

# Alcohol Game Plan for club committees

Managing alcohol in clubs

February 2018



## Disclaimer

*The information contained in this Alcohol Game Plan is intended as a general guide. While reasonable measures have been taken to ensure that the information is current and accurate as at August 2017, the Health Promotion Agency cannot accept any liability for any inaccuracy, omission or deficiency in relation to the information. It is not legal advice and you should not rely on anything contained in the Alcohol Game Plan in any legal proceedings. The information provided does not replace or alter the laws of New Zealand, and you should consult the legislation and obtain your own legal and professional advice as appropriate. The Health Promotion Agency will not accept liability for any action taken in reliance on anything contained in the Alcohol Game Plan.*

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# Alcohol Game Plan – managing alcohol in clubs

*Responsible management of alcohol in clubs will help provide a safe and enjoyable environment for members, their families and the community. The alternative – intoxication and binge drinking – can lead to significant harms both to the individual and to others around them. These harms include injury, violence, crime, sexual assault, domestic abuse, road crashes and more.*

*Making sure your club is a responsible family environment where alcohol is only ever consumed in moderation requires a whole-of-club approach. The Alcohol Game Plan aims to help committees and bar staff develop the appropriate tools to support this.*

*While bar managers, bar staff and door staff all share some responsibility for creating a safe club environment, free from alcohol-related harms, the committee is accountable for the overall effective management of the premises, meeting all legal obligations, and ensuring staff are well trained to meet these obligations.*



# The law

The Sale and Supply of Alcohol Act 2012 (the Act) is the legislation governing how alcohol is sold and consumed in clubs (as well as other licensed premises). The object of this legislation is that the sale, supply, and consumption of alcohol is undertaken safely and responsibly; and the harm caused by the excessive or inappropriate consumption of alcohol is minimised.

The harm caused by the excessive or inappropriate consumption of alcohol includes—

- any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and
- any harm to society generally or the community, directly or indirectly caused, or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury.

## Meeting your legal obligations

To sell alcohol in your club, you must hold a club alcohol licence.

**club** means a body that—

- is a body corporate having as its object (or as one of its objects) participating in or promoting a sport or other recreational activity, otherwise than for gain; or
- is a body corporate whose object is not (or none of whose objects is) gain; or
- holds permanent club charter

Clubs that sell alcohol must meet their legal obligations laid out in the Act. The onus is on the licensee to take overall responsibility for compliance with the Act. In the case of a club, the licensee is the committee.

Your club licence also outlines a set of specific conditions with which you must comply. Make sure you, and all staff or club members who will be involved in selling and supplying alcohol, have sighted your licence and understand the conditions relating to your club.

## Important sections of the Act relevant to clubs

s.46	The licensee must ensure no alcohol is sold, consumed or supplied on the premises outside the permitted trading hours outlined in your club licence.
s.57	The holder of a club licence must ensure that at all times a copy of the licence, together with a statement of the conditions of the licence, is displayed inside the premises so it can be easily read by anyone entering the premises.
s.60	Clubs must ensure that alcohol is only sold to club members, guests of club members that are accompanied by the member concerned, or members of a club with reciprocal visiting rights.
s.61	Clubs must make sure that at all times there is a secretary of the club and that within 10 working days of the appointment of a new secretary the District Licensing Committee is advised of the name of the new secretary. All proceeds from the sale of alcohol belong to the club.
s.62	It is a condition of a club licence that while the bar is open only alcohol purchased on the premises may be consumed on the premises. <b>This means no BYO.</b>
s.239	Clubs must ensure no alcohol is sold or supplied to anyone under 18 years of age.
s.212 and s.258	Every holder of a club licence must appoint a manager. A manager on duty is responsible for compliance with and enforcement of the provisions of the Act and the conditions of the licence. The manager is also responsible for the conduct of the premises with the aim of contributing to the reduction of alcohol-related harm.

