



Sale of Liquor Act 1989
Application for Off Licence

To: The Secretary
Ashburton District Licensing Agency,
P O Box 94
ASHBURTON

Application for an off-licence is made in accordance with the details set out below:

1 Details of Applicant(s):

(a) Full Name:

(b) Postal address for service of documents:

(c) Daytime Contact Name and Telephone Number:

Email

(d) Full Name and Address of Manager or Managers to be employed, and certificate numbers of manager's certificate(s):

.....
.....

(e) Status of Applicant (*tick appropriate box*):

Natural Person

Private Company

Public Company

Licensing Trust

Partnership

Government Department or
other instrument of Crown

Local Authority

Trustee

Manager under the Protection of
Personal and Property Rights Act 1988

Club

Body Corporate to which Section
391)(bb) of the Act applies

Manager under the Protection of
Personal and Property Rights Act 1988

2 Further Details where Applicant is a Company

- (a) Date of Incorporation
- (b) Place of Incorporation
- (c) Full Details of each Director and the Secretary as follows:

Name	Address	Date of Birth	Place of Birth	Designation
.....
.....
.....

- (d) *(In the case only of a private company)*

Authorised Capital • Paid-up Capital •

- (e) *(In the case only of a private company)* Full details of each person who holds any shares issued by the company:

Name	Address	Date of Birth	Place of Birth	Designation	Face value of shares held
.....
.....
.....

- (f) *(In the case only of a public company)* Full details of each person who holds 20 per cent or more of the shares, or of any particular class of shares, issued by the company:

Name	Address	Date of Birth	Place of Birth	Designation
.....
.....
.....

3 Further Details where Applicant is a Partnership

- (a) Full details of each partner as follows:

Name	Address	Date of birth	Place of birth
.....
.....
.....

- (b) Signature of each partner:

.....

4 Premises Details

- (a) Address of proposed licensed premises
- (b) Type of Premises (*tick appropriate box*)

Hotel or Tavern <input type="checkbox"/>	Club <input type="checkbox"/>	Premises on which principal business is manufacture or sale of liquor <input type="checkbox"/>
Supermarket <input type="checkbox"/>	Grocery Store <input type="checkbox"/>	Other <input type="checkbox"/>

- (c) Proposed trading name for premises (if any):.....
- (d) Is a licence sought conditional upon construction or completion of the premises: Yes/No
- (e) Does the applicant own the proposed licensed premises: Yes/No
If **No** -
 - (i) What is the full name and address of the owner:
.....
 - (ii) What form of tenure of the premises will the applicant have (including term of tenure?
- (f) What part (if any) of the premises does the applicant intend should be designated as-
 - (i) A restricted area:
 - (ii) A supervised area:

5 Business Details

- (a) Does the applicant seek the licence in connection with the business of a caterer? Yes/No
- (b) Does the applicant seek the licence in connection with the business of an auctioneer? Yes/No
- (c) Is the sale of liquor intended to be the principal purpose of the business? Yes/No
If **No**- What is intended to be the principal purpose of the business
.....
- (d) Is the applicant engaged, or intending to be engaged, in the sale or supply of any goods other than liquor and food, or in the provision of any services other than those directly related to the sale or supply of liquor and food? Yes/No
If **Yes**- What is the nature of those other goods or services?
.....
- (e) On which days and during which hours does the applicant intend to sell liquor under the licence?
.....
- (f) Does the applicant intend to provide complimentary samples of liquor on the premises? Yes/No

6 Conditions

(a) What steps does the applicant propose to take to ensure that the requirements of the Acts in relation to the sale of liquor to prohibited persons are observed?

.....
.....
.....

(b) (*Where the principal business is other than the manufacture or sale of liquor*) What kind or kinds of liquor does the applicant intend to sell or deliver under the licence?

.....
.....
.....

Dated at Ashburton thisday of 20.....

