

Creating a Responsible Drinking Environment

HOST RESPONSIBILITY: GUIDELINES FOR LICENSED PREMISES 2014



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INTRODUCTION

The purpose of this resource is to outline a range of Host Responsibility strategies and tools that will assist staff in licensed premises to meet their obligations under the Sale and Supply of Alcohol Act 2012 (the Act) and help minimise alcohol-related harm. The resource is of value to bars, taverns, restaurants, cafes and clubs.

Alcohol is one of the most commonly used drugs in New Zealand. While most New Zealanders enjoy alcohol in moderation, there are negative consequences associated with excessive drinking. These include hospital admissions, crime, violence, road accidents, assaults and sexually aggressive and coercive behaviour.

Licensed premises have a role in contributing to the safety and wellbeing of their communities, while upholding the law and creating a desirable destination for customers.

The legislation

New legislation governing the sale and supply of alcohol in New Zealand was introduced in December 2012. The Sale and Supply of Alcohol Act 2012 aims to reduce the harm caused by excessive drinking.

What is Host Responsibility?

Host Responsibility outlines a set of strategies to help create safer drinking environments. It aims to reduce intoxication and its associated harms by focusing on the server of alcohol and the environment in which alcohol is consumed.

Host Responsibility is based on six key concepts

A responsible host:

1. prevents intoxication
2. does not serve alcohol to minors
3. provides and actively promotes low-alcohol and non-alcoholic alternatives
4. provides and actively promotes substantial food
5. serves alcohol responsibly or not at all
6. arranges safe transport options.

PREVENTING INTOXICATION

Every licensee, manager and server of alcohol has a legal obligation to:

- prevent people from becoming intoxicated on licensed premises
- refuse service to people who have become intoxicated
- prevent intoxicated persons from entering the premises
- ensure intoxicated customers leave the premises
- remove violent, quarrelsome, insulting or disorderly customers from their premises.

Intoxication is defined in the Act as being observably affected by alcohol, other drugs or substances, to such a degree that *two or more* of the following are evident:

- **Speech** is impaired.
- **Coordination** is impaired.
- **Appearance** is affected.
- **Behaviour** is impaired.

Indicators of intoxication may include, but are not limited to:

- **Speech:** slurring, difficulty forming words, loud, repetitive, loses train of thought, nonsensical, unintelligible.
- **Coordination:** spills drinks, trips, weaves, walks into objects, unable to stand unaided or sit straight.
- **Appearance:** bloodshot eyes, eyes glazed, inability to focus, tired, asleep, dishevelled.

- **Behaviour:** seriously inappropriate actions or language, aggressive, rude, belligerent, obnoxious behaviour affecting other customers.

Certain medical conditions and disabilities may share some of these indicators of intoxication, so it is important to carefully and respectfully investigate a customer's apparent intoxication before making any assumptions.

Strategies for preventing intoxication

While not every customer intends to become intoxicated, a relatively small percentage do set out with this in mind and they are often easy to spot before they reach their goal. They are likely to stand out from the crowd and should be closely monitored – establishing an early rapport softens a later intervention, while providing further insight into their condition.

Similarly, not every customer who enters a licensed premises is sober – they may have been drinking elsewhere or have used illicit substances.

While servers may feel confident in identifying an intoxicated customer, slowing or stopping service and removing an intoxicated customer from the premises can be more challenging. Systems should be in place to support staff to intervene. They must feel confident in managing the service (and non-service) of alcohol to customers.

Three key strategies should be used to limit or prevent intoxication:

1. Build staff capacity to intervene confidently and expertly

Bar staff are not born with skills to confidently manage potentially confrontational situations. These skills are learned. Staff training provides an opportunity to up-skill staff, standardise practice and enhance customer service.

2. Build customer expectations of an intervention

Many customers are unaware – and, therefore, need to be informed – of your legal obligations and their rights as customers.

Customers should see intervention as normal and likely. Raising the expectation of an intervention may alleviate some of the risks involved. This can be done by:

- displaying signs outlining the Act and the licensee's obligations
- having the house policy on display
- ensuring open communication between staff and customers
- intervening consistently over a period of time
- installing posters and multi-media, table-top or whiteboard messages.

