION NUMBER or COOPERATIVE NUMBER

--	--	--	--	--	--	--	--	--	--	--	--	--	--

REGISTERED OFFICE ADDRESS

(Property name, unit flat, or room number, floor or level number, street number and street name)

--

CITY/ SUBURB/ TOWN**STATE / TERRITORY****POSTCODE**

--	--	--

POSTAL ADDRESS – if different to the one shown above

--

CITY/ SUBURB/ TOWN**STATE / TERRITORY****POSTCODE**

--	--	--

CONTACT PERSON

--

BUSINESS TELEPHONE NUMBER**BUSINESS FAX NUMBER**

--	--

CONTACT MOBILE NUMBER**BUSINESS OR CONTACT EMAIL ADDRESS**

--	--

List ALL Partners of a Partnership and Defined Influential Persons of an Organisation

Each person must complete a 'Personal Particulars Form', a 'Statutory Declaration Form' and provide a 'Police Certificate'. Each document must be attached.

	Position Held	Personal Particulars Form and ID	Police Certificate	Statutory Declaration
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐

I confirm that the information supplied in this application is true and accurate and understand that the provision of false or misleading information is an offence.

SIGNATURE ON BEHALF OF A COMPANY, PARTNERSHIP, ASSOCIATION OR STATUTORY AUTHORITY

Signature _____

Dated _____ / _____ / 20

Signature _____

Dated _____ / _____ / 20

Date Received Details (ORS Stamp)

EVIDENCE OF REGISTRATION / CREATION OF THE ORGANISATION

For a company	A company extract MUST be attached.	☐
For an Incorporated Association	An incorporation extract MUST be attached.	☐
For a Cooperative	A certificate of registration MUST be attached.	☐
For a Statutory Authority	A copy of the enabling gazettal, enabling legislation or evidence from the CEO MUST be attached.	☐
For a Partnership	A copy of the legal name as registered with the Australian Business Register MUST be attached.	☐

IF APPLICANT IS A CLUB (a club must be incorporated)

A copy of the constitution and rules of the club MUST be attached	☐
Financial membership – must have 200 financial members of at least 18 years of age.	No of Members

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BIL 001 - PART D
BUSINESS AND INDUSTRY LICENSING
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STATUTORY DECLARATION

Statutory Declaration Act 1959

I, _____
(Name in full)

Of _____
(Full residential address)

Whose current occupation is _____

With a date of birth being _____

And a citizenship status of _____

Make the following declaration under the **Statutory Declarations Act 1959**:

- That I will make true answers to all questions in this statutory declaration by **checking or selecting** the corresponding **YES or NO** box beside the questions;
- That for each question I answer **YES**, I will provide full and accurate details of the facts or matters specified or associated with the question, attaching additional details on an annexure form.

1 Have you ever been the subject of a conviction, finding of guilt or pecuniary penalty before a court? ☐ Yes ☐ No

2 Do you have any criminal or other charge(s) still pending before a Court? ☐ Yes ☐ No

Have you ever been convicted of, had a finding of guilt or pecuniary penalty imposed, or are charges still pending in relation to a 'defined offence' before a Court, Tribunal or the Liquor Licensing Board?

3 **A defined offence** means an offence against any of the following Acts:

- (a) the **Liquor Act 1975**;
(b) the **Crimes Act 1900**;
(c) the **Criminal Code**;
(d) the **Unlawful Games Act 1984**;
(e) the **Crimes Act 1914** (Commonwealth);
(f) the **Criminal Code Act 1995** (Commonwealth).

☐ Yes ☐ No

4 Are you currently, or have you been, a director or secretary of a company which has been the subject of a conviction, finding of guilt or pecuniary penalty before a Court or Tribunal or before the Liquor Licensing Board, or which has charges pending before such court, tribunal or board? ☐ Yes ☐ No

5 Are you an undischarged bankrupt? ☐ Yes ☐ No

6 If the applicant is a corporation and you are a defined influential person in relation to the corporation, is the corporation in liquidation? ☐ Yes ☐ No
☐ Not applicable

For the purposes of making a decision in relation to an application for a licence or change of a defined influential person the relevant decision-maker shall consider a range of matters including but not limited to, the applicant's understanding of the obligations of a licensee under the Act.

