

**Application Number:**

**036/CERT/008/2024**

**IN THE MATTER**

of the Sale and Supply of Alcohol Act 2012

**AND**

**IN THE MATTER**

of an application by **Hamiora Rangī** for a Managers Certificate pursuant to section 219 of the Act.

**BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE**

The managers' certificate application (036/CERT/008/2024) had no objections filed and no matters of opposition raised under section 220 reports, therefore the matter was considered by the Whanganui District Licensing Commissioner in accordance with sections 221, 222 and 223 of the Act.

**Commissioner: Stuart Hylton**

**RESERVED DECISION OF THE WHANGANUI DISTRICT LICENSING COMMITTEE**

**1. Application**

**Hamiora Rangī** made the application on the prescribed form dated 19 February 2024. The applicant intends using the certificate at the Lads Brewery (Brewery Style ON/OFF-licence), where the applicant has been a business partner since inception and worked at the premises for over two years.

The application included evidence of obtaining the necessary License Controller Qualification. The applicant's employer gave evidence of the applicant's experience, skills, and suitability.

**2. Decision Making**

In considering this application for a manager's certificate the licensing committee had regard to the following criteria under section 222 of the Act.

- *a) the applicant's suitability to be a manager:*
- *(b) any convictions recorded against the applicant:*
- *(c) any experience, in particular recent experience, that the applicant has had in controlling any premises for which a licence was in force:*
- *(d) any relevant training, in particular recent training, that the applicant has undertaken and evidence that the applicant holds the prescribed qualification required under [section 218](#):*
- *(e) any matters dealt with in any report made under [section 220](#).*

**3 Reporting Agencies**

The following reports were received under section 220 of the Act and taken into account during the decision.

**3.1 Police** – No opposition within report dated 2 April 2024. The Police notes the applicants DIC criminal conviction in 2020 and states *"I have spoken to Hamiora in relation to his drink driving conviction in 2020 and how any further charges may have an impact in his Duty Managers Certificate."*

**3.2 Licensing Inspector** – Full report assessing **Hamiora Rangī's** credentials against the Acts criteria. The inspector has interviewed the applicant for industry knowledge and concludes that the application is complete and appears to meet the criteria of section 222 of the Act.

**4 Conclusion**

Based on the evidence provided to me within the application and statutory reports I conclude that **Hamiora Rangī** meets the criteria to hold a Managers Certificate under the Act.

The applicants 2020 DIC conviction does raise some concern. Given the Police's response and based on the well-known *Osborne* case law decision, the Committee feels the 3-4 years of non-convictions since the original conviction is reasonable enough to grant the application.

**5 Decision**

Accordingly, the application is **Approved** for issue for a period of one year.

**Dated at Whanganui District this 3rd day of April 2024.**

Signed

.....  
**Stuart Hylton**  
**Whanganui District Licensing Commissioner**

