



# Manager's Certificate Application

Section 118 Sale of Liquor Act 1989

## Guide for Applicants (please detach for your future reference)

Please read the application form thoroughly before completing.

The checklist below is to assist you with your application and to ensure that Council receives all the information required to process your application.

### Have you provided (All applications must have the following provided)

1.  2 complete copies of your application and attachment.  
*(Note: If 3 complete copies are not supplied, a photocopy and administration fee of \$15 will be charged and is payable before issue of a licence).*
2.  Proof of recent experience within the industry (Application Q6 if ticked yes).
3.  Proof of training (Application Q7, evidence of "other" training if ticked yes).
4.  Proof of qualifications (Application Q8).
5.  Proof of Club involvement (Application Q9, if seeking a Club Manager's Certificate).
6.  General Managers - Copy of 'Licence Controller Qualification' Certificate
7.  Have you completed the questionnaire.
8.  Fee of \$132 for licence.

If you intend to be the Certified Manager of any particular licensed premises, your application must be filed with the Agency in which the application for the licensed premises was filed. Otherwise your application should be filed with the Agency in the district where you currently live.

**Note:** References should be written and signed by the licensee of the premises. If you are the owner of the business, please include a copy of your licence. If you are unable to provide references, please state why.

All of the above information must be supplied with your application. We are unable to commence processing until a complete application is received.



# Manager's Certificate Application

## Section 118 Sale of Liquor Act 1989

### Office Use Only

### Incomplete Criteria for Counter and Postal Applications

#### Application

<b>Page 1</b>	Q1	Check that either General or Club is ticked	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
<b>Page 1</b>	Q5	Check that "Yes" or "No" to convictions is ticked.	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
<b>Page 1</b>	Q6	Check if ticked "Yes", that a reference or other proof is provided or an explanation has been submitted.	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
<b>Page 2</b>	Q7	Check if ticked "yes" and "Other", that evidence of training is supplied.	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
<b>Page 2</b>	Q8	Check if ticked "Yes", that either a Course Certificate or evidence of a course enrolment, or other qualification evidence is supplied.	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
		Check copy of Licence Controllers Qualification Certificate provided.	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
<b>Page 2</b>	Q9	Cross Reference Q1, Page 1, if ticked Club Manager, then check proof or reference is supplied of Club involvement	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
<b>Page 2</b>	Q10	Is applicant working in our area? (Note: If premises not in our area, application should be made to the appropriate Licensing Agency).	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
<b>Page 2</b>		Check that the applicant has signed the application	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
		Has the questionnaire been completed and signed?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
		Fee attached \$132.00	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

**Note: If any criteria indicates "NO", the application is incomplete.**

Is application complete?  Yes  No

If incomplete, date and method of Advice to Applicant stating requirements

Date \_\_\_\_\_ Method \_\_\_\_\_

Accepted by: \_\_\_\_\_  
(signature)

Name \_\_\_\_\_

Receipt Details: LO/LIQL \$132.00 \_\_\_\_\_

DATE  
STAMP  
(if accepted  
as complete)



# Manager's Certificate

Section 118 Sale of Liquor Act 1989

When this form is completed, return to:

The Secretary  
Western Bay of Plenty District Licensing Agency  
Private Bag 12803  
Tauranga 3143

*(Note: If you are posting this form and the application is assessed as incomplete, the application can not be processed and you will be informed).*

1. **General Manager's**  (authorised to manage any licensed premises) **Club Manager's**  Tick one ✓  
(authorised to manage premises where a Club or Special Licence is in force)

2. **Full Legal Name of Applicant**

First name \_\_\_\_\_  
Middle name \_\_\_\_\_  
Surname \_\_\_\_\_  
Date of Birth \_\_\_\_\_

**Residential Address**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Post Code \_\_\_\_\_  
Occupation \_\_\_\_\_

Note: If you are not currently employed within the industry, the application may be refused

3. **Postal Address for Service of Documents** (this address will be used for all Council correspondence, not just liquor licensing)

\_\_\_\_\_  
Post Code \_\_\_\_\_

4. **Contact Telephone Numbers**

Daytime Contact Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_  
After Hours Contact Phone: \_\_\_\_\_ Email: \_\_\_\_\_

5. **Have you been convicted of any offence?**  Yes  No Tick one ✓

If yes, provide details of any offence(s). The provisions of the Criminal Records (Clean Slate) Act 2004 apply to this application (see Page 3).

