

18+



TAXI



H<sup>2</sup>O

*Creating a responsible  
drinking environment*



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## *Introduction*

These Host Responsibility Guidelines for Licensed Premises 2008 promote a number of strategies and two useful tools to help servers to control licensed premises and meet their obligations under the Sale of Liquor Act 1989. Ultimately, they aim to prevent intoxication and its associated harms.

The Guidelines are part of a suite of resources with the same aim (see page 31 or visit [www.alac.org.nz](http://www.alac.org.nz)).



*What  
is Host  
Responsibility?*

Based on an American concept called 'Server Intervention', Host Responsibility outlines a broad set of strategies to help create safer drinking environments. It seeks to reduce intoxication and its associated harms through strategies that focus on:

- The alcohol server
- The environment in which alcohol is consumed.

Host Responsibility acknowledges the alcohol server's key role in preventing intoxication and creating an environment where intoxication seems out of place. It also makes good business sense; it is about customer service and securing a competitive edge in a challenging market environment.

### *The history of Host Responsibility*

In 1989, changes to the Sale of Liquor Act led to a significant increase in the number and range of places selling and supplying alcohol. The Alcohol Advisory Council of New Zealand (ALAC) sought a way to respond to the significant community concerns around related issues. It initiated a unique approach to tackling these problems: a tool labelled 'Host Responsibility'.

Host Responsibility was launched in 1991, once the first national guidelines had been developed. The campaign marked a move away from focusing on the drinker as the key problem; it emphasised the role of the drinking environment in contributing to alcohol-related harm. It also placed the onus on alcohol servers and their role in limiting or preventing intoxication and its associated problems.

The campaign initially focused on private hosts in an attempt to popularise the concept with the general public. Then, during the 1990s, it moved into the commercial arena – attempting to deal with the issue of intoxication in licensed premises. The 1999 amendments to the Sale of Liquor Act saw some aspects of Host Responsibility made legal requirements.

A review of Host Responsibility in 2003 helped to refocus efforts on issues relating to intoxication in licensed premises, reflecting the concerns of key stakeholders and the wider community. Today, it operates under a multitude of guises, with many different organisations taking ownership.

### *The six concepts of Host Responsibility*

Host Responsibility has six key concepts. These are that a responsible host:

- prevents intoxication
- does not serve alcohol to minors
- provides and actively promotes low and non alcoholic alternatives
- provides and actively promotes substantial food
- serves alcohol responsibly or not at all
- arranges safe transport options.



## A RESPONSIBLE HOST...

# *prevents intoxication*

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Every licensee, manager and server of alcohol has a legal obligation to:

- prevent people becoming intoxicated on licensed premises
- refuse service to people who have become intoxicated
- remove intoxicated customers from their premises.

Management is responsible for complying with and enforcing the Sale of Liquor Act, and conducting premises with the aim of contributing to a reduction in liquor abuse. The Act imposes fines for breaches of licences in relation to intoxication (see Appendix 1).

## *Drinking and drugs*

The results of combining alcohol with other drugs are uncertain, although we do know that the effects of each (or both) may be escalated. Combinations of some drugs may severely affect bodily functions, resulting in permanent damage or even death.

The combination of alcohol and drugs in a person's system may make them more unpredictable than someone who has only consumed alcohol. The Sale of Liquor Act states that an intoxicated customer must be denied service and removed from the premises. It does not differentiate between intoxication due to alcohol consumption and intoxication due to other drug consumption.

Drink spiking is a relatively new phenomenon that may result in a customer inadvertently becoming intoxicated at the hands of someone else. Drink spiking is a crime and is often associated with sexual assault. Alcohol is the most common drug of choice in drink spiking cases.

# 2

## A RESPONSIBLE HOST... *does not serve alcohol to minors*

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A minor (someone under 18) cannot buy alcohol under any circumstances, even if accompanied by a parent or legal guardian. However, a minor accompanied by a parent or legal guardian may consume alcohol in either a 'supervised' or 'undesignated' area (see below), but only if the parent or legal guardian buys the alcohol for them.

A legal guardian is not a relative, spouse, coach or older friend; it is someone who has legal guardianship under the Care of Children Act 2004<sup>1</sup>. Servers are responsible for establishing proof of the relationship and are entitled to ask for identification.

There are three possible designations for licensed premises, which relate to whether a person under the legal minimum purchase age can be on the premises and under what conditions.

These are:

- **Restricted:** No one under 18 years may be on that part of the premises
- **Supervised:** No one under 18 years may be on that part of the premises unless they are accompanied by their parent or legal guardian
- **Undesignated:** Anyone of any age can be on that part of the premises.

Management is responsible for ensuring that staff do not serve alcohol to minors or allow them on premises illegally. Hefty penalties can be imposed for service to minors (see Appendix 1).

