

Management of licensed premises

Section 115 of the Sale of Liquor Act states:

- a) *At all times when liquor is being sold or supplied to the public on any licensed premises, either the licensee or a manager shall be on duty and responsible for compliance with this Act and the conditions of the licence.*
- b) *At all times when any manager is on duty in respect of any licensed premises, the name of the manager shall be prominently displayed inside the premises so as to be easily read by persons using the premises; and the person so named at any time shall be deemed for the purposes of this Act to be the manager at that time.*

Manager's certificate

Any person appointed as a manager of any licensed premises must have a manager's certificate, which may be a general manager's certificate or a club manager's certificate.

Information required with the application

Three copies of the application should be made on the appropriate form (which can be obtained from the Council) and be accompanied by the following:

- a) Where the applicant claims previous experience in managing licensed premises - evidence in duplicate of previous experience.
- b) Where the applicant claims relevant training or experience - evidence in duplicate of Licence Controller Qualification.
- c) Where the applicant intends to be the manager of a particular club - evidence in duplicate of the applicant's involvement in the management and activities of the club.
- d) The application fee of \$134.93.

Processing of applications

- 1) A copy of the application will be sent to the police and the licensing inspector appointed under the Sale of Liquor Act. Once a police report has been received you will be contacted to arrange a time for an interview with the licensing inspector who will prepare a further report.
- 2) The applicant will receive a copy of these reports.
- 3) The application and reports will then be forwarded to the Secretary of the District Licensing Agency for determination or, if opposed, will be sent to the Liquor Licensing Authority for determination.

Criteria for manager's certificate

In considering the application for a manager's certificate the Liquor Licensing Authority or District Licensing Agency shall have regard to the following:

- a) The character and reputation of the applicant including any recorded convictions.
- b) Any experience that the applicant has had in managing any premises in respect of which a licence is in force.

continued overleaf

- c) Any relevant training that the applicant has undertaken and any relevant qualification held.
- d) Any matter dealt with in the reports from the police and licensing inspector.

If the applicant intends to be the manager of a particular club, the Liquor Licensing Authority or District Licensing Agency will in addition to the above, have regard to the extent of the applicant's involvement in the management and activities of the club.

Renewal of manager's certificate

- 1) Initially a manager's certificate remains in force for one year from the date of issue.
- 2) Application for renewal **MUST** be made to the Waikato District Licensing Agency **BEFORE** the certificate expires.
- 3) Three copies of the application should be made on the appropriate form (which can be obtained from the Council) and be accompanied by a copy of your current manager's certificate and the fee of \$134.93.
- 4) Reports will be obtained from the police and the licensing inspector. The applicant will receive a copy of these reports.
- 5) If there is no opposition to the application, the District Licensing Agency will renew the certificate, subject to the existing conditions, for a further period of three years.
- 6) If there is opposition, the application will be forwarded to the Liquor Licensing Authority in Wellington for determination.

Temporary manager

- 1) If a manager is absent, the licensee may appoint (preferably in writing) a temporary manager who need not hold a manager's certificate. However, the appointee must apply for a certificate within two working days after the appointment.
- 2) After the application is made the temporary manager shall be deemed to be the holder of a manager's certificate until the application is determined.
- 3) If the appointee does not apply for a manager's certificate within two working days or if the application is refused, the licensee must cease to employ the appointee as a manager.

Acting manager

- 1) A licensee may appoint (preferably in writing) an acting manager
 - a) For any period not exceeding three weeks at any time where the licensee or a manager is unable to act because of illness or absence; and
 - b) For periods not exceeding a total of six weeks in each period of twelve months to enable the licensee or a manager to have a vacation.

The person appointed as acting manager shall be deemed to be the holder of a manager's certificate and it is not necessary for that person to apply for or hold such a certificate.

Notification of appointment of manager

The appointment, cancellation or termination of appointment of a manager, temporary manager or acting manager must be notified to the District Licensing Agency, Liquor Licensing Authority and the Police, using the *Notice of Management Change* form. However, if the appointment of a temporary or acting manager is for less than 48 hours then notification is not required.