

# GAUTENG PROVINCE

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## DEPARTMENT OF FINANCE AND ECONOMIC AFFAIRS

### GAUTENG LIQUOR ACT, 2003 (ACT NO. 2 OF 2003)

#### REGULATIONS IN TERMS OF SECTION 141 OF THE GAUTENG LIQUOR ACT, 2003 (ACT No. 2 of 2003)

The Member of the Executive Council has, by virtue of the powers vested in him by section 141 of the Liquor Act, (Act No. 2 of 2003), made the regulations set out in the Schedule.

#### SCHEDULE

##### Definitions

1. In these Regulations, unless the context otherwise indicates a word or expression to which a meaning has been assigned in the Act, has the same meaning, and-

“**Act**” means the Gauteng Liquor Act, 2003 (Act No. 2 of 2003);

“**applicant**” means a person applying for a licence, permit or any other dispensation in terms of the Act; and

“**office hours**” means the hours from 08:00-16:00 from Monday to Friday excluding Saturday, Sunday and public holiday.

##### Application for Licence in terms of sections 23 and 24

2. (1) An application for a licence as contemplated in section 23 of the Act shall be-

- (a) lodged in duplicate;
- (b) in accordance with Form 1 in Schedule 2;
- (c) lodged on the first Friday of any month or if such day is a public holiday, on the second Friday thereafter that is not a public holiday; and
- (d) accompanied by proof of payment of the relevant application fee set out in Schedule 1.

(2) A notice contemplated in section 24 of the Act shall be in accordance with Form 2 in Schedule 2.

(3) If any information stated in the application changes and such changes have no material effect on the application the applicant shall, before the Board considers the application, notify the secretary of the local committee in writing of such changes and the effect thereof.

(4) The secretary of the local committee shall within 3 working days of making the recommendation on the application, submit it to the Board.

##### Public inspection of documents

3. (1) An application or any document lodged in terms of these regulations shall be open to public inspection at the office of the secretary of the local committee during office hours.

(2) An interested person shall be allowed to obtain copies upon proof of payment of the relevant fee set out in Schedule 1.

#### **Reports on applications in terms section 118**

**4.** (1) A report contemplated in section 118 of the Act shall be furnished to the Secretary of the local committee within 21 days from the date of lodgment of an application.

(2) The secretary of the local committee shall, upon the applicant's application for a copy of the report and proof of payment of the relevant application fee set out in Schedule 1 furnish the applicant with a copy of the report.

(3) An applicant may within 7 days of receipt of the report contemplated in sub-regulation (1) lodge representations to the report with the secretary of the local committee.

#### **Withdrawal of application**

**5.** An applicant may in writing withdraw the application at any stage before the Board considers it.

#### **Application for catering or occasional permit in terms of section 31**

**6.** An application for catering or occasional permit contemplated in section 31 of the Act shall be-

(a) lodged in duplicate;

(b) in accordance with Form 1 in Schedule 2; and

(c) accompanied by proof of payment of the relevant application fee set out in Schedule 1.

#### **Management in terms of section 40**

**7.** An application contemplated in section 40 of the Act shall be-

(a) lodged in duplicate;

(b) in accordance with Form 4 in schedule 2; and

(c) accompanied by proof of payment of the relevant application fee set out in Schedule 1.

#### **Application for alterations to and extension of licensed premises in terms of section 43**

**8.** An application contemplated in section 43 of the Act shall be-

(a) lodged in duplicate;

(b) accompanied by an amended plan; and

(c) proof of payment of the relevant application fee set out in Schedule 1.

#### **Application to supply liquor free of charge for on consumption in terms of section 86**

**9.** An application contemplated in section 86(1) of the Act shall be-

(a) lodged in duplicate; and

(b) accompanied by proof of payment of the relevant application fee set out in Schedule 1.

#### **Application to supply liquor free of charge for purpose of tasting in terms of section 89**

**10.** An application contemplated in section 89(1) of the Act shall be-

(a) lodged in duplicate; and

- (b) accompanied by proof of payment of the relevant application fee set out in Schedule 1.

#### **Application for transfer of a licence in terms of section 104**

- 11.** An application contemplated in section 104 of the Act shall be-
- (a) lodged in duplicate;
  - (b) in accordance with Form 5 in Schedule 2, and
  - (c) accompanied by proof of payment of the relevant application fee set out in Schedule 1.

#### **Application for financial and controlling interests in terms section 39**

- 12.** An application contemplated in section 39 of the Act shall be-
- (a) lodged in duplicate;
  - (b) in accordance with Form 3 in Schedule 2; and
  - (c) accompanied by proof of payment of the relevant application fee set out in Schedule 1.

#### **Size of premises in terms of section 41**

- 13.** The public floor area of premises contemplated in section 41 of the Act shall be more than-

- (a) 30 square meters for on-consumption premises, excluding storage and office space;
- or
- (b) 50 square meters for off-consumption premises, excluding storage and office space.