## Managers

All clubs must appoint a manager or managers. However, unless it is a condition of the licence, clubs do not, by law, have to have a manager on duty at all times (although this is advisable and worth considering). If the club is required to have a manager on duty, their name must be prominently displayed inside the premises and the duty manager is responsible for compliance with the Act and the conditions on the licence. If there is no requirement

to have a manager on duty, it is strongly recommended that there are measures in place to actively manage the premises at any time the club is operating and to ensure compliance with the Act and the licence. References to 'managers' in this guide refer to managers that are on duty.

## Penalties and fines

There are serious *penalties, fines and infringements* for breaches of the Act. Licensees, managers and bar staff can all be prosecuted. See [page 9](#) for further information.

## Who can drink alcohol at our club?

The Act is clear that **only authorised customers (members and their guests) may be served alcohol**. Authorised customers do NOT include the general public. Bar staff must know who they are serving to ensure they are not breaching the Act.

Authorised customers include:

- **club members**
- **guests of club members** (guests must be accompanied by the sponsoring member at all times and must leave the premises when the member leaves)
- **members of clubs with reciprocal visiting rights** (these clubs should each be named within the club's rules or constitution, or this can be administered by Clubs NZ)
- **a guest of a member of a club with reciprocal visiting rights** (this must be a specific condition on your licence; you must request it. See s60(1)(b)).

A member, in relation to a club, is a person who:

- has expressly agreed in writing to comply with the club rules; and
- is recognised as a member of the club by those rules.

Bar staff must sight a current membership card or an affiliate's current membership card. All guests (non-members) should either complete a sign-in slip and be accompanied by their sponsoring member, or bar staff

should ask questions to satisfy themselves that non-members are authorised customers. These questions may include:

- Are you a member of this club?
- Are you a member of another club?
- Are you here as a guest of one of our members?
- Are you here as a guest of a member of another club?

## Getting a special licence

If you wish to hire out your club or host an event that includes unauthorised customers, a special licence is required from the local council.

The application for a special licence must be submitted to the local council at least 20 working days prior to the event, unless the circumstances are unforeseen (e.g. a funeral or a tangi). This is to allow time for the regulatory agencies to enquire into the application and comment on suitability.

Your *Alcohol Management Plan* (see page 12) can help to demonstrate to council your ability to manage any of the risks associated with the service of alcohol for the special event. Contact your local council for further information on what is required.

## Where can alcohol be consumed?

Alcohol can only be consumed within the area stated in your alcohol licence. Check the details of your licence, but this generally means the clubrooms. Alcohol purchased in the clubrooms cannot be consumed anywhere outside the defined area. This means no alcohol in the carpark, on the side lines or in the changing rooms (unless these areas are covered by your licence). This can be difficult to manage without an *alcohol policy* (see page 10) and signage prohibiting this. '*Alcohol-free Area*' signage is available free of charge to place in carparks, on side lines, in changing rooms etc. See [alcohol.org.nz](http://alcohol.org.nz)

## Visits from regulatory agencies

Regulatory agencies, which include Police, the Licensing Inspector and a delegate of the Medical Officer of Health, are likely to visit your premises to conduct a compliance check from time to time. Typically these visitors will make themselves known to the manager on duty or to bar staff. These people, like you, have a job to do and want their compliance check to be of minimum disruption to you. For a routine check at granting or renewal time they may make an appointment before they call, but compliance checks can occur at any time.

These agencies can apply to have a licence or manager's certificate suspended, varied or cancelled if they have evidence of breaches of the Act.

## Controlled Purchase Operations (CPOs)

From time to time, regulatory agencies may also conduct CPOs, in which they will escort a minor (person under 18 years of age) to your club who will attempt to purchase alcohol from you.

In some areas, regulatory agencies also conduct CPOs to establish whether clubs are selling to unauthorised customers. If your processes let you down and alcohol is supplied to a minor or an unauthorised customer, you may be fined and/or it could result in the licence (or your manager's certificate) being suspended or cancelled, or could cause problems at renewal time.

# Take a clear stance on alcohol

The committee is responsible for setting the drinking culture in a club. Whether there is a permissive culture where intoxication is accepted, or a family environment where drinking is low key, is down to the policies and rules set by the committee. Remember that while the legislation demands you meet certain obligations, your members also expect a safe and welcoming environment, where they can relax and enjoy themselves.

