

Departmental Disclosure Statement

Sale and Supply of Alcohol (Improving Alcohol Regulation) Amendment Bill

The departmental disclosure statement for a government Bill seeks to bring together in one place a range of information to support and enhance the Parliamentary and public scrutiny of that Bill.

It identifies:

- the general policy intent of the Bill and other background policy material;
- some of the key quality assurance products and processes used to develop and test the content of the Bill;
- the presence of certain significant powers or features in the Bill that might be of particular Parliamentary or public interest and warrant an explanation.

This disclosure statement was prepared by the Ministry of Justice.

The Ministry of Justice certifies that, to the best of its knowledge and understanding, the information provided is complete and accurate at the date of finalisation below.

16 March 2026.

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Part One: General Policy Statement

The Sale and Supply of Alcohol (Improving Alcohol Regulation) Amendment Bill (the **Bill**) amends the Sale and Supply of Alcohol Act 2012 (the **Act**) to improve alcohol regulation and remove barriers to economic growth while furthering the object of the Act.

The sale and supply of alcohol provide economic and social benefit to New Zealand, while also contributing to violent crime along with other social and health harm. Alcohol regulation should therefore strike a balance between minimising the potential for alcohol-related harm and avoiding unnecessary constraints on legitimate businesses that sell alcohol.

The Bill will strengthen some key areas to support the object of the Act (to minimise harm) while also providing for a fairer, more certain licensing process with benefits for businesses and consumers.

The Bill will achieve this by—

- ensuring objections to licensing applications come from local communities; and
- allowing licence applicants a right of reply to objectors; and
- requiring district licensing committees to change licensing conditions, rather than decline a renewal application, if the licence is inconsistent with a local alcohol policy; and
- allowing hairdressers and barbers to supply small amounts of alcohol to customers without a licence if certain conditions are met; and
- allowing premises similar to wineries, such as breweries, meaderies, and distilleries, to hold both an on-licence and an off-licence at the same time and to charge for samples; and
- streamlining special licensing for events and ensuring that licence decisions are made using a risk-based framework that will be set out in regulations; and
- enabling the Governor-General, on the advice of the responsible Minister, to declare stand-alone exemptions to special licensing requirements for club and on-licensed premises to televise significant events outside usual trading hours; and
- clarifying responsibilities for rapid delivery services, which will reduce the risk of delivery to intoxicated and under-age persons; and
- allowing club and on-licensed premises to stock zero-alcohol drinks instead of, or in addition to, low-alcohol drinks; and
- allowing licensed supermarkets and grocery stores to display and promote in single areas zero-alcohol alternatives to spirits, liqueurs and ready-to-drink mixed drinks; and
- allowing restaurants that prepare and sell food products from retail sites on the same premises to apply for an off-licence in addition to an on-licence; and
- allowing clubs to hold either a club licence or an on-licence.

Part Two: Background Material and Policy Information

Published reviews or evaluations

2.1. Are there any publicly available inquiry, review or evaluation reports that have informed, or are relevant to, the policy to be given effect by this Bill?	YES
<p>The following publications are relevant to the policy to be given effect by the Bill:</p> <ul style="list-style-type: none">• ‘Alcohol in Our Lives: Curbing the harm,’ New Zealand Law Commission, April 2010, available at https://www.lawcom.govt.nz/;• ‘Costs of alcohol harms in New Zealand: Updating evidence with recent research,’ New Zealand Institute of Economic Research report to the Ministry of Health, March 2024, available at https://www.health.govt.nz/publications/;• ‘Alcohol beverages industry: A thriving, durable industry adding value to New Zealand’s financial, environmental and social economies,’ New Zealand Institute of Economic Research report to the New Zealand Alcohol Beverages Council, February 2022, available at https://nzabc.org.nz/;• ‘Serving Success: Opportunities for the New Zealand Hospitality Industry,’ Hospitality Summit 2024, April 2025, available at https://www.hospitality.org.nz/advocacy-and-insights/hospitality-summit-2024-report.• ‘New Zealand Crime and Victims Survey (Cycle 6),’ Ministry of Justice, June 2024, available at https://www.justice.govt.nz/justice-sector-policy/research-data/nzcvs/;• ‘Annual Update of Key Results 2024/25: New Zealand Health Survey,’ Ministry of Health, November 2025, available at https://www.health.govt.nz/publications/;• ‘Hairdressing and Barbering Industry Regulatory Review: Final report,’ Ministry for Regulation, May 2025, available at https://www.regulation.govt.nz/about-us/our-publications/; and• ‘Petition of Kevin Scott: Require holders of on-licences to provide zero-alcohol wines, beers, and spirits,’ Petitions Committee, June 2024, available at https://petitions.parliament.nz/. <p>All reports, research and evidence used to inform policy to be given effect by the Bill are referred to in the Ministry of Justice’s regulatory impact statements listed below.</p>	

