



**THE LOCAL AUTHORITIES (PROHIBITING LIQUOR IN  
STREETS AND ROADS) REGULATIONS 1975**

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DENIS BLUNDELL, Governor-General

**ORDER IN COUNCIL**

At the Government House at Wellington this 17th day of November 1975

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT, in relation to boroughs and town districts, to section 410 of the Municipal Corporations Act 1954 and, in relation to counties, to section 449 of the Counties Act 1956, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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**REGULATIONS**

**1. Title and commencement**—(1) These regulations may be cited as the Local Authorities (Prohibiting Liquor in Streets and Roads) Regulations 1975.

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

**2. Form of public notification of resolution**—(1) Every resolution of the Council publicly notified under section 204A (4) of the Municipal Corporations Act 1954 or, as the case may be, under section 210A (4) of the Counties Act 1956, shall be in form 1 or, as the case may be, form 2 in the Schedule to these regulations.

(2) Without limiting the provisions of section 5 (i) of the Acts Interpretation Act 1924, words may be added to or inserted in the form for the purpose of further explanation or information:

Provided that no words so added or inserted shall be calculated to mislead.

Reg. 2

## SCHEDULE

## Form 1

## NOTICE BY CITY (BOROUGH) (TOWN) COUNCIL PROHIBITING CONSUMPTION OR POSSESSION OF INTOXICATING LIQUOR IN STREET(S) CLOSED FOR PUBLIC (EVENT) (FUNCTION) (GATHERING)

The [*Insert name of local authority*] Council (hereinafter referred to as the Council) hereby gives notice that pursuant to section 204A of the Municipal Corporations Act 1954 the Council has resolved as follows:

- (a) CLOSURE OF STREET(S)—That during the holding of the [*Insert name or description of the public event or function or gathering*], [*Insert description of the street(s) or the part(s) thereof to be closed*] (hereinafter referred to as the specified street) shall be closed to ordinary vehicular traffic for the following period(s) (hereinafter referred to as the period of closure):

*[Insert the day(s) and hours of each day during which the closure is to have effect, which shall be for not more than 12 hours in any consecutive period of 24 hours].*

- (b) ACTS PROHIBITED IN SPECIFIED STREET—That the following acts be prohibited during the period of closure:

(i) The drinking of intoxicating liquor in the specified street.

(ii) The bringing of intoxicating liquor or empty glass intoxicating-liquor containers into the specified street.

(iii) The possession of intoxicating liquor or empty glass intoxicating-liquor containers in the specified street.

(iv) The driving or riding of any motor vehicle in the specified street during the specified period(s) (other than the following (vehicles) (classes of vehicles)):

*[Insert the vehicles or classes of vehicles permitted, pursuant to a resolution of the Council, to use the specified street. To be omitted if there are no such vehicles].*

## EXEMPTIONS—

The resolution does not prohibit—

- (a) The carrying of intoxicating liquor from or to premises on land having a frontage to the specified street; if—

(i) The premises are licensed premises as defined in the Sale of Liquor Act 1962, and, in the case of the carriage of liquor from the premises, liquor may lawfully be sold during the period of closure; or

(ii) The liquor is being carried by or for delivery to a person residing on those premises or his bona fide visitors,—

provided the liquor is promptly removed from the street.

- (b) The driving or riding of any motor vehicle from or to premises having a frontage to the specified street by a person residing in those premises or by his bona fide visitors.

SCHEDULE—*continued*

POWERS OF POLICE—

A further effect of the resolution of the Council is that any constable may, without warrant,—

- (a) Arrest any person whom he finds committing an offence as hereinafter mentioned:
- (b) During the period of the closure, arrest any person whom he has reasonable cause to suspect of having committed such an offence:
- (c) Search any parcel, package, bag, case, or other container in the possession of any person in or entering or about to enter the specified street during the period of closure, for the purpose of ascertaining whether or not the parcel, package, bag, case, or container contains any intoxicating liquor or any empty glass intoxicating-liquor container, unless the person in possession of the parcel, package, bag, case, or other container removes it from or, as the case may be, refrains from taking it into the specified street and leaves it outside that street until the period of closure then applying has expired.

Any constable may seize and remove any intoxicating liquor and any intoxicating-liquor container which he has reasonable cause to believe would be evidence of the commission of such an offence.

