



THE ALCOHOLIC LIQUOR ADVISORY COUNCIL  
REGULATIONS 1978

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 24th day of January 1978

Present:

RT. HON. R. D. MULDOON PRESIDING IN COUNCIL

PURSUANT to the Alcoholic Liquor Advisory Council Act 1976, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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| <ul style="list-style-type: none"> <li>1. Title and commencement</li> <li>2. Interpretation</li> <li>3. Returns by manufacturers of beer</li> <li>4. Returns by manufacturers of spirits</li> <li>5. Returns by manufacturers of grape wine</li> <li>6. Returns by manufacturers of fruit wine</li> </ul> | <ul style="list-style-type: none"> <li>7. Exported liquor to be excluded</li> <li>8. Verification of returns</li> <li>9. Trustee to notify Secretary for Justice of aggregate amount of grape wine sold</li> <li>10. Certain liquor exempt from imposition of levy</li> <li>11. Transitional provisions</li> </ul> |
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REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Alcoholic Liquor Advisory Council Regulations 1978.

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

**2. Interpretation**—In these regulations, unless the context otherwise requires,—

“The Act” means the Alcoholic Liquor Advisory Council Act 1976;

“Required date”, in relation to a return required to be made under any of these regulations, means the 30th day of November next following the expiration of the statistical year in respect of which the return is to be made:

“Statistical year” means a period commencing with the 1st day of October in any year and ending with the 30th day of September in the next succeeding year:

“The trustee” means the person who is for the time being acting as trustee pursuant to section 5 of the Wine Makers Levy Act 1976.

**3. Returns by manufacturers of beer**—Subject to regulation 7 of these regulations, every person who, in any statistical year, manufactures in New Zealand any beer shall furnish to the Secretary for Justice, on or before the required date, a return showing the total amount of beer so manufactured by him during that statistical year.

**4. Returns by manufacturers of spirits**—Subject to regulation 7 of these regulations, every person who, in any statistical year, manufactures in New Zealand any spirits shall furnish to the Secretary for Justice, on or before the required date, a return showing the total amount of spirits so manufactured by him during that statistical year.

**5. Returns by manufacturers of grape wine**—Subject to regulation 7 of these regulations, every person who, in any statistical year, sells any grape wine manufactured by him in New Zealand shall furnish to the trustee, on or before the required date, a return showing the total amount of fortified grape wine, and the total amount of unfortified grape wine, so sold by him during that statistical year.

**6. Returns by manufacturers of fruit wine**—Subject to regulation 7 of these regulations, every person who, in any statistical year, sells any fruit wine manufactured by him in New Zealand shall furnish to the Secretary for Justice, on or before the required date, a return showing the total amount of fortified fruit wine, and the total amount of unfortified fruit wine, so sold by him during that statistical year.

**7. Exported liquor to be excluded**—The amount of liquor exported from New Zealand in any statistical year by any person required to make a return under these regulations shall be excluded from the total amount shown in the return relating to that year as having been manufactured or sold by that person during that year.

**8. Verification of returns**—Every return required to be made under these regulations shall be verified by a declaration, made in accordance with the Oaths and Declarations Act 1957, by the person required to make the return, or by the manager of that person’s business in the course of which the liquor was manufactured or sold.

**9. Trustee to notify Secretary for Justice of aggregate amount of grape wine sold**—On or before the 31st day of January in every year, the trustee shall notify the Secretary for Justice in writing of the aggregate amount of fortified grape wine, and the aggregate amount of unfortified grape wine, shown in the returns furnished to him under regulation 5 of these regulations as having been sold in the statistical year ending with the 30th day of September last preceding.

**10. Certain liquor exempt from imposition of levy**—Notwithstanding section 28 of the Act, no levy shall be payable under that section by any person in respect of any liquor imported into New Zealand by that person for his own use, or received by that person as a bona fide gift from any person overseas, if the amount that would otherwise be payable by way of levy under that section in respect of that liquor is less than \$1.

**11. Transitional provisions**—(1) Regulations 3 to 6 of these regulations shall apply in respect of liquor sold or manufactured during the statistical year that ended with the 30th day of September 1977 as if the required date in respect of each of those regulations were the 14th day of February 1978.

(2) Regulation 9 of these regulations shall apply in respect of returns furnished to the trustee in accordance with subclause (1) of this regulation as if for the words "31st day of January in every year" there were substituted the words "28th day of February 1978".

A. C. McLEOD,  
acting for Clerk of the Executive Council.

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#### EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations are made pursuant to the Alcoholic Liquor Advisory Council Act 1976.

Regulations 1 and 2 are machinery provisions.

Regulations 3 to 6 make provision for returns to be made showing the amount of grape wine sold during the preceding statistical year, and the amount of fruit wine, beer, and spirits manufactured in that year. In the first case, the returns are to be furnished to the trustee under the Wine Makers Levy Act 1976; in the other cases, the returns are to be made to the Secretary for Justice.

Regulation 7 excludes from these computations any liquor that is exported from New Zealand.

Regulation 8 requires every return to be verified by a statutory declaration.

Regulation 9 requires the trustee referred to in regulation 5 to notify the Secretary for Justice of the total amount of grape wine sold in New Zealand in each statistical year, as disclosed by the returns made to the trustee under regulation 5.

Regulation 10 provides that no amount by way of levy is payable under section 28 of the Act in respect of liquor imported for personal use, or received by way of gift from overseas, if the amount of the levy that would otherwise be payable is less than \$1.

Regulation 11 is a transitional provision.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 26 January 1978.

These regulations are administered in the Department of Justice.