#### **Micro-manufacturers licence in terms of section 84**

- 14.** (1) An application contemplated in section 84(1) of the Act shall be-
- (a) lodged in duplicate;
  - (b) in accordance with Form 1 in Schedule 2; and
  - (c) accompanied by proof of payment of the relevant application fee set out in Schedule 1.
- (2) A micro-manufacturer shall produce less than the following volumes of liquor -
- (a) beer, 1 million litres per year;
  - (b) wine, 4 million litres per year; and
  - (c) spirits, 2 million litres per year.

#### **Fees**

- 15.** (1) Fees payable in terms of the Act are prescribed in Schedule 1 of these regulations.
- (2) Fees payable in terms of the Act shall be deposited with the institution specified from time to time by the Member of Executive Council.
- (3) A licensee shall within 60 days from the date of issue of a licence pay a relevant licence fee set out in Item 4 of Schedule 1

#### **License, permit and certificate**

- 16.** (1) A licensee shall at all times display at a conspicuous place on the premises a licence, permit or certificate.

(2) A licensee shall ensure that the name of the business, type of licence issued, times of business and licence number are visibly and legibly written in characters of larger than 5 centimeters in height, on the front door or window of the licensed premises.

#### **Notice and summons in terms of section 10**

**17.** (1) The forms of notices and summonses contemplated in section 10 of the Act shall be in accordance with Forms 6 and 7, respectively in Schedule 2.

(2) The notices or summonses contemplated in sub-regulation (1) shall be served by an inspector at least 10 days before the date of the hearing or meeting-

(a) to the person named therein; or

(b) if he or she cannot be found at his or her place of residence or business to a person apparently over the age of 16 years and apparently residing there or employed there or in charge of the premises.

(3) An inspector who has served the notice or summons shall furnish a return of service to the Chairperson who issued the notice or summons.

#### **Non-compliance notice and compliance certificate in terms of section 116**

**18.** An inspector may as contemplated in section 116 of the Act issue in accordance with Forms 8 or 9 in Schedule 2, respectively, a-

(a) non-compliance notice; or

(b) compliance certificate.

#### **Times of business**

**19.** A licensee in terms of the Act shall conduct business at the relevant times of business set out in Schedule 3.

#### **Duplicate license in terms of section 34**

**20.** A duplicate license contemplated in section 34 of the Act may be obtained on request from the secretary of the local committee upon payment of the relevant fee set out in Schedule 1.

#### **Shebeens in terms of section 141**

**21.** As contemplated in section 141(1) (m) of the Act -

(a) any person who on the date of promulgation of these regulations has been conducting a shebeen shall within three months from the date of promulgation of these regulations lodge in duplicate an application with the secretary of the local committee in accordance with Form 10 in Schedule 2 for a shebeen permit; and

(b) a shebeen permit shall be valid for a period of 18 months, from the date of promulgation of these regulations.

#### **Records**

**22.** (1) All records contemplated in the Act shall be kept in writing and notwithstanding any other law be retained for a period of three years from the last date of entry in the record.

(2) Alterations in the records or invoices referred to in sub-regulation (1) shall be effected in such a manner that the original entry remains legible.

**Invoices in terms of section 80**

**23.** An invoice contemplated in section 80 of the Act shall be made out in duplicate and shall contain at least the following particulars-

- (a) the name under which the licensed business is conducted and the address where it is so conducted;
- (b) a number allotted to each original invoice and copies of it shall bear the same number;
- (c) the date upon which the invoices is completed;
- (d) full names of the person to whom the liquor is to be delivered;
- (e) full names and description of the place to which the liquor is to be delivered; and
- (f) the quantity, description and the price of the liquor to be delivered.

**Commencement of Regulations**

**24.** (1) These Regulations are called the Gauteng Liquor Regulations, 2004 and commences on a date to be determined by the Member of the Executive Council.

(2) The Member of the Executive Council may fix different commencement dates for the different provisions of these regulations.

## SCHEDULE 1

### FEES

#### 1. Fees for application for a licence in terms of section 23 of the Act-

(1) hotel liquor licence	R 1575-00
(2) restaurant liquor licence	R 1500-00
(3) theatre liquor licence	R 1500-00
(4) club liquor licence	R 1500-00
(5) night club liquor licence	R 2500-00
(6) gaming premises liquor licence	R 2500-00
(7) sports ground liquor licence	R 1250-00
(8) pub liquor licence	R 1500-00
(9) dance hall liquor licence	R 2850-00
(10) tavern liquor licence	R 1250-00
(11) pool club liquor licence	R 1500-00
(12) liquor store licence	R 1500-00
(13) grocers' wine licence	R 750-00
(14) micro-manufacturer's licence	R 2500-00
(15) sorghum beer licence (on or off consumption)	R 1000-00
(16) catering or occasional permits	R 1000-00

#### 2. Fees for renewal of a licence in terms of section 98 of the Act-

(1) hotel liquor licence	R 3500-00
(2) restaurant liquor licence	R 3000-00
(3) theatre liquor licence	R 3000-00
(4) club liquor licence	R 3000-00
(5) night club liquor licence	R 5000-00
(6) gaming premises liquor licence	R 5000-00
(7) sports ground liquor licence	R 2500-00
(8) pub liquor licence	R 3000-00
(9) dance hall liquor licence	R 5000-00
(10) tavern liquor licence	R 2500-00
(11) pool club liquor licence	R 3000-00
(12) liquor store licence	R 3000-00
(13) grocers' wine licence	R 1500-00
(14) micro-manufacturer's licence	R 5000-00
(15) sorghum beer licence ( on or off consumption)	R 2000-00