3. Create a culture of strong team communication

Effective management of licensed premises is based on good communication between staff and customers, and among staff at all levels. While an experienced staff member

can confidently stop service or remove customers from the premises, less experienced staff may find it daunting. Clear and effective communication can provide the necessary support for intervention. Door staff play a key role both in preventing minors and intoxicated customers from entering the premises and in efficiently removing them from the premises where necessary.

Place of safety

Intoxicated individuals may be vulnerable targets as well as problematic customers. Licensed premises must manage and supervise intoxicated customers in a 'place of safety' until they can be removed safely from the premises.

The Intoxication Prevention Tool

The Intoxication Prevention Tool outlines key indicators of intoxication and appropriate server interventions and provides a strong basis for staff training.



Turn page to see the **Intoxication Prevention Tool**.

Drinking and other drugs

The results of combining alcohol with other drugs are uncertain, although we do know that the effects of each (or both) may be escalated.

The combination of alcohol and other drugs in a person's system may make them more unpredictable than someone who has only consumed alcohol. The Act states that an intoxicated customer must be denied service and removed from the premises. It does not differentiate between intoxication due to alcohol consumption and intoxication due to other drug consumption.

Drink spiking and victimisation

There is a strong link between alcohol and both physical and sexual violence, for both the attacker and the victim. Australian research suggests that up to 91% of public assaults occurring between 10pm and 2am involve alcohol.

Although alcohol does not create predators nor cause sexually aggressive behaviour, research indicates strong associations between alcohol and incidences of sexual harassment and assault.

Drink spiking is a relatively new phenomenon that may result in a customer inadvertently becoming intoxicated at the hands of someone else. Drink spiking is a crime and is often associated with sexual assault. Alcohol is the most common drug of choice in drink spiking cases.

PENALTIES

Offence	Licensee or manager	Bar staff
Section 248 Sale or supply of alcohol to an intoxicated person	\$10,000 Suspension of licence for up to seven days	\$2,000
Section 249 Allowing a person to become intoxicated	\$10,000 Suspension of licence for up to seven days	
Section 252 Allowing intoxication on licensed premises	\$5,000	
Section 253 Allowing disorderly conduct on licensed premises	\$10,000	

Intoxication Prevention Tool

1 SOBER MONITOR



2 INFLUENCED INTERVENE



3 INTOXICATED DENY AND REMOVE



1 SOBER MONITOR



CUSTOMER BEHAVIOUR

- Coherent, clear speech, normal tone and volume, may be talkative
- Coordinated, balanced, standing without help or support
- Clear eyes, tidy, alert
- Behaving sensibly

SERVER'S ROLE

MONITOR CUSTOMER CONSUMPTION

- All staff have a role in monitoring the effect of alcohol on patrons
- Talk with the customer – this will build rapport and give insight into their condition
- Use unobtrusive monitoring techniques such as glass collection

ESTABLISH CLEAR AND CONSISTENT STANDARDS

- Management and staff are responsible for setting the tone of the premises
- Create a sociable, friendly atmosphere where intoxication will be out of place and unacceptable

IDENTIFY CUSTOMER INTENTIONS

- Recognise that a minority of customers on your premises intend becoming intoxicated
- Identify and actively manage those who appear to be high risk
- Be aware that high-risk people include those celebrating, ordering in quick succession, and ordering shots

OFFER LOW-ALCOHOL AND NON-ALCOHOLIC DRINKS AND FOOD OPTIONS

- Provide a range of alternatives to alcohol
- Actively promote and encourage other products as part of the broader customer experience

2 INFLUENCED INTERVENE



CUSTOMER BEHAVIOUR

- May be overly talkative, opinionated, stumble over words, loud, inappropriate language or comments
- Slowed or delayed reactions, swagger or occasional staggers or sways
- Vacant or blank expression, smell of alcohol on breath, may look untidy
- Overly friendly or withdrawn, inappropriate or risky actions, argumentative, fading attention, increased consumption rate