Relevant international treaties

2.2. Does this Bill seek to give effect to New Zealand action in relation to an international treaty?	NO
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Regulatory impact analysis

2.3. Were any regulatory impact statements provided to inform the policy decisions that led to this Bill?	YES
<p>The Ministry of Justice produced the following two regulatory impact statements to help inform the main policy decisions taken by the Government relating the contents of the Bill:</p> <ul style="list-style-type: none"> • 'Regulatory Impact Statement: Improving alcohol regulation to support economic growth,' 7 August 2025; and • 'Regulatory Impact Statement: Improving Alcohol Regulation – Further Proposals for Off- and Club Licences,' 28 October 2025. <p>Copies of both regulatory impact statements are available at:</p> <ul style="list-style-type: none"> • https://www.justice.govt.nz/justice-sector-policy/regulatory-stewardship/regulatory-impact-assessments/; and • https://www.regulation.govt.nz/our-work/regulatory-impact-statements/. 	

2.3.1. If so, did the Ministry for Regulation provide an independent opinion on the quality of any of these regulatory impact statements?	NO
<p>The regulatory impact statements to inform policy decisions taken by Government did not meet the threshold for receiving an independent opinion on quality from the Ministry for Regulation.</p> <p>The regulatory impact statements were assessed internally by a Ministry of Justice Regulatory Impact Assessment Quality Assurance Panel. Both regulatory impact statements were determined to partially meet the quality assurance criteria.</p>	

2.3.2. Are there aspects of the policy to be given effect by this Bill that were not addressed by, or that now vary materially from, the policy options analysed in these regulatory impact statements?	YES
<p>The Ministry for Regulation determined that the proposal to allow licensed supermarkets and grocery stores to promote and display 'zero-alcohol' alternatives to spirits, liqueurs and 'ready-to-drink' mixed drinks in single areas is exempt from the requirement to provide a regulatory impact statement on the grounds that it has no or only minor economic, social, or environmental impacts.</p>	

Extent of impact analysis available

2.4. Has further impact analysis become available for any aspects of the policy to be given effect by this Bill?	NO
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2.5. For the policy to be given effect by this Bill, is there analysis available on:	
(a) the size of the potential costs and benefits?	YES
(b) the potential for any group of persons to suffer a substantial unavoidable loss of income or wealth?	NO
<p>Analysis of the high-level costs and benefits of policy options considered by the Government was included in the regulatory impact statements prepared by the Ministry of Justice.</p>	

2.6. For the policy to be given effect by this Bill, are the potential costs or benefits likely to be impacted by:	
(a) the level of effective compliance or non-compliance with applicable obligations or standards?	YES
(b) the nature and level of regulator effort put into encouraging or securing compliance?	YES
Refer to analysis in 'Regulatory Impact Statement: Improving alcohol regulation to support economic growth,' 7 August 2025.	

Part Three: Testing of Legislative Content

Consistency with New Zealand's international obligations

3.1. What steps have been taken to determine whether the policy to be given effect by this Bill is consistent with New Zealand's international obligations?
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The Ministry of Foreign Affairs and Trade were consulted early in the policy development of this Bill. The policy to be given effect by the Bill is not inconsistent with New Zealand's international obligations.
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Consistency with the government's Treaty of Waitangi obligations

3.2. What steps have been taken to determine whether the policy to be given effect by this Bill is consistent with the principles of the Treaty of Waitangi?

<p>The Crown has obligations to reduce disparities of outcomes under Article Three of the Treaty of Waitangi. Alcohol regulation may contribute to achieving this obligation.</p> <p>When developing the policy to be given effect by the Bill, consideration was given to the WAI 2624 Claim, heard in the Waitangi Tribunal as part of the WAI 2575 Health and Services Outcomes Inquiry, and the available evidence indicating Māori disproportionately experience alcohol-related harm.</p> <p>Refer to analysis in 'Regulatory Impact Statement: Improving alcohol regulation to support economic growth,' 7 August 2025.</p> <p>Te Puni Kōkiri were consulted early in the policy development of this Bill.</p>

