



ŌPŌTIKI/ KAWERAU/ WHAKATĀNE DISTRICT LICENSING COMMITTEES

CHECK LIST FOR APPLICATION FOR MANAGER CERTIFICATE (NEW or RENEWAL)

Full Name of Applicant _____

CHECK LIST – NEW AND RENEWAL APPLICATIONS: Every application must have:

- An original completed **Application Form** INCLUDING:
 - The **NZ Police Authorisation Form** signed and dated by the applicant
 - The **'Questionnaire for Manager Certificate'** completed by the applicant.
- A copy of the applicant's **Licence Controller Qualification (LCQ) certificate** issued on or after 18 December 2013;
 - OR a copy of the applicant's Licence Controller Qualification (LCQ) certificate issued before 18 December 2013 AND evidence of successful completion of the **LCQ Bridging Test** after 18 December 2013.
- The **prescribed fee** being \$316.25 including GST.

Failure to provide the required information (under sections 218 and 219 of the SSAA 2012) may result in the application being refused and returned to the applicant.

CHECK LIST – *NEW MANAGER CERTIFICATES ONLY*: To assist with establishing suitability to hold a Manager Certificate, applicants for New Manager Certificates (not Renewal Manager Certificates) are asked to provide:

- Identification proving you are 20 years of age or older.** You must be 20 years of age or older to be appointed as a Manager, a Temporary Manager or an Acting Manager of a Licensed Premise. Photo Identification is preferred.
- A reference letter including name and contact details of the referee as evidence of current or recent employment at licensed premises.** You must be working in the industry, or going to, and proof is required. **SIX MONTHS** experience is the minimum if you intend to work in a hotel or tavern. For other licensed premises (i.e. restaurants, cafes, supermarkets), **OR** where you have a financial interest in the business, less experience will be considered. A Manager Certificate cannot be issued as a 'bankable item' to get a job.
- A character reference** including name and contact details of the referee from a person who is not associated with the licensed premises in which you are currently or have recently worked and who has known you for a minimum of five years.

Failure to provide the requested information (under sections 216 and 222 of the SSAA 2012) for a New Manager Certificate may result in processing delays. The District Licensing Committee may also require the applicant to attend a hearing to determine their suitability to hold a Manager Certificate.

Important Notes:

Manager Responsibility

It is a requirement of the Sale and Supply of Alcohol Act 2012 (SSAA 2012) that all licensed premises have a person with a Manager Certificate on duty at all times liquor is being sold. The Manager is responsible for compliance with the licence conditions, and compliance under the Act.

Convictions

The application form asks that you disclose ALL convictions. Having convictions does not mean you will not get your certificate but the norm has been set by the Alcohol Regulatory and Licensing Authority and that is:

- a) There must be at least a two year 'clean' period for isolated offences that are not too serious (such as one DIC).
- b) If you have significant convictions the 'clean' period required could well be longer (5 years or more).

Disclose ALL convictions even if they are traffic or fall under the Clean Slate Act. These are not likely to be a factor against you but should still be disclosed. Failure to disclose could well result in an objection to the grant of your Manager Certificate.

Club Managers

Club managers must have the same qualifications as managers of other licensed premises.

LCQ Test Providers

Classroom - HTP Gisborne/ Tauranga. LCQ courses ph 0800 GO 4 HTP (464487) for all your bookings and enquiries, or email hb@htpnz.co.nz or Gisborne@htpnz.co.nz. Tauranga and Whakatāne courses available.

Liquor Licensing Bureau – Daytime and evening options – every 2nd month in Whakatane and every month in Tauranga. Contact Tricia on 0800 bartrain (227 8722) or email tricia@liquorlicensing.co.nz

Correspondence - Liquor Licensing Bureau – In your own time at your own pace. Closed book assessments can be completed at Ōpōtiki District Council by prior arrangement. Contact Tricia on 0800 bartrain (227 8722) or email tricia@liquorlicensing.co.nz

On-Line - Train2serve – In your own time at your own pace. Very thorough but you need to know the intricacies of computers. Visit www.train2serve.com

ServiceIQ is currently the only provider of the bridging test. However the test can be done online for free, contains multiple-choice questions, and a digital PDF certificate can be printed out by the applicant after successful completion of the test. For further information visit the ServiceIQ website at www.ServiceIQ.org.nz

**Application for Manager Certificate
Section 219 Sale and Supply of Alcohol Act 2012**

**Form 17
Application fee \$316.25**

To: The Secretary
District Licensing

Committee
Ōpōtiki District Council
PO Box 44
ŌPŌTIKI 3122

To: The Secretary
District Licensing

Committee
Kawerau District Council
Private Bag 1004
KAWERAU 3169

To: The Secretary
District Licensing

Committee
Whakatāne District Council
Private Bag 1002
WHAKATĀNE 3158

(CIRCLE APPLICABLE COUNCIL)

