

Free State, South Africa

Free State Gambling and Liquor Act, 2010

Free State Liquor Regulations, 2010

Provincial Notice 84 of 2010

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Free State South Africa

Free State Gambling and Liquor Act, 2010

Free State Liquor Regulations, 2010 Provincial Notice 84 of 2010

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[Amended by [Free State Liquor Amendment Regulations, 2010 \(Provincial Notice 230 of 2010\)](#) on 14 December 2010]

Mr MA Dukwana, Member of the Executive Council responsible for Economic Development, Tourism and Environmental Affairs has, by virtue of the powers vested in him by section 71 of the Free State Liquor Act, 2007, made regulations which took effect on 10 June 2010. In terms of section 142(l)(d) of the Free State Gambling and Liquor Act, 2010, any regulations issued in terms of the Free State Liquor Act, 2007, and which may be issued in terms of the Free State Gambling and Liquor Act, 2010, are deemed to have been issued in terms of the latter Act. In order to promote certainty and assist with interpretation of the regulations, the regulations previously published have been aligned with the provisions of the Free State Gambling and Liquor Act, 2010, and are hereby republished as set out in the Schedule.

Chapter I Definitions

1. Definitions

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 Free State Gambling and Liquor Act, 2010.

Chapter II

Application for a registration certificate in terms of section 27 read with section 31

2. Lodgement

An application envisaged in section 27 read with section 31 for a registration certificate must be lodged during office hours on the first working Friday of the month to the designated office of the Authority.

3. Form of application

- (1) An application for a registration certificate as contemplated in regulation 2 must be—
 - (a) lodged by submitting the original application and two copies thereof;
 - (b) in accordance with Form FSLA1 in Schedule 1;
 - (c) accompanied by relevant documents as contemplated in section 31(2) of the Act; and
 - (d) accompanied by a declaration under oath or truly affirmation at the end of the said form that the information contained therein is true.

- (2) The designated office must within seven (7) working days of receiving an application, submit the original and one copy thereof to the Head Office of the Authority.
- (3) For the purpose of preparation of a report in accordance with section 31, the local municipality may inspect the premises to which the application relates and do any other investigation the local municipality may deem necessary in accordance with any other law.
- (4) The local municipality must within 30 days of receiving an application, submit the report envisaged in subregulation (3) to the Authority.
- (5) The Head Office of the Authority must within seven (7) working days of receipt of the application envisaged in regulation 2 from the designated office refer it to the persons envisaged in section 31(3).
- (6) If any information stated in the application envisaged in regulation 2 changes, the Authority must notify the local municipality in writing of such changes and the effect thereof prior to consideration of the application and allow the local municipality ten (10) working days to submit comments regarding such changes.

4. Notice of application

- (1) The applicant must ensure that the notice of application for registration envisaged in regulation 2 must be published in the *Provincial Gazette* and at least one newspaper normally circulated in the ward where the premises are situated on the day of submission of the application, substantially in the form of Form FSLA2 in Schedule 1.
- (2) Notice of application envisaged in subregulation (1) published in the *Provincial Gazette* and media must include the full names of the applicant, intended trading names, identity number or registration number of the applicant, full address and location of the premises, the type of registration certification applied for, names and nature of educational institutions, names of and distance to similar registered premises and places of worship, within 500 meter from the premises.
- (3) The notice contemplated in subregulation (1) must invite interested persons to lodge an objection in terms of section 33 of the Act.

5. Public inspection of documents

- (1) The application envisaged in regulation 2 or any document lodged in terms of the Act or these regulations with the application must also be open to public inspection at the designated office during office hours.
- (2) A person must be allowed to obtain copies of the application upon proof of payment of the relevant fees as prescribed in terms of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).

6. Objections

A person may lodge an objection to the application envisaged in regulation 2 to the Authority in the following manner:

- (a) The objection must be in writing;
- (b) The objection must comply with section 33 of the Act, which means that—
 - (i) full reasons for the objection must be stated;
 - (ii) the objection must clearly indicate the full name, identity number, residential address, postal address and telephone number, if any, and where applicable, its registration number and address of its office, of the objector; and
- (c) The objection must clearly identify the application concerned.

7. Filing of reports by a designated police officer and liquor inspector

- (1) Not later than ten (10) working days after the Authority requested a report envisaged in section 31(3) read with regulation 69(1) regarding an application in terms of regulation 2 from the South African Police Service, the designated police officer must submit, in duplicate, his or her written report to the Authority.
- (2) The Authority must within seven (7) working days of receipt of the report of the designated police officer refer it to the liquor inspector for the report envisaged in section 31(3).
- (3) Not later than ten (10) working days after the Authority requested a report envisaged in section 31(3) read with regulation 69(2) regarding an application envisaged in regulation 2 from a liquor inspector, he or she must submit his or her written report to the Authority.