To enable the relevant decision maker to assess your understanding of the Act, you are required to state your understanding of the obligations you would assume under the **Liquor Act 1975**, if you were granted a licence or approved as a defined influential person.

This declaration is compulsory and it will form part of your application. It should be completed in your own **HANDWRITING** and include details of any training you may have attended in relation to the ACT **Liquor Act 1975**.

My understanding of my obligations under the *Liquor Act 1975* are:

I make this solemn declaration by virtue of the **Statutory Declarations Act 1959** as amended and subject to the penalties provided by the Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true and correct in every particular.

DECLARATION

Signature of Person Making the declaration

Declared at _____ On the _____ Day of _____ 20____

Before me Signature of Witness Full Name of Witness

Qualification of Witness

Address of Witness

Note: A person who wilfully makes a false statement in a statutory declaration under the **Statutory Declarations Act 1959** as amended is guilty of an offence under the act, the punishment for which is a fine not exceeding \$200 or imprisonment for a term not exceeding 6 months or both if the offence is prosecuted summarily, or imprisonment for a term not exceeding four years if the offence is prosecuted upon indictment.

Link to persons before whom a statutory declaration may be made:

<http://www.comlaw.gov.au/comlaw/legislation/legislativeinstrumentcompilation1.nsf/current/bytitle/BAF4F2D92E09F45ACA256F71004C14F1?OpenDocument&mostrecent=1> -



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**BIL 002 - PART E****LIQUOR LICENCE – PREMISES DETAILS**

The conditions of the Crown Lease must be appropriate conditions for the purposes of the proposed licence.

PARTICULARS OF PREMISES – RESIDENTIAL ADDRESS

(Property name, unit flat, or room number, floor or level number, street number and street name)

--

CITY/ SUBURB/ TOWN	STATE / TERRITORY	POSTCODE
--------------------	-------------------	----------

--	--	--

DISTRICT/DIVISION	BLOCK	SECTION
-------------------	-------	---------

--	--	--

POSTAL ADDRESS FOR BUSINESS

--

CITY/ SUBURB/ TOWN	STATE / TERRITORY	POSTCODE
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--	--	--

CONTACT DETAILS FOR THIS PREMISES

TELEPHONE NUMBER	FAX NUMBER	MOBILE NUMBER	EMAIL ADDRESS
------------------	------------	---------------	---------------

--	--	--	--

CONTACT PERSON FOR THIS PREMISES

CONTACT NAME	CONTACT PHONE NUMBER
--------------	----------------------

--	--

REGISTERED BUSINESS NAME (Name proposed to be used for this premises – must be registered with the Office of Regulatory Services). An application form to register a business name can be obtained at the following link:
<http://www.legislation.act.gov.au/af/2007-98/current/rtf/2007-98.rtf>

--

FOR OFF AND SPECIAL LICENCES APPLICATIONS ONLY

Please describe rooms on licensed premises proposed for use as sampling rooms (if any).

--

FOR GENERAL, ON, CLUBS AND SPECIAL LICENCES APPLICATIONS ONLY

Please describe the proposed place or places within the premises at which food will be available for sale whilst the premises will be open for sale of liquor.

--

TRADING DAYS AND TRADING HOURS REQUIREMENTS

GENERAL LICENCES AND ON LICENCES These have **minimum trading hours requirements**. You are not required to trade on a **non-trading day**. "**Non-trading day**" means - a public holiday; or a Sunday; or a day for which the Registrar has granted approval. If you choose to trade on a Sunday or public holiday then the minimum hours apply.

