

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012 (“the Act”)

AND

IN THE MATTER

of an application by **DISCHAI NIRUEMITSUWIMON**, pursuant to s.224 of the Act, for the renewal of a Manager's Certificate

BEFORE THE FAR NORTH DISTRICT LICENSING COMMITTEE

Members: Mrs Ann Court (Chairperson)
Mr Martin Macpherson (Member)
Mr John Thorne (Member)

HEARING at Kaikohe on 1 September 2023

APPEARANCES

Mr Dischai Niruemitsuwimon (applicant) (no appearance)
Ms Te Orakiri Graham – Licensing Inspector – in opposition
Ms Megan Edwards – Licensing Inspector – to assist
Ms Christina Rosenthal – Licensing Inspector – to assist
Ms Ngawaiata Harris – DLC Hearings Administrator
Ms Chanelle Merwood – DLC Hearings Administrator

DECISION OF THE COMMITTEE

[1] This is an application by Dischai Niruemitsuwimon for the renewal of a Manager's Certificate.

[2] The application was lodged on the 29 July 2022.

[3] The application is opposed by the Licensing Inspector as she has been unable to gain a response from the applicant to conduct an interview with him after he failed a written test provided with the application papers. Without a positive finding, in relation to his knowledge of the Act, she is unable to report favourably on the application.

[4] The ongoing failure to make contact with the Inspector despite many email requests and phone messages since the 29 July 2022 casts doubt on the suitability of the applicant to hold a Manager's Certificate. His whereabouts is not known.

[5] On the 4 August 2023 the Chairperson issued a Minute directing the Secretary to formally write to the applicant giving a timeline of 2 weeks to respond or his application will be considered abandoned. This time has come and passed without response.

[6] Notification was given of the Hearing date.

[7] We are satisfied that all possible avenues have been exhausted to contact Mr Niruemitsuwimon.

[8] From his non-appearance today, we can only assume he has lost interest in supporting his application and on that basis, we are unable to ascertain his suitability to renew his manager's certificate.

[9] The application is refused.

DATED at Kaikohe this 4th day of September 2023



Katie Waiti-Dennis

Secretary

For the Far North District Licensing Committee

*Decision written by DLC Member John Thorne