

s 9(2)(g)(ii)

**From:** s 9(2)(g)(ii)  
**Sent:** Tuesday, 31 March 2020 4:39 PM  
**To:** s 9(2)(g)(ii)  
**Cc:**  
**Subject:** FW: Unintended consequence of remote endorsement condition [UNCLASSIFIED]

s 9(2)(g)(ii)

Unfortunately this did not get signed out and has been returned to Policy for re-work.

s 9(2)(g)(ii) was present and is aware of required changes - s 9(2)(g)(ii) he can work with you and MoJ on this. The issues relate to aligning the public guidance we give with what was specifically referenced in the Cabinet decision re licencing trusts.

#### Next steps

Please advise when a final decision, including wording, has been made. Then we will arrange sign out and publishing on the COVID webpage and guidance to our call centres .

Thanks  
s 9(2)(g)(ii)

s 9(2)(g)(ii)

Senior Advisor  
COVID-19 Response Team – <https://covid19.govt.nz>  
15 Stout Street, Wellington 6140 | New Zealand



**Unite  
against  
COVID-19**

---

**From:** s 9(2)(g)(ii)  
**Sent:** Tuesday, 31 March 2020 1:28 p.m.  
**Subject:** RE: Unintended consequence of remote endorsement condition [UNCLASSIFIED]

#### **Can I buy alcohol?**

Alcohol is available to be purchased in supermarkets, and Licensing Trust liquor stores in four areas (Invercargill Licensing Trust, Waitākere Licensing Trust (West Auckland), Portage Licensing Trust (West Auckland), Mātaura

Thanks!

From [redacted] s 9(2)(g)(ii) <[redacted]@mbie.govt.nz>

Sent: Tuesday, 31 March 2020 1:03 PM

[redacted] s 9(2)(g)(ii) <[redacted]@mbie.govt.nz>

Subject: RE: Unintended consequence of remote endorsement condition [UNCLASSIFIED]

[redacted] s 9(2)(g)(ii)

Dealing with this now.

Simple question with probably an obvious answer but I need to confirm – does the footnote [1] relate to the final sentence “Licensees with questions about their licence should contact their local council.” Appears the related [1] has dropped off.

Sorry, but best not to assume anything at this point.

[redacted] s 9(2)(g)(ii)

Senior Advisor

COVID-19 Response Team – <https://covid19.govt.nz>

15 Stout Street, Wellington 6140 | New Zealand



MINISTRY OF BUSINESS,  
INNOVATION & EMPLOYMENT  
HIKINA WHAKATUTUKI

Unite  
against  
COVID-19



From: [redacted] s 9(2)(g)(ii) <[redacted]@mbie.govt.nz>

Sent: Tuesday, 31 March 2020 12:22 p.m.

To: [redacted] s 9(2)(g)(ii)

Subject: FW: Unintended consequence of remote endorsement condition [UNCLASSIFIED]

[redacted] s 9(2)(g)(ii)

From

Sent: Tuesday, 31 March 2020 11:43 a.m.

To: Iain Cossar; [redacted] s 9(2)(g)(i) <[redacted]@mbie.govt.nz>

Cc: [redacted] s 9(2)(g)(ii)

Subject: RE: Unintended consequence of remote endorsement condition [UNCLASSIFIED]

[redacted] s 9(2)(g)(ii)

As per Iain's request, please see below the new alcohol text as agreed with MoJ and which addresses the issue raised in the email chain below. For the official sign off process please!

**From:** s 9(2)(g)(ii)  
**Sent:** Wednesday, 29 April 2020 2:05 PM  
s 9(2)(g)(ii) @mbie.govt.nz> S s 9(2)(g)(ii) @mbie.govt.nz>  
**Subject:** RE: response to ministerial Out of Scope

Almost certainly - s 9(2)(g)(ii) could you provide any useful lines we have?

In case we don't have anything canned, key points are:

- Alcohol is available in supermarkets
- To avoid having people in the liquor licencing trust monopoly areas driving out of their areas to get alcohol from supermarkets that can sell it, these stores were also allowed to open.
- Butchers and bakers were allowed to take contactless orders and deliver their goods during alert 4. The rationale for not allowing these store fronts to be open is to minimise people movement. This is important, as having multiple stores open means there is a risk of transmission and it is more difficult to undertake contact tracing.

**From:** s 9(2)(g)(ii) @mbie.govt.nz>  
**Sent:** Wednesday, 29 April 2020 12:47 PM  
s 9(2)(g)(ii) @mbie.govt.nz>  
**Subject:** response to ministerial Out of Scope

H s 9(2)(g)(ii)

Do you have some lines that I can borrow to respond to this ministerial please?

**From:** s 9(2)(g)(ii) @yahoo.com.au]  
**Sent:** Tuesday, 21 April 2020 11:33 AM  
**To:** S Nash (MIN) <s.nash@ministers.govt.nz>  
**Subject:** 20-2982 Businesses during shutdown

Good morning Mr Nash,  
I really wonder how you can justify having butchers and bakeries closed but liquor stores open?? I think we can be assured that the police would prefer less alcohol -fuelled family violence..

[Sent from Yahoo Mail on Android](#)

Cheers

s 9(2)(g)(ii)  
s 9(2)(g)(ii)

Small Business Policy  
Strategic Policy and Programmes  
Ministry of Business, Innovation & Employment  
s 9(2)(g)(ii)

PO Box 1473, 15 Stout Street, Wellington 6140

s 9(2)(a)

**From:** s 9(2)(g)(ii)  
**Sent:** Thursday, 9 April 2020 7:56 PM  
**To:** s 9(2)(g)(ii)  
**Cc:**  
**Subject:** RE: FOR YOUR REVIEW AND APPROVAL: Media responses #1/9 April [UNCLASSIFIED]

Hi s 9(2)(g)(ii)

That was helpful thanks. I agree that the rationale for the March 29 change was probably aimed at limiting the number of stores. The policy log that records our policy decisions doesn't shed light on why the liquor stores need to be operated by the Licensing Trusts, but it makes sense that the reason would be to limit the number of stores being open.

The policy log for the March 31 change states that the licensing trust areas were allowed to open (alongside supermarkets) because supermarkets are not able to stock alcohol in those areas, and it avoids people travelling out of the area where supermarkets do serve alcohol. This is consistent with your answer to the second question.

s 9(2)(a)(ii) I hope that helps the response to Stuff.

Have a lovely and safe Easter.

s 9(2)(g)(ii)

---

**From:** s 9(2)(g)(ii)  
**Sent:** Thursday, 9 April 2020 2:21 p.m.  
**To:** s 9(2)(g)(ii)  
**Cc:**  
**Subject:** RE: FOR YOUR REVIEW AND APPROVAL: Media responses #1/9 April [UNCLASSIFIED]

Hi s 9(2)(g)(ii)

Regarding s 9(2)(a) first question, regarding the addition of: "and the liquor store is operated by the Licensing Trust in that area", unfortunately I wasn't involved when this change was made. I think this happened early on and before my involvement. I suspect it was just to fix an oversight the first time around (with the deeper rationale being to minimise the number of stores operating as you suggest).

Regarding the second question about the reference for the four monopoly areas only, this was clarified because supermarkets in these four areas are not able to stock alcohol. To avoid people travelling out of region in liquor trust licencing areas (where supermarkets cannot sell alcohol), the decision was made to allow liquor licencing trust stores in these areas to open for retail sales.

The Ministry of Justice may know more.

Thanks very much and I hope this is helpful.

s 9(2)(g)(ii)

s 9(2)(a)

I'm looking into reports a liquor store in Christchurch has been illegally selling liquor in Christchurch during the lockdown.

The store is Canterbury Liquor on Pages Rd, which is owned by s 9(2)(a) I've been sent photos of s 9(2)(a) and his staff loading liquor into a car via a roller door at the rear of the business.

I've been contacted by two separate informants in relation to this.

One of them says MBIE has been alerted to the activity at the store.

- What information has MBIE received about how Canterbury Liquor has been operating during the lockdown?
- What action has MBIE taken in response to that information?
- What was established?
- What was the owner's explanation?

Alcohol is available to be purchased from Licensing Trust stores in the five Trusts hold a monopoly. All of them are closed to the public.

~~Liquor stores must be closed and not available at supermarkets.~~ To we need as many businesses

Police is the agency that enforces the law. Members of the public can report a suspect may be breaching the law on the Police online at 105.police.govt.nz

To get the most up to date information on essential services go to [www.nz.govt.nz/essential-services](http://www.nz.govt.nz/essential-services). The information is updated.

This is from the MBIE website

The online sale and contactless delivery (including spirits) is permitted. Licensees that had existing delivery licenses that came into effect on 1 April 2020 can continue to operate their businesses.

