

**COMMENTS ON THE SALE AND SUPPLY OF LIQUOR AND LIQUOR ENFORCEMENT BILL  
CURRENTLY BEFORE THE JUSTICE AND ELECTORAL SELECT COMMITTEE**

The New Zealand Food & Grocery Council (the “FGC”) represents the majority of manufacturers and suppliers of food and beverage products in the grocery industry in New Zealand. The FGC supports the intent of the Sale and Supply of Liquor and Liquor Enforcement Bill (the “Bill”) in that it seeks to address the sale and supply of alcohol to minors.

The FGC wishes, however, to make the following comments in respect of the Bill:

- The FGC is aware that the Advertising Standards Authority (the “ASA”) is a self-regulatory body that regulates the advertising standards in New Zealand. ASA is committed to regulating all liquor advertising and acknowledges that as a restricted product liquor requires a higher standard in relation to advertising and promotion. The FGC firmly believes that the ASA continues to be the best body to regulate the way in which liquor is advertised in New Zealand;
- The FGC submits that the definition of ‘liquor advertisement’ in Part I clause 5 of the Bill is too broad and suggests that if adopted this definition may impact adversely in areas such as sponsorship advertising and product placement;
- Section 136B of the Bill allows the Ministers of Health and Justice to recognise jointly any body corporate for a range of purposes which relate to a code and complaints system for liquor advertising and promotion. To date the ASA has been the body corporate recognised to undertake this role, however, section 136B gives power to the Ministers to withdraw this recognition by written notice at any stage. The FGC believes this amounts to an unfettered power to the Ministers and should not be endorsed;
- The Association of New Zealand Advertisers Inc (the “ANZA”) has been responsible for introducing a pre-vetting system which provides reassurance to both advertisers and media that their advertisements comply with the ASA codes and other regulations. The ANZA use best practice to ensure that the pre-vetting systems provide expert advice and under this voluntary self regulatory system there is full compliance with the advertising pre-vetting system. The FGC fully endorses this self regulation and believes that this approach should continue going forward; and
- The Bill affords considerable power to territorial authorities in that it allows them to adopt a local alcohol plan which, amongst other things, can stipulate where and when alcohol may be sold. The FGC is strongly of the opinion that this would result in the inconsistent sale and supply of alcohol and would impose a huge burden on industry attempting to meet the requirements of an infinite number of different plans.

The FGC has liaised with the ANZA, the ASA, Lion Nathan Ltd and DB Breweries Ltd in the preparation of this submission. The FGC supports and endorses the abovementioned companies’ submissions.

This submission represents the views of the FGC and we do not seek leave to appear before the select committee in this instance.

For further information please contact:

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