.....
Applicant

Notes

- 1 In respect of the status of the applicant, see Section 30 of the Sale of Liquor Act 1989.
- 2 For the matters that are to accompany this application, see Regulation 8(2) of the Sale of Liquor Regulations 1990.
- 3 Within 20 working days after filing this application with the District Licensing Agency, the applicant must give public notice of the application in Form 1. The notice must be published twice in a newspaper or newspapers circulating in the district and nominated by the Secretary of the District Licensing Agency, with not less than 5 days and not more than 10 days between the 2 dates of publication.
- 4 Within 10 working days after filing this application with the District Licensing Agency, the applicant must ensure that notice of the application in Form 1A is attached in a conspicuous place on or adjacent to the site to which the application relates (unless the Secretary of the District Licensing Agency agrees that it is impracticable to do so).



Sale of Liquor 1989
Public Notices – Form 1 & 1A

The Sale of Liquor Act 1989 requires applicants for new “on”, “off” and “club” licences to give public notice of that proposal in a newspaper circulating in the area in which the liquor licence is sought.

A similar provision applies for renewals of these licences.

The Act also requires that a notice be displayed on the site of the proposed licensed premise.

Attached are suggested public notices in form 1, for the newspaper and form 1A for the site.

These documents are for guidance only and applicants should have regard to the detailed provisions in the Sale of Liquor Act 1989 rather than placing total reliance on these forms and notes.

Public Notice (Newspaper)

- Must be published in the Ashburton Guardian.
- Must be published within 20 days of making the application.
- Must be published twice, not more than 10 days apart, eg on a Friday and the following Friday is suggested.
- Copies of the public notices and their date of publication must be delivered to the District Licensing Agency before the application can be further processed. ie the full page of the newspaper on which the public notice appeared may be required to be delivered to the Council office.

Public Notice (On site)

- Must be clearly legible and at least of A4 size. A computer generated and perhaps laminated notice would be a useful approach.
- Must be visible from the street.
- Must be displayed, on site, from not later than 10 days after making application until the close of the period for objections for the newspaper public notices.
- Should be replaced if destroyed or removed during the 10 day period.
- In some unusual circumstances an on-site notice may not be required. This exception would be unusual and applicants should assume that an on-site notice is required.

Sale of Liquor Act 1989
Public Notice

.....

.....
(Full name, address, and occupation of applicant)

has made application to the District Licensing Agency at Ashburton for the grant (or renewal)
of a in respect of the premises situated at
(Specify type of licence)

.....

(Address)

known as

The general nature of the business conducted (or to be conducted) under the licence is

.....

(Type of business, for example, hotel, tavern, restaurant, entertainment/night club).

The days on which and the hours during which liquor is (or is intended to be) sold under the licence
are:

.....

.....

(Specify days and hours)

The application may be inspected during ordinary office hours at the office of the Ashburton
District Licensing Agency at 5 Baring Square West, Ashburton.

Any person who is entitled to object and who wished to object to the grant of the application may,
not later than 10 working days after the date of the first publication of this notice, file a notice in
writing of the objection with:

The Secretary
Ashburton District Licensing Agency
P O Box 94
ASHBURTON

This is the first (or second) publication of this notice. * The first publication was made on

.....

(Date)

[It is recommended that you discuss this with Councils Licensing Inspector prior to lodging]

Sale of Liquor Act 1989
Public Notice

.....
.....
(Full name, address, and occupation of applicant)

has made application to the District Licensing Agency at Ashburton for the grant (or renewal) of a in respect of the premises situated at
(Specify type of licence)

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(Address)

known as

The general nature of the business conducted (or to be conducted) under the licence is

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(Type of business, for example, hotel, tavern, restaurant, entertainment/night club).