Licensees that did not have existing licenses before Level 4 came into effect should discuss their proposed delivery conditions with their local licensing body for delivery operations.

Licensees must meet the requirements for spirits including verifying the age of 18 and not delivered after 11pm or be subject to the restrictions set out in the licensing rules. Licensees must comply with the conditions of your licence and any conditions of sale. The agreed quantity for spirits in a container (or other containers) of spirits. Licensees with questions about their local licensing body should contact their local licensing body.

OUT OF SCOPE

Out of Scope

Stuff

Changes in rules to re: Licensing Trusts liquor stores

Hi team

I'm not sure I've come to the right place but hoping someone can help.

My name is <sup>s 9(2)(a)</sup> and I'm a freelance writer doing a story for Stuff on the impact of the recent change on small business in the west Auckland Trusts area.

I'd like to speak to someone about the rationale for this rule change -- which impacts about 3 businesses -- and how it came to pass.

Clarification:

Thanks for this. It's a bit convoluted and there are a couple of questions so I've done it in a timeline:

On March 25 MBIE had this on their website re: essential services

Licqour stores must close, unless they are within Licensing Trust areas (in which case they can operate with a one-in-one-out rule.

On March 29 that changed to:

Liquor stores must close to the public unless they are in Licensing Trust Areas and the liquor store is operated by the Licensing Trust in that area. Open premises in Licensing Trust Areas can operate with a one-in-one-out rule.

The updated ruling stated that only stores operated by Licensing Trusts could open in the designated Trust area. In the area covered by the Portage and Waitakere Trusts (The Trusts) there were a handful of stores not owned by Trusts (small manufacturers with off-licences) who were allowed to operate under the first ruling but forced to close when the ruling changed.

My question is: why did this ruling change?

And to follow: What input and/or advice did MBIE get when making this change? What was the rationale? This is important in light of the well-documented inability of Licensing Trust stores in west Auckland to handle the demand.

Then on the following Sunday following increased media coverage about The Trusts inability to handle the demand, the ruling changed again, with a couple of tweaks, to the current one (my bold):

"Alcohol is available to be purchased in supermarkets, and Licensing Trust stores in the four areas where Licensing Trusts hold a monopoly. The four areas where

I need your help with this media about why we did what we did i

The argument is probably that w possible to open. Was that our r make/correct a mistake?

Can the three liquor stores in the they supposed to stay closed?

I wonder <sup>s 9(2)(g)(ii)</sup> can assist wit background)

**[NB: EXPANDED TEXT IN FAR RIGHT COLUMN OF EMAIL CHAIN ABOVE THAT WAS CUT OFF WHEN CONVERTING EMAIL TO PDF:]**

Alcohol is available to be purchased in supermarkets, and Licensing Trust stores in the four areas where Licensing Trusts hold a monopoly. All other liquor stores must be closed to the public.

~~Liquor stores must be closed to the public as alcohol is available at supermarkets.~~ To slow the spread of COVID-19, we need as many businesses as possible to close.

Police is the agency that enforces the lockdown rules. Members of the public can report any businesses they suspect may be breaching the essential services rules to Police online at [105.police.govt.nz](https://105.police.govt.nz)

To get the most up to date information on what is an essential service go to [www.mbie.govt.nz/covid-19-essential-services](https://www.mbie.govt.nz/covid-19-essential-services). The information on the site is regularly updated.

This is from the MBIE website:

The online sale and contactless delivery of alcohol (including spirits) is permitted under the following conditions:

Licensees that had existing delivery operations before Level 4 came into effect can continue with their delivery businesses.

Licensees that did not have existing delivery operations before Level 4 came into effect and now wish to start delivery should discuss their plans and licence type and conditions with their local licensing body before starting delivery operations.

Licensees must meet the requirements for remote sales, including verifying the age of the buyer and that alcohol is not delivered after 11pm or before 6am (or any further time restrictions set out in the licence).

Licensees must comply with all requirements of the Act, your licence and any conditions or restrictions.

The agreed quantity for spirits purchased must be no more than the customs/duty free allowance which is three bottles (or other containers) of spirits or liqueur (each bottle or container can hold a maximum of 1.125 litres) per order.

Licensees with questions about their licence should contact their local licensing body.

**I need your help with this media enquiry. I couldn't find anything about why we did what we did in the policy decision log.**

**The argument is probably that we only want as few shops as possible to open. Was that our rationale? Or did we make/correct a mistake?**

**Can the three liquor stores in the Licensing Trust area open or are they supposed to stay closed?**

I wonder if [s 9(2)(g)(ii)] can assist with this answer (she knows the background)

s 9(2)(g)(ii)

**From:** s 9(2)(g)(ii)  
**Sent:** Sunday, 5 April 2020 5:27 PM  
**To:** 'CCA Admin Support'  
**Cc:** s 9(2)(g)(ii); James Hartley  
**Subject:** RE: West Auckland Licensing Trusts - Concern re MBIE Direction Out of Scope

Hi,  
I just wanted to follow up on your earlier query around Alcohol sales and the latest guidance below.

Our overarching principle at this alert level is to restrict the movement and interaction of people to stop the transmission of COVID-19. As part of this, Government is trying as a general principle to limit the number of retail outlets that can be open to the public to minimise the transmission of COVID-19. This is why in the four monopoly licensed trust areas, it is only the trust stores that can open, and only supermarket/dairies who supply alcohol are open, and all other liquor stores are closed. It is also worth noting that consumers can also source alcohol through existing businesses who offer online/contactless delivery sales channels.

Alcohol- Essential Services update- as at 5.4.20

Alcohol is available to be purchased in supermarkets, and Licensing Trust stores in the four areas where Licensing Trusts hold a monopoly. The four areas where Licensing Trusts have a monopoly are Invercargill, Waitakere (West Auckland), Portage (West Auckland), and Maitaia (Gore). Open liquor store premises can only operate with a one-in-one-out rule. All other liquor stores must be closed to the public.

Out of Scope

Licencees with questions about their licence should contact their local licensing body.

Kind Regards,  
s 9(2)(g)(ii)

**Essential Services Covid-19 Response Team**

COVID-19 Response Team - [covid19.govt.nz](https://www.covid19.govt.nz)  
15 Stout Street, Wellington 6140 | New Zealand



However it seems that since first being announced, the rule was tightened, and now only stores operated directly by liquor licensing trusts may operate. Other independently owned liquor stores which have been able to operate in liquor licensing trust areas are no longer able to open.

Could you please let me and s 9(2)(a) know what the reasoning is behind this change.

Kind regards, Deborah

Dr Deborah Russell  
Labour MP for New Lynn  
Chair, Finance and Expenditure Select Committee

Ph: 09 8206245 | FB: <https://www.facebook.com/deborahrussellfornewlynn/> Twitter: @BeeFaerie

**From:** s 9(2)(a) [redacted]@gmail.com]  
**Sent:** Wednesday, 1 April 2020 5:35 PM  
**To:** Deborah Russell  
**Subject:** West Auckland Licensing Trusts - Concern re MBIE Direction

Hi Deborah, hope you're coping with the new normal - what a strange time.

I wanted to email you about something that has developed recently and which I find very concerning. I am sure you're aware that MBIE directed that liquor stores located in licensing trust districts could remain open - this meant that The Trusts' liquor stores could remain open, as well as the handful of liquor stores in West Auckland that had existing use rights and opened prior to the trusts system coming into force.

However, on Sunday evening, MBIE (with absolutely no explanation whatsoever) amended this rule so that stores operated ONLY by The Trusts could operate - despite other stores in West Auckland having the same license and otherwise lawfully being entitled to operate.

I am not sure if you have seen the absolute shambles The Trusts are making of things at the moment, with queues of people round the block (and no enforcement of queues) - they have also restricted access into their stores for five hours a day, six days a week (meaning the queues are enormous). In addition, The Trusts' business practices to date during the lockdown leave something to be desired, given they thought it was appropriate to ask customers to email the stores with credit card details, in clear breach of guidelines around electronic transactions (as well as a failure of common sense).

The direction to close non-Trusts operated stores seems to directly undermine the physical distancing requirements currently in force. Closing the other non-trust stores has only exacerbated this issue. Already there are anecdotal reports of people coming into contact with each other that breaches the 2 metre restriction, and when I drove past last night, there were crowds of people standing outside the store chatting to each other.