Consistency with the New Zealand Bill of Rights Act 1990

3.3. Has advice been provided to the Attorney-General on whether any provisions of this Bill appear to limit any of the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990?	YES
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<p>The Crown Law Office is providing advice to the Attorney-General on whether the Bill complies with the New Zealand Bill of Rights Act 1990.</p> <p>Advice provided to the Attorney-General will be available on the Ministry of Justice website upon introduction of the Bill, at: https://www.justice.govt.nz/justice-sector-policy/constitutional-issues-and-human-rights/the-bill-of-rights-act/compliance-reports/.</p>
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Offences, penalties and court jurisdictions

3.4. Does this Bill create, amend, or remove:	
(a) offences or penalties (including infringement offences or penalties and civil pecuniary penalty regimes)?	YES
(b) the jurisdiction of a court or tribunal (including rights to judicial review or rights of appeal)?	NO
<p>Clause 22 of the Bill clarifies that a failure to comply with the requirements to display information about extensions under new section 45F is an offence under section 259(1)(a) of the Act. This provides consistency, as failure to comply with the requirements to display licence information under sections 57(1) and (2) of the Act, to which new section 45F(2) refers, is already an offence under section 259(1)(a). A person who commits this offence is liable on conviction to a fine of not more than \$5,000.</p> <p>Clauses 38 and 39 of the Bill create an infringement offence for a person who is on duty for the purposes of new section 12A(1)(a) if they—</p> <ul style="list-style-type: none"> • supply alcohol in a hairdressing shop in breach of new section 12A(1); or • allow a person to supply alcohol in the hairdressing shop in breach of new section 12A(1). <p>A person on duty who commits an offence against this section may be served an infringement notice and liable to a fee of \$500 to be prescribed in regulations, or a fine not exceeding \$1,000.</p>	

3.4.1. Was the Ministry of Justice consulted about these provisions?	YES
<p>The Ministry of Justice's Offence and Penalty Vetting team was consulted during policy development and bill drafting to ensure the new infringement offence created by clauses 38 and 39 of the Bill is appropriately structured and workable within the Act's wider compliance framework.</p> <p>It noted the proposed infringement offence does not include usual defences for persons sighting approved evidence of age documents when selling or supplying alcohol on licensed premises (see section 239 of the Act).</p> <p>Although defences have not been explicitly provided for in relation to the new infringement offence, a person who is served an infringement notice may dispute the notice by writing to the issuing authority, which is in this case New Zealand Police.</p>	

Privacy issues

3.5. Does this Bill create, amend or remove any provisions relating to the collection, storage, access to, correction of, use or disclosure of personal information?	NO
3.5.1. Was the Privacy Commissioner consulted about these provisions?	YES
<p>The Office of the Privacy Commissioner was consulted early in the policy development of this Bill. The policy to be given effect by the Bill does not engage privacy issues.</p>	

External consultation

3.6. Has there been any external consultation on the policy to be given effect by this Bill, or on a draft of this Bill?	YES
<p>Targeted external consultation was undertaken to inform proposals relating to clubs and restaurants with Alcohol Healthwatch, the Restaurant Association of New Zealand, Hospitality New Zealand, Retail NZ and Clubs New Zealand.</p> <p>The Ministry of Justice will consult the creative and cultural sectors, territorial authorities, district licensing committees and regulatory agencies to develop secondary legislation for the special licensing risk-based framework.</p>	

Other testing of proposals

3.7. Have the policy details to be given effect by this Bill been otherwise tested or assessed in any way to ensure the Bill's provisions are workable and complete?	YES
<p>The Ministry of Justice has worked closely with relevant agencies to ensure that the proposals given effect by the Bill are workable and can be operationalised.</p> <p>There will be an opportunity for stakeholders and the wider public to provide feedback and recommendations on the proposals to be given effect by the Bill at select committee stage.</p>	

Part Four: Significant Legislative Features

Compulsory acquisition of private property

4.1. Does this Bill contain any provisions that could result in the compulsory acquisition of private property?	NO
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Charges in the nature of a tax

4.2. Does this Bill create or amend a power to impose a fee, levy or charge in the nature of a tax?	NO
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Retrospective effect

4.3. Does this Bill affect rights, freedoms, or impose obligations, retrospectively?	NO
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Strict liability or reversal of the usual burden of proof for offences

4.4. Does this Bill:	
(a) create or amend a strict or absolute liability offence?	YES
(b) reverse or modify the usual burden of proof for an offence or a civil pecuniary penalty proceeding?	NO

As noted at 3.4 and 3.4.1, clause 22 of the Bill clarifies that a failure to comply with the requirements to display information about extensions under new section 45F is an offence under section 259(1)(a) of the Act. This provides consistency with similar requirements under sections 57(1) and (2) of the Act.

