

DRAFT FOR CONSULTATION

Sale and Supply of Alcohol (Repeal of Licensing Trust Monopolies) Amendment Bill

Member's Bill

Explanatory note

General policy statement

This Bill would repeal the monopoly provisions in sections 348 to 350 of the Sale and Supply of Alcohol Act 2012, which apply to the licensing trusts listed in Part 1 of Schedule 1 of the Act.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause and provides for this Bill to come into force on the day after Royal assent.

Clause 3 states that this Bill amends the Sale and Supply of Alcohol Act 2012.

Clause 4 repeals sections 348 to 350, which provide for specified licensing trusts to have exclusive on-licence and off-licence rights to sell and supply alcohol in hotels, taverns, and other premises in the Trust district.

Clause 5 and *Schedule 1* provide for transitional matters.

Clause 6 and *Schedule 2* make consequential amendments.

Simon Court

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Sale and Supply of Alcohol (Repeal of Licensing Trust Monopolies) Amendment Act **2024**.

2 Commencement

This Act comes into force on the day after Royal assent.

3 Principal Act

This Act amends the Sale and Supply of Alcohol Act 2012.

4 Sections 348 to 350 and cross-heading repealed

Repeal sections 348 to 350 and the cross-heading above section 348.

5 Schedule 1AA amended

In Schedule 1AA,—

- (a) insert the Part set out in **Schedule 1** of this Act as the last Part; and
- (b) make all necessary consequential amendments.

6 Consequential amendments to principal Act

Amend the principal Act as set out in **Schedule 2**.

Schedule 1
New Part 3 inserted into Schedule 1AA

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Part 3
**Provisions relating to Sale and Supply of Alcohol (Repeal of
Licensing Trust Monopolies) Amendment Act 2024**

3 Interpretation

In this Part,—

amendment Act means the Sale and Supply of Alcohol (Repeal of Licensing Trust Monopolies) Amendment Act **2024**

commencement date means the date that the amendment Act comes into force.

4 Transitional provision relating to applications for licences

(1) This clause applies to an application for a licence that is lodged before the commencement date but not determined before that commencement.

(2) If this clause applies,—

(a) in the case of proceedings begun before the commencement date, this Act as it was in force immediately before the commencement date continues to apply as if the Amendment Act had not been enacted:

(b) in the case of proceedings not begun before the commencement date, this Act as amended by the amendment Act applies.

5 No compensation payable

No compensation is payable by the Crown for any loss or damage, or any adverse effect on any right or interest, arising from the enactment or operation of the amendment Act.

Schedule 2

Consequential amendments

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Section 32

Repeal section 32(2).

Section 304

Repeal section 304(4).

Section 358

Repeal section 358(4).