



Southland*district*Licensing**agency**
of the Southland District Council

15 Forth Street, PO Box 903, Invercargill 9840 New Zealand
Tel: 0800 732 732, Fax: 0800 732 329
liquor@southlanddc.govt.nz www.southlanddc.govt.nz

APPLICATION FOR OFF LICENCE (FOR PREMISES)

Section 31 Sale of Liquor Act 1989

General Information

How long does the application process take?

The Police have 15 working days to report. Note the Sale of Liquor Act defines the period between 20 December and 15 January as non-working days.

If the application is opposed by the Inspector, Police, Medical Officer of Health, or a member of the public, the application is determined before the Licensing Authority. The Authority usually sits in Invercargill two to four times a year.

The Inspector has no statutory limit on time to report. Typically if the application is complete and there are no objections, the Inspector will report soon after the other reporting agencies. If the application is incomplete, the Inspector will place the application on hold until all the supporting documentation has been submitted.

The late placement of advertisements can also hold the application up. The Agency cannot grant the application until 10 working days after the first publication of the advertisement.

I have criminal convictions; can I still apply for an Off Licence?

Criminal convictions do not necessarily exclude a person from being granted an Off Licence. The Agency recommends that you discuss this with the Invercargill Police Liquor Licensing Squad (phone 03 211 0400) before making your application for guidance.

If I decide to withdraw my application, can I get a refund of my application fee?

The application fee is not refundable.

How many General Managers do I need to employ?

The requirement is to have a person with a General Manager's Certificate on duty at all times when liquor is being sold or supplied to the public. Two is regarded as a minimum but this is determined on a case by case basis.

What hours should I apply for?

If there is an existing licence, then the hours applied for will generally be the same as the existing. If the application relates to new business, the hours will be confined to those granted by the resource consent, if one was required.

Reference should be made to the Agency's *Sale of Liquor Policy* for more detailed guidance on hours.

Can an Off Licence be transferred into a new name at a later date?

No, an Off Licence is issued to a specific applicant. If the licence is issued to natural person who later forms a company, then a new Off Licence must be obtained in the name of the company. Similarly, if a partnership dissolves, the new entity would have to seek a new licence.

Can I offer samples?

Yes, under Section 29 of the Sale of Liquor Act, an Off Licence authorises the complimentary supply of liquor by way of sample on the premises to which the licence relates.

What is a "designated area"?

The types of designated areas are defined as follows:

- (a) Restricted area: Where no-one under 18 may be on that part of the premise unless they are employed to prepare or serve a meal, clean or repair etc, remove or replace equipment, stocktake, check or remove cash.
- (b) Supervised area: Where no-one under 18 may be on that part of the premise unless they are accompanied by their parent or legal guardian, or are employed as above or are employed for the sale and supply of alcohol.
- (c) Undesignated area: Where anyone of any age can be on that part of the premise.



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Checklist

Please use the checklist below before submitting your application.

The following must be included with your application:

- (Where the applicant is incorporated) - A copy of the certificate of incorporation.
- (Where the applicant is a club) Evidence that the club holds a Club Licence under the Sale of Liquor Act 1989 - and is not a Sports Club.
- (Where the application relates to a hotel or tavern) A reference to the number of the On Licence held by the applicant in respect of the hotel or tavern.
- (Where the application relates to premises in which the principal business is the manufacture or sale of liquor) Particulars of the principal business conducted on the premises, and (where that principal business is wine making) the number of the licence held under the Wine Makers Act 1981.
- (Where the application relates to a supermarket) Particulars of the floor area of the supermarket, including any separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables, and delicatessen items.
- (Where the application relates to a grocery store) Particulars of the principal business of the store, including evidence and certified accounts showing the percentage of turnover that is derived from the sale of main order household foodstuffs. A template for income breakdown is available on the Southland District Council website or is available from your Licensing Inspector.
- (Where the application is made in reliance on Section 36(2)(a) of the Act) Evidence to show that the sale of liquor in premises of a kind described in paragraph (c) or paragraph (d) of Section 36(1) of the Act would not be economic.
- (Where the application is made in reliance on Section 36(2)(b) of the Act) Particulars of the kind of goods sold in the premises to which it is claimed the sale of liquor would be complementary.
- (Where the application is made by the holder of an auctioneer's licence) The number of the licence held under the Auctioneers' Act 1928.
- (Where the application relates to the business of a caterer) Evidence to show that the applicant is or will be conducting the business of a caterer, including the frequency and types of functions that are or are proposed to be catered for.
- The Host Responsibility Policy. The policy should be first discussed with a Health Promotion Officer at Public Health South, 92 Spey Street, Invercargill (ph. 211 0900). This Policy must be attached to the interior of the premises so as to be easily read by persons using the premises.

