

# Applying for a Special Licence

## General Information

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**Will more than 100 people be at the event?** If yes, before you book the venue, ask the venue booking agent:

1. Does the building have an approved fire evacuation scheme?
2. Is the number of people attending the event within the maximum number of occupants permitted in the scheme?

If the answer is 'no' to either of these questions, you should not book the venue.

**When is a Special Licence needed?** Have a look at the flow diagram "Does your event need a special licence?" on the Special Licence page on our website at [www.southlanddc.govt.nz](http://www.southlanddc.govt.nz), that you may find useful.

A Special Licence is required for any function or event where alcohol will be sold either over a bar, by a ticket system or where the cost of the alcohol is included in the pre-sold ticket price. The person/group that is receiving the profits from the sale of alcohol must apply for the licence. A Special Licence allows events/functions to be held in unlicensed areas or in licensed premises outside the conditions of the alcohol licence.

You'll also need a special licence if the event is:

- at a venue with a club licence but you are expecting non-club members to attend the event and drink alcohol there;
- outside the hours or area authorised in an existing on-licence or club licence;
- being held in an unlicensed premise or area.

We cannot issue a special licence for a BYO event.

Examples of when you do not need a special licence are:

- a wedding when alcohol is supplied to guests by the host, and there is no cost/payment for entry or participation (eg cover charge, donation, or payment for a meal);
- your guests are bringing alcohol to your own private residence.

**Are there any restrictions on the type of event that can be applied for?** Yes. The reporting agency would be likely to oppose any event for the purpose of trading when the legislation otherwise requires the premises to be closed (eg Christmas Day).

**What if bad weather postpones the event?** You can still operate under the Special Licence on the day the event is postponed to. You just need to notify the District Licensing Committee of the new date.

**Does the nominated manager need to be present during the event or hold a Manager's Certificate?** The appointed manager for the event must be present throughout the event. Whether the manager requires a manager's certificate depends on the nature of the event. Generally events with more than 250 people, or at a hotel or tavern, will require a manager who holds a manager's certificate. For other events, the District Licensing Committee may only require the holder of a manager's certificate to be on duty at high risk events, this is determined on a case by case basis.

**Can I use any tent or building to host my event?** A tent or marquee used for public assembly with a floor area exceeding 100m<sup>2</sup> requires a building consent. Please contact the building solutions officer in your area for advice on Building Act compliance if you propose to use a building not designed as a place of public assembly (for example an empty building or shed). Please note that comment may also be sought from Fire and Emergency NZ.

**Fees:** Fees vary depending on the number of events on the application and on the number of people attending. The fees are set by the government. The calculation of patronage is determined by the total number of patrons attending the event or expected over all the days of the event.

<b>CLASS 1 - \$575.00</b>	<b>CLASS 2 - \$207.00</b>	<b>CLASS 3 - \$63.25</b>
1 event with over 401 persons; or 4 or more events of 100-400 persons; or 13 or more events of less than 100 persons	1 to 3 events of 100-400 persons; or 3 to 12 events of less than 100 persons	1 or 2 events of less than 100 persons

If you need help in calculating your fee please contact our licensing team. Fees must accompany the application form. Cheques shall be made payable to Council.

**What is an event or series of events?** For the purpose of fee calculation one event for a Special Licence is:

- an occasion or a gathering which takes place without a break; or
- a series of occasions or gatherings which take place and are the same in appearance, form and substance on all of the days (eg a sports tournament or a food and wine show over several days).

Different events held at the same club premises will need to be different applications if they are not all the same class.

For example a club would have to apply for three separate applications if it wanted special licences for:

- a 21st birthday with 99 patrons
- a prize-giving a week later with 400 patrons
- a 40th birthday a week later with 125 patrons.

These are three different events and attract three different fees because of the number of people attending.

However you will be able to group similar events of the same class on the same application. For example a 50th birthday and a 60th birthday with less than 100 people each can be done on the same application and are charged as Class 3. These are two small events.

