

# House of Representatives

# Supplementary Order Paper

Thursday, 1 July 2021

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

### *Proposed amendments*

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

*New clauses 4F to 4L*

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

- 4F Section 79 amended (Territorial authority must produce provisional policy by consulting on draft policy using special consultative procedure)**
- (1) In the heading to section 79, delete “provisional”.
  - (2) In section 79, delete “provisional” in each place.
- 4G Section 80 amended (Territorial authority wishing to adopt provisional policy must give public notice)**
- (1) In the heading to section 80, delete “provisional”.
  - (2) Replace section 80(1) with:
    - (1) If, after producing a policy under section 79, a territorial authority continues to wish to have a local alcohol policy, it must then give public notice of the policy.
- 4H Sections 81 to 86 repealed**
- Repeal sections 81 to 86.
- 4I Section 87 amended (When local alcohol policy adopted)**
- (1) Replace section 87(1) with:

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- (1) A local alcohol policy is adopted 30 days after its public notification.
- (2) Repeal section 87(2) to (5).
- 4J Section 88 amended (Territorial authority may discontinue development of local alcohol policy)**  
In section 88(2), delete “to (4)”.
- 4K Section 89 amended (Disallowance of local alcohol policy)**  
In section 89(1), replace “Once a provisional local alcohol policy has been adopted and ceased to be provisional” with “Once a local alcohol policy has been adopted”.
- 4L Section 90 amended (When local alcohol policy is in force)**  
In section 90(1), replace “Once a provisional local alcohol policy has been adopted and ceased to be provisional” with “Once a local alcohol policy has been adopted”.

*New clauses 6A to 6H and cross-heading*

After *clause 6* (page 2, after line 22), insert:

- 6A Section 170 amended (Functions of licensing authority)**  
Repeal section 170(c).
- 6B Section 205 repealed (Right of persons to appear in relation to appeal under section 81)**  
Repeal section 205.

*Consequential amendments to Sale and Supply of Alcohol  
Regulations 2013*

- 6C Principal regulations**  
**Sections 6D to 6H** amend the Sale and Supply of Alcohol Regulations 2013.
- 6D Regulation 3 amended (Interpretation)**  
In regulation 3(1), revoke the definition of **provisional LAP**.
- 6E Regulation 16 amended (Territorial authorities adopting joint LAP)**  
In regulation 16, replace “a provisional LAP” with “an LAP”.
- 6F Regulation 17 replaced (Public notice of provisional LAP)**  
Replace regulation 17 with:

**17 Public notice of LAP**

- (1) If the LAP has been developed by a single territorial authority, a public notice of the LAP given under **section 80(1)**—
  - (a) must be published once in a newspaper that is—
    - (i) a daily newspaper circulating in the authority’s district; or
    - (ii) another newspaper in the district with a circulation not less than that of a daily newspaper circulating in the district; and
  - (b) must also be published by being prominently displayed on the authority’s internet site until the LAP is adopted.
- (2) If the LAP has been developed by 2 or more territorial authorities, public notice of the LAP given under **section 80(1)**—
  - (a) must be published once in a newspaper that is—
    - (i) a daily newspaper circulating in the districts of all the authorities; or
    - (ii) another newspaper in those districts with a circulation not less than that of a daily newspaper circulating in those districts; and
  - (b) must also be published by being prominently displayed on the internet sites of each of the authorities until the LAP is adopted.

**6G Regulation 18 revoked (Appeal against element of provisional LAP)**

Revoke regulation 18.

**6H Regulation 19 amended (Public notice of adoption of LAP)**

- (1) Replace regulation 19(1) with:
  - (1) A public notice of the adoption of an LAP given by a territorial authority under section 90(1) of the Act must state that the LAP has been adopted.
- (2) In regulation 19(2) and (3), delete “provisional”.

**Explanatory note**

This Supplementary Order Paper amends the Sale and Supply of Alcohol (Renewal of Licences) Amendment Bill (No 2) (the **Bill**). The effect of the amendments is to remove the right of appeal against a provisional local alcohol policy and, consequently, to remove references to a local alcohol policy being “provisional”.

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This change was recommended to the Governance and Administration Committee by submitters in 2018, when the committee considered the Bill and accompanying Supplementary Order Paper No 14.

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