

[2017] NZSHD 4

LASDP Number 17-043888

**IN THE MATTER**

of the Secondhand Dealers and  
Pawnbrokers Act 2004

**AND**

**IN THE MATTER**

of a an application for a certificate by  
**MALIA VEATUPU**

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

**DECISION**

[1] Ms Veatupu has applied for a Certificate with the Licensing Authority of Secondhand Dealers and Pawnbrokers under s 21 of the Secondhand Dealers and Pawnbrokers Act 2004 (the Act).

[2] Section 22(a) of the Act states that a person is disqualified from holding a certificate if she has been convicted of a specified offence within the last five years. Specified offence is defined in s 4 of the Act and includes any offence under ss 217 to 265 of the Crimes Act 1961.

[3] Ms Veatupu was convicted of shoplifting under s 233(d) of the Crimes Act on 27 June 2013. Offences under s 233 of the Crimes Act fall within the definition of a specified offence. Therefore Ms Veatupu is disqualified from holding a certificate until at least 27 June 2018. The Authority has no discretion to waive such disqualification under s 23 of the Act as waiver is unable to be considered for people who have been convicted of specified offences within the last five years.

***Conclusion***

[4] As Ms Veatupu is disqualified from holding a certificate her application is declined.

**DATED** at Wellington this 30<sup>th</sup> day of August 2017

P A McConnell  
Licensing Authority of Secondhand Dealers and Pawnbrokers