

Decision Number: 60D [2020] 6014

IN THE MATTER OF the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER OF an application by **DAVID JAMES RICH**
for **Renewal of a Manager's Certificate**
pursuant to section 224 of the Act

BEFORE THE CHRISTCHURCH DISTRICT LICENSING COMMITTEE

Chairperson: Ms CE Robinson
Member: Mrs M Redstone JP
Member: Mr D Ivory

DECISION ON APPLICATION FOR RENEWAL OF MANAGER'S CERTIFICATE

RECORD OF DECISION

[1] This is an application by David James Rich ('the applicant') for renewal of a Manager's Certificate pursuant to section 224 of the Sale and Supply of Alcohol Act 2012 ('the Act').¹ The applicant is currently employed in the industry. The applicant was recently convicted of an alcohol related driving offence and had his manager's certificate suspended for a period pursuant to section 285 of the Act.²

[2] Although initially both the Inspector and the NZ Police opposed the application their opposition was withdrawn following the outcome of the s285 application.³

[3] We convened a hearing on 12 May 2021. The applicant attended along with the Inspector and Senior Constable Joliffe.

[4] The applicant provided an explanation of the circumstances of his offending and the consequences for himself and his family. He regretted the incident and assured the Committee it would not happen again. The applicant explained the nature of his employment as a food and beverages manager. He is not routinely the duty manager on the premises.

¹ 60/CERT/742/2016

² [2021] NZARLA 20

³ Supplementary Inspectors Report, Nikki Anderson, 19 March 2021

[5] Having heard from the applicant and having regard to the matters in section 227 of the Act we grant the renewal for a period of 3 years.

[6] We record that alcohol related convictions are a serious matter and go to the suitability of an applicant and places the applicant's certificate in jeopardy. In this case we have been persuaded by the applicant's explanation and the low-risk nature of his employment that the certificate can be renewed.

DATED at CHRISTCHURCH this 14th day of May 2021

A handwritten signature in black ink, appearing to read 'C E Robinson', with a long, sweeping flourish extending to the right.

C E Robinson

Chairperson

Christchurch District Licensing Committee