

Decision number: 49C/2020/NZDLCWN/993

IN THE MATTER of the Sale and Supply of
Alcohol Act 2012 (the Act)

AND

IN THE MATTER of an application by **Ruby
Thomas** pursuant to section
224 of the Act for the renewal of
a manager's certificate
(SR 444859).

DECISION OF THE WELLINGTON DISTRICT LICENSING COMMITTEE

1. The application by **Ruby Thomas** for the renewal of her manager's certificate is granted.
2. The renewed manager's certificate will expire three years from the date of the expiry of her current certificate.
3. The applicant has given an undertaking agreeing that she will only use her manager's certificate when she has a current visa that allows her to work in New Zealand, and to comply with any conditions that apply to her visa – for example, any restriction on where she 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 18 August 2020."

REASONS FOR THE DECISION

4. In deciding whether to renew the manager's certificate, the District Licensing Committee must have regard to the matters set out in section 227 of the Act. Those matters include:
 - a. the applicant's suitability to be a manager;
 - b. any convictions recorded against the applicant since the certificate was issued or last renewed;
 - c. the manner in which the manager has managed the sale and supply of alcohol pursuant to the licence with the aim of contributing to the reduction of alcohol-related harm;
 - d. any matters dealt with in any report from the Police and Licensing Inspector.
 5. The applicant holds the prescribed Licence Controller Qualification, and is currently working at Flamingo Joes.
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6. The Police and the Licensing Inspector do not oppose the renewal of the manager's certificate.
7. In absence of any objections, I will deal with the matter on the papers.
8. The applicant is suitable to hold a certificate and has appropriate experience managing licensed premises. Neither the Police nor the Inspector has raised any concerns either with the suitability of the applicant or with the way she has managed licensed premises since her current certificate was issued or renewed. The Inspector's report records that the applicant does not have any criminal convictions.
9. The applicant has given an undertaking agreeing that she will only use her manager's certificate when she has a current visa that allows her to work in New Zealand, and to comply with any conditions that apply to her visa – for example, any restriction on where she can work. This undertaking was given by the applicant on 2 July 2020. I have renewed her certificate in reliance on this undertaking.

CONCLUSION

10. Having regard to the relevant provisions of the Sale and Supply of Alcohol Act 2012, I am satisfied that the manager's certificate should be renewed.
11. This certificate is granted in reliance on the undertaking provided by the applicant dated 2 July 2020.

DATED at Wellington 18 August 2020



Bill Acton
Chairperson/Commissioner
Wellington District Licensing Committee