Many premises adopt a policy of identification-checking for anyone who looks under 25. This protects both the staff and premises and prevents minors targeting particular establishments.

1. 'Parent' means natural, adoptive or foster parent. 'Guardian' means a person who has all the duties, powers, rights and responsibilities that a parent has in bringing up their child. For the majority of minors, legal guardianship continues to be concurrent with parental status. Establishing legal guardianship still requires a formal legal process.

### *Proof of age*

The onus is on the customer to prove they are old enough to buy alcohol or be in a licensed premises. If they cannot supply adequate proof, there is no obligation to allow them into the premises and they should be denied entry and service. The penalties are serious: a liquor licence and a duty manager's General Manager's Certificate may be at stake, plus a fine of up to \$2000 for the server.

The Sale of Liquor Act provides for four age-identification documents:

- New Zealand passport
- Overseas passport
- New Zealand driver's licence
- An approved 18+ photo identification card.

Each contains a photograph for positive identification.

**A RESPONSIBLE HOST...**

*provides and actively promotes low and non-alcoholic alternatives*

---

The Sale of Liquor Act states that licensed premises must provide a reasonable range of non-alcoholic refreshments. This supports customers' choice not to drink alcohol and makes the choice easier for them.

People choose to drink low or non-alcoholic drinks for a range of reasons, including sport and fitness, weight loss, driving, a non-drinking policy, pregnancy, intolerance or because they are taking medication.

Having a good range of options to offer customers makes good business sense. Low-alcohol drinks, including light beers, diet drinks and alcohol-free drinks, are now widely sought after and widely available. They should be actively promoted through menus and recommendations, and may also be promoted as a way of slowing down intoxication.



**A RESPONSIBLE HOST...**

*provides and actively promotes  
substantial food*

---

Food works to reduce intoxication by slowing the rate at which alcohol is absorbed into the bloodstream. For this to be effective, food must be consumed before drinking begins or before the customer becomes intoxicated.

The Sale of Liquor Act states that a reasonable amount of food must be made available at all times that a licensed premises is open for business. Having appealing food available is part of the overall package that attracts customers to an establishment, while providing management with an opportunity to make more money.

The type of food provided depends on the type of premises and the clientele it is trying to attract. Providing something bulky and filling is important if it is to slow down the absorption of alcohol into the bloodstream.

Licensed premises may have a full commercial kitchen; a freezer and a microwave; an arrangement with a local food provider where meals are brought in; or anything in between. The key thing is that appealing and affordable food is provided and promoted at all times. This may mean menus on every table, a menu board, or food on display.

Good bar staff will actively promote the range of food options available. Providing free bar snacks that smell and taste great will encourage people to think about and maybe buy more food, reducing the chance of intoxication.



**A RESPONSIBLE HOST...**

*never serves alcohol responsibly or not at all*

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### *Alcohol Promotions*

The 1999 amendment to the Sale of Liquor Act included the addition of section 154(a), which creates an offence for any licensee or manager of a licensed premises to do “anything in the promotion of the business or in the promotion of any event or activity held or conducted on the premises, that is intended or likely to encourage persons on the licensed premises to consume alcohol to an excessive extent”. A licensee or manager in breach of section 154(a) may be fined up to \$5000.

**A RESPONSIBLE HOST...***arranges safe transport options*

Under the conditions of their liquor licences, licensees must provide help with or information about alternative forms of transport from the licensed premises for both staff and patrons.

This is not designed to enable customers to become intoxicated then wheeled home. It should be part of the overall service offered to all customers to ensure they enjoy a safe and relaxed experience in a licensed premises. Specifically, it is designed to minimise the risks of customers drinking and driving. The options available to licensed premises include:

- **Making taxis as available and easy to use as possible**
  - Offering to call a taxi for customers
  - Having a free phone available for customer use
  - Installing taxi signage
  - Arranging discount taxi schemes
- **Dial-a-driver**
  - Offering this taxi system, which delivers a driver to take the customer home in their car
  - Displaying signage in a visible place
- **Courtesy coach**
  - Using a courtesy coach to pick up and drop off customers, providing a further service to promote an establishment – especially in remote areas
- **Designated drivers**
  - Encouraging groups to designate a sober driver and providing them with free non-alcoholic drinks.





*Host  
Responsibility  
on licensed  
premises*

Drinking in licensed premises has been shown to contribute disproportionately to certain types of acute alcohol-related harm, including violent behaviour (Lang et al 1995) and impaired driving (Single and McKenzie 1989, as cited in Single 1997; O'Donnell 1985). Licensed premises therefore have a role in contributing to the safety and wellbeing of their communities, while upholding the law and creating a desirable destination for customers.

