

House of Representatives

Supplementary Order Paper

Thursday, 1 July 2021

Sale and Supply of Alcohol (Renewal of Licences) Amendment Bill (No 2)

Proposed amendment

Louisa Wall, in Committee, to move the following amendment:

New clause 4M

After *clause 4* (page 2, after line 6), insert:

4M Section 95 amended (Amendment of local alcohol policies)

After section 95(2), insert:

- (3) However, a territorial authority may make minor amendments to, or correct errors in, its local alcohol policy by giving public notice of the amendments or corrections in accordance with regulations made under this Act.
- (4) In this section, **minor amendments** means amendments that do not affect an existing right of a licensee.

Explanatory note

This Supplementary Order Paper amends the Sale and Supply of Alcohol (Renewal of Licences) Amendment Bill (No 2) (the **Bill**). Section 95 of the Sale and Supply of Alcohol Act 2012 (the **principal Act**) is amended to allow territorial authorities to make minor amendments to, or correct errors in, local alcohol policies by giving public notice of the amendments or corrections.

This change was recommended to the Governance and Administration Committee by Local Government New Zealand (**LGNZ**) in 2018, when the committee considered the Bill and accompanying Supplementary Order Paper No 14. LGNZ submitted that the principal Act is unclear about the process for amending a local alcohol policy.

**Proposed amendments to
Sale and Supply of Alcohol (Renewal of Licences)
Amendment Bill (No 2)**

SOP No 55

Section 95(2) of the principal Act provides that the Act applies to the amendment of a local alcohol policy as if it were the adoption of a local alcohol policy. LGNZ submitted that the principal Act fails to provide direction about whether an amendment (regardless of significance) requires use of the special consultative procedure or not, and considered that the principal Act could be interpreted to require a repeat of the process set out in section 79 for adopting a new policy, including preparing a provisional policy and providing a right of appeal.