

Alcohol licensing infosheet

Caterers

On-licences endorsed under s38 – Caterers

The Sale and Supply of Alcohol Act 2012 (SSAA) allows for an on-licence to be endorsed under s38 for a caterer. Section 16 of SSAA provides more generally for caterers' on-licences.

If someone is running a catering business and they want to sell and supply alcohol to their clients, they need to apply for an on-licence endorsed under s38.

This will allow them to sell and supply alcohol at events (receptions, functions or other social gatherings) that are promoted by a person or association of people other than the holder of the licence.

Such events often occur at private premises or in hired venues that are not owned by the caterer. It is usual, therefore, that a kitchen or office is licensed as the 'licensed premises'.

The events must be for people attending a reception, function, or other social gathering organised by a person who is not the holder of the licence. So, a caterer cannot organise the event where they will be selling and supplying alcohol.

This effectively allows caterers to provide food and alcohol at an event, for example a wedding reception, at any premises and manage the sale and supply of alcohol at those premises.

Caterers are subject to all the same provisions of the Act aside from display of licences (s38(2)). Sections 56 and 57 state that an alcohol licence and signs pertaining to opening hours must be displayed at the principal entrances. This does not apply to a caterer's licence.

A caterer's licence can be used in any district. A caterer does not have to have a licence issued by that district. This means, for example, they can provide alcohol at a wedding in Queenstown even if their licence was issued in Christchurch.

Caterers must be mindful of the locality where the event they are selling and supplying alcohol is being held. If it is close to a residential or sensitive area, it is expected that they manage noise and associated effects of alcohol consumption.

A DLC must not renew a licence endorsed under s38 unless the licensee continues to qualify for the endorsement (s126).

Te Whatu Ora/ Health New Zealand

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For more information visit alcohol.org.nz