

Temporary Managers and Acting Managers

During monitoring visits we regularly meet licensees and duty managers who are not fully aware of their responsibilities in regards to the appointment of temporary or acting managers. This confusion can result in the appointment being invalid.

Temporary Managers (Section 128 Sale of Liquor Act)

- A temporary manager may be appointed by the **licensee** (the licence holder) if a Manager is ill, absent for any reason, dismissed, or resigns.
- A temporary manager does not need to hold a Manager's Certificate at the time he/she is appointed, but must apply for a Certificate **within 2 working days** after the appointment.
- If a certificate is not applied for within 2 working days, or if the appointment is refused by the Liquor Licensing Authority, then the licensee shall cease to employ the individual as a manager.

Acting Managers (Section 129 Sale of Liquor Act)

An Acting Manager may be appointed by the **licensee** (the licence holder):

- When the duty manager is unable to act because of illness or absence. The maximum length of such an appointment is 3 weeks.
- When the duty manager is on vacation or annual leave. The maximum length of appointment is an aggregate 6 weeks in each 12 month period.
- It is not necessary for an Acting Manager to apply for a Manager's Certificate.

The appointment of an **Acting or Temporary** Manager must be notified (pursuant to section 130), to the District Licensing Agency and the Police Licensing Sergeant **unless** the appointment of a temporary or acting manager does not exceed a period of 48 hours.

In both cases we recommend you have a copy of the appointment form available for inspection on the licensed premise.

The most common mistakes:

- The temporary manager has not made application for a manager's certificate within two working days of their appointment.
- The acting manager has exceeded their maximum appointment time.
- The notice of appointment form has not been forwarded to the required agencies.
- The temporary or acting manager's name is not displayed.
- The temporary or acting manager was unaware of their appointment and responsibilities.

Where an acting or temporary manager's appointment is invalid, any liquor sales are unauthorised and could result in a fine not exceeding \$20,000 or the suspension of the licensee's licence for a period not exceeding 7 days, or both.

Notice of Management Change (Section 130 Sale of Liquor Act)

- The licensee is required to give notice on a notice of management change form of the appointment, cancellation or termination of the appointment of a duty manager within two working days to the District Licensing Agency and the Police Licensing Sergeant.

This is the same form used to appoint acting and temporary managers, and can be downloaded from our website www.wanganui.govt.nz.

We file this notice with the relevant premises file so we have a record of all duty managers currently working at any particular licensed premises.

Unfortunately this requirement has been neglected by a number of licensees.

Failing to meet this requirement carries a maximum penalty fine of up to \$5,000.

Contacts:

DLA Liquor Licensing Officer: Ruth Beard – 349 0543

DLA Inspector: Doug Bonner – 349 0544

Police Licensing Sergeant : Sgt. Tracy Patterson – 349 0600

Local Liquor Wanganui

Issue No. 23

A newsletter prepared by the Wanganui District Licensing Agency
for those in the Liquor Industry

December 2006

Welcome

Kai Iwi Tavern – (Downs Holdings 2006 Limited), Wendy and Paul Sellars.

Avoca Hotel – (Roto Holdings Limited), New managers Gerald and Stephanie Wright.

Bull 'n Gate – (JTS Holdings 2006 Limited), Selwyn Ponga.

Eastbrook Foodmarket – (Russell Brothers), James and Antony Russell.

Thai Villa – (Tasty Star Limited), Prasert Janbar.

Sportz Bar and Grill – Partnership of Richard Irvin and Christine Tunbridge.

We wish you every success in your venture.

Please ensure as many people in your organisation as possible have the opportunity to read this newsletter.

Club Seminar

A Club Seminar was held on 8 November and was well attended by club officials and bar staff – only 4 clubs were not represented.

The format involved a number of speakers as follows:

Garry Wilson , Senior Station Officer - 'Fire Evacuations'.

Jeff Jamieson, WDC Team Leader Building Services – 'Building Warrant of Fitnesses (BWOF)'.

Lynley Cvitanovic and Priscilla Wilson, Public Health – 'Host Responsibility'.

Stuart Hylton, Secretary DLA - 'Food hygiene practices and role of District Licensing Agency'.

Sgt. Tracy Patterson, Police Liquor Licensing Sgt – 'Legal issues from a Police perspective'.

Doug Bonner, DLA Inspector – 'The licence and related issues'.

To entice them along a supper was provided at 'halftime'.

Comments received, such as "the speakers were informative, approachable and offered sensible advice" were encouraging to the organisers and ensure we will have another Club Seminar in the future.