SERVER'S ROLE

COMMUNICATE WITH TEAM

- Inform your manager and team about what's going on and anyone to keep an eye on
- Maintain communication and regularly follow up on those identified

SLOW OR STOP ALCOHOL SERVICE

- Talk to the customer – intervene early and tactfully
- Offer non-alcoholic drinks and food options
- Don't offer refills – wait till they ask; be busy serving other customers
- Serve their next drink with water on the side
- If possible, use the customer's friends to rein in their drinking

BE ASSERTIVE, NOT AGGRESSIVE

- Make your requirements clear and allow customers the chance to comply without losing face
- Never respond to provocation; stay calm and employ calming strategies

3 INTOXICATED DENY AND REMOVE



CUSTOMER BEHAVIOUR

- Slurring, difficulty forming words, loud, repetitive, loses train of thought, nonsensical
- Spills drinks, stumbles, trips, weaves, walks into objects, unable to stand unaided or sit straight
- Eyes glazed or bloodshot, inability to focus, tired, asleep, dishevelled
- Seriously inappropriate actions or language, aggressive, rude, belligerent, obnoxious behaviour affecting other customers

SERVER'S ROLE

COMMUNICATE WITH TEAM AND MANAGER

- Inform your manager and team of issues so they can support an intervention
- House policy will determine who should remove the customer from the premises

REMOVE CUSTOMER FROM PREMISES

- Remove the audience effect
- Consider your own personal safety
- Enter the incident in the logbook
- Consider customer safety – mates or a taxi
- Customers are not allowed to remain on the premises except in a place of safety

MINORS

A minor (someone under 18 years of age) cannot purchase alcohol under any circumstances.

Both management and staff are responsible for ensuring alcohol is not served to minors. All customers who look under the age of 25 should be asked for valid ID. Management is responsible for ensuring minors are not on the premises illegally.

Who can drink and where

The following designations outline who may be on the premises and under what conditions:

Restricted

- Persons under 18 are not permitted in a restricted area.

Supervised

- Persons under 18 may be present only if accompanied by a parent or legal guardian.¹ They may consume alcohol, but they may not purchase it. Any alcohol consumed by a minor must be purchased by the parent or legal guardian and supplied to the minor by that person.

Undesignated

- Persons of any age may be in this area. Most restaurants and clubs are undesignated. Persons under 18 accompanied by a parent or legal

guardian may consume alcohol, but they cannot purchase it. Any alcohol consumed by a minor must be purchased by the parent or legal guardian and supplied to the minor by that person.

“Any alcohol consumed by a minor must be purchased by the parent or legal guardian and supplied to the minor by that person.”

Proof of age

Servers are responsible for establishing proof of age and are entitled to ask for identification. The customer must prove they are old enough to buy alcohol or be on licensed premises. If they cannot supply adequate proof, there is no obligation to allow them onto the premises and they should be denied entry and service.

The Act provides for three age-identification documents:

- New Zealand or overseas passport
- New Zealand driver's licence
- an approved 18+ Evidence of Age card.

Each contains a photograph for positive identification.

¹ 'Parent' means natural, adoptive or foster parent. A person is only considered a legal guardian if he or she is recognised as a guardian under the Care of Children Act 2004. Establishing legal guardianship requires a formal legal process.

Many premises have a policy of asking for ID if a customer looks under 25 years of age.

“You should know today’s date and subtract 18 years. Anyone born after this date is under age and should be removed from the premises.”

The biggest mistake staff make is to calculate the age incorrectly from the date of birth provided. You should know today’s date and subtract 18 years. Anyone born after this date is under age and should be removed from the premises. A sign on the till showing today’s date and 18 years earlier will help staff make this call efficiently and effectively.