**3. Application fees for transfer of a licence in terms section 104 of the Act-**

(1) hotel liquor licence	R 787-50
(2) restaurant liquor licence	R 750-00
(3) theatre liquor licence	R 750-00
(4) club liquor licence	R 750-00
(5) night club liquor licence	R 1250-00
(6) gaming premises liquor licence	R1250-00
(7) sports ground liquor license	R 625-00
(8) pub liquor licence	R 750-00
(9) dance hall liquor licence	R1250-00
(10) tavern liquor licence	R 625-00
(11) pool club liquor licence	R 750-00
(12) liquor store licence	R 750-00
(13) grocers' wine licence	R 375-00
(14) micro-manufacturer's licence	R1250-00
(15) sorghum beer licence ( on or off consumption)	R 500-00

**4. License fees in terms of section 97 of the Act -**

(1) hotel liquor license	R 1575-00
(2) restaurant liquor license	R 1500-00
(3) theatre liquor license	R 1500-00
(4) club liquor license	R 1500-00
(5) night club liquor license	R 2500-00
(6) gaming premises liquor license	R 2500-00
(7) sports ground liquor license	R 1250-00
(8) pub liquor license	R 1500-00
(9) dance hall liquor license	R 2850-00
(10) tavern liquor license	R 1250-00
(11) pool club liquor license	R 1500-00
(12) liquor store license	R 1500-00
(13) grocers' wine license	R 750-00
(14) micro-manufacturer's license	R 2500-00
(15) sorghum beer licenses(on or off consumption)	R 1000-00

**5. Other application fees-**

(1) alterations to and extensions of licensed premises in terms of section 43 of the Act.	R 500-00
(2) management in terms of section 40 of the Act.	R 750-00
(3) supply liquor free of charge for on consumption in terms of section 86(1) of the Act	R 750-00
(4) supply liquor free of charge for purpose of tasting in terms of section 89(1) of the Act.	R 750-00
(6) copies of- (a) any licence and its conditions; or (b) application kept or retained in terms of section 139 of the Act.	R 100-00
(7) copies of an inspector's report.	R 50-00
(8) copies of the minutes in terms of section 9 of the Act.	R 500-00
(9) duplicate licence in terms of section 34 of the Act.	R 500-00



**SCHEDULE 2**

**FORMS**

Date- stamp of secretary  
receiving application

**FORM 1**  
**[Reg. 2]**

For official use  
Amount R .....  
Receipt no .....  
Date .....

**LIQUOR ACT, 2003**

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**APPLICATION FOR A LICENCE IN TERMS OF SECTION 23**

Application prepared by .....

Postal address .....

Telephone no.....

1. (a) Full names of applicant.....  
(b) Age.....  
(c) Identity number or in the case of a company or close corporation, its registration number.....  
(d) Residential address or address of registered office.....  
(e) Business address .....

[delete (b) if applicant is not a natural person]

2. (a) Is applicant a person who-  
(i) has in the Republic or elsewhere in the preceding 10 years been convicted and sentenced for any offence to imprisonment without the option of a fine?

YES	NO
-----	----

- (ii) has in the preceding 5 years been convicted of an offence in terms of Gauteng Liquor Act, 2003 (Act No.2 of 2003) or the Liquor Act, 1989 (Act No. 27 of 1989) and was sentenced to a fine of not less than R200 or to imprisonment without the option of a fine or to both imprisonment and fine?

YES	NO
-----	----

(iii) is not domiciled in the Republic?

YES	NO
-----	----

(iv) is an unrehabilitated insolvent?

YES	NO
-----	----

(v) is a minor?

YES	NO
-----	----

(iv) is the spouse of a person contemplated in subparagraph (i), (ii) or (iv)?

YES	NO
-----	----

(Mark the applicable square)

(b) If the applicant is a company, close corporation, partnership or trust, state whether a person contemplated in subparagraph (a)-

(i) has a controlling interest in such a company, close corporation or trust?

YES	NO
-----	----

(ii) is a partner in such a partnership?

YES	NO
-----	----

(iii) is the main beneficiary under such a trust?

YES	NO
-----	----

(Mark the applicable square)

(c) If answer to subparagraph (a) or (b) is in the affirmative, furnish full details.....

(Use an annexure if necessary)

3. (a) State the name, identity number and address of each person, including the applicant, who will have any financial interest in the business and in each case the nature and extent of such interest. If the applicant is a public company, statutory institution or a co-operative as contemplated in the Co-operatives Act, 1981 (Act No. 91 of 1981), it shall be sufficient if only the name and postal address of such company, statutory institution or co-operative, as the case may be, the name of each director (if any) thereof and the nature and extent of the financial interest of such company, statutory institution or co-operative are furnished and not also the interests of individual members of such company, statutory institution or co-operative .....