According to Single (1997), changes in drinking patterns often begin in public drinking locations where drinkers might first be introduced to prevention strategies. With serving practices in commercial environments setting the standards for appropriate behaviour (for both drinkers and social hosts) (Mosher et al 2002), there is an opportunity to role-model Host Responsibility practices and influence wider attitudes and behaviour around drinking.

A well run licensed premises is committed to the following principles:

- the premises requires **active management** at all times
- adequate staff numbers are required to control the premises
- communication between staff and management is critical at all times
- **all staff** require training to understand their legal responsibilities
- customer consumption should be actively managed at all times
- intervention should be a normal event on the premises and expected by customers.

### *Intoxication and the signs to watch for*

Drinking patterns have changed in recent years, with rising consumption rates, drinking to excess among the general population and binge drinking among young people. A recent international study (Barbor et al 2003) reported that:

- impairment from intoxication is biological, but it is also affected by social expectations and cultural norms
- preventing intoxication would significantly reduce the harm from alcohol
- the social and physical context affects the potential harm from intoxication, so strategies are needed to protect drinkers by altering the drinking environment.

Drinking to the point of intoxication is the accepted norm for people of all ages in New Zealand. Many adult drinkers do not regard drinking to intoxication as a problem (McMillen et al 2004). The current drinking culture in New Zealand is characterised by:

- a general tolerance for drunkenness
- a general lack of concern about physical or mental wellbeing in relation to drinking
- a reluctance by drinkers to limit alcohol intake to avoid negative consequences.

In terms of reducing alcohol-related harm, the general population of moderate drinkers who occasionally drink to the point of intoxication generates considerably more problems for society than the small percentage of people with an alcohol dependence (Saunders 1989). This is evidenced through things such as assaults, crime, domestic violence and drink driving.

It is estimated that as much as 70 percent of police work is alcohol-related (New Zealand Police 2006).

Intoxication is not defined under the Sale of Liquor Act. Because of this, guidance is sought from elsewhere, such as in decisions by the courts and the Liquor Licensing Authority. A useful definition of intoxication for the purposes of the Sale of Liquor Act is: 'An intoxicated person must be observably affected by alcohol and/or other drugs to a sufficient degree that his or her speech, coordination, appearance or behaviour is **clearly impaired**'.

The four main indicators of intoxication are:

- **Speech:** Slurring, difficulty forming words, loud, repetitive, loses train of thought, nonsensical, unintelligible
- **Coordination:** Sways, staggers, stumbles, trips, weaves, walks into objects
- **Appearance:** Bloodshot eyes, eyes glazed, inability to focus, tired, asleep, dishevelled
- **Behaviour:** Inappropriate actions or language, aggressive, rude, over friendly, argumentative.

However, it is one thing to identify an intoxicated customer; slowing or stopping service and removing an intoxicated customer from a premises is quite another. The fact that intoxicated customers remain in a premises may have more to do with the premises' culture of tolerance towards intoxication (Reiling and Nusbaumer 2006).

There must be systems to ensure bar staff are supported to intervene. They must feel confident in managing the service (and non-service) of alcohol to customers.

### *Strategies for limiting or preventing intoxication*

Three key strategies should be used to limit or prevent intoxication and implement the principles on page 13:

- build staff capacity to intervene confidently and expertly
- build customer expectations of an intervention
- create a culture of strong team communication.

#### **1: Build staff capacity to intervene confidently and expertly**

Bar staff are not born with innate skills to address confidently potentially confrontational situations with irrational and difficult customers. These skills are learned. Staff training provides an opportunity to up-skill staff, standardise practice across an organisation and enhance customer service.

In assessing the need for training, employers should ask themselves:

- do staff recognise the indicators of intoxication and the need to intervene?
- do staff feel able and safe to make an approach to someone who is likely to be less rational than usual?
- do staff have the skills to tailor their approach and resolve any potential conflict?
- what type of training is currently offered to staff? by whom? how often?
- does it offer practical skills for intervening with customers appropriately?

Training should cover:

- how to recognise intoxication indicators
- intervention skills
- conflict-resolution skills
- team communication
- personal safety
- host responsibility
- familiarity with the tools suggested in these guidelines – the intoxication prevention tool (see page 21) and the yellow card (see page 26).

## 2: Build customer expectations of an intervention

Many customers are unaware – and therefore need to be informed – of the Sale of Liquor Act and licensed premises' obligations, or their rights as customers in licensed premises. Intervention should be seen as normal and expected.

Raising the expectation of an intervention may mitigate some of the risks involved. It can be done by:

- displaying signs outlining the act and licensee obligations
- having the house policy on display
- ensuring open communication between staff and customers
- intervening consistently over a period of time
- installing posters, multi-media, table-top or whiteboard messages.

## 3: Create a culture of strong team communication

Effective licensed premises' management is based on good communication between staff and customers, and among staff at all levels.

