

**ALCOHOL REGULATORY AND LICENSING AUTHORITY
PRACTICE DIRECTION PURSUANT TO SECTION 172 OF THE SALE AND
SUPPLY OF ALCOHOL ACT 2012**

To: Secretaries
District Licensing Committees

This is the fourth practice direction issued pursuant to s.172 of the Sale and Supply of Alcohol Act 2012 since it came into force on 19 December 2012.

SECTIONS 112 TO 115 OF THE ACT
COMPULSORY SINGLE AREA ALCOHOL DISPLAY CONDITIONS FOR
SUPERMARKETS AND GROCERY STORES

[1] On 8 October 2014 the Authority started to hear an appeal by a Medical Officer of Health (MoH) against a decision of a District Licensing Committee (DLC) that had granted renewal of an off-licence in respect of a supermarket without imposing any condition required by MoH in respect of the above-mentioned sections of the Act.

[2] Owing to procedural issues the arguments by the appellant were not able to be considered and the matter remains at this stage unresolved.

[3] There are currently similar appeals outstanding in Wellington and Christchurch relating to the interpretation of the sections in question. The Christchurch proceedings are scheduled to be heard during the week commencing 15 December 2014.

[4] As a consequence the Authority suggests that in the interim DLCs give consideration to refraining from determining applications for supermarket and/or grocery store off-licence renewals, or new applications, where the business is trading under temporary authority, until the appeals referred to in paragraph [3] above have been determined.

DATED at WELLINGTON this day of October 2014

A E Cannell
Deputy Secretary
Alcohol Regulatory and Licensing Authority