

Decision No. R/59/655/2019

IN THE MATTER

of the Sale and Supply of Alcohol
Act 2012

AND

IN THE MATTER

of an application by **HELEN
ALICE PARRIS** for Renewal of a
Manager's Certificate pursuant to
s.225 of the Act.

BEFORE THE SELWYN DISTRICT LICENSING COMMITTEE

Chairman: Mrs S M Griffin
Members: Mrs R Kilworth
Mr G Lee

HEARING at LINCOLN on 8 March 2019

APPEARANCES

Mrs H A Faass - Selwyn District Licensing Inspector - in opposition

ORAL DECISION OF THE COMMITTEE

- [1] This is an application by Helen Alice Parris pursuant to section 225 of the Act for Renewal of a Manager's Certificate. The application was received by the Selwyn District Council on the 11th of April 2018. At that time, she had ceased her employment as a Duty Manager at the Oaks of Darfield. She has not been employed in the industry since.
- [2] Ms Parris has previously held a Managers Certificate GM/062/027/2008 issued by the Selwyn District Council. This was last renewed 3 June 2015 and expired 28 April 2018. She completed the Licence Controller Qualification Bridging Test on 10 April 2015.
- [3] The application was opposed by the Alcohol Licensing Inspector on the grounds that the applicant had not worked in the industry since her employment ceased at the Oaks of Darfield. Police did not oppose this renewal.

[4] The applicant did not attend the hearing. An adjournment was not sought but the committee was advised that she would not be appearing and that she had withdrawn her application. Ms Parris advised the Licensing Inspector that she would withdraw her application if she had not received a job offer from the owner of the Tai Tapu Hotel by 1 March 2019. She subsequently instructed the Licensing Inspector by email to withdraw the application.

[5] The fact that Ms Parris is not currently working in the industry would have made the gaining of a certificate by Ms Parris, even if she had appeared, extremely difficult. The Alcohol Regulatory Authority, and the Liquor Licensing Authority before it, have both ruled that two of the main prerequisites for the granting of a Manager's Certificate are to be employed in the industry and to have the support of an employer.

[6] In giving their oral decision the Committee Chair utilised wording relating to certificates being working documents not issued in a vacuum and the applicant having the support of an employer, from a specific case in support of this. The Authority stated at paragraph [2] in *McLean NZLLA PH 318/2009*

"There are about 40,000 holders of certificates throughout the country. While we try and keep a consistent approach on a nationwide basis, there will always be exceptions to the general rule. Our policy has been that certificates should not be issued in a vacuum but should be working documents. To be successful, applicants should have the full committed support of an employer."

[7] There is nothing stopping Ms Parris from applying for a certificate when she is employed in the industry but for the mean time the renewal application is refused.

DATED at Christchurch this 11th day of March 2019.



S M GRIFFIN
Chairperson
Selwyn District Licensing Committee