While an experienced staff member can confidently stop service or remove customers from the premises, it can be daunting to less experienced staff. Effective communication and teamwork may mean that only designated staff members intervene with customers.

### *Host Responsibility - part of a bigger picture*

Host Responsibility must be seen as part of a broader strategy to address intoxication and its associated harms. While it is a valuable tool for creating safer drinking environments, there is limited evidence of the potential effectiveness of programmes aimed at reducing alcohol-related harm as long as existing social, economic and cultural structures remain unchanged (Holder 2000).

This is also true for the environment within a licensed premises. Without commitment from the licensee and management to creating a culture of intervention, the server is limited in what they can achieve in preventing and managing intoxication (Reiling and Nusbaumer 2006).

*Developing  
a Host  
Responsibility  
policy*



A Host Responsibility policy documents a premises' commitment to Host Responsibility practices. Most District Licensing Agencies (DLAs) demand to see policies as part of the licence-renewal process.

The checklist and sample policy below are taken from the Manager's Guide (Blair and Bennett-Bardon 2002).

### *Manager's checklist*

1. Your Host Responsibility policy is written specifically for the premises, ideally with staff input
2. The policy is clearly visible to patrons and staff
3. Staff are aware of the policy, are suitably trained, and receive obvious support from management, including the ongoing discussion of issues
4. Food is available at all times alcohol is being sold. Menus are clearly visible
5. The safe and healthy use of alcohol is encouraged:
  - various food promotions and specials are available cheaply and quickly
  - low and non-alcoholic drinks are promoted and readily available and there is a positive staff attitude towards these drinks
  - the premises supports a designated driver scheme
  - there is active encouragement of safe drinking and driving levels
  - tea, coffee and iced water are available at the bars
  - there is clear signage about the size of spirits served – doubles or singles
6. Clear and obvious notices about the laws relating to serving minors and intoxicated persons are displayed
7. Staff are trained to recognise and understand intoxication and practical interventions. They are instructed not to continue serving alcohol to any customer who appears to be getting intoxicated, either directly or through friends
8. A telephone is readily available so patrons may call a taxi easily
9. There are no promotions that encourage intoxication

NB: It is a condition of all licences that food and non-alcohol and low-alcohol drinks are available at all times alcohol is sold or served.



*Developing  
a Host*

*Responsibility  
Implementation  
Plan*

While a Host Responsibility policy outlines a licensed premises' commitment to the principles of Host Responsibility, an Implementation Plan carries that commitment into practice, outlining how the policy will be enacted.

To create a Host Responsibility Implementation Plan, it is necessary to review the information in these Guidelines and provide practical steps for staff to take to meet their Sale of Liquor Act obligations. The Plan should clarify 'acceptable practice' within a premises and how this can be achieved and maintained.

For help in writing a Host Responsibility Implementation Plan, contact your local DLA or Public Health Unit, or check out other Host Responsibility resources, including *The Bar Code: frontline bar staff and the law*, at [www.alac.org.nz](http://www.alac.org.nz)



*Host  
Responsibility  
tools*

This section provides information on two useful Host Responsibility tools for licensed premises' operators and servers. Developed and tested, they have proved successful in reducing intoxication and encouraging responsible drinking practices.

### *The Intoxication Prevention Tool*

The Intoxication Prevention Tool (illustrated on page 22) was developed collaboratively by the hospitality industry and enforcement agencies. It outlines appropriate interventions for preventing and managing intoxication on licensed premises, with the aim of mitigating the risk of prosecution. Not a scientific tool but one based on experience and judgement, it closely aligns with enforcement agency expectations and sets the standard for managing intoxication on licensed premises.

Not every customer who enters a licensed premises intends becoming intoxicated. In fact, only a relatively small percentage set out with this in mind – and they are often easy to spot before they reach their goal. They are likely to stand out from the crowd and should be closely monitored; establishing an early rapport softens a later intervention while providing further insight into their condition.