(Use an annexure if necessary)

(b) State the applicant's financial interest in the liquor trade in the Republic and if the applicant is a private company, close corporation, partnership or trust, also of every shareholder, member or partner thereof or beneficiary there under. (If the applicant or the said shareholder, member, partner or beneficiary has no such interest, this fact shall be specifically mentioned).  
.....

.....  
(Use an annexure if necessary)

(c) In the case of an application for a liquor store licence, sorghum beer for off - consumption or micro-manufacturer's licence is the applicant-

(i) a manufacturer of liquor or the agent?

YES	NO
-----	----

4. (a) State type of licence applied for.....  
.....

(b) State type of liquor applicant intends selling .....  
.....

5. In the case of an application for a micro-manufacturer's licence-

(a) is applicant a person who-

(i) manufactures any fermented beverages?

YES	NO
-----	----

(b) if the answer to subparagraph (i) is in the affirmative, furnish full details  
.....

(c) State the volume of liquor produced or intended to be produced by the applicant per year.....  
.....

(d) Describe the situation of the premises where the business is to be conducted with reference to the erf, street or farm number.....

6. In the case of an application for sorghum beer licence, state whether it is intended to sell beer for on-consumption or off consumption. ....

7. Under what name is the business to be conducted? .....

8. (a) Describe the situation of the premises where the business is to be conducted with reference to the erf, street or farm number.....

(b) In which district is the premises referred to in subparagraph (a) situated?  
.....

9. Will applicant have the right to occupy the premises referred to in paragraph 8?

YES	NO
-----	----

(Mark the applicable square)

10. In the case of an application for an on-consumption licence state in which portion of the premises the sale of liquor will take place.....  
.....

11. (a) is application made in respect of premises which-

(i) have not yet been erected?

YES	NO
-----	----

(ii) are already erected, but require additions or alterations to make them suitable for the purpose of the proposed business?

YES	NO
-----	----

(iii) are already erected and in the applicant's opinion do not require additions to or alterations in order to make them suitable for such purpose?

YES	NO
-----	----

- (b) If paragraph 11 (a) (i) or (ii) applies, state-
  - (i) the date on which such erection, additions to or alterations will be commenced with.....; and
  - (ii) the period which will be required for the erection, additions to or alterations.....

12. (a) is an application made for any determination, consent, approval or authority which may be granted by the Board?

YES	NO
-----	----

(Mark the applicable square)  
(b) If so, give full particulars with reference to the relevant section in terms of which an application is made.....

(Use annexure where necessary)  
13. In the case of an application for a club liquor licence, attach a copy of the constitution or rules of the club.

I declare or truly affirm that the information furnished in this application is true.  
Date.....  
Signature of applicant or an authorised person.

I certify that this declaration has been signed and sworn to or affirmed before me at .....this.....day of .....  
by the applicant or an authorised person who acknowledged that-

- (i) he or she knows and understands the contents of this declaration;
- (ii) he or she has no objection to taking the prescribed oath or affirmation; and
- (iii) he or she considers the prescribed oath or affirmation to be binding on his or her conscience and that he or she uttered the following words:

"I swear that the contents of this declaration are true, so help me God" or "I truly affirm that the contents of this declaration are true".

.....  
Commissioner of Oaths

Full names .....  
Business address.....  
Designation.....  
Area for which appointment is held.....  
Office held if appointment is ex officio.....

Date- stamp of secretary  
receiving application

**FORM 2**  
**[Reg. 2]**

For official use  
Amount R .....  
Receipt no .....  
Date .....

**LIQUOR ACT, 2003**

NOTICE OF APPLICATION IN TERMS OF SECTION 24

Notice is hereby given that it is the intention of the person whose details are set out below to lodge an application for ..... to the secretary of the local committee of .....

- 1. Full names the applicant. ....
- 2. Intended trading name.....
- 3. Identity number or Registration number of the applicant.....  
.....
- 4. Full address and location of the premises.....  
.....  
.....
- 5. Type of licence applied for.....  
.....
- 6. Names and nature of educational institutions within a radius of 1 kilometer from the premises in paragraph 4.....  
.....  
(Use annexure where necessary)
- 7. Names and distances to similar licensed premises within a radius of 1 kilometer from the premises in paragraph 4.....  
.....  
(Use annexure where necessary)
- 8. Places of worship within a radius of 1 kilometer from the premises in paragraph 4  
.....  
.....

Signed at..... on this.....day of.....

.....  
Signature of applicant or an authorised person

Date- stamp of secretary  
receiving application

**FORM 3**  
**[Reg.12]**

For official use  
Amount R .....  
Receipt no .....  
Date .....

**LIQUOR ACT, 2003**

Application prepared by .....  
Postal address.....  
Telephone No. ....

**PART A**

**INFORMATION RELATING TO APPLICANT**

1. Full names of applicant .....
2. If applicant is not a natural person, state the name, identity number and address of each shareholder, member, partner or beneficiary. (Use annexure)
3. Under what name is the licensed business conducted?  
.....
4. (a) Describe the situation of the premises where the licensed business is conducted with reference to the erf, street or farm number.....  
.....  
(b) In which district is the premises referred to in subparagraph (a) situated?  
.....

