



HOUSE OF REPRESENTATIVES

# Supplementary Order Paper

Thursday, 30 June 1994

LAW REFORM (MISCELLANEOUS PROVISIONS) BILL (NO. 2)

*Proposed Amendments*

Hon. D. A. M. GRAHAM, in Committee, to move the following amendments:

*Clause 236:* To omit from line 27 on page 110 the number "2", and substitute the number "3".

*Proposed clause 237A:* To insert on page 111, after clause 237, the following clause:

**237A. Disqualification of members of trust—**

(1) Section 200 of the principal Act (as amended by section 4 of the Sale of Liquor Amendment Act 1991) is hereby amended by inserting, after subsection (1), the following subsection:

"(1A) For the purposes of subsection (1) (d) of this section, an incorporated company does not include a company that is a party to a listing agreement with a stock exchange in New Zealand and that has issued securities which are quoted on such an exchange."

(2) Nothing done by or on behalf of a licensing trust in the period beginning on the 1st day of April 1990 and ending with the commencement of this Act shall be treated as invalid or ineffective by reason only of the fact that a person who did any act as a member of the licensing trust was a member or employee or the husband or wife of a member or employee of an incorporated company of the type described in subsection (1A) of section 200 of the principal Act (as inserted by subsection (1) of this section).

EXPLANATORY NOTE

Section 200 (1) (d) of the Sale of Liquor Act 1989 disqualifies a person from being a member of a licensing trust if that person is a member or employee or the husband or wife of a member or employee of any incorporated company that owns any estate in fee simple or any less estate in any licensed premises.

The proposed amendment to section 200 narrows the application of section 200 (1) (d). The effect of the proposed amendment is that if the incorporated company that owns the estate is listed on a stock exchange in New Zealand then a person who is a member or employee or the husband or wife of a

member or employee of such a company will not be disqualified under section 200 (1) (d).

The amendment also provides that nothing done by a licensing trust in the period commencing on the 1st day of April 1990 and ending with the commencement of the Sale of Liquor Amendment Act 1994 shall be invalid by reason only of the fact that a member of the licensing trust was, at any time during that period, a member or employee or the husband or wife of a member or employee of a company that is listed on a stock exchange in New Zealand.