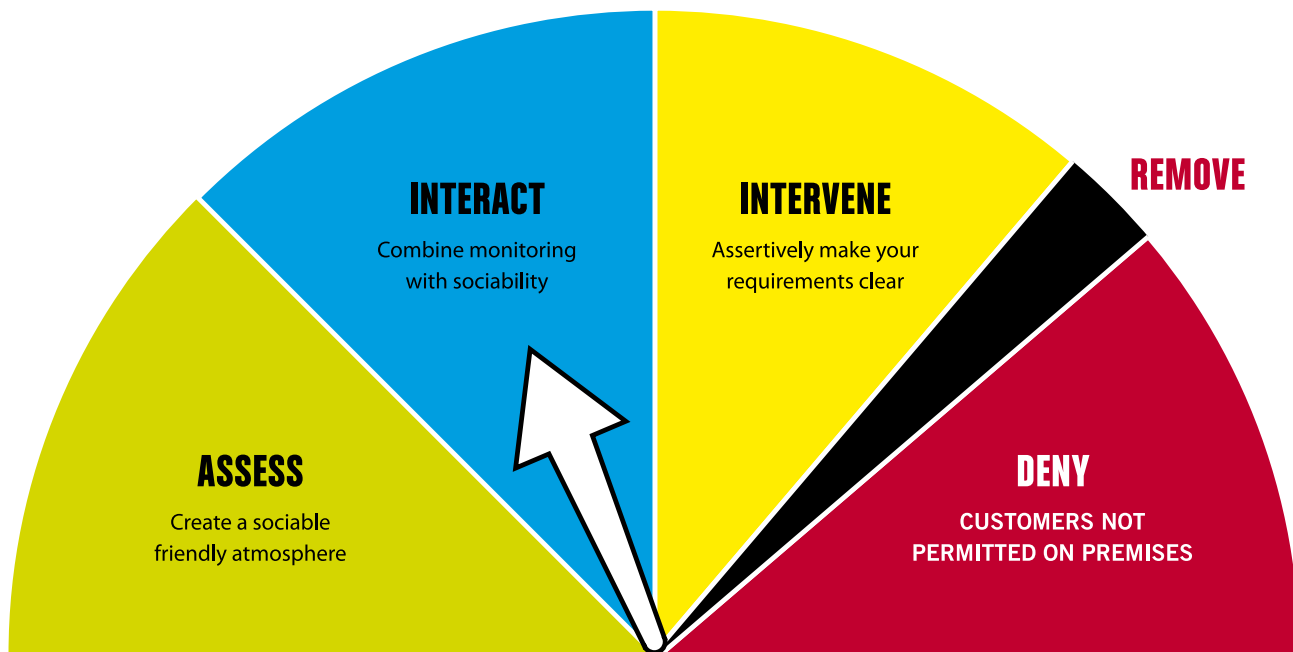
Similarly, not every customer who enters a licensed premises is sober; they may have been drinking elsewhere or be using illicit substances. They can also move from one 'zone' to another quickly, or potentially skip a zone, particularly if using illicit substances.

The Intoxication Prevention Tool is based on good communication both between staff and customers and among staff at all levels. It also provides a strong basis for staff training, outlining key indicators of intoxication and appropriate interventions. Door staff will find that customers displaying 'yellow' behaviours may be inviting trouble, so should weigh up the risks of allowing them into the premises. Glass collectors are the eyes and ears of the team and can constantly feed information into the loop.

Intoxicated customers are not permitted into licensed premises and should be removed as soon as they are detected – for their own safety and to eliminate the risk of prosecution for the licensee and manager.

**INTOXICATION PREVENTION TOOL**

HELPING YOU MANAGE THE RESPONSIBLE SERVICE OF ALCOHOL



*Customer Behaviours**Staff Interventions*

	Assess
<ul style="list-style-type: none"> <li>Orders without drawing attention</li> <li>Attentive, flowing speech</li> <li>Normal eye movement</li> <li>Polite and specific manner to order</li> </ul>	<ul style="list-style-type: none"> <li>Monitor customer consumption</li> <li>Establish clear and consistent standards</li> <li>Create a sociable, friendly atmosphere where intoxication will seem out of place</li> <li>Identify customer intentions</li> <li>Offer non-alcoholic drinks and food options</li> </ul>
	Interact
<ul style="list-style-type: none"> <li>Happy and jovial</li> <li>May draw attention to themselves</li> <li>Slightly less attentive, polite or specific in speech</li> <li>Reasonable if you suggest slowing down</li> <li>In control of mental and physical faculties</li> </ul>	<ul style="list-style-type: none"> <li>Talk to the customer</li> <li>Identify customer intentions</li> <li>Actively manage customer consumption</li> <li>Combine monitoring with sociability</li> <li>Use unobtrusive monitoring techniques such as glass collecting</li> <li>Offer non-alcoholic drinks and food options</li> </ul>
	Intervene
<ul style="list-style-type: none"> <li>Becoming loud</li> <li>Fading attention</li> <li>Slowed reactions</li> <li>Overly friendly or withdrawn</li> <li>Increased consumption rate</li> <li>Behaviour affecting other customers</li> </ul>	<ul style="list-style-type: none"> <li>Communicate with team and manager</li> <li>Talk to the customer – intervene early and tactfully</li> <li>Slow or stop service of alcohol</li> <li>Offer non-alcoholic drinks and food options</li> <li>Be assertive, not aggressive</li> <li>Make your requirements clear and allow customer the opportunity to comply without losing face</li> <li>Never respond to provocation; stay calm and employ calming strategies</li> </ul>
	Remove from premises
<p><b>Speech:</b> Slurring, difficulty forming words, loud, repetitive, loses train of thought, nonsensical, unintelligible</p> <p><b>Coordination:</b> Sways, staggers, stumbles, trips, weaves, walks into objects</p> <p><b>Appearance:</b> Bloodshot eyes, eyes glazed, inability to focus, tired, asleep, dishevelled</p> <p><b>Behaviour:</b> Inappropriate actions or language, aggressive, rude, over friendly, argumentative</p>	<ul style="list-style-type: none"> <li>Communicate with team and manager</li> <li>Remove audience effect</li> <li>Remove customer from premises</li> <li>Consider customer safety</li> </ul>
	Deny
	<ul style="list-style-type: none"> <li>Customers are not to be allowed onto, or remain on the premises</li> <li>Service to customers could result in prosecution</li> </ul>