The days on which and the hours during which liquor is (or is intended to be) sold under the licence are:

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(Specify days and hours)

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Any person who is entitled to object and who wished to object to the grant of the application may, not later than 10 working days after the date of the first publication of this notice, file a notice in writing of the objection with:

The Secretary
Ashburton District Licensing Agency
P O Box 94
ASHBURTON

THIS NOTICE MUST BE KEPT CURRENT ON SITE DURING THE ENTIRE PERIOD FOR OBJECTIONS AND MAY BE REQUIRED TO BE REPLACED IF REMOVED, DESTROYED OR DEFACED



Sale of Liquor Act 1989

Application for Planning/Building Certificate

To: The Secretary
Ashburton District Licensing Agency
PO Box 94
ASHBURTON

Application is hereby made for a Planning/Building Certificate pursuant to Section 9(1)(e), 31(1)(e) or 55(1)(e) of the Act.

1 Applicant:

Postal Address:

.....

Contact Name & Phone No.:

2 Details of Proposed Licensed Premises

Address:

.....

Premises' Owner:

Proposed Use:

3 A Planning/Building Certificate is required for an application for:-
(delete not applicable)

- (a) A premises that has not previously been the subject of a liquor licence, or
- (b) A licensed premises that has changed ownership, or
- (c) A licensed premises that is seeking a variation and/or redefinition.

I enclose the fee of \$..... (Refer to the Current Schedule of Fees and Charges)
<http://www.ashburtondc.govt.nz/council/Fees+and+Charges.htm>

Applicant:

Signed:

Date:

Sale of Liquor Act 1989
Premises Owner Consent

The Secretary
Ashburton District Licensing Agency
PO Box 94
ASHBURTON

Dear Sir/Madam

Premises: _____

Location: _____

Property Owner: _____

Licence(s) Sought: _____

As owner/agent for owner of the above premises, I advise I have no objection to the grant of this licence(s).

Signed: _____

Name: _____

Date: _____



National Protocol on Alcohol Promotions

Promotions are a marketing tool for enhancing product awareness, providing a special offer to customers and/or boosting trade during quiet periods. However, price discounting and other promotions can effectively increase the availability of alcohol and thereby encourage risky drinking. Under the provisions of Section 154A of the Sale of Liquor Act 1989, any promotions or activities must not be seen as intended or *likely to encourage* persons to consume alcohol to an excessive extent.

SALE OF LIQUOR ACT 1989

Part 8 – Offences and enforcement

Excessive consumption of alcohol

154A. Promotion of excessive consumption of alcohol—

Every person commits an offence and is liable to a fine not exceeding \$5,000 who, being a licensee or manager of licensed premises, does anything in the promotion of the business conducted on the premises, or in the promotion of any event or activity held or conducted on the premises, that is intended or likely to encourage persons on the licensed premises to consume alcohol to an excessive extent.

The responsibility of organising and holding promotions rests with both duty managers and licensees to ensure the responsible service of alcohol. Promotions in breach of Section 154A of the Act can result in suspension or cancellation of a licence and/or of a Manager's Certificate. Irresponsible promotions can also damage the reputation and prospects of a business. Furthermore, intoxication does not have to be proven for the promotion to be in breach of the Act, but merely as *likely to occur*.

Licensees are encouraged to establish a clear written policy which details how any promotion of alcohol is to be managed, setting out responsible service of alcohol practices to be followed during promotions. A Promotions Policy could form part of the premises' Host Responsibility (HR) Policy and is required by the licensing authorities for new applications and renewal of existing licences. The HR *Implementation Plan* then details how the HR Policy including any promotions is to be enacted.

This Protocol was developed by The Alcohol Advisory Council of New Zealand (ALAC), the Hospitality Association of New Zealand (HANZ), New Zealand Police and Local Government New Zealand. It is intended to assist District Licensing Agencies (DLAs), Police, Public Health Services, Licensees and all bar staff to understand the type of promotions and events which are likely to be considered acceptable and unacceptable under the provisions of the Act. All promotions must also comply with the Advertising Standards Authority's (ASA) *Code for Advertising Liquor*.

This Protocol is, however, a guideline and the determination of an acceptable promotion or event will always be decided on an individual case by case basis.

