

**Reprint
as at 20 August 2000**



**Alcohol Advisory Council
Regulations 1978**

(SR 1978/1)

Regulations name: amended, on 20 August 2000, by section 25(2)(a) of the Alcohol Advisory Council Amendment Act 2000 (2000 No 25).

Keith Holyoake, Governor-General

Order in Council

At the Government Buildings at Wellington this 24th day of January
1978

Present:

Rt Hon R D Muldoon presiding in Council

Pursuant to the Alcoholic Liquor Advisory Council Act 1976, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by the Ministry of Justice.

Contents

		Page
1	Title and commencement	2
2	Interpretation	2
3	Returns by manufacturers of beer <i>[Revoked]</i>	3
4	Returns by manufacturers of spirits <i>[Revoked]</i>	3
5	Returns by manufacturers of grape wine	3
6	Returns by manufacturers of fruit wine	3
7	Exported liquor to be excluded	3
8	Verification of returns	4
9	Trustee to notify chief executive of the responsible department of aggregate amount of grape wine sold	4
10	Certain liquor exempt from imposition of levy	4
11	Transitional provisions	4

Regulations

1 Title and commencement

- (1) These regulations may be cited as the Alcohol Advisory Council Regulations 1978.
- (2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

Regulation 1(1): amended, on 20 August 2000, by section 25(2)(a) of the Alcohol Advisory Council Amendment Act 2000 (2000 No 25).

2 Interpretation

In these regulations, unless the context otherwise requires,—

Act means the Alcohol Advisory Council Act 1976

required date, in relation to a return required to be made under any of these regulations, means 30 November next following the expiration of the statistical year in respect of which the return is to be made

statistical year means a period commencing with 1 October in any year and ending with 30 September in the next succeeding year

the trustee means the person who is for the time being acting as trustee pursuant to section 5 of the Wine Makers Levy Act 1976.

Regulation 2 **Act**: amended, on 20 August 2000, by section 25(2)(b) of the Alcohol Advisory Council Amendment Act 2000 (2000 No 25).

3 Returns by manufacturers of beer

[Revoked]

Regulation 3: revoked, on 4 January 1979, by regulation 2 of the Alcoholic Liquor Advisory Council Regulations 1978, Amendment No 1 (SR 1978/335).

4 Returns by manufacturers of spirits

[Revoked]

Regulation 4: revoked, on 4 January 1979, by regulation 2 of the Alcoholic Liquor Advisory Council Regulations 1978, Amendment No 1 (SR 1978/335).

5 Returns by manufacturers of grape wine

Subject to regulation 7, every person who, in any statistical year, sells any grape wine manufactured by him in New Zealand shall furnish to the trustee, on or before the required date, a return showing the total amount of fortified grape wine, and the total amount of unfortified grape wine, so sold by him during that statistical year.

6 Returns by manufacturers of fruit wine

Subject to regulation 7, every person who, in any statistical year, sells any fruit wine manufactured by him in New Zealand shall furnish to the chief executive of the responsible department, on or before the required date, a return showing the total amount of fortified fruit wine, and the total amount of unfortified fruit wine, so sold by him during that statistical year.

Regulation 6: amended, on 1 July 1995, pursuant to section 3(1)(b) of the Department of Justice (Restructuring) Act 1995 (1995 No 39).

7 Exported liquor to be excluded

The amount of liquor exported from New Zealand in any statistical year by any person required to make a return under these regulations shall be excluded from the total amount shown in the return relating to that year as having been manufactured or sold by that person during that year.

8 Verification of returns

Every return required to be made under these regulations shall be verified by a declaration, made in accordance with the Oaths and Declarations Act 1957, by the person required to make the return, or by the manager of that person's business in the course of which the liquor was manufactured or sold.

9 Trustee to notify chief executive of the responsible department of aggregate amount of grape wine sold

On or before 31 January in every year, the trustee shall notify the chief executive of the responsible department in writing of the aggregate amount of fortified grape wine, and the aggregate amount of unfortified grape wine, shown in the returns furnished to him under regulation 5 as having been sold in the statistical year ending with 30 September last preceding.

Regulation 9 heading: amended, on 1 July 1995, pursuant to section 3(1)(b) of the Department of Justice (Restructuring) Act 1995 (1995 No 39).

Regulation 9: amended, on 1 July 1995, pursuant to section 3(1)(b) of the Department of Justice (Restructuring) Act 1995 (1995 No 39).

10 Certain liquor exempt from imposition of levy

Notwithstanding section 28 of the Act, no levy shall be payable under that section by any person in respect of any liquor imported into New Zealand by that person for his own use, or received by that person as a bona fide gift from any person overseas, if the amount that would otherwise be payable by way of levy under that section in respect of that liquor is less than \$1.

11 Transitional provisions

- (1) Regulations 3 to 6 shall apply in respect of liquor sold or manufactured during the statistical year ended with 30 September 1977 as if the required date in respect of each of those regulations were 14 February 1978.
- (2) Regulation 9 shall apply in respect of returns furnished to the trustee in accordance with subclause (1) of this regulation as if for the words "31 January in every year" there were substituted the words "28 February 1978".

Reprinted as at
20 August 2000 **Alcohol Advisory Council Regulations 1978**

A C McLeod,
Acting for Clerk of the Executive Council.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 26 January 1978.

Contents

- 1 General
 - 2 Status of reprints
 - 3 How reprints are prepared
 - 4 Changes made under section 17C of the Acts and Regulations Publication Act 1989
 - 5 List of amendments incorporated in this reprint (most recent first)
-

Notes

1 *General*

This is a reprint of the Alcohol Advisory Council Regulations 1978. The reprint incorporates all the amendments to the regulations as at 20 August 2000, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint (most recent first)*

Alcohol Advisory Council Amendment Act 2000 (2000 No 25): section 25(2)
Department of Justice (Restructuring) Act 1995 (1995 No 39): section 3(1)(b)
Alcoholic Liquor Advisory Council Regulations 1978, Amendment No 1
(SR 1978/335)
