

**Decision Number:**

**4424/2022**

**IN THE MATTER**

of the Sale and Supply of Alcohol Act 2012

**AND**

**IN THE MATTER**

of an application by **Nicholas Potgieter** for a  
Manager's Certificate pursuant to section 219  
of the Act.

**BEFORE THE NAPIER DISTRICT LICENSING COMMITTEE**

The manager's certificate application (MC4424) 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**

**Nicholas Potgieter** made the application on the prescribed form received on the 7 April 2022. The applicant intends using the certificate with 'Pak n Save Tamatea' (Supermarket Style Off-licence). The applicant has over four years' experience in the industry.

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.

**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 24 April 2022.

**3.2 Licensing Inspector** – Full report assessing **Nicholas Potgieter’s** credentials against the Acts criteria.

The Inspector notes the applicant has signed an undertaking limiting the use of the certificate to an off type licence. This is endorsed.

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

**4 Conclusion**

Based on the evidence provided to me within the application and statutory reports I conclude that **Nicholas Potgieter** 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 being attached to the certificate.

**Dated at Napier on this 9th day of May 2022.**

**Signed**



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**Stuart Hylton**

**Napier District Licensing Commissioner**