

Host Responsibility Policy

Guidelines

What is Host Responsibility?

On, Off and Club licensed premises are required to have developed a written host responsibility plan. This plan should be made available to all staff and displayed in some form for both patrons and staff i.e. a reduced version, often seen as a "House Policy".

You will need to address the following seven points in your policy.

1. Minors

- How will you ensure that all of your staff are aware of the designation of your premise? This will determine 'who' is allowed on and to drink at your premise.

Tip: Include the designation and what this means in terms of who is allowed on the premise

- How will you ensure that all your staff are trained on their responsibilities under the Sale and Supply of Alcohol Act 2012 in relation to minors?
- What instructions will you give staff to ensure that they know how to identify and proactively deal with minors?
- What strategies will you have in place to deal with minors? Are all staff fully aware of what forms of identification to request from potentially underage minors entering your premises? Who will ask them to leave?

Tip: Outline how you will ensure all staff are trained and will receive clear instructions on their responsibilities under the Sale and Supply of Alcohol Act 2012 in regards to minors. Also outline your strategies for dealing with minors.

- Do you have appropriate signage displayed at every point of service re not serving minors?

Tip: Include your commitment to always displaying such signage in your policy

2. Intoxication

Staff must be trained in their responsibilities under the Sale and Supply of Alcohol Act 2012 to prevent intoxication on licensed premises. Staff require clear instructions re identifying and proactively dealing with potentially intoxicated persons. Staff ability to identify signs at the onset as opposed to the escalation of intoxication is integral to meeting the requirements of the Act in preventing intoxication on licensed premises.

- How will you ensure that all your staff are **trained** on their responsibilities under the Sale and Supply of Alcohol Act 2012 in relation to intoxicated patrons?
- What **instructions** will you give staff to ensure that they know how to identify and proactively deal with potentially intoxicated persons?
- What **strategies** will you have in place to **deal** with potentially intoxicated persons? i.e. will you offer free soft drinks, tea, coffee to potentially intoxicated patrons. How will you slow them down? Which staff have the authority to ask patrons to leave? What is the line of authority?

Tip: Outline how will you ensure that all staff are trained and will receive clear instructions on their responsibilities under the Sale and Supply of Alcohol Act 2012 with regard to potentially intoxicated patrons. Also outline your strategies for dealing with potentially intoxicated patrons.

- Do you have appropriate signage displayed at every point of service re not serving intoxicated patrons?

Tip: Include your commitment to always displaying such signage in your policy.

3. Food

A condition of your licence is that food must be available, and promoted by means of clear and well-positioned signs, at all times when the premise is authorized to be open for the sale of alcohol.

The range and style of food must be similar in style and nature that shown on the menu accompanying the licence application, or a range of snack foods in the nature of pies, sandwiches, filled rolls, pizza and the like. A range is considered to be a minimum of four food options.

They must be conveniently available, this means, priced realistically, be provided within a reasonable time frame, and of a type that customers would readily consume in the environment.

- Is your signage promoting this food clear and well positioned?
- How will you ensure that staff are aware of the food options (menu) available at all times?
- Do you have a minimum of four food options available at off-peak times?

Tip: Include your systems for ensuring that all staff are aware of the food options at all times.

4. Non-Alcoholic Beverages

A condition of your licence requires that a reasonable range of non-alcoholic refreshments are available at all times when the premises are open for sale of alcohol.

- Do you offer a range of non-alcoholic refreshments to patrons at all times?
- Have you listed that you have available 'free water' at all times if requested?
- How are these non-alcoholic alternatives promoted? Are they promoted by signage, featured in the beverage menu, or both?

5. Safe Transport Options

A condition of your licence is that the licensee provides assistance with or information about alternative forms of transport from the licensed premises for both staff and patrons.

- What strategies do you have in place to ensure that both staff and patrons get home safely from your premise e.g. actively promote hire a driver type scheme, make a telephone readily available to arrange sober transport (taxi or private), a courtesy van, or operate a designated driver scheme?
- How do you promote these alternative forms of transport to the public?
- How do you ensure all staff are aware of these strategies?

6. Alcohol Promotions

Section 237 of the Act provides for a fine not exceeding \$10,000 for a licensee or manager who does anything in the promotion of the business conduct on the premises, or in the promotion of any event or activity held/conducted on the premises, that is intended or likely to encourage persons on the premise to consume alcohol to an excessive extent.

- What commitment do you give to adhering to the protocol, and section 237?
- What steps will you, as Licensee, take to ensure that all staff adhere to the protocol?



