

Information Sheet for A SPECIAL LICENCE



What is a Special Licence?

Applicant notes and form

If you are holding an event where alcohol will be provided and people attending pay for the alcohol by either purchasing from a bar, by a ticket system or cost of the alcohol is included in pre-paid tickets, then you are considered to be selling alcohol, therefore you are required to hold a Special Licence.

LICENCE CRITERIA

All applications for a Special Licence must be received by the Liquor Licensing Authority at least **20 working days** prior to the event or earlier.

A Special Licence issued under Section 21 of the Sale of Liquor Act 1991-1992, authorises the sale and supply of liquor:

1. In an area where no licence is currently in force; or
2. Where an existing licence is in force, but the sale of liquor at certain times not permitted by the existing licence.

Further, a Special Licence allows the holder of all other types of licences to sell or supply alcohol for consumption on the premises, at any time when the premises would usually be required to be closed for the sale of liquor or alcohol – to person attending an event of any kind specified in the licence. Effectively, a Special Licence:

- Is intended for an event which is outside the usual or regular activities of the licensed premises and is not part of its normal or regular business activities;
- May include a series of events (which must be linked somehow) – e.g. meetings, club competitions, fundraisers etc...

In all cases, the event organisers or organisations or individual(s) selling and supplying alcohol or otherwise receiving the profits from such event(s), must be the holder of the Special Licence.

Alcohol must never be sold or supplied, under any circumstances

- to anyone under the age of 18yrs;
- on a Sunday, Good Friday or Christmas Day.

CERTIFIED MANAGER

When liquor is being sold or supplied at an event specified under a Special Liquor Licence, a certified manager must be on duty at all times. In this case, the event organisers should arrange for a person or

persons who hold a current Manager's Certificate to be present throughout the duration of the event.

If not, arrangements should be made for a person or persons to apply for a Manager's Certificate. Should this be the case, please obtain an application form for a Manager's Certificate – you will therefore be provided with more information.

FIRST STEP

Develop an Event Alcohol Control Plan. This details the provisions that will be implemented by the event organisers to ensure that the event(s) is/are conducted in a safe and secure environment. This plan should cover the following:

- The role of event organisers and their experiences in managing such an event or events
- The number of attendees expected to attend
- What steps will be taken to minimise the potential for complaint from neighbouring facilities and residential areas?
- How does the event venue meet fire safety standards?
- How will security of the venue be maintained?
- How will disorderly behaviour or general nuisance be handled effectively?
- What steps will be taken to ensure that medical emergencies are managed effectively?
- Designation of Areas - Identify which areas you have designated as **Supervised** (*persons under 18 years of age may only be present if accompanied by a parent or legal guardian*) or **Restricted** (*no persons under the age of 18 years may be present*).

THEN

Complete an Application for a Manager's Certificate (if there is no Certified Manager(s) listed in your application).

Meet with representatives of the Te Aronga Mana of the area and obtain an Approval Letter from them endorsing the event(s);

Obtain a Food Certificate from Public Health – specifically for the event(s).

THEN

Once you have completed the application form and obtained all the necessary documents, you can come in (or send) to the Ministry of Transport offices in Avatiu with the following:

- Completed application form for a Special Licence
- The prescribed fee (see note in following page under “Applicable Fees”).
- A copy of the Event Alcohol Control Plan.
- A copy a Food Certificate
- Original copy of Letter of Approval from Te-Aronga-Mana of the area of the event.

OPTIONAL (only if there is no Certified Manager listed in the application)

- Completed application form for a Manager’s Certificate
- 1 x copy of each identity document including a passport or birth certificate and current passport.
- Police report for all individuals submitting an application for a Manager’s Certificate.

PROCESSING OF APPLICATIONS

On receipt of your application, the LLA Secretary will arrange for the following on your behalf:

- ★ placing the required advertisement into one of the local newspapers (within 20 working days after receipt of application) (note: the applicant will meet the cost);
- ★ request a Public Health Inspector to inspect the proposed premises to ensure it meets Public Health requirements;

APPLICATIONS FROM THE OUTER ISLANDS

1. All applicants in the outer islands are required to submit their applications and applicable fees by mail or through Air Rarotonga’s express mail service.
2. On receipt of your application for a Special Licence, the LLA Secretary will prepare an advertisement and will arrange for this to be placed at your local post office for 2 weeks.

