



Policy

Extended Trading Permits - Restaurants Holding Finger Food/Cocktail Functions

Disclaimer

This Policy is designed to provide information in regard to the subject matter covered, and with the understanding that the Director of Liquor Licensing is not passing legal opinion or interpretation or other professional advice. The information is provided on the understanding that all persons undertake responsibility for assessing the relevance and accuracy of its contents.

Introduction

Section 50 of the Liquor Control Act 1988 ("the Act") authorises a restaurant licence to sell and supply liquor for consumption on the licensed premises only ancillary to a meal supplied by the licensee and eaten by the patron on the licensed premises.

A '*meal*' is defined by the Act as food:-

- (a) that is eaten by a person sitting at a table, or a fixed structure used as a table, with cutlery provided for the purpose of eating the food; and
- (b) that is of sufficient substance as to be ordinarily accepted as a meal; and
- (c) that may consist of one or more courses,

but does include any food prescribed by the Liquor Control Regulations 1989 not to be a meal.

When read as a whole, the provisions of the Act in relation to restaurants (that is; sections 50 to 53) mean that the business conducted under a restaurant licence must consist **primarily and predominantly** of the regular supply to customers of meals to be eaten on the premises, by patrons seated at a dining table or fixed structure used for dining.

Section 60(4)(f) provides the purposes for which an extended trading permit may be issued to a restaurant in respect of a function where no meal is being supplied.

This policy provides guidance as to the circumstances in which permits may be considered for restaurants that are holding finger food or cocktail style functions. This policy should be read in conjunction with the Director's policies on **Extended Trading Permits – Hours and or Area for 'One-off' Events or Functions** and **Extended Trading Permits – Restaurants to Sell and Supply Liquor Without a Meal**.

General Restrictions and Conditions of Approval

Restaurant licences may seek a permit to authorise the sale and supply of liquor at a private function being held on the licensed premises where no meal is being supplied.

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A Policy of the Director of Liquor Licensing*

With the exception of a “Grand Opening” and New Year’s Eve functions, permits will generally not be granted where the licensee is seeking to host a function that is open to the public.

Applications will generally be considered where a patron has approached the licensee to hold a private function, for example; a birthday/wedding anniversary celebration, wedding reception, or fashion launch/parade.

Generally no more than twelve (12) permits of this kind may be issued in a 12 month period.

DIRECTOR OF LIQUOR LICENSING