

Christchurch Tri-Agency Newsletter

July 2017



Please circulate this
to all your staff –
especially duty managers
– and/or place on your
notice board

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Food Availability Requirements

The expectation of the monitoring agencies is:

- Food **must** be available and promoted in all on-licenced and club premises at all times that alcohol is available. This means right up until the door closes at the end of the day's trade.
- Signage showing the range of food available (a minimum of four varieties) should be reasonably large and clearly visible. Table top or bar top menus are a good addition to this requirement.
- The only exception is restaurants that provide menus to diners.

We also carry out controlled purchase operations to ensure compliance with the food requirements. Failure to provide a range of food in portions suitable for one person, in a reasonable time frame and at a reasonable cost could see an application lodged to suspend your licence for not meeting the conditions of your licence.

Holdings

The Sale and Supply of Alcohol Act 2012 has been operative now for four years and some Managers and Licensees are starting to accumulate holdings.

What's a holding you ask?

Put simply a holding is where a suspension has arisen because of a specific offence:

- Encouraging people to consume alcohol to an excessive extent
- Sale or supply of alcohol to a minor
- Sale or supply of alcohol at a time not authorised by the licence
- Sale or supply of alcohol to an intoxicated person
- Promoting excessive discounts
- Advertising free alcohol
- Promoting or advertising alcohol that has special appeal to minors
- Offering goods or services on the condition that alcohol is bought

Why is this important?

If you receive three holdings in three years your manager's certificate or the licence can be cancelled. The number of holdings you have also impacts on the fees for licences. A Holdings finding by ARLA is not appealable.

If you do not hold a licence you cannot sell alcohol, and risk being out of business.

Having well trained and vigilant management and staff will help ensure this does not occur.

Automatic suspension of your licence for not paying annual fees

YES,
this
happens.

Annual fees have now been in place under the Act since it came into force in early 2013. Please be aware we send out reminder letters two months short of the due date, and a further reminder is sent out one month prior to the date. If you fail to pay you will be served with a suspension letter and you will not be able to sell alcohol until the fees are paid in full.

The responsibility for paying your fees on time lies with you the licensee, whether you receive an invoice from us or not. Exactly the same as the requirement to lodge a renewal application for your manager's certificate or licence before they expire.

Have you checked the expiry date of yours recently? Put it in your calendar close to the date so you don't miss it.

TIP: Keep us up to date with your current contact details: phone number, postal address and email address. We need to be able to reach you.



Systems/ Staff Training

Systems and staff training are key to operating a successful business.

This is why the following question is asked on all licence application forms:

What appropriate systems, staff and training does/will the applicant have in place to ensure compliance with the law?

The reporting agencies need to know that you have given serious consideration to how and who will operate your business.

- Do you have an alcohol management plan (AMP) in place?
- A Host Responsibility Policy?
- Have you considered security? Is there a security and/or queue management plan in place?
- Have you adequate staff to cover all shifts? Enough rostered certificated managers? How do you train your staff? Is this a formal approach or do you just wing it?

Check out the information on our website, the HPA web site www.alcohol.org.nz, or contact your local HNZ representative for additional information.

Sports Clubs and Selling to the Public

A club licence **only** authorises the sale and supply of alcohol on the premises to 'authorised persons'. These are:

- (a) Any member of the club; or
- (b) Any person who is a guest of, and is accompanied by, a member of the club; or
- (c) Any member of any other club with which the holder of the licence has an arrangement for reciprocal visiting rights for members of the clubs.

Put simply, an On-Licence allows the sale and supply of alcohol to the public, a **Club licence does not** (except in a circumstance where a special licence has been issued for an event).

The licensee or manager of any licensed premises that sells or supplies alcohol when not authorised by the licence commits an offence under the Act - Unauthorised sale or supply. The possible penalty in the case of the

licensee is a fine not exceeding \$20,000 and/or the suspension of the licensee's licence for a period not exceeding 7 days. In the case of a manager, a fine not exceeding \$20,000.



Inspectors, Police and Community and Public Health staff will be carrying out Controlled Purchase Operations to see if unauthorised persons can purchase alcohol from licensed clubs.

Before alcohol is sold all staff must confirm that the customer is either a member of the club, a guest accompanied by a member of the club or a member of a club with reciprocal visiting rights. On renewal, or when we visit you for an inspection, we will ask you what systems you have in place for your staff to do these checks before you make a sale.

If you have any questions please contact the Alcohol Licensing Team.

Free Water

Quite apart from any legislative obligation any experienced operator will tell you that water is one of the key tools for managing intoxication. The Act defines freely available water in three ways:

- Supplied free in a clean drinking vessel on request
- Available free in large self-serve containers
- Available free from a reticulated source (tap).

If you operate a busy bar and/or late night venue by far the most effective and safest method making free water available to customers is to have a reticulated source(s) located away from the bar or queuing areas.

The agencies have seen some very good examples in recent times where reticulated water has been promoted and made into a feature in the bar fit-out with very encouraging results.



You need to be certain of the quality of the water you are supplying and know that it is constantly available with minimal staff oversight.

Any of the tri agency team are happy to offer advice and assistance on this subject.

Requirement to confirm the nature of your business

What does your business do?

When you make an application for a new licence or to renew your licence we will ask you what you make most of your money from. This ensures we get the conditions on your licence correct.

If you are an off-licence you must fit into one of the categories under section 32. To make sure you do we will likely ask you to complete one of the "statement of annual sales revenue forms". These forms are available on our website: <https://www.ccc.govt.nz/consents-and-licences/business-licences-and-consents/alcohol/alcohol-licences/off-licence/>

LCQ Training Providers With Tri-Agency Input

Avonmore Tertiary Institute –
Phone 0800-428-666

ARA – Phone 940-8000

Pinnacle Hospitality Training – 0277-594-428



*This newsletter is jointly produced by the
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the Police Alcohol Harm Reduction Unit,
and Community and Public Health Alcohol Licensing Officers.*

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