I am very concerned that a monopoly has been given preferential treatment and it is hard to avoid the conclusion that some sort of political motivation is behind this (something that has already been picked up by one of the affected retailers and members of the public). Given Labour's involvement with the licensing trusts (being the only party who has trustees elected on a party ticket), the decision undermines confidence that these decisions are being made on a neutral basis (particularly when the President of Portage Licensing Trust was elected on a Labour ticket and when several of the trustees on Waitakere Licensing Trust are also elected on the Labour ticket).

It is hard to imagine any other private company (which is essentially what The Trusts is) being given preferential treatment in such circumstances (even if we are in a state of emergency). The Trusts are now being given a clear commercial advantage over the remaining independent stores in West Auckland, and in my view, there is absolutely no reason to do so.

s 9(2)(g)(ii)

**From:** James Hartley  
**Sent:** Sunday, 5 April 2020 12:48 PM  
**To:** s 9(2)(g)(ii)  
**Subject:** RE: West Auckland Licensing Trusts - Concern re MBIE Direction

Out of Scope

Hi s 9(2)(g)(ii)

Yes I think you're bang on with your positioning. The Government is trying as a general principle to limit the number of retail outlets that can be open to the public for the public health reasons you state. This is why in the four monopoly licensed trust areas only the trust shops can open, and why elsewhere only supermarkets can open. The guidance covers the situations where delivery is permissible for other operators.

Hope that helps!

James

**James Hartley**  
GENERAL MANAGER

Commerce, Consumers and Communications  
Ministry of Business, Innovation & Employment

[james.hartley@mbie.govt.nz](mailto:james.hartley@mbie.govt.nz) | Telephone: +64 (0)4 460 1396 | s 9(2)(g)(ii) s 9(2)(g)(ii)  
15 Stout Street, Wellington 6011 | P.O. Box 1473, Wellington 6140

NZBN 9429000106078



**From:** s 9(2)(g)(ii) s 9(2)(g)(ii)  
**Sent:** Sunday, 5 April 2020 12:10 PM  
**To:** James Hartley <James.Hartley@mbie.govt.nz>  
**Subject:** FW: West Auckland Licensing Trusts - Concern re MBIE Direction

Out of Scope

Hi James,

Based on the policy decisions you were involved in ref alcohol, can you help me frame the right response back to the below email chain around rationale as to why it was agreed that licensing trust stores only who were given the right to open in the licensing trust areas?

My general understanding is that it about general principle of restricting movement and interaction of people but would be good to get your positioning on this first before we respond.

Cheers

s 9(2)(g)(ii)

open. This is to ensure that people living in areas covered by liquor licensing trusts could still buy beer and wine despite not having access to beer and wine in supermarkets.

However it seems that since first being announced, the rule was tightened, and now only stores operated directly by liquor licensing trusts may operate. Other independently owned liquor stores which have been able to operate in liquor licensing trust areas are no longer able to open.

Could you please let me and [s 9(2)(a)] know what the reasoning is behind this change.

Kind regards, Deborah

Dr Deborah Russell  
Labour MP for New Lynn  
Chair, Finance and Expenditure Select Committee

Ph: 09 8206245 | FB: <https://www.facebook.com/deborahrussellfornewlynn/> Twitter: @BeeFaerie

**From:** [s 9(2)(a)] [redacted]@gmail.com

**Sent:** Wednesday, 1 April 2020 5:35 PM

**To:** Deborah Russell

**Subject:** West Auckland Licensing Trusts - Concern re MBIE Direction

Hi Deborah, hope you're coping with the new normal - what a strange time.

I wanted to email you about something that has developed recently and which I find very concerning. I am sure you're aware that MBIE directed that liquor stores located in licensing trust districts could remain open - this meant that The Trusts' liquor stores could remain open, as well as the handful of liquor stores in West Auckland that had existing use rights and opened prior to the trusts system coming into force.

However, on Sunday evening, MBIE (with absolutely no explanation whatsoever) amended this rule so that stores operated ONLY by The Trusts could operate - despite other stores in West Auckland having the same license and otherwise lawfully being entitled to operate.

I am not sure if you have seen the absolute shambles The Trusts are making of things at the moment, with queues of people round the block (and no enforcement of queues) - they have also restricted access into their stores for five hours a day, six days a week (meaning the queues are enormous). In addition, The Trusts' business practices to date during the lockdown leave something to be desired, given they thought it was appropriate to ask customers to email the stores with credit card details, in clear breach of guidelines around electronic transactions (as well as a failure of common sense).

The direction to close non-Trusts operated stores seems to directly undermine the physical distancing requirements currently in force. Closing the other non-trust stores has only exacerbated this issue. Already there are anecdotal reports of people coming into contact with each other that breaches the 2 metre restriction, and when I drove past last night, there were crowds of people standing outside the store chatting to each other.

I am very concerned that a monopoly has been given preferential treatment and it is hard to avoid the conclusion that some sort of political motivation is behind this (something that has already been picked up by one of the affected retailers and members of the public). Given Labour's involvement with the licensing trusts (being the only party who has trustees elected on a party ticket), the decision undermines confidence that these decisions are being made on a neutral basis (particularly when the President of Portage Licensing Trust was elected on a Labour ticket and when several of the trustees on Waitakere Licensing Trust are also elected on the Labour ticket).

s 9(2)(g)(ii)

---

**From:** s 9(2)(g)(ii)  
**Sent:** Wednesday, 1 April 2020 9:25 PM  
**To:** s 9(2)(g)(ii)  
**Cc:**  
**Subject:** RE: West Auckland Licensing Trusts - Concern re MBIE Direction [Out of Scope]

Hi s 9(2)(g)(ii)

Thanks for passing this matter on to the triage team.

We'll look into it and provide a note in consultation with Justice.

Thanks for following up with Justice on the requirement for endorsement of remote sales.

Thanks  
s 9(2)(g)(ii)

---

s 9(2)(g)(ii)

**From:** s 9(2)(g)(ii)  
**Sent:** Wednesday, 1 April 2020 8:55 p.m.  
**To:** s 9(2)(g)(ii) s 9(2)(g)(ii)  
**Cc:**  
**Subject:** FW: West Auckland Licensing Trusts - Concern re MBIE Direction [Out of Scope]

Hi s 9(2)(g)(ii)

A new query has just been passed on to me about alcohol which came from Deborah Russell to Minister Fafoi – see below.

This one is actually different to the issue we're already dealing with. It's asking why *only* licensing trust stores can open but not other liquor stores in licensing trust areas.

Can I please leave this one with you (recognising it won't be dealt with in the clarification I am working on with Justice)? s 9(2)(g)(ii) I've copied you in because I think I saw on some correspondence the other day (may have only been yesterday, time is a blur ☺) that you're dealing with queries from Ministers and MPs?

Thanks very much,

s 9(2)(g)(ii)  
s 9(2)(g)(ii)

---

**From:** s 9(2)(g)(ii) i @parliament.govt.nz>  
**Sent:** Wednesday, 1 April 2020 7:38 PM  
**To:** s 9(2)(g)(ii) @mbie.govt.nz>  
**Subject:** FW: West Auckland Licensing Trusts - Concern re MBIE Direction

Hi s 9(2)(g)(ii)

I trust that your note will help clarify situations like the below?

Labour MP for New Lynn  
Chair, Finance and Expenditure Select Committee

Ph: 09 8206245 | FB: <https://www.facebook.com/deborahrussellfornewlynn/> Twitter: @BeeFaerie

s 9(2)(a)

From [REDACTED]@gmail.com]

Sent: Wednesday, 1 April 2020 5:35 PM

To: Deborah Russell <[Deborah.Russell@parliament.govt.nz](mailto:Deborah.Russell@parliament.govt.nz)>

Subject: West Auckland Licensing Trusts - Concern re MBIE Direction

Hi Deborah, hope you're coping with the new normal - what a strange time.

I wanted to email you about something that has developed recently and which I find very concerning. I am sure you're aware that MBIE directed that liquor stores located in licensing trust districts could remain open - this meant that The Trusts' liquor stores could remain open, as well as the handful of liquor stores in West Auckland that had existing use rights and opened prior to the trusts system coming into force.

However, on Sunday evening, MBIE (with absolutely no explanation whatsoever) amended this rule so that stores operated ONLY by The Trusts could operate - despite other stores in West Auckland having the same license and otherwise lawfully being entitled to operate.

I am not sure if you have seen the absolute shambles The Trusts are making of things at the moment, with queues of people round the block (and no enforcement of queues) - they have also restricted access into their stores for five hours a day, six days a week (meaning the queues are enormous). In addition, The Trusts' business practices to date during the lockdown leave something to be desired, given they thought it was appropriate to ask customers to email the stores with credit card details, in clear breach of guidelines around electronic transactions (as well as a failure of common sense).

