

24 April 2020

Making off licence sales under ALERT Level 3 restrictions

Remote Sales and delivery

If you hold an off licence you can make remote sales online (for example via a website, or a Facebook page or similar app), or by email, or by phone.

- Remote sales can be made at any time on any day.
- **Delivery** of sales **can only be made between 6am and 11pm**. It is the licensee's responsibility to ensure that this is complied with.
- Deliveries must be "contactless". MBIE defines this as *"Orders must be home delivered in a contactless way (i.e. there is no physical interaction between the deliverer and customer)."*
- The holder of an off-licence selling remotely via the internet should have tick boxes to enter the site and again at the checkout to declare that the buyer and the receiver is/are 18 years or over. Suggested wording is *"Please confirm that you are aged 18 years or over and that the receiver of the alcohol purchased is also aged 18 years or over"*.
- If you are unable to use tick boxes as above, then you must take "reasonable steps" to verify that the buyer and the receiver of alcohol are 18 years or over. The minimum steps for us would be having the buyer email a declaration as above or a picture of their acceptable ID, and then the courier or delivery person being instructed by you to not deliver alcohol unless someone 18 years or over is there to receive it. If you don't do this and a minor buys or receives the alcohol you will be held liable.
- A copy of the licence must be displayed in a prominent place on the website, or Facebook page or similar; and also the licensee's name, licence number and licence expiry date.
- If remote sales are being made by phone the licensee must ask the buyer to declare orally that they and whoever will receive the alcohol are aged 18 years of age or over. This declaration must be made at the start of the conversation and again immediately before the conversation ends.
- The licensee's name, licence number and licence expiry date must also be contained on any receipt issued.
- No more than three bottles (or other containers) of spirits or liqueur (each bottle or container can hold a maximum of 1.125 litres) can be purchased per order.
- Discounts of 25% or more are not permitted to be promoted outside the licensee's **own website** (for instance can't be on Facebook), and neither can 'free delivery'. Any advertising can however say 'Delivery included'.

PTO

Pre Ordered Pick Up Sales from an Off-Licence stores

The Government will allow -

“Retail ... businesses can only open for delivery and contactless pre-ordered pick up – customers cannot enter stores.”

To comply with both this direction and the Sale and Supply of Alcohol Act 2012 alcohol can be pre-ordered and picked up from off licensed store premises in the following way:

- An order must be placed online (for example via a website, Facebook page or similar app), email, or phone.
- A customer cannot go to a store and then place an order.
- No more than three bottles (or other containers) of spirits or liqueur (each bottle or container can hold a maximum of 1.125 litres) can be purchased per order
- Pick up and payment must be contactless and must not take place inside the store or premises.
- “Contactless” means there is no physical interaction between the server and the customer. However, the licensee is still required to make sure they don’t sell to minors or intoxicated persons
- Stores can only use or establish temporary drive-through and pick up facilities if they can meet the public health requirements. This would include physical distancing, only accepting contactless payment methods wherever possible, and contact tracing.
- For example, a bottle store can take pre-orders, and then deliver the alcohol to a customer parked outside in their car park in a way that avoids contact.
- Temporary drive-through facilities should only be established where it is appropriate and can be operated safely.

All of this must take place implementing hygiene and distancing practices, and contact tracing set out on MBIE’s website for customers and employees.

The MBIE site can be accessed at this link: <https://www.business.govt.nz/covid-19/workplace-operations-covid-19-alert-levels/#e-21031>

If further information comes from MBIE we will incorporate that into an updated version of this Guide.

If you intend to comply with the above information, then you do not need to contact us.

Regards

The Alcohol Licensing Unit