

Changes to the Sale and Supply of Alcohol Act for extended hours during the Rugby World Cup 2019

This factsheet provides information for licensees, local councils and Police on what the changes mean under the Sale and Supply of Alcohol (Rugby World Cup 2019 Extended Trading Hours) Amendment Act 2019.

Who can extend their hours?

Premises that hold a club licence or on-licence can extend their permitted trading hours if the main reason for opening is to allow customers to watch Rugby World Cup 2019 live games.

They cannot extend their trading hours if, in the past 12 months, they have:

- had the conditions of their licence varied under section 280 of the Sale and Supply of Alcohol Act 2012, or
- had their licence suspended or cancelled.

What must licensees do in advance?

Licensees are required to notify their local council and nearest Police station which live rugby games they intend to open for.

Licensees must make the notification in writing at least seven days before each game. The notification can list multiple games. It also needs to outline the steps they will take to keep noise levels to appropriate levels (refer to the section *Noise management*).

As soon as practicable after notifying the council and Police, licensees must display their extended licensing hours on their premises alongside their alcohol licence.

When can premises open and sell alcohol for after-hours games?

If a game starts during a premises' normal permitted trading hours, they can remain open for the whole match.

If a game starts more than two hours after the end of a premises' normal permitted trading hours, they must close at the usual time, then reopen one hour before the start of the game.

If a game starts less than two hours after the end of a premises' normal permitted trading hours, they do not have to close before the start of the game.

When must premises stop selling alcohol and close?

All licensees need to stop serving alcohol 30 minutes after the game ends (if outside their normal permitted trading hours).

Premises whose main business is selling alcohol, such as bars and taverns, will need to ensure that all patrons have left and the premises are closed one hour after the game ends, unless their normal permitted trading hours for the next day have already started.

Other licensed premises such as clubs, cafes and restaurants may remain open, but will not be able to sell alcohol until their normal permitted trading hours start.

What are the rules about screening more than one after-hours game per night?

If there are more than two hours between games, licensees need to follow the rules outlined above in the section *When must premises stop selling alcohol and close?* Those that need to close one hour after a game finishes (such as bars and taverns) can reopen one hour before the next game starts.

If there are less than two hours between games, premises can stay open. But again, licensees need to follow the rules for selling alcohol outlined in the section *When must premises stop selling alcohol and close?*

Noise management

Licensees need to keep noise levels to appropriate levels when screening after-hours games. They will not be able to:

- dispose of empty bottles or other rubbish or leave them for collection outside
- use outdoor areas (even as open areas for smoking)
- use outside audio equipment (such as loudspeakers).

Licensees will be required to put additional measures in place to reduce noise, appropriate to the premises' location and the time of the games. They also need to comply with the usual noise restriction conditions in their licence.

Licensees will need to include a noise management plan in their written notice to their local council and Police.

If the public have concerns about noise during the Rugby World Cup 2019 period, they should contact their local council.

One-way door policies

One-way door policies do not apply one hour before, during, or one hour and 30 minutes after the extended trading hours.

Existing conditions and offences

During the 2019 Rugby World Cup, the Amendment Act will override any contrary conditions set out in premises' licences, the Sale and Supply of Alcohol Act 2012, and relevant local alcohol policies (for example, one-way door policies or trading hour restrictions).

The Amendment Act also overrides restrictions on operating hours imposed through district plans or resource consents issued under the Resource Management Act 1991.

However, all other conditions that a licensee must comply with during normal permitted trading hours continue to apply during extended hours (for example, restrictions on types of drinks sold, or who the premises can sell and supply alcohol to).

Offences in the Sale and Supply of Alcohol Act 2012 that the Amendment Act does not override still apply during extended trading hours (for example, not serving people who are intoxicated).

Penalties for breaching the Amendment Act

Licensees in breach of the conditions in the Amendment Act could have their extended hours privileges immediately revoked. This may happen if the Police or a licensing inspector files an application for an order under section 280 of the Sale and Supply of Alcohol Act 2012.

Special licences

Licensees who have been granted a special licence to screen Rugby World Cup 2019 live games can do so if they follow the conditions required by that licence. Alternatively, they might choose to operate under the provisions of the Amendment Act instead.

If licensees want to televise games under conditions different to those in the Amendment Act (for example, if they want to use outdoor areas), they may apply for a special licence.

Refunding of fees payable for special licences sought but not yet issued, and potentially made wholly or partly redundant by the Amendment Act, will be a matter for consideration by the relevant local authority.