I declare or truly affirm that the information furnished in this application is true.

.....  
Date Signature of applicant or an authorised person

I certify that this declaration has been signed and sworn to or affirmed before me at .....this.....day of....., by the applicant or an authorised person who acknowledged that-

- (i) he or she knows and understands the contents of this declaration;
- (ii) he or she has no objection to taking the prescribed oath or affirmation; and
- (ii) he or she has no objection to taking the prescribed oath or affirmation; and
- (iii) he or she considers the prescribed oath or affirmation to be binding on his or her conscience, and that he or she uttered the following words:

"I swear that the contents of this declaration are true, so help me God" or "I truly affirm that the contents of this declaration are true".

.....  
Commissioner of Oaths  
Full names .....  
Business address.....  
Designation.....  
Area for which appointment is held.....  
Office held if appointment is ex officio.....

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**PART B**

**INFORMATION RELATING TO THE PROCURER OF FINANCIAL OR CONTROLLING INTEREST**

- 1. (a) Full names of the procurer.....
- (b) Age.....
- (c) Identity number or in the case of a company or close corporation it's registration number.....
- (d) Residential address or address of registered office.....
- .....
- (e) Business address.....
- .....
- (f) Postal address.....
- .....
- (g) Business telephone number.....
- (h) Email address.....

[delete (b) if procurer is not a natural person]

- 2. If a procurer is not a natural person, state the name, identity number and address of each shareholder, member, partner or beneficiary.....
- .....

- 3. (a) Is a procurer a person who-
  - (i) has in the Republic or elsewhere in the preceding 10 years been sentenced for any offence to imprisonment without the option of a fine?

YES	NO
-----	----

(ii) has in the preceding 5 years been convicted of an offence in terms of the Gauteng Liquor Act, 2003 (Act No.2 of 2003) or Liquor Act, 1989 (Act No. 27 of 1989) sentenced to a fine of not less than R200 or to imprisonment without the option of a fine or to both imprisonment and fine?

YES	NO
-----	----

(iii) is not domiciled in the Republic?

YES	NO
-----	----

(iv) is an un-rehabilitated insolvent?

YES	NO
-----	----

(v) is a minor ?

YES	NO
-----	----

(vi) is the spouse of a person contemplated in subparagraph (i), (ii) or (iv)?

YES	NO
-----	----

(Mark the applicable box)

4 (a) state the name, identity number and address of each person-

(i) who including the procurer of the licence, has any financial interest in the business to which the licence relates; and

(ii) who including the procurer, will have such interest if application is granted, and in each case, the nature and extent of such interest. [In the case of a public company, statutory institution or a co-operative as contemplated in the Co-operative Act, 1981(Act No. 91 of 1981) it shall be sufficient if only the name and postal address of such company, statutory institution or co-operative, as the case may be, the name of each director (if any) thereof and the nature and extent of the financial interest of such company , statutory institution or co-operative are furnished and not the interest of individual members of such company, statutory institution or co- operative.

(b) state the financial interest in the liquor trade in the Republic of the procurer and if the procurer is a private company, close corporation, partnership or trust, also of every shareholder, member, partner or beneficiary there-under. (If procurer or the said shareholder, member, partner or beneficiary has no such interest, this fact shall be specifically mentioned).....  
.....

(Use an annexure if necessary)

5. If the application relates to a liquor store licence, sorghum beer licence for off-consumption or micro- manufacturer' licence

(a) is a procurer -

YES	NO
-----	----

(i) a manufacturer of any fermented beverages?



YES	NO
-----	----

(ii) a manufacturer of liquor, or the agent of such person?

YES	NO
-----	----

(iii) a company in which shareholders having a financial interest in the business of a micro- manufacturer of liquor, together hold a controlling interest or the agent of such a company?

YES	NO
-----	----

(iv) a company in which a company contemplated in subparagraph (a) (iii) holds a controlling interest or the agent of such a company?

YES	NO
-----	----

(Mark the applicable square)

(b) if the answer to any question in subparagraph (a) is in the affirmative, furnish full details

.....  
(c) State the volume of liquor produced or intended to be produced by the procurer per year.....  
.....

I declare or truly affirm that the information furnished in part B of this Form in so far as it relates to me or the procurer on whose behalf I am authorised to sign is true.

Date.....

.....  
Signature of the procurer or an authorised person

I certify that this declaration has been signed and sworn to or affirmed before me at .....this .....day of.....by the procurer or an authorised person who acknowledged that-

- (i) he or she knows and understands the contents of this declaration;
  - (ii) he or she has no objection to taking the prescribed oath or affirmation; and
  - (iii) he or she considers the prescribed oath or affirmation to be binding on his or her conscience,
- and that he or she uttered the following words:

"I swear that the contents of this declaration are true, so help met God" or" I truly affirm that the contents of this declaration are true".

.....  
Commissioner of Oaths  
Full names .....  
Business address.....  
Designation.....

Area for which appointment is held.....  
Office held if appointment is ex officio.....