8. Referral of reports to applicant

- (1) The Authority must provide copies of the reports of the local municipality, designated police officer and liquor inspector envisaged to the applicant for comments.
- (2) The comments envisaged in subregulation (1) must be submitted by the applicant within 14 working days to the Authority, which must clearly identify the relevant application.

9. Request of further information

Where the Authority required further information from the applicant in terms of section 28(1) of the Act, the applicant must submit such further information within 14 working days from receiving the request for further information to the Authority.

10. Hearing of objections

Hearings contemplated in section 35 of the Act must be recorded and minutes must be kept of the proceedings.

11. Registration certificate

If any application for registration (excluding special events registration) is granted, a registration certificate, substantially in the form of Form FSLA3 in Schedule 1, must be issued.

Chapter III

Application in terms of section 54 for a special events registration certificate

12. Lodgement

An application for a Special Events Registration in terms of section 54 of the Act must be lodged with the designated office of the Authority.

13. Form of application

An application by an applicant referred to in section 54(1) of the Act for a special event registration must be—

- (a) lodged by submitting the original application;
- (b) in accordance with Form FSLA4 of Schedule 1;
- (c) accompanied by comprehensive written representation in support of the application;
- (d) accompanied by proof of payment of the prescribed fees; and

- (e) accompanied by a declaration under oath or truly affirmation at the end of the said form that the information contained therein is true.

14. Procedure upon receipt of application

- (1) The Authority must consider the application for special events registration as envisaged in regulation 12 and may request comments from the relevant local municipality, any other municipality, designated police officer or liquor inspector when the Authority deems it necessary.
- (2) The relevant local municipality, any other municipality, designated police officer or liquor inspector must submit comments, if any, within seven (7) working days from receipt of such request.
- (3) If comments envisaged in subregulation (2) are negative, those comments must be referred to the applicant to submit his or her comments within seven (7) working days.

15. Procedure upon grant of application for special events

If the Authority grants approval for special events registration—

- (a) a registration certificate, substantially in the form of Form FSLA5 in Schedule 1, must be issued; and
- (b) the Authority must inform the relevant designated police officer and relevant municipality of the registration.

Chapter IV

Application in terms of section 37 to vary conditions of registration

16. Lodgement of application

An application to vary conditions of registration in terms of section 37 of the Act must be lodged with the designated office of the Authority.

17. Form of application

Every application contemplated in regulation 16 must—

- (a) be lodged by submitting the original application;
- (b) be in accordance with Form FSLA6 in Schedule 1;
- (c) set out clearly which conditions are applicable;
- (d) be accompanied by comprehensive written representations in support of the application;
- (e) be accompanied by proof of payment of prescribed fees; and
- (f) be accompanied by a declaration under oath or truly affirmation at the end of the said form that the information contained therein is true.

18. Procedure upon receipt of application

- (1) The Authority must consider the application envisaged in regulation 16 and may request comments from the relevant local municipality or other municipality when the Authority deems it necessary.
- (2) When so requested, the relevant local or other municipality must submit its comments, if any, within 14 working days from receipt of such request.
- (3) The Authority may request reports as envisaged in section 31(3)(a) and (b) of the Act from the relevant designated police officer and the liquor inspector.

19. Filing of reports by designated police officer and liquor inspector

- (1) Not later than ten (10) working days after the Authority requested a report envisaged in regulation 18(3) read with regulation 69(1) regarding the application envisaged in regulation 16 from the South African Police Service, the designated police officer must submit, in duplicate, his or her written report to the Authority.
- (2) The Authority must within seven (7) working days of receipt of the report of the designated police officer envisaged in regulation (1) refer it to the liquor inspector for the report envisaged in regulation 18(3).
- (3) Not later than ten (10) working days after the Authority requested a report envisaged in regulation 18(3) read with regulation 69(2) with regard to the application to vary conditions of registration from a liquor inspector, he or she must submit his or her written report to the Authority.

20. Referral of reports to applicant

- (1) The Authority must provide copies of the reports and comments of the relevant municipality, designated police officer and liquor inspector with regard to the application envisaged in regulation 16 to the applicant for comments.
- (2) The comments envisaged in subregulation (1) of the applicant must be submitted within 14 working days to the Authority, which must clearly identify the relevant application.

21. Procedure upon grant of application to vary conditions

If an application to vary conditions of registration is granted, a written approval must be issued substantially in the form of Form FSLA7 in Schedule 1.