Nature of Offence	Date of Conviction	Penalty Suffered
_____	_____	_____
_____	_____	_____
_____	_____	_____

Convictions may not necessarily preclude an applicant from obtaining a licence, it is for the Authority to determine based on the particular circumstances. Failure to list convictions which are later identified may lead to a refusal of the application.

6. **Have you had any experience in managing (working in) licensed premises, in particular recent experience**  Yes  No Tick one ✓

If yes, what are the details of that experience (work related reference or other proof is required)

Note: If a reference cannot be obtained, please state why

Name of Premises	Location (eg Katikati)	Period Employed	Experience Gained
_____	_____	_____	_____
_____	_____	_____	_____

7. **Have you had any relevant recent practical or on-the-job training?**  Yes  No Tick one ✓

If yes, please provide details and dates

Worked with a Certified Manager (*please state Manager's full name and Licensed Premises worked in*)

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Other (*please state details dates training occurred, and evidence*)

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8. **Do you hold any relevant recognised qualifications?**  Yes  No Tick one ✓

If yes, please provide details and proof:

Sale of Liquor Act Course Certificate *or*

Enrolled in a Sale of Liquor Act Course which begins \_\_\_\_\_ (date)

(Name of training provider) \_\_\_\_\_

General Manager Licence Controller Qualification

Other (*please state details and provide evidence*)

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9. **(To be completed only where the applicant seeks a Club Manager's Certificate)**

What is the extent of your involvement in the management and activities of the Club? (*proof is required of Club involvement, eg a reference from Club Officers*)

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10. **Do you intend at this time to work in or be the Certified Manager of any particular licensed premises?**  Yes  No Tick one ✓

If yes, what is the name and address of the licensed premises:

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11. **If you have a financial interest in the premises, please indicate in what capacity:**

Licensee  Business Partner  Company Director  Other: \_\_\_\_\_  Not Applicable

**Applicant's Signature** \_\_\_\_\_ **Date** \_\_\_\_\_  
(Must be signed by the applicant personally)

# The Impact of the Criminal Records (Clean Slate) Act 2004 on applications for Manager's Certificates under the Sale of Liquor Act 1989

The Criminal Records (Clean Slate) Act 2004 commences on Monday 29 November 2004. The Act will enable 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 (7) 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 condition, 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's Certificates under the Sale of Liquor Act 1989. 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 will be available on the website as well as at Courts, Police Stations, Citizens Advice Bureau and Community Law Centres.



# Questionnaire for Application for Manager's Certificate

Sale of Liquor Act 1989

Please complete the questionnaire and return it with the completed Application for Manager's Certificate

To: Western Bay Of Plenty District Council  
Private Bag 12803  
**Tauranga**

## A. General

<b>1. What is the object of the Sale of Liquor Act 1989?</b>
<b>2. What do you understand to be the meaning of the following terms used in the Act?</b>
A Restricted Area
A Supervised Area
<b>3. There are two reasons in the Act for the Licensee or Manager to be on duty when liquor is being sold or supplied to the public. What are they:</b>
(a)
(b)

**4. All all times while a Manager of licensed premises is on duty, the name of the Manager must be predominantly displayed. In what location must this be displayed?**

**B. General**

**5. Who has the authority to appoint a Temporary or Acting Manager?**

**6. Acting Managers can be appointed for a maximum of what period?**

**C. Inspectors**

**7. An Inspector appointed under the Act has the power to enter and inspect licensed premises. What other powers does the Inspector have?**

**8. What are the grounds for an Inspector (and Police) applying for an order suspending or cancelling a Manager's Certificate**

**D. Offences**

**9. What is the maximum fine that may be imposed on a Manager who sells or allows liquor to be sold to a person under the age of 18 years?**

**10. What is the maximum fine that may be imposed on a Manager who sells liquor to a person who is already intoxicated?**

**11. What is the maximum fine that may be imposed on a Manager who allows any person to be on licensed premises outside the licensing hours?**

I, \_\_\_\_\_ hereby certify that I have personally answered the above questions.

**Signed:** \_\_\_\_\_

**Date:** \_\_\_\_\_