GUIDE TO CHECKING ID

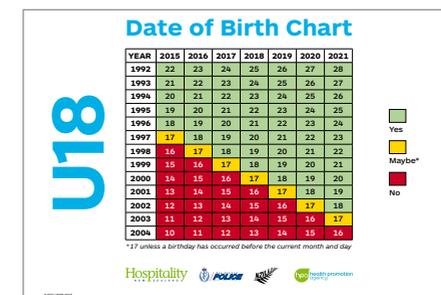
- Ask to see the customer’s ID if they look 25 or under.
- The customer must remove the ID from their wallet.
- Check the date of birth (know the cut-off birth date at which you must deny customers access to your premises).
- **DO NOT** look at the picture first; look at the picture last.
- Feel the surface and edges of the card with your thumb, checking for blemishes or tampering.
- **FIRST**, while talking to the customer, look for distinguishing features on their face, nose, chin and jaw.
- **SECOND**, look at the picture on the card – ensure this has the same features as the face.
- Shine a torch from behind the photo and the date of birth.
- If further validation required, check their signature against the card (get them to sign).
- Can you **PROVE** to police you have ID-ed them? (Cameras/Notebook/Stamp)

PENALTIES



Offence	Licensee or manager	Bar staff
Section 239 Sale and supply of alcohol to people under purchase age	\$10,000 Suspension of licence for up to seven days	\$2,000
Section 245 Permitting minors to be in restricted or supervised areas	\$2,000 or \$250 infringement fee	

DATE OF BIRTH RESOURCES



LOW-ALCOHOL AND NON-ALCOHOLIC OPTIONS

Licensed premises must provide a reasonable range of non-alcoholic and low-alcohol drinks for sale and consumption, at reasonable prices, at all times.

People choose to drink low or non-alcoholic drinks for a range of reasons, including sport and fitness, weight loss, driving, a non-drinking policy, pregnancy, intolerance, or because they are taking medication.

Having a good range of options to offer customers makes good business sense. Low-alcohol drinks, including light beers, diet drinks and alcohol-free drinks, are now widely sought after and widely available. You should actively promote them through menus and recommendations, and as a way of slowing down intoxication.

“Water must be freely available at all times. It should be chilled, attractively presented and free of charge.”

FOOD

Food works to reduce intoxication by slowing the rate at which alcohol is absorbed into the bloodstream. For this to be effective, food must be consumed before drinking begins or before the drinker becomes intoxicated.

A reasonable amount of food must be available at all times a licensed premises is open for business, and must be made available within a reasonable period of time.

Having appealing food available is part of the overall package that attracts customers to an establishment, while providing management with an opportunity to make more money.

The type of food provided depends on the type of premises and the clientele you are trying to attract. Providing something bulky and filling is important to slow down the absorption of alcohol into the bloodstream. A minimum of three types of food should be available (and this does not mean three types of pie) eg, panini, pizza, lasagne, pies, toasted or fresh sandwiches, wedges, filled rolls, and/or salads.

“The key thing is that appealing and affordable food is promoted and available at all times.”

Licensed premises may have a full commercial kitchen, a freezer and a microwave, an arrangement with a local food provider where meals are brought in, or anything in between. It is acceptable to have a menu from neighbouring premises to provide for one or two of these options. However, there must be a back-up option that could be produced on site.

A minimum acceptable standard on site would be a microwave or fryer and utensils, and a variety of ‘long life’ meals that do not require temperature control, or tins of soup and rolls. There should be an area for preparing food and utensils for serving the food.

The key thing is that appealing and affordable food is promoted and available at all times. This may mean menus on every table, a menu board, or food on display.

Good bar staff will actively promote the range of food options available.

Providing free bar snacks that smell and taste great will encourage people to think about and maybe buy more food, reducing the chance of intoxication.

PROMOTIONS

The promotion of alcohol is a necessary part of the business of selling alcohol. However, there are concerns that alcohol promotions may adversely affect young people and other vulnerable groups.

The Advertising Standards Authority recognises this and has developed a voluntary code covering advertising and promotion. Previous legislation made it an offence for licensees and managers to promote alcohol on licensed premises in a way that encouraged excessive consumption, and the Act extends the controls in this area.

The Advertising Standards Authority's 'Code for Advertising and Promotion of Alcohol' identifies principles for judging the acceptability of alcohol promotions and sponsorship.

Alcohol advertising and promotions shall:

- observe a high standard of social responsibility
- be consistent with the need for responsibility and moderation in alcohol consumption and
- be directed at adult audiences both in content and placement.

