

# A Guide to Preparing a Host Responsibility Implementation Plan for OFF LICENCED PREMISES

While the concept of host responsibility is not new, the 1999 amendments to the Sale of Liquor Act incorporated some elements of host responsibility into legislation making them legal requirements. Additionally, District Licensing Agencies can impose licence conditions to ensure the provisions of the Act relating to prohibited persons are observed.

Host Responsibility Implementation Plans are designed to provide staff with strategies for preventing prohibited persons from accessing liquor and will ensure staff do not put the duty manager and licence at risk of suspension or conviction by selling to minors or an intoxicated person. The plans are a useful tool for the Medical Officer of Health and Police Liquor Licensing Officer when assessing the suitability of applicants to hold a liquor licence.

It is the policy of the Regulatory Agencies (District Licensing Agency, Levin or Foxton Police, MidCentral Health, and Fire Service), that all new licence applicants and all current licence holders are required to formulate and submit with their licence application a written Host Responsibility Implementation Plan which will be actively used as a standard operating procedure by management and staff.

Applicants are encouraged to develop an individual Host Responsibility Implementation Plan, rather than adopting a standard format, as this has been found to be more helpful in ensuring a strong sense of ownership of the plan. As long as the sections within the following templated guidelines are addressed, the applicant is encouraged to tailor the content and layout of their plans to their specific premises or staff. It would be expected that large organisations or liquor chains would already have an 'in-house' standard for such plans while a small grocery store type operation may prefer to use the template format.

## HRIP TEMPLATE

*(Enter name of premises)*

## ***Host Responsibility Implementation Plan***

*(Enter the host responsibility aim of the premises)*

### **Designated Areas**

Our designation is: *(Delete description as appropriate)*

***Supervised:*** *No-one under 18 years of age may be on that part of the premises unless they are:*

- *employed to prepare or serve a meal, sell or supply liquor, clean or repair etc, remove or replace equipment, stocktake, check or remove cash; or*
- *are accompanied by their parent or legal guardian. A guardian as defined in the Care of Children Act is someone appointed by either the High Court or Family Court who is responsible for providing day-to-day care for the child.*

OR

***Restricted:*** *No-one under 18 years of age may be on that part of the premises unless they are:*

- *employed to prepare or serve a meal, clean or repair etc, remove or replace equipment, stocktake, check or remove cash.*

OR

***No Designation:*** *no age restrictions apply to this premises.*

### **Minors**

The Sale of Liquor Act states that it is an offence to sell or supply liquor, on or from licensed premises to any person who is under the age of 18 years.

If alcohol is served to a minor the penalty is:

A fine of up to \$10,000 for the licensee and/or  
Suspension of the on-licence for up to 7 days

A fine of up to \$10,000 for the Manager and/or Suspension  
A fine of up to \$2,000 for the server

*Our policy is that:*

- any patron who might be under 25 years of age is asked for identification.
- The only forms of identification that will be accepted from any patron who might be underage are:
  - New Zealand or overseas passport
  - Drivers Licence issued under the Land Transport Act 1998
  - HANZ 18+ card

These are the only four forms of identification (ID) that will provide you with an automatic defence against a charge of selling alcohol to a minor. Each has a photo for positive identification.

If staff have doubts whether an ID is authentic they should ask for a second form or refuse to allow entry or sale. (Refusal of entry or sale or forged ID are suitable issues for entry in the incident book)

**Steps to verify the age of any person appearing to be under 25 years of age:**  
(enter company policy including systems in place, steps on how to check an ID, procedure for dealing with fraudulent presentation of ID etc.)

### Intoxication

Under the Sale of Liquor Act, it is an offence if the licensee or manager of any licensed premises:

- sells or supplies liquor to any other person who is intoxicated; or
- allows any person to become intoxicated on the licensed premises; or
- allows any intoxicated person to be on or remain on the licensed premises; or
- allows any violent, quarrelsome, insulting or disorderly conduct to take place on the licensed premises.

*A patron should be considered to be intoxicated if they are observably affected by alcohol or drugs to the extent that their speech, coordination or behaviour is clearly impaired.*

**Instructions for staff on how to identify and proactively deal with intoxicated patrons:**

*(enter company policy)*

### Signage

*Required:*

- i. Original or copy of the licence to be displayed at principal entrance*
- ii. Duty Manager's name to be prominently displayed*
- iii. "Prohibited person signage" to be displayed adjacent to points of sale.*
- iv. Other signage as required*

Include details on whose responsibility to ensure signage is correct. It is advisable to place the renewal notice next to the licence to show that the licence is current.

### Other

*(add any other steps that you require staff to follow to ensure they are implementing good host responsibility practices in areas such as security; promotions, sampling of liquor, banning party pills, what to do when customers are supplying minors etc)*

## **Staff Training**

This section could include:

- a) A statement of intent regarding staff training
- b) Content of initial and on-going training
- c) Frequency and duration of training
- d) Responsibility for organising and conducting training
- e) Methods to ensure attendance
- f) Reference to location and updating of the staff training manual