The direction to close non-Trusts operated stores seems to directly undermine the physical distancing requirements currently in force. Closing the other non-trust stores has only exacerbated this issue. Already there are anecdotal reports of people coming into contact with each other that breaches the 2 metre restriction, and when I drove past last night, there were crowds of people standing outside the store chatting to each other.

I am very concerned that a monopoly has been given preferential treatment and it is hard to avoid the conclusion that some sort of political motivation is behind this (something that has already been picked up by one of the affected retailers and members of the public). Given Labour's involvement with the licensing trusts (being the only party who has trustees elected on a party ticket), the decision undermines confidence that these decisions are being made on a neutral basis (particularly when the President of Portage Licensing Trust was elected on a Labour ticket and when several of the trustees on Waitakere Licensing Trust are also elected on the Labour ticket).

It is hard to imagine any other private company (which is essentially what The Trusts is) being given preferential treatment in such circumstances (even if we are in a state of emergency). The Trusts are now being given a clear commercial advantage over the remaining independent stores in West Auckland, and in my view, there is absolutely no reason to do so.

The impact of the decision also means that West Aucklanders only have one retailer to chose from (which given The Trusts' prices are significantly higher than other retailers is not a desirable outcome).

I am not sure whether you can escalate this but the fallout from this is unlikely to go away - the NBR has already published a piece on The Trusts' failure to deal with demands this morning, and I understand that further media stories will follow. If there is any suggestion whatsoever that The Trusts are receiving preferential treatment then that is a very concerning situation indeed.

**From:** Greaney, Caroline <[Caroline.Greaney@justice.govt.nz](mailto:Caroline.Greaney@justice.govt.nz)>  
**Sent:** Saturday, 4 April 2020 5:54 PM  
**To:** Dean Ford <[Dean.Ford@mbie.govt.nz](mailto:Dean.Ford@mbie.govt.nz)>; James Hartley <[James.Hartley@mbie.govt.nz](mailto:James.Hartley@mbie.govt.nz)>  
**Subject:** Fwd: Licensing Trusts

Hi Dean and James

A couple of emails below from Auckland Council's Alcohol Inspector and Specialist.

Two issues I think:

- 1) The alcohol text now suggests you can buy alcohol in supermarkets in the Trusts Areas - when supermarkets don't hold any licenses in those areas; and
- 2) the second email below raises the question of whether it should only be the Trusts stores in those 4 areas that can be open and sell to the public, or whether the handful of other license holders can also be open. (This is a question that has been raised before - someone just needs to make a call about whether you want these additional business to be selling directly in person to the public or not.)

As always - happy to discuss. And <sup>s 9(2)(g)(ii)</sup> Auckland Council is always happy to discuss too.

Caroline Greaney  
**General Manager, Civil and Constitutional, Policy  
Ministry of Justice**

Begin forwarded message:

**From:** <sup>s 9(2)(g)(ii)</sup> <sup>(g)(ii)</sup> [@aucklandcouncil.govt.nz](mailto: @aucklandcouncil.govt.nz)  
**Date:** 4 April 2020 at 5:40:20 PM NZDT  
**To:** "'[caroline.greaney@justice.govt.nz](mailto:caroline.greaney@justice.govt.nz)'" <[caroline.greaney@justice.govt.nz](mailto:caroline.greaney@justice.govt.nz)>  
**Subject:** **FW: Licensing Trusts**

Hmmm.

This update says you can now buy alcohol in supermarkets in trust areas! And doesn't mention Trust liquor stores or grocery stores anymore.

Alcohol is available to be purchased in supermarkets in the four areas where Licensing Trust stores hold a monopoly. The four areas where Licensing Trusts have a monopoly are Invercargill, Waitakere (West Auckland), Portage (West Auckland), and Maitua (Gore). Open liquor store premises can only operate with a one-in-one-out rule. All other liquor stores must be closed to the public.

Regards

<sup>s 9(2)(g)(ii)</sup>

**Alcohol Licensing Inspector & Principal Specialist**  
**Licensing & Regulatory Compliance**  
35 Graham Street Auckland Central. <sup>s 9(2)(g)(ii)</sup>

s 9(2)(g)(ii)

**From:** Dean Ford  
**Sent:** Saturday, 4 April 2020 8:12 PM  
**To:** s 9(2)(g)(ii)  
**Cc:** James Hartley  
**Subject:** FW: Licensing Trusts [UNCLASSIFIED]

Hi s 9(2)(g)(ii)

It looks like we got our wires crossed somewhere on today's alcohol update. The correct text for the first paragraph should be:

Alcohol is available to be purchased in supermarkets, and **Licensing Trust** stores in the four areas where Licensing Trust stores hold a monopoly. The four areas where Licensing Trusts have a monopoly are Invercargill, Waitakere (West Auckland), Portage (West Auckland), and Maitāwhiri (Gore). Open liquor store premises can only operate with a one-in-one-out rule. All other liquor stores must be closed to the public.

Cheers  
Dean

**From:** Greaney, Caroline <Caroline.Greaney@justice.govt.nz>  
**Sent:** Saturday, 4 April 2020 5:54 PM  
**To:** Dean Ford <Dean.Ford@mbie.govt.nz>; James Hartley <James.Hartley@mbie.govt.nz>  
**Subject:** Fwd: Licensing Trusts

Hi Dean and James

A couple of emails below from Auckland Council's Alcohol Inspector and Specialist.  
Two issues I think:

- 1) The alcohol text now suggests you can buy alcohol in supermarkets in the Trusts Areas - when supermarkets don't hold any licenses in those areas; and
- 2) the second email below raises the question of whether it should only be the Trusts stores in those 4 areas that can be open and sell to the public, or whether the handful of other license holders can also be open. (This is a question that has been raised before - someone just needs to make a call about whether you want these additional business to be selling directly in person to the public or not.)

As always - happy to discuss. And Rob at Auckland Council is always happy to discuss too.

Caroline Greaney  
General Manager, Civil and Constitutional, Policy  
Ministry of Justice

Begin forwarded message:

**From:** s 9(2)(g)(ii) <[redacted]@aucklandcouncil.govt.nz>  
**Date:** 4 April 2020 at 5:40:20 PM NZDT  
**To:** "'caroline.greaney@justice.govt.nz'" <caroline.greaney@justice.govt.nz>  
**Subject:** FW: Licensing Trusts

Hmmm.



CAUTION: This email message and any attachments contain information that may be confidential and may be LEGALLY PRIVILEGED. If you are not the intended recipient, any use, disclosure or copying of this message or attachments is strictly prohibited. If you have received this email message in error please notify us immediately and erase all copies of the message and attachments. We do not accept responsibility for any viruses or similar carried with our email, or any effects our email may have on the recipient computer system or network. Any views expressed in this email may be those of the individual sender and may not necessarily reflect the views of Council.

---

**Confidentiality notice:**

This email may contain information that is confidential or legally privileged. If you have received it by mistake, please:

- (1) reply promptly to that effect, and remove this email and the reply from your system;
- (2) do not act on this email in any other way.

Thank you.

---



**Subject:** Sale of alcohol - advice on clarification of licence requirements for essential services guidance [IN-CONFIDENCE]

Hi [REDACTED] s 9(2)(g)(ii)

The PMO has requested advice on in relation to the sale of alcohol during Level 4 aler

OUT OF SCOPE

Out of Scope

We propose the following description in relation to the sale of alcohol:

*Alcohol is available to be purchased in supermarkets and Licensing Trust stores. Open liquor store premises can only operate with a one-in-one-out rule. All other liquor stores must be closed to the public.*

OUT OF SCOPE

Out of Scope

**There have also been questions around what retail stores alcohol can be purchased from**

The essential services guidance currently states:

*Alcohol is available to be purchased in supermarkets, and Licensing Trust liquor stores (open liquor store premises in a Licensing Trust Areas can only operate with a one-in-one-out rule). All other liquor stores must be closed to the public.*

s 9(2)(g)(ii)

**From:** Dean Ford  
**Sent:** Saturday, 4 April 2020 12:20 PM  
**To:** James Hartley; s 9(2)(a)(ii)  
**Cc:** Greaney, Caroline; s 9(2)(g)(ii)  
**Subject:** RE: Sale of alcohol - advice on clarification of licence requirements for essential services guidance Out of Scope

Hi team,

Just to clarify on the first sentence, we will use:

Alcohol is available to be purchased in supermarkets, and stores in the four areas where Licensing Trust stores hold a monopoly.

First, we have a definition of a supermarket that covers the gambit of four squares etc, so we don't need to add anything there. Second, that comma after the word supermarkets is crucial.

