

## Information on the Local Alcohol Policy Appeals Process

The following information has been prepared by the Palmerston North City Council to assist you in understanding the process of appealing the Council's Provisional Local Alcohol Policy. This information has been collated from the Sale and Supply of Alcohol Act 2012, the Sale and Supply of Alcohol Regulations 2013, and from the Ministry of Justice website. If you have any questions about your rights or the process of appealing you are encouraged to seek independent legal advice as this information is general in nature and is not intended to replace specific legal advice.

### **Who can appeal against the Provisional Local Alcohol Policy?**

Only a person who made a submission on the draft Local Alcohol Policy can appeal any element of the provisional policy. Police and Medical Officers of Health have statutory rights of appeal.

### **What are the grounds for appeal?**

The only ground for appealing an element of a provisional LAP is that it is unreasonable in light of the object of the Act. The Act's object is that:

- the sale, supply and consumption of alcohol should be undertaken safely and responsibly, and
- the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

### **When can I appeal?**

The period for making appeals begins when the public notice of the Provisional Local Alcohol Policy is made. The Council intends to publish that public notice in the Manawatū Standard and Guardian newspapers before the end of May 2021 and will also be placed on our website. We will also write to any person who submitted on the draft Local Alcohol Policy and inform them that we have published the public notice. The period for making appeals is 30 days after the public notice first appears.

### **How can I lodge my appeal?**

Appeals must be made by giving notice in writing to the Alcohol Regulatory and Licensing Authority (ARLA). There is a form on their website which you can use. We will also make printed copies of that form available at the Council's Customer Service Centre, or we can mail you a copy on request.

Visit [www.justice.govt.nz/tribunals/arla/](http://www.justice.govt.nz/tribunals/arla/) for information and resources from ARLA.

ARLA requires the following information when giving notice of your appeal. It must:

- be in writing and
- state your full legal name, address for service, telephone number and your email address; and
- state the element of the Provisional LAP appealed against, and why the element is unreasonable in light of the object of the Act; and
- be accompanied by the prescribed fee and include a copy of your submission on the draft LAP.

You must also provide a copy of your notice of appeal to the Council.

**Where do I send my notice of appeal?**

Your notice of appeal must be sent directly to ARLA. Their contact details are:

Phone 04 462 6660

Email [ARLA@justice.govt.nz](mailto:ARLA@justice.govt.nz)

Alcohol Regulatory & Licensing Authority  
Tribunals Unit  
DX: SX11159  
Wellington

When sending your notice of appeal to ARLA, please also send a copy to the Council at the following address:

Provisional Local Alcohol Policy  
Governance Team  
Palmerston North City Council  
Private Bag 11034  
Palmerston North 4442

**I don't have a copy of my submission anymore. Where can I find it?**

All the submissions to the draft LAP are on the Council website at this address - <https://bit.ly/3hlw40E>

**Who should I contact if I have any further questions?**

Any further questions about the appeals process should be directed to ARLA. You may also wish to seek independent legal advice.