Date- stamp of secretary  
receiving application

**FORM 4**  
**[Reg.7]**

For official use  
Amount R .....  
Receipt no .....  
Date .....

**LIQUOR ACT, 2003**

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APPLICATION FOR THE APPOINTMENT OF NATURAL PERSON TO MANAGE  
AND BE RESPONSIBLE FOR THE BUSINESS TO WHICH THE LICENCE RELATES  
IN TERMS OF SECTION 40

Form completed by .....

Postal address.....

Telephone No.....

Email address.....

1. Under what name is the licensed business conducted? .....

.....

2. In which district is the premises referred to in paragraph 1 situated?

.....

3. State the following particulars of person whose appointment has been terminated

(a) Full names.....

(b) Identity number.....

(c) Date of termination of appointment.....

4. State the following particulars of person now appointed:

(a) Full names .....

- (b) Age.....
- (c) Identity number.....
- (d) Relationship between him or her and the licensee.
- (e) (i) Is he or she a person who-

(aa) has in the Republic or elsewhere in the preceding 10 years been sentenced for any offence to imprisonment without the option of a fine?

YES	NO
-----	----

(bb) has in the preceding 5 years been convicted of an offence in terms of the Gauteng Liquor Act, 2003 (Act No.2 of 2003) or Liquor Act, 1989 (Act No. 27 of 1989), was sentenced to a fine of not less than R200 or to imprisonment without the option of a fine or both imprisonment and fine?

YES	NO
-----	----

(cc) is not domiciled in the Republic?

YES	NO
-----	----

(dd) is an unrehabilitated insolvent?

YES	NO
-----	----

(ee) is a minor?

YES	NO
-----	----

(ff) is the spouse of a person contemplated in subparagraph (aa), (bb) or (dd)

YES	NO
-----	----

(mark the applicable square)

(ii) If an answer to any question in subparagraph (i) is in the affirmative, furnish full details.....

.....

(Use annexure if necessary)

I declare or truly affirm that the information furnished in this application in so far as it relates to me or the applicant on whose behalf I am authorised to sign the application the is true.

Date.....

.....

Signature of the licensee or an authorised person

I certify that this declaration has been signed and sworn to or affirmed before me at

.....this .....day of.....by the applicant or an authorised person, who acknowledged that-

- (i) he or she knows and understands the contents of this declaration;
- (ii) he or she has no objection to taking the prescribed oath or affirmation; and
- (iii) he or she considers the prescribed oath or affirmation to be binding on his or her conscience and that he or she uttered the following words:

"I swear that the contents of this declaration are true, so help met God" or "I truly affirm that the contents of this declaration are true".

.....  
Commissioner of Oaths  
Full names .....  
Business address.....  
Designation.....  
Area for which appointment is held.....  
Office held if appointment is ex officio.....

Date- stamp of secretary  
receiving application

**FORM 5**  
**[Reg.11]**

For official use  
Amount R .....  
Receipt no .....  
Date .....

**LIQUOR ACT, 2003**

APPLICATION FOR TRANSFER OF A LICENCE IN TERMS OF SECTION 104

Application prepared by .....  
Postal address.....  
Telephone No.....

**PART A**

INFORMATION RELATING TO THE APPLICANT WHO IS A LICENSEE

1. Full names of applicant .....
2. If applicant is not a natural person, state the name, identity number and address of each shareholder, member, partner or beneficiary. (Use annexure)
3. Under what name is the licensed business conducted? .....
4. (a) Describe the situation of the premises where the licensed business is conducted with reference to erf, street and or farm number.....  
(b) in which district is the premises referred to in subparagraph (a) situated?.....

I declare or truly affirm that the information furnished in this application is true.

.....  
Date

.....  
Signature of applicant or an authorised person

I certify that this declaration has been signed and sworn to or affirmed before me at .....this .....day of.....by the applicant or an authorised person who acknowledged that-

- (i) he or she knows and understands the contents of this declaration;
- (ii) he or she has no objection to taking the prescribed oath or affirmation; and
- (iii) he or she considers the prescribed oath or affirmation to be binding on his or her conscience, and that he or she uttered the following words:

"I swear that the contents of this declaration are true, so help met God" or "I truly affirm that the contents of this declaration are true".

.....  
Commissioner of Oaths  
Full names .....  
Business address.....  
Designation.....  
Area for which appointment is held.....  
Office held if appointment is ex officio.....

---

**PART B**

**INFORMATION RELATING TO A PROSPECTIVE HOLDER**

- 1. (a) Full names of a prospective holder .....  
.....
- (b) Age.....
- (c) Identity number or in the case of a company or close corporation it's registration number.....
- (d) Residential address or address of registered office.....  
.....
- (e) Business address .....  
.....
- (f) Postal address.....
- (g) Business telephone number.....
- (h) Email address.....

(Delete (b) if applicant is not a natural person]

2. If a prospective holder is not a natural person, state the name, identity number and address of each shareholder, member, partner or beneficiary. (Use annexure)

- 3. (a) Is a prospective holder a person who-
  - (i) has in the Republic or elsewhere in the preceding 10 years been sentenced?  
for any offence to imprisonment without the option of a fine?

