

# Purchasing an Existing Registered Premises



Premises registered under the Public Health and Wellbeing Act 2008, Food Act 1984 or Residential Tenancies Act 1997 are required to meet minimum standards for construction, fit out and general operation.

Before purchasing an existing business, there are a number of steps that you should take.

## Prior to Signing a Contract

It is advisable prior to signing any contract for purchase, to request a 'transfer inspection' for any registered premise.

The purpose of a transfer inspection is to determine if any work is required on the premises. This can be extremely important when you consider that the cost of some works can add up to thousands of dollars.

## Requesting an Inspection

Any person can request a transfer inspection however the current operator (or agent) or in the case of a business that has closed, the building owner (or agent) must consent to the release of the results. A 'Request for Information and Documents' form is available from our office and must accompany any request for inspection.

A charge is payable for transfer reports and inspections. The resulting report is available within 5-7 working days of the request.

A copy of the requested report is also provided to the current registered proprietor.

## Where to now?

Once you have received the inspection report, any negotiations for the works that may be required is up to you and the current business property agent.

A follow up inspection will be carried out within a timeframe that is specified on the report. It is expected that all items will have been attended to by this date unless contact is made with our office to make alternative arrangements.

If all works are completed prior to the required date (ie at settlement), a follow up inspection can be requested by the current proprietor.

If any changes are to be made to the premise, a plan must be submitted. This plan is to be approved by Council's Environmental Health Officer, prior to any works being carried out.

## Additional Information for:

### Food Act Registered Premises

Prior to taking ownership of Food Act Registered Premises, you are required to develop and submit a Food Safety Program, either using a State registered template, or developing your own independent program (independent programs are to be independently audited at your cost). Information on Food Safety Programs is available from our office or Food Safety Victoria.

Training of your Food Safety Supervisor must also be undertaken prior to transfer of registration. Additional information on Food Safety Supervisors and Training is available from our office.

### Residential Tenancies Act Premises (Caravan Parks)

All Caravan Parks are required to have in place an Emergency Management Plan. It is advisable to obtain a copy of this plan prior to taking over so that you are fully aware of your obligations under that plan.

### Settlement

At settlement, it is important that you complete an application to transfer the business into your name.

A fee is payable for the transfer. Please note that the Certificate of Registration may not be issued until specified items highlighted in the transfer inspection report have been addressed. You will then be issued with a certificate of registration under the appropriate Act, which must be kept on site at all times.

### Other Council Departments you should contact:

**Local Laws** for advice on local laws particularly in relation to advertising signs on footpaths and street furniture

Phone: 5261 0600

### Other Organisations you should contact:

Barwon Water – for advice on water supply & greasetraps. phone: 5226 2500

Liquor Licensing Victoria phone: 9655 6696