

IN THE MATTER of the Sale and Supply of Alcohol
Act 2012 ("the Act")

AND

IN THE MATTER of an application by **Ankit
Ramswaroop ANTHWAL**
pursuant to s.219 of the Act for
the grant of a Manager's
Certificate

HEARING BEFORE THE FAR NORTH DISTRICT LICENSING COMMITTEE

Members: Mr Murray Clearwater (Chairperson)
Mr Graeme Wright (Member)
Mr John Thorne (Member)

HEARING at **Paihia** on 30 September 2025

APPEARANCES

Mr Ankit Ramswaroop ANTHWAL (applicant) via AVL
Ms Michelle Ashdown – Far North District Alcohol Licensing Inspector – in opposition
Ms Christina Jacqueline Rosenthal- Chief Licensing Inspector – in opposition
Sergeant Michelle Row- Far North Alcohol Harm Prevention Officer (AHPO) – to assist.

RESERVED DECISION OF THE COMMITTEE

INTRODUCTION

1. This is an application lodged by **Ankit Ramswaroop ANTHWAL** for a manager's certificate.
2. The applicant does occasional relief shift at the family business, Turmeric Restaurant in Kerikeri. He is 23 years old and holds the LCQ and produced a certificate to show that he had completed the Servewise Course.
3. The Police surprisingly reported with no matters of opposition despite a very high excess blood alcohol conviction in June of 2024.
4. The Licensing Inspector reported on the application and told us she had been unable to report fully on the application due to the lack of commitment of the applicant to make themselves available for interview. She was unable to state that he had a sufficient grasp of the legislation to enable a positive recommendation to be made.

5. The Committee set the matter down for hearing to assess the suitability of the applicant.

EVIDENCE OF THE APPLICANT

6. Mr. Ankit Ramswaroop ANTHWAL failed to answer the call to appear before the Committee at 11.00am. The Administrator was able to make contact with him and he said he had no transport so could not attend the hearing in person.
7. An AVL link was set up, and we were able to hear from him and ask questions of Mr Anthwal. He told the Committee that he works occasionally at Turmeric in Kerikeri but was currently busy setting up their new restaurant in Mangonui.
8. He said it is a family business, and he doesn't get paid a steady wage or salary.
9. When asked why he had failed to respond to the Inspectors calls for an interview he said he was nervous, and it was his fault for not turning up.
10. He was asked about the drink drive conviction he had incurred in 2024 that he had disclosed as "Excess Breath Alcohol \$500 fine and court costs."
11. In fact, he had been convicted of driving with an Excess **Blood** Alcohol level of 182 milligrams of alcohol per 100 millilitres of blood. He was only on a Learner Licence and should not have been driving at all. He is disqualified indefinitely and will have to wait three years before he can apply for a Zero Alcohol Licence.

THE INSPECTOR

12. The two Inspector's Report were taken as read and it was clear that both Inspectors had great difficulty getting any meaningful response from the applicant.
13. There is also evidence of collusion and/or plagiarism of some of the applicants answers in the questionnaires. This is unacceptable.

THE POLICE

14. Sergeant Row confirmed that Mr Anthwal was driving alone in breach of his Learners Licence and crashed into a ditch at 7.50am in the morning.
15. Sergeant Row also stated in her report that the crash result had not been reported to her and therefore no suspension application could be lodged with ARLA. For the record we note that Mr. Anthwal did not have a Managers Certificate so no 285 suspension application could have been lodged in any case.

THE LAW

Section 222 Criteria for manager's certificates

In considering an application for a manager's certificate, the licensing committee or licensing authority, as the case may be, must consider the following matters:

(a) the applicant's suitability to be a manager:

(b) any convictions recorded against the applicant:

(c) any experience, in particular recent experience, that the applicant has had in controlling any premises for which a licence was in force:

(d) any relevant training, in particular recent training, that the applicant has undertaken and evidence that the applicant holds the prescribed qualification required under [section 218](#):

(e) any matters dealt with in any report made under [section 220](#). (Agency reports)

REASONS FOR THE DECISION

16. There are three options open to the Committee. Grant the certificate now, adjourn the application for a period of time for the applicant to gain further knowledge and show some maturity, or to refuse the application.
17. This is the third application from Mr. Anthwal in the space of 18 months. On each occasion he has shown contempt for the processes that must be undertaken for a manager's certificate to be considered.
18. It is critical for managers and staff in licensed premises to show that they know the provisions of the Act and are honest and forthright with the Inspectors and this Committee.
19. We thank Inspectors Ashdown and Rosenthal for the efforts they went to, to try and get Mr Anthwal over the line.
20. In the LLA decision of **Graham Leslie Osborne LLA 2388/95**¹ the Authority published a guideline of 2 years free of all offending and **5 years free of serious offending involving alcohol** before the grant of a manager's certificate could be favourably considered.
21. The high level excess blood alcohol conviction is serious offending involving alcohol.

¹ Graham Leslie Osborne LLA 2388/95

22. We are firmly of the view that the certificate cannot be granted at this time. Equally we are not satisfied that Mr Anthwal will be sufficiently mature or competent for at least **five years from the May 2024** offence date.
23. It also became apparent that the applicant barely works in licensed premises. ARLA has made it very clear that managers certificates are for people **working** in licensed premises.

DECISION

24. The Far North District Licensing Committee, acting pursuant to Section 221 of the Act, refuses an application made by **Ankit Ramswaroop ANTHWAL** for a Manager's Certificate.

DATED at Paihia this 6th day of October 2025



Murray Clearwater
Chairperson/Commissioner
Far North District Licensing Committee