YES	NO
-----	----

(ii) has in the preceding 5 years been convicted of an offence in terms of the Gauteng Liquor Act, 2003 (Act No. 2 of 2003) or the Liquor Act, 1989 (Act No.

27 of 1989) sentenced to a fine of not less than R200 or to imprisonment without the option of a fine or to both imprisonment and fine?

YES	NO
-----	----

(iii) is not domiciled in the Republic?

YES	NO
-----	----

(iv) is an unrehabilitated insolvent?

YES	NO
-----	----

(v) is a minor?

YES	NO
-----	----

(vi) is the spouse of a person contemplated in subparagraph (i), (ii) or (iv)?

YES	NO
-----	----

(Mark the applicable box)

4. (a) State the name, identity number and address of each person-

(i) who, including the prospective holder of the licence, has any financial interest in the business to which the licence relates; and

(ii) who, including the prospective holder will have such interest if application is granted, and in each case, the nature and extent of such interest. [In the case of a public company, statutory institution or a co-operative as contemplated in the Co-operative Act, 1981(Act No.91 of 1981) it shall be sufficient if only the name and postal address of such company, statutory institution or co-operative, as the case may be, the name of each director (if any) thereof and the nature and extent of the financial interest of such company, statutory institution or co-operative are furnished and not also the interests of individual members of such company, statutory institution or co operative]. (Use an annexure)

(b) State the prospective holder's financial interest in the liquor trade in the Republic and if the applicant is a private company, close corporation, partnership or trust, also of every shareholder, member, partner or beneficiary there-under. (If applicant or the said shareholder, member, partner or beneficiary has no such interest, this fact shall be specifically mentioned)

.....  
.....

(Use an annexure where necessary)

(c) If the application relates to a liquor store licence or micro-manufacturer's licence, is the prospective holder -

(i) a manufacturer of beer or his agent?

YES	NO
-----	----

5. If the application is relates to transfer of a micro-manufacturer's licence-

(a) is the prospective holder a person who-

(i) manufactures any fermented beverages?



YES	NO
-----	----

(b) if the answer to subparagraph (i) is in the affirmative, furnish the details.  
.....  
.....

(c) State the volume of liquor produced or intended to be produced by the applicant per year.....  
.....

6. Under what name is the business to be conducted? .....

7. Will the prospective holder have the right to occupy the premises referred to in paragraph 4 (a) of Part A of the application, including such place on other premises upon which any approval or determination is exercised, for the purposes of the licence applied for?

YES	NO
-----	----

(Mark the applicable square)

I declare or truly affirm that the information furnished in part B of this application in so far as it relates to me or the prospective holder on whose behalf I am authorised to sign is true.

.....  
Date  
.....  
Signature of the prospective holder or an authorised person.

I certify that this declaration has been signed and sworn to or affirmed before me at .....this .....day of.....by the prospective holder or an authorised person who acknowledged that-

- (i) he or she knows and understands the contents of this declaration;
- (ii) he or she has no objection to taking the prescribed oath or affirmation; and
- (iii) he or she considers the prescribed oath or affirmation to be binding on his or her conscience and that he or she uttered the following words:

"I swear that the contents of this declaration are true, so help met God" or "I truly affirm that the contents of this declaration are true".

.....  
Commissioner of Oaths  
Full names .....  
Business address.....  
Designation.....  
Area for which appointment is held.....  
Office held if appointment is ex officio.....

Date- stamp of the Chairperson

**FORM 6**

**[Reg.17]**

**Reference no.....**

**LIQUOR ACT, 2003**

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NOTICE IN TERMS OF SECTION 10 (1) OF THE LIQUOR ACT, 2003, TO BE PRESENT AT A MEETING OF THE LIQUOR BOARD OR THE LOCAL COMMITTEE

TO:

Full names: .....

Address: .....

Identity Number.....

By virtue of the powers vested in the chairperson by section 10 (1) of the Act, you are hereby given notice to be present at a meeting of the Board or local committee, which relates to.....

and.....

The meeting will held as set out below-

Date.....

Time.....

Place.....

Your attention is drawn to the provisions of sections 10 and 129 of the Act.

---

**FOR OFFICIAL USE ONLY**

I confirm that I have served this notice by delivering the original to-  
(a)....., personally; or

(b).....as contemplated in regulation 17(2) (b) and at-

Place .....

Date.....

Time .....

The nature and urgency of this notice was explained to the recipient.

.....

Name and signature of inspector.

Date- stamp of the Chairperson

**FORM 7**

**[Reg.17]**

**Reference no.....**

**LIQUOR ACT, 2003**

SUMMONS IN TERMS OF SECTION 10 (4) OF THE LIQUOR ACT, 2003

TO:

Full names:.....

Address: .....

Identity Number.....

By virtue of the powers vested in the chairperson by section 10 (4) of the Act, you are hereby summonsed to be present at a meeting of the Board or local committee, which relates to.....

and.....

The meeting will held as set out below-

Date.....

Time.....

Place.....

Your attention is drawn to the provisions of sections 10 and 129 of the Act.