Sponsorship advertisements shall promote the sponsored activity, team or individual. The sponsor may be featured only in a subordinate manner.

Promotions and sponsorship that are thought to breach these principles may be referred to the Advertising Standards Complaints Board for a decision.

“Previous legislation made it an offence for licensees and managers to promote alcohol on licensed premises in a way that encouraged excessive consumption, and the Act extends the controls in this area.”

Legislation

The Act creates offences and penalties for certain ‘irresponsible’ alcohol promotions or activities. Irresponsible promotions can result in fines and licence suspensions, increase alcohol-related harm, and damage the reputation and prospects of a business. Under the Act it is an offence to do any of the following:

- Encourage excessive consumption of alcohol. This applies anywhere – not just on licensed premises.
- Promote or advertise discounts on alcohol of 25% or more, anywhere that can be seen or heard from outside the licensed premises.
- Promote or advertise free alcohol.
- Offer goods, services, or prizes on condition that alcohol is purchased.
- Promote alcohol in a way that is aimed at or likely to have special appeal to minors.

“Irresponsible promotions can result in fines and licence suspensions, increase alcohol-related harm, and damage the reputation and prospects of a business.”

Gambling Regulations

Under the Gambling Regulations 2005, it is an offence to offer or use alcohol as a prize for gambling activities eg, raffle prizes.

Fair Trading Act

False or misleading representations about goods or services are a breach of the Fair Trading Act 1986.

PENALTIES

Offence	Licensee or manager	Any other person
Section 237 Irresponsible promotion of alcohol	\$10,000 Suspension of licence for up to seven days	\$10,000

Your premises should have written guidelines that staff and customers are required to comply with and staff should be sufficiently trained to ensure that promotions or activities do not encourage the excessive consumption of alcohol.

When a licensee or manager commits three offences within three years against these provisions or for unauthorised sales, sales to minors and sales to intoxicated people, the licence may, and the certificate will, be cancelled for five years.

While you need to promote your licensed premises, you must take care not to undertake promotions that conflict with the Act.

National guidance on alcohol promotions for licensed premises

This guidance is intended to aid understanding of the advertising, promotions, activities and events that are likely to be considered acceptable or unacceptable. The determination of an unacceptable promotion or event will always be decided on an individual basis.

EXAMPLES OF PROMOTIONS THAT CAN BE SEEN OR HEARD FROM OUTSIDE THE ON-LICENSED PREMISES

Acceptable	Unacceptable
Promotion of a particular brand of alcohol that provides incentives to purchase that brand, as long as the promotion does not encourage the consumption of alcohol to an excessive extent.	Any promotion that encourages the excessive consumption of alcohol.
Promotion of discounts of up to 25%.	Promotion of alcohol at a discount that leads people, or is likely to lead people, to believe the price is 25% or more below the price at which the alcohol is ordinarily sold.
Promotion of a single price that does not lead people to believe it is a discount of 25% or more.	Promotions that do not mention a discount but that customers are likely to believe will involve discounts of 25% or more because of the use of words describing discounts (eg, promotions that use words such as 'crazy prices' or 'massive discounts').
Promotions involving competitions that do not require alcohol to be purchased.	Promotion of the complimentary sampling of alcohol in on-licensed premises.
Promotion and advertising of loyalty programmes that provide rewards or discounts, as long as the rewards or discounts are not primarily redeemed for alcohol.	Promotion of discounts that lead people, or are likely to lead people, to believe the price is 25% or more below the price at which the alcohol is ordinarily sold, in, but not limited to, print, broadcast and social media, including Facebook.
Promotion of a wine and food match.	Promotion of alcohol as a prize for a competition or reward for purchasing a certain amount of alcohol.
	Promotions that are aimed at or have special appeal to minors.
	Promotion of free alcohol.

