



11 October 2022

Attorney-General

**BORA Vetting: Sale and Supply of Alcohol (Cellar Door Tasting) Amendment Bill
– Consistency with the New Zealand Bill of Rights Act 1990
Our Ref: ATT395/371**

Please find **attached** our advice on whether the Sale and Supply of Alcohol (Cellar Door Tasting) Amendment Bill is consistent with the rights and freedoms set out in the New Zealand Bill of Rights Act 1990.

The advice concludes that the Bill is not inconsistent with the Bill of Rights Act.

Please indicate whether you accept this advice:

YES NO

If you accept this advice, please confirm whether you agree to a copy being referred to the Minister of Justice:

YES NO

If you accept this advice, we see no reason why this advice should not be published on the Ministry of Justice website. Please confirm whether this advice should be published on the website following introduction of the Bill:

YES NO

Please confirm whether you agree to a copy of this advice being referred to the certifiers of the Bill:

YES NO

Hon David Parker
Attorney-General

13 / 10 / 2022



**Te Tari Ture
o te Karauna**
Crown Law

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1. We have examined the Sale and Supply of Alcohol (Cellar Door Tasting) Amendment Bill (“the Bill”) for consistency with the New Zealand Bill of Rights Act 1990 (“the Bill of Rights Act”).
2. We could find no inconsistency with the Bill of Rights Act.

The Bill

3. The Bill will allow wineries that hold an off-licence that are open for the sale of alcohol for consumption somewhere else to supply grape wine or grape wine products free as a sample for consumption on the premises or supply grape wine or grape wine products in exchange for payment as a sample for consumption on the premises if the winery contains retail premises where grape wine is available for sale that has been made on the premises or from produce harvested on the land on which the premises are situated or by or on behalf of the winery operating the premises and each sample contains no more than 40 millilitres of wine.
4. The Bill is also intended to allow vineyards to charge for the provision of samples and to do so without having to create a separate legal entity to apply for an off-licence.
5. In doing so it does not engage any of the rights guaranteed by the Bill of Rights Act.

Review of this advice

6. In accordance with Crown Law’s policies, this advice has been peer reviewed by Austin Powell, Senior Crown Counsel.


Peter Gunn

Crown Counsel


Noted / Approved / Not Approved

Hon David Parker
Attorney-General

13 / 10 / 2022

Encl.