

[2016] NZSHD 6

LASDP Number 726770

**IN THE MATTER**

of the Secondhand Dealers and  
Pawnbrokers Act 2004

**AND**

**IN THE MATTER**

of a company Licence held by **THE  
PAWNBROKER ROTORUA  
LIMITED**

**BEFORE THE LICENSING AUTHORITY OF  
SECONDHAND DEALERS AND PAWNBROKERS**

**DECISION**

[1] The Pawnbroker Rotorua Limited holds a company licence no. 726770. It was issued by the Licensing Authority of Secondhand Dealers and Pawnbrokers on 28 February 2007 and renewed on 29 July 2011.

[2] The Pawnbroker Rotorua Limited is in liquidation. Vivian Judith Fatupaito and Andrew John Hawkes, both of KPMG, were appointed as liquidators of the company on 8 August 2016.

[3] The Second Hand Dealers and Pawnbrokers Act 2004 (the Act) does not specifically provide what happens when a company goes into liquidation. However it is a necessary implication that the licence becomes ineffective and, except to the extent that it might be temporarily transferred under s 18(2), the licence will lapse.

[4] The liquidators have taken control of the assets of the company. They do not request a transfer of the licence but have requested that it be cancelled. Section 15(6) provides that a licence holder may return its licence to the authority, in which case the licence expires on the date which the authority receives the licence and all certified copies.

***Conclusion***

[5] The company licence held by The Pawnbroker Rotorua Limited is cancelled with immediate effect. The liquidator is requested to return the licence and all certified copies to the Authority on receipt of this decision.

**DATED** at Auckland this 22<sup>nd</sup> day of November 2016

**P A McConnell**

Licensing Authority of Secondhand Dealers and Pawnbrokers