

House of Representatives
Supplementary Order Paper

Tuesday, 19 June 2012

Alcohol Reform Bill

Proposed amendments

Charles Chauvel, in committee, to move the following amendments:

Clause 45:

Delete *clause 45* (lines 1 to 21 on page 52).

Clause 46:

In the heading to *clause 46*, replace “for premises with” (line 22 on page 52) with “contained in”.

In *clause 46(1)(a)* replace “there is in force a local alcohol policy containing” (lines 27 and 28 on page 52) with “the local alcohol policy contains”.

In *clause 46(2)(a)* replace “there is in force a local alcohol policy containing” (lines 36 and 37 on page 52) with “the local alcohol policy contains”.

Clause 75:

In the heading to *clause 75* replace “may” (line 14 on page 68) with “must”.

In *clause 75*, replace *subclause (1)* (lines 17 to 19 on page 68) with:

- (1) Every territorial authority must have a policy relating to the sale, supply, or consumption of alcohol within its district 

In *clause 75*, delete *subclause (4)* (lines 29 and 30 on page 35).

Clause 77:

In *clause 77(1)* replace “may include policies on any or all of the following matters relating to licensing (and no others)” (lines 2 and 3 on page 69) with “must include policies on all of the following matters” 

 In *clause 77(1)(e)* replace “restrictions.” (line 14 on page 69) with “restrictions:”

In *clause 77(1)*, after *paragraph (e)* (after line 14 on page 69) insert:

- (f) the management of intoxicated people in public places, in consultation with the police, and ambulance and health services.

In *clause 77*, after *subclause (1)* (before line 15 on page 69), insert

- (1A) A local alcohol policy may include a strategy for reducing alcohol-related harm in the district.

In *clause 77*, replace *subclause (2)* (lines 15 to 17 on page 69) with:

- (2) Any policies made under *subclause (1)(a)* to (d) must have regard to *clause 130*, but do not automatically apply to special licences, or premises for which a special licence is held or has been applied for.

Clause 77A:

In *clause 77A(1)*, delete “that wishes to have a local alcohol policy” (line 24 on page 70).

In *clause 77(2)(c)*, after “the demography” (line 34 on page 70), insert “and socio-economic composition”.

in *clause 77(4)*, after “Medical Officers of Health” (lines 6 and 7 on page 71), insert “local iwi and hapū”.

Clause 78:

In *clause 78*, replace *subsection (1)* (lines 11 to 15 on page 71), with:

- (1) After producing a draft policy under section 77A, a territorial authority must produce a provisional policy by using the special consultative procedure to consult on the draft policy.

Clause 80:

In *clause 80(1)*, replace “If, after producing a provisional policy under section 78, a territorial authority continues to wish to have a local alcohol policy, it” (lines 25 to 27 on page 71) with “After producing a provisional policy under section 78 using the special consultative procedure, a territorial authority”.

Clause 83:

In *clause 83(1)(c)*, replace “Act; or” (line 21 on page 73) with “Act.”

In *clause 83(1)*, delete *paragraph (d)* (line 22 on page 73)

Clause 86A:

Delete *clause 86A* (lines 8 to 12 on page 75).

Clause 91:

In *clause 91*, replace *subclause (1)* (line 30 on page 77 to line 2 on page 78), with:

- (1) A territorial authority may, by using the special consultative procedure, revoke its local alcohol policy, and adopt another in its place.

Clause 92:

In *clause 92*, replace “A territorial authority that has a local alcohol policy must review it” (lines 12 and 13 on page 78), with “A territorial authority must review its local alcohol policy”.

Explanatory note

This Supplementary Order Paper This Supplementary Order Paper makes local alcohol policies (LAPs) mandatory for all territorial authorities in line with the Law Commission’s recommendation. It also lifts the restriction on local alcohol policies being restricted to licensing to allow local bodies and individuals to effect cultural change through the vehicle of the LAP in line with the Law Commission’s report. It strengthens the content of LAPs by enabling the consideration of local demographics and social-economic factors to influence their content. It imposes a duty to consult with local iwi and hapū, and gives a right of appeal so that the community should be intimately involved with the process of dealing with alcohol-related harm in their area. It also states that a public hearing provision should apply.
