

Liquor laws catch community events

Will your community event require a liquor licence?

Changes to the rules around the sale and supply of alcohol came into effect in December 2013 in the Sale and Supply of Alcohol Act.

The Act is designed to "put in place a new system of control over the sale and supply of alcohol". This aims to promote safe and

responsible drinking, and reduce social harms caused or contributed to by alcohol abuse.

Many community groups will celebrate the promotion of safe and responsible drinking – a worthy cause. But will those celebrations themselves now require liquor licences?

Many community events which did not formerly require a liquor

licence may now. For example, the following events now require licences:

■ Fundraisers or events where tickets are purchased, and a complimentary glass of bubbles or bottle of beer is served during the fundraiser or event.

■ Association events where alcohol is served free, but only subscription-paying members are allowed to attend.

■ Award evenings where attendees reimburse the community group for the cost of any alcohol consumed.

■ Events where attendees are expected or encouraged in any way to donate to a cause and alcohol is served free at the event.

■ Events where alcohol is sold – even if no profits are made from the sale.

Under the Act, a licence is necessary in most cases where alcohol is "sold and supplied".

Some city councils are taking the position that licences are necessary if alcohol is either sold or supplied.

However, if no money passes hands (in any form – whether through donations, ticket sales, subscription fees or direct sales), it's likely the event will not require a licence even though alcohol will be supplied.

An example of an event, where no licence is required, is if you are putting on a charity dinner for the local



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community and provide a glass of alcohol but do not charge for the alcohol or dinner in any way (and do not seek donations from attendees).

To obtain a licence, a community group will need to:

1. Decide whether a licence is needed (is money changing hands in any way? If so, it is probable a licence is required).

2. Assess which licence is appropriate. There are four main kinds of liquor licences: on-licence, off-licence, club-licence, and special licence (for particular events).

3. Apply to the city council for the relevant licence.

Supporting documents may be required and will vary depending on your event, the proposed premises, and the type of licence applied for.

A fee will also need to be paid. Details on the relevant fees are available on council websites.

Allow plenty of time to ensure the licence is granted in time.

For example, in Wellington, a special licence is estimated to take between 30 to 45 working days to process.

4. Comply with the relevant process. In some cases a public

notice will need to be displayed. As things progress, further information may be required. The public will have an opportunity to object to the application, and various authorities will be able to report on it (including the police, the Medical Officer of Health, and council officers, including Noise Control). Once public input and official input is received, the licensing inspector will make a report. Following this, the District Licensing Committee will decide whether to issue or decline the licence.

5. Comply with any decision. A licence may be made subject to conditions which will need to be met.

Alternatively, the decision may be made to decline the licence application.

Where this happens it is possible to appeal the decision in some circumstances.

Community groups running multiple events throughout the year may apply for various events through a single licence application. An on-site special licence can cover a series of up to 12 events within 12 months from the date the licence is issued if the application is appropriately drafted.

There are significant penalties for not complying with the act so you need to get your licence sorted if you are selling and supplying alcohol even if it is at a community event.

■ Column courtesy of Rainey Collins Lawyers, ph 0800 733484. Email: aknowsley@raineycollins.co.nz

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