Cheers  
Dean

**From:** James Hartley <James.Hartley@mbie.govt.nz>  
**Sent:** Saturday, 4 April 2020 12:03 PM  
**To:** s 9(2)(g)(ii) @parliament.govt.nz  
**Cc:** Greaney, Caroline <Caroline.Greaney@justice.govt.nz>; Dean Ford <Dean.Ford@mbie.govt.nz>; s 9(2)(g)(ii) @mbie.govt.nz; s 9(2)(g)(ii) @mbie.govt.nz; s 9(2)(g)(ii) @parliament.govt.nz  
**Subject:** Re: Sale of alcohol - advice on clarification of licence requirements for essential services guidance [Out of Scope]

Fine with me too.

James Hartley  
General Manager  
Commerce, Consumers and Communications  
MBIE  
s 9(2)(g)(ii)

On 4/04/2020, at 11:14 AM, s 9(2)(g)(ii) @parliament.govt.nz wrote:

I have no problem with that

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

---

**From:** Greaney, Caroline <Caroline.Greaney@justice.govt.nz>  
**Date:** Saturday, 04 Apr 2020, 11:10 AM  
**To:** James Hartley <James.Hartley@mbie.govt.nz>

NZBN 9429000106078

<image003.jpg>

**From:** s 9(2)(g)(ii) [mailto: [redacted]@parliament.govt.nz]  
**Sent:** Friday, 3 April 2020 9:07 AM  
 s 9(2)(g)(ii) [redacted]@mbie.govt.nz  
**Cc:** James Hartley <James.Hartley@mbie.govt.nz>; Paul Stocks <Paul.Stocks@mbie.govt.nz>; Greaney, Caroline <Caroline.Greaney@justice.govt.nz>; s 9(2)(g)(ii) [redacted]@mbie.govt.nz  
**Subject:** RE: Sale of alcohol - advice on clarification of licence requirements for essential services guidance [ Out of Scope ]

s 9(2)(g)(ii)

Thanks very much for this s 9(2)(g)(ii) PMO are very thankful for the advice, but have a two questions:

- Is the last line of the email just in relation to the question about licensing trusts? If so – that was one of the clearest decisions from Cabinet – that it should only be liquor stores open in those four places where supermarkets are not selling alcohol. If that isn't clear, or not happening in practice, that needs to be remedied.

OUT OF SCOPE

Out of Scope

Could we please get a response for PMO?

Thanks very much!

s 9( s 9(2)(g)(ii)

s 9(2)(g)(ii) s 9(2)(g)(ii)

Office of Hon Kris Faafoi

Minister of Commerce and Consumer Affairs | Minister of Broadcasting, Communications and Digital Media | Minister of Government Digital Services | Associate Minister of Housing  
 Parliament Buildings, Wellington s 9(2)(g)( s 9(2)(g)(ii)

**From:** s 9(2) s 9(2)(g)(ii) [redacted]@mbie.govt.nz]

**Sent:** Thursday, 2 April 2020 6:00 PM

**To:** s 9(2)(g)(ii) s 9(2)(g)(ii) [redacted]@parliament.govt.nz

**Cc:** James Hartley <James.Hartley@mbie.govt.nz>; Paul Stocks <Paul.Stocks@mbie.govt.nz>; Greaney, Caroline <Caroline.Greaney@justice.govt.nz>; s 9(2)(g)(ii) [redacted]

s s 9(2)(g)( ) [redacted]@mbie.govt.nz

**Subject:** Sale of alcohol - advice on clarification of licence requirements for essential services guidance [ Out of Scope ]

s 9(2)(g)(ii)

OUT OF SCOPE

Out of Scope

**There have also been questions around what retail stores alcohol can be purchased from**

The essential services guidance currently states:

*Alcohol is available to be purchased in supermarkets, and Licensing Trust liquor stores (open liquor store premises in a Licensing Trust Areas can only operate with a one-in-one-out rule). All other liquor stores must be closed to the public.*

Questions have been raised about:

- Whether or not this should be limited to the four areas where the trusts have a monopoly (there are thirteen trust areas in total, four where supermarkets may not sell alcohol)
- Whether *all* bottle stores should be able to open in licensing trust areas or *only* the bottle stores owned by the licensing trusts.

MBIE proposes to leave the current explanation as it stands on the website to avoid making changes to the rules where this is not necessary. This rule is now widely understood and unnecessary rule changes may undermine certainty and confidence.

Let me know if you would like to discuss.

Kind regards

s 9(2)(g)(ii)

COMMERCE, CONSUMERS &  
COMMUNICATIONS BRANCH  
ICT SECTOR LEAD – COVID RESPONSE

s 9(2)(g)(ii)

s 9(2)(g)(ii)

15 Stout Street, Wellington, 6011 | PO Box 3705 Wellington 6140

<image004.jpg>

[www.govt.nz](http://www.govt.nz) - your guide to finding and using  
New Zealand government services

**From:** Greaney, Caroline <Caroline.Greaney@justice.govt.nz>  
**Sent:** Friday, 3 April 2020 4:45 PM  
**To:** James Hartley  
**Subject:** RE: Sale of alcohol - advice on clarification of licence requirements for essential services guidance [Out of Scope]

Hi James

Thanks for the discussions today.

**Proposed description**

We propose the following description in relation to the sale of alcohol. This clarifies the four areas where there is a monopoly licensing trust operating, and clarifies the requirements for remote sales.

Alcohol is available to be purchased in supermarkets and Licensing Trust stores in four areas. Open liquor store premises can only operate with a one-in-one-out rule. All other liquor stores must be closed to the public.

Out of Scope

Licencees with questions about their licence should contact their local council.

The four areas where Licensing Trusts have a monopoly are Invercargill, Waitakere (West Auckland), Portage (West Auckland), and Maitua (Gore)

Ngā manaakitanga  
Caroline



**Caroline Greaney**  
General Manager, Civil & Constitutional  
Policy Group  
Ministry of Justice | Tāhū o te Ture  
s 9(2)(g)(ii)  
[caroline.greaney@justice.govt.nz](mailto:caroline.greaney@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

**From:** s 9(2)(g)(ii) @parliament.govt.nz  
**Sent:** Friday, 3 April 2020 9:07 AM  
**To:** s 9(2)(g)(ii) @mbie.govt.nz  
**Cc:** James Hartley <James.Hartley@mbie.govt.nz>; Paul Stocks <Paul.Stocks@mbie.govt.nz>; Greaney, Caroline <Caroline.Greaney@justice.govt.nz>; s 9(2)(g)(ii) @mbie.govt.nz  
**Subject:** RE: Sale of alcohol - advice on clarification of licence requirements for essential services guidance [Out of Scope]

s 9(2)(g)(ii)

**From:** Greaney, Caroline <Caroline.Greaney@justice.govt.nz>  
**Sent:** Thursday, 2 April 2020 8:15 AM  
**To:** s 9(2)(g)(ii)  
**Cc:**  
**Subject:** RE: Sale of alcohol - advice to Minister [ Out of Scope ]

s 9(2)(g)(ii)

Thanks for your email.

Out of Scope

With regard to **licensing trust liquor stores**, our main point is that if it's not limited to the four areas where the trusts have a monopoly, it means approx. 9 more areas of New Zealand where bottle stores can open and carry out face-to-face transactions with the public. We think the key question is how risks around harm are managed and the potential COVID transmission impact of retaining additional face to face sales that would not otherwise be taking place. You may want to clarify whether all bottle stores can open in non-monopoly Licensing Trust Areas – or only the bottle stores owned by the Licensing Trusts.

We hope this clarifies the situation and is helpful. Please feel free to give me a call if it would be helpful to talk any of it through.

Ngā manaakitanga  
Caroline



**Caroline Greaney**  
General Manager, Civil & Constitutional  
Policy Group  
Ministry of Justice | Tāhū o te Ture

s 9(2)(g)(ii)

[caroline.greaney@justice.govt.nz](mailto:caroline.greaney@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

Out of Scope

Let me know if you would like to discuss.

Kind regards

s 9(2)(g)(ii)

s 9(2)(g)(ii)

COMMERCE, CONSUMERS & COMMUNICATIONS BRANCH

ICT SECTOR LEAD – COVID RESPONSE

s 9(2)(g)(ii)

s 9(2)(g)(ii)

15 Stout Street, Wellington, 6011 | PO Box 3705 Wellington 6140



**MINISTRY OF BUSINESS,  
INNOVATION & EMPLOYMENT**  
HIKINA WHAKATUTUKI



[www.govt.nz](http://www.govt.nz) - your guide to finding and using New Zealand government services

Any opinions expressed in this message are not necessarily those of the Ministry of Business, Innovation and Employment. This message and any files transmitted with it are confidential and solely for the use of the intended recipient. If you are not the intended recipient or the person responsible for delivery to the intended recipient, be advised that you have received this message in error and that any use is strictly prohibited. Please contact the sender and delete the message and any attachment from your computer.

