

**OFF-LICENCE**

Sections 17 and 64, Sale and Supply of Alcohol Act 2012

**Section 40 of the Act applies to this licence**

**PURSUANT** to the Sale and Supply of Alcohol Act 2012, Saddle Hill Brewery and Distillery Limited is authorised to sell alcohol from the premises situated at 116 Scurr Road, Saddle Hill, Dunedin, and known as "Saddle Hill Brewery & Distillery", and to deliver it to any person for consumption off the premises.

The authority conferred by this licence must be exercised through a manager or managers appointed by the licensee in accordance with Subpart 7 of Part 2 of the Act.

**CONDITIONS**

This licence is subject to the following conditions:

- (a) No alcohol shall be delivered on Good Friday, Easter Sunday, Christmas Day or before 1.00 pm on Anzac Day.
- (b) **Orders may be taken at any time on any day Deliveries may be made Monday to Sunday 6.00 am to 11.00 pm**
- (c) The licensee shall ensure that the provisions of regulation 14 of the Sale and Supply of Alcohol Regulations 2013 relating to the sale and supply of liquor to prohibited persons are observed and shall display appropriate signs on the Internet web page detailing the statutory restriction on the supply of alcohol to minors.
- (d) The Licensee must display on its website and in its catalogue and on every receipt issued for alcohol sold remotely:
  - (i) The licence holder's name and licence number
  - (ii) The date on which the licence expires
  - (iii) A legible image of the licence, or a clearly identified link to such image, to be displayed in a prominent place on the website.

**DISPLAY OF LICENCE**

A copy of this licence must be displayed on the website for the company.

**DURATION**

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence continues in force -

- (a) either –
  - (i) until the close of the period for which it was last renewed; or
  - (ii) if it has never been renewed, until the close of the period of 12 months after the day it was issued; but
- (b) if an application for the renewal of the certificate is duly made before the certificate would otherwise expire, either –
  - (i) until the close of the period of 3 years after the period for which it was last renewed; or
  - (ii) if it has never been renewed, until the close of the period 4 years after the day it was issued.



Kevin Mechen  
Secretary

**DATED** at Dunedin this 22<sup>nd</sup> day of October 2021

**DUNEDIN DISTRICT LICENSING COMMITTEE**

**NOTE: This licence expires on the 22<sup>nd</sup> day of October 2022**

Decision No. 2021/19/OFF

**IN THE MATTER**

of the Sale and Supply of Alcohol Act 2012

**AND**

**IN THE MATTER**

of an application by Saddle Hill Brewery and Distillery Limited for an off-licence pursuant to s.99 of the Act, endorsed pursuant to section 40 of the Act (remote seller), in respect of premises situated at 116 Scurr Road, Saddle Hill, Dunedin, and known as "Saddle Hill Brewery & Distillery"

**DECISION OF THE DUNEDIN DISTRICT LICENSING COMMITTEE**

In accordance with section 191(2) of the Sale and Supply of Alcohol Act 2012 this application has been considered under delegated authority.

**DECISION**

This is an application by Saddle Hill Brewery and Distillery Limited for an off-licence, endorsed as a remote seller, in respect of the premises situated at 116 Scurr Road, Saddle Hill, Dunedin, and known as the "Saddle Hill Brewery & Distillery".

The application is in respect of premises in which the principal business is the sale of alcohol.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, we deal with the matter on the papers.

We are satisfied as to the matters to which we must have regard as set out in s.105 of the Act and we grant the applicant an off-licence authorising the sale and supply of alcohol for consumption off the premises.

Although sales are made remotely, the licensee must ensure a certified manager is appointed to the business at all times.

Remote sellers have different requirements to other premises. The first is a response to the fact the buyer is not confronted at the time of purchase and to this end, regulation 14 of the Sale and Supply of Alcohol Regulations 2013 details the requirements imposed on licensees to ensure prohibited people do not purchase alcohol. This regulation is reproduced here for clarity:

***14 Reasonable steps to verify that people not under purchase age***

*(1) The procedures described in subclauses (2) to (4) are reasonable procedures for the purposes of complying with [section 59\(3\)](#) of the Act (which requires the holder of an off-licence to take reasonable steps to verify that the buyer of any alcohol that the holder sells by remote sale (and, if a person other than the buyer is to receive it, to verify that the receiver) is not under the purchase age).*

