

Guidance: Extended trading hours for the Rugby World Cup 2023

Guidance for licensees on how to meet requirements for notifications, cancellations of notifications, and display of information for extended hours during the Rugby World Cup 2023

Overview

Temporary amendments to the Sale and Supply of Alcohol Act 2012 (the Act) for the men's Rugby World Cup 2023 allow eligible on-licence and club licence holders to extend their trading hours to televise live games from the tournament in France without applying for special licences.

The amendments set out the specific requirements for licensees making notifications, cancelling notifications, and displaying information about how their premises will use the extended hours.

This document provides guidance on how to fulfil these requirements and meet your responsibilities under the Act.

Notifications

If you intend to open outside of your usual permitted trading hours to televise Rugby World Cup 2023 games live, you must provide a notification to the relevant territorial authority (city or district council) and the nearest Police station. The notification can be for one or more games, and:

- must be in writing (either by post or email)
- must **be received** by both parties at least seven calendar days prior to each game, and
- must include a noise management plan.

You can make more than one notification, but each notification is to include:

- the date of notification
- the name and contact details of licensee and premises
- the type of premises and type of licence held for the premises
- the capacity of the premises
- for each game: the teams playing (or if unknown, the title of the game to be played e.g. quarterfinal 1); the date; approximate opening and closing times (NZ time); and
- a plan to manage noise.

A notification form advising when a premises will open for scheduled games is available at www.cluthadc.govt.nz

You can provide the notification for Police using the same contact details you normally do for licensing correspondence. If you are unsure who or how to contact Police, please ask your territorial authority.

Opening and closing times for extended trading hours – (see also factsheet)

The opening and closing times for your extended trading hours will depend on your premises' usual permitted trading hours and the details of the game or games you are screening. To help you work this out, see an overview of all the games and game times, including New Zealand times is available at www.cluthadc.govt.nz

Scheduled game times may be subject to change, and games may go longer than their estimated finish time (game times are estimated to last for 1 hour 45 minutes). The opening and closing times on your notification will therefore be approximate, but it is important that the notification includes as much relevant information as possible.

General rules for opening and closing:

- your premises can open one hour before the game starts
- if the first or only game starts no more than two hours after your premises' usual closing time, you can remain open in the leadup to the game
- a premises must stop selling alcohol 30 minutes after the final whistle unless this time is within the premises' usual permitted trading hours (or if this time overlaps with the time you can open before a subsequent game, see *'for successive notified games'*), and
- on-licensed premises must close to customers one hour after the final game ends, unless this time is after 6:00am or within the premises' usual permitted trading hours, or if this time overlaps with the time you can open before a subsequent game (see below).

Example: notification and display notice for an on-licensed premises with licensed hours from 8:00am-midnight, that is also usually open between 6:00am – 8:00am without serving alcohol		
Date	Game	Opening and closing time
18 September 2023	Australia v Fiji (3:45am – 5:30am)	<u>Opening time:</u> 2:45 am <u>Closing time:</u> N/A, within usual operating hours but will stop selling sale of alcohol at 6:00am, licensed trading hours begin at 8:00 am.
8 October 2023	Wales v Georgia (2:00am – 03.45am)	<u>Opening time:</u> Remain open from 7 October <u>Closing time:</u> 4:45am

Rules for successive notified games:

- if the time your premises must stop selling alcohol (30 minutes after the game ends) overlaps with the time the premises can open for the next game (one hour before the game starts), your premises can continue to sell alcohol in through that period, and

- if the time an on-licensed premises must close for customers (one hour after the game ends) overlaps with the time the premises can open for the next game (one hour before the game starts), the premises can stay open. However, you must stop selling alcohol for the half hour in between.

Noise management

During the extended trading hours, you must comply with the normal noise management conditions on your licence and have additional measures in place. In your notification, you must outline those additional measures, including how you will comply with the requirements that:

- premises cannot use their open areas¹ at all, even those normally used for smoking
- premises cannot use audio equipment such as loudspeakers in open areas, and
- staff cannot dispose of empty bottles or other rubbish, or leave them out for collection, in open areas.

You can identify your additional measures by considering how your neighbours might be affected by noise from your extended trading hours, and what steps could be taken to minimise this.

Cancellation of notifications

For this Rugby World Cup, if you change your mind about extending your trading hours for a game you have already notified for, you must notify the relevant territorial authority and the nearest Police station of this change. It is important that you cancel notifications as soon as you change your mind. Receiving timely cancellations will help Police have accurate information about who is open when to effectively do their job.

Your notification cancellation:

- should be in writing, and be emailed (rather than posted) to ensure the cancellation is received promptly
- should provide the same details as the original notification, including date and information about the licence and premises
- must make it clear which games (including date and time) the cancellation applies to, and
- can be in the form of an edited version of the original notification.

Display of information about extended trading hours

You must display information about how your premises will use the extended trading hours in the same way as you normally display your licensing conditions. The temporary amendments to the Act require this information to be displayed promptly, meaning that you will need to put this information up as soon as possible after you have notified your first game. You should also update or replace it with a newer version if you make further notifications or cancel notifications.

¹ “Open area” is defined in section 2(1) of the Smokefree Environments and Regulated Products Act 1990 as any area that is not an “internal area”. An “internal area” is defined as, essentially, any area within a premises that is enclosed by a ceiling or roof, walls, and windows and doors that shut.

The display notice must include as much relevant, up-to-date information as possible so the public can easily understand what to expect from your premises.

The display notice is to include:

- for each game notified: the date, the teams playing (or if unknown, stage of tournament eg quarterfinal 1), and the approximate opening and closing times, and
- a list of the conditions that you are subject to under the Act, including information describing how you will manage noise.

Failing to comply with this requirement is an offence, punishable by a fine of up to \$5,000, under section 259 of the Act.

Conditions

The conditions you should list in the display notice include:

- your primary or sole purpose for extending your trading hours must be to televise live Rugby World Cup 2023 games
- the extended trading hours are treated like they are part of your usual permitted trading hours under section 46(1) and 259(1)(a) of the Sale and Supply of Alcohol Act 2012 (the Act), and you must comply with:
 - all applicable requirements and restrictions under the Act unless they are overridden by the temporary amendments to the Act (sections 45A-45H)
 - the conditions of your licence and any local alcohol policy unless they are overridden by sections 45A-45H
 - the normal noise restriction conditions under your licence and additional noise-management arrangements for the extended trading hours, appropriate to the location and time of the game, including the following conditions under 45E(1)(c):
 - open areas cannot be used for any purpose (this means your smoking and vaping area will be closed)
 - audio equipment such as loudspeakers, amplifiers or audio relay equipment cannot be used in an open area, and
 - bottles or other rubbish cannot be disposed of or left for collection in an open area.
- the normal conditions that do not apply to the extended trading hours, including:
 - one-way door policies (if applicable) are not in effect one hour before a game starts, during the game, and one hour after you are required to stop selling alcohol, and
 - any restrictions on operating hours imposed under section 9 of the Resource Management Act 1991 do not apply.

A template for display notices can be found at www.cluthadc.govt.nz