

# DRAFT FOR CONSULTATION

## **Sale and Supply of Alcohol (Sales on Anzac Day Morning, Good Friday, Easter Sunday, and Christmas Day) Amendment Bill**

Member's Bill

### **Explanatory note**

#### **General policy statement**

For most of the year, the sale and supply of alcohol is determined by rules influenced by health considerations. However, for 3.5 days per year the sale and supply of alcohol is determined by other reasons.

This bill will repeal sections 47 and 48 of the Sale and Supply of Alcohol Act 2012 to allow licensed businesses already permitted to open on ANZAC Day morning, Good Friday, Easter Sunday and Christmas Day to sell alcohol under their usual licence conditions.

This will prevent the need to apply for a special licence to serve alcohol to veterans after ANZAC Day services, remove any incentive to stockpile alcohol before Easter, and allow hospitality businesses to operate under normal conditions during some of the busiest and most profitable times of the year.

#### **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* identifies the Sale and Supply of Alcohol Act 2012 as the Act being amended by the Bill (the **principal Act**).

*Clause 4* amends section 43 of the principal Act to remove the reference to sections 47 and 48.

*Clause 5* repeals section 47 of the principal Act to remove the default restriction on the sale and supply of alcohol on Anzac Day morning, Good Friday, Easter Sunday, and Christmas Day by holders of on-licences.

*Clause 6* repeals section 48 of the principal Act to remove the default restriction on the sale and supply of alcohol on Anzac Day morning, Good Friday, Easter Sunday, and Christmas Day by holders of off-licences.

*Clause 7* consequentially amends section 49 of the principal Act to remove the reference to section 48.

*Clause 8* contains consequential amendments to the Sale and Supply of Alcohol Regulations 2013 to update the forms that apply to on-licences and off-licences to remove the references to the restrictions provided for in sections 47 and 48 of the principal Act.

*Hon Kieran McAnulty*

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**The Parliament of New Zealand enacts as follows:**

**1 Title**

This Act is the Sale and Supply of Alcohol (Sales on Anzac Day Morning, Good Friday, Easter Sunday, and Christmas Day) 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 Section 43 amended (Default national maximum trading hours)**

Repeal section 43(2).

**5 Section 47 repealed (Sale and supply on Anzac Day morning, Good Friday, Easter Sunday, and Christmas Day restricted: on-licences)**

Repeal section 47.

**6 Section 48 repealed (Sale on Anzac Day morning, Good Friday, Easter Sunday, and Christmas Day restricted: off-licences)**

Repeal section 48.

**7 Section 49 amended (Remote sales exempted from trading hours restrictions)**

- (1) In section 49(2)(a), replace “sections 46 and 48” with “section 46”.
- (2) In section 49(2)(b), replace “sections 48 and 59(1)” with “section 59(1)”.

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

- (1) This section amends the Sale and Supply of Alcohol Regulations 2013 (SR 2013/459)
- (2) In the Schedule, Form 9, under the heading **Conditions**, revoke paragraph (a).
- (3) In the Schedule, Form 10, under the heading **Conditions**, revoke paragraphs (a) and (b).