



Checklist for Managers Certificates & Transfers

(Sale and Supply of Alcohol Act 2012)

Criminal Records Clean Slate Act 2004

Impact of the Criminal Records (Clean Slate) Act 2004 on applications for managers' certificates under the Sale and Supply of Alcohol Act 2012.

The Criminal Records (Clean Slate) Act 2004 commenced on Monday 29 November 2004. The Act enables 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 referred to for full information.

The applicant must:

- have no convictions within the last 7 years;
- never have incurred a custodial sentence (i.e. imprisonment, corrective training, borstal);
- never have 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 have been convicted of a 'specified offence' (e.g. sexual offending against children and/or young people or the mentally impaired – see interpretation section for a complete list);
- have paid in full any fine, reparation or costs ordered by a Court in a criminal case;
- never have been indefinitely disqualified from driving under s.65 of the Land Transport Act

1998 or an earlier equivalent provision (that section relates to mandatory penalties for repeat offences involving the use of alcohol or drugs).

There are a number of exceptions under s.19 of the Act where all convictions must continue to be disclosed. However, no exception applies for the purposes of determining applications for managers' certificates under the Sale and Supply of Alcohol Act 2012. Section 21 of the CR(CS) Act 2004 provides that any reference in a provision to an applicant's criminal record or character or fitness must be interpreted in a way that is consistent with the 'clean slate' scheme. Therefore, where an applicant is eligible for a 'clean slate', (s)he will be entitled to conceal his/her criminal record, and that record would not be accessed or used when determining whether or not the applicant is a "fit and proper person".

Additional information is available on the Ministry of Justice website: <https://www.justice.govt.nz/criminal-records/clean-slate/>. In addition, the Ministry has produced a pamphlet, which will be available on the website, as well as at, courts, police stations, citizens' advice bureau and community law centres.

To:

1. Applicant details		
<p>(a) Full Name of applicant:</p> <p style="margin-left: 40px;">Maiden or other name:</p> <p style="margin-left: 40px;">Address:</p> <p style="margin-left: 40px;">Occupation:</p> <p style="margin-left: 40px;">Date of Birth: dd.mm.yyyy</p>		
<p>(b) Postal address for service of documents:</p>		
<p>(c) Contact Number:</p> <p style="margin-left: 40px;">Email:</p>		
<p>(d) Has the applicant been convicted of any offence?</p> <p style="margin-left: 40px;">If Yes, what are the details of each offence?</p> <p>Nature of offence</p>	<p>Yes</p>	<p>No</p> <p>dd.mm.yyyy</p> <p>Date of conviction</p>
<p>(e) Has the applicant had any experience, in particular recent experience, in managing any premises or conveyance in respect of which a licence was in force?</p>	<p>Yes</p>	<p>No</p>
<p>(f) Has the applicant had any relevant training, in particular recent training?</p> <p>If Yes, what are the details of that training and on what date was it taken?</p>	<p>Yes</p>	<p>No</p>

(g) Does the applicant hold the Licence Controller Qualification? If Yes, on what date was that qualification obtained?	Yes	No
(h) What is the extent of the applicant's involvement in the management and activities of the club? (For Club Manager's only)		
(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
Details of Certificate (Transfer only)		

Signature and Date
Date:
Signature of applicant (Print Name):
(Print name will determine agreeance and legality to all information supplied)

Notes:

1. This application must be accompanied by the prescribed fee and the items in the checklist.
2. If the applicant intends to be the manager of any particular licensed premises, the application must be filed with this Secretary of the District Licensing Committee with which the application for the licence was filed.
3. In all other cases, the application should be filed with the Secretary of the District Licensing Committee for the District in which the applicant is residing.