ON LICENCES On any day other than a non-trading day – **must have at least one bar-room open** for the sale of liquor to the public for not less than an **aggregate period of 6 hours**. May sell liquor for **consumption on the premises**, continuously **from 7 am one day until 4 am the next day**. If licensee has **notified the Registrar** in writing, in relation to a particular day or days – may sell liquor for consumption on the premises **until 5 am** but cannot then recommence trade until at least 8 am that morning.

GENERAL LICENCES For the sale of liquor for **consumption on the premises** on any day other than a non-trading day – **must have at least one bar-room open** for the sale of liquor to the public from **noon until 8 pm**. For the sale or supply of liquor for **consumption away from the premises** (to be sold from a separate bottle shop) – **may trade from 7am until 11 pm**.

CLUB LICENCES No minimum trading hours or trading days. Must only sell liquor to a **member** of the Club or to the **invited guest of a member** of the Club who is then present on the premises of the Club. May sell liquor for **consumption on the premises**, continuously **from 7 am one day until 4 am the next day**. If licensee has **notified the Registrar** in writing, in relation to a particular day or days – may sell liquor for consumption on the premises **until 5 am** but cannot then recommence trade until at least 8 am that morning. For the sale or supply of liquor for **consumption away from the premises** – **may trade from 7am until 11 pm**.

SPECIAL LICENCES No minimum trading hours or trading days unless specified as a condition. Trading hours and trading days will normally be specified as a condition of the licence. If the licence allows for the sale of liquor for consumption on the premises, may sell liquor for consumption on the premises, continuously from 7 am one day until 4 am the next day, or lesser period as specified in the licence. If licensee has notified the Registrar in writing, in relation to a particular day or days - may sell liquor for consumption on the premises until 5 am but cannot then recommence trade until at least 8 am that morning. If the licence allows for the sale or supply of liquor for consumption away from the premises – may trade from 7am until 11 pm, or lesser period as specified in the licence.

OFF LICENCES No minimum trading hours or trading days. For the sale or supply of liquor for **consumption away from the premises** – **may trade from 7am until 11 pm**.

PROPOSED TRADING DAYS AND TRADING HOURS

DAY/S	TIME FROM	TIME TO	TIME FROM	TIME TO	TIME FROM	TIME TO	TOTAL
EXAMPLE DAY	7 am	9 am	12 pm	2 pm	6 pm	10 pm	8
SUNDAY							
MONDAY							
TUESDAY							
WEDNESDAY							
THURSDAY							
FRIDAY							
SATURDAY							

NOTE – IF YOU REQUIRE A 'NON-TRADING' DAY FOR A PARTICULAR DAY OF THE WEEK – WRITE "NON-TRADING DAY" ACROSS THE COLUMNS BESIDE THE RELEVANT DAY.

OFFICE USE ONLY

Entered into IBS by		Date Entered into IBS		IBS Premises Number	
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OFFICE OF REGULATORY SERVICES USE ONLY**STAGE 1 – RECOMMENDATION**

☐ <i>Licence to be Granted</i>	☐ <i>Licence Not to be Granted</i>
☐ <i>Conditional Licence to be granted</i>	☐ <i>Licence Follow Up Required</i>
<i>Comments</i>	
Name of Officer Preparing Recommendation	Signature of Officer
Date	

FOLLOW UP ACTION TAKEN

☐ <i>Issues Rectified</i>	☐ <i>Issues NOT rectified</i>
<i>Comments</i>	

STAGE 2 – DECISION

☐ <i>Granted</i>	☐ <i>Not Granted</i>	☐ <i>Action Required</i>	☐ <i>Refer to LLB</i>
<i>Comments</i>			
Name of Decision Maker		Signature of Decision Maker	Date

OFFICE USE ONLY

Receipt Number		Date of Receipt		Entered into IBS by	
Licence Number		Date Issued			



Provision of Lease Advice Form

Advice to Registrar of Liquor Licensing for licence application

Leasing Section
Development Services Branch
ACT Planning and Land Authority
16 Challis Street
Dickson ACT 2602

Telephone: 6207 1923

GPO Box 1908
Canberra ACT 2601

I am an applicant for a liquor licence for the premises situated on the following parcel of land:

UNIT _____ BLOCK _____ SECTION _____ DIVISION _____

Street Address: _____

The proposed licensed premises is to occupy the _____ floor/s.