DEFINITION—

In this notice—

“Intoxicating liquor” means liquor as defined in the Sale of Liquor Act 1962.

OFFENCES—

Any person who knowingly acts in breach of these prohibitions commits an offence and is liable on conviction to a fine of up to \$500.

Form 2

NOTICE BY COUNTY COUNCIL PROHIBITING CONSUMPTION OR POSSESSION OF INTOXICATING LIQUOR IN ROAD(S) CLOSED FOR PUBLIC (EVENT) (FUNCTION) (GATHERING)

The [*Insert name*] County Council (hereinafter referred to as the Council) hereby gives notice that pursuant to section 210A of the Counties Act 1956 the Council has resolved as follows:

- (a) CLOSURE OF ROAD(S)—That during the holding of the [*Insert name or description of the public event or function or gathering*], [*Insert description of the road(s) or the part(s) thereof to be closed*] (hereinafter referred to as the specified road) should be closed to ordinary vehicular traffic for the following period(s) (hereinafter referred to as the period of closure):

[*Insert the day(s) and hours of each day during which the closure is to have effect, which shall be for not more than 12 hours in any consecutive period of 24 hours*].

- (b) ACTS PROHIBITED IN SPECIFIED ROAD—That the following acts be prohibited during the period of closure:
  - (i) The drinking of intoxicating liquor in the specified road.
  - (ii) The bringing of intoxicating liquor or empty glass intoxicating-liquor containers into the specified road.

SCHEDULE—*continued*

(iii) The possession of intoxicating liquor or empty glass intoxicating-liquor containers in the specified road.

(iv) The driving or riding of any motor vehicle in the specified road during the period of closure (other than the following (vehicles) (classes of vehicles)):

*[Insert the vehicles or classes of vehicles permitted, pursuant to a resolution of the Council, to use the specified road. To be omitted if there are no such vehicles].*

## EXEMPTIONS—

The resolution does not prohibit—

- (a) The carrying of intoxicating liquor from or to premises on land having a frontage to the specified road; if—
  - (i) The premises are licensed premises as defined in the Sale of Liquor Act 1962, and, in the case of the carriage of liquor from the premises, liquor may lawfully be sold during the period of closure; or
  - (ii) The liquor is being carried by or for delivery to a person residing on those premises or his bona fide visitors,— provided the liquor is promptly removed from the road.
- (b) The driving or riding of any motor vehicle from or to premises having a frontage to the specified road by a person residing in those premises or by his bona fide visitors.

## POWERS OF POLICE—

A further effect of the resolution of the Council is that any constable may, without warrant,—

- (a) Arrest any person whom he finds committing an offence as hereinafter mentioned:
- (b) During the period of closure arrest any person whom he has reasonable cause to suspect of having committed such an offence:
- (c) Search any parcel, package, bag, case, or other container in the possession of any person in or entering or about to enter the specified road during the period of closure, for the purpose of ascertaining whether or not the parcel, package, bag, case, or container contains any intoxicating liquor or any empty glass intoxicating-liquor container, unless the person in possession of the parcel, package, bag, case, or other container removes it from or, as the case may be, refrains from taking it into the specified road and leaves it outside that road until the period of closure then applying has expired.

Any constable may seize and remove any intoxicating liquor and any intoxicating-liquor container which he has reasonable cause to believe would be evidence of the commission of such an offence.

## DEFINITION—

In this notice—

“Intoxicating liquor” means liquor as defined in the Sale of Liquor Act 1962.

SCHEDULE—*continued*

OFFENCES—

Any person who knowingly acts in breach of these prohibitions commits an offence and is liable on conviction to a fine of up to \$500.

P. G. MILLEN,  
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 prescribe the form of notice to be advertised when a City Council, Borough Council, Town Council, or County Council resolves, under section 204A of the Municipal Corporations Act 1954 or, as the case may be, section 210A of the Counties Act 1956, to close any street or road to ordinary vehicular traffic on the occasion of any public event, function, or gathering, and to prohibit the consumption or possession of intoxicating liquor or the possession of empty glass intoxicating-liquor containers in the closed street or road during the period of the closure.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 20 November 1975.

These regulations are administered in the Department of Internal Affairs.