

Liquor licensing

If you want to sell or supply alcohol at your community venue or if tickets are being sold to a function at the community venue where liquor is going to be consumed, a license will be required. The law which controls the sale, supply and consumption of alcohol is governed by the Sale and Supply of Alcohol Act 2012. There are four types of licence:

- On-licence (eg, pub, tavern, hotel, restaurant, cafe, bar, entertainment venue, train, plane) allows the sale or supply of alcohol for consumption on the premises.
- Off-licence (eg, bottle store, supermarket) allows the sale or supply of alcohol for consumption off the premises.
- Club licence (eg, sports club, RSA, working men's club) allows the sale or supply of alcohol for consumption on the club premises to members of the club, their guests and members of other clubs with reciprocal visiting rights.
- Special licence (eg, for a food and wine festival, wedding in a council hall etc) allows the sale or supply of alcohol to anyone attending an event, private function, street party, sporting event. Special licences can be either 'on-site' for consumption on the premises, or 'off-site' for consumption elsewhere.

Wellington City Council

The Wellington City Council has the authority to administer licenses for the sale, supply and consumption of alcohol. The purpose of this is for the health and safety of the general public. Before a license is granted, the Council will assess applications from the general public. Those conducting these activities without a license will be in breach of the law and subject to legal penalties.

When should you apply for a liquor license?

If a community organisation wishes to host an event where alcohol will be sold or distributed, they must apply for a license. There is an exception that in general, no licenses are required for

bringing your own alcohol or BYO events. This depends on where the event is hosted. A liquor license will not be issued for a BYO event on a premise or a 'conveyance' such as a bus.

A person lacking the appropriate licence could be liable for up to \$20,000 under section 235 of the Sale and Supply of Alcohol Act 2012. This prohibits the use of unlicensed premises as a place to consume alcohol. Therefore, it pays to check whether an application for a special liquor license is needed.

Users or hirers of community venues must acquire written consent from the owner of the building (i.e. the Wellington City Council for the majority of community centres) before applying for a license. All alcohol laws and bylaws must be complied with.

Application for a liquor licensing

Those who wish to apply for a liquor license must apply for the appropriate license — on-site, off-site and club. These are all valid for one year. Once granted, it can be renewed for a further three years. Once a license expires (e.g. because it is not renewed or a total of four years passes) a new license must be applied for. Special licenses for one-off events are also available, for example, for fundraisers where alcohol is consumed on-site, or for a fair/gala where alcohol is consumed off-site. The licensing is governed by the Sale and Supply of Alcohol Act 2012.

All applications are filed with the Wellington City Council Secretariat, which is located in the Wellington City Council building. If there is no opposition, the application is sent to the District Licensing Committee who decide whether the application should be granted. In the case of an objection to the licence, a public hearing will be held before the District Licensing Committee.

Applicants should apply for the license required to fulfil their intended purpose. The two types of licenses available from the Wellington City Council that are most relevant to users or hirers of community venues are:

Club license

This authorises the sale and supply of liquor for consumption in clubs such as sports, social and cultural clubs. Applicants must fill out the correct form and attach the following:

- copy of the club charter (if a chartered club)
- copy of the club rules/constitution
- copy of Certificate of Incorporation (if applicable)

- photo/artist's impression of outside premises
- street map showing the location of the premise in Wellington
- detailed A4 scale plan of the interior of the premise
- a written statement from the owner of the building consenting to the applicant selling alcohol on the premise
- town planning certificate
- building certificate
- schedule of the club's activities (including the days and hours during which the premises are used for those activities)
- current copy of the relevant certificate of title
- Host Responsibility Policy and details in an implementation place of how the policy will be put into practice
- public notice
- copies of each manager's certificate
- details of any other clubs with which the club has reciprocal visiting rights for members
- copy of menus and a complete list of alcoholic and non-alcoholic drinks to be on offer
- details of staff training
- a completed Crime Prevention through Environmental Design site assessment
- pay the required fee

Special License (premises)

A special license authorises the sale and supply of liquor for consumption by persons attending an occasion or an event. Documentation needed to accompany an application includes:

- a detailed A4-scale plan of the interior of the premises showing the areas where liquor is to be sold or supplied
- a written statement from the owner of the building giving consent to the applicant for the liquor to be supplied and sold on the premise, confirming that the building is appropriate for the type of function being applied for
- a copy of each manager's certificate for those nominated to manage the event (if applicable)

- a complete list of all food, non-alcohol and low-alcohol beverages that are to be provided
- details for the provision of freely available drinking water

Renewal of a license

This is applicable for those who currently have a club license. Applicants should apply for the correct license for their purpose and, in addition to the documents set out under the 'Club licence' heading, have the following supporting documents in their application:

- copy of the club rules or constitution
- detailed A4 scale plan of the interior of the premise showing the areas to be designated as restricted or supervised areas, and all principal entrances
- copy of current menus and a complete list of all alcohol, low-alcoholic and non-alcohol drinks to be available (including the details of how free water will be available)
- copy of each manager's certificate and details of the manager's experience for those nominated to manage the premises
- details of staff training
- completed Crime Prevention through Environmental Design site assessment
- schedule of the club's activities, including the days and hours which the premises are used for those activities
- Host Responsibility Policy and details in an implementation plan of how the Host Responsibility Policy will be put into practice
- public notice

Bear in mind that other documents will need to be included if you intend to apply for a variation to a club licence (these are no more onerous than what is needed to be supplied to get the initial club licence).

Consider the regularity with which liquor is being consumed at the community venue. For example, if there is an event being held every weekend at the community venue where liquor is being consumed, or if the function is a large one, even if no money is changing hands, an on-site license (as opposed to a club license) may be required. This is because a club license is limited to the club hours, and a special license is required for any events held outside the club hours.

Objections to a license application

A person can object to a liquor license application only if they have a 'greater interest' than someone from the general public – in other words, that they're likely to be more affected by the licence being granted than the public generally. This could include, for example, if they're living in the same street as the place the license would apply to, whereas a concerned member of the public living 10 kilometres away might not qualify. Information on lodging an objection can be found on the [Wellington City Council's website](#).

Community venues wishing to become a fully licensed premise

If a community venue wishes to become fully licensed for the sale, supply and consumption of alcohol, it must apply for an 'on-licence' liquor licence . This is a legal requirement of the Sale and Supply of Alcohol Act 2012. A manager's job is to ensure that the staff members are aware of their legal obligations when serving alcohol and managing conduct on the premises with the aim of minimising alcohol-related harm. A licensee is responsible for making sure that there is a duty manager at all times when alcohol is being served and will have to supply or make available free water, low-alcohol beverages, food and information about safe transport. A range of other conditions can also be imposed by the Wellington District Licensing Committee.

Manager's licence – certification

Applicants for a manager's certificate must meet the following requirements:

- be 20 years or older
- only be working or intending to work in a licensed premises in Wellington city
- hold the nationally recognised Licence Controller Qualification
- requisite documentation must accompany all applications including:
 - a copy of the Licence Controller Qualification
 - photo identification
 - two signed and dated work references that are less than a year old
 - list of employment history and experience of managing licensed premises
 - proof of the right to work in New Zealand
- pay the required fee

A licensee will have to be prepared for all circumstances. In the event a duty manager is not available, the licensee must be able to appoint a temporary manager or an acting manager. Anyone seeking to be a temporary or acting manager must apply for a temporary license within two days of appointment.