**Confidentiality notice:**

This email may contain information that is confidential or legally privileged. If you have received it by mistake, please:

- (1) reply promptly to that effect, and remove this email and the reply from your system;
- (2) do not act on this email in any other way.

Thank you.

s 9(2)(g)(ii)

**From:** s 9(2)(g)(ii)  
**Sent:** Wednesday, 1 April 2020 7:42 PM  
**To:** s 9(2)(g)(ii)  
**Cc:** Iain Cossar; s 9(2)(g)(ii) s 9(2)(g)(ii)  
**Subject:** RE: Sale of alcohol - advice to Minister [ Out of Scope

s 9(2)(g)(ii)

Thanks for sending the draft email below.

s 9(2)(g)(ii)

was the other MOJ contact I was working with yesterday.

At the update with Paul this afternoon we decided that a decision 'paper' needs to be prepared

OUT OF SCOPE

Out of Scope

After you've cleared it with MOJ, please send the draft to Paul before sending it to your Minister's office.

Please add the following text to the description upfront:

Alcohol is available to be purchased in supermarkets and Licensing Trust stores. Open liquor store premises can only operate with a one-in-one-out rule. All other liquor stores must be closed to the public.

We have removed any reference to monopoly Licensing Trust Areas in our decision log, so please delete that from the description.

Thanks

s 9(2)(g)(ii)

OUT OF SCOPE

Out of Scope



s 9(2)(g)(ii)

**From:** Greaney, Caroline <Caroline.Greaney@justice.govt.nz>  
**Sent:** Friday, 3 April 2020 6:28 PM  
**To:** s 9(2)(g)(ii); James Hartley  
**Cc:**  
**Subject:** RE: alcohol - cuurent wording [ Out of Scope

This is super pedantic, but could you please add a comma between supermarkets, and stores in the four areas.... I've highlighted it in yellow below. It makes a difference to the meaning, which is quite important.

Many thanks!

Caroline

OUT OF SCOPE

Out of Scope

**From:** James Hartley <[James.Hartley@mbie.govt.nz](mailto:James.Hartley@mbie.govt.nz)>  
**Sent:** Friday, 3 April 2020 5:42 PM  
s 9(2)(g)(ii) <[s 9\(2\)\(g\)\(ii\)@mbie.govt.nz](mailto:s 9(2)(g)(ii)@mbie.govt.nz)>; Greaney, Caroline <[Caroline.Greaney@justice.govt.nz](mailto:Caroline.Greaney@justice.govt.nz)>  
**Subject:** RE: alcohol - cuurent wording [ Out of Scope

s 9(2)(g)(ii)

Here is the new wording that has been agreed by everyone involved – can you please replace all of the existing text with this:

Alcohol is available to be purchased in supermarkets, and stores in the four areas where Licensing Trust stores hold a monopoly. The four areas where Licensing Trusts have a monopoly are Invercargill, Waitakere (West Auckland), Portage (West Auckland), and Matura (Gore). Open liquor store premises can only operate with a one-in-one-out rule. All other liquor stores must be closed to the public.

Out of Scope

Nāā mihi  
s 9(2)(g)(ii)

**Coms lead Essential Services**

**Blue Team**

Engagement and Communications Manager (Labour, Science and Enterprise)

Ministry of Business, Innovation and Employment

s 9(2)(g)(ii)

s 9(2)(g)(ii)

15 Stout St, Wellington

[www.govt.nz](http://www.govt.nz) - your guide to finding and using New Zealand government services

---

Any opinions expressed in this message are not necessarily those of the Ministry of Business, Innovation and Employment. This message and any files transmitted with it are confidential and solely for the use of the intended recipient. If you are not the intended recipient or the person responsible for delivery to the intended recipient, be advised that you have received this message in error and that any use is strictly prohibited. Please contact the sender and delete the message and any attachment from your computer.

---

**Confidentiality notice:**

This email may contain information that is confidential or legally privileged. If you have received it by mistake, please:

- (1) reply promptly to that effect, and remove this email and the reply from your system;
- (2) do not act on this email in any other way.

Thank you.

---

s 9(2)(g)(ii)

**From:**

**Sent:** Wednesday, 1 April 2020 12:17 PM

s 9(2)(g)(ii)

s 9(2)(g)(ii)

parliament.govt.nz>

**Subject:** FW: Unintended consequence of remote endorsement condition [UNCLASSIFIED]

s 9(2)(g)(ii)

As discussed, here's the new Q&A – and below it is some background information about how licences work which could be used in a new paper.

The question still outstanding relates to the highlighted text.

***Can I buy alcohol?***

Alcohol is available to be purchased in supermarkets, and Licensing Trust liquor stores in four areas (Invercargill Licensing Trust, Waitakere Licensing Trust (West Auckland), Portage Licensing Trust (West Auckland), Matura Licensing Trust (Gore)). That's because supermarkets in these four areas are not able to stock alcohol. To avoid people travelling out of region in liquor trust licencing areas (where supermarkets cannot sell alcohol), the decision was made to allow liquor licencing trust stores in these areas to open for retail sales. (Open liquor store premises in monopoly Licensing Trust Areas can only operate with a one-in-one-out rule). All other liquor stores must be closed to the public.

OUT OF SCOPE

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT

## Decisions comms sign off

Wednesday 01 April 2020

OUT OF SCOPE

Out of Scope

Alcohol sales (in discussion with MOJ. They have asked for a copy of the Cabinet minute).

Alcohol is available to be purchased in supermarkets and Licensing Trust stores.

Open liquor store premises can only operate with a one-in-one-out rule. All other liquor stores must be closed to the public.

OUT OF SCOPE

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT

**From:** s 9(2)(g)(ii) i  
**Sent:** Tuesday, 31 March 2020 9:18 AM  
s 9(2)(g)(ii) @mbie.govt.nz; s 9(2)(g)(ii) @mbie.govt.nz>  
**Subject:** RE: Essential services tables [UNCLASSIFIED]

perfect

s 9(2)(g)(ii)  
Essential Services Team  
s 9(2)(g)(ii)

**From:** s 9(2)(g)(ii)  
**Sent:** Monday, 30 March 2020 10:34 p.m.  
s 9(2)(g)(ii)  
**Subject:** RE: Essential services tables [UNCLASSIFIED]

Thanks both

I am a little unclear on what the right answer to include is. This is what I have currently. Could you let me know if it's right

Thanks  
s 9(2)(g)(ii)

**Why are liquor stores considered essential, but not stores selling winter necessities like blankets and heaters?**

The sale of winter necessities is considered essential. MBIE is currently developing a process for online sale of these types of goods. This will include registration by online operators (as they can't be monitored through Police on-the-ground as other essential services stores can be, such as supermarkets).

Supermarkets are permitted to continue selling wine and beer as part of their usual offering. This avoids panic-buying, and removes potential incentives for break-ins. In four areas of New Zealand, Liquor Licencing Trusts have a monopoly over sales. To avoid having people move between areas to purchase alcohol, liquor stores in these Trust areas have also been allowed to open.

Recognising that licencing trust stores are able to sell the full range (not just wine and beer) and to avoid having people travel into licencing trust areas, and to match supermarkets ability to sell online (in all areas), Ministers have included online sales of alcohol in the essential services list. This extends to all alcohol retailers with the appropriate licence. It is subject to the same limits as duty-free purchases (3 bottles of no more than 1.125 litres each).

**From:** s 9(2)(g)(ii) @mbie.govt.nz>  
**Sent:** Monday, 30 March 2020 8:27 PM  
s 9(2)(g)(ii) @mbie.govt.nz>  
@mbie.govt.nz>; s 9(2)(g)(ii) @mbie.govt.nz>  
>; s 9(2)(g)(ii) ij @mbie.govt.nz>  
**Subject:** Re: Essential services tables [UNCLASSIFIED]

s 9(2)(g)(ii)

**From:** (s 9(2)(g)(ii)) <[redacted]@mbie.govt.nz>

**Sent:** Monday, 30 March 2020 7:39 PM

(s 9(2)(g)(ii)) <[redacted]@mbie.govt.nz>

**Subject:** RE: Essential services tables [UNCLASSIFIED]

(s 9(2)(g)(ii))

addition to the updated tables, it's just these two questions that need updating. I think the text in the briefing is fine.

Take care!