Chapter V**Application in terms of section 38 to effect any structural alterations or an extension of registered premises****22. Lodgement of application**

An application to effect any structural alteration or extension of registered premises in terms of section 38 of the Act must be lodged with the designated office of the Authority.

23. Form of application

Every application contemplated in regulation 22 must be—

- (a) lodged by submitting the original application;
- (b) in accordance with Form FSLA8 in Schedule 1;
- (c) accompanied by a plan of the applicable portion of such premises on which any proposed structural alteration or extension is indicated in red, clearly showing with reference thereto—
 - (i) the dimension of each room;
 - (ii) all doors, windows and counters (where applicable) and means of internal and external communication;
 - (iii) the street and places to which such means of communication leads;
 - (iv) how the applicable portion links up with the existing premises;

- (d) accompanied by consent of the relevant municipality who approved the building plans for the proposed structural alteration, addition or reconstruction to the registered premises;
- (e) accompanied by a description of the applicable portion of the registered premises with reference to the construction, lay-out, furnishing, fixtures, fittings and floor covering, which description shall be contained in a separate document;
- (f) accompanied by comprehensive written representations in support of the application; and
- (g) accompanied by a declaration under oath or a truly affirmation at the end of the said form that the information contained therein is true.

24. Procedure upon receipt of application

- (1) The Authority must consider the application to effect any structural alterations or an extension of registered premises and may request comments from the relevant local municipality or any other municipality when the Board deems it necessary.
- (2) When so requested, the relevant local or other municipality must submit its comments, if any, within 14 working days from receipt of such request.
- (3) The Authority may request reports as envisaged in section 31(3)(a) and (b) of the Act from the relevant designated police officer and liquor inspector.

25. Filing of reports by designated police officer and liquor inspector

- (1) Not later than ten (10) working days after the Authority requested a report envisaged in regulation 24(3) read with regulation 69(1) regarding an application envisaged in regulation 22 from the South African Police Service, the designated police officer must submit, in duplicate, his or her written report to the Authority.
- (2) The Authority must within seven (7) working days of receipt of the report of the designated police officer envisaged in subregulation (1) refer it to the liquor inspector for the report envisaged in regulation 24(3).
- (3) Not later than ten (10) working days after the Authority requested a report envisaged in regulation 24(3) read with regulation 69(2) regarding an application envisaged in regulation 22 from a liquor inspector, he or she must submit, in duplicate, his or her written report to the Authority.

26. Referral of reports to applicant

- (1) The Authority must provide copies of the reports and comments of the relevant municipality, designated police officer and liquor inspector regarding an application envisaged in regulation 22 to the applicant for comments.
- (2) The comments envisaged in subregulation (1) of the applicant must be submitted within 14 working days to the Authority, which must clearly identify the relevant application.

27. Procedure upon grant of application

If an application envisaged in regulation 22 is granted, a written approval must be issued substantially in the form of Form FSLA9 in Schedule 1.

Chapter VI

Application in terms of section 39 for the transfer of registration

28. Lodgement of application

An application for the transfer of a registration certificate in terms of section 39 of the Act must be lodged with the designated Office.

29. Form of application

An application for the transfer of a registration certificate must be—

- (a) lodged by submitting the original application;
- (b) completed by the applicant as prospective holder and the registrant; and
- (c) in accordance with Form FSLA10 in Schedule 1;
- (d) accompanied by comprehensive written representations in support of the application;
- (e) accompanied by proof of payment of prescribed fees; and
- (f) accompanied by a declaration under oath or truly affirmation at the end of the said form that the information contained therein is true.

30. Procedure upon receipt of application

- (1) The Authority must consider the application for the transfer of registration and may request comments from the relevant local municipality or other municipality when the Authority deems it necessary.
- (2) When so requested, the relevant local or any other municipality must submit its comments, if any, within 14 working days from receipt of such request.
- (3) The Authority may request reports as envisaged in section 31(3)(a) and (b) of the Act from the relevant designated police officer and liquor inspector.

31. Filing of reports by designated police officer and liquor inspector

- (1) Not later than ten (10) working days after the Authority requested a report envisaged in regulation 30(3) read with regulation 69(1) regarding an application envisaged in regulation 28 from the South African Police Service, the designated police officer must submit, in duplicate, his or her written report to the Authority.
- (2) The Authority must within seven (7) working days of receipt of the report of the designated police officer envisaged in subregulation (1) refer it to the liquor inspector for the report envisaged in regulation 30(3).
- (3) Not later than ten (10) working days after the Authority requested a report envisaged in regulation 30(3) read with regulation 69(2) regarding an application envisaged in regulation 28 from a liquor inspector, he or she must submit his or her written report to the Authority.