*(2) In the case of an order made using an internet site, the procedure is to—*



- (a) *ask the prospective buyer to declare, by ticking an on-screen box, that he or she is 18 years of age or over (and, where a prospective receiver is involved, that the prospective receiver is also 18 years of age or over)—*
    - (i) *once when the prospective buyer first enters the internet site; and*
    - (ii) *again, immediately before the sale of any alcohol is completed; and*
  - (b) *refuse to sell alcohol to the prospective buyer unless, on both occasions, he or she declares that he or she is 18 years of age or over (and, where a prospective receiver is involved, also declares that the prospective receiver is 18 years of age or over).*
- (3) *In the case of a telephone order, the procedure is to—*
- (a) *ask the prospective buyer to declare, orally, that he or she is 18 years of age or over (and, where a prospective receiver is involved, that the prospective receiver is also 18 years of age or over)—*
    - (i) *once when the conversation concerned begins; and*
    - (ii) *again, immediately before the conversation is completed; and*
  - (a) *refuse to sell alcohol to the prospective buyer unless, on both occasions, he or she declares that he or she is 18 years of age or over (and, where a prospective receiver is involved, also declares that the prospective receiver is 18 years of age or over).*
- (4) *In the case of an order made on a physical order form, the procedure is to—* (a) *ensure that the form—*
- (i) *requires the prospective buyer to sign the form at a place at or near its end; and*
  - (ii) *contains 2 requests for the prospective buyer to declare, by ticking a box, that he or she is 18 years of age or over (and, where a prospective receiver is involved, that the prospective receiver is also 18 years of age or over)—*
    - (A) *one at the beginning of the form; and*
    - (B) *the other, immediately before the place on the form where the prospective buyer is required to sign it; and*
  - (b) *refuse to sell alcohol to the prospective buyer unless he or she has ticked both boxes and signed the form.*

Regulation 15 describes the information to be provided by remote sellers. When using an internet website, the licence holder must display prominently on the website, any catalogue produced and every receipt issued for alcohol sold remotely: (a) The licence holder's name and licence number (b) The date the licence expires.

- (c) And in addition to this either a legible image of the licence, or a clearly identified link to such image, must be clearly displayed on the website.

The licence will be subject to the following conditions:

- (a) No alcohol shall be delivered on Good Friday, Easter Sunday, Christmas Day or before 1.00 pm on Anzac Day.
- (b) **Orders may be taken at any time on any day**  
**Deliveries may be made Monday to Sunday 6.00 am to 11.00 pm**

- (c) The licensee shall ensure that the provisions of regulation 14 of the Sale and Supply of Alcohol Regulations 2013 relating to the sale and supply of liquor to prohibited persons are observed

and shall display appropriate signs on the Internet web page detailing the statutory restriction on the supply of alcohol to minors.

- (d) The Licensee must display on its website and in its catalogue and on every receipt issued for alcohol sold remotely:

- (i) The licence holder's name and licence number;
- (ii) The date on which the licence expires;
- (iii) A legible image of the licence, or a clearly identified link to such image, to be displayed in a prominent place on the website.



### **DISPLAY OF LICENCE**

A copy of this licence must be displayed in a prominent position on the website or, as an alternative, a clearly identified link to such an image to be displayed.

**DATED** at Dunedin this 21<sup>st</sup> day of October 2021

A handwritten signature in blue ink, appearing to read 'Kevin Mechen', is written over a horizontal line.

Kevin Mechen  
Secretary

**DUNEDIN DISTRICT LICENSING COMMITTEE**



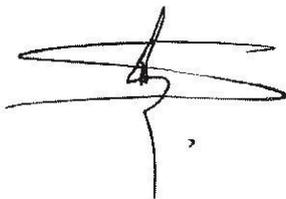
## Certificate of Incorporation

SADDLE HILL BREWERY & DISTILLERY LIMITED

8156886

NZBN: 9429048968133

This is to certify that SADDLE HILL BREWERY & DISTILLERY LIMITED was incorporated under the Companies Act 1993 on the 5th day of February 2021.



Registrar of Companies  
5th day of February 2021





## Host Responsibility Policy

Management of Saddle Hill Brewery & Distillery are passionate about sharing the brewing and distilling process with guests, we aim to create a comfortable and welcoming environment. It is also our duty to insure that alcohol is served and consumed responsibly therefore we have implemented the following host responsibility policy

- We operate within the requirements of The Sale and Supply of Alcohol Act 2012.
- Alcohol purchased on site cannot be consumed on site
- It is against the law to serve minors. If we are in doubt as to your age, we will ask for ID. Acceptable forms of proof of age are a current NZ photo driver's license, HANZ 18+ card or current Passport. No ID no service.
- We will not serve intoxicated persons.
- We will offer free water with any samples and encourage people to have a designated driver.
- Our goal is to serve you in a friendly, responsible and professional manner.

Please be our guest and enjoy the services we offer. We pride ourselves on being responsible Hosts