

15 October 2019

Ref: IR-01-19-25938

S Paurini  
[fyi-request-11223-58781ab6@requests.fyi.org.nz](mailto:fyi-request-11223-58781ab6@requests.fyi.org.nz)

Dear Mr Paurini

I am writing to you in response to your email sent to the Hon Stuart Nash, Minister of Police on 14 September 2019. This request has been transferred to New Zealand Police pursuant to section 14 of the Official Information Act 1982. You specifically asked the following questions:

*Is the SCAB Assessment Tool that is imposed on the hospitality industry legal? Under what legislation does the compulsory SCAB Assessment Tool fall under?*

My response to your request is below:

The definition of intoxication is an important inclusion in the Sale and Supply of Alcohol Act 2012. Knowledge of the definition and skill in identifying intoxicated persons is essential in enforcing the main provisions of this Act. The intoxication assessment tool provides a guide for all those involved in the application of the Sale and Supply of Alcohol Act 2012 when assessing intoxication.

Intoxication is now defined under section 5 (interpretation) of the Sale and Supply of Alcohol Act 2012 as:

*"Where a person is observably affected by alcohol, other drugs, or other substances (or a combination of 2 or all of those things) to such a degree that 2 or more of the following are evident:*

- *speech is impaired,*
- *co-ordination is impaired,*
- *appearance is affected or*
- *balance is impaired (SCAB)."*

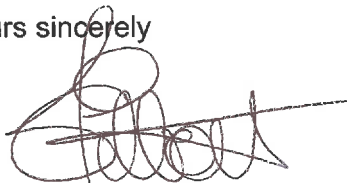
The intoxication assessment tool was the result of collaboration between Police, the Health Promotion Agency, Hospitality New Zealand, the Trinity Group and the New Zealand Institute of Liquor Licensing Inspectors. It was developed to provide a common reference tool to assist in assessing if a person is under the influence of alcohol or intoxicated as defined in the Act.

**Police National Headquarters**

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You have the right, under section 28(3) of the Official Information Act 1982 to ask the Ombudsman to review my decision if you are not satisfied with the way I have responded to your request.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Eric Tibbott', with a long horizontal stroke extending to the right.

Eric Tibbott  
National Manager  
National Prevention Centre