32. Referral to applicant

- (1) The Authority must provide copies of the reports and comments of the relevant municipality, designated police officer and liquor inspector regarding an application envisaged in regulation 28 to the applicant for comments.

- (2) The comments envisaged in subregulation (1) of the applicant must be submitted within 14 working days to the Authority, which must clearly identify the relevant application.

33. Procedure upon grant of application

If the application envisaged in regulation 28 is granted, approval substantially in the form of Form FSLA11 in Schedule 1 must be issued.

Chapter VII

Notification in terms of section 39(3) for obtaining control over registrant

34. Lodgement of application

A person must inform the Authority about obtaining control over registered person as envisaged in section 39(3) of the Act.

35. Form of application

A notification regarding the obtaining of control over registrant must be—

- (a) completed by the registrant and the person obtaining control;
- (b) in accordance with Form FSLA12 in Schedule 1;
- (c) accompanied by proof of payment of prescribed fees; and
- (d) accompanied by a declaration under oath or truly affirmation at the end of the said form that the information contained therein is true.

36. Procedure upon receipt of notification

The Authority must consider the notification and, if necessary, take steps in terms of the Act or other legislation, which could include bringing it to the attention of the relevant authority in terms of the Competition Act, 1998 (Act No. 89 of 1998).

Chapter VIII

Application in terms of section 40(3) for the appointment of person to conduct registered activities on an interim basis

37. Lodgement of application

An application for the appointment of a person to conduct registered activities on an interim basis as envisaged in section 40(3) of the Act must be lodged with the designated office of the Authority.

38. Form of application

An application as envisaged in regulation 37 must be—

- (a) lodged by submitting the original application;
- (b) in accordance with Form FSLA13 in Schedule 1;
- (c) accompanied by comprehensive written representations in support of the application;
- (d) accompanied by proof that notice was given as envisaged in section 40(4) of the Act;
- (e) accompanied by a confirmation that an administrator has not yet been appointed;

- (f) accompanied by proof of payment of prescribed fees; and
- (g) accompanied by a declaration under oath or truly affirmation at the end of the said form that the information contained therein is true.

39. Procedure upon receipt of application

- (1) The Authority must consider the application for the appointment of person to conduct registered activities on an interim basis as envisaged in the Act and may request comments from the relevant local municipality or any other municipality when the Authority deems it necessary.
- (2) When so requested, the relevant local or other municipality must submit its comments, if any, within 14 working days from receipt of such request.
- (3) The Authority may request reports as envisaged in section 31 (a) and (b) of the Act from the relevant designated police officer and liquor inspector.

40. Filing of reports by designated police officer and liquor inspector

- (1) Not later than ten (10) working days after the Authority requested a report envisaged in regulation 39(3) read with regulation 69(1) regarding an application envisaged in regulation 37 from the South African Police Service, the designated police officer must submit, in duplicate, his or her written report to the Authority.
- (2) The Authority must within seven (7) working days of receipt of the report of the designated police officer envisaged in subregulation (1), refer it to the liquor inspector for the report envisaged in regulation 39(3).
- (3) Not later than ten (10) working days after the Authority requested a report envisaged in regulation 39(3) read with regulation 69(2) from a liquor inspector, he or she must submit, in duplicate, his or her written report to the Authority.

41. Referral to applicant

- (1) The Authority must provide copies of the reports and comments of the local municipality, designated police officer and liquor inspector regarding an application envisaged in regulation 37 to the applicant for comments.
- (2) The comments envisaged in subregulation (1) of the applicant must be submitted within 14 working days to the Authority, which must clearly identify the relevant application.

42. Procedure upon grant of application

If the application for the appointment of a person to conduct registered activities on an interim basis is granted, approval substantially in the form of Form FSLA14 in Schedule 1 must be issued.

Chapter IX

Application in terms of section 41(2) for the temporary removal of registration

43. Lodgement of application

- (1) An application for the temporary removal of a registration must be lodged with the designated office of the Authority.
- (2) The notice of application for the temporary removal of a registration must be published in the *Provincial Gazette* and at least one newspaper circulated in the ward where the premises are to be removed to on the day of submission of the application, substantially in the form of Form FSLA15 in Schedule 1.

44. Form of application

An application for the temporary removal of a registration must be—

- (a) lodged by submitting the original application;
- (b) in accordance with Form FSLA16 in Schedule 1;
- (c) accompanied by comprehensive written representations in support of the application;
- (d) accompanied by proof of payment of prescribed fees; and
- (e) accompanied by a declaration under oath or truly affirmation at the end of the said form that the information contained therein is true.