## *Breakdown of server interventions*

### Assess

Monitor customer consumption

- All staff have a role in monitoring intoxication levels – team communication means this information is fed back to alcohol servers
- Talk with the customer – this will build rapport and give insight into their condition
- Use unobtrusive monitoring techniques such as glass collection

Establish clear and consistent standards

- Management and staff are responsible for setting the tone of the premises
- Create a sociable, friendly atmosphere where intoxication will seem out of place

Identify customer intentions

- Not all customers on your premises intend becoming intoxicated
- Identify and actively manage those who appear to be high risk
- High-risk people include those celebrating, ordering in quick succession, and ordering shots

Offer non-alcoholic drinks and food options

- There is a range of alternatives to alcohol
- Actively promote and encourage other products as part of the broader customer experience

### Interact

Talk to the customer

- Building a relationship with the customer will mean that an intervention, should it be required, will not come as a complete surprise
- Combine monitoring with sociability

Identify customer intentions

- Not all customers on your premises intend becoming intoxicated
- Use unobtrusive monitoring techniques such as glass collecting
- Some customers will continue to stand out from the crowd and require closer monitoring
- Spot the potential for intoxication as opposed to spotting drunks

Actively manage customer consumption

- Engage with high-risk customers sooner rather than later
- Offer non-alcoholic drinks and food options

## *Breakdown of server interventions*

### **Intervene**

Communicate with team and manager

- Inform the team of issues so they can support an intervention
- Company policy will determine who should then intervene

Slow or stop alcohol service

- Talk to the customer – intervene early and tactfully
- Be assertive, not aggressive
- Make your requirements clear and allow customers the opportunity to comply without losing face
- Never respond to provocation; stay calm and employ calming strategies
- Offer non-alcoholic drinks and food options

### **Remove from premises**

Communicate with team and manager

- Inform the team of issues so they can support an intervention
- Company policy will determine who should then remove the customer from the premises

Remove customer from premises

- Remove the audience effect
- Consider customer safety – taxi or mates
- Consider your own personal safety
- Enter the incident in the logbook

### **Deny**

- Customers are not to be allowed onto, or remain on the premises
- Service to customers could result in prosecution
- Door staff and managers should be trained to recognise patrons trying to enter in this state and be able to effectively deal with them

### *The Yellow Card Intervention Tool*

The Yellow Card Intervention Tool (Yellow Card) is designed to help staff in licensed premises to intervene to slow or stop customers drinking, in line with their obligations under the Sale of Liquor Act.

The Yellow Card has been promoted in New Zealand as a light-hearted and innovative way of tackling intoxication on licensed premises. It works well in an environment committed to meeting its obligations under the Act, providing back-up to staff who are well trained and confident in managing customers and intervening appropriately.

The Yellow Card is aligned with the Intoxication Prevention Tool and the principles of a well run premises.

The Yellow (or Red) Card is not a silver bullet to solve the issue of intoxication. It will not on its own provide an easy way of addressing a potentially confrontational situation. However, it can provide back-up to staff when they have to intervene, by overtly stating the law and the reason for the intervention.

The Yellow Card:

- offers the potential for enhanced communication with customers
- is an easy-to-use tool for helping to prevent and manage intoxication
- helps to remove some of the tension from potentially confrontational situations
- helps to increase personal safety
- uses a formal organisational approach rather than one in which everyone does their own thing.



# INTOXICATION

Are you on the way to an early exit?

If you receive a  
**YELLOW CARD**  
this is your...

If you receive a  
**RED CARD**  
sorry buddy...



## **YELLOW CARD**

It is an offence  
to allow any  
person to  
become  
intoxicated  
on licensed  
premises.

It could cost  
us \$10,000 or  
we could lose  
our licence.

**SLOW  
DOWN**

Make your next  
purchase some food or a  
non-alcoholic drink.



## **RED CARD**

It is an offence  
to supply liquor  
to an intoxicated  
person or have

them remain on  
our premises.

