

**IN THE MATTER**

of the Sale and Supply of Alcohol  
Act 2012

**AND**

**IN THE MATTER**

of an application by Matthew Neil  
Campbell Elgar for a Managers  
Certificate pursuant to section 219  
of the Act.

**BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE**

The managers' certificate application (036/CERT/002/2018) 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 DISTRICT LICENSING COMMITTEE**

**1. Application**

Matthew Elgar made the application on the prescribed form received on the 9th January 2018. The applicant intends to use the certificate at Pak n Save Supermarket (off-licence), where the applicant works part-time in a managerial capacity. The application included a character reference from the applicant's manager, attesting to experience in the industry and suitability.

The applicant has attained the relevant License Controller Qualification and has no convictions recorded.

**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 report within statutory deadline.

**3.2 Licensing Inspector** – Full report assessing Matthew Elgar’s credentials against the Acts criteria. The inspector has interviewed the applicant and is satisfied that the applicant has the necessary knowledge to hold the certificate.

The inspector raises the question of the applicants experience to hold a managers certificate given his limited working hours in this capacity. The inspector has received from and endorses an ‘undertaking’ from the applicant that the certificate will only be used at supermarkets.

The inspector concludes that the application is complete and records no opposition to the granting of the application subject to the undertaking.

### 4 Conclusion

Based on the evidence provided to me within the application and statutory reports I conclude that Matthew Elgar meets the criteria to be granted a Managers Certificate in accordance with the Act provided the certificate is annotated to reflect the undertaking suggested.

### 5 Decision

Accordingly the application for manager’s certificate is **Approved** for issue for a period of one year with an annotation referencing the undertaking.

**Dated at Whanganui District this day the 16<sup>th</sup> February 2018.**

**Signed**



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**Stuart Hylton**

**Whanganui District Licensing Commissioner**