

Policy for the retail sale of approved psychoactive products

In order that you and your staff understand the legal obligations relating to the sale of approved psychoactive products (approved products) under the Psychoactive Substances Act 2013 (the Act) it is recommended that you have a policy in place.

Attached are three documents to assist you to comply with the requirements of the Act.

- Policy for the retail sale of approved products.
- Staff training record for the retail sale of approved products.
- Refresher staff training record for the retail sale of approved products.

To ensure that a retail licence holder complies with the conditions of their licence, it is recommended that:

- a training session/meeting is held with all staff members to ensure they are aware of the requirements under the Act. After completion of the session, all staff sign the record stating they attended training
- new staff are given training about the sale of approved products and a record is kept that this has occurred
- refresher training is also held regularly and recorded (recommended at six monthly intervals)
- the retail policy is displayed in areas that staff frequent.

In addition, it is recommended that a log book be kept for recording:

- attempted purchases of more than two approved products per day
- reports of adverse reactions to approved products.

As staff under the age of 18 years are not permitted to buy, possess or sell approved products, it is recommended that staff under the age of 18 years do not conduct any activities associated with approved products.

Name of Retailer:

1. **It is illegal to sell approved psychoactive products to any person under the age of 18. The law requires that all staff take reasonable grounds to prevent the sale of approved psychoactive products to people under the age of 18.**
2. Staff are not permitted to sell approved products to under age customers even if that person claims to be purchasing for, or on behalf of a person who is over 18 years of age.
3. If staff are at all uncertain, you should ask for formal identification. The only approved ID that contains a date of birth and photo is a New Zealand Drivers Licence, Passport or HANZ 18+ Card. If you have any doubts as to the person's age or the validity of ID, you must refuse to sell.
4. Identification should be requested from anyone who looks under the age of 25.
5. Staff must check the date of birth on the approved identification. They should then ask the customer their date of birth. If there is any doubt the customer is not the legal age, staff should not sell to the customer.
6. Staff must check the photo on the approved identification with the customer. If there is any doubt they are not the same person they should not sell to the customer.
7. **Customers are only permitted to buy two approved products (two packets) at one time. This limitation includes two approved products of the same kind, or two different approved products.**
8. **Customers must not be served more than once per day for the purpose of circumventing the above restriction.**
9. Staff should record in a log book all attempted purchases of more than two products.
10. **All customer reports of adverse effects from the use of approved products must be reported to the Authority at: psychoactives@moh.govt.nz.** This includes, if known: the name of the approved product, the nature of the adverse reaction and the circumstances in which the adverse reaction arose.
11. Staff should record in a log book all adverse effects from the use of approved products reported by the customers.
12. It is an offence for a person under the age of 18 years to be in possession or buy a psychoactive substance, including an approved product.
13. Both the retailer and the staff member selling the approved product can be prosecuted in the event of a sale of approved products to a person under 18 years.
14. Fines of up to \$5,000 may be imposed on the staff member and the retailer may receive a fine up to \$10,000.
15. Staff must be aware of the contents of this policy and abide by it at all times.

Licence holder

Date

Staff training record for the retail sale of approved psychoactive products

Please sign the form below to indicate you have read and understood the contents of the policy for the retail sale of approved products.

Staff Member Signature

Licensee Signature

Staff Member Name

Licensee Name

Date:

Date:

Staff Member Signature

Licensee Signature

Staff Member Name

Licensee Name

Date:

Date:

Staff Member Signature

Licensee Signature

Staff Member Name

Licensee Name

Date:

Date:

Staff Member Signature

Licensee Signature

Staff Member Name

Licensee Name

Date:

Date:

Staff Member Signature

Licensee Signature

Staff Member Name

Licensee Name

Date:

Date:

Refresher staff training record for the retail sale of approved psychoactive products

Staff Member Signature	Licensee Signature	Review Date (every six months)



HP6408
May 2016