**It's time for  
you to  
leave**





*Host  
Responsibility  
training*

Training is the key to successfully implementing Host Responsibility practices within a licensed environment. It provides staff with standardised methods of service and intervention that ensure premises meet their obligations under the Sale of Liquor Act.

Training may be formal or informal and range from in-house to New Zealand Qualifications Authority accredited. We suggest you contact your local DLA or Public Health agency for more information on Host Responsibility training.

### *General Manager's Certificate*

The General Manager's Certificate is awarded by the local DLA. Applicants must first show evidence of a number of achievements, including recent and relevant training – and all new applicants and applicants for Certificate renewals must hold the nationally recognised 'Licence Controller' qualification.

Required since April 2006, the qualification aims to standardise and improve the overall quality and skills of managers working in licensed premises. It is made up of two unit standards requiring:

- demonstrated knowledge of the sale of liquor act 1989 and implications for the operation of licensed premises (unit 4646)
- demonstrated knowledge of Host Responsibility requirements as a Duty Manager of a licensed premises (unit 16705).

For more information, contact the Hospitality Standards Institute on 0800 275 447.



*Host  
Responsibility  
resources*

Host Responsibility resources are available throughout New Zealand – for example, local DLAs and Public Health agencies often hold a range of both locally produced and national resources.

For more information on ALAC resources, visit [www.alac.org.nz](http://www.alac.org.nz)



Alcohol will not be  
served to anyone  
who is intoxicated

∴ Sale of Liquor Act 1989

ALCOHOL ADVISORY COUNCIL OF NEW ZEALAND  
Kaitiaki Whakaitiaki Wāipiro o Aotearoa

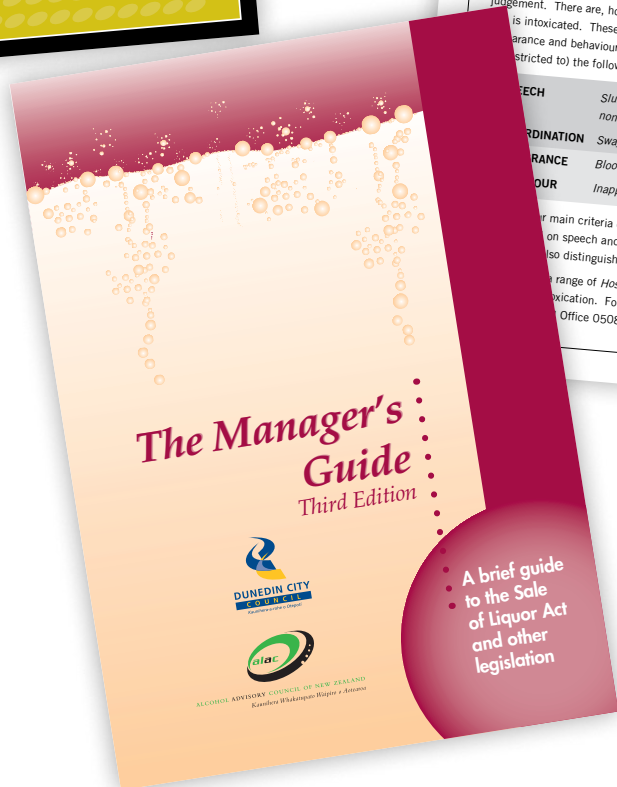
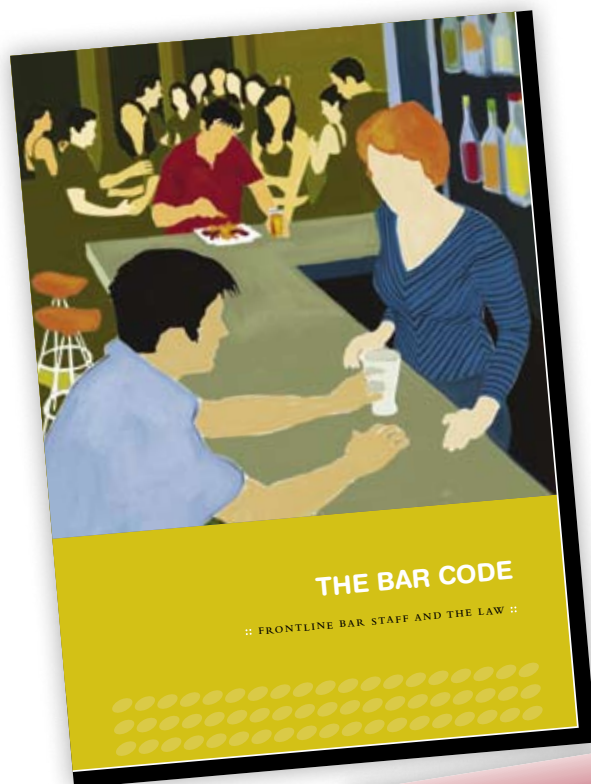