National guidance on alcohol promotions

Off-licensed premises

The Sale and Supply of Alcohol Act 2012 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 also damage the reputation and prospects of a business.

This guideline 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.

The Sale and Supply of Alcohol Act 2012

New measures to regulate irresponsible alcohol promotions came into force on 18 December 2013.

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.
 - It is not an offence to promote or have a discount on licensed premises of 25% or more if it cannot be seen or heard from outside the premises.
 - It is not an offence to promote or have a discount that can be seen from outside the premises if it is less than 25%.

- Promote or advertise free alcohol.
 - This does not apply to promotions inside licensed premises if they cannot be seen or heard from outside the premises and providing excessive consumption is not encouraged.
- Offer goods, services or prizes on condition that alcohol is purchased.
 - However, this does not apply to offers made only on licensed premises relating to the buying of alcohol.
 - Loyalty programmes where rewards or discounts are not primarily applied to the purchase of alcohol are allowed.
- Promote alcohol in a way that is aimed at or likely to have special appeal to minors.

NOTE: this promotions guideline does not include off-licences endorsed for remote sellers of alcohol under section 40 of the Act.



Advertising Standards Authority

All advertising and promotions should also comply with the Advertising Standards Authority's Code for Advertising and Promotion of Alcohol. The Sale and Supply of Alcohol Act 2012 does not affect the self-regulatory system for alcohol advertising, which remains in place.

The Advertising Standards Authority's Code for Advertising and Promotion of Alcohol identifies principles by which the acceptability of alcohol advertising, promotions and sponsorship should be judged.

Alcohol advertising and promotions shall:

- observe a high standard of social responsibility
- be consistent with the need for responsibility and moderation in alcohol consumption
- 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.

Advertising, promotions and sponsorship that are the subject of a complaint may breach these principles and may be referred to the Advertising Standards Complaints Board for a decision.

Additional compulsory conditions for supermarkets and grocery stores

From 18 December 2013, all new and renewed licences (as they are renewed after this date) must contain a condition describing one area within the premises as a permitted area for the display and promotion of alcohol ("the single area"). The purpose is to limit (as far as is reasonably practicable) the exposure of shoppers in supermarkets and grocery stores to displays and promotions of alcohol and advertisements for alcohol. Businesses renewing a licence may be granted additional time (up to 18 months) to make any necessary layout changes.

The single area must not contain any part of (or all of):

- any area of the premises through which the most direct pedestrian route between any entrance to the premises and the main body of the premises passes; or
- any area of the premises through which the most direct pedestrian route between the main body of the premises and any general point of sale passes.

Once a single area condition is in place, all advertising, display and promotion of alcohol within the store must occur within the single alcohol area. Non-alcohol products must not be displayed, advertised or promoted within this area.

The restriction on the promotion and advertising of alcohol to within the single area does not apply to:

- signs locating the alcohol area
- promotions or advertisements in newspapers, magazines or catalogues.

Other relevant legislation

Gambling Act 2003

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

Fair Trading Act 1986

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

EXAMPLES OF PROMOTIONS THAT CAN BE SEEN OR HEARD FROM OUTSIDE OFF-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.
<p>Promotion of discounts of up to 25%.</p> <p>For example:</p> <ul style="list-style-type: none"> • \$15.99 save 20% • \$15.99 save \$4 • Was \$19.99 now \$15.99 • Save 20% on all x branded beer. 	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').
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 complimentary sampling of alcohol in off-licensed premises (eg, wine tasting).	Promoting alcohol as a prize for a competition or reward for purchasing a certain amount of alcohol.
Promotion of a wine and food match.	Promotion of free alcohol.
Promotion of a 'wine week', or 'beer sale'.	Promotions that are aimed at or have special appeal to minors.
Promotions involving competitions that do not require alcohol to be purchased.	

EXAMPLES OF PROMOTIONS THAT CAN BE SEEN OR HEARD FROM **INSIDE** OFF-LICENSED PREMISES

Acceptable	Unacceptable
Any promotion that is acceptable outside the premises.	Any promotion, signage or activity that encourages the consumption of alcohol to an excessive extent.
Promotion of discounts of up to and greater than 25%.	Promotions that are aimed at or have special appeal to minors.
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').	Once a supermarket or grocery store has a single area restriction as a condition in its licence: <ul style="list-style-type: none"> • Display, promote or advertise alcohol outside the single alcohol area. • Display, promote or advertise non-alcohol products (eg, food or general merchandise) within the single alcohol area.
Promotions involving free alcohol, providing they do not encourage the consumption of alcohol to an excessive extent.	
Promotion of complimentary samples (eg, wine tasting or samples).	
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.	
Offers of goods or services on the condition alcohol is purchased (eg, free towel with a dozen beer).	

