

Sale of Liquor Act 1989  
**Application for Manager's Certificate**  
 Section 118, Sale of Liquor 1989

To: The Secretary  
 Ashburton District Licensing Agency  
 P O Box 94  
 ASHBURTON

Application for the Manager's Certificate is made in accordance with the details set out below.

**1. Details of Certificate** (*tick appropriate option*)

General Manager's  Club Manager's

**2. Details of Applicant**

(a) Full name: .....

Maiden or other name: .....

Address: .....

Occupation: .....

Date of Birth: .....

(b) Postal Address for service of documents: .....

.....

(c) Daytime contact name and telephone number: .....

(d) Has the applicant been convicted of any offence? Yes/No  
 If yes, what are the details of each offence?

<i>Name of Offence</i>	<i>Date of Conviction</i>	<i>Penalty</i>
.....	.....	.....
.....	.....	.....
.....	.....	.....

(e) Has the applicant had any experience, in particular recent experience, Yes/No  
 in managing any premises or conveyance in respect of which a licence  
 was in force?

.....  
 .....

(f) Has the applicant had any relevant training, in particular recent training? If **yes**, what are the details of that training and on what dates was it taken? Yes/No

.....  
.....

(g) Does the applicant hold the Licence Controller Qualification? If **yes**, on what date was that qualification obtained? Yes/No

.....  
.....

(h) *(To be included only where the applicant seeks a Club Manager's Certificate.)*  
What is the extent of the applicant's involvement in the management and activities of the Club?

.....  
.....

(i) Does the applicant intend at this time to be the manager of any particular licensed premises? If **yes**, what are the identifying particulars of those licensed premises? Yes/No

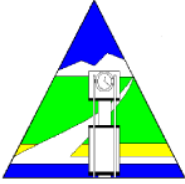
.....  
.....

Dated at ..... this ..... day of ..... 20 .....

Signature of Applicant .....

**Notes**

- 1 For the matters that are to accompany this application, see Regulation 20(2) of the Sale of Liquor Regulations 1990.
- 2 If the applicant intends to be the manager of any particular licensed premises, the application must be filed with the District Licensing Agency with which the application for the licence was filed. In all other cases, the application should be filed with the District Licensing Agency for the district in which the applicant is residing.



Sale of Liquor Act 1989  
**Managers Certificate**

## **Notes to Applicants**

There are 2 types of Manager's Certificates – General and Club Manager. Applicants for both must have recent relevant experience and intend to be duty manager of their premises.

Please ensure your application includes:

1. Completed application form, in triplicate.
2. Brief C.V. including evidence (in duplicate) of previous experience, in particular recent experience.
3. Club managers – Evidence (in duplicate) of the applicants involvement in the management and activities of the club..
4. Two character references, in duplicate.
5. Fee of \$132.00.
6. Training course certificate. Any training course should include NZQA Unit Standards 4646 and 16705.
7. Proof of Identity – Copy of either Drivers Licence or Passport.

**From 1 April 2006, all applicants for General Managers Certificates must have the Licence Controller Qualification (LCQ).**

8. Police are required to report upon your application. Lodging an application acknowledges that Police will report to the District Licensing Agency. If you are not a New Zealand resident, please include details in (2a) of your citizenship and passport number. Question 2(d): Please refer to the attached Ministry of Justice notes regarding the Criminal Record (Clean Slate) Act 2004.
9. All Managers Certificate applicants are interviewed as part of the assessment process. After receipt of your application, you will be contacted to arrange an interview time.

**Incomplete applications cannot be processed. Please discuss with the Licensing Inspector prior to lodging if you require clarification on any item.**

# **The Impact of the Criminal Records (Clean Slate) Act 2004 on Applications for Manager's Certificates under the Sale of Liquor Act 1989**

The Criminal Records (Clean Slate) Act 2004 commences on Monday 29 November 2004. The act will enable individuals who satisfy all of the eligibility criteria to conceal all of their convictions in most circumstances. It sets a high threshold for eligibility.

The general criteria for obtaining the benefits of the 'clean slate' scheme are set out below. Section 7 of the Act should be consulted for full information.

The individual must have:

- no convictions within the last 7 years;
- never been sentenced to a custodial sentence (eg. imprisonment, corrective training, borstal);
- never been ordered by a Court during a criminal case to be detained in a hospital due to his/her mental condition, instead of being sentenced;
- not been convicted of a "specified offence" (eg. sexual offending against children and young people or the mentally impaired – see interpretation section for a full list);
- paid in full any fine, reparation costs ordered by the Court in a criminal case;
- never been indefinitely disqualified from driving under Section 65 of the Land Transport Act 1998 or an earlier equivalent provision (Section 65 relates to mandatory penalties for repeat offences involving use of alcohol or drugs).

There are some exceptions under Section 19 of the Act where all convictions must continue to be disclosed. However, no exception applies for the purposes of determining applications for manager's certificates under the Sale of Liquor Act 1989. Section 21 of the Criminal Records (Clean Slate) Act 2004 provides that any reference in a provision to an individual's criminal record or character or fitness must be interpreted in a way that is consistent with the clean slate scheme. Therefore, where an individual is eligible for a "clean slate", he or she will be entitled to conceal their criminal record, and their criminal record would not be accessed or used when determining whether or not the individual is a "fit and proper person".

There is additional information about the legislation on the Ministry of Justice website: <http://www.justice.govt.nz/privacy/clean-slate.html>. In addition, the Ministry has produced a pamphlet which will be available on the website as well as at courts, police stations, citizens advice bureaux and community law.



