



ANALYSIS

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1977, No. 78

**An Act to amend the Alcoholic Liquor Advisory Council Act 1976** [9 December 1977]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

**1. Short Title**—This Act may be cited as the Alcoholic Liquor Advisory Council Amendment Act 1977, and shall be read together with and deemed part of the Alcoholic Liquor Advisory Council Act 1976 (hereinafter referred to as the principal Act).

**2. Interpretation**—Section 2 of the principal Act is hereby amended by adding the following subsection:

“(4) For the purposes of sections 28 and 31 of this Act, the total number of litres of wine sold in New Zealand during any financial year shall be deemed to be the same as the total number of litres of wine sold in New Zealand during the preceding statistical year.”

**3. Superannuation for staff**—Section 14 of the principal Act is hereby amended by adding the following subsection:

“(4) The Council may out of its funds subsidise or contribute to the National Provident Fund, or any other fund or scheme established with the approval of the Minister of Finance, for the purposes of providing such other officers or employees with a superannuation or retiring allowance.”

**4. Two new sections (relating to financial matters) inserted in principal Act**—The principal Act is hereby amended by inserting, after section 19, the following sections:

“19A. **Bank accounts**—(1) The Council may open at such bank or banks as may be approved by the Minister of Finance, or at any branch or agency of any such bank, such accounts (including imprest and subsidiary accounts) as are necessary for the exercise of its functions and powers.

“(2) All money received by the Council, or by a member, officer, or employee in the course of his duties as a member or servant of the Council, amounting to \$20 or more shall, as soon as practicable after it has come into the hands of the Council or of any such member, officer, or employee, be paid into the appropriate bank account.

“(3) Every withdrawal or payment of money made by the Council from its funds shall be authorised by a prior resolution of the Council or shall be submitted to it for authorisation at its next ordinary meeting after the date of payment.

“(4) Where the Council authorises the withdrawal or payment of money from any such account, that withdrawal or payment shall be by a cheque signed by such person or persons as the Council from time to time, subject to any requirements of the Audit Office, may authorise.

“(5) Nothing in this section shall limit or affect the provisions of section 21 of this Act.

“19B. **Unauthorised expenditure**—In any financial year the Council may spend for purposes not authorised by this or any other Act any sum or sums not amounting in the aggregate to more than \$500.”

**5. Apportionment of aggregate levy figure**—Section 26 of the principal Act is hereby amended by adding the following subsection:

“(3) Notwithstanding anything in subsection (2) of this section, no liquor that was exported from New Zealand during the preceding statistical year shall be taken into account for the purposes of that subsection.”

**6. Levies payable by importers and manufacturers of liquor**—(1) Section 28 of the principal Act is hereby amended by omitting paragraph (c), and substituting the following paragraph:

“(c) Sells any fortified wine or unfortified wine manufactured by him in New Zealand,—”.

(2) The said section 28 is hereby further amended by adding, as subsections (2) to (4), the following subsections:

“(2) Notwithstanding anything in subsection (1) of this section, no levy shall be payable under this Act in respect of any liquor that is not subject to or is exempt from Customs duty under any of the Customs Acts.

“(3) Notwithstanding anything in this Act, where any person may be allowed, under any of the Customs Acts, any drawback in respect of any liquor, he may also be allowed a refund of any levy paid by him under this Act in respect of that liquor.

“(4) In this section—

“‘Customs Acts’ has the meaning assigned to that term by section 3 of the Customs Act 1966:

“‘Customs duty’ includes excise duty, beer duty, and sales tax imposed by any of the Customs Acts.”

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This Act is administered in the Department of Justice.

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