

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

**AND**

**IN THE MATTER** of an application for a manager's  
certificate pursuant to s. 219 by  
Madeleine Natascha Patricia Vater.

**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 (the Act) 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 hold a manager's certificate.

A report from the Police has no objection to the application but does observe that the authority granted to the applicant by the work Visa is for receptionist duties only and that the Police do not see the need for a receptionist to hold a General Manager's Certificate.

**Evaluation of Evidence**

I have considered the application on the basis of the uncontested reports received. The matter can, therefore, be dealt with on the papers.

I do not support the Police comment that the applicant in her position of Receptionist does not need a General Manager's Certificate and that the Work Visa should be taken literally. In my view there is no conflict to deal with. The work visa does restrict employment to the role of Receptionist; If the employer sees advantage in an employee undertaking study and gaining a qualification then so be it. In my view, a General Manager's Certificate should not be seen as anything other than what it is, that is to say a qualification indicating successful study. Like wise if an employer is of the view that a position can be enhanced by further study and qualification, then, so be it. It is not for me or the Westland District licensing Committee to consider a Work Visa as being not complied with because the employee has gained something in the nature of a Kiwi Host Certificate, a First Aid Certificate or a General Manager's Certificate. I would be very surprised if Immigration New Zealand intended that an employee subject to a Work Visa should not advance themselves with their employer. In any event this is a non-issue as the Police have not indicated clearly that there is Police opposition to the application. In the future, if the Police have such concerns then the appropriate mechanism to be used is a clear statement of opposition and then the matter can be properly dealt with at a public hearing.

I am satisfied that the applicant is suitable, she does not have any convictions recorded against her, she has experience within the industry and she holds a recognized qualification. She is obviously supported by her employer.

**Decision and Reasons**

I am satisfied as to those matters provided for in s.222 of the Act.

The application is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **144-2019** and I direct that a certificate be issued to Madeleine Natascha Patricia Vater pursuant to s.64 of the Act for a period of 12 months.

Dated at Hokitika this 27<sup>th</sup> day of September, 2019



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Chairperson, Westland District Licensing Committee