OBJECTIONS TO YOUR APPLICATION

1. Generally, the public may file a written objection to your application with the Liquor Licensing Authority, within 10 working days after the first public notice of your application.
2. If objections to the application are received, the Liquor Licensing Authority will hold an informal Public Hearing and both the applicant and objector(s) will be requested to attend and present their views.

3. The Authority may adjourn the Public Hearing to allow for inspection of the premises, or for further information to be obtained.

4. If no objections to the application are received, the Authority will consider the application.

OUTER ISLANDS ONLY

5. All outer islands objections will be heard by the local Island Council which are deemed as members of the LLA.

HOW WILL YOUR APPLICATION BE DECIDED?

In deciding whether to grant the licence, the Liquor Licensing Authority will consider matters such as:

- your suitability to hold a licence
- the days on which and the hours during which you propose to sell liquor
- the areas of the premises, if any, that you propose to designate as "restricted areas" or "supervised areas"
- the steps you propose to take to ensure that no liquor is sold to people who are under-age or intoxicated
- your proposal for supplying food and non-alcoholic and low-alcohol drinks.
- the proximity of the proposed licenced premises to schools, places of worship, and other community institutions.
- The steps you have to taken to ensure that public health and fire safety requirements are met.

APPROVAL AND ISSUING OF LICENCE

On approval of an application for a licence, the applicant will be issued a licence within 3 working days after the approval is given. This will be sent to you by mail or you will be requested to uplift this from the Ministry of Transport office.

EXPIRY OF LICENCE

A Special Liquor Licence will expire on the date specified on the licence.

Special Liquor Licences have varied expiration dates. This is based on the conditions of individual licences.

APPLICABLE FEES

Fees are non-refundable.

A schedule of fees is attached herewith. Please arrange for separate cheques payable as follows:

Liquor Licensing Authority (applicable licence fee)

CONTACT PERSON

For any queries, you may contact:

Ms Harriet Williams,
Secretary (Liquor Licensing Authority)
Ministry of Transport, Avatiu at the following:

PO Box 61, Avarua, Rarotonga

Phone: 28-810 Email:

harriet.williams@cookislands.gov.ck

LIQUOR LICENCE FEES (VAT inclusive)

TYPE OF LICENCE	CONDITIONS/HRS OF OPERATION	APPLICATION FEE	ANNUAL RENEWAL FEE	EXTENDED HOURS FEE
AIRPORT	During every international flight hours at the Rarotonga International Airport	\$23.00	\$281.25	NA
BAR	Mondays to Thursdays inclusive and on Saturdays between the hours of 11am and midnight and on Fridays from 11am to 2am Saturdays	\$23.00	\$90.00	\$45.00
CLUB	Mondays to Saturdays of each and every week, from 11am to 12 midnight	\$23.00	\$90.00	\$45.00
GUESTROOM BAR	VARIES	\$23.00	\$90.00	\$45.00
HOTEL/MOTEL	Mondays to Thursdays inclusive and on Saturdays between the hours of 11am and midnight and on Fridays from 11am to 2am Saturdays. On Sundays, Good Friday and Christmas days – only to bona fide persons present or living on premises.	\$23.00	\$450.00	\$45.00
MANAGER'S CERTIFICATE	Holder is responsible for the control of the sale and consumption of liquor on a licensed premises.	\$92.00	NA	NA
NIGHTCLUB	Mondays to Thursdays inclusive and on Saturdays between the hours of 11am and midnight and on Fridays from 11am to 2am Saturdays	\$23.00	\$225.00	\$45.00
RESTAURANT	Mondays to Saturdays between the hours of 11am to 12 midnight	\$23.00	\$90.00	\$45.00
RESTAURANT BAR	Mondays to Saturdays between the hours of 11am to 12 midnight	\$23.00	\$90.00	\$45.00
RETAIL	Mondays to Saturdays of each and every week from 9am to 9pm	\$23.00	\$90.00	\$45.00
SPECIAL	VARIES	\$46.00	\$90.00	NA
POLICE REPORT	Required for all new applications	\$22.50	A completed "Consent to Disclosure of Information" form must be submitted to Police in order for a Police Report to be generated.	