

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

**AND**

**IN THE MATTER** of an application for the renewal of a  
manager's certificate pursuant to s.  
224 by Keegan Peter Landman.

**DECISION OF THE WESTLAND DISTRICT LICENSING COMMITTEE ON AN  
UNCONTESTED APPLICATION**

**AUTHORITY:**

Pursuant to section 191(2) of the Sale and Supply of Alcohol Act 2012 and a Council resolution dated 28 November 2013, the functions, powers and duties of the Westland District Licensing Committee are delegated to the committee chairperson where no objection has been filed, and no matters of opposition have been raised by the Police, the Medical Officer of Health or an Inspector. There is no Local Alcohol Policy in place for the District.

**Summary of Evidence**

The complete file has been made available to me.

A report from the Inspector concludes that the applicant is suitable to continue to hold a manager's certificate.

The Police advise that there is no objection to the application.

**Evaluation of Evidence**

I have considered the application on the basis of the uncontested reports received. The matter is able to be dealt with on the papers.

The police have also advised that the applicant is, according to the immigration service, out of the country at the moment and that his visa expired on 11 May 2019.

Mr Landman is a South African National and his renewal application records that he has a current South African passport.

His application also records that he is currently working at the Te Waionui Retreat Hotel at Franz Josef.

I am not entirely certain what I should do about the Police report. It is probably not a coincidence that the applicant is out of the Country at the time of the expiration of his visa.

I suppose that a reasonable argument could be advanced that a manager's renewal application without a current visa does raise a question of suitability in that the applicant seems to be unable to get his own affairs in order let alone the making of wise decisions on behalf of others in relation to the sale, supply and consumption of alcohol. I am reluctant to give this issue any weight.

The Act does require me to take into consideration "any matter dealt with in any report". The Police have flagged the issue and my response is that the Westland District Licensing Committee is not an instrument of the Immigration Service. If the applicant comes unstuck insofar as his legal entitlement to work in New Zealand is concerned, then that is his and his employer's problem. From what I can gather from the complete file the applicant was in employment at Franz Josef at the time of the application being made; separate to keeping his Manager's Certificate current he must also keep his legal right to live and work in New Zealand in order. He is currently recorded as being out of the country and he will need to appropriately deal with his immigration status prior to his return. He doesn't need the Westland District Licensing Committee to tell him about his personal affairs.

### **Decision and Reasons**

I am satisfied as to those matters provided for in s.227 of the Act, I am satisfied that the applicant is suitable, he does not have any convictions recorded against him, he has experience within the industry, and he holds a recognised qualification.

The application is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **078-2019** and I direct that a renewed manager's certificate be issued to Keegan Peter Landman pursuant to s.64 of the Act.

The renewal is on the existing terms and conditions for a period of three years from the date of expiry.

Dated at Hokitika this 16<sup>th</sup> day of May, 2019



Chairperson, Westland District Licensing Committee

