

House of Representatives

Supplementary Order Paper

Tuesday, 23 October 2012

Alcohol Reform Bill

Proposed amendments

Hon Judith Collins, in Committee, to move the following amendments:

Clause 2 (as proposed to be amended by Supplementary Order Paper No 132)
In *clause 2(2)*, replace “**391 to 398**” with “**391 to 393, 395 to 398**”.

Clause 5 (as proposed to be amended by Supplementary Order Paper No 132)
In *clause 5(1)*, delete the definitions of **beer, fruit or vegetable wine, grape wine, and mead**.

Clause 59 (as proposed to be replaced by Supplementary Order Paper No 132)
Delete the replacement.

Clause 76
In *clause 76*, replace “Act” (line 33 on page 68) with “subpart”.

Clause 391
After *clause 391(1)* (after line 23 on page 242), insert:

- (1A) Despite **subsection (1)**, the trading hours permitted for premises to which a licence continued by that subsection applies—
 - (a) are the default maximum national trading hours stated by **section 44** for the relevant kind of licence, in any case where, immediately before the commencement of this section, the same or longer trading hours were permitted for those premises:
 - (b) in every other case, are the shorter trading hours permitted under that licence.
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Explanatory note

This Supplementary Order Paper makes a number of adjustments to Supplementary Order Paper No 132. The first concerns the commencement clause and relates to the licensing authority. *Clause 394* of the Alcohol Reform Bill provides that the existing members of the licensing authority continue in office. That provision would currently come into force 12 months after the Royal assent of the Bill. It is, however, meant to come into force on the day after Royal assent, because that is when the provisions that continue the existing licensing authority take effect. This Supplementary Order Paper ensures that these related provisions will come into force at the same time.

The Supplementary Order Paper deletes from Supplementary Order Paper No 132 the proposed replacement of *clause 59*, which relates to the restrictions that apply to the sale of alcohol in supermarkets and grocery shops. The proposed replacement is to the same effect as *clause 59* as recommended by the Justice and Electoral Committee. However, in its proposed new form it has given rise to doubt as to the applicability of the New Zealand food standard. The proposed amendment is accordingly withdrawn to remove those doubts. The deletion also requires the consequential deletion of a number of definitions proposed by Supplementary Order Paper No 132.

This Supplementary Order Paper also amends *clauses 76 and 391* of the Bill.

Clause 76 provides that, where two or more territorial authorities adopt a single local alcohol policy, the Act applies to them as if they were a single authority with a single district. However, the treatment of several authorities as a single authority is only meant to apply for the purposes of local alcohol policies, not for all matters covered by the Bill. The Supplementary Order therefore replaces “this Act” in *clause 76* with “this subpart”, namely *subpart 2 of Part 3*, which is the subpart that deals with local alcohol policies.

Clause 391 is amended to provide that licences in existence 12 months after Royal assent will be subject to the national default maximum trading hours stated in *clause 44*.