

## What is a special licence?

A special licence is a licence to sell or supply liquor to any person attending any occasion or event or a series of occasions or events.

- There must be a purpose for the function or gathering other than mere enjoyment of bar facilities, (e.g. weddings, 21sts, where public invitations are advertised, fundraising ventures.)
- Liquor consumption must be secondary to the true purpose.
- The attendees are only the promoters, the participants, and the specially invited guests to the occasion or event.
- The gathering must come close to being "special".

## When is a special licence required?

- 1) A special licence is required if:
  - Liquor is to be sold at any function where there is no existing on-licence or club licence in force.
  - Liquor is sold or supplied at any unlicensed premises (e.g. local hall) where the caterer does not have an endorsed off-licence.
  - Liquor is supplied at a function in club premises but no charge is made to guests.
  - Liquor is to be sold outside the hours indicated in an existing on-licence or club licence.
- 2) A special licence is not required where:
  - Club premises are hired for a social function but all liquor is supplied by the host and given away to guests. In this instance the liquor may not be supplied to the host by the club otherwise a special licence will be required.
  - A private function is held in an unlicensed hall where all liquor is supplied by the host and there is no liquor sold.

## Making an application

Two copies of the application should be made on the appropriate form (available from the Council) and be accompanied by the following (2 copies of all documentation is required)

- A plan showing those parts of the premises that are to be used for the sale or supply of liquor.
- A plan showing those parts of the premises (if any) that the applicant intends should be designated as 'restricted' or 'supervised' areas.
- A written statement from the owner of the premises to the effect that the owner has no objection to the grant of the special licence.
- If a private function, a copy of the guest list, invitation, birth certificate and any other supporting documentation showing evidence of this event/occasion.
- Evidence that entertainment will be provided.
- Evidence of what security is in place.
- The fee of \$64.40.

The application should be forwarded to

The District Licensing Agency  
Waikato District Council  
Private Bag 544  
Ngaruawahia 3742

The application should be lodged at least 30 working days prior to any function as, depending on the nature of the application, the licensing inspector may recommend that details of the application be publicly notified and be open for objection.

## Public notification

The need for public notification is decided by the Licensing Agency which considers the licensing inspector's recommendations on the matter.

A publicly notified application can take up to a month to process as public notice must be given on two occasions, not less than five or more than ten working days apart, and ten working days must be allowed for objections from the public.

In addition, in the event of objection or opposition to a licence application, further time is required for the scheduling of any hearing and the processing of related documentation.

As a general rule the decision to require public notification is based upon the following factors:

- The nature of the event – whether it is a major event or activity
- Venue - neighborhood considerations, noise, traffic
- Date and hours sought - extended hours, public holiday, Sunday or other religious day
- Frequency of functions
- The police report
- Any previous instances of public disorder

In summary, the following may occur:

- A decision may be taken to publicly notify your application
- The application may be opposed by the licensing inspector or police or fire or health authorities
- Public objections may be received

Any of these actions may preclude the issue of your licence in time for the date(s) chosen. By making application well in advance of your function (30 working days) your application can be given consideration.

However, if you have considered the above and still wish to make a late application for a special licence you do so at your own risk. Any application lodged within 30 working days of the event may not be processed due to the above requirements. In this case application fees will NOT be refunded and no licence will be issued.

## Criteria for special licences

In considering the application for a special licence the Licensing Agency must have regard to the following matters:

- The nature of the particular occasion or event in respect of which the licence is sought.
- The suitability of the applicant.
- The days of which and the hours during which the applicant proposed to sell liquor.
- The areas (if any) that are proposed to be designated as 'restricted' or 'supervised' areas.
- The steps proposed to be taken by the applicant to ensure that the requirements of the Act are observed.
- The applicant's proposals relating to the sale and supply of nonalcoholic refreshments and food.
- The report from the police.

## Conditions of special licences

- 1) It shall be a condition of the special licence that the licensee has available a reasonable range of non-alcoholic refreshments for consumption on the premises.
- 2) The Licensing Agency may impose conditions relating to the following:
  - The days and hours during which liquor may be sold.
  - The provision of food for consumption on the premises.
  - The designation of parts of the premises as 'restricted' or 'supervised' areas.
  - The steps taken by the licensee to ensure that the provisions of the Act are observed.
  - The exclusion of the public.
  - The filing of returns relating to liquor sold pursuant to the licence.
- 3) In determining the conditions imposed the Licensing Agency may have regard to the site of the premises in relation to neighbouring land uses.

NOTE: An Environmental Health Officer may contact you to ensure that the sale of liquor and the sale or provision of food is carried out according to the requirements of the Food Hygiene Regulations 1974. If the function is not going to be held on licensed premises then the following requirements will apply:

- 1) Single service containers are to be used for service of drinks except where prior approval has been given by the Environmental Health Officer for the use of glasses; and
- 2) Suitable refuse disposal containers are to be provided for the disposal of single service containers; and
- 3) Toilet and hand washing facilities as required by the Environmental Health Officer are to be provided and maintained by the applicant.

## Display of the licence

On granting a special licence, the Licensing Agency may give directions relating to the display of the licence and the conditions of the licence.