Additionally, clauses 38 and 39 of the Bill create an infringement offence.

The new infringement offence will be enforced in accordance with the existing provisions in the Act relating to infringement offences. See sections 261 (Commission of infringement offences) and 262 (Infringement notices), which provide for the enforcement of infringement offences by New Zealand Police.

Civil or criminal immunity

4.5. Does this Bill create or amend a civil or criminal immunity for any person?	NO
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Significant decision-making powers

4.6. Does this Bill create or amend a decision-making power to make a determination about a person's rights, obligations, or interests protected or recognised by law, and that could have a significant impact on those rights, obligations, or interests?	NO
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Powers to make delegated legislation

4.7. Does this Bill create or amend a power to make delegated legislation that could amend an Act, define the meaning of a term in an Act, or grant an exemption from an Act or delegated legislation?	YES
<p>Clauses 21 to 23 of the Bill enable the Governor-General (on the advice of the responsible Minister) to declare a significant event and allow for stand-alone exemptions to special licensing requirements for club and on-licensed premises to trade and televise a significant event outside of usual trading hours. A district licensing committee or the licensing authority would usually decide on individual licence applications for extended hours.</p> <p>However, Parliament has passed legislation for the last three men’s Rugby World Cup tournaments to allow club and on-licensed premises to trade when opening to televise games outside of their usual trading hours. The proposal in the Bill gives greater efficiency and consistency by offering a more permanent solution that reduces transactional costs for government and does not privilege one event type.</p> <p>Safeguards are provided for in clause 23 of the Bill. In recommending that an event be declared a significant event, the Minister must be satisfied that it meets certain criteria. Conditions may also be specified to protect the health and safety of customers and neighbourhoods, reduce noise, standardise publication of temporary changes in trading hours, and collect information to evaluate the regulations made under this provision.</p>	

4.8. Does this Bill create or amend any other powers to make delegated legislation?	YES
<p>In addition to the power noted at 4.7 above, the Bill sets out four other regulation making powers that supplement the powers already in the Act:</p> <ul style="list-style-type: none"> • making regulations setting out a risk-based framework which district licensing committees must use to assess applications for special licences; • making regulations to prescribe the size of alcohol samples to be served at producer tasting rooms. Although the Bill provides sample sizes for the most common alcohol drinks (beer, wine, spirits), it is not practical or efficient to list sample sizes in the Act for every type of alcohol that may be sold as samples; • making regulations to prescribe the forms for a person to confirm their eligibility to object to a licence application; and • making an Order in Council to bring provisions relating to special licensing (at subpart 3 of Part 1 of the Bill) into force. <p>These regulation making powers are required to ensure the policy to be given effect by the Bill can be effectively implemented.</p> <p>Clause 33 of the Bill requires the Minister to consult with persons who are representative of interests likely to be substantially affected by the regulations setting a risk-based framework for special licensing. This may include, for example, territorial authorities, district licensing committees, regulatory agencies, and businesses in the hospitality, creative and cultural sectors. This requirement will ensure the regulations are fit for purpose, workable and reflect a range of interests in special licensing.</p> <p>Regulations to prescribe the size of alcohol samples to be served at producer rooms will be bespoke, and only made when necessary on a case-by-case basis.</p> <p>Regulations to prescribe the forms for a person to confirm their eligibility to object to a licence application are necessary for implementing the policy to be given effect by clauses 4 to 7 of the Bill.</p>	

Any other unusual provisions or features

4.9. Does this Bill contain any provisions (other than those noted above) that are unusual or call for special comment?	YES
<p>Section 259 of the Act provides that it is an offence for failing or refusing to comply with certain requirements and restrictions imposed by or under the Act, including any of sections 46 to 63. A person who commits an offence under section 259 is liable on conviction to a fine of not more than \$5,000.</p> <p>Section 260 of the Act provides that an offence against section 259 is also an infringement offence.</p> <p>Clause 41 of the Bill inserts new section 59A into the Act, which places requirements on persons providing a rapid delivery service of alcohol by remote sale. This new section falls within the sections captured by section 259, and by extension section 260.</p> <p>Clause 42 of the Bill amends section 259 of the Act so that failure to comply with new section 59A is not an offence.</p> <p>This means that there are no enforcement provisions tied directly to new section 59A. Existing enforcement provisions in the Act, such as supplying alcohol to minors (see section 241 of the Act) will continue to apply.</p>	