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

Health Promotion Agency

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101 The Terrace
PO Box 2142
Wellington 6140

Phone: (04) 917 0060
Freephone: 0508 258 258
Fax: (04) 473 0890
Email: enquiries@hpa.org.nz

Northern Regional Office

Level 2, Ascot Central
7 Ellerslie Racecourse Drive
Greenlane East
PO Box 11791 Ellerslie
Auckland 1542

Phone: (09) 916 0330
Fax: (09) 916 0339
Email: enquiries@hpa.org.nz

Southern Regional Office

Level 1, CBRE House
112 Tuam Street
PO Box 2688
Christchurch 8140

Freephone: 0508 258 258
Email: enquiries@hpa.org.nz

Disclaimer

The information contained in this resource is intended as a general guide. All reasonable measures have been taken to ensure that the information is current and accurate. It is not intended to constitute legal advice and you should not rely on this guidance when taking legal or other actions. The Signatories will not accept liability for any action taken in reliance on this document.

To order resources visit **alcohol.org.nz**
and go to Order Resources

Building and Fire Safety

For Licensees and Bar Managers

Sale and Supply of Alcohol Act 2012

Licensees need to be aware of their responsibilities regarding building checks and maintenance, and fire evacuation. These requirements are covered by the Building Act 2004 and the Fire Service Act 1975, and are described here briefly.

Compliance Schedule/Building WOF

Buildings containing certain features require a Compliance Schedule. These features are required to ensure a building is safe and healthy, and include such systems as:

- Sprinkler systems
- Fire alarms
- Emergency lighting
- Air conditioning systems
- Back flows
- Lifts.

Most licensed premises have safety features that require them to have a Compliance Schedule and an annual Warrant of Fitness

Warrant of Fitness

A Building Warrant of Fitness is signed by the building owner, or manager, stating that the requirements of the Compliance Schedule have been fully met in the previous 12 months. The Council maintains records of this and a copy must be displayed on the premises.

The Warrant of Fitness must be updated every 12 months. The owner must also provide documentation that the inspection, maintenance, and reporting procedures stated have been complied with over the past 12 months. A building maintenance register must be kept on the premises and the manager must record the daily, monthly or quarterly checks.

You must employ a registered independently qualified person to carry out these annual checks.

Building Occupancy

The maximum number of persons that may be in a premises, or part of a premises, must not be exceeded. You need to know how many persons (total patrons and staff) are allowed in your premises.

This number is determined by looking at the use of the premises, the floor area, means of escape, and toilet facilities. Council can assist with determining this number, and is establishing a register of building occupancies.

You must know how many persons may be on your premises at any one time.

Fire Evacuation Scheme

The owner of a building must have in place evacuation procedures for the safe, prompt, and efficient evacuation of the building's occupants in the event of a fire emergency. One of the fire evacuation requirements is that if your premises can hold 100 or more persons, then a Fire Evacuation Scheme must be in place and kept up-to-date.

An application for a new licence or renewal of an ON, OFF, or CLUB licence must be accompanied by advice that the Fire Evacuation Scheme is up to date. It is recommended that all licensees, and prospective licensees consult with the Fire Safety Officer to ensure they are aware of their responsibilities. Bar managers are deemed "Fire Wardens" so must be familiar with fire evacuation procedures.

Special Licences

The following notes apply to all licensed premises, however are provided for Special Licence applicants, as it is recognised that these events are often run by community groups without trained bar staff.

1. Ensure that exits are not compromised by stands, stalls, displays etc. There is the temptation to utilise all available space when having one-off events. Emergency exits must be kept clear.

2. Management of people entering the building is critical, so as to assess the numbers. Security staff should have counters to keep track of the number of people in the building. Know your maximum occupancy numbers.
3. Unless there is an events manager appointed and present at the time, the bar manager is usually deemed the Building's Fire Warden. If this responsibility is delegated, e.g. to security staff, it should be with clear instructions of duties, evacuation procedures etc.
4. All buildings which have life safety features such as alarm systems, fire exits and alike require a building Warrant of Fitness.

Non-compliance with your responsibilities may result in opposition to your licence or legal action through the district court.

More Information

If you require more information on building or fire safety issues, contact Council on 03 347 2800 or the New Zealand Fire Service on 03 372 8600.

