

INFORMATION REQUEST	
COVID-19: Alcohol licence applications and renewals	
Deadline: N/A	Date of Response: 14 April 2020

Purpose

1. This briefing provides you with information on modifications to the Sale and Supply of Alcohol Act 2012, approved by the COVID-19 Ministerial Group on 9 April 2020.

Police is unable to process new alcohol licence application and renewals while focusing on COVID-19 priorities

2. Section 103 of the Sale and Supply of Alcohol Act 2012 requires Police to inquire into new alcohol licence applications and renewals. If Police has any matters in opposition to the application, Police must file a report to the District Licensing Committee (DLC) within 15 working days of receiving the application. If no report is received, the DLC may assume that Police does not oppose the application.
3. Inquiries under section 103 generally involve reviewing applications, drafting and submitting reports, interviewing applicants, and visiting premises.
4. In the period 25 March 2019 to 22 April 2019 (the same period as the current Level 4 restrictions this year), Police processed 2,810 applications.
5. Police is currently unable to process applications while focused on policing the Level 4 restrictions and maintaining other key priorities. Physical distancing requirements and essential business categorisations also make it impracticable for Police to conduct inquiries.

Statutory timeframes will be modified to enable the continued scrutiny of alcohol licence applications while Police and Health resources are necessarily focused on the COVID-19 epidemic

6. The COVID-19 Ministerial Group considered the paper *Proposals for Justice-Related Modification Orders under the Epidemic Preparedness Act 2006* on 9 April 2020.
7. The paper recommended that section 103 be modified to suspend the obligations on Police to inquire into any application received while the COVID-19 Epidemic Notice is in force. During this period of time, DLCs will not be able to assume that Police does not oppose an application, even if Police does not submit a report within 15 working days. In effect, this pauses the timeframe for any licence applications or renewals either underway or received by Police.
8. After the Epidemic Notice is lifted, the notice period will be extended so that Police will have 30 working days to file a report with the DLC, rather than the

normal 15 working days. This would apply to any applications or renewals received or underway during the notice period.

Police supports the changes

9. The changes allow Police to fully engage in the licensing process, and ensure DLCs can make decisions based on all available evidence.
10. Police anticipates that following the lifting of the Epidemic Notice, there could be twice as many applications to be processed in a month. Extending the notice period after the Epidemic Notice finishes will enable Police sufficient time to process the backlog of applications that are received during the Epidemic Notice period, while also maintaining the processing of applications subsequently received.

The Ministry of Justice will provide guidance to District Licensing Committees

11. The processing of applications for new alcohol licences will be potentially delayed across the country due to the proposed modifications. The Ministry of Justice is working on guidance for DLCs to ensure that licensees will still be able to trade and work in the alcohol industry post-epidemic.

Other justice-related modifications have been approved to enable certain legal processes to continue

12. The paper contained another proposal, which Police also supported:
 - create flexibility in how people can authorise and witness key documents, oaths, affirmations and declarations. This flexibility is especially important in a time where many, and particularly vulnerable people, will be looking to get their affairs in order.

Reviewed by	s9(2)(a)	
Approved by	Gillian Ferguson, Acting Director – Policy and Partnerships	s9(2)(a)