**Application Number: MC4060**

**IN THE MATTER** of the Sale and Supply of Alcohol Act 2012

**AND**

**IN THE MATTER** of an application by **Barinder Parihar** for a Manager’s Certificate pursuant to section 219 of the Act.

**BEFORE THE NAPIER DISTRICT LICENSING COMMITTEE**

The manager’s certificate application had no objections filed and no matters of opposition raised under section 220 reports, therefore the matter was considered by the Napier District Licensing Commissioner in accordance with sections 221, 222 and 223 of the Act.

**Commissioner: Stuart Hylton**

**RESERVED DECISION OF THE NAPIER DISTRICT LICENSING COMMITTEE**

1. **Application**

**Barinder Parihar** made the application on the prescribed form received on 23 April 2020. The applicant intends using the certificate at the Maraenui Four Square (Grocery Style Off Licence), which the applicant has worked in for nearly 4 years. The applicant has held a manager’s certificate on two occasions before and on each occasion has let it lapse.

The application included evidence of obtaining the necessary License Controller Qualification and attesting to their experience and skills. The applicant declared they have no convictions.

1. **Decision Making**

In considering this application for a manager’s certificate the licensing committee had regard to the following criteria under section 222 of the Act.

* *a)the applicant's suitability to be a manager:*
* *(b)any convictions recorded against the applicant:*
* *(c)any experience, in particular recent experience, that the applicant has had in controlling any premises for which a licence was in force:*
* *(d)any relevant training, in particular recent training, that the applicant has undertaken and evidence that the applicant holds the prescribed qualification required under**[section 218](http://www.legislation.govt.nz/act/public/2012/0120/latest/link.aspx?id=DLM3339709):*
* *(e)any matters dealt with in any report made under**[section 220](http://www.legislation.govt.nz/act/public/2012/0120/latest/link.aspx?id=DLM3339712).*

1. **Reporting Agencies**

The following reports were received under section 220 of the Act and taken into account during the decision.

**3.1 Police –** No opposition within report dated 11 May 2020.

**3.2 Licensing Inspector –** Full report assessing **Barinder Parihar’s** credentials against the Acts criteria. The inspector has interviewed the applicant and concludes that the application is complete, in all aspects appears to meet the criteria of section 222 of the Act to hold a managers certificate and recommends that the Certificate be approved.

The inspector notes that the previous certificate had an undertaking limiting the certificate to an OFF-licence due to the applicant’s limited experience elsewhere. The Inspector recommends this undertaking is continued. The Inspector also notes the applicant has a work visa which expires on 25 September 2020 although they have applied to extend beyond this date.

1. **Conclusion**

Based on the evidence provided to me within the application and statutory reports I conclude that **Barinder Parihar** meets the criteria to hold a Managers Certificate under the Act.

1. **Decision**

Accordingly the application is **Approved** for issue for a period expiring on the 25 September 2020, that being work visa expiry date. Should the visa be extended, a replacement renewal certificate shall be issued for a period until the expiry of the visa or one year from issue of the existing certificate whichever is sooner.

This certificate shall be annotated with an ‘undertaking’ limiting its use to ‘Off-licence’ premises.

**Dated at Napier City this day of 29 May 2020.**

**Signed**

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**Stuart Hylton**

**Napier District Licensing Commissioner**