Application for a Manager Certificate is made in accordance with the details set out below:

TYPE OF CERTIFICATE	
Is this application for a New, or a Renewal, Manager Certificate?	NEW / RENEWAL <i>(circle one)</i>

DETAILS OF APPLICANT	
Full name: <i>Mr, Mrs, Ms, Miss (circle one)</i>	
Street Address:	
Postal Address: <i>(if different from above)</i>	
Current place of employment:	
Occupation:	
Date of Birth:	Place of Birth:
Mobile phone:	Daytime phone:
EMAIL:	

DETAILS OF CONVICTIONS (see Note on Convictions in Checklist)		
Has the applicant been convicted of any offence? If yes, please provide details (continue on a separate page if required).		YES / NO <i>(circle one)</i>
Nature of Offence	Date of Conviction	Penalty

LICENCE CONTROLLER QUALIFICATION (or a prescribed qualification within the meaning of Section 218 of the Sale and Supply of Alcohol Act 2012)		
On what date was the LCQ qualification obtained?*	Date of LCQ Issue:	# of LCQ Certificate:
OR (IF LCQ obtained before 18 December 2013), on what date was the LCQ Bridging qualification	Date of LCQ Bridging Issue:	# of LCQ Bridging Certificate:

obtained?*		
*NOTE: Copy MUST be attached to this application		
What steps has the applicant taken to manage the sale, supply and consumption of alcohol in a safe and responsible manner to achieving a reduction in harm caused by excessive or inappropriate consumption of alcohol.		

DETAILS OF PRIOR MANAGER CERTIFICATES	
Has the applicant held a Manager Certificate in the past? If yes, what is the certificate number and date of issue: NOTE: If this application is for Renewal of a Manager Certificate, the application MUST be filed with the District Licensing Committee BEFORE the expiry date of the certificate. If it is not filed before the expiry date it will be treated as a New application	YES / NO <i>(circle one)</i>
Prior Certificate number:	Date of Issue:

DETAILS OF PREMISE YOU WILL BE MANAGING	
Does the applicant intend at this time to be the manager of any particular licensed premises? If yes, please name the premise.	YES / NO <i>(circle one)</i>
Name of premise:	
Address of premise:	

TRAINING (Only required for NEW applications)	
Has the applicant had any relevant training, in particular, recent training? If yes, what are the details of that training and on what dates was it undertaken?	YES / NO <i>(circle one)</i>
Details:	Date:

EXPERIENCE (Only required for NEW applications)	
Has the applicant had any experience (in particular recent experience) in controlling any premises or conveyance in respect of which a licence was in force? If yes, what are the details and dates of that experience?	YES / NO <i>(circle one)</i>
Details:	Date:

Dated at Ōpōtiki / Kawerau / Whakatāne this _____ day of _____ 201 .
(circle one)

Signature of Applicant

NOTES:

- 1 If the applicant intends to be the manager of any particular licensed premises, the application must be filed with the Secretary of the District Licensing Committee with which the application for the licence was filed.
- 2 In all other cases, the application should be filed with the Secretary of the District Licensing Committee for the district in which the applicant is residing.

DLC OFFICE USE ONLY			
Date lodged:			
Fee paid: \$316.25		Receipt Number:	
Allocation	DLC: 2012 03 1025 \$287.50	Allocation	ARLA: 90 30 01 9305 \$28.75

Opotiki District Council, PO Box 44,
108 St John Street, OPOTIKI
Telephone: (07) 315 3030 Facsimile (07) 315
7050
Email: info@odc.govt.nz Website:
www.odc.govt.nz

Kawerau District Council
Private Bag 1004, Kawerau 3169
Telephone: (07) 306-9009 Fax: (07) 323-8072
Email: kawerau@kaweraudc.govt.nz Website:
www.kawerau.govt.nz

Whakatane District Council
Private Bag 1002, Whakatane 3158
Telephone: (07) 306-0500 Fax: (07) 307-0718
Email: info@whakatane.govt.nz Website:
www.whakatane.govt.nz

