

Decision No. 2021/98

IN THE MATTER of the Sale of Liquor Act 1989

AND

IN THE MATTER of an application by
FORMOSA COMPANY
LIMITED for an on-licence
pursuant to s.7 of the Act in
respect of premises situated at
Ground Floor, 39 Beach Road,
Auckland known as "Formosa
Pool Room"

BEFORE THE LIQUOR LICENSING AUTHORITY

Chairman: District Court Judge J P Gatley
Members: Mr R J S Munro
Mr J W Thompson

DECISION

This is an application by Formosa Company Limited for an on-licence in respect of premises situated at Ground Floor, 39 Beach Road, Auckland, known as "Formosa Pool Room".

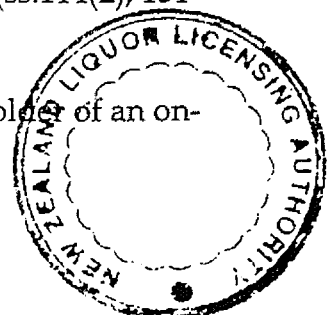
The general nature of the business to be undertaken will be that of an indoor sports facility where games such as pool can be played socially or competitively.

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.13 of the Act and we grant the applicant an on-licence authorising the sale and supply of liquor, for consumption on the premises, to any person who is present on the premises.

The licence will not issue until the Authority has received confirmation from the District Licensing Agency that all relevant clearances have been obtained. The applicant is not entitled to sell liquor until the licence issues. Unlicensed sales can result in imprisonment for up to three months or a fine of \$20,000 (ss.114(2), 151 and 152 of the Act refer).

The applicant's attention is drawn to s.25 of the Act obliging the holder of an on-licence to display:-



1. A sign attached to the exterior of the premises, so as to be easily read by persons outside each principal entrance, stating the ordinary hours of business during which the premises will be open for the sale of liquor AND
2. A copy of the licence, and of the conditions of the licence, attached to the interior of the premises so as to be easily read by persons entering through each principal entrance.

The entrance from Beach Road is designated as the principal entrance.

The licence will be subject to the following conditions:

- (a) The licensee shall have available for consumption on the premises, at all times when the premises are open for the sale of liquor, a reasonable range of non-alcoholic refreshments:
- (b) Liquor may be sold on such days and during such hours as facilities are provided for the playing of pool and other indoor sports but not other than on the following days and hours:

Monday to Sunday 10.00 am to 4.00 am the following day

- (c) Food shall be available for consumption on the premises as follows:

At all times when the premises are authorised to be open for the sale of liquor, food of a range and style similar to that shown on any menu submitted or a range of snack foods in the nature of pies, sandwiches, filled rolls, pizzas and the like, shall be conveniently available for all patrons and the availability of those foodstuffs shall be notified to them by appropriate notices throughout the premises.


- (d) The whole of the premises is designated as a supervised area.
- (e) The licensee shall ensure that the provisions of the Act relating to the sale and supply of liquor to prohibited persons are observed and shall:
 - (i) Display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the sale and supply of liquor to minors and the complete prohibition on sales to intoxicated persons; and
 - (ii) Have available for vendor staff forms of the kind anticipated by s.172 of the Act, enabling such staff to require customers to declare in writing that they are of the required age.



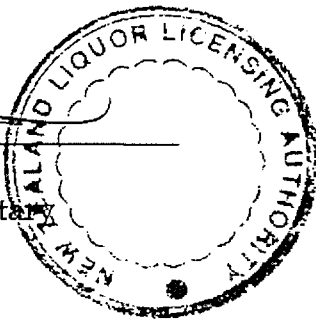
THE LICENSED PREMISES

In terms of Reg. 7 of the Sale of Liquor Regulations 1990 the sale or supply or consumption of liquor is authorised in the premises generally. The premises, located at Ground Floor, 39 Beach Road, Auckland are more precisely identified in a plan date stamped as received by Tribunals Division on 1 October 1998.

DATED at WELLINGTON this 16th day of October 1998



R Barber
Deputy Secretary



Formosa.doc(nl)