Description of business: _____

The type of liquor licence I am applying for is: (please tick box/es)

☐

ON

☐

OFF

☐

GENERAL

☐

CLUB

☐

SPECIAL

Please provide a "lease advice" as to whether or not the lease purpose clause of the Crown lease for the above parcel of land permits the use of the land for the storage and/or sale of liquor for the above proposed use.

I enclose payment of **\$116.50** (2007/08 financial year fee) for this service.

Name of applicant: _____

Postal address: _____

Email: _____

Contact telephone: _____

Applicant's signature: _____ Date: ____/____/____

Office use only:
Receipt number: _____ Date: ____/____/____ Amount received: _____



NO EXCLUSION

STAFF-IN-CONFIDENCE

(when completed)

Commonwealth of Australia

CONSENT TO OBTAIN PERSONAL INFORMATION

(for categories where **NO EXCLUSION** has been granted from spent convictions legislation)

I.....hereby:

(Full name - **BLOCK LETTERS** and in **BLACK INK**)

(i) acknowledge that I have read the General Information document provided with this form and understand that I do not have to disclose old protected convictions information, which is described under the heading Spent Convictions Scheme in the General Information document;

(ii) certify that the personal information I have provided on both the front and back of this form relates to me and is correct;

(iii) consent to.....
(Name of Organisation/Department/Employer seeking information)

and their agent.....(if applicable)
(Agent/Background checking company)

to forward this form to the Australian Federal Police and/or the Police Services of the States or Territories of the Commonwealth of Australia and providing relevant information to the above organisation.

(iv) specify position/entitlement.....
APPLICATION FOR AN ACT LIQUOR LICENCE
(e.g. Taxi Driver, Nurse, Overseas Employment/Adoptions, Visa, Security Clearance, Clerk etc)

(v) consent to the AFP or other relevant Australian police force(s) extracting from their records copies of traffic violations, and criminal and/or traffic records relating to me pending before a Court and/or details of convictions or findings of guilt which have been recorded against me and which are not covered by Part VIIC of the Crimes Act 1914 dealing with spent convictions;

(vi) acknowledge that any information provided by me on this form or by the police as a result of the records check may be taken into account by the organisation mentioned in (iii) above in assessing my suitability to receive the position/entitlement.

Signature..... Date / /

Note: The information you provide on this form and which the police provide to this organisation on receipt of the form, will be used only for the purpose stated above unless statutory obligations require otherwise.



NATIONAL POLICE CHECK APPLICATION FORM

CURRENT FAMILY NAME			
GIVEN NAMES			
DATE OF BIRTH	/ /		
GENDER	☐ MALE		☐ FEMALE
OTHER NAMES	FAMILY NAME: (including all name changes and Maiden name)	GIVEN NAMES: (where different)	DATE OF BIRTH:
			/ /
			/ /
			/ /
PLACE OF BIRTH	TOWN	STATE	COUNTRY
CONTACT PHONE NUMBER	HOME	WORK	MOBILE
DRIVERS LICENCE NUMBER		DRIVERS LICENCE STATE:	☐ Copy Attached
ALTERNATE I.D. NUMBER		TYPE: <i>i.e. Passport, Birth Certificate, Medicare Card</i>	☐ Copy Attached

CURRENT ADDRESS - Must be completed in FULL.