DON'T ALLOW INTOXICATED PATRONS ON YOUR PREMISES.



DON'T SERVE UNDER 18's – ask for



IF IN DOUBT – KEEP THEM OUT!!



As we approach the festive time of year, the Police want to wish all of you a Merry Christmas and a Happy New Year.

Remember 'Host Responsibility' is all about ensuring that people enjoy themselves in a safe environment.

A safe environment is one where the host cares about the visitors - ensuring that they have food and non alcoholic drinks to balance the evening and make it a night that they are able to remember for the right reasons.

- Care that they don't have a thumping great headache from drinking too much the night before.
- Care that they don't get assaulted / robbed / raped on the way home.
- Care that they don't commit the assault / robbery / rape on the way home.
- Care that they don't beat their partner up or become the victim of domestic violence.
- Care that they don't drive drunk.
- Care that they don't lose their licence for 6 months for driving drunk.
- Care that they don't kill themselves or someone else.
- Care that they don't spend Christmas in a hospital bed or sitting in A&E.

Enjoy Christmas for the right reasons - not as an anniversary for things gone wrong.

I know I keep saying it and that is because I care. As a Policeman and a member of this community it is in my interest to keep pushing this message. You are responsible for your patrons in the bar and after they leave.

Think Consequences in the widest sense.

Merry Christmas and a Happy New Year.

Sgt. Tracy Patterson

Application for Managers Certificate

Regulation 20 (2) of the Sale of Liquor Regulations 1990 says:

“Every application for a manager’s certificate shall be accompanied by the following:

- One copy of the application;
- (where the applicant claims previous experience in managing licensed premises) evidence in duplicate of previous experience, in particular recent experience; and
- (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.”

This is your opportunity to help raise the levels of managers in the industry.

- Be professional when asked to supply a reference.
- Quite honestly some received by the Agency do you no credit at all.
- Some clearly are simply a standard template downloaded off the computer with names changed etc. No proof-reading is undertaken as often the applicant’s sex changes from ‘Brian’ to ‘she’ etc.
- Others do little more than say you support the applicant (because you are running short of managers to comply with the Act?).

The following is a recent work experience reference received and it gives us a good indication of what the applicant has actually done in the industry.

On Company letterhead (and dated!!)

“To whom it may concern.

It is with pleasure that we provide this reference for who was employed by (the company) from (date) to (date).

.....came to (the company) with extensive bar experience and quickly proved to be a great asset to the bar. Her duties comprised the normal day to day requirements of bar work, including serving behind the bar, restocking the fridge, changing beer kegs, changing gas bottles, cleaning, preparing food from the bar menu, operating the Jetz till system, etc. All of these duties were carried out efficiently and thoroughly. Additionally, she was responsible for the staff roster and training new staff.

In addition to the general bar duties was involved in ordering stock from suppliers, reconciling the daily cash floats for the next day. She was also very involved in the day to day requirements of the 18 gaming machines at (the premises), including hopper refills, hand and jackpot payouts, coin jams and the clearance of moneys from the machines.

..... often opened up the bar in the mornings, locked up the bar at nights and took overall charge in our absence.

..... is also extremely talented in the organisation and costing of private functions, as well as the preparation and serving of food for these and other special events that were held in the bar.

She was in a position of trust in a cash-handling industry and her integrity and honesty cannot be questioned. is a very capable bar person, able to deal with all situations and communicate with people from all walks of life. She was very popular with the patrons.

We wish every success for future employment, and would be happy to provide a verbal reference if required”.

I guess you would be more than happy to receive such a well defined reference with any application for a position in your organisation and similarly so would the Agency.

It gives us something positive to go on and, like yourselves, that content can be checked by contacting the referee and an interview.

Please think about it and help us help the industry.

If the wrong people get through the system we all suffer the consequences.

During the holiday period, especially Boxing Day, we expect a large influx of visitors/patrons.

If you haven't already done so, reassess your staffing arrangements for the period, security, that all staff understand the law and your licence.

Stop people at the door and put up the FULL HOUSE signs if you are exceeding your occupancy numbers. Lack of staff will not be an acceptable excuse if trouble occurs!



g{x j tÇztÇâ| W|â|vâ __|vxÇá|Çz T zxÇvç ã|á{xá
çÉâ tÄ t áty? xÇ)ÉçtuÅ V {Ü|âÄ tá
tÇw t [tÑç ; tÇw ÑÜÉâxÜÉââ< a xã l xtÜA