**Late applications:** If you submit an application less than 20 working days before your event, you must complete page 7 of the application.

The District Licensing Committee will decide if the application can be processed. If this is not accepted, a refund may not be issued.

It is important to note that a ‘working day’ does not include weekends, statutory holidays or any day between 20 December and 15 January inclusive. The earlier the application is received the better.

**Who reports on applications?** Applications are referred to the Police, Licensing Inspector and Medical Officer of Health for consideration. They may require further details or want to meet you in respect of your application.

**How are special licences granted?** Under the Sale and Supply of Alcohol Act 2012, the District Licensing Committee (DLC) considers all special licence applications. Usually a DLC chairperson will consider and make a decision “on the papers”. In some cases, the committee might need to hold a public hearing.

# Application for Special Licence

## Form 6 - Section 138 Sale and Supply of Alcohol Act 2012

Application for a Special Licence is made in accordance with the particulars set out below.

<b>Is your application submitted 20 working days before the event, not counting the day you submit your application or the day of the event?</b>		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If <b>NO</b> , please complete page 7 "Request to accept a late application":			
<b>Type of special licence applied for</b>			
<input type="checkbox"/> On-site (The alcohol will be consumed on the licensed premises)			
<input type="checkbox"/> Off-site (The alcohol will be sold in sealed containers and will be consumed elsewhere)			
<b>Number of events</b>			
<b>DETAILS OF APPLICANT</b>			
Full name or names to be on licence (ie Full legal name or Company name)			
<b>Applicant status</b> (tick appropriate box)			
<input type="checkbox"/> Natural person (Must be at least 20 years)		<input type="checkbox"/> Licensing trust or community trust	
<input type="checkbox"/> Any body corporate ie incorporated clubs		<input type="checkbox"/> Limited partnership	
<input type="checkbox"/> Partnership of any of the above entities			
<input type="checkbox"/> Other			
<b>Contact details for Applicant</b>			
Contact Name			
Phone number		Mobile number	
Fax number		Email address	
Postal address for service			
Email address for a copy of the licence to be sent to			
<b>Criminal convictions of the applicant</b>			
[state all criminal convictions (other than convictions for offences against provisions of the Land Transport Act 1998 not contained in Part 6, and offences to which the Criminal Records (Clean Slate) Act 2004 applies)]			
<b>Experience and training of applicant in running special licence events</b>			
OFFICE USE ONLY			
Area Office Stamp	Knowledge	LIQ Container: L	
		Payment: Cash/Chq/EFT/Credit/DD	
	Doc No:	\$63.25	\$207.00

DETAILS OF PREMISES				
Address of premises				
Trading name for premises (if any)				
Does the applicant own the premises?			<input type="checkbox"/> Yes	<input type="checkbox"/> No
If <b>NO</b> please provide full name and address of owner				
PLEASE NOTE: THE OWNER OF THE PREMISES NEEDS TO COMPLETE THE BOX ON PAGE 5 OF THIS APPLICATION IF YOU DO NOT OWN THE PREMISES.				
Is the licence conditional upon completion of building work or construction of a marquee larger than 100 m2			<input type="checkbox"/> Yes	<input type="checkbox"/> No
If <b>YES</b> , state details of Building Consent				
Is a licence already held for premises concerned?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	If <b>YES</b>
<input type="checkbox"/> On Licence	<input type="checkbox"/> Off Licence	<input type="checkbox"/> Club Licence	<input type="checkbox"/> Licence Number	072/
Is there a Fire Evacuation scheme for public safety in place for the premises?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Unknown
<b>Licence Floor Plan</b>				
Describe the area that the licence will cover		(eg inside hall, inside hall and outside garden, clubrooms and sports grounds)		
Please provide with this application a plan of the area to be covered by the licence, showing:				
<input type="checkbox"/> The entire area to be licensed including any outside area				
<input type="checkbox"/> Entrance(s)				
<input type="checkbox"/> Location and number of toilets available for patrons				
<input type="checkbox"/> Where alcohol will be sold and/or supplied from				
<input type="checkbox"/> Where security will be stationed (if any)				
<input type="checkbox"/> Place of safety (if any)				
<input type="checkbox"/> Outside Smoking Area				
<input type="checkbox"/> Location of free water				
<input type="checkbox"/> Location of where food will be available				
<input type="checkbox"/> Location of Host Responsibility and prohibited persons signage				
<b>Do you intend the premises to be designated?</b>				
<input type="checkbox"/> <b>Restricted Area</b> No person under 18 may be in the area NOTE: Mark on a plan of the premises which areas are to be designated "restricted".				
<input type="checkbox"/> <b>Supervised Area</b> Persons under 18 may be present if accompanied by a parent or legal guardian. NOTE: Mark on a plan of the premises which areas are to be designated "supervised".				
<input type="checkbox"/> <b>No designation</b> Means that there is no restriction on the age of people who may be present				