UNIT/ NUMBER	STREET	POST CODE	SUBURB/ CITY	STATE	COUNTRY	RESIDENCY FROM
						/ /

PERMANENT RESIDENTIAL ADDRESSES OVER THE LAST TEN YEARS

UNIT/ NUMBER	STREET	POST CODE	SUBURB/ CITY	STATE	COUNTRY	RESIDENCY FROM	RESIDENCY TO
						/ /	/ /
						/ /	/ /
						/ /	/ /
						/ /	/ /
						/ /	/ /

• If full details of previous addresses are unavailable details of town(s) and state(s) will suffice. *Attach a list if there is insufficient room.*

• If actual dates are unavailable, details of year of residence will suffice.

Signature.....

Client Code
Client Reference

CRIMINAL HISTORY INFORMATION

Are you the subject of any criminal charges still pending before a court?	☐ Yes ☐ No
Have you been found guilty or convicted of an offence as an adult within the past ten years?	☐ Yes ☐ No
Have you been found guilty or convicted of an offence as a juvenile within the past five years?	☐ Yes ☐ No
Have you been found guilty or convicted of an offence for which you were sentenced to greater than 30 months imprisonment?	☐ Yes ☐ No

If you answered YES to any of the above questions, please provide details:

Police Use Only

RETURN ADDRESS
(if different from billing address)

Client Code:

Client Reference If Applicable:

Signature.....

STAFF-IN-CONFIDENCE (when completed)



GENERAL INFORMATION

Relating to the AFP National Police Check and Consent Forms

This form is used by applicants as part of the assessment process to determine whether a person is suitable for a position/entitlement including employment.

Unless statutory obligations require otherwise, the information provided on this form will not be used without your prior consent for any purpose other than named in your application.

POLICE RECORDS CHECK

Police records checks are an integral part of the assessment of your suitability for a position/entitlement. On this form you are asked to disclose whether you are the subject of any charges or matters still pending before a Court, or whether you have been the subject of conviction(s) or finding(s) of guilt before a Court. You are not required to reveal any conviction(s), which may be protected by Part VIIC of the Crimes Act 1914, relating to pardoned, quashed or spent convictions.

Where a police record with another Australian police jurisdiction has been obtained, any relevant legislation (and/or release policy) governing that police jurisdiction will be applied before it is released. Under various sections of Commonwealth, State and Territory legislation a person has the right, in particular circumstances or for a particular purpose, to not disclose certain convictions (i.e. Spent Convictions). Such convictions will not be released providing this is in accordance with the relevant legislation (and/or release policy). If further information is required in relation to the legislation and release policies of other police jurisdictions, please contact the individual jurisdiction directly.

This form may be forwarded by the employing organisation, their agent or by you direct to the Australian Federal Police (AFP), and you are asked to consent to:

- (a) the AFP disclosing criminal history information from its own records to the organisation with which you are employed or are seeking employment, and/or insurance company or other public or private organisation from which you are seeking an entitlement, and;
- (b) for the AFP to access the records of any State, Territory Jurisdiction and to obtain any criminal or traffic information which in turn would be disclosed to whom you are required to indicate.

PROVISION OF FALSE OR MISLEADING INFORMATION

You are asked to certify that the personal information you have provided on this form is correct. If it is subsequently discovered, for example as a result of a check of police records, that you have provided false or misleading information, it may be reported by the AFP and potentially you may be assessed as unsuitable to receive the entitlement you seek.

It should be noted that the Australian Federal Police does not assess or adjudicate your application but merely provides the tools to the prospective employer to assist them in assessing your suitability for employment.

SPENT CONVICTION INFORMATION

Commonwealth Spent Conviction Scheme

On 30 June 1990, Commonwealth legislation relating to the collection, use and disclosure of old conviction information came into effect. This law is commonly known as the Spent Conviction Scheme.

The aim of the Scheme is to prevent discrimination on the basis of certain old convictions, once a waiting period has passed and provided the individual has not re-offended. The Scheme also covers convictions where an individual's conviction has been set aside or pardoned.

