

Version
as at 3 June 2017



Rugby World Cup 2011 (Empowering) Regulations 2010 (SR 2010/461)

Rugby World Cup 2011 (Empowering) Regulations 2010: revoked, on 3 June 2017, pursuant to section 3(1) of the Statutes Repeal Act 2017 (2017 No 23).

Anand Satyanand, Governor-General

Order in Council

At Wellington this 13th day of December 2010

Present:

His Excellency the Governor-General in Council

Pursuant to section 95 of the Rugby World Cup 2011 (Empowering) Act 2010, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister for the Rugby World Cup, makes the following regulations.

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

These regulations are administered by the Ministry of Business, Innovation, and Employment.

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Regulations

1 Title

These regulations are the Rugby World Cup 2011 (Empowering) Regulations 2010.

2 Commencement

- (1) These regulations, except regulation 7, come into force on the day after the date of their notification in the *Gazette*.
- (2) Regulation 7 comes into force on 1 July 2011.

3 Interpretation

In these regulations,—

Act means the Rugby World Cup 2011 (Empowering) Act 2010

administrative secretariat, in relation to an application, means the administrative secretariat performing functions in relation to that application

monitoring and enforcement means monitoring and enforcement in relation to any approval or declaration, test approval or declaration, or Rugby World Cup liquor licence by the statutory person or body that would, but for the Act, be responsible for that monitoring and enforcement

third party costs means any costs payable to a third party directly in relation to the application, including without limitation the obtaining of specialist advice, travel costs, venue hire, photocopying, and courier services.

Calculation of deposit for application under Part 3 or 5 of Act

4 Administrative secretariat must calculate deposit

The administrative secretariat must calculate the deposit for an application under Part 3 or 5 of the Act in accordance with regulation 5.

5 Calculation of deposit

- (1) For the purpose of section 18(1) of the Act, the deposit is the total of the following, calculated in accordance with any guidelines issued by, and after any consultation with, the chairperson of the Authority:
 - (a) an estimate of the Authority costs in accordance with Schedule 1; and
 - (b) an estimate of the administrative secretariat costs in accordance with Schedule 1; and
 - (c) an amount (expressed inclusive of any goods and services tax) in respect of the estimated costs of monitoring and enforcement; and
 - (d) an estimate (expressed inclusive of any goods and services tax) of the third party costs of the Authority; and
 - (e) an estimate (expressed inclusive of any goods and services tax) of the third party costs of the administrative secretariat.
- (2) Despite subclause (1), if the applicant indicates when lodging an application that it is one to which section 24 of the Act may apply, only costs of the kind described in subclause (1)(a) and (d) may be included in the calculation of the deposit.

Calculation of costs and expenses in relation to application under Part 3 or 5 of Act

6 Calculation of costs and expenses of applications

- (1) For the purpose of section 18(3) and (4) of the Act, the costs and expenses in relation to an application are the total of the following:
 - (a) the Authority costs in accordance with Schedule 1; and

- (b) the administrative secretariat costs as determined by the Authority in accordance with Schedule 1; and
 - (c) such amount for the costs of monitoring and enforcement that the Authority directs; and
 - (d) actual third party costs of the Authority; and
 - (e) actual third party costs of the administrative secretariat, as determined by the Authority.
- (2) The chief executive of the territorial authority that established the administrative secretariat must ensure that a record is kept of the time spent by the staff of the secretariat on each application.
- (3) The records required by subclause (2) must be kept in accordance with any requirements specified by the Authority.

Calculation of deposit and costs and expenses of applications under Part 4 of Act

7 Application of regulations 4, 5(1), and 6 to applications under Part 4

- (1) Regulations 4, 5(1), and 6 apply with any necessary modifications to an application under section 50 of the Act, subject to subclause (2).
- (2) The minimum deposit for an application under section 50 of the Act is \$5,750.

Notice in event of overlapping applications

8 Notice to statutory person or body where Authority proceeds to determine application

The notice given under section 24(3) of the Act may specify—

- (a) the form in which the documentation required to be forwarded to the Authority under section 24(4)(a) of the Act should be provided; and
- (b) that the following information must be given to the Authority by the statutory person or body:
 - (i) details of any fees already paid by the applicant in respect of the application made to the statutory person or body; and
 - (ii) if the statutory person or body operates a time recording system for those applications, the time spent by the statutory person or body and, if applicable, the hourly rate at which the statutory person or body is entitled to charge the applicant for that time spent.