EXAMPLES OF PROMOTIONS THAT CAN BE SEEN OR HEARD FROM INSIDE THE ON-LICENSED PREMISES

Acceptable	Unacceptable
Any promotion that is acceptable outside the premises.	Any promotion, signage or activity that encourages the excessive consumption of alcohol or encourages faster than normal drinking.
Promotion of discounts of up to and greater than 25%.	Promotions involving large quantities of free alcoholic drinks (eg, free drinks for women all night).
Promotion of the complimentary sampling of alcohol in on-licensed premises.	Promotions along the lines of 'all you can drink for \$x'.
Promotions such as a 'happy hour', providing they do not encourage the consumption of alcohol to an excessive extent.	Promotions that are aimed at or have special appeal to minors.
Promotions involving free alcohol, providing they do not encourage the consumption of alcohol to an excessive extent.	Time-related promotions that may lead to excessive or rapid alcohol consumption (eg, 'free drinks until the first try').
Promotions that have alcohol as a prize for a competition, providing they do not encourage the consumption of alcohol to an excessive extent.	
Promotions that offer a prize to people who buy more than a certain quantity of alcohol, providing they do not encourage the consumption of alcohol to an excessive extent.	

ACCEPTABLE PROMOTIONS must still be suitably monitored, managed and controlled to ensure excessive consumption of alcohol is not encouraged.

TRANSPORT

Licensed premises must have free, comprehensive and accurate information about transport options available for customers. This forms part of the overall service offered to customers to ensure they enjoy a safe and relaxed experience on your premises.

Specifically, it is designed to minimise the risks of customers drinking and driving.

Options include:

- **making taxis as available and easy to use as possible:**
 - offering to call a taxi for customers
 - having a free phone available for customer use
 - installing taxi signage
 - arranging discount taxi schemes
- **dial-a-driver:**
 - offering information about this taxi system, which delivers a driver to take the customer home in their car
 - displaying signage in a visible place
- **courtesy coach:**
 - using a courtesy coach to pick up and drop off customers, especially in remote areas
- **designated drivers:**
 - encouraging groups to designate a sober driver and providing them with free non-alcoholic drinks.

DEVELOPING A HOST RESPONSIBILITY POLICY

Your premises should have a Host Responsibility policy documenting your commitment to Host Responsibility practices. The Licensing Inspector may demand to see this policy as part of the licence renewal process.

While a Host Responsibility policy outlines your premises' commitment to the principles of Host Responsibility, this should be followed up with an Implementation Plan outlining how staff will apply the policy.



MANAGER'S CHECKLIST

1. Your Host Responsibility policy is written specifically for the premises, ideally with staff input.
2. The policy is clearly visible to patrons and staff.
3. Staff are aware of the policy, are suitably trained and receive obvious support from management, including the ongoing discussion of issues that may arise.
4. Food is available at all times alcohol is sold. Menus are clearly visible. It is a condition of all licences that food and non-alcoholic and low-alcohol drinks are available at all times alcohol is sold or served.
5. The safe and healthy use of alcohol is encouraged:
 - Various food promotions and specials are available cheaply and quickly.
 - Low-alcohol and non-alcoholic drinks are promoted and readily available and staff have a positive attitude towards these drinks.
 - The premises supports a designated driver scheme.
 - Safe drinking and driving levels are actively encouraged.
 - Tea, coffee and iced water are available at the bars. Iced water is free of charge.
 - There is clear signage about the size of spirits served – doubles or singles.
6. Clear and obvious notices about the laws relating to serving minors and intoxicated persons are displayed.
7. Staff are trained to recognise and understand intoxication and practical interventions. They are encouraged to intervene early, either directly or through friends, and instructed not to continue serving alcohol to any customer who appears to be getting intoxicated.
8. A telephone is readily available so patrons can call a taxi easily.
9. There are no promotions that encourage intoxication.

SAMPLE POLICY



The management and staff of (the premises) believe we have a responsibility to provide an environment that is not only comfortable and welcoming but where alcohol is served responsibly. Because of this, we have implemented the following Host Responsibility policy.

Customers who are visibly intoxicated will not be served alcohol, will be asked to leave the premises and will be encouraged to take advantage of safe transport options.

It is against the law to serve alcohol to minors. If we are in doubt about your age, we will ask for identification. Acceptable forms of proof of age are a photo driver's licence, an 18+ Evidence of Age card or a current passport.

