



Sale and Supply of Alcohol Act 2012

Presentation to hosting beer events workshop
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Thursday 19 September 2013

Drivers for the Act

- ▶ **Government wants to reduce the harm caused by alcohol**
- ▶ **Communities concerned that children and young people are over-exposed to alcohol**
- ▶ **Communities wanted greater control over alcohol outlets**
- ▶ **Parents wanted more effective support to manage their children's drinking**
- ▶ **The public concerned about alcohol advertising, particularly price promotions**





Key changes under the Act

Alcohol harder to get

The times that alcohol can be sold cut back

- 8am-4am for on-licences
- 7am-11pm for off-licences
- can be extended or restricted by local alcohol policies

Ban on dairies or convenience stores selling alcohol (clarified)

Licences harder to get and easier to lose

- Criteria for obtaining a licence have been strengthened
- Penalties for repeat offenders

Provided for a self-funded risk-based licence fee system

Young people a focus

Parents and guardians supported in restricting alcohol supply to young people

- ▶ No-one will be allowed to supply alcohol to a minor without express consent of a parental or guardian
- ▶ Alcohol must always be supplied responsibly

- ▶ Extension of “Public place” for liquor bans

Communities have a greater say

Councils can develop local alcohol policies - can:

- ▶ restrict or extend trading hours of licensed premises
- ▶ limit location & density of licences
- ▶ impose one-way door policies
- ▶ impose conditions on licensed premises

Decision-making on opposed licences moved to local District Licensing Committees

People have more grounds to object to licences, such as on the basis of:

- ▶ the object of the Act
- ▶ amenity & good order of the locality
- ▶ design and layout of a premises
- ▶ consistency with a LAP

Exposure to alcohol reduced

Supermarkets and grocery stores can only display and advertise alcohol in a single, non-prominent area of their store



Restrictions on alcohol advertising & promotions tightened

- ▶ promotions that encourage heavy drinking prohibited
- ▶ advertising that has special appeal to minors prohibited
- ▶ offering inducements to buy alcohol prohibited
- ▶ promoting / advertising discounts of more than 25% (unless inside a premises)

Alcohol-related offences & enforcement

Managers who commit 3 offences in 3 years automatically lose certificate

Licensees who commit 3 offences in 3 years automatic application to cancel licence

Liquor bans strengthened

- ▶ extended to cover problem areas such as supermarket car parks and school grounds
- ▶ breach of a liquor ban becomes an infringement offence
- ▶ Police maintain their powers of arrest, to diffuse problem situations

Parental consent and responsible supply offences

Implementation

19 Dec
2012

- Alcohol Regulatory and Licensing Authority (ARLA) replaced the Liquor Licensing Authority
- New licences will be interim licences; the licensee will have to apply for a new licence after one year
- TAs can start drafting and consulting on their LAPs (optional)

18 Jun
2013

- New criteria apply to applications filed after this date
- Objections can be made on the basis of the new criteria
- Licences can be phased out if the applicant would not be eligible for a licence under the new Act

18 Dec
2013

- District Licensing Committees replace District Licensing Agencies
- TAs can publicly notify and adopt their provisional LAPs
- The rest of the Act takes effect (including the maximum trading hours)

Implementation contd

- ▶ Big changes for NZ's Territorial Authorities (councils)
 - all licensing decisions made locally - District Licensing Committees (DLC)
 - different role for licensing inspectors
 - new criteria and transitional rules - from 18 June 2013
 - alcohol policy can be set locally through LAPs
 - maximum default hours (8am to 4am on-licences & 7am - 11 pm off-licences) - only changed by a LAP
 - single areas for supermarkets / groceries – condition of licence
 - regulations allowing full cost recovery – previously ~50% costs recovered
 - alcohol bans - balance and evidence required
- ▶ TAs generally engaged and advanced in planning for changes – support from Government agencies

Implementation contd

Key issues arising so far:

- LAPs – what provisions will TAs set and what response from industry
- trading hours limits – must apply until LAP is in place
- risk-based fees
- what is a “diary” versus a “grocery”
- finding and training members of DLCs
- interpretation of the Act

What government is doing

- ▶ set up advisory groups for key pieces of work
- ▶ developing regulations and fees
- ▶ communication – newsletter, website, webinars, email, face-to-face
- ▶ developing training materials for DLCs and enforcement staff
- ▶ running NZ-wide workshops for enforcement staff
- ▶ developing guidance and resources to help implementation
- ▶ Police – identified key contracts for every TA and information protocols
- ▶ getting ready ourselves – Alcohol Regulatory and Licensing Authority (ARLA), MoJ, Police, Health
- ▶ working closely with local government agencies
- ▶ working through industry associations to distribute information and support consultation
- ▶ planning for public awareness in advance of 18 December