

Decision Number: 4261/2021
IN THE MATTER of the Sale and Supply of Alcohol Act 2012
AND
IN THE MATTER of an application by **Kanchan** for a Managers Certificate pursuant to section 219 of the Act.

BEFORE THE NAPIER DISTRICT LICENSING COMMITTEE

The managers' certificate application (MC4261) 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

Kanchan made the application on the prescribed form received on the 17 March 2021. The applicant intends using the certificate at the 'Tumeric Cuisine' (Restaurant Style On-licence), where they have worked for over two months and prior to that two years ago, 7 months experience in an Auckland Restaurant.

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 apart from that discussed above.

2. 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](#):*
- *(e) any matters dealt with in any report made under [section 220](#).*

3 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 16 April 2021.

3.2 Licensing Inspector – Full report assessing **Kanchan's** credentials against the Acts criteria.

The Inspector notes the applicant has signed an undertaking limiting its use to this type of premise due to inexperience across the industry and use with a current working visa.

The Inspector explains in some depth his analysis of the applicants experience, including the Police's concerns, and concludes reasons why he thinks the applicant's experience is suitable in this case.

The inspector concludes that the application is complete, in all other aspects appears to meet the criteria of section 222 of the Act to hold a managers certificate.

4 Conclusion

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

5 Decision

Accordingly the application is **Approved** for issue for a period of one year and the undertaking annotated on the certificate.

Dated at Napier City this day of 4 May 2021.

Signed



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Stuart Hylton
Napier District Licensing Commissioner