- A photograph of the exterior of the premises or an artist's impression of the exterior of the proposed premises as they will look when they are finished.
- A map showing the location of the premises.
- A scale plan showing:
 - Those parts of the premises that are to be used for the sale or supply of liquor; and
 - Those parts of the premises (if any) that the applicant intends should be designated as restricted areas or as supervised areas; and
 - (Except where the applicant is a Club) Each entrance to the premises that the applicant intends should be designated as a principal entrance.
- (Where the applicant is not the owner of the premises) - A written statement from the owner to the effect that the owner has no objection to the grant of the licence.
- The fee of \$793.24 (or \$134.93 for a caterers) for the Off Licence application, and the fee of \$152.72 for the certificate advising that the proposed use of the premises meets the requirements of the Resource Management Act 1991 and of the Building Code, **unless** you have already paid for this fee with an accompanying On Licence application. Any cheques should be made payable to the Southland District Council.

To do:

- Place a notice of the application (which will be sent to you) where it is easily noticeable either on or adjacent to the site to the licensed premises, within 10 working days of filing the application. Note failure to display this notice may invalidate your application.
- Your application must be advertised twice in the Southland Times (or another newspaper as agreed to by the Licensing Inspector) within 20 working days of filing the application. A template is available on the Southland District Council website or is available from your Licensing Inspector. Placing them on the same day in two consecutive weeks complies with the legal requirement. A Licensing Inspector can assist in preparing the draft. Note the ads must not be placed until the application is lodged and all supporting information has been provided.

This page may be detached for your records



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Section 31 Sale of Liquor Act 1989

Application for an Off Licence is made in accordance with the details set out below:

Please PRINT Clearly

1. DETAILS OF APPLICANT(S)

(a) Full name, address and occupation

Enter the address and occupation if the applicant is a natural person. If the applicant is a company, the name of company only required. If a Trust, full details (full name, address and occupation) of one of the trustees, who must hold the licence on behalf of the named trust. If a partnership, full details of each partner (full name, address and occupation).

The applicant is the person or entity that receives the profits from the sale of liquor. For example if a company is to be created and profits are paid into the company account, then the company is the applicant.

(b) (If applicant is a natural person) Place and Date of Birth:

	/	/
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(c) Postal address for service of documents

(d) Daytime contact number and telephone number:

Name	
Telephone No.	

(e) Details of managers to be employed

List persons who either have manager's certificates or those who will shortly apply for a manager's certificate.

Last Name	
First Names	
Certificate No.	

Last Name	
First Names	
Certificate No.	

Last Name	
First Names	
Certificate No.	

(f) Status of applicant (tick box)

Natural person	<input type="checkbox"/>	Private Company	<input type="checkbox"/>	Public Company	<input type="checkbox"/>
Body corporate to which Section 8(1)(ba) of the Act applies	<input type="checkbox"/>	Board, organisation, or other body to which Section 8(1)(bb) of the Act applies	<input type="checkbox"/>	Department or other instrument of the Crown	<input type="checkbox"/>
Licensing Trust	<input type="checkbox"/>	Partnership	<input type="checkbox"/>	Manager under the Protection of Personal and Property Rights Act 1988	<input type="checkbox"/>
Local Authority	<input type="checkbox"/>	Trustee	<input type="checkbox"/>		

2. FURTHER DETAILS WHERE APPLICANT IS A COMPANY

Your lawyer or accountant will need to assist with this part.

(a) Date of Incorporation

(b) Place of Incorporation

(c) Details of each Director, and the Secretary, as follows:

Last Name	<input type="text"/>
First Names	<input type="text"/>
Place and Date of Birth	<input type="text"/> / /
Street Address	<input type="text"/>
	<input type="text"/>
Designation	<input type="text"/>

Last Name	<input type="text"/>
First Names	<input type="text"/>
Place and Date of Birth	<input type="text"/> / /
Street Address	<input type="text"/>
	<input type="text"/>
Designation	<input type="text"/>

Last Name	<input type="text"/>
First Names	<input type="text"/>
Place and Date of Birth	<input type="text"/> / /
Street Address	<input type="text"/>
	<input type="text"/>
Designation	<input type="text"/>

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

Authorised Capital \$ Paid Up Capital \$

(e) (In the case only of a private company) Details of each person who holds any shares issued by the Company:

Last Name	<input type="text"/>
First Names	<input type="text"/>
Place and Date of Birth	<input type="text"/> / <input type="text"/> / <input type="text"/>
Street Address	<input type="text"/>
	<input type="text"/>
Designation	<input type="text"/>
Face value of share held	<input type="text"/>

Last Name	<input type="text"/>
First Names	<input type="text"/>
Place and Date of Birth	<input type="text"/> / <input type="text"/> / <input type="text"/>
Street Address	<input type="text"/>
	<input type="text"/>
Designation	<input type="text"/>
Face value of share held	<input type="text"/>

Last Name	<input type="text"/>
First Names	<input type="text"/>
Place and Date of Birth	<input type="text"/> / <input type="text"/> / <input type="text"/>
Street Address	<input type="text"/>
	<input type="text"/>
Designation	<input type="text"/>
Face value of share held	<input type="text"/>

