Section 285, Sale and Supply of Alcohol Act 2012

**Application for suspension, or cancellation of manager’s certificate**

To the Secretary

Alcohol Regulatory and Licensing Authority

ARLA@justice.govt.nz

## 1. Application type

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1. Ipsapis nemouptat versper arum ent lautendam
2. Lorem ipsum dolor ea
3. Soluptium into volupta pelit ac

|  |
| --- |
| **This Application is for the:** |
|[ ]  Suspension |[ ]  Cancellation |
| **of a manager’s certificate the details of which are set out below** |

## 2. Details of applicant

|  |  |
| --- | --- |
| **Full legal name**Ipsapis nemouptat versper arum ent lautendam rum evendem reium que soluptiu. Lorem ipsum dolor ea carum ent lautendam reic temos nonsequis.1. Ipsapis nemouptat versper arum ent lautendam
2. Lorem ipsum dolor ea
3. Soluptium into volupta pelit ac
 |  |

|  |  |  |
| --- | --- | --- |
| **Status** |[ ]  Police officer (Rank: ) |[ ]  Licensing Inspector |

|  |
| --- |
| **Postal address for service of documents** |
| Address | No. | Street | Suburb |
|  | City | Post code |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Phone** | Day |  | Mobile |  |

|  |  |
| --- | --- |
| **Email** |  |

## 3. Details of manager

|  |  |
| --- | --- |
| **Full legal name**Ipsapis nemouptat versper arum ent lautendam rum evendem reium que soluptiu. Lorem ipsum dolor ea carum ent lautendam reic temos nonsequis.1. Ipsapis nemouptat versper arum ent lautendam
2. Lorem ipsum dolor ea
3. Soluptium into volupta pelit ac
 |  |

|  |
| --- |
| **Postal address for service of documents for licensee** |
| Address | No. | Street | Suburb |
|  | City | Post code |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Phone** | Day |  | Mobile |  |

|  |  |
| --- | --- |
| **Email** |  |

## 4. Details of certificate

|  |  |
| --- | --- |
| **Certificate number** (attach a copy of the Certificate) |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Certificate expiry date** |  | **/** |  | **/** |  | (day/month/year) |

## 5. Details of employment (premises)

(To be included only where the manager is or was employed on any premises)

|  |  |  |  |
| --- | --- | --- | --- |
| **Address** | No. | Street | Suburb |
|  | City | Post code |

|  |  |
| --- | --- |
| **Trading or other name (if any)** |  |

|  |  |
| --- | --- |
| **Kind of licence in respect of premises** |  |

|  |  |
| --- | --- |
| **Name of licensee** |  |

## 6. Details of employment (conveyance)

(To be included only where the manager is or was employed on any conveyance)

|  |  |
| --- | --- |
| **Kind of conveyance** |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Address** | No. | Street | Suburb |
|  | City | Post code |

|  |  |
| --- | --- |
| **Email** |  |

|  |  |
| --- | --- |
| **Trading or other name (if any)** |  |

|  |  |
| --- | --- |
| **Kind of licence in respect of conveyance** |  |

|  |  |
| --- | --- |
| **Name of conveyance** |  |

## 7. Action sought

|  |  |
| --- | --- |
| **Tick the primary action sought from the options below (tick both if wanted in the alternative)** |  |
|[ ]  Suspension |[ ]  Cancellation |

## 8. Grounds of application

|  |
| --- |
| **Please tick the grounds that apply to your application** |
| Ground 1 |[ ]  Section 285(3)(a): That the manager has failed to conduct the licensed premises in a proper manner; and provide details of the allegation: |
|  |

|  |  |
| --- | --- |
| Ground 2 |[ ]  Section 285(3)(b): That the conduct of the manager is such as to show that they are not a suitable person to hold the certificate; and provide details of the allegation: |
|  |

## 9. Negative Holding

|  |  |  |  |
| --- | --- | --- | --- |
| **1.** | The Manager has a relevant prior negative holding |[ ]  Yes, please provide details below |[ ]  No |
|  |

|  |  |
| --- | --- |
| **2.** |[ ]  This application, if proven, could result in a negative holding pursuant to section Choose an item. of the Act. |
| **3.** |[ ]  No Negative Holding is possible from this application. |

|  |  |
| --- | --- |
| **Dated at:** (place, date) |  |

|  |  |
| --- | --- |
| **Signature of applicant** |  |

# Important information

These notes are not an approved part of the form but are intended to assist applicants to complete the form properly. Each heading relates to the corresponding section in the form.

**Click on an arrow to expand/collapse the heading to show the related content**.

## Application type

* Applicants must elect which options they seek so as to inform the Authority and the licensee.

## Details of manager

* The name of the manager must correspond with the name on the certificate.
* While service may be affected at the address in s 68(3), and this is sufficient, if the respondent has changed address and the applicant knows of the current address of the respondent, then proof of service to that address is okay but proof of service is required.

## 5 & 6. Details of employment

* These details, if applicable, must correspond to the premises or conveyance where the manager was/is employed at the time of the alleged incident giving rise to the pleading.

## Action sought

* Applicants must elect which options they seek so as to inform the Authority and the licensee. Ticking both will indicate that you are also applying for an alternative outcome.

## Grounds of application

1. **Ground 1**
	1. There are two parts to this requirement of the approved form:
		1. a description of the conduct which it is claimed is not proper (for example – sold to a minor, or allowed intoxicated patrons to remain on the premises etc); and
		2. the evidential particulars relied upon to establish the impropriety (particulars of date/time/specific conduct).
	2. Frequently the first part of this section will involve an allegation of a specific breach of the Act or a condition of a licence. The specific allegation should be set out (for example "sold alcohol to a minor contrary to s.239(1) of the Act").
2. **Ground 2**
	1. This ground contains two parts:
		1. what is the nature of allegation to amount to unsuitability; and
		2. the evidence available that prove the allegation.

For example, the manager may have recently been convicted of driving with an excess blood/alcohol level. Part (i) will have the date/outcome of the conviction. Part (ii) would contain the particulars – based on the summary of facts and outline the circumstances of the offending including the proportion of blood/breath/alcohol.

## Negative Holding

1. Where a manager has one or more prior negative holdings, which you intend to rely on, the details should be included to inform the Authority and fairly forewarn the manager.
2. Where the application could result in a negative holding the applicant must tick this box and add in the applicable subclause of s.288(1) from the dropdown list available [which will be one of subclauses (a)-(k)].
3. Where the application cannot result in a negative holding the applicant must tick this box. Many breaches of the Act do not trigger s.288 – e.g. 239(2); 252.