Application to change or cancel interim injunctive order

9 Fee for application

The fee for an application under section 45(2) of the Act for an order changing or cancelling an interim injunctive order under section 44 of the Act is \$1,250 (inclusive of any goods and services tax).

Household unit used for transient accommodation

10 Requirements in relation to evacuation notice and how to call emergency services

- (1) The evacuation notice required by section 6(1)(b)(i) of the Act must—
 - (a) be displayed on or next to every door from the household unit that can be used in the case of fire; and
 - (b) be—
 - (i) at least International size A4; and
 - (ii) printed and legible; and
 - (c) contain information about how to call emergency services; and
 - (d) state the following matters in respect of a fire emergency:
 - (i) the nearest exit to, or towards, a place of safety; and
 - (ii) the nearest alternative exit; and
 - (iii) where to assemble in an evacuation; and
 - (iv) what a person with a disability should do in the event of an evacuation.
- (2) Information about how to call emergency services required by section 6(1)(b)(i) of the Act must—
 - (a) be displayed next to any telephone installed in the household unit; and
 - (b) be printed and legible; and
 - (c) state how to raise the alarm in the event of a fire or other emergency.

11 Nominated period

The nominated period for the purpose of section 6 of the Act is 1 August 2011 to 15 January 2012.

Rugby World Cup liquor licence

12 Form of Rugby World Cup liquor licence

- (1) A Rugby World Cup liquor licence must be in the form specified in Schedule 2.
- (2) The licence must be printed on paper of a colour that clearly distinguishes it from a licence issued under the Sale of Liquor Act 1989.

Schedule 1
Costs and expenses in relation to applications under Part 3, 4, or 5 of
Act

rr 5, 6

Authority costs

For each hour spent by each member of the Authority in relation to the application	\$250 per hour
For each hour spent in relation to the application by any person who, in accordance with any guidelines issued by the chairperson of the Authority, is to be treated as a technical advisor	\$250 per hour
For each hour spent in relation to the application by any person who, in accordance with any guidelines issued by the chairperson of the Authority, is to be treated as an administrator	\$140 per hour

Administrative secretariat costs

For each hour spent in relation to the application by any person who, in accordance with any guidelines issued by the chairperson of the Authority, is to be treated as a senior planner or advisor	An amount not exceeding \$193 per hour
For each hour spent in relation to the application by any person who, in accordance with any guidelines issued by the chairperson of the Authority, is to be treated as an intermediate planner or advisor	An amount not exceeding \$175 per hour
For each hour spent in relation to the application by any person who, in accordance with any guidelines issued by the chairperson of the Authority, is to be treated as a junior planner or advisor	An amount not exceeding \$148 per hour
For each hour spent in relation to the application by any person who, in accordance with any guidelines issued by the chairperson of the Authority, is to be treated as an administrator	An amount not exceeding \$104 per hour

All amounts in this schedule are inclusive of any goods and services tax.

Schedule 2

Rugby World Cup liquor licence

r 12

Form

Rugby World Cup liquor licence

r 12(1)

Section 76, Rugby World Cup 2011 (Empowering) Act 2010

***Under** the Rugby World Cup 2011 (Empowering) Act 2010, [full name] is authorised to sell and supply liquor to any person present on the premises situated at [number, street, and town] and known as [trading name of premises] for consumption on those premises, and to allow the consumption of liquor on the premises.

***Under** the Rugby World Cup 2011 (Empowering) Act 2010, [full name] is authorised to sell and supply liquor to any person present in [describe area to which licence applies] for consumption in that area, and to allow the consumption of liquor in that area.

***Under** the Rugby World Cup 2011 (Empowering) Act 2010, [full name] is authorised to—

- (a) sell and supply liquor to any person present on the premises situated at [number, street, and town] and known as [trading name of premises] for consumption on those premises, and to allow the consumption of liquor on the premises; and
- (b) sell and supply liquor to any person present in [describe area to which licence applies] for consumption in that area, and to allow the consumption of liquor in that area.

*Select the paragraph that applies.

Conditions

This licence is subject to the following conditions:

- 1 The licensee must have available for consumption on the licensed premises/in the licensed area/on the licensed premises and in the licensed area*—
 - (a) a reasonable range of non-alcoholic refreshments for sale or supply; and
 - (b) drinking water free of charge.

