

Decision No.

IN THE MATTER

of the Sale and Supply of Alcohol
Act 2012

AND

IN THE MATTER

of an application by **GEOFFREY
ROULSTON** for Renewal of a
Manager's Certificate pursuant to
s.225 of the Act.

BEFORE THE ASHBURTON DISTRICT LICENSING COMMITTEE

Chairman: Mrs S M Griffin
Members: Mrs R Kilworth
Mr G Lee

HEARING at LINCOLN on 8 March 2019

APPEARANCES

Mrs H A Faass - Ashburton District Licensing Inspector - in opposition

ORAL DECISION OF THE COMMITTEE

- [1] This is an application by Geoffrey Roulston pursuant to section 225 of the Act for renewal of a Manager's Certificate. The application was received by the Ashburton District Council on the 11th of April 2018.
- [2] Mr Roulston holds a managers certificate 62/CERT/169/15. This certificate expired 1 December 2015. He was previously employed in a sports club in Ashburton. Mr Roulston was no longer employed there at the time of his application.
- [3] The application was opposed by the Alcohol Licensing Inspector. Further to her report of 15 May 2017, no further contact has been made to her office by the applicant. The phone number has not been in service for over twelve months. The Licensing Inspector understands that Mr Roulston may still reside in Australia. She has not been able to confirm that he wishes to pursue his

application. The Licensing Inspector agreed that this matter should have been brought to a conclusion earlier.

[4] The Police report raises no matters in opposition to the application. The applicant holds a general manager's certificate under the Sale of Liquor Act 1989. He holds the LCQ and had completed the bridging test and was therefore eligible for a three year renewal under the new Act.

[5] The applicant did not attend the hearing. An adjournment was not sought.

[6] We are not able to confirm that Mr Roulston is currently working in the industry and as a consequence we are not able to ascertain if he has the support of an employer. The Alcohol Regulatory Authority, and the Liquor licensing Authority before it, have both ruled that two of the main prerequisites for the granting of a managers certificate are to be employed in the industry and to have the support of an employer.

[7] In giving their oral decision the Committee Chair utilised wording relating to certificates being working documents not issued in a vacuum and the applicant having the support of an employer, from a specific case. The Authority stated at paragraph [2] in *McLean* NZLLA PH 318/2009

"There are about 40,000 holders of certificates throughout the country. While we try and keep a consistent approach on a nationwide basis, there will always be exceptions to the general rule. Our policy has been that certificates should not be issued in a vacuum but should be working documents. To be successful, applicants should have the full committed support of an employer."

[8] There is nothing stopping Mr Roulston from applying for a certificate when employment in the industry in a New Zealand location is able to be confirmed but for the mean time the renewal application is refused.

DATED at Christchurch this 11th day of March 2019.

S M GRIFFIN
Chairperson
Ashburton District Licensing Committee