**FOR OFFICIAL USE ONLY**

I confirm that I have served this notice by delivering the original to-  
(a)....., personally; or

(b).....as contemplated in regulation  
17(2) (b) and at-

Place .....

Date.....

Time .....

The nature and urgency of this notice was explained to the recipient.

.....  
Name and signature of inspector.

Date- stamp of an inspector

**FORM 8**

**[Reg.18]**

**Reference no.....**

**LIQUOR ACT, 2003**

**NON-COMPLIANCE NOTICE IN TERMS OF SECTION 116(1) OF THE LIQUOR ACT, 2003**

**TO:**

Full names: .....

Address: .....

Identity Number.....

By virtue of the powers vested in the inspector by section 116 of the Act, you are hereby given notice that:

1. You have not complied with the provision of section.....of the Act in that  
.....  
.....  
.....

2. You are required to .....within a period of .....

3. Your attention is drawn to the provisions of sections 10, 129 and 130 of the Act.

Place of issue.....

Date.....

Full names of inspector.....

**FOR OFFICIAL USE ONLY**

I confirm that I have served this notice by delivering the original to-  
(a)....., personally; or

(b).....as contemplated in regulation

17(2) (b) and at-

Place .....

Date.....

Time .....

The nature and urgency of this notice was explained to the recipient.

.....

Signature of inspector.

Date-stamp of an Inspector

**FORM 9**  
**[Reg. 18]**

Reference no.....

**LIQUOR ACT, 2003**

**COMPLIANCE NOTICE IN TERMS OF SECTION 116(4) OF THE LIQUOR ACT, 2003**

**TO:**

Full names:.....

Address:.....

Identity Number.....

By virtue of the powers vested in the inspector by section 116 of the Act, you are hereby notified that you have complied with the conditions as set out below-

.....  
.....

Place of issue.....

Date.....

Full names of inspector.....

**FOR OFFICIAL USE ONLY**

I confirm that I have served this notice by delivering the original to-

(a)....., personally; or

(b).....as contemplated in regulation 17(2) (b) and at-

Place .....

Date.....

Time .....

The nature and urgency of this notice was explained to the recipient.

.....  
Signature of inspector.



Date- stamp of secretary  
receiving application

**FORM 10**  
**[Reg. 21]**

For official use  
Amount R .....  
Receipt no .....  
Date .....

**LIQUOR ACT, 2003**

**APPLICATION FOR SHEBEEN PERMIT**

Application prepared by.....

Postal address.....

Telephone no.....

1. (a) Full names of applicant.....
- (b) Age.....
- (c) Identity number or in the case of a company or close corporation, its registration number.....
- (d) Residential address or address of registered office.....
- .....
- (e) Business address .....
- (f) Postal address.....
- (g) Business telephone number.....

(Delete (b) if applicant is not a natural person]

2. (a) has the applicant been operating a shebeen business on the date of promulgation of these regulations?

YES	NO
-----	----

(Mark the applicable square)

- (b) If the answer to sub-paragraph (a) is in the affirmative, state-
  - (i) the size of beer bottle which the applicant sells.....
  - (ii) the number of cases of beer bottles the applicant sells per week.....
  - (iii) where the business premise is situated .....
  - .....

I declare or truly affirm that the information furnished in this application is true.

.....  
Date

.....  
Signature of applicant or an authorised person

I certify that this declaration has been signed and sworn to or affirmed before me at.....this.....day of..... by the applicant or an authorised person who acknowledged that-

- (i) he or she knows and understands the contents of this declaration;
- (ii) he or she has no objection to taking the prescribed oath or affirmation; and
- (iii) he or she considers the prescribed oath or affirmation to be binding on his or her conscience and that he or she uttered the following words:

"I swear that the contents of this declaration are true, so help me God" or "I truly affirm that the contents of this declaration are true".

.....  
Commissioner of Oaths

Full names .....

Business address.....

Designation.....

Area for which appointment is held.....

Office held if appointment is ex officio.....

## TIMES OF BUSINESS

### 1. TYPE AND TIMES OF BUSINESS

(1) hotel liquor licence	10:00-04:00
(2) restaurant licence	10:00-02:00
(3) theatre licence	10:00-02:00
(4) tavern licence	10:00-02:00
(5) pool club licence	10:00-02:00
(6) dance hall licence	10:00-02:00
(7) night club licence	18:00-02:00
(8) pub licence	10:00-02:00
(9) gaming licence	10:00-02:00
(10)sorghum beer licence (on-consumption)	10:00-02:00
(11) club licence	10:00-02:00
(12.sports ground licence	10:00-02:00
(13) shebeen permit	10:00-02:00
(14) catering or occasional permit	10:00-02:00
(15) micro-manufacturer's licence	08:00-20:00, Sundays 09:00-15:30
(16) sorghum beer licence(off-consumption)	08:00-20:00, Sundays 09:00-15:30
(17) liquor store licence	08:00-20:00, Sundays 09:00-15:30
(18) wholesale licence	08:00-20:00, Sundays 09:00-15:30
(19) grocer's wine licence	08:00-20:00, Sundays 09:00-15:30