No ID  
No Service  
No Exceptions



ALCOHOL ADVISORY COUNCIL OF NEW ZEALAND  
Kaitiaki Whakaitiaki Wāipiro o Aotearoa





New Zealand POLICE  
 The Police o Aotearoa

ALCOHOL ADVISORY COUNCIL OF NEW ZEALAND  
 Kaitiaki Whakamauatanga o Aotearoa

**Intoxication – What to watch for**

The Sale of Liquor Act specifically prohibits the following:

Section 166: Sale or supply of liquor to an intoxicated person(s)  
 Section 167: Allowing a person to become intoxicated  
 Section 168: Allowing drunkenness or disorderly conduct on licensed premises  
*(This includes allowing an intoxicated person to be, or to remain on licensed premises).*

'Intoxication' is not defined under the Sale of Liquor Act. Because of this, guidance is sought from elsewhere, such as decisions by the Courts and Liquor Licensing Authority. An intoxicated person will typically display signs of impairment that are recognisable. A useful description of 'intoxication' for the purposes of the Sale of Liquor Act is:

**An 'intoxicated' person must be observably affected by alcohol and/or other drugs to a sufficient degree that his or her speech, co-ordination, appearance or behaviour is clearly impaired.**

There is some debate on whether this description should include 'other drugs' as the Sale of Liquor Act refers only to 'liquor.' However, intoxication can be caused by a number of other factors such as legal medicines, party pills and illicit substances, or the combination of these with alcohol.

**ASSESSING INTOXICATION**

Due to a range of impacting factors such as speed of consumption, individual health and so forth, alcohol affects people differently. Any assessment of a person's state of intoxication will always be a matter of judgement. There are, however, observable signs of impairment that are usually displayed by someone who is intoxicated. These observable signs can be divided into four categories – speech, co-ordination, appearance and behaviour. Commonly encountered indicators in each of these categories include (but are not restricted to) the following:

<b>SPEECH</b>	Slurring, difficulty-forming words, loud, repetitive, loses train of thought, nonsensical, unintelligible
<b>COORDINATION</b>	Sways, staggers, stumbles, trips, weaves, walks into objects
<b>APPEARANCE</b>	Bloodshot-eyes, eyes-glazed, inability to focus, tired, asleep, dishevelled
<b>BEHAVIOUR</b>	Inappropriate actions or language, aggressive, rude, over-friendly, argumentative

Four main criteria can be used to assess and gather evidence of an intoxicated person, emphasis on speech and coordination as initial observable indicators of intoxication. Monitoring can also distinguish between 'basic' and 'advanced' indicators of intoxication.

A range of *Host Responsibility* resources that focus on creating safer drinking environments are available. For more information, please see the ALAC website [www.alac.org.nz](http://www.alac.org.nz) or contact the Office 0508 258 258.

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*Appendix 1: The Sale of Liquor Act 1989*

## *The Sale of Liquor Act 1989*

The Sale of Liquor Act governs the sale and supply of alcohol in New Zealand. According to the Act, a liquor licence is required before alcohol may be sold and licensees, managers and staff are required to take responsibility for their customers.

The Act's objective is to establish 'a reasonable system of control over the sale and supply of liquor to the public with the aim of contributing to the reduction of liquor abuse, so far as that can be achieved by legislative means'.

Under section 166, it is an offence for anyone (licensee, manager or staff member) to serve a person **who is already intoxicated**.

Under section 167, it is an offence for the licensee or manager to allow a person to **become intoxicated** on licensed premises. This is probably the most contentious piece of law, as the public is often not aware they could be getting the licensee or manager in trouble should they get intoxicated.

Under section 168, it is an offence for any manager or licensee to allow an intoxicated person to **be or remain** in a licensed premises.

Everyone, from the licensee to the frontline alcohol server, has a responsibility to prevent intoxication and meet the Act's conditions.

Offence	Licensee or manager	Bar staff
<b>Section 166</b>		
Sale or supply to an intoxicated person	\$10 000 Licence may also be suspended for up to seven days	\$2000
<b>Section 167</b>		
Allowing a person to become intoxicated	\$10 000 Licence may also be suspended for up to seven days	
<b>Section 168</b>		
Allowing intoxication or disorderly conduct on a licensed premises	\$4000	

Police, DLAs and Public Health agencies, have a statutory role to ensure licensed premises operate according to the law. Police and DLA Inspectors can also apply to have licences suspended, varied or cancelled if they have evidence that premises are breaching the Act. Each agency has a particular focus for its input to the licensing process.

These agencies have recently increased their efforts in monitoring and enforcing the Act on licensed premises. They are likely to be more visible in the future.

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