Our policy is zero tolerance for aggressive, coercive or violent behaviour.

A good range of food is always available. Menus are visible at all times.

We provide and actively promote a range of low-alcohol and non-alcoholic drinks, including (insert your own choices eg, low-alcohol beer, fruit juices, soft drinks, tea and coffee). Iced water is available free of charge at all times.

We promote a range of transport options to get you home safely.

We encourage people to have a designated driver. We will make the driver's job more attractive by providing an interesting range of low-alcohol and alcohol-free drinks.

All of these services are well promoted, along with signage required under the Sale and Supply of Alcohol Act 2012.

We maintain a training and management policy to give our staff the skills and support they need to do their job responsibly.

Please be our guest and take advantage of the services we offer.

We pride ourselves on being responsible hosts.

(Signed)

Visits from the authorities

Police, Licensing Inspectors and the Medical Officer of Health all have a statutory role to ensure licensed premises operate according to the law. Each agency has a particular focus for its input in to the licensing process.

These agencies may, from time to time, visit your premises to monitor them or assess that you are complying with the legislation and the conditions of your licence.

Police and Licensing Inspectors can apply to have licences suspended, varied or cancelled if they have evidence that premises are breaching the Act.

TRAINING

18+



PROMOS

18+

H₂O

TAXI

H₂O

PROMOS



18+

PROMOS

H₂O

TAXI

Training is the key to successfully implementing Host Responsibility practices within a licensed environment. It provides staff with clear roles and responsibilities and develops service and interventions that ensure premises meet their legal obligations.

Training may be formal or informal and range from in-house to New Zealand Qualifications Authority (NZQA) accredited.

Host Responsibility training

All bar staff are encouraged to complete HPA's Host Responsibility on-line training ServeWise. The training covers all aspects of host responsibility and provides bar staff with the knowledge and skills to manage the service of alcohol and comply with the legal obligations of the Act.

Complete the training here:
servewise.alcohol.org.nz



Licence Controller Qualification

The Licence Controller Qualification (LCQ) is the prescribed qualification required to demonstrate that those applying for or renewing their Manager's Certificate have received recent and relevant training as set out in the Sale and Supply of Alcohol Act 2012. It is made up of two unit standards requiring:

- demonstrated knowledge of the Act and implications for the operation of licensed premises (unit standard 4646)
- demonstrated knowledge of Host Responsibility requirements as a Manager of a licensed premises (unit standard 16705).

For more information, contact Service IQ on 0800 863 693 or serviceiq.org.nz

Manager's Certificate

A manager who holds a current Manager's Certificate must be on duty at all times when alcohol is available for sale to the public in licensed premises, with the exception of premises where a club licence is held. The manager is responsible for compliance with the Act and the conditions of their licence.

A Manager's Certificate is awarded by the local District Licensing Committee (DLC). Applicants must first complete the Licence Controller Qualification.

PENALTIES, FINES AND OFFENCES

PENALTIES

Offence	Section	Licensee or manager	Bar staff
Inappropriate promotions	237	\$10,000. The licence may also be suspended for up to seven days	\$10,000
Sale of a banned alcohol product	238	\$20,000	\$20,000
Sale or supply of alcohol to minors	239	\$10,000. The licence may also be suspended for up to seven days	\$2,000
Employment of a minor in a restricted area	242	\$2,000	
Allowing minors to be in a restricted or supervised area	245	\$2,000	
Unauthorised sale or supply	247	\$20,000. The licence may also be suspended for up to seven days	
Sale or supply to an intoxicated person	248	\$10,000. The licence may also be suspended for up to seven days	\$2,000
Allowing a person to become intoxicated	249	\$10,000. The licence may also be suspended for up to seven days	
Allowing intoxication on licensed premises	252	\$5,000	
Allowing disorderly conduct on licensed premises	253	\$10,000	
Sale of spirits in a vessel exceeding 500 ml	254	\$2,000	\$2,000
Allowing a person on licensed premises outside licensing hours	256	\$10,000	

18+



PROMOS

TAXI

H₂O

H₂O

PROMOS

18+

PROMOS

H₂O

TAXI

PENALTIES

Offence	Section	Licensee or manager	Bar staff
Being intoxicated on duty	250/251	\$4,000	\$2,000
Failure to comply with licence direction or conditions	259	\$5,000	
Failure to appoint a manager, have a manager on duty at all times, or notify appointments and terminations	258, 259(1)(a)	\$5,000	
Refusal or failure to supply licence and assistance to Police	269	\$2,000	\$2,000

Infringement notices

Where a member of the Police observes a person committing an infringement offence or has reasonable cause to believe an infringement offence is being or has been committed by that person, the officer may serve an infringement notice on that person.