## ServeWise Host Responsibility training



All committee members and bar staff are encouraged to complete the [ServeWise online training](#). ServeWise covers important aspects of Host Responsibility and provides the knowledge and skills to manage the service of alcohol and comply with your club's legal obligations.

Go to [ServeWise.alcohol.org.nz](https://servewise.alcohol.org.nz)

Four key strategies are available to committees to help manage alcohol consumption and reduce the likelihood of associated harms:

#### 4. Alcohol policy

- Clearly states club expectations including acceptable behaviour, zones for drinking, individual accountability and consequences for breaking club alcohol rules

#### 5. Alcohol Management Plan

- Identifies alcohol risks and outlines strategies for how they will be managed

#### 6. Host Responsibility policy

- Outlines how alcohol service will be managed and how the club will meet its obligations under the Act

#### 7. Crime prevention through environmental design

- Provides a tool to reduce aggression, assault and violence in and around the club.

### 1. Developing an alcohol policy

Your alcohol policy outlines club rules around alcohol consumption. The policy sets expectations for behaviour and expresses the club's intolerance to intoxication. The committee needs to work collaboratively to develop the club alcohol policy to ensure it meets the best interests of members and represents the values of the club.

#### Factors to consider in developing an alcohol policy:

- Where alcohol can and can't be consumed
- Where alcohol can be purchased
- The process for authorised customers to purchase and consume alcohol
- The process for those found disregarding the rules
- How alcohol sponsorship will be minimised
- No drugs on premises
- BYO alcohol not permitted
- No disorderly behaviour or intoxication permitted on premises
- Alcohol vouchers, rewards, awards and prizes not allowed.

#### Communicating your policy to members and guests

- Build messages into general club marketing and advertising
- Post the alcohol policy at entrance to the club and on the club's website
- State the club's alcohol policy in contracts and newsletters
- Install prominent signage at entry points, in carparks, in change rooms etc.

[See sample alcohol policy on page 11.](#)

## 2. Developing an Alcohol Management Plan

An Alcohol Management Plan details how to manage the sale and supply of alcohol and alcohol-related risks in your club. It should be developed by the committee to ensure it gains support from the top of your organisation. It would also benefit from input from members and external stakeholders including regulatory agencies.

The Alcohol Management Plan should cover:

- all alcohol-related risks identified by the Committee
- strategies and actions for reducing and/or eliminating those risks
- who is responsible for each action.

It should be reviewed and updated on a regular basis to ensure it is up to date.

[See sample Alcohol Management Plan on page 12.](#)

## 3. Developing a Host Responsibility policy

Your Host Responsibility policy is a customer-oriented statement that spells out how you will comply with the law, the conditions of your licence, and the principles of Host Responsibility. If you hold an alcohol licence you must have a Host Responsibility policy and provide staff with regular and ongoing training.

As a minimum, your Host Responsibility policy should address your club's policy on:

- **Minors** – state your club's policy on asking for ID
- **Intoxication** – explain that this will not be tolerated and how it will be dealt with
- **Food** – food is available at all times alcohol is being sold. Menus are clearly visible. It is a condition of all licences that food be available at all times alcohol is sold or served



- **Low-alcohol and non-alcoholic drinks** – free drinking water must be available and well presented at all times. A range of low- and non-alcoholic drinks must be readily available
- **Promotions** – there must be no promotions that encourage excessive alcohol consumption (amongst other things). This includes drinking games.
- **Transport** – staff must assist customers with transport options home. We suggest making a phone readily available so that customers can call for a taxi or ride home at any time. Clubs may also wish to support sober drivers with free non-alcoholic drinks for the driver of a team or other members, or have courtesy vans to support those who need a ride home
- **Clear and obvious signage** – must be displayed about the laws relating to serving minors and intoxicated persons
- **Members and guests** – who can and can't be served alcohol and under what circumstances.

[See sample Host Responsibility policy on page 16.](#)

### Communicating your Host Responsibility policy

Posting your Host Responsibility policy in clearly visible locations around the clubrooms enables members and authorised customers to understand your expectations and act accordingly. It also provides a reference point and back-up for committee members and bar staff whose job it is to enforce the policy. This policy also provides a framework for any group that hires your clubrooms for private functions.