**Questionnaire for Manager's Certificate
Section 219, Sale and Supply of Alcohol Act 2012**

1. What is the intent behind the Sale and Supply of Alcohol Act?

2. What is a minor?

3. What proof of age documents are acceptable for identification under the Sale and Supply of Alcohol Act 2012? (3)

4. What does the law now require all licensees to do in regard to alternative transport provisions from your premises?

5. Does the law require you to provide low-alcohol beverages?

6. Can a supermarket sell spirits and beer?

7. Can a 17 year old purchase alcohol in your premises when they are accompanied by their parents?

8. Up to what size drinking vessel or glass can spirits be sold in?

9. What must always be freely available and promoted while alcohol is available for sale or supply?

10. When would a Special Licence be necessary?

11. How can you tell if a patron is showing signs of intoxication? What signs are you watching for?

12. How would you slow down consumption if you saw some of these things beginning to happen?

13. Can a 17-year-old be in a restricted area with his/her brother?

14. What does a “Supervised” area mean?

15. What does a “Restricted” area mean?

16. What are the requirements of a Manager when on duty?

17. Are you responsible for the actions of any bar person who is working under you if you are the Duty Manager?

18. If you run out of food while you are the Duty Manager, what must you do?

19. S214 of the Act states that a manager must be on duty and responsible for compliance when?

20. Under what circumstances would a Licensee appoint an acting or temporary manager?

NEW ZEALAND POLICE AUTHORISATION

As applicant for this Licence/Manager's Certificate, you are requested to sign the authorisation below. Failure to allow Police to disclose this information may result in your application only being determined at a hearing held by the District Licensing Committee where you will be required to attend and present information for this Authority's consideration.

AUTHORISATION

"The Police are required to report on this application. That report may include the release of any previous convictions you may have. You will receive a copy of that report. Do you consent to the release of this information?"

YES NO

(Tick One)

SIGNATURE OF APPLICANT: _____

FULL NAME OF APPLICANT: _____

DATE: _____

CRIMINAL RECORDS (CLEAN SLATE) ACT 2004

The impact of the Criminal Records (Clean slate) Act 2004 on applications for manager's certificates under the Sale and Supply of Alcohol Act 2012

The Criminal Records (Clean Slate) Act 2004 commenced on Monday 29 November 2004. The Act enables individuals who satisfy all of the eligibility criteria to conceal all of their convictions in most circumstances. It sets a high threshold for eligibility.

The general criteria for obtaining the benefits of the 'clean slate' scheme are set out below. Section 7 of the Act should be consulted for full information.

The individual must have:

- No convictions within the last seven years;
- Never been sentenced to a custodial sentence (eg imprisonment, corrective training, borstal);
- Never been ordered by a Court during a criminal case to be detained in a hospital due to his/ her mental conditions, instead of being sentenced;
- Not been convicted of a 'specified offence' (eg sexual offending against children and young people or the mentally impaired – see interpretation section for a full list);
- Paid in full any fine, reparation or costs ordered by the Court in a criminal case;
- Never been indefinitely disqualified from driving under section 65 of the Land Transport Act 1998 or an earlier equivalent provision (section 65 relates to mandatory penalties for repeat offences involving use of alcohol or drugs).

There are some exceptions under section 19 of the Act where all convictions must continue to be disclosed. However, no exception applies for the purposes of determining applications for manager certificates under the Sale and Supply of Alcohol Act 2012. Section 21 of the Criminal Records (Clean Slate) Act 2004 provides that any reference in a provision to an individual's criminal record or character or fitness must be interpreted in a way that is consistent with the clean slate scheme. Therefore, where an individual is eligible for a "clean slate", he or she will be entitled to conceal their criminal record, and their criminal record would not be accessed or used when determining whether or not the individual is a 'fit and proper person'.

There is additional information about the legislation on the Ministry of Justice website: <http://www.justice.govt.nz/privacy/clean-slate.html>. In addition, the Ministry has produced a pamphlet which is available on the website as well as at courts, police stations, citizen's advice bureaux and community law centres.

FEE & CHARGES

Sale and Supply of Alcohol (Fees) Regulations 2013

Manager Certificate

Fees must be paid at the time of application and no application will be accepted without the relevant fee.

The fee to apply for a new manager's certificate or renewal of an existing certificate is \$316.25 including GST.

All existing manager's certificates (including club manager's certificates) will remain valid until their expiry date. However if you do not have a Licence Controller Qualification (LCQ) certificate issued on or after 18 December 2013, or a Bridging test certificate when your certificate expires, the District Licensing Committee may issue a limited renewal certificate for a one year period to enable you to obtain one of the above qualifications. If at the expiry of this one year period you have still not obtained the required qualifications your certificate will not be renewed.

NOTE: Under the new Act there will no longer be Club manager certificates although existing certificates will remain valid until they expire at which time the manager must apply for a new manager certificate. This will require the applicant to obtain a qualification (currently the Licence Controller Qualification (LCQ) certificate) like all other managers before lodging their application. If you have already obtained an LCQ the requirements for managers to obtain a Bridging test as detailed above will apply.