

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 Paul Bryan Berrnadino.

**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 have no objection to the renewal subject to a condition associated with the work visa.

Evaluation of Evidence

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

The police report is a little problematical for me. The report requests that the Renewal be put in place subject to the place of employment being the Snakebite Brewery as provided in Work Visa issued to the applicant. The Police advise that there is no objection to the application subject to the place of employment being the Snakebite Brewery as required by the applicant's work visa. I am not entirely sure that the police request is necessary. The Work Visa is specific and provides that the applicant may only "work as wait staff in Franz Josef for Crack On Ltd T/A snakebite Brewery, mark Gibson." The work visa is a stand-alone document put in place by New Zealand Immigration and it is not in the domain of the Westland District Licensing Committee to change that condition. What has been put in place by New Zealand Immigration is a matter for New Zealand Immigration and the person to whom the work visa has been issued. I am not sure of the role of the Police in work visa administration but from the Licensing Committee's point of view it is a matter of consideration in the broad consideration of suitability and I have no intention of taking a specificity of a work visa to a manager's certificate. If the police wish to pursue this matter in the future it will be necessary for the police to raise opposition which can be dealt with at a public hearing.

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 **148-2019** and I direct that renewed manager's certificate 56/CERT/113/2018 be issued to Paul Bryan Bernardino 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 26th day of September 2019



Chairperson, Westland District Licensing Committee