

Decision number: 49D/2020/NZDLCWN/318

IN THE MATTER

of the Sale and Supply of
Alcohol Act 2012 (the Act)

AND

IN THE MATTER

of an application by Michael
Sheets pursuant to section 219
of the Act for a manager's
certificate
(SR455486)

DECISION OF THE WELLINGTON DISTRICT LICENSING COMMITTEE

1. The application by Michael Sheets for a manager's certificate is granted.
2. The manager's certificate will expire one year from the date the certificate is issued.
3. The applicant has given an undertaking agreeing that he will only use his manager's certificate when he has a current visa that allows him to work in New Zealand, and to comply with any conditions that apply to his visa – for example, any restriction on where he can work. A note to this effect shall be made on the certificate recording that "Undertaking given refer to the decision of the Wellington District Licensing Committee of 16 January 2020.

REASONS FOR THE DECISION

4. In deciding whether to grant the manager's certificate, the District Licensing Committee must have regard to the matters set out in section 222 of the Act. Those matters include:
 - 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 under the Act;
 - e. any matters dealt with in any report from the Police and Licensing Inspector.
5. The applicant holds the prescribed Licence Controller Qualification, and is working in licensed premises at The Bresolin.

12/03/2021

6. The Police and the Licensing Inspector do not oppose the granting of the manager's certificate.
7. In absence of any objections, I will deal with the matter on the papers.
8. The Inspector has provided a report outlining the applicant's experience controlling licensed premises and has tested the applicant's understanding of his responsibilities as a manager. Neither the Police or the Inspector have raised any concerns about the suitability of the applicant and do not oppose the granting of the application. The Inspector's report records that the applicant does not have any criminal convictions.
9. The applicant has given an undertaking agreeing that he will only use his manager's certificate when he has a current visa that allows him to work in New Zealand, and to comply with any conditions that apply to his visa – for example, any restriction on where he can work. This undertaking was given by the applicant on 29 November 2019. I have granted his certificate in reliance on this undertaking.

CONCLUSION

10. Accordingly, I am satisfied that the manager's certificate should be granted.
11. This certificate is granted in reliance on the undertaking provided by the applicant dated 29 November 2019.

DATED at Wellington 16th day of January 2020



Kate Thomson
Chairperson/Commissioner
Wellington District Licensing Committee

49D/CERT/73/2020
12/03/2021