### Bar staff

Bar staff need to be aware of the policy, be suitably trained and receive obvious support from management, including the ongoing discussion of issues that may arise. The policy should be clearly visible to both members and staff.

### Host Responsibility training

Bar staff are to be trained to recognise and understand intoxication and how to put in place practical interventions to avoid it. Staff are encouraged to intervene early and instructed not to continue serving alcohol, either directly or through others, to any customer who appears to be getting intoxicated. All bar staff should complete the free online [ServeWise](#) Host Responsibility training at [ServeWise.alcohol.org.nz](#)

## 4. Crime prevention through environmental design (CPTED)

CPTED recognises that the proper design and effective use of the built environment (buildings, landscaping, walkways, carparks etc) can help reduce the fear and incidence of crime and antisocial behaviour.

Sometimes a simple change can make a big difference. It's about designing the clubrooms and surrounding environment to reduce the opportunities for people to commit crime or take part in antisocial behaviour. It can also make your sports facilities more secure.

[See alcohol.org.nz for further information on CPTED.](#)

# Appendix 1

## Penalties and fines

There are serious penalties for breaches of the Sale and Supply of Alcohol Act. Licensees, managers and bar staff can all be prosecuted.

Offence	Section	Licensee or manager	Bar staff
Irresponsible 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	239 241	\$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 contrary to the Act	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	
Being intoxicated on duty	250/251	\$4,000	\$2,000
Allowing intoxication on a licensed premises	252	\$5,000	
Allowing disorderly conduct on a 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	
Failure to appoint a manager, have a manager on duty at all times, or to notify appointments and terminations to the Licensing Committee and the Police (if the conditions of the licence require a manager)	258 259(1)(a)	\$5,000	
Failure to comply with certain requirements or restrictions	259	\$5,000	
Sale of a prohibited alcohol product	259	\$5,000	
Refusal or failure to produce licence, documentation or to provide assistance or information to Police/Inspector	267 (5)	\$2,000	\$2,000
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 that an infringement offence is being or has been committed by that person, the officer may serve an infringement notice on that person for an amount not exceeding \$1,000.

All offences for which infringement notices may be issued may instead be prosecuted through the courts and on being found guilty the offender is liable for up to the maximum fine.

The following table summarises infringement offences:

Offence	Section	Maximum fine	Infringement fee
Underage purchase	243	\$2,000	\$250
Underage presence in restricted or supervised areas not accompanied by a parent or guardian	244	\$1,000	\$250
Permitting minors to be in restricted or supervised areas	245	\$2,000	\$250
Manager intoxicated on duty	250	\$4,000	\$500
Employee intoxicated on duty	251	\$2,000	\$500
Spirit sales in vessels over 500 ml	254	\$2,000	\$250
Other requirements and restrictions: <ul style="list-style-type: none"> <li>• Sale outside trading hours or days (ss.46, 47, 48)</li> <li>• Non-availability of non-alcoholic and low-alcohol drinks, food, or information about transport (ss.51, 52, 53, 54)</li> <li>• Signage not displayed: name of manager, hours, licence and conditions (ss.58(1)(b), 56, 57)</li> <li>• Club selling to unauthorised people (s.60)</li> <li>• Club with no secretary or secretary not advised to DLC, or proceeds not belonging to club (s.61)</li> <li>• Consumption in clubs of alcohol not sold by the club (s.62)</li> <li>• Breach of any licence condition (s.63)</li> </ul>	259	\$5,000	\$250

# Appendix 2

## Club alcohol policy

Your club alcohol policy outlines club rules around alcohol consumption. The policy sets expectations for behaviour and expresses the club's intolerance to intoxication. The committee needs to work collaboratively to develop the club alcohol policy to ensure it meets the best interests of members and represents the values of the club.

### Sample Alcohol Policy

(Name of club)

#### Vision

*Insert your own club vision*

#### Mission

*Insert your own club mission*

(Club Name) is committed to (the mission of the club). Members of this community and this club recognise that the misuse of alcohol constitutes a threat to our mission.

