

Decision No. 374 196 ✓

IN THE MATTER of the Sale of Liquor Act 1989

AND

IN THE MATTER of an application by ALBERT DAVIS pursuant to s.123 of the Act for renewal of a General Manager's Certificate

BEFORE THE LIQUOR LICENSING AUTHORITY

Deputy Chairman: District Court Judge F G Paterson

Members: Mr R J S Munro

Mr J W Thompson

HEARING at WAITANGI on 26 February 1996

APPEARANCES

Mr A Davis - applicant in person

Mrs J G Pickavance, Far North District Licensing Agency Inspector

INTERIM DECISION

This is an application by Albert Davis, pursuant to s.123 of the Act for renewal of a General Manager's Certificate. The application was not recommended for renewal by an Agency Inspector of the Far North District Licensing Agency, and was set down for public hearing.

When the matter was called at Waitangi, it became clear that the issue was a narrow one. In her report Mrs Pickavance wrote:

*"Where holders of managers' certificates take up residence in the Far North District, it is my practice as to enquire into the level of training they have received, particularly in host responsibility, and where this is found to be lacking, then training is offered. This takes the form of a safe to serve course, being a one day seminar, run in various locations in the district, which is funded by the Agency, with no charge being payable by participants."*

Mrs Pickavance's report continues:

*"My request that he (Mr Davis) consent to joining in a seminar when one is next scheduled in the area has met with unqualified refusal."*



Mr Davis appeared before us, and argued that in view of his practical experience, which we acknowledge, there is no need for him to attend such Agency training.

Pursuant to s.126(c) and (d) of the Act upon renewal of a General Manager's Certificate, we are required to have regard to the manner in which Mr Davis has managed the sale and supply of liquor, as well as matters dealt with in the Inspector's report.

Having partly done so and noting the objective of the Sale of Liquor Act 1989 expressed in s.4, we support the Far North District Licensing Agency in its "*safe to serve*" training by means of one day seminars. We understand from our Secretary, that such a seminar is to be conducted on 13 March 1996 at Paihia.

In these circumstances we will adjourn this hearing until a time to be notified on Monday 22 April 1996 at Waitangi when we will finally determine this application in the light of the criteria of s.126 of the Act.

It will assist Mr Davis' application considerably if he attends a seminar conducted by the Far North District Licensing Agency, prior to our final determination of the application.

DATED at WELLINGTON this 7th day of March 1996

  
Judge F G Paterson  
Deputy Chairman



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