

Alcohol Licensing and Local Alcohol Policies

PENALTIES UNDER THE SALE AND SUPPLY OF ALCOHOL ACT 2012

The following is taken directly from:

The Manager's Guide: a brief guide on the Sale and Supply of Alcohol Act 2012 and other legislation. Health Promotion Agency, available from:
https://www.alcohol.org.nz/sites/default/files/field/file_attachment/AL575_The_Manager%27s_Guide_MAR%202017_LR.pdf

1) Penalties for Licensed premises, Management and staff

Offence	Section of the Act	Licensee or manager	Bar staff
Unlawful promotions	237	\$10,000. The licence may also be suspended for up to seven days	\$10,000
Sale of a banned alcohol product	238	\$20,000	\$20,000
Sale or supply of alcohol to minors	239	\$10,000. The licence may also be suspended for up to seven days	\$2,000
Employment of a minor in a restricted area	242	\$2,000	
Allowing minors to be in a restricted or supervised area	245	\$2,000	
Unauthorised sale or supply	247	\$20,000. The licence may also be suspended for up to seven days	
Sale or supply to an intoxicated person	248	\$10,000. The licence may also be suspended for up to seven days	\$2,000



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Offence	Section of the Act	Licensee or manager	Bar staff
Allowing a person to become intoxicated	249	\$10,000. The licence may also be suspended for up to seven days	
Allowing intoxication on licensed premises	252	\$5,000	
Allowing disorderly conduct on licensed premises	253	\$10,000	
Sale of spirits in a vessel exceeding 500 ml	254	\$2,000	\$2,000
Allowing a person on licensed premises outside licensing hours	256	\$10,000	
Being intoxicated on duty	250,251	\$4,000	\$2,000
Failure to comply with licence restrictions or conditions	259	\$5,000	
Failure to appoint a manager, have a manager on duty at all times, or notify appointments and terminations	258, 259(1)(a)	\$5,000	
Refusal or failure to supply licence and assistance to police	269	\$2,000	\$2,000



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2) Penalties for the general public

Offence	Section of the Act	Penalty
Encourage excessive consumption of alcohol	237	\$10,000
Supply to a minor	241	\$2,000
Sale of alcohol without a licence	233	\$40,000 and up to three months in prison
Allowing unlicensed premises to be used for the sale of alcohol	234	\$40,000 and up to three months in prison
Use of unlicensed premises as a place of resort for consumption of alcohol	235	\$20,000
Persons found on unlicensed premises kept as a place of resort for consumption of alcohol	236	\$2,000
Purchase of alcohol by minors	243	\$2,000
Minors found in a restricted area or unaccompanied in a supervised area	244	\$1,000
Being on licensed premises outside licensing hours	255	\$2,000
Presenting or providing incorrect evidence of age documentation to a licensee or manager	257	\$2,000
Refusal or failure to supply particulars or evidence to the police	269	\$2,000



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3) On-the-spot infringement notices

Offence	Section of the Act	Maximum fine	Infringement fee
Underage purchase	243	\$2,000	\$250
Underage presence in restricted areas, or supervised areas not accompanied by a parent or guardian	244	\$1,000	\$250
Permitting minors to be in restricted or supervised areas	245	\$2,000	\$250
Manager intoxicated on duty	250	\$4,000	\$500
Employee intoxicated on duty	251	\$2,000	\$500
Spirit sales in vessels over 500 ml	254	\$2,000	\$250
Manufacture, supply or presentation of fake, falsified or inapplicable evidence of age documents	257	\$2,000	\$250
Consumption/possession or purchasing of alcohol in an alcohol banned area	147 Local Government Act		\$250
Other requirements and restrictions: <ul style="list-style-type: none"> • Sale outside trading hours or days (ss.46, 47, 48) • Non-compliance with one-way door restriction (s.50) • Non-availability of non-alcoholic and low-alcohol drinks, food, or information about transport (ss.51, 52, 53, 54) • Inappropriate sale and supply from off-site special licensed premises (s.55) 	259	\$5,000	\$250



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| <ul style="list-style-type: none">• Signage not displayed: name of manager, hours, licence and conditions (ss.258(1)(b), 56, 57)• Sale of alcohol at a supermarket or grocery store that is not permitted (s.58)• Remote sellers delivering between 11pm and 6am, failing to verify age of purchaser, not providing required information (s.59)• Club selling to unauthorised people (s.60)• Club with no secretary or secretary not advised to DLC, or proceeds not belonging to club (s.61)• Consumption in clubs of alcohol not sold by the club (s.62)• Breach of any licence condition (s.63) | | | |
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