***If you are unsure and require guidance on any promotional activities
you should contact your local DLA in the first instance.***

ACCEPTABLE PROMOTIONS

- ✓ Happy Hour as long as it is of no more than 2 hours duration and occurs only once in any 24 hour period.
- ✓ Promotions which offer price discounts of up to but no more than 50% of the normal retail price and for a reasonable duration so as not to encourage faster than normal drinking.
- ✓ A complimentary standard drink upon arrival.
- ✓ A promotion of a particular brand of alcohol that provides incentives to purchase that brand, as long as its discounted price is reasonable so as not to encourage excessive or faster than normal drinking.
- ✓ Supplying beer in self-serving vessels such as 'Barmaids' and 'KiwiKegs' as long as there is an in-house policy on their use that includes monitoring, management and control of consumption to ensure responsible drinking.
- ✓ Providing complimentary food with promotions.
- ✓ Promotions that involve competitions with prizes of food and other prizes consistent with good host responsibility.
- ✓ Promotions that promote meal and drink combos.

UNACCEPTABLE PROMOTIONS

- ✗ Any promotion that encourages the excessive consumption of alcohol or is of a limited duration that encourages faster than normal drinking.
- ✗ Discounted promotions that serve alcohol in non-standard measures, such as 'shooters', 'slammers', 'shakers' and 'teapots'.
- ✗ Games, challenges or other activities that encourage excessive or rapid alcohol consumption.
- ✗ Drinks cards where multiple free drinks are offered, and are of a discount of more than 50% of the normal retail price, and are valid for a limited duration that encourages faster than normal drinking.
- ✗ Marketing of promotions such as inappropriate signage that may promote excessive or rapid alcohol consumption.
- ✗ Promotions that involve large quantities of free alcoholic drinks, e.g. *free drinks for women all night*.
- ✗ Time-related promotions that may lead to excessive or rapid alcohol consumption, e.g. *free drinks until the first try*.

ACCEPTABLE PROMOTIONS

***must still be suitably monitored, managed and controlled
so as to ensure alcohol is not consumed to an excessive extent.***

**SUITABLE AND ADEQUATE FOOD AS WELL AS LOW AND NON-ALCOHOLIC DRINKS
MUST BE PROMOTED AND AVAILABLE AT ALL TIMES**



Host Responsibility

The District Licensing Agency can provide information and signs on Host Responsibility Policy issues. A wider range is available from **Ashburton Community Alcohol & Drug Service (ACADS)** who report on your application on behalf of the **Medical Officer of Health (MOH)**. The Host Responsibility Policy **must** accompany the application.

Further Information can be obtained from the following web sites;

www.ashburtondc.govt.nz/services/ - Liquor Licensing

www.alac.org.nz

Designation of Areas

The Licensing Inspector or Police may require the entire premise, or a particular area of it, to be designated a Supervised or Restricted area.

'Supervised' means that persons under 18 years of age may only be present if accompanied by a parent or legal guardian.

'Restricted' means that no persons under 18 years of age may be present.

Building & Fire Safety Requirements

Advice regarding:

Structural alterations;

Fire safety and egress;

Disabled access

Fire Evacuation Scheme

can be obtained from Council's Building Control Officers, Environmental Services Division.

If the building is not yet complete, application **must be** made for a Certificate of Public Use. This must be issued **before** the premises are used. When work is finished, you will need to arrange for a final Code Compliance Certificate.

Note: To **renew** an **ON, OFF** or **Club** licence, the fire evacuation scheme **must be** up to date.

The **Warrant Of Fitness** for the premises **must** be current and valid.

Food Hygiene Regulations 1974

The premises must comply with these regulations. These standards may be higher than those required by the Building Code. Contact Council's Environmental Health Officer, Environmental Services Division for more information.

Application for registration as a food premise must be made if any food is to be prepared or sold on the premises.

An information brochure "Guidelines for Opening a Food Business" is available from Environmental Health.