EVENT DETAILS					
<b>Event Title</b>					
<b>Date of the event</b>					
<b>Nature/Principle purpose/timetable of event</b>					
<b>Hours of the event</b>	Start		Finish		
<b>Hours alcohol will be sold</b>	Start		Finish		
Estimated number of people attending					
<b>PLEASE NOTE: EVENTS OVER 250 PEOPLE WILL NEED A RISK MANAGEMENT PLAN</b>					
Is Risk Management Plan attached?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	
<b>Probable age distribution of people attending</b>					
<b>How will admission to the event be controlled?</b>				<input type="checkbox"/> Presold tickets	
<input type="checkbox"/> Door sales	<input type="checkbox"/> Invitation only	<input type="checkbox"/> Other			
<b>Is the event</b>	<input type="checkbox"/> Public	<input type="checkbox"/> Private	<b>Will this event be advertised?</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If YES, details of how the event will be advertised?			(eg website, Facebook, newspaper, radio, school newsletters)		
<b>Is the applicant intending to engage in</b> the sale or supply of any goods other than alcohol and food, or in the provision of any services other than those directly related to the sale or supply of alcohol and food				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If YES, please describe the nature of other goods and services					
<b>Who will monitor the entrances to the event?</b>		<input type="checkbox"/> Security	<input type="checkbox"/> Bar staff		
		<input type="checkbox"/> Individual	<input type="checkbox"/> Family Members		
<b>Describe how the event will be monitored</b>		(eg Security be stationed at entranceway, duty manager circulating)			
<b>Where will alcohol be sold or supplied from?</b> (this area is to be shown on floor plan):					
<input type="checkbox"/> Tent	<input type="checkbox"/> Bar	<input type="checkbox"/> Booth	<input type="checkbox"/> Tray service	<input type="checkbox"/> Other	
<b>Will alcohol be sold through a cash bar?</b>				<input type="checkbox"/> Yes	<input type="checkbox"/> No
If NO, describe how alcohol will be sold/supplied			(eg website, Facebook, newspaper, radio, school newsletters)		
<b>What types of alcohol will be available?</b>					
<input type="checkbox"/> Beer	<input type="checkbox"/> Wine	<input type="checkbox"/> Ready to Drink (RTDs)	<input type="checkbox"/> Spirits	<input type="checkbox"/> Other	
<b>How many alcoholic drinks can be purchased at one time?</b>					
<b>Type of container in which alcohol will be sold?</b>					
<input type="checkbox"/> Glass	<input type="checkbox"/> Cans	<input type="checkbox"/> Bottles	<input type="checkbox"/> Other		

