

Sale of Liquor Amendment Regulations 1999

PURSUANT to section 229 of the Sale of Liquor Act 1989, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

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1 Title and commencement

- (1) These regulations may be cited as the Sale of Liquor Amendment Regulations 1999, and are part of the Sale of Liquor Regulations 1990¹ (“the principal regulations”).
- (2) Regulations 2 and 3 come into force on the day after the date on which these regulations are notified in the *Gazette*.
- (3) Regulations 4 to 7 and the Schedule come into force on 1 December 1999.

2 Interpretation

Regulation 2 of the principal regulations is amended by inserting, in their appropriate alphabetical order, the following definitions:

“**Evidence of age document** means an evidence of age document of the type described in section 2A(2)(d) of the Act

“**Issuer**, in relation to an evidence of age document, means a person, organisation, body corporate, Government department, Crown agency, or statutory board specified under section 2A of the Act

“**New Zealand driver licence** means a driver licence issued under the Land Transport Act 1998”.

Evidence of age

3 New regulations inserted

The principal regulations are amended by inserting, after regulation 21, the following heading and regulations:

“*Applications for evidence of age documents*”

“21A General requirements

A person (‘the applicant’) applying to an issuer for an evidence of age document must be 18 years of age or older, and must—

- “(a) Produce a statutory declaration made by the applicant that includes the information specified in regulation 21B; and
- “(b) Produce 1 of the forms of evidence of identification specified in regulation 21C; and

¹ SR 1990/61

Amendment No 1: SR 1991/292

- “(c) If the applicant produces 1 of the forms of evidence of identification specified in regulation 21C(d), (f), (g), (i), or (j), produce a statement as to identification that complies with regulation 21D; and
- “(d) Produce 1 of the forms of evidence of address specified in regulation 21E; and
- “(e) Produce, or permit the issuer to take, 2 photographs of the applicant that comply with regulation 21F.

“21B Information to be included in statutory declaration

The statutory declaration must include the following information:

- “(a) The applicant’s full name:
- “(b) The applicant’s residential and postal addresses:
- “(c) The applicant’s date of birth:
- “(d) The applicant’s place of birth:
- “(e) The applicant’s gender.

“21C Forms of evidence of identification

The forms of evidence of identification are any of the following that have been issued to the applicant:

- “(a) A New Zealand passport that is current or has expired within the 2 years immediately preceding the date of the application:
- “(b) A New Zealand driver licence that is current or has expired within the 2 years immediately preceding the date of the application:
- “(c) An overseas passport that is current or has expired within the 2 years immediately preceding the date of the application:
- “(d) Any of the following certificates issued under the Citizenship Act 1977:
 - “(i) A certificate of New Zealand citizenship:
 - “(ii) A certificate confirming New Zealand citizenship:
 - “(iii) A certificate confirming registration of citizenship by descent:

- “(e) A certificate of identity, issued under the Passports Act 1992, that is current or has expired within the 2 years immediately preceding the date of the application:
- “(f) A certificate of identity, as defined in section 2(1) of the Immigration Act 1987, that is current or has expired within the 2 years immediately preceding the date of the application:
- “(g) A confirmation of residence permit issued by or on behalf of the New Zealand Government:
- “(h) A refugee travel document, issued by or on behalf of the New Zealand Government, that is current or has expired within the 2 years immediately preceding the date of the application:
- “(i) A full birth certificate issued in New Zealand, the Cook Islands, Niue, or Tokelau:
- “(j) A birth certificate issued in a country (other than New Zealand, the Cook Islands, Niue, or Tokelau) containing information equivalent to that contained in a full New Zealand birth certificate.

“21D Statement as to identification

A statement as to identification complies with this regulation if the statement—

- “(a) Contains the full name, address, and occupation of—
 - “(i) The person making the statement (‘the person’); and
 - “(ii) The applicant; and
- “(b) States that the person—
 - “(i) Is 20 years of age or older, as the case may be; and
 - “(ii) Holds a current New Zealand passport or a current New Zealand driver licence or a current overseas passport, and provides sufficient information (including the number) to identify the passport or licence; and
 - “(iii) Is not a relative, spouse, or partner of the applicant; and
 - “(iv) Does not live at the same address as the applicant; and

- “(c) States that the person has known the applicant for not less than 1 year; and
- “(d) States that the person believes that the applicant is 18 years of age or older, as the case may be; and
- “(e) Has attached to it a photograph of the applicant that—
 - “(i) Complies with regulation 21F; and
 - “(ii) Has, on the back of it, a certificate by the person that the photograph is a true likeness of the applicant.

“21E Forms of evidence of address

The forms of evidence of address are as follows:

- “(a) An account statement, issued to the applicant in the 12 months immediately preceding the date of the application, from a bank, building society, credit union, or credit card issuer:
- “(b) A telephone, gas, or electricity account issued to the applicant in the 6 months immediately preceding the date of the application:
- “(c) A form of identification issued in the 12 months immediately preceding the date of the application that includes the name and address of the applicant and that is acceptable to the issuer as evidence of the applicant’s address.

“21F Applicant’s photographs

The photographs of the applicant comply with this regulation if they show the applicant without wearing any item (such as sunglasses, a hat, or head coverings) that obscures the applicant’s face or prevents the photographs from being a good likeness of the applicant, unless—

- “(a) The applicant is required to wear the item for religious or medical reasons; and

“(b) The applicant signs and supplies to the issuer a statement to that effect.”

Infringement fee

4 Amount of infringement fee

The infringement fee payable in respect of an infringement offence (as defined in section 162A of the Act) is \$200.

Amendments to Schedule 1

5 Form 4 of Schedule 1 amended

[Revoked]

Regulations 5, 6 and 7, and the Schedule were revoked, as from 1 April 2000, by regulation 25 Sale of Liquor Amendment Regulations 2000 (SR 2000/16).

6 Form 7 of Schedule 1 amended

[Revoked]

Regulations 5, 6 and 7, and the Schedule were revoked, as from 1 April 2000, by regulation 25 Sale of Liquor Amendment Regulations 2000 (SR 2000/16).

7 Form of infringement notice inserted in Schedule 1

[Revoked]

Regulations 5, 6 and 7, and the Schedule were revoked, as from 1 April 2000, by regulation 25 Sale of Liquor Amendment Regulations 2000 (SR 2000/16).

Schedule

Reg 7

Form of infringement notice inserted into Schedule 1 of principal regulations

[Revoked]

Regulations 5, 6 and 7, and the Schedule were revoked, as from 1 April 2000, by regulation 25 Sale of Liquor Amendment Regulations 2000 (SR 2000/16).

MARIE SHROFF,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations amend the Sale of Liquor Regulations 1990. The amendments—

- (a) Set out the requirements for applications for evidence of age documents:
- (b) Alter the forms of on-licence and off-licence to take account of Sunday trading and sales of beer in supermarkets permitted by the Sale of Liquor Amendment Act 1999 from 1 December 1999:
- (c) Prescribe \$200 as the amount of the infringement fee payable in respect of infringement offences:
- (d) Prescribe the form of the infringement notice for infringement offences.

The amendments described in paragraph (a) come into force on the day after the date on which these regulations are notified in the *Gazette*. The rest of the amendments come into force on 1 December 1999.

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