The following table summarises infringement offences:

INFRINGEMENT PENALTIES

Offence	Section	Infringement fee
Underage purchase	243	\$250
Underage presence in restricted or supervised areas when not accompanied by a parent or legal guardian	244	\$250
Permitting minors to be in restricted or supervised areas	245	\$250
Manager intoxicated on duty	250	\$500
Employee intoxicated on duty	251	\$500
Being on licensed premises outside licensing hours	255	\$250
Spirit sales in vessels over 500 ml	254	\$250
Manufacture, supply or presentation of fake, falsified or inapplicable evidence of age documents	257	\$250
Other requirements and restrictions: <ul style="list-style-type: none"> Sale outside trading hours or days (sections 46, 47, 48) Non-compliance with one-way door restriction (section 50) Non-availability of non-alcoholic and low-alcohol drinks, food, or information about transport (sections 51, 52, 53, 54) Signage not displayed: name of manager, hours, licence and conditions (sections 258(1)(b), 56, 57) Club selling to unauthorised people (section 60) Club with no secretary or secretary not advised to DLC, or proceeds not belonging to club (section 61) Consumption in clubs of alcohol not sold by the club (section 62) Breach of any licence condition (section 63). 	259	\$250

HOST RESPONSIBILITY RESOURCES

18+



PROMOS

H₂O



TAXI

H₂O

PROMOS



18+

PROMOS

H₂O

TAXI

Host Responsibility resources are available nationwide. These can be ordered or downloaded from alcohol.org.nz or from your local Licensing Inspector or public health service.

RESOURCES

Slow Down

On the way?

Time to go on the water, eat some food or call a taxi? We will tell you if you've had too much and make all these things available to you. Otherwise it's home time, mate.

That's the law!

Hospitality



Alcohol will not be served to minors

Hospitality



Intoxicated?

Gone too far?

That's when you're drunk, rat-faced, mulleted, munted, trashed...When you've gone too far we can't serve you and it's time to go home, mate.

That's the law!

Hospitality



No ID No Service No Exceptions

Hospitality



Intoxication Assessment Tool

Indicators may include but are not limited to:

	SOBER	INFLUENCED	INTOXICATED
S peech	Coherent, clear speech, normal tone/volume, may be talkative.	May be overly talkative, opinionated and interrupts, may stumble over words, becoming loud, inappropriate language, jokes, comments.	Slurring, difficulty forming words, loud, repetitive, loses train of thought, nonsensical, unintelligible.
C oordination	Coordinated, balanced, standing without help or support.	Slowed or delayed reactions, swagger or occasional stagers or sways.	Spills drinks, stumbles, trips, weaves, walks into objects, unable to stand unaided or at all straight.
A pppearance	Tidy, clear eyes, alert.	Flushed or blank expression, smell of alcohol on breath, may look unwell.	Bloodshot eyes, eyes glazed, inability to focus, tired, asleep, dishevelled.
B ehaviour	Behaving sensibly but may be more relaxed.	Over friendly or withdrawn, inappropriate or risky actions, argumentative, annoying, fading attention, increased consumption rate.	Seriously inappropriate actions or language, aggressive, rude, belligerent, obnoxious behaviour affecting other customers.
	Monitor & serve responsibly	Intervene	Deny & remove

ALB41 - June 2013



Hospitality



Alcohol will not be served to anyone who is intoxicated

Health Promotion Agency

Freephone: 0508 258 258

Email: enquiries@hpa.org.nz

To order resources visit alcohol.org.nz

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