

IN THE MATTER

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

AND

IN THE MATTER

of an application by **KAHU JORDAN
VINCENT** of the **FULL SWING
SIMULATORS LTD** pursuant to s.219 of
the Act for a Manager's Certificate.

Chairman: Mr G B Pay
Members: Mr L Cocks
Mr J Mann

HEARING at LUGGATE on 10th July 2025

APPEARANCES

Mr K J Vincent – Applicant
Mrs J M Vincent – for Applicant
Mr N Bates - Queenstown Lakes Licensing Inspector
Constable C Bopp – NZ Police

DECISION OF THE DISTRICT LICENSING COMMITTEE

APPLICATION

- [1] An application was filed by KAHU JORDAN VINCENT on the 15th November 2025 for a Manager's Certificate. It was considered in accordance with s.191(2) and s.222 of the Act.
- [2] Mr Vincent is a part owner of a licensed premises in Wanaka named Full Swing Simulators Limited which principal purpose is as a golf simulator business. In his application he stated he had no previous experience in the management or control of licenced premises and no previous convictions. Mr Vincent is the holder of the Licensed Controller's Qualification (LCQ) which meets the criteria of r.23 of the Sale and Supply of Alcohol Regulations 2013.
- [3] Part of the process to obtain a manager's certificate in this district is that the applicant meets with a Queenstown Lakes Licensing Inspector and completes a short knowledge test on aspects of the Act. Mr Vincent fared poorly with the test on three occasions resulting in the Inspector requesting the application be determined by way of a public hearing.

THE HEARING

NZ POLICE

- [4] Constable Bopp was able to confirm the premises where Mr Vincent intends to utilise a manager's certificate is considered as low risk and to the best of his knowledge has not come to the attention of Police.
- [5] Police confirm the Applicant has no previous convictions.

THE INSPECTOR

- [6] The Inspector stated the Applicant's lack of experience of controlling any premises for which a licence was in force had initially been dealt with by Mr Vincent signing an undertaking to only utilise his manager's certificate at the Full Swing Simulators Ltd premises for the first six months after the certificate's issue. This undertaking has been largely nullified by the matter being referred to a hearing.
- [7] The Inspector told us the questions Mr Vincent was unable to answer correctly in the third and final knowledge test were:
 - *What are the four signs for recognising an intoxicated person*
 - *How many signs of intoxication need to be showing*
 - *If you fail to remove an intoxicated person, what is the penalty*
 - *What is the minimum age a person can be to apply for a manager's certificate*
 - *On the half day, what time may you start selling alcohol*
- [8] Mr Bates told us that Mr Vincent had informed him that the effects of a head injury meant he occasionally had problems with his comprehension. With this information, Mr Bates provided clarification around various questions, however he believed Mr Vincent still did not meet the threshold of knowledge he expected a manager to have.
- [9] Mr Bates confirmed the Full Swing Simulators Ltd premises was a low-risk premises and that at a previous visit, he found no issues. However, he did state the fact that the premises did cater to functions was a risk as he was aware that the risk of intoxication is higher at functions.

THE APPLICANT

- [10] Mr Vincent told us he is one of three director/shareholders in Full Swing Simulators Ltd as well as being the owner/operator of a local interior plastering business which has at times employed five staff.

[11] Mr Vincent informed us the directors and their respective partners are currently the only workers at Full Swing Simulators Ltd. The business is open between 10am and 8pm each day but alcohol is not sold until 3pm when a certified manager is available. He told us that he operates his interior plastering business during the day and does evening shifts at Full Swing Simulators Ltd. When he is alone at Full Swing Simulators Ltd there is no alcohol sales as he does not hold a manager's certificate.

[12] We were told the premises is capable of holding a maximum of 16 patrons. Customers will pay for a three-hour time slot but the majority of customers stay for about two hours per session. He told us the alcohol offered for sale consists of canned beer or glasses of wine. The beer is priced at \$8 per can for one product and \$10 per can for another. Mr Vincent estimated that alcohol sales make up about 5% of total income for the business.

[13] Mr Vincent stated that as of about a fortnight ago he was appointed as a Temporary Manager pursuant to s.229 of the Act. He said the business partners only recently became aware they had this option. He said that until then, the business would not sell alcohol while he was on duty in the evenings.

[14] With regard to the questions he was unable to correctly answer, Mr Vincent told us that in some cases he gave what amounted to a personal answer as opposed to the technically correct answer. His example to us was that he believed a person only had to exhibit one sign of intoxication before he would refuse services as opposed to the technically correct answer of two signs of intoxication.

[15] Mr Vincent told us of his head injury and the effect it has on his memory. He then explained to us the systems he has in place to deal with this. He utilises the mandatory signage in the licensed premises and has various reference material on hand including a working copy of the sale and supply of alcohol act.

[16] Mr Vincent read us a reference from one of his business partners and had his wife with him as support. Mrs Vincent was sworn and read us her reference in support of Mr Vincent's application.

DECISION

[17] The Inspector was correct to bring this matter to us for determination. We recognise that the holder of a manager's certificate is the most important cog in the sale and supply of alcohol system and such certificates should only be issued to people who the community can trust to operate their premises in the spirit of the law. An important factor is that this person is au fait with that law – hence the knowledge test required by Queenstown Lakes Licensing Inspectors.

[18] Mr Vincent impressed us with his candour about the effects of his head injury. The circumstances around his injury were well-reported in local media and there is no doubt he

has had to overcome serious hurdles to be as well as he is today. We were also impressed with his management regarding the limitations of his memory.

- [19] Mr Vincent is an active owner/operator of two businesses, one that employs several staff. It seems to us he has some business acumen. His answers to questions around when minors may be supplied alcohol and other licensing matters satisfied us he has sufficient knowledge of his responsibilities.
- [20] The Full Swing Simulators Ltd business is clearly one that can be assessed as low risk of contributing to alcohol abuse. The hours of trade are minimal, alcohol choice is minimal, and alcohol sales make up a minor portion of total income for the business. Patrons are there for three hours maximum as they purchase a time slot and in our opinion this mitigates any concerns around functions.
- [21] With regard to the matter of Mr Vincent's lack of experience of controlling a premises for which a licence was in force, we note he was prepared to sign a six-month undertaking to limit his use of a manager's certificate to Full Swing Simulators Ltd. In answer to a question from us, Mr Vincent stated he had no intent to work at other licensed premises and would be happy to give us his verbal undertaking he would only utilise a manager's certificate at Full Swing Simulators Ltd. At this stage he was still under sworn oath.
- [22] He has shown us he has experience in running a business and controlling staff. He has also given evidence that was not challenged, that he and his business partners are able to operate a licensed premises in compliance with the law by not selling alcohol when no certified manager is present.
- [23] When taking into consideration s.222 of the Act, we find Mr Vincent is a suitable person to be a manager and he has no convictions recorded against him. His experience of controlling a premises for which a licence was in force is limited but Mr Vincent's undertaking to use any such certificate at Full Swing Simulators Ltd for the first 12 months probationary period of his certificate satisfies us. We also note Mr Vincent is the holder of an LCQ.
- [24] Accordingly, the Committee rules pursuant to s.221(1) of the Act, that the above application for a new Managers Certificate is approved.

DATED at Luggate this 10th day of July 2025



G B Pay
Commissioner
Queenstown Lakes District Licensing Committee

