W.A Consulting Training Ltd NZQA Registered and Accredited as a PTE

Licence Controller Qualification Course Study notes

Some of the important topics that will be covered during the course are as follows.

Read these notes and write some questions that you are not clear on, to be discussed during the course.

A textbook will be issued to you at the beginning of the course on the day. For more information you can refer to the free Manager’s Guide. Simply go this site <http://www.hpa.org.nz/node/1674>

##### Object of the Sale and Supply of Alcohol Act 2012

*The sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.*

**Purpose**

*A new system of control to make sure the object is achieved.*

**Departments administering sale of alcohol**

1. The departments involved in alcohol

Licensing are:

Alcohol Regulatory & Licensing Authority (ARLA)

District Licensing Committee (DLC)

Police

Health officials

Fire service

**Licence types**.

1. There are four types of licences.

**On licence**: to serve customers alcohol for consumption on the premises.

**Off Licence**: to serve customers alcohol for consumption off the premises.

**Club Licence**: to serve club members and guest of club member’s alcohol for consumption on the club premises.

**Special Licence**: to serve customers alcohol for consumption on the premises who are there for a special event, ie Wedding. The default hours for on and club licences are 8am to 4am the following day. The default hours for off licences are 7am to 11pm.

**Manager’s Certificates and Manager’s**

1. Holders of a **Manager’s certificate** are allowed to manage an **on licence**, **off licence**, **club licence**, and **special licence**.
2. Manager’s Certificates are first issued for 1 year and then renewed for 3 years. Note: if you have three offences in three years or less the penalty is loss of your certificate for 5 years.
3. To get the Manager’s Certificate you must be 20 years old or over.
4. The **responsibilities for a Duty Manager** are to comply with the Sale and Supply of Alcohol Act and conditions of the Licence, to have his/her name displayed prominently on the wall and to reduce alcohol-related harm. To also be in charge of the fire evacuation scheme if no one is appointed. To count heads to prevent overcrowding by exceeding the maximum number. Watch out for the Human Rights Act when you are refusing service.
5. **A Temporary Manager** is a Manager appointed by the licensee when a manager is sick, dismissed or absent. Can be for under 48 hrs (no other action required) or over 48hrs (more action required, i.e. DLC and the Police have to be notified and a application for a Manager’s Certificate must be filed with the DLC.)
6. **An Acting Manager** is a Manager appointed by the licensee for 3 weeks or maximum of six weeks in one year. The DLC and police must be notified.
7. If you let your Manager’s Certificate expire you must apply for a new application and you cannot work as Manager until it has been granted.
8. A Certified manager **must be on duty** at all times while liquor is being sold or supplied.
9. The following must be recorded in a notebook and kept for 2 years in relation to appointment of Managers (including Acting and Temporary)?

|  |  |  |
| --- | --- | --- |
| Managers | Acting | Temporary |
| Name | Name | Name |
| Date of Birth | Date of Birth | Date of Birth |
| Gender | Gender | Gender |
| Managers Certificate Number | Date of Appointment | Date of Appointment |
| Expiry Date | Date ceased | Date Managers Application made |
| Date appointed | Reason | Reason |
| Employment Terminated | Date Notified under S231 | Date Notified under S231 |
| Date Notified under S231 |  |  |

**Display of signs**

1. These signs must be displayed in Licensed premises:

Hours of trade (outside the principle entrance)

Copy of the licence (inside the principle entrance)

Name of manager on duty (point of sale/cash register/till)

We will not serve intoxicated persons sign (point of sale/cash register/till)

We will not serve minors sign (point of sale/cash register/till)

**Prohibited Persons**

1. Three classes of prohibited persons are:

## Minors, persons under 18

Intoxicated, a person who is Drunk.

People who cannot be sold liquor pursuant to the licence i.e. a non-club member.

1. The Intoxication Assessment Tool (SCAB) is as follows:

INTOXICATED means observably affected by alcohol, other drugs, or other substances (or a combination of two or all of those things) to such a degree that two or more of the following are evident:

**S**peech is impaired

**C**oordination is impaired

**A**ppearance is affected

**B**ehaviour is impaired

##### Designated Areas

1. A **restricted area** is an area designated by the DLC or ARLA in which no person under 18 is allowed to be in this area i.e. Public Bar, Gaming room.
2. **A supervised area** is an area designated by the DLC or ARLA in which no person under 18 is allowed to be in this area, unless accompanied by an parent or legal guardian appointed under the Legal Guardian Act 1968. i.e. Lounge Bar
3. Most premises are **undesignated area**

The rules for persons under 18 in these areas are: an area where any person can be present **but only those over 18** years old can buy liquor i.e. (Bottle stores, cafes supermarkets, and clubs)