(s 9(2)(g)(ii))

OUT OF SCOPE

Out of Scope

**Why are liquor stores considered essential, but not stores selling winter necessities like blankets and heaters?**

[Note this is subject to Cabinet decisions expected on 30 March 2020]

The sale of winter necessities is considered essential. MBIE is currently developing a process for online sale of these types of goods. This will include registration by online operators (as they can't be monitored through Police on-the-ground as other essential services stores can be, such as supermarkets). [Note details are likely to be public by the time the committee meets, but certainly by the end of the week.]

Supermarkets are permitted to continue selling wine and beer as part of their usual offering. This avoids panic-buying, and removes potential incentives for break-ins. In four areas of New Zealand, Liquor Licencing Trusts have a monopoly over sales. To avoid having people move between areas to purchase alcohol, liquor stores in these Trust areas have also been allowed to open. Recognising that licencing trust stores are able to sell the full range (not just wine and beer) and to avoid having people travel into licencing trust areas, and to match supermarkets ability to sell online (in all areas), Ministers have included online sales of alcohol in the essential services list. This extends to all alcohol retailers with the appropriate licence. It is subject to the same limits as duty-free purchases (3 bottles of no more than 1.125 litres each).

OUT OF SCOPE

Out of Scope

s 9(2)(g)(ii)

As per Iain's request, please see below the new alcohol text as agreed with MoJ and which addresses the issue raised in the email chain below. For the official sign off process please!

s 9(2)(g)(ii)

**Can I buy alcohol?**

Alcohol is available to be purchased in supermarkets, and Licensing Trust liquor stores in four areas<sup>[1]</sup>. That's because supermarkets in these four areas are not able to stock alcohol. To avoid people travelling out of region in liquor trust licencing areas (where supermarkets cannot sell alcohol), the decision was made to allow liquor licencing trust stores in these areas to open for retail sales. (Open liquor store premises in monopoly Licensing Trust Areas can only operate with a one-in-one-out rule). All other liquor stores must be closed to the public.

Out of Scope

Licensees with questions about their licence should contact their local council.

**From:** Iain Cossar <[Iain.Cossar@mbie.govt.nz](mailto:Iain.Cossar@mbie.govt.nz)>

**Sent:** Tuesday, 31 March 2020 11:28 AM

s 9(2)(g)(ii)

[@mbie.govt.nz](mailto:mbie.govt.nz)

s 9(2)(g)(ii)

[@mbie.govt.nz](mailto:mbie.govt.nz)

s 9(2)(g)(ii)

[@mbie.govt.nz](mailto:mbie.govt.nz);

s 9(2)(g)

s 9(2)(g)(ii)

[@mbie.govt.nz](mailto:mbie.govt.nz)

s 9(2)(g)(ii)

[@mbie.govt.nz](mailto:mbie.govt.nz)

**Subject:** RE: Unintended consequence of remote endorsement condition [UNCLASSIFIED]

s 9(2)(g)(ii)

s 9(2)(g)(ii)

This is closed - can you send the text you sent Paul - he will make sure Paul sees it and signs it off. cheers

**From:** s 9(2)(g)(ii) [@mbie.govt.nz](mailto:mbie.govt.nz)

**Sent:** Tuesday, 31 March 2020 11:02 AM

s 9(2)(g)(ii)

**To:** Iain Cossar <[Iain.Cossar@mbie.govt.nz](mailto:Iain.Cossar@mbie.govt.nz)>

[@mbie.govt.nz](mailto:mbie.govt.nz);

s 9(2)(g)(ii)

[mbie.govt.nz](mailto:mbie.govt.nz)

**Cc:** [@mbie.govt.nz](mailto:mbie.govt.nz)

**Subject:** RE: Unintended consequence of remote endorsement condition [UNCLASSIFIED]

[1] Invercargill Licensing Trust, Waitakere Licensing Trust (West Auckland), Portage Licensing Trust (West Auckland), Matura Licensing Trust (Gore)

s 9(2)(g)(ii)

**From:** Greaney, Caroline <Caroline.Greaney@justice.govt.nz>  
**Sent:** Monday, 30 March 2020 9:38 PM  
**To:** s 9(2)(g)(ii)  
**Subject:** RE: Alcohol paper [ Out of Scope ]

Thank s 9(2)(g)(ii) es that extra explanation about licensing trust areas is really good. Thanks.  
Happy for it to proceed as you suggest – many thanks!

Ngā manaakitanga  
Caroline



**Caroline Greaney**  
General Manager, Civil & Constitutional  
Policy Group  
Ministry of Justice | Tāhū o te Ture  
s 9(2)(g)(ii) s 9(2)(g)(ii)  
[caroline.greaney@justice.govt.nz](mailto:caroline.greaney@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

**From:** s 9(2)(g)(ii) <[redacted]@mbie.govt.nz>  
**Sent:** Monday, 30 March 2020 6:32 PM  
**To:** Greaney, Caroline <Caroline.Greaney@justice.govt.nz>  
**Subject:** RE: Alcohol paper [ Out of Scope ]

Hi Caroline,

Fantastic, thanks so much.

I think that the information you've provided around the online sale and contactless delivery of alcohol looks great. Regarding the licensing trusts issue, I've just proposed an extra explanation on top of what you'd already written. Let me know what you think about this – see attached.

If you're happy with this, I can send it on to Paul Stocks (will copy you in) to:

- get his agreement to updating the covid.govt.nz website and
- see if he wants to provide the public information plus the background info to Ministers.

Thanks,

s 9(2)(g)(ii)

**From:** Greaney, Caroline <[Caroline.Greaney@justice.govt.nz](mailto:Caroline.Greaney@justice.govt.nz)>  
**Sent:** Monday, 30 March 2020 4:03 PM  
s 9(2)(g)(ii) <[redacted]@mbie.govt.nz>  
**Subject:** RE: Alcohol paper [ Out of Scope ]

s 9(2)(g)(ii)

What do you think of this – some revised text for the website, and also a bit of background information for people who want to know a bit more (such as Minister's offices)? Any feedback welcome – and very happy to discuss.



To [redacted] s 9(2)(g)(ii) <[redacted]@mbie.govt.nz>  
Subject: RE: Alcohol paper [redacted] Out of Scope [redacted]

[redacted] s 9(2)(g)(ii)

Can we have a quick phonecall to discuss the further advice that is needed re: alcohol and licensing. Would 1pm today work for you?

Ngā manaakitanga  
Caroline



**Caroline Greaney**  
General Manager, Civil & Constitutional  
Policy Group  
Ministry of Justice | Tāhū o te Ture  
[redacted] s 9(2)(g)(ii)  
[caroline.greaney@justice.govt.nz](mailto:caroline.greaney@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

From [redacted] s 9(2)(g)(ii) <[redacted]@mbie.govt.nz>

Sent: Sunday, 29 March 2020 2:12 PM

To: Greaney, Caroline <[Caroline.Greaney@justice.govt.nz](mailto:Caroline.Greaney@justice.govt.nz)>  
[redacted] s 9(2)(g)(ii) <[redacted]@mbie.govt.nz>

Subject: RE: Alcohol paper [redacted] Out of Scope [redacted]

Thanks Caroline.

From: Greaney, Caroline <[Caroline.Greaney@justice.govt.nz](mailto:Caroline.Greaney@justice.govt.nz)>

Sent: Sunday, 29 March 2020 1:50 PM

[redacted] s 9(2)(g)(ii) <[redacted]@mbie.govt.nz> [redacted] s 9(2)(g)(ii) <[redacted]@mbie.govt.nz>

Subject: RE: Alcohol paper [redacted] Out of Scope [redacted]

[redacted] s 9(2)(g)(ii)

I've spoken with Paul and given the context of recording the discussion that was had by the Covid- cabinet committee Friday, we think it's best that the paper just go as drafted and with the edits discussed below. Could you please just delete from the consultation section that Justice was consulted on the paper, given that we weren't involved in providing any information to inform Friday's discussion. Many thanks,

Ngā manaakitanga  
Caroline



**Caroline Greaney**  
General Manager, Civil & Constitutional  
Policy Group  
Ministry of Justice | Tāhū o te Ture  
[redacted] s 9(2)(g)(ii)  
[caroline.greaney@justice.govt.nz](mailto:caroline.greaney@justice.govt.nz) | [justice.govt.nz](http://justice.govt.nz)

From: Greaney, Caroline

Sent: Sunday, 29 March 2020 1:37 PM

## Essential services - sale of alcohol – draft 29 March

s 9(2)(g)(ii)  
Background – James [redacted] have assumed you've covered this in the main paper, but included the points sent to me by Dean (Paul said keep it short)

1. Practical implementation of the essential retail goods rules continues.
2. Our general landing point is that the only retail option where customers can visit an actual store is supermarkets, with all other essential food and non-food goods only available online (under numerous conditions).
3. The majority of businesses are complying.
4. Some businesses have expressed frustration with some of the line ball calls – e.g. supermarkets open, but bakeries not
5. Consumers generally happy with implementation, however, with most non-compliant businesses closing after customer backlash rather than government compliance
6. Cabinet, of course, adjust the rules as it sees fit. Indeed, it is likely that more goods would become essential the longer we are in alert level 4. However, officials advise that Cabinet sets a high bar for changes – risks confusion and frustration/civil disobedience.