## Renewal Application

Those Managers whose current records are on file with the District Licensing Agency will be sent a renewal application form before their certificate expires. As the form will be sent to the last known postal address, **please ensure the Agency is informed of any changes. It is the managers responsibility to apply for renewal of their managers certificate.**

A Manager's Certificate **cannot** be renewed after it has expired. You will be required to reapply for a new Certificate.

After application is made, Police and Inspector's reports are obtained. If these reports raise no opposition then the Certificate is renewed for three years. If there is any opposition the application will be determined by the Liquor Licensing Authority.

## Host Responsibility

The District Licensing Agency can provide information and signs on Host Responsibility Policy issues. A wider range is available from Ashburton Community Alcohol & Drug Service, adjacent to Ashburton Hospital.

Further Information can be obtained from the following web sites;

[www.ashburtondc.govt.nz/services/](http://www.ashburtondc.govt.nz/services/) - Liquor Licensing

[www.alac.org.nz](http://www.alac.org.nz)

## Forms and Applications

All Application forms and supporting information packs are available from:

[www.ashburtondc.govt.nz/services/Forms](http://www.ashburtondc.govt.nz/services/Forms)

and

(b) The Ashburton District Licensing Agency (DLA), which is a section of the Ashburton District Council. Ask for the relevant information from the main Council Reception.

## Liquor Licensing Environmental Services Division Ashburton District Council

5 Baring Square West  
PO Box 94  
Ashburton

Phone: 03 307 7700  
Fax: 03 308 1836  
Email: [info@adc.govt.nz](mailto:info@adc.govt.nz)  
Web: [www.adc.govt.nz/liquor](http://www.adc.govt.nz/liquor)

## ASHBURTON DISTRICT COUNCIL LIQUOR LICENSING



## Sale of Liquor Act 1989 Managers Certificate



Information for groups and organisations  
seeking assistance from their local authority



## Introduction / Type of Licences

At all times when liquor is available for sale in an Licensed premise, a Manager holding a current General or Club Manager's Certificate **must** be on duty. The Manager is responsible for compliance with the Sale of Liquor Act 1989 and the conditions of the premises licence.

A Manager's Certificate is issued initially for one year. Application for renewal must be made prior to expiry. Once renewed, a Manager's Certificate is valid for 3 years.

This does not apply to **Bring Your Own (BYO)** premises.

The name of the Manager on duty must always be displayed on the licensed premises.

There are two types of Manager's Certificates. These are:

1. **General Manager's Certificate**  
Authorises the holder to manage any licensed premises.
2. **Club Manager's Certificate**  
Authorises the holder to manage any premises where a Club Licence is in force.

## Temporary / Acting Manager

A Temporary or Acting Manager may be appointed as a short term measure while an application for a Manager's Certificate is being processed or a manager is absent unexpectedly. A Temporary/Acting Manager appointment is short term and not a substitute for an inadequate number of duty Managers.

Notification of appointment of a Temporary / Acting Manager **must** be made on the appropriate application form.

## Making an Application and Information Required

Applications will **not** be accepted if any of the following Information and Fee are missing at time of submission.

1. The prescribed fee: **\$132.00**
2. Two character references provided by someone (not related) who has known you for a reasonable period of time, e.g., 2-3 years or more.
3. Course training certificate showing completion of **NZQA 4646 and 16705**. LCQ certificate is required for all applications for General Manager's Certificate.
4.
  - i. Evidence to support any experience (in particular recent) claimed in the liquor industry, e.g. detailed references from employers, previous renewal details (where applicable).
  - ii. Evidence of other employment history, i.e. provide references. Employment history outside the liquor industry may be taken into account.
5. Evidence to support any other relevant training claimed, e.g. in-house courses.
6. Evidence to support any other qualifications claimed, e.g. photocopies of certificates.
7. **All** convictions should be stated, noting the provisions of the Clean Slate Act 2004. If you believe a conviction may result in Police objecting to your application, this should be discussed with the Police Licensing Officer, Ashburton Police.
8. Applicants for Club Manager's Certificates should provide evidence to show their involvement in the management and activities of the Club, e.g. a detailed letter from a Club Officer.
9. Provide proof of Identity—e.g., NZ Driver's Licence, Passport (including any current work permits or residency permits—where applicable)

**Note:** Failure to provide references as to your character and/or experience and proof of ID and or knowledge of the Act will delay the processing of your application

## Licence Controller Qualification

All applicants for new and renewed General Managers Certificates **must** hold the Licence Controller Qualification (LCQ).

The unit standards (NZQA) must be completed **before** a person will be issued with his/her Licence Controller Qualification. These units are:

**4646:** Demonstrate knowledge of the Sale Of Liquor Act 1989.

**16705:** Demonstrate knowledge of Host Responsibility requirements as a Liquor Licence Controller.

## Available Training Outlets

Courses available in this area include:

Liquor Licensing Training (ChCh) Ltd.

Aoraki Polytechnic, Timaru and Ashburton Campus

Christchurch Polytechnic (CPIT)

Online training is available from: [www.train2serve.com](http://www.train2serve.com)

Course content covers management responsibilities, host responsibility, types of licences, the roles of the Police, the District Licensing Agency and Public Health. Representatives from these organisations speak during the day. Assessment will be carried out.

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### For further information contact

District Licensing Agency  
Ashburton District Council  
PO Box 94  
Ashburton  
Phone 03 307 7700