45. Procedure upon receipt of application

- (1) The Authority must consider the application for the temporary removal of registration as envisaged in the Act and may request comments from the relevant local municipality or any other municipality when the Authority deems it necessary.
- (2) When so requested, the relevant local or other municipality must submit its comments, if any, within 14 working days from receipt of such request.
- (3) The Authority may request reports as envisaged in section 31(3)(a) and (b) of the Act from the relevant designated police officer and liquor inspector.

46. Filing of reports by designated police officer and liquor inspector

- (1) Not later than ten (10) working days after the Authority requested a report envisaged in regulation 45(3) read with regulation 69(1) regarding an application envisaged in regulation 43 from the South African police Service, the designated police officer must submit, in duplicate, his or her written report to the Authority.
- (2) The Authority must within seven (7) working days of receipt of the report of the designated police officer envisaged in subregulation (1), refer it to the liquor inspector for the report envisaged in regulation 45(3).
- (3) Not later than ten (10) working days after the Authority requested a report envisaged in regulation 45(3) read with regulation 69(2) from a liquor inspector, he or she must submit, in duplicate, his or her written report to the Authority.

47. Referral to applicant

- (1) The Authority must provide copies of the objections received, comments and reports of the relevant municipality, designated police officer and liquor inspector regarding an application envisaged in regulation 43 to the applicant for comments.
- (2) The comments envisaged in subregulation (1) of the applicant must be submitted within 14 working days to the Authority, which must clearly identify the relevant application.

48. Procedure upon grant of application

If the application for the temporary removal is granted, approval substantially in the form of Form FSLA17 in Schedule 1 must be issued.

Chapter X
**Application in terms of section 27(2) for registration as a
micro-manufacturer or authorised dealer of methylated spirits**

[heading Chapter X previously Chapter IX renumbered by section 8 of Provincial Notice 230 of 2010]

49. Lodgement

An application for a registration as a micro-manufacturer or authorised dealer of methylated spirits in terms of section 27(2) of the Act must be lodged with the designated office of the Authority.

50. Form of application

An application by an applicant referred to in section 27(2) of the Act for a micro-manufacturer or authorised dealer registration of methylated spirits must be—

- (a) lodged by submitting the original application;
- (b) in accordance with Form FSLA18 of Schedule 1;
- (c) accompanied by comprehensive written representation in support of the application;
- (d) accompanied by proof of payment of the prescribed fees; and
- (e) accompanied by a declaration under oath or truly affirmation at the end of the said form that the information contained therein is true.

51. Procedure upon receipt of application

- (1) The Authority must consider the application as envisaged in regulation 49 and may request comments from the relevant local municipality, any other municipality, designated police officer or liquor inspector when the Authority deems it necessary.
- (2) When so requested, the relevant local municipality, any other municipality, designated police officer or liquor inspector must submit the comments, if any, within ten (10) working days from receipt of such request.
- (3) If comments envisaged in subregulation (2) are negative, those comments must be referred to the applicant to submit his or her comments within 14 working days.

52. Procedure upon grant of application for micro-manufacturer or authorised dealer of methylated spirits

If the Authority grants approval for registration envisaged in regulation 49, a registration certificate, substantially in the form of Form FSLA19 in Schedule 1, must be issued.

Chapter XI
Application in terms of section 42 for registration prior to lapsing

53.

Prior to lapsing of registration a registrant may apply for registration as envisaged in section 42 of the Act in the same manner and form applicable to registration of new premises as set out in regulations 2 to 11.

Chapter XII

Notification in terms of section 43 of voluntary cancellation of registration

54.

A registrant must inform the Authority about the voluntary cancellation in writing in which the following information must be submitted:

- (a) name of registrant;
- (b) certified copy of registration certificate;
- (c) reasons for cancellation;
- (d) date on which cancellation of registration will take effect.

Chapter XIII

Notification in terms of section 44 of cancellation as consequence of liquidation; sequestration; winding-up or death

55.

- (1) The liquidator or trustee must inform the Authority in accordance with section 44(1) of the Act in writing in which the following information must be submitted—
 - (a) name of registrant;
 - (b) certified copy of registration certificate;
 - (c) proof of appointment as liquidator or trustee.
- (2) The executor must inform the Authority in accordance with section 44(2) of the Act in writing in which the following information must be submitted—
 - (a) name of registrant;
 - (b) certified copy of registration certificate;
 - (c) certified copy of death certificate.