### Sale of alcohol

Supermarkets offer an essential service, and are open for both in-store sales and delivery. The decision was made to allow supermarkets to continue to include alcohol to avoid panic-buying (and possible increases in theft and home-brewing), and health impacts on addicts of unplanned withdrawal.

#### *Liquor Licencing Trust stores open to minimise people movement out of region*

However, supermarkets in some liquor licencing trust areas<sup>1</sup> are not able to stock alcohol. To avoid people travelling out of region in liquor trust licencing areas (where supermarkets cannot sell alcohol), the decision was made to allow liquor licencing trust stores in these areas to open for retail sales (with managed entry, similar to dairies).

#### *Online sales permitted to minimise people movement into Licence Trust areas*

Supermarkets are only able to sell beer, cider and wine that are not more than 15% ethanol by volume). They are not permitted to sell spirits or other types of alcohol that contain more than 15% ethanol by volume (for example: premixes, ports sheries, spirit-based and some types of fruit or vegetable wine). However, licencing trust stores are able to sell the full range.. In order to avoid having people travel into licencing trust areas, and to match supermarkets ability to sell online (in all areas), Ministers have included online sales of alcohol in the essential services list. This extends to all alcohol retailers with an existing licence, with an endorsement for remote sales under the Sale and Supply of Alcohol Act. Because of the potential for abuse, Ministers have decided sales of spirits (alcohol that contain more than 15% ethanol by volume) are subject to duty free limits (3 bottles of

---

<sup>1</sup> The following Liquor License Trusts have monopoly powers: Invercargill Licensing Trust, Waitakere Licensing Trust (West Auckland), Portage Licensing Trust (West Auckland), Matura Licensing Trust (Gore)

- b. online sale of alcohol by retailers already holding a licence endorsed for remote sales, under the Sale and Supply of Alcohol Act
- c. sale of spirits are subject to duty-free limits

Or:

- a. Exclude the sale of spirits and other types of alcohol that contain more than 15% ethanol by volume (for example: premixes, ports sheries, and some types of fruit or vegetable wine) in New Zealand from the essential services list, effectively banning sale during Alert 3 or 4

## Recommendations

We recommend that COVID Ministers:

1. **Note** the sale of alcohol has been deemed an essential service, subject to the following conditions
  - a. alcohol may be sold by supermarkets and licensing trust stores in one of the four areas where licensing trusts have monopoly trading rights for the sale of alcohol
  - b. online sale of alcohol by retailers already holding the appropriate licence endorsed for remote
  - c. sale of spirits subject to duty-free limits
2. **Agree** that the sale of spirits and other types of alcohol that contain more than 15% ethanol by volume (for example: premixes, ports sheries, and some types of fruit or vegetable wine) in New Zealand is  
*EITHER:*
  - a. An essential service, subject to duty-free limits (as noted above)  
*OR:*
  - b. A non-essential service, and therefore must be removed from both online and in person sales liquor licencing trust stores, and online sale of alcohol by retailers with an existing licence, with an endorsement for remote sales under the Sale and Supply of Alcohol Act.
3. **Agree** that retailers supplying permitted to sell alcohol during this time be encouraged to provide harm minimisation messages with the alcohol supplied.

## Messaging for sales of alcohol

### *Can I buy alcohol?*

Alcohol is available to be purchased in supermarkets, and Licensing Trust liquor stores **in four areas**. (Open liquor store premises in **monopoly** Licensing Trust Areas can only operate with a one-in-one-out rule).

All other liquor stores must be closed to the public.

Out of Scope

Licenses with questions about their licence should contact their local council.

OUT OF SCOPE

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT

s 9(2)(g)(ii)

**From**

**Sent:** Monday, 30 March 2020 9:50 AM

s 9(2)(g)(ii)

@mbie.govt.nz>

s 9(2)(g)(ii)

s 9(2)(g)(ii)

mbie.govt.nz>

@mbie.govt.nz>

**Subject:** RE: Q&As for select committee

Out of Scope

*Why are liquor stores considered essential, but not stores selling winter necessities like blankets and heaters?*

The sale of winter necessities is considered essential, MBIE is currently developing the process for online sale of these types of goods. This will include registration by online operators (as they can't be monitored through police on-the-ground as other essential services stores can be, such as supermarkets). Details are likely to be public by the time the Committee meets, but certainly by the end of the week.

*Further info on sale of alcohol*

Supermarkets are permitted to continue selling wine and beer as part of their usual offering, this avoided panic-buying, and removes potential incentives for break-ins. In 4 areas of NZ, Liquor Licencing Trusts have monopoly over sales, to avoid having people move between areas to purchase alcohol liquor licencing trust stores have also been allowed to open.

As Supermarkets are allowed online sales and contactless delivery; sale of alcohol online has also been permitted (by those who already have the appropriate licence).

As the sale of spirits uses the same stores and systems, there is no additional risk of spreading COVID 19, over and above the sale of wine and beer. Sale of spirits has therefore not been excluded from these activities, though it is subject to the same limits as duty free (3 bottles of no more than 1.125 litres each)

**From**

s 9(2)(g)(ii)

**Sent:** Sunday, 29 March 2020 6:34 p.m.

s 9(2)(g)(ii)

@mpi.govt.nz

**Subject:** RE: Q&As for select committee

Out of Scope

Kia ora s 9(2)(g)(ii) and everyone else),

Sorry about that – I wrongly assumed you were on an earlier email thread about this.

This is part of a large pack being put together for Min Twyford's appearance at the Epidemic Response Committee on Wednesday. Paul Stocks and Ruth Isaac are going with him. I've been asked to pull together some information on essential services: the principles, key policy decisions etc. I also need to include some Q&As – which is where those two questions came from. The produce shop question in particular is from Minister Twyford's office.

s 9(2)(g)(ii)  
**From:** [REDACTED]  
**Sent:** Wednesday, 25 March 2020 11:13 AM  
s 9(2)(g)(ii) @mbie.govt.nz>  
**Subject:** FW: restaurants association NZ [UNCLASSIFIED]

I will leave this with you to go back to RANZ

s 9(2)(g)(ii)  
Principal Policy Advisor | Kaitātari Kaupapa  
Labour, Science & Enterprise Group

s 9(2)(g)(ii) s 9(2)(g)(ii)

**From:** EssentialServices  
**Sent:** Wednesday, 25 March 2020 10:41 a.m.  
s 9(2)(g)(ii)  
**Subject:** RE: restaurants association NZ [UNCLASSIFIED]

s 9(2)(g)(ii)

Additional information has been provided on the COVID 19 website:

<https://covid19.govt.nz/government-actions/covid-19-alert-level/essential-businesses/>

## Decisions made by Cabinet, 24 March 2020

- Dairies can remain open, with a one-in-one-out rule, and cannot sell cooked food.
- Food delivery is prohibited, except meals-on-wheels and whole food delivery (eg subscription food boxes).
  - Every restaurant, café and bar must close all aspects of their operation.
  - Liquor stores must close, unless they are within Licensing Trust areas (in which case they can operate with a one-in-one-out rule).
  - Self-service laundries can stay open, with two meter physical distancing to be enforced.
- Retirement villages are included as an essential service.
- The Warehouse must close.
- Bunnings, Placemakers, Mitre 10 and other retailers essential to the supply chain for building and construction can stay open to trade customers for essential purposes only.
- The Tiwai Point smelter is exempt from closure.
- NZ Steel is to shut down in a way that allows for production to recommence easily.
- Pulp and paper plants are to shut down their non-essential elements in a way that allows for production to recommence easily, and while maintaining essential production.
- Methanex can remain in production, but at a scale consistent with the stability of gas supply.

s 9(2)(g)(ii)

**From**

**Sent:** Tuesday, 24 March 2020 10:26 a.m.

s 9(2)(g)(ii)

**Subject:** Essential services [UNCLASSIFIED]

**Importance:** High

s 9(2)(g)(ii)

Is there any official advice on essential services that will remain open during Alert level 4?

Following a [Stuff article](#), RANZ has asked if they could advise their members that they are essential services?

Sorry to bother you while you are busy with other priority work

s 9(2)(g)(ii)

RELEASED UNDER THE  
OFFICIAL INFORMATION ACT