Manager's Certificate

Every Licensee is required to appoint at **least one** Manager, who holds a Manager's Certificate.

Refer to the '**Manager's Certificate**' leaflet, which contains the relevant information including training and fees.

Bring **Your Own (BYO)** premises do not require a manager.

Forms and Applications

All Application forms and supporting information packs are available from:

(a) www.ashburtondc.govt.nz/services/Forms

and

(b) The Ashburton District Licensing Agency (DLA), which is a section of the Ashburton District Council. Ask for the relevant information from the main Council Reception.

Liquor Licensing Environmental Services Division Ashburton District Council

5 Baring Square West
PO Box 94
Ashburton

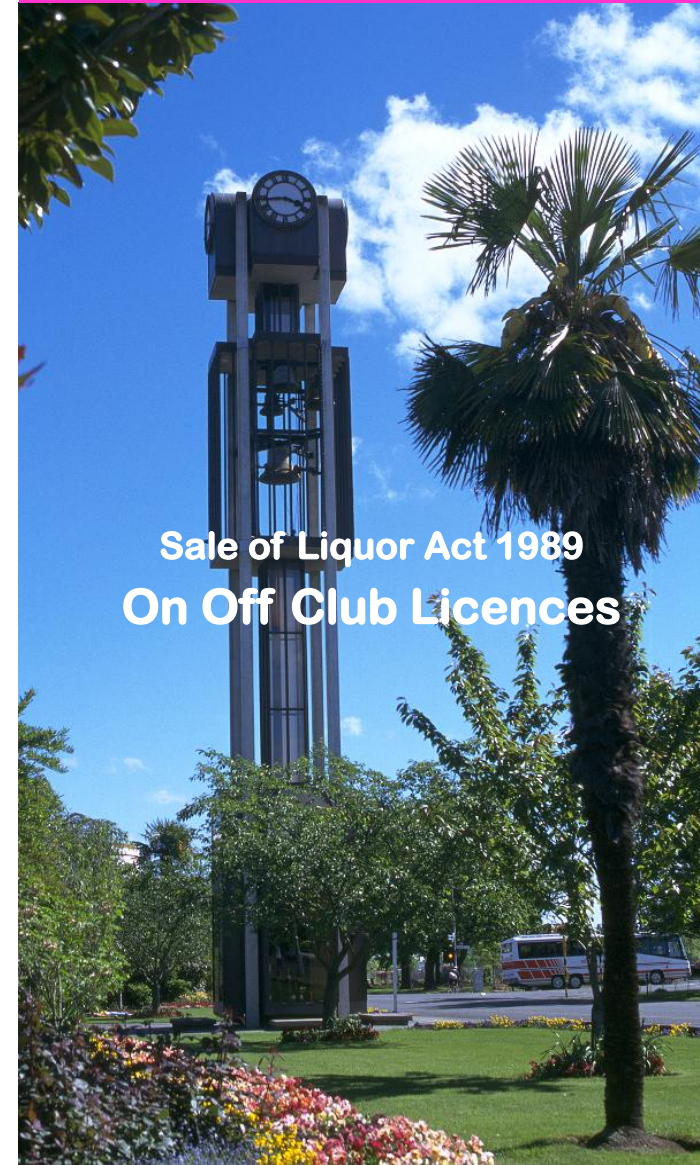
Phone: 03 307 7700

Fax: 03 308 1836

Email: info@adc.govt.nz

Web: www.adc.govt.nz/liquor

ASHBURTON DISTRICT COUNCIL LIQUOR LICENSING



Sale of Liquor Act 1989 On Off Club Licences



Information for groups and organisations
seeking assistance from their local authority



Introduction / Types of Licence

It is a legal requirement under The Sale of Liquor Act 1989 to obtain a licence before you can sell or supply liquor.