This policy applies to club members; their guests and members of clubs with reciprocal visiting rights, and any affiliated team (whether or not the member is an authorised customer) on club property and facilities; and while engaged in a club activity.

#### Our rules

Outline your expectations around alcohol purchase, consumption and tolerance. Things to consider:

- Where alcohol can be purchased
- Where alcohol can and can't be consumed
- The process for authorised customers to purchase and consume alcohol
- The process for those found disregarding the rules
- How alcohol sponsorship will be minimised
- No drugs on premises
- BYO alcohol not permitted
- No disorderly behaviour or intoxication permitted on premises or when representing the club
- Expectations when representing the club off-site or on tour
- Alcohol vouchers, rewards, awards and prizes not allowed.

#### Our process:

Outline how the club will develop and communicate the policy to members and guests. Things to consider:

- Build messages into general club marketing and advertising
- Post the alcohol policy at entrance to the club and on the club's website
- State the club's alcohol policy in contracts and newsletters
- Install prominent signage at entry points, in carparks, in change rooms etc.
- Outline regular review dates for the policy.

President .....

Bar manager .....

Secretary .....

Date .....

# Appendix 3

## ALCOHOL MANAGEMENT PLAN for clubs

Licensee name	Trading name	Licence number
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- This plan is to be used as an operational risk management tool for dealing with alcohol-related concerns and is to be regularly reviewed and updated.
- This plan is to be followed by all staff and security while the premises is operating under the alcohol licence. A copy will be available to all staff at all times for reference.
- This plan forms part of our Host Responsibility training. All staff are aware of alcohol, resource and noise management requirements for the premises.
- It is our job to ensure the best result from any situation while maximising safety of staff and customers and maintaining amenity and good order.
- Every individual is a (potential) member or guest and must be treated so.

### Things to consider

- What aspects of intoxication/minors/customer behaviour pose a risk? Excessive consumption; drink spiking; removal from premises, etc.
- What actions will be taken before, during and after the event to mitigate risk?
- How and where will you record an incident? Are there any other relevant documents e.g. a resource consent?

**Intoxication**

Identified risk	Risk level	Risk management actions	Persons responsible	Resources / recording / outcomes

**Minors**

Identified risk	Risk level	Risk management actions	Persons responsible	Resources / recording / outcomes

**Customer behaviour**

Identified risk	Risk level	Risk management actions	Persons responsible	Resources / recording / outcomes

**Premises management**

Identified risk	Risk level	Risk management actions	Persons responsible	Resources / recording / outcomes

**Host Responsibility**

Identified risk	Risk level	Risk management actions	Persons responsible	Resources / recording / outcomes

**Staff training**

Identified risk	Risk level	Risk management actions	Persons responsible	Resources / recording / outcomes

**Noise management**

Identified risk	Risk level	Risk management actions	Persons responsible	Resources / recording / outcomes

**Operational structure**

Identified risk	Risk level	Risk management actions	Persons responsible	Resources / recording / outcomes

**Agencies and monitoring**

Identified risk	Risk level	Risk management actions	Persons responsible	Resources / recording / outcomes

# Appendix 4

## Sample Host Responsibility policy for clubs

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

- We provide and actively promote a good range of food available for sale at all times. 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, e.g. low-alcohol beer, fruit juices, low-sugar drinks, soft drinks, tea and coffee).
- Iced water is available free of charge at all times.
- Members and guests 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 current New Zealand photo driver's licence, an 18+ Evidence of Age card or a current passport (New Zealand or overseas).
- Our policy is zero tolerance for aggressive, coercive or violent behaviour.
- Alcohol will not be consumed in any area other than the bar (or the area defined in your licence).
- Only alcohol purchased from the bar may be consumed on the premises. No BYO is to be consumed anywhere on this property.
- We encourage water as the first drink post-game.
- 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 alcohol-free drinks free of charge.
- We maintain a training and management policy to give our bar 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.

President .....

Bar manager .....

Secretary .....

Date .....

## Health Promotion Agency

Freephone: 0508 258 258

Email: [enquiries@hpa.org.nz](mailto:enquiries@hpa.org.nz)

To order resources visit [alcohol.org.nz](http://alcohol.org.nz)

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