**Types of ID**

1. The three types of ID you can accept are: any Passport, HANZ 18+ card, NZ Drivers Licence
2. If a person turned 18 in 2016 they were born in 1998

**Penalties (Fines)**

1. The maximum fine for serving a minor for the manager is $10, 000.
2. The maximum fine for serving an intoxicated person for the manager is $10,000.
3. The maximum fine for allowing a person to become intoxicated for the manager is $10,000.
4. The fine for promotion of excessive consumption of alcohol, to have discounts of 25% or more off the price of alcohol normally sold and to target minors in advertising, the Manager or Licensee is $ 10,000. (section 237 of the Act).
5. The maximum fine that can be imposed on a Manager who allows any person to be on licensed premises outside licensing hours is $10,000.

**Host Responsibility**

1. The effect of alcohol on the body without food is that the customer gets drunk quicker. According to statistics, men and younger people cope better.
2. An on licence has to offer low and Non Alcoholic Products.
3. An on licence has to offer food to patrons.
4. Six items in a Host Responsibility Policy are:

Serve low Alcoholic Drinks

Have non-alcoholic drinks available including free water

Serve Food

Have signs for alternative transport

Intoxicated persons will not be served

Minors will not be served

1. **Implementation** of the Host Responsibility policy means:

Staff are made aware of the policy and use it.

1. Alternative transport from premises may be:

Taxis

Designated Driver

Dial a driver

Courtesy van

Bus or train

Calling a friend

Offering accommodation

Support sober driver

1. Manage intoxication by:

Intervention i.e.

Slowing the service down

Provide low and non-alcoholic drinks

Wait for reorder.

Substitution i.e.

Provide food

1. One standard drink per hour is:

330ml of 4% Beer

100ml of table wine

2 nips of spirits

**Other Acts**

1. Other Acts of relevance you will learn are:

Trespass Act 1980

Human Rights Commissions Act 1977

Race Relations Act 1971

Note: Trespass Act 1980 you need three copies of the trespass notice: One for the police, one for person trespassing and one for yourself.

34. Methods of dealing with difficult customers. There are 3 methods.

1. Broken record method.

2. Speak to the leader.

3. Speak to person one on one.

**Information on fire requirements**

It is the responsibility of the duty manager to adhere to fire safety requirements if there is no one else to do it.

The duty manager is responsible for the fire evacuation scheme, not overcrowding the premises (not exceeding the maximum of persons allowed) and knowledge of the assembly point.

**Information on Trespass notice**

Trespass Act 1980, you need to warn the person before you serve your trespass. You will need three copies of the trespass notice: One for the Police, one for the person trespassing and one for yourself.

**Information on the Police**

In cases of violent or obstructive patrons, consider calling the Police to support your staff and the public. The Police have powers to arrest and remove people who refuse to leave under the Trespass Act.

**Licensed crowd controllers**

A crowd Controller may have the following duties:

* Keeps order in the premises
* Screens entry into the premises
* Removes any person from the premises

**Incident Book**

Supply these details:

Date, time, location (such as at the bar)

Names of those involved including the Manager on duty and any other staff, offenders, witnesses etc.

Description of what happened

Actions taken by staff etc.

**Try some of these questions and bring on a separate sheet of paper to be marked during the course:**

**PART ONE QUESTIONS**

1. As a Duty Manager what are your responsibilities?

2. When must a certified manager be on duty?

3. When does the licensee need to appoint a temporary manager?

4. Where do you find (A) an undesignated area and (B) a supervised area?

5. Who are prohibited persons?

6. What signs do you expect to see in a licensed premises and where?

**Now please complete Part two questions**

Copyright to:

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| PART TWO Questions |
| 1. What is the purpose of the Act?   What is the object of the Act? |
| 1. What is the role of the ARLA?   What is the role of the DLC? |
| 1. What are the 4 licences; what can each one do?   What licence do your premises have? |
| 1. What is the procedure the DLC uses to issue a licence, including an opposed application? |
| 1. How do you apply for a manager’s certificate? |
| 6. What is the DLC procedure for issuing a manager’s certificate? |
| 7. What would you do if you were away from the premises for 3 hours? |
| 8. What signs are you required to have in licensed premises? |
| 9. You are to explain the SCAB tool to your staff. What are the main points? |
| 10. Where would you find the designation of your premises? |
| 11. How do you stop overcrowding?  12. How can the police help you in a difficult situation with your customers?  13. You are to create an incident book.  What are the main headings? |
| 14. What are licensed crowd controllers? |
| 15. You are to write a trespass notice to someone.  What is the process? |
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