Chapter XIV

Notices

56. Form of notice

- (1) A notice referred to in section 115 must be substantially in the form of Form FSLA20 in Schedule 1.
- (2) The Authority may issue a notice to a person substantially in the form of Form FSLA21 contained in Schedule 1 to require such person to be present at the meeting of the Authority.

57. Issue of notice

Every notice must be issued by the Authority through the liquor inspector who must forward the original and one copy thereof to a designated police officer or inspector.

58. Service of notice

- (1) Every notice must be served by a police officer or inspector by delivering the original thereof to the person named therein or, if he or she cannot be found, by delivering it at his or her residence or place of employment or business to a person apparently over the age of 16 years and apparently residing or employed there.
- (2) A return by a police officer or inspector who served the notice on the copy thereof, that the service thereof has been effected in terms of subregulation (1), must, after service thereof, be forthwith forwarded to the Authority.
- (3) The notice must be served on the person mentioned therein so that he or she is in possession thereof at least 14 working days before the date upon which the meeting will take place.

Chapter XV Records

59. Record keeping by Authority

All records required to be kept by virtue of the Act, must be in writing and must be retained in accordance with provisions of the Provincial Archives Act, 1999 (Act No. 4 of 1999).

60. Records to be kept by certain holders of registration certificate

- (1) All holders of off-consumption registration certificates or special events registration certificates must keep records, substantially in the form of Form FSLA22 in Schedule 1, indicating in respect of every sale of liquor by that person to any one customer at any one time in a quantity of 150 litres or more—
 - (a) the date of sale;
 - (b) the name, identity number and address of the purchaser; and
 - (c) the quantity of each kind of liquor sold.
- (2) Entry of the particulars referred to in subregulation (1), must be made in such records immediately upon completion of any sale.

61. Appointment of natural person as manager

- (1) A person other than a natural person who is the holder of a registration, and a natural person who is a holder of a registration and who does not manage the business himself from day to day must appoint a natural person to manage and be responsible for the business and submit information regarding that appointment, substantially in the form of Form FSLA23 in Schedule 1 and must—
 - (a) furnish in the said Form such information as is solicited therein; and
 - (b) declare under oath or truly affirmation at the end of the said Form that the information contained therein, is true.
- (2) The holder of the registration must forthwith forward a copy of Form FSLA23 by registered post to or by delivery by hand to—
 - (a) the designated office of the Authority; and
 - (b) the relevant designated police officer.
- (3) The manager contemplated in subregulation (1) may also include an intended new owner of the business pending a decision of the Authority relating to the transfer of registration.

- (4) (a) If the holder of a licence or the only member of a company or close corporation which is the holder of a licence or registration certificate—
- (i) has, in the opinion of the chairperson of the Board, left the licensed or registered premises concerned without making provision for the conduct thereon of the business to which the licence relates; or
 - (ii) becomes a person who is disqualified or otherwise incompetent in terms of this Act to hold the licence,
- or if the holder of a licence or registration certificate which is a partnership, is dissolved, the chairperson of the Board may, on application by a person who has an interest in the business concerned, appoint any person he or she thinks fit to manage and be responsible for that business for a period of not more than 12 months, and a person so appointed shall, subject to paragraph (b)(ii), for the period of his or her appointment for all purposes be deemed to be the holder of the licence or registration certificate concerned.
- (b) An appointment under paragraph (a)—
- (i) shall be subject to such conditions set out in the appointment as the chairperson of the Board may in his or her discretion impose;
 - (ii) shall not affect any right of a person who has an interest in the business concerned;
 - (iii) may at any time be withdrawn by the chairperson of the Board.

[regulation 61 substituted by section 1 of Provincial Notice 230 of 2010]

Chapter XVI

General provisions

62. Form of application

Any written application, any document accompanying such application and any document lodged in terms of the Act or regulations (excluding plans which shall be clear and legible), must be in typescript on A4 standard paper.

63. Responsibility for correctness of notice

The applicant is solely responsible for the correctness of any notice submitted by him or her or his or her representative for publication in accordance with the provisions of these regulations.

64. Publications, advertisements and notices

The notice referred to in regulations 4 and 43(2) must be deemed to be properly published in the *Provincial Gazette* if the Provincial Government Printer prints a notice in summary form, substantially in the form of Form FSLA2 or FSLA15, as the case may be, in Schedule land errors will not be the responsibility of the Authority.

65. Availability of approvals or authorities

Every approval or authority issued in terms of the Act must be filed together with the registration certificate in the manner envisaged in section 30(4) of the Act.

66. Certificate of appointment of liquor inspector

The certificate of appointment of a liquor inspector must be in writing and in accordance with Form FSLA24 in Schedule 1.