On Licence:

An On licence allows for the sale and supply of alcohol for consumption **ON** the premises or conveyance. Premises that require an **ON** licence include Hotels, Taverns, Licensed Restaurants/Cafes, Night-clubs and Function Centres. An **ON** licence may be endorsed (**Bring Your Own (BYO)** endorsement) to allow diners and their guests to be able to bring their own alcohol into the premises and consume it.

- Issued for one year, may be renewed for three.
- In the case of a Hotel or Tavern, casual drinkers cannot be served on Easter Sunday, Good Friday, Christmas Day or before 1pm Anzac Day.
- Liquor may be sold on any day of the week during the approved hours.
- The hours of trade may be limited by the District Plan (contact a Planning Officer at the District Council for details). The District Licensing Agency Policy may also restrict hours.
- If the licence required is for a Hotel or Tavern, a 'Restricted' or 'Supervised' designation will be imposed on the whole or one or more parts of the premise.

Off Licence:

An Off licence allows for the sale and supply of liquor to persons for consumption **OFF** the premises, like Bottle Stores and Supermarkets. Supermarkets and Grocery Stores can sell only wine and beer.

- Issued for one year, may be renewed for three
- Authorises the complimentary supply of samples on the premise.
- Supermarkets and Grocery Stores can only sell wine and beer.
- This type of licence may be held by some Club.
- There are other types of OFF licences such as, Caterer OFF, and Auctioneer OFF. For further details on these licences, please contact The Agency listed on this leaflet.

Club Licence:

A **Club** licence allows a Club to sell liquor to its members, their guests, and members of Clubs with reciprocal visiting rights. It **does not** allow the sale of liquor to the general public.

- Issued for one year, may be renewed for three.
- Liquor may be sold on any day during the approved hours
- The hours of operation may be limited by the District Plan (contact Councils Planning Officer for further details).
- The District Licensing Agency Policy also limits Club trading hours.
- Any Club leasing Council land should first check if they need to obtain consent from the Council's Property Manager.

Temporary Authority:

A **Temporary Authority** allows a licensed premise to continue trading under the existing licence hours and conditions when a new operator takes over a premise.

- The prescribed fee: (*Refer to the Current Schedule of fees and Charges.*)
- Issued for a maximum of **three months**.
- Licence application must be lodged by the new operator within **one month prior** to the takeover. The applicant then has **6 weeks** within which time to apply for the correct premise licence and or Manager's Certificates etc.
- Can **only** be issued if current licence still **valid**.

Making an Application and Information Required

On, Off, Club Licence

Applications will **not** be accepted if any of the following Information and Fee are missing at time of lodging the application.

1. The prescribed fee: (*Refer to Current Schedule of Fees and Charges*) for each ON, OFF or Club licence
 2. Fully completed Application.
- [Attach the following material:](#)
3. Certificate of Incorporation (if applicable)

4. Business details
5. Club rules (if applicable)
6. Photograph of exterior of premise
7. Street map showing premise location
8. Scale plan of premise
9. Owners consent
10. Planning/Building Certificate (*Refer to Current Schedule of Fees and Charges*)
11. Menu (On and Club Licences)
12. Host Responsibility Policy
13. Provide the **original plus three** copies of the application form and all supporting material

Supporting Information:

1. After lodging a new application you have **20 working days** within which to notify the application in the Ashburton Guardian. **Two notices** are required, which must have **5-10 days** between them. After publication, send the relevant pages of the newspaper to the Agency.
2. The applicant is also required to display a **site notice** of the application, in a conspicuous place on the premise. This must be in place for a period of **10 days** from the date of the first notice appearing in the Ashburton Guardian. The format is the same as the newspaper notice.
3. **FIRE SAFETY**- You should also discuss your proposal with the **Ashburton Fire Safety Officer**, for any requirements.
4. Check whether your proposal complies with the requirements of the Resource Management Act 1991, the Council's District Plan and the Building Code. Any planning or building requirements must be addressed before your application can be processed. Contact Council's planning & Building staff.

For further information contact

District Licensing Agency
Ashburton District Council
PO Box 94
Ashburton
Phone 03 307 7700