EVENT HOST RESPONSIBILITY PROVISIONS: (NOT REQUIRED FOR OFF-SITE APPLICATIONS)			
Food to be provided	(Please note that being a good host and normal practise now dictates, that food is continuously available). NOTE: potato crisps, dips, lollies, ice-creams and nuts are not considered substantial food		
Non-alcoholic drinks			
Low-alcoholic drinks Up to 2.5% alcohol			
Location of freely available drinking water for patrons			
What is the source of the water?	<input type="checkbox"/> Town Supply	<input type="checkbox"/> Other	
What alternative forms of transport from the premises? Please tick what is available			
<input type="checkbox"/> Taxi service	<input type="checkbox"/> Courtesy Coach	<input type="checkbox"/> Telephone	<input type="checkbox"/> Cell phone
<input type="checkbox"/> Other, please detail			
How will your Host Responsibility provision be promoted?			
<input type="checkbox"/> Signage		<input type="checkbox"/> Other	
<b>Other matters (required for all applications)</b>			
Provide details of steps proposed to be taken to prevent the sale and supply of alcohol to prohibited people			
Provide details of any other steps the applicant proposes to promote the responsible consumption of alcohol			
Provide details of other systems (including training systems) and staff in place (or to be in place for compliance with the Act			

ADDITIONAL INFORMATION REQUIRED			
<b>Name of caterer/group preparing food</b>			
<b>Smoke-free Environments Act 1990</b>			
All Work Places must be compliant with the Smoke-free Environmental Act 1990 and that work places include areas where volunteers are used			
Is the event smoke free? <input type="checkbox"/> Yes <input type="checkbox"/> No		If NO, is signage displayed? <input type="checkbox"/> Yes <input type="checkbox"/> No	
And ensure the outside designated smoking area is detailed on the licensed plan.			
<b>Applicant's Signature</b>		Date	

Checklist for Attachments	
<input type="checkbox"/>	Application Fee. Any cheques should be made payable to the Southland District Council Class 1 = \$575.00                      Class 2 = \$207.00                      Class 3 + \$63.25
<input type="checkbox"/>	A plan of the premises
<input type="checkbox"/>	Copy of ticket or invitation and any promotional material (eg poster etc)
<input type="checkbox"/>	Any Risk Management Plan if prepared. Required if event has more than 250 people
Please note:	
1	Have you fully completed the application? Incomplete applications WILL be returned and may not be issued in time
2	If you have not received a copy of the licence by the time of the event, then the sale/supply of alcohol is not permitted. If the licence has not arrived in the post or by email, then please ring a Licensing Inspector at Council who will be able to send a copy by email or fax.

Property Owner Approval (Not required if it is a Council property)			
<b>I/We</b>			being the owner of the premises
described as			(place)
have no objection to the granting of this Special Licence application.			
Telephone numbers	Work		Home
	Cell		Email
<b>Property Owner's Signature</b>			Date

DETAILS OF MANAGER			
This section is to be filled in and signed by the person who will manage the event(s). These are the details of the individual who will manage the sale and supply of alcohol at the event. (If there is more than one manager for the event(s), please copy this page and get each manager to complete)			
Full legal name			
Postal address			
Date of birth	Place of birth		
Telephone numbers	Work		Home
	Cell		Email
Have you managed an event similar to this in the past?			<input type="checkbox"/> Yes <input type="checkbox"/> No
If <b>YES</b> , please give brief details			
Do you hold a manager's certificate?			<input type="checkbox"/> Yes <input type="checkbox"/> No
If <b>YES</b> , what is your certificate number?		Expiry date	
<i>(If your certificate was not issued locally please attach a copy of your certificate)</i>			
If <b>NO</b> , you need to give brief details of any relevant experience that you have had in the hospitality industry			
How many staff will you have working (not including yourself)?			
What training is in place for your staff?			
What steps do you intend to take to manage the sale and supply of alcohol, with the aim of helping to reduce alcohol abuse and help with host responsibility?			
What controls are in place to deal with persons who are intoxicated to ensure their safety and the safety of others, and that alcohol is not sold or supplied to them?			
What controls are in place to ensure that alcohol is not sold or supplied to persons under the age of 18 years?			
What steps would you propose to take if the food, non-alcoholic drinks or low-alcoholic drinks are exhausted? (Remember that food must be available <b>at all times</b> alcohol is for <b>sale</b> or <b>supply</b> , even before and after suppers.)			
I acknowledge that I understand my obligations as prescribed by the Sale and Supply of Alcohol Act 2012.			
Signature of Manager			Date



