

Decision No. GREYDLC042/2020

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012 (the Act)

AND

IN THE MATTER

of an application by **IDAWAY HOLDINGS LIMITED** pursuant to Section 136 of the Act for a Temporary Authority Order in respect of premises situated at 26 Hart Street, Blackball known as "Formerly the Blackball Hilton"

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

Chairperson: Mrs Rachel Van der Geest

Members:

DECISION

This is an application by Idaway Holdings Limited for a Temporary Authority Order in respect of premises situated at 26 Hart Street, Blackball known as "Formerly the Blackball Hilton"

We grant an Order authorising the sale and supply of alcohol on the premises situated at 26 Hart Street, Blackball and known as the "Formerly the Blackball Hilton" to any person for consumption OFF the premises and to let people consume alcohol off the premises for the duration as per Ministry of Business, Innovation and Employment Coronavirus website (COVID-19) "Essential Services" directive and authorise the issue of the Order with the following conditions:

1. The online sale and contactless delivery of alcohol (including spirits) is permitted under the following conditions:
 - a. Licensee must meet the requirements for remote sales, including verifying the age of the buyer and that alcohol is not delivered after 11pm or before 6am (or any further time restrictions set out in the licence).
 - b. Licensees must comply with all requirements of the Act, your licence and any conditions or restrictions.
 - c. The agreed quantity for spirits purchased must be no more than the customs/duty free allowance which is three bottles (or other containers) of spirits or liqueur (each bottle or container can hold a maximum of 1.125 litres) per order.

The applicant's attention is drawn to s.136 of the Act obliging the holder of the Order to:

1. Comply with the conditions of the Order.
2. Comply with their respective OFF licences
3. Comply with Section 59 of the Act.

DATED at GREYMOUTH this 6th day of April 2020

Rachel M Van der Geest
Chairperson/Commissioner



59 Requirements relating to remote sales by holders of off-licences

(1)The holder of an off-licence must ensure that any alcohol sold by remote sale is not delivered to the buyer (or to any other person on the buyer's behalf) at any time after 11 pm on any day and before 6 am on the next day.

(2)Subsection (1) applies whether the alcohol is delivered by the seller or by some other person.

(3)The holder of an off-licence must take reasonable steps to verify that the buyer of any alcohol that the holder sells by remote sale (and, if a person other than the buyer is to receive it, to verify that the receiver) is not under the purchase age.

(4)The holder of an off-licence takes reasonable steps to verify that the buyer of any alcohol that the holder sells by remote sale is not under the purchase age if he or she complies with a procedure declared by regulations made under this Act to be a reasonable procedure for the purposes of complying with subsection (3).

(5)The holder of an off-licence who sells alcohol by remote sale via the Internet must comply with any regulations made under this Act requiring information to be visible on the holder's website when people browse, enter, or otherwise access it.

(6)The holder of an off-licence who sells alcohol by remote sale by mail order must comply with any regulations made under this Act requiring information to be published in the holder's catalogues.

(7)The holder of an off-licence who sells alcohol by remote sale by telephone must comply with any regulations made under this Act requiring information to be given to callers.