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

Last Name	<input type="text"/>
First Names	<input type="text"/>
Place and Date of Birth	<input type="text"/> / <input type="text"/> / <input type="text"/>
Street Address	<input type="text"/>
	<input type="text"/>
Designation	<input type="text"/>

Last Name	<input type="text"/>
First Names	<input type="text"/>
Place and Date of Birth	<input type="text"/> / <input type="text"/> / <input type="text"/>
Street Address	<input type="text"/>
	<input type="text"/>
Designation	<input type="text"/>

Last Name	<input type="text"/>
First Names	<input type="text"/>
Place and Date of Birth	<input type="text"/> / <input type="text"/> / <input type="text"/>
Street Address	<input type="text"/>
	<input type="text"/>
Designation	<input type="text"/>

3. FURTHER DETAILS WHERE APPLICANT IS A PARTNERSHIP

(a) Full details of each partner as follows:

Last Name	<input type="text"/>
First Names	<input type="text"/>
Place and Date of Birth	<input type="text"/> / <input type="text"/> / <input type="text"/>
Street Address	<input type="text"/>
	<input type="text"/>

Last Name	<input type="text"/>
First Names	<input type="text"/>
Place and Date of Birth	<input type="text"/> / <input type="text"/> / <input type="text"/>
Street Address	<input type="text"/>
	<input type="text"/>

(b) Signature of each partner:

<input type="text"/>
<input type="text"/>

4. PREMISES DETAILS

(a) Street address of proposed licensed premises:

<input type="text"/>
<input type="text"/>

(b) Type of premises (tick box)

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

(c) Proposed trading name for premises (if any):

(d) Is the Licence sought conditional upon construction or completion of the premises (tick box)

Yes No

(e) Does the applicant own the proposed licensed premises: (tick box)

Yes No

If NO -

(i) What is the full name and address of the owner?

Name

Street Address

(ii) What form of tenure of the premises will the applicant have (including term of tenure?)

For example a lease of the premises expiring on whatever date.

(f) What part (if any) of the premises does the applicant intend should be designated as:

(i) A Restricted Area

(ii) A Supervised Area

See "What is a designated area?" on the General Information page.

A typical hotel or tavern would have "all bars" and the bottle store designated as supervised, and no restricted areas. If no area is to be designated restricted, write "N/A".

5. BUSINESS DETAILS

(a) Does the applicant seek the licence in connection with the business of a caterer?

(tick box)

Yes No

(b) Does the applicant seek the licence in connection with the business of an auctioneer?

(tick box)

Yes No

(c) Is the sale of liquor intended to be the principal purpose of the business?

(tick box)

Yes No

If NO

(i) What is intended to be the principal purpose of the business?

For example "the sale of main order household foodstuffs" for grocery stores.

(ii) What part of Section 36 of the Act is applicable to this application?

For example Section 36 (d) (i) for a supermarket or Section 36 (d) (ii) for a grocery store.

(d) Is the applicant engaged, or intending to be engaged, in the sale or supply of any goods other than liquor or food, or in the provision of any services other than those directly related to the sale or supply of liquor and food? (tick box)

Yes No

If YES - what is the nature of those other goods or services?

For example groceries; household cleaning items; milk and dairy products; stationery items; fruit and vegetables; newspapers and magazines; household hardware; flowers; etc.

(e) On which days and during which hours does the applicant intend to sell liquor under the licence? (tick box)

A "24 hour licence" as follows:

- (i) From the bottle store: On any day to any person who is present on the premises from 7.00 am to 11.00 pm.
- (ii) Across the bar: At any time on any day, to any person who is present on the premises.

Providing that liquor will not be sold on Good Friday, Easter Sunday, Christmas Day and before 1.00 pm on ANZAC Day.

Days and hours as follows:

(f) Does the applicant intend to provide complimentary samples of liquor on the premises?

(tick box)

Yes No

See "**Can I offer samples?**" on the General Information page.

6. CONDITIONS

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

- (i) Appropriate signs will be displayed adjacent every point of sale detailing the statutory restrictions on the sale and supply of liquor to minors and the complete prohibition on sales to intoxicated persons, and
- (ii) At all times when the premises are open for the sale of liquor, a full range of non-alcoholic refreshments will be available for purchase by patrons.

(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?

(Eg beer, wine, or spirits)

Applicant's signature

/ /
Date

NEXT STEP

Send this form with the supporting documentation and fee (see the checklist after the General Information page) to the Secretary, Southland District Licensing Agency, PO Box 903, Invercargill 9840, or hand in to your local office of Southland District Council

For Office Use Only:

Officer in Charge of Liquor Licensing
New Zealand Police

Memo Licensing Inspector

Section 33 - Sale of Liquor Act 1989

Please report in respect of the application for an Off Licence

Date: _____

No intention of filing a report containing
any matters in opposition to the application

New Zealand Police

Date: _____



Bruce Halligan
for **SECRETARY**

Pursuant to the provisions of Section 33 of the
Sale of Liquor Act 1989, I have inquired into this
application and have no objection to the issue
of the Off Licence.

Licensing Inspector

Date: _____