

Knox Church alcohol policy

1. Knox Church Council will comply with the requirements of the law regarding the sale and supply of alcohol. Until the law changes in such a way as to affect the advice below, it will be guided by the advice provided below.
2. Normally, alcohol is not to be consumed on church premises. Alcohol is not to be consumed in the church itself or in the Gathering Area.
3. The church will not apply to be a licensed premise but in exceptional circumstances may apply for a single event licence.
4. Alcohol may be consumed in exceptional circumstances related to events alongside a service of worship (e.g. a wedding reception or a funeral) or where there is a low risk of any difficulty and the person is actively associated with Knox Church.
5. In the circumstances outlined in paragraph 3, if the Dunedin City Council licensing authority indicates that a licence is required for a specific function, the hirers are to make application and must pay an extra cost set by the Church for the Church to apply for a special licence for that specific event. The charge imposed by the Church will cover fees and time involved.
6. Where a request is received involving the use of alcohol, the Moderator and Clerk of Church Council will decide according to this policy and if they are in doubt, the Church Council will decide.
7. Alcohol is not to be sold on church premises or to be made available when people pay to attend a function at the church.
8. The availability of any alcohol at a function is not to be publicly advised.
9. If alcohol is provided at a function on church property, attention will be paid to health and safety issues including the providing to the church of a written health and safety plan that outlines how the provision of alcohol is to be managed. A competent person must be appointed by the hirer who will be responsible for all matters relating to the consumption of alcohol. Food and non-alcoholic drinks must be supplied at any function.

The policy set out above is informed by informal legal advice received from Mr Alastair Sherriff, the author of the New Zealand text on the sale and supply of alcohol.

1. The **purpose** of the legislation governing this [Sale & Supply Of Alcohol Act 2012] is that the legislation must be interpreted reasonably and must be for the benefit of the community as a whole and is a reform of the previous law.
2. The **object** of the law is that the sale & supply & consumption of alcohol is undertaken safely and responsibly and that alcohol related harm must be minimised
3. There are extended wide definitions of "sell" in relation to "*alcohol-inclusive matters*" which capture scenarios where alcohol is supplied free at events where a donation or a koha arises whether expressly or by implication.

Leaving aside a minister who thinks he or she must drink up all of any alcohol that has been blessed for a communion which remains left after the congregation has partaken, I am of the opinion that the law is not intended to, and does not require, a licence to be held for communions where alcohol is supplied free and there is an offering as part of the service.

As to any other event (whether promoted by the congregation or not) where any cash or cash equivalent is involved and alcohol is involved in church premises, where the alcohol is supplied by the congregation or someone else, then the starting point is likely to be that a special licence is required – that would be applied for and obtained and held by the legal person supplying (actually selling) the alcohol and in respect of the otherwise unlicensed church premises for the specific time/day of the event.

There are offences for selling alcohol without a licence; and for property owners or property management personnel who allow their premises to be used as a place where alcohol is consumed without a licence – an old law aimed at gangs originally ... So if there were dances or fairs and alcohol was supplied and there was money anywhere, or if there was no money and the church just let people BYO/consume then there is likely to be trouble ...

Special licences are obtained for a fee on a form on/from the Dunedin City Council website. If you have local queries the best guys to talk to at Council would be Tony Mole (licensing Inspector) or Kevin Mechan (Secretary

DLC/regulatory manager). As well as Tony, the local licensing sergeant is likely to be involved in scrutinising any special licence application. Sgt Ian Paulin is probably the one. If Tony or Kevin or Ian are members there's more free advice!

General

In your policy there needs to be more than just compliance with the Alcohol legislation. You need lots of Health & Safety stuff; Host responsibility planning, Host Responsibility Implementation plans, and transportation/ food/ water/ non-alcoholic beverages & low alcoholic beverages provisions etc. Such a policy would also require there to be at least one designated senior responsible person in charge of any event where alcohol was involved.

Specific examples

“Going out on a limb”, a licence is not required in these circumstances:

- A wedding reception, held in the Church Hall, at which alcohol is served – “the hosts of the wedding are hosting a private function for which alcohol is not the rationale for attending and there is no money.”
- A funeral at which champagne is served as a “toast” - “this is a public event but attendees will not know about the alcohol before attending.”

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