

Decision No. 60E [2020] 5538

IN THE MATTER

of the Sale and Supply of Alcohol Act  
2012

AND

IN THE MATTER

of an application by Mr Pavinderjit  
Singh for a Manager's Certificate  
pursuant to s.219 of the Act

DECISION OF THE CHRISTCHURCH DISTRICT LICENSING COMMITTEE

Chairperson Mr D.Blackwell QSM

Members Ms A.Keir  
Mr P.Rogers

Present Mr Parvinderjit Singh, applicant  
Ms A. Lavery, Licensing Inspector, CCC, in opposition  
Constable G.Jolliffe, NZ Police to assist

Hearing at Christchurch on 23<sup>rd</sup> September 2020

INTRODUCTION

[1] Mr Parvinderjit Singh (the applicant) seeks a Manager's Certificate pursuant to s.219 of the Act. The application is opposed by the Inspector on the grounds of inadequate knowledge of the Act and some concerns as to his current place of work. We are also aware that in his interview with the licensing team technical officer a note was made that his English language ability was poor. The New Zealand Police do not oppose the application.

[2] The Inspector's report which was received as part of our papers contains no issues of concern except those referred to above. We accept that Mr Singh is otherwise suitable to be granted a Manager's Certificate. Mr Singh prior to the hearing provided a brief of evidence with just his name, address, occupation and a letter from his employer. Mr Singh holds a LCO qualification dated 2<sup>nd</sup> October 2019.

[3] At the hearing Mr Singh had with him copies of pay slips from May 2020 and bank statements from June 2020.

[4] The Committee took the view that its task at this hearing was to form a judgement of its own as to Mr Singh's competency in the issues of knowledge of the Act and to consider if he had suitable experience. Mr Singh, for his part, did not seek to give evidence but expressed

himself willing to respond to the questions from the Agencies. To this end Ms Lavery and Constable Jolliffe were invited to examine Mr Singh.

### EXAMINATION

[5] By way of background, Mr Singh said that he had been resident in New Zealand for one and a half years and had been employed at three liquor stores in Christchurch and one in Rangiora. The venues were all connected with the one group of outlets.

[6] Ms Lavery asked Mr Singh a number of questions regarding which venues he had worked at and the number of hours he had worked. Mr Singh stated that he worked as a shop assistant and sometimes did cleaning, stock refilling and generally assisted the manager. Ms Lavery, and later Constable Jolliffe, asked Mr Singh if he was always paid for his work and did he do any voluntary work at the venues. Mr Singh stated that he was always paid for his work. Ms Lavery also sought Mr Singh's understanding of the role and responsibilities of a Duty Manager. Mr Singh was able to answer most of the questions but lacked a little clarity around a supervised area and a restricted area.

[7] At times Mr Singh struggled a little to express himself in the English language throughout this questioning, however, the Committee formed the view that he actually had a reasonable understanding of both the legislation and the responsibilities of a Duty Manager under it. His difficulty in responding appeared to relate to a lack of understanding of the legal terminology, expressions used in the industry and his possible nervousness of the occasion. In questions from the Chair he answered correctly some of the questions he had answered incorrectly during his interview in June and July with the Council's Technical Officer.

### DISCUSSION

[8] The Committee understands the reservations of the Council's licensing staff with respect to recommending Mr Singh as a suitable person to hold a Manager's Certificate and the matter was properly brought to the Committee for consideration. It is a matter for our judgement as to whether Mr Singh meets the standard required. In the matter of knowledge of the legislation we are satisfied that Mr Singh has a reasonable knowledge and once he relaxed was able to express himself adequately in English.

[9] As we have said, we are satisfied that Mr Singh has a sufficient understanding of the requirements of the legislation and a reasonable standard in the use of the English language. The other matter raised by the Inspector related to where Mr Singh had actually worked. Ms Lavery produced several staff rosters from within the Big Daddy's Liquor Group and asked Mr Singh to explain why he was not on any of them.

[10] Mr Singh was not able to explain the roster sheets but did note that he was not currently a manager, he was in fact just a shop assistant. The Committee did note that almost all of those on the staff rosters produced were duty managers.

[11] As we stated earlier in this report, Mr Singh had with him pay slips and bank statements covering approximately the last six months. We are satisfied that Mr Singh has worked either part-time or full-time within the Big Daddy's Liquor Group for approximately one and a half years as he stated under questioning.

[12] On balance we are satisfied that the granting of a Manager's Certificate to Mr Singh would not be inconsistent with the dual Objects of the Act. Mr Singh's situation will of course be subject to review at renewal.

#### DECISION

[14] The applicant, Mr Parvinderjit Singh, is granted a Manager's Certificate for a period of one year.

DATED at Christchurch this 1<sup>st</sup> day of October 2020.



D.L.Blackwell

Chairperson  
Christchurch District Licensing Committee