*Select one.

- 2 Liquor may be sold only on the following days and during the following hours: [specify, including any different hours and days applicable to different parts of the licensed premises or licensed area].

- 3 Low-alcohol beverages must be available for sale and supply on the licensed premises/in the licensed area/on the licensed premises and in the licensed area* as follows: [specify].

*Select one.

- 4 Food must be available for consumption on the licensed premises/in the licensed area/on the licensed premises and in the licensed area* as follows: *[specify]*.
*Select one.
- 5 The following actions are prohibited in order to discourage the excessive consumption of liquor by persons on the licensed premises/in the licensed area/on the licensed premises and in the licensed area*: *[specify]*.
*Select one.
- 6 The maximum number of patrons permitted on the licensed premises/in the licensed area/on the licensed premises and in the licensed area* at any one time is: *[specify]*.
*Select one.
- 7 The following steps must be taken by the licensee to provide information about, or assistance with, alternative forms of transport from the licensed premises/licensed area/licensed premises and the licensed area*: *[specify]*.
*Select one.

Select any of paragraphs 8 to 15 that apply.

- 8 The whole/Each of the following parts* of the licensed premises/licensed area/licensed premises and the licensed area* is designated as—
(a) a restricted area: *[specify]*
(b) a supervised area: *[specify]*.
*Select one.
- 9 There are the following limits on when liquor may be served and what quantity or kind of liquor may be served: *[specify]*.
- 10 The following conditions apply as to the types and sizes of vessels in which drinks must be served: *[specify]*.
- 11 The licensee must provide the following information to patrons as a means to promote reasonable consumption of liquor: *[specify]*.
- 12 If the licensee is a club or chartered club, liquor may be sold or supplied only to the following class of persons: *[specify]*.
- 13 *[Specify any condition imposed under section 78(3)(e) of the Act relating to security staff and the means to control access to the premises or area.]*
- 14 *[Specify any condition imposed under section 78(3)(f) of the Act relating to any other security measures required.]*
- 15 *[Specify any other conditions imposed under section 78(3)(h) of the Act.]*

Duration

Subject to the provisions of the Act relating to the suspension and cancellation of licences, the licence—

- (a) comes into force on 9 September 2011; and
- (b) expires on [*specify 31 October 2011 or other date between 9 September 2011 and 31 October 2011*].

Dated at: [*place, date*]

Signature:

(Chairperson of Authority (*or* presiding officer of panel), on behalf of Rugby World Cup Authority)

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

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

These regulations are made under the Rugby World Cup 2011 (Empowering) Act 2010 (the **Act**). Except for *regulation 7*, the regulations come into force on the day after the date of their notification in the *Gazette*. *Regulation 7* comes into force on 1 July 2011.

Regulation 3 defines terms used in the regulations.

Regulations 4 and 5 provide for the calculation of the deposit referred to in section 18(1) of the Act in respect of an application under Part 3 of the Act (which relates to approvals and declarations) or Part 5 of the Act (which relates to Rugby World Cup liquor licences).

Regulation 6 provides for the manner of calculation of the costs and expenses of determining applications under Part 3 or 5 of the Act.

Regulation 7 comes into force on the date that Part 4 of the Act comes into force (1 July 2011). It provides that *regulations 4, 5(1), and 6* apply to the calculation of a deposit and the costs and expenses of an application under Part 4 of the Act (which relates to urgent declarations and approvals).

Regulation 8 relates to overlapping applications to which section 24 of the Act applies. It provides for certain matters to be specified in the notice given by the Authority to the statutory person or body to which an application was made where the Authority proceeds to determine the application.

Regulation 9 prescribes the fee for an application under section 45(2) of the Act for an order changing or cancelling an interim injunctive order under section 44 of the Act.

Regulation 10 prescribes the requirements for the evacuation notice and information about calling emergency services that are referred to in section 6 of the Act. These requirements apply where a household unit is let to travellers during the nominated period (*see regulation 11*).

Regulation 11 prescribes the nominated period for the purposes of section 6 of the Act.

Regulation 12 prescribes the form of the Rugby World Cup liquor licence.

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*: 16 December 2010.

Notes

1 *General*

This is a consolidation of the Rugby World Cup 2011 (Empowering) Regulations 2010 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

Statutes Repeal Act 2017 (2017 No 23): section 3(1)