



## Southland Alcohol Licensing News – Spring 2022

### Special licences for summer events

If you're holding an event this holiday season that requires a special alcohol licence, make sure you apply as soon as possible or it may not be processed in time. If you're organising an event this Christmas and New Year and you're selling or supplying alcohol, you may need a special licence unless your caterer holds an alcohol licence for events.

Applications for a special licence must be lodged at least 20 working days before the event is held (although exceptions may be made for unforeseen events). Please remember that working days do not include weekend, statutory holidays or any day from 19 December 2022 – 13 January 2023.

#### IMPORTANT DATES:

Special licence application deadlines are as follows:

- November 2022 events the application must be received no later than **Monday 3 October 2022**
- December 2022 events must be received no later than **Friday 28 October 2022**
- January and February 2023 events must be received no later than **Friday 18 November 2022**

### Alcohol licensing during COVID-19

The Governments Immediate Modification Order (a temporary law change), which extends the reporting timeframes for Police and Medical Officer of Health is still current and remains in force as long as the Epidemic Notice remains in force, regardless of changes to Alert Levels.

This extension applies to new on, off and club licence applications and their renewals. It does not apply to special licenses and manager's certificates.

While the reporting timeframes are greatly extended, the reporting agencies aim to report within reasonable timeframes. More information about the legislation can be viewed here: [covid-19-news](#)

### Alcohol – Can you win it?

A frequently asked question and often an area of confusion is - can alcohol be offered as a prize?

**RAFFLE:** Let's start with a raffle. Technically a raffle is gambling, as raffles and sweepstakes are examples of lottery games. There are all sorts of rules around gambling associated to what class of gambling is applicable.

Regardless, there are prizes that are prohibited and illegal to offer as prizes for any gambling. They are –

- *A firearm, explosive (including ammunition), restricted weapon, or airgun*
- *Liquor*
- *Tobacco products*
- *A taonga tuturu (an object more than 50 years old that relates to Maori culture, history or society, and was manufactured, modified, used, or brought into New Zealand by Maori)*
- *Vouchers or entitlements to commercial sexual services*
- *Vouchers or entitlements to any of the other property listed above*

So, alcohol cannot be offered as a prize for a raffle. It's important to note this also includes vouchers or entitlements for alcohol as well.

**COMPETITION:** Alcohol can be offered as a prize for people who have participated in a competition, because then winning is not a matter of chance only. For example, winning a quiz, a pool or darts competition, a sporting event etc. Just remember that Alcohol as a prize cannot be supplied to anyone under 18 years old regardless.

**SPOT PRIZE:** Offering alcohol as a spot prize seen as a game of chance is not permitted if people pay to enter the draw for that prize. There are some guidelines and exceptions around this and more information is available around spot prizes through this link – [Gambling-Fact-Sheets/.pdf](#)

For more information around the above information and gambling, refer to the Department of Internal Affairs website at [www.dia.govt.nz](http://www.dia.govt.nz)

**AUCTION:** You cannot include alcohol, or a voucher for alcohol, in an auction (including blind or silent) unless the organiser of the event is a person who is a manufacturer, distributor, importer or wholesaler of alcohol OR the organiser of the event uses an auctioneer who holds an Auctioneer's Off Licence. Without either of these an event is not legally able to auction alcohol. It is possible to apply for a special off licence for an auction.

As always, when it comes to alcohol refer to the Sale and Supply of Alcohol Act 2012 and if you are not sure, contact the alcohol licensing staff at your local council.

## Training

Do you and your staff understand the Sale and Supply of Alcohol Act 2012?

Although not a legal requirement in the Act, it is good practice that all staff have regular training and a record of this should be kept. It is not enough to have one or two people holding a Manager's Certificate and a licensee holding an alcohol licence – regular staff training is recommended to make sure you are all operating within the law.

Remember that when you apply for or renew your alcohol licence that one of the criteria that you must fulfil is "Whether the applicant has appropriate systems, staff and training to comply with the law". The Licensing Inspector will expect to see evidence of ongoing training in your application.

Some examples of training you could have for all staff are;

- Ongoing training using your own resources, a copy of your premises' licence, your host responsibility policy and intoxication guidelines which you could discuss and staff sign off as being understood
- There are some useful resources that can be ordered from the Health Promotion Agency (HPA) ([www.alcohol.org.nz](http://www.alcohol.org.nz)) including;
  - The Bar Code – frontline bar staff and the law
  - The Manager's Guide
  - Creating a Responsible Drinking Environment
- Also available from HPA is [Servewise training](#). It is an e-Learning tool which provides a basic understanding of the Act. It's FREE, takes about an hour and focuses on intoxication, minors, server intervention and host responsibility.

## Duty manager appointment reminder

Are all your Duty Managers correctly appointed?

A Notice of Duty Manager Appointment or Change form must be used whenever a Duty Manager finishes or a new Duty Manager starts working at any licensed premises.

The **licensee** is responsible for formerly appointing all their Duty Managers, not the staff member who is being appointed. The completed form is sent to both the Council and the Police.

Your local Council website will have these notification forms available to download.

*This information is produced and approved by the local liaison group of reporting agencies:*

- *Gore District Council*
- *Invercargill City Council*
- *Southland District Council*
- *New Zealand Police*
- *Public Health South*
- *Fire and Emergency New Zealand*

*We wish everyone a happy and successful year ahead.*