

## WELCOME TO THE MARLBOROUGH ALCOHOL LICENSING NEWSLETTER

Produced by the Marlborough District Council with the Marlborough Policing Team and the Nelson Marlborough District Health Board's Public Health Service.

In this newsletter:

- **Easter and Anzac Trading**
- **Food Requirements**
- **Crowd Controllers**
- **Kiwi Access Card**
- **Servewise**
- **Low Alcohol Options**
- **Manager Change Notifications**
- **Resources for Licensees**

## EASTER AND ANZAC TRADING

The Sale and Supply of Alcohol Act 2012 places restrictions on who can sell alcohol on certain days.

All **On Licensed** premises can only sell or supply alcohol on Good Friday, Easter Sunday or before 1.00 pm on Anzac Day (April 25) to:

- ♦ persons residing or lodging on the premises, or
- ♦ people who are present on the premises to dine.

Case law gives clarification around dining and the timeframes for this.

"A person is only on the premises to dine no more than an hour before he or she starts eating or up to an hour after they finish"

And

"a person is on the premises for the purpose of dining if they are there to have a substantial meal at an orthodox time of the day for a meal"

Simply put, people need to be eating (or ordered, or just finished) a reasonable size meal (not just a snack like hot chips) at a time of day when you would normally eat, to be able to consume alcohol.

## Council's Licensing Team

Licensing Inspectors:

Karen Winter  
Rachel Mercer  
Georgia Murrin

Administration  
Officer:

Lynette Newport

Contact us on :

(03) 520 7400 or

[mdc@marlborough.govt.nz](mailto:mdc@marlborough.govt.nz)



- ♦ The holder of an **Off Licence** cannot sell or deliver alcohol on Good Friday or before 1.00 pm on Anzac Day.
- ♦ They also can't sell or deliver on Easter Sunday unless it is grape wine or fruit or vegetable wine made:
  - On the premises; or
  - From the produce harvested from the land on which the premises are situated.



## FOOD REQUIREMENTS

It is a requirement for all On Licences to have food available to purchase at all times alcohol is being sold or consumed. Food options must be:

- a. At a reasonable price
- b. Available within a reasonable time of being ordered.

Case law has given us rules around food options:

- ♦ There must be a minimum of 3 types of food available.
- ♦ Substantial food items are to be available i.e. paninis, pies, lasagna, sandwiches, salads etc. Peanuts and packet chips do not count.

## CROWD CONTROLLERS

Just a reminder that all persons employed as crowd controllers must hold a current Certificate of Approval (COA) issued by the Ministry of Justice.

This includes staff checking who enters a premises or event.

The COA must be clearly displayed.

Fines for operating without a COA can be \$20,000 for the employee and up to \$60,000 for the employer.



## KIWI ACCESS CARD

The new Kiwi Access card came into effect on the 14 January 2019 and replaces the old HANZ 18+ card. 18+ cards are still valid so you will see both IDs in circulation for a while.



The only other legal proof of age documents that can be accepted are a NZ driver's license or a valid passport.

## SERVEWISE

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Its important to keep your staff trained and up to date on how to be compliant with the Sale and Supply Alcohol Act 2012.

An easy way to do this is to get your staff to complete the FREE on-line Servewise leaning tool. It only take about an hour and will help your staff practice assessing intoxication in line with the SCAB tool.

Find this tool at [www.alcohol.org.nz](http://www.alcohol.org.nz)



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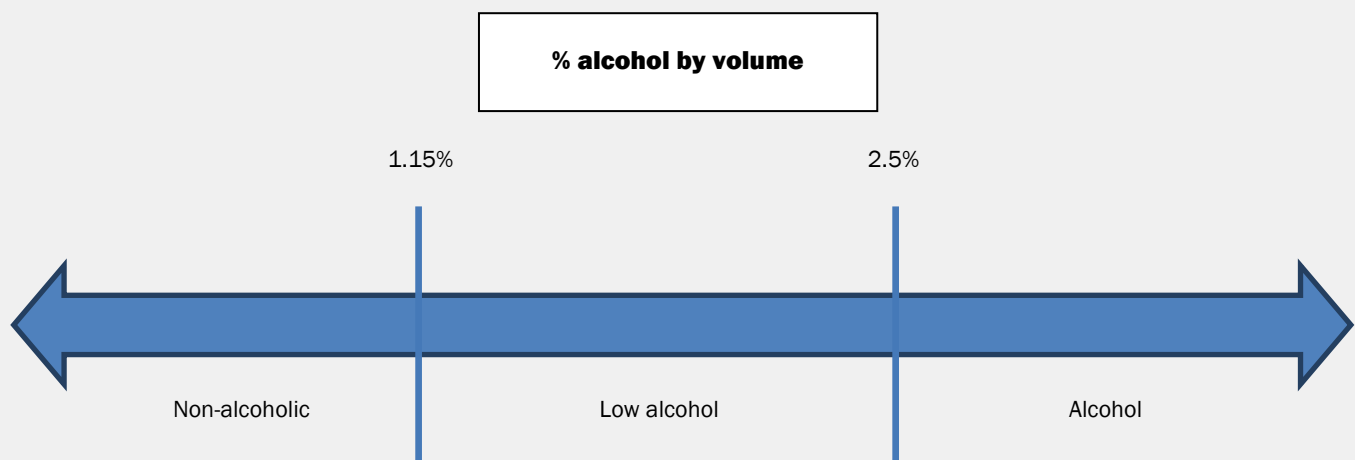
## LOW ALCOHOL OPTIONS

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### 0% alcohol is not low alcohol

The majority of all On Licences will have a condition that you also have low-alcohol options for sale.

Low alcohol is defined as alcohol that is more than 1.15% but not more than 2.5% alcohol by volume.



The alcohol free beers available now are not "low-alcohol" so don't forget to also have low-alcohol options available to be compliant with your licence conditions.

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## MANAGER CHANGE NOTIFICATIONS

Just a reminder that licensees are required to notify Council on any new, terminated, temporary or acting manager on the appropriate form.

A person cannot act as a temporary or acting manager for more than 48 consecutive hours without notifying Council.

**It's free to let us know.**

The form to notify us is available on the Council website: [www.marlborough.govt.nz/services/alcohol-licences/alcohol-licensing-forms](http://www.marlborough.govt.nz/services/alcohol-licences/alcohol-licensing-forms) and select "notice of appointment of manager"



## RESOURCES FOR LICENSEES

Did you know that there are a lot of FREE tools and resources available for licensees through [www.alcohol.org.nz](http://www.alcohol.org.nz).

This website is operated by the Health Promotion Agency and has a lot of great information, publications, templates and guidelines you can either download or request hard copies are sent to you.



## AGENCY CONTACT DETAILS

### Marlborough District Council Alcohol Licensing Team

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