67. Times of business

The times of business in relation to different categories of business are set out in Schedule 4.

68. Complaints

Complaints of persons contemplated in section 132 of the Act must at least contain the following information —

- (a) description of type of business conducted at the premises about which complaint is submitted;
- (b) address of premises about which complaint is submitted; and
- (c) explanation of the facts on which complaint is based.

69. Matters to be included in report of designated police officer and liquor inspector

- (1) The report of the designated police officer must include—
 - (a) information in relation to the criminal record (if any) of applicant;
 - (b) crime patterns and/or statistics of the area in which the premises are situated if such information are available;
 - (c) proximity of premises to institutions of learning, places of worship and existing outlets;
 - (d) the number of registration certificates of the same kind already issued in the near vicinity of the premises;
 - (e) the suitability of the premises for the intended use thereof as envisaged in the Act;
 - (f) information from Home Affairs;
 - (g) any other matter which ought to be taken into consideration in respect of the application.
- (2) The report of the liquor inspector must indicate whether and to what extent he or she has—
 - (a) verified information submitted by the local municipality and designated police officer;
 - (b) verified information submitted by the applicant;
 - (c) checked issues of public interest which, *inter alia*, could include interviews with surrounding owners of premises and business;
 - (d) any other matter which ought to be taken into consideration in respect of the application.

70. Guidelines regarding proximity and ratio of population

- (1) Premises may not be situated within a radius of 500 meters from institutions of learning and places of worship.
- (2) The ratio of population vis-a-vis the number of outlets in a ward is 50 households per 1 liquor outlet as envisaged by the Act.
- (3) Applicants whose applications will be in contravention of subregulation (1) or (2) must submit representations which specifically indicate the reason their applications should be allowed notwithstanding non-compliance with subregulations (1) and (2).

Chapter XVII Fees

71. Access to documents

The provisions of the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000), apply to fees for access to documents of the Authority.

72. Application fees

- (1) No application referred to in Part A of Schedule 2 may be lodged with the municipality or Authority or considered by the competent authority unless the fees set out in Part B of the said Schedule have been deposited into the account of the Authority.
- (2) No amount paid in terms of subregulation (1), or any part thereof, may be refunded to an applicant.

73. Fees payable in respect of the issue of a registration certificate

- (1) Within 60 days of the issue of a registration certificate (excluding a special events registration certificate) there must be deposited into the account of the Authority the fees set out in Part A of Schedule 3.
- (2) Whenever a registration certificate (excluding a special events registration certificate) is issued after 31 January of any year, the fees payable in respect of the issue of such a registration certificate must be reduced by one twelfth in respect of each completed calendar month which has passed since the preceding 31 December until the date of issue thereof, and if such registration certificate is issued after 30 June of any year, the annual fees in respect of such registration certificate for the whole of the next succeeding year must be paid together with the fees so reduced.

74. Fees payable in respect of the transfer or removal of a registration certificate

Within 60 days of the issue of a certificate of transfer or removal, there must be deposited into the account of the Authority the fees set out in Part B in Schedule 3.

75. Fees payable annually in respect of a registration certificate

There must, for the year following the year during which the Act comes into operation and for every calendar year thereafter, be deposited into the account of the Authority, in respect of each registration certificate (excluding a special events registration certificate), the annual renewal fees set out in Part C of Schedule 3 on or before 31 December, annually: Provided that as a transitional measure, the annual fees due at 31 December 2010 will be as set out in Part D of Schedule 3 and Part C of Schedule 6.

[regulation 75 substituted by section 2 of Provincial Notice 230 of 2010]

75A. Fees payable in respect of the conversion of licences or registration

- (1) Fees payable in respect of the conversion of licences or registration envisaged in section 142(3)(c) of the Free State Gambling and Liquor Act, 2010, are as set out in Schedule 5 of which Part A is payable in relation to the application submitted and Part B relates to payment for the issuing of a registration certificate.
- (2) No application referred to in Schedule 5 may be lodged with the municipality or Authority or considered by the competent authority, unless the fees set out in Part A of the Schedule have been deposited into the account of the Authority.
- (3) No amount paid in terms of subregulation (2) or any part thereof may be refunded to an applicant.

- (4) Within 60 days of the issue of a registration certificate there must be deposited into the account of the Authority the fees set out in Part B of Schedule 5.

[regulation 75A added by section 3(1) of Provincial Notice 230 of 2010]

75B. Renewal certificate

The Authority may issue a renewal certificate substantially in the form of Form FSLA25: Provided that if such certificate is not sent to or received by registrants, it does not exempt registrants from their responsibility to pay the renewal fees before or on 31 December, annually.

