

House of Representatives

Supplementary Order Paper

Wednesday, 6 April 2016

Sale and Supply of Alcohol (Exemption for RNZRSA Clubs from Special Licencing Requirements for Anzac Day) Amendment Bill

Proposed amendments

Paul Foster-Bell, in Committee, to move the following amendments:

Clause 1

In *clause 1* (page 1, lines 2 to 4), replace “(Exemption for RNZRSA Clubs from Special Licencing Requirements for Anzac Day)” with “(Anzac Day Trading Hours for Licensed RNZRSA Clubs)”.

Clause 4

Replace *clause 4* (page 1, line 10 to page 2, line 3) with:

4 Section 5 amended (Interpretation)

- (1) In section 5(1), insert in their appropriate alphabetical order:

RNZRSA means the Royal New Zealand Returned and Services' Association that is incorporated under the Incorporated Societies Act 1908 and is registered as a charity under the Charities Act Act 2005

RNZRSA club means a club that is a member or an affiliate of RNZRSA

- (2) In section 5(1), in the definition of **permitted trading hours**, after paragraph (b), insert “; and”, and further insert:

(c) in the case of an RNZRSA club to which **section 47A** applies, includes the hours specified in **section 47A(2)**

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5 Section 44 amended (Permitted trading hours for premises without relevant local alcohol policy)

In section 44(3), after “(Rugby World Cup 2015 extended trading hours)”, insert “and **section 47A** (Anzac Day trading hours for licensed RNZRSA clubs)”.

6 Section 45 amended (Permitted trading hours for premises with relevant local alcohol policy)

In section 45(3), after “(Rugby World Cup 2015 extended trading hours)”, insert “and **section 47A** (Anzac Day trading hours for licensed RNZRSA clubs)”.

7 New section 47A inserted (Anzac Day Trading Hours for Licensed RNZRSA clubs)

After section 47, insert:

47A Anzac Day trading hours for licensed RNZRSA clubs

- (1) This section applies to licensed premises if—
 - (a) the premises houses an RNZRSA club; and
 - (b) the club holds a club licence for the premises.
- (2) Despite anything in section 44 or 45, the permitted trading hours for any licensed premises to which this section applies include the hours from 4 am to 1 pm on Anzac Day.
- (3) Any one-way door restriction applicable to the premises does not operate during the hours specified in **subsection (2)**.
- (4) An RNZRSA club’s use of land at its licensed premises during the hours specified in **subsection (2)** must be treated as not contravening section 9 of the Resource Management Act 1991 if—
 - (a) this section applies to the premises; and
 - (b) the use would comply with section 9 of the Resource Management Act 1991 if it occurred during any other permitted trading hours.

Explanatory note

This Supplementary Order Paper amends the Bill to achieve its objects by adjusting the permitted trading hour restrictions, rather than providing these clubs with a general exemption from the provisions of the Sale and Supply of Alcohol Act 2012 (the **principal Act**) on Anzac Day. The adjustment provided under this Supplementary Order Paper applies only to Royal New Zealand Returned and Services’ clubs that hold existing club licences for the premises under the principal Act. Clubs without licences and clubs with on-licences would be required to obtain a special licence under section 47 of the principal Act. The Supplementary Order Paper also inserts new defi-

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ditions in respect of the Royal New Zealand Returned and Services' Association and affiliated clubs to more correctly define these entities.