## Request to Accept a Late Application

Complete this page if the application is made less than 20 working days before the day of the event

<p>I request that this late application for a special licence is accepted by the District Licensing Committee under the following section of the Sale and Supply of Alcohol Act 2012</p> <p><input type="checkbox"/> S. 137 (2) The need for a special licence could not reasonably have been foreseen earlier.</p> <p>Or</p> <p><input type="checkbox"/> S. 208 The late application was not wilful.</p>
Reason(s) for the late application

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<p>Authorisation</p> <p><input type="checkbox"/> S. 137 (2) I am/am not (delete one) satisfied that the need for a special licence could not reasonably have been foreseen earlier.</p> <p>Or</p> <p><input type="checkbox"/> S. 208 I do/do not (delete one) authorise a waiver under Section 208 of the Sale and Supply of Alcohol Act 2012 to receive this late application. The application will be processed as detailed over the page.</p> <p>Signed</p> <p>Delegated Officer</p> <p>Date by which reports must be received by the Police and MOH subject to consultation 4.00 pm on ___/___/_____</p> <p>Consultation notes: <input type="checkbox"/> ≥15 days    <input type="checkbox"/> 14 to 5 days    <input type="checkbox"/> ≤4 days</p>

## FAQ – Late Applications

### What happens next?

The delegated officer must be satisfied that the need for a special licence could not reasonably have been foreseen earlier, or the lateness was accidental.

If the delegated officer is not satisfied that a waiver is warranted, then the delegated officer will advise you that there can be no sale of alcohol at the event, and then advise the Police by email.

If the delegated officer is satisfied that a waiver is warranted, then the alcohol licensing team will consult with the reporting agencies, and will advise if the application was accepted.

### Why is this application required?

Section 137 of the Sale and Supply of Alcohol Act 2012 (the Act) requires an application for a special licence to be filed at least 20 working days before the day on which the event concerned begins.

Under section 137 (2) of the Act a late application may be accepted for processing when the need for a special licence could not reasonably have been foreseen earlier. For this exception to apply the application must be made without delay as soon as the need for a special licence becomes known, and it must include details as to why the application could not have been foreseen before it was.

Under s.208 of the Act the delegated officer has power to waive the 20 day time frame, if the failure to apply for a special licence in the time required has been accidental. The power to grant a waiver under s.208 is discretionary. Before processing the application, the delegated officer will require full details as to why it is considered appropriate to exercise discretion to waive.

#### REPORTING AGENCIES ONLY

If the delegated officer is satisfied that a waiver is warranted, then the reporting agencies will be consulted as follows:

- a. **Applications received between 15 and 19 working days before the event**  
No need to consult with the reporting agencies because they have 15 days.
- b. **Applications received between 5 and 14 working days before the event**  
Committee staff will proceed with processing the application. When emailing the special licence application to agencies they will request that if the agency can't report within the specified timeframe that the committee be advised within 24 hours of the application being received by the agency.
- c. **Applications received between 1 and 4 working days before the event**  
Committee staff will consult by phone. If any of the reporting agencies are unable to be contacted, then the application will not be accepted.

Committee staff will then follow these steps:

1. Fix a date by which the reporting agencies are required to report back.
2. After the 1 day notification period - contact the applicant to advise that the application is being processed.
3. Reporting agencies must raise any matters of opposition by the reporting date.
4. The application will then be determined by the committee.