An individual whose conviction is protected by Part VIIC of the Crimes Act 1914 does not have to disclose that conviction to any person, including a Commonwealth authority, unless an exclusion applies.

A spent conviction is a conviction for a Commonwealth, Territory, State or foreign offence which satisfies all of the following conditions:

- it is 10 years since the date of the conviction (or 5 years for juvenile offenders);
- the individual was not sentenced to imprisonment or was not sentenced to imprisonment for more than 30 months;
- the individual has not re-offended during the 10 year (5 years for juvenile offenders) waiting period; and
- a statutory or regulatory exclusion does not apply. (A full list of exclusions is available from the Privacy Commissioner).

Australian Capital Territory - Spent Convictions ACT 2000.

In September 2000 legislation was introduced in the Australian Capital Territory limiting the use and disclosure of older, less serious convictions and findings of guilt recorded under ACT legislation. This legislation is the *Spent Convictions Act 2000*.

Unless an exclusion applies (for example, where an individual wishes to undertake employment in certain occupations), once the waiting period has passed, a person does not have to disclose any conviction or finding of guilt that is protected by the provisions of the *Spent Convictions Act 2000*.

A spent conviction is one that satisfies all of the following conditions:

- It is more than 10 years (5 years for offences where the person was dealt with as a juvenile) since the date of the conviction or that the person has not been imprisoned or the person has not been subject to a control order and the person has not re-offended;
- The person was not sentenced to more than six months imprisonment;
- The offence was not a sexual offence;
- The person was not unlawfully at large in relation to an offence.

Exclusions to the *Spent Convictions Act 2000* may be found at section 19 of that Act.

Disputed Record Enquiries

If you believe that the information provided on your police certificate is incorrect or inaccurate in any detail please contact Criminal Records (by email: CriminalRecords-ClientServices@afp.gov.au or telephone 02 6202 3333) to obtain a Disputed Record (CR 1200) form. Once completed this form can be posted to the following address:

AFP Criminal Records
Client Services Team
GPO Box 401
CANBERRA ACT 2601

Please note that if you have any additional information or documents supporting your enquiry they should be attached to enable the AFP to more accurately assess your application. It should also be noted that AFP may require comparison fingerprints to resolve some disputes. Applicants will be notified in such instances.

Privacy Commissioner

The Privacy Commissioner is responsible for ensuring the protection of private information relating to individuals. This includes investigating instances where information has been released improperly or incorrectly. An individual who believes the standards dealing with disclosure and use of old conviction information have been breached may apply to the Privacy Commissioner for an investigation of the matter. The phone number is 1300 363 992.

CRIMINAL RECORDS TERMS AND CONDITIONS FOR NATIONAL POLICE CHECKS

The Australian Federal Police advise all applicants that for National Police Checks, they must meet the following requirements in the application.

1. Applications to be filled out in **black pen** if not typed.
2. A photocopy of drivers licence and/or alternate I.D. with photograph included must accompany application.
3. If there has been a change of name, then previous and current names **MUST** be included on the form (e.g. maiden, de facto, deed poll, etc).
4. Applicant's signature must not be more than three months old.
5. Please ensure that all the necessary details have been completed and that the forms are signed.
6. General Information pages 4-6 do not need to be sent to the AFP and can be retained for reference.
7. Payment of the required fee is to be in Australian Dollars.
8. Please note: Any supplied envelopes for return of certificates will not be used or returned.
9. Cheque or money order made payable to the **AUSTRALIAN FEDERAL POLICE** must be included with **all** applications and posted to:

AUSTRALIAN FEDERAL POLICE
Criminal Records
Locked Bag No. 1
WESTON ACT 2611

Failure to meet the required standards will result in the form being returned for amendment

Contacts:		
General Enquiries	Phone:	02 6202 3333
	Email:	vetting@afp.gov.au
Disputed Record Enquiries	Phone:	02 6202 3333
	Email:	CriminalRecords-ClientServices@afp.gov.au