[regulation 75B added by section 3(2) of Provincial Notice 230 of 2010]

75C. Transitional provision

- (1) The transfer and annual renewal fees and business hours of licences issued in terms of the Liquor Act, 1989 (Act No. 27 of 1989) are regulated in terms of Schedule 6 until these licences lapse as envisaged in terms of the Act, unless written proof is provided by the license holder regarding an extension of hours that was approved.
- (2) The annual renewal fees applicable for 2010/2011 must be paid in the prescribed manner before 28 February 2011.

[regulation 75C added by section 3(3) of Provincial Notice 230 of 2010]

Chapter XVII Commencement of regulations

76. Short title and commencement

These regulations are called the Free State Liquor Regulations, 2010.

Schedule 1

[Schedule 1 amended by Provincial Notice 230 of 2010]

Form FSLA1

Application in terms of section 27 read with section 31 for registration certificate/application for permanent removal in terms of section 41(1)

Date stamp

For official use

Amount R _____

Reference No. _____

Date _____

Free State Gambling and Liquor Act, 2010		
Index		
	Description of document	Annexure
(i)	Application	Form FSLA1
(ii)	Building plan of the premises approved by municipality	A
(iii)	Detailed description of external and internal features of premises	B
(iv)	Comprehensive written representations with specific reference to section 31(2)(a) and Regulation 70 (if it is a permanent removal, provide also information on reasons for transfer and any other relevant matter)	C
(v)	Proof of notices required by section 31(1)(d)	D
(vi)	Proof of payment of prescribed fee	E
(vii)	Certified copy of the identity document or certified proof in the case of trust, consortium, partnership or other legal entity	F

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 and location of the premises to which the application relates

- (f) Postal address _____

- (g) Business telephone number _____
[Delete (b) if applicant is not a natural person]
2. (a) Is applicant—
- (i) a person who has been convicted of a contravention of this Act or any other liquor legislation within the three years immediately preceding the date of application?
 Yes _____ No _____
- (ii) a person who has been convicted, under applicable legislation, of an offence the elements of which are inconsistent with the objects and purposes of this Act, at any time—
- (a) after the coming into operation of this Act; and
- (b) within the three years immediately preceding the date of application.
 Yes _____ No _____
- (iii) an unrehabilitated insolvent?
 Yes _____ No _____
- (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
(Mark the applicable square)
 Yes _____ No _____
- (c) If any of the questions in subparagraphs (a) or (b) have been replied to in the affirmative, provide full details
(Use an annexure if necessary)
3. (a) State the names, 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-operations Act, 1981 (Act 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 financial interest in the liquor trade in the Province of the applicant and if the applicant is a private company, close corporation, partnership or trust, also of every shareholder, member or partner thereof or beneficiary thereunder. (If the applicant or the said shareholder, member, partner or beneficiary has no such interest, this fact must be specifically mentioned)
- _____

(Use an annexure if necessary)

4. (a) State kind of registration applied for _____
(b) State what applicant intends selling thereunder/what applicant intends to manufacture _____
5. If application is made for a micro-manufacturer's registration for the production of wine only—
(a) Is applicant—
(i) a person who engages in viticulture?
Yes _____ No _____
(ii) an association of person, the majority of the members of which engages in viticulture?
Yes _____ No _____
(iii) a co-operative society, which manufactures wine from grapes produced by members of the co-operative society and of which no other such co-operative society is a member?
Yes _____ No _____
(b) describe the location of the premises where the liquor concerned is manufactured with reference to the erf, street or farm number _____
(Delete paragraph 5 if not applicable)
(Mark the applicable square)
6. If application is made for a micro-manufacturer's registration—
(a) is applicant a person who—
(i) engages in viticulture?
Yes _____ No _____
(ii) manufactures any other fermented beverage?
Yes _____ No _____
(b) describe the situation of the premises where the liquor concerned is manufactured with reference to the erf, street or farm number _____
(Delete paragraph 6 if not applicable)
(Mark the applicable square)
7. Under what name is the business to be conducted? _____
8. (a) Describe the location of the premises where the business is to be conducted with reference to the erf, street or farm number _____
(b) In which municipality is the premises referred to in subparagraph (a), situated?

9. Will applicant have the right to occupy the premises referred to in paragraph 8, including such place on other premises upon which any approval is to be exercised, for the purposes of the registration applied for? *(Mark the applicable square)*
Yes _____ No _____

10. In the case of an application for an on-consumption registration, state in which portion of the premises the sale of liquor is to take place _____
11. (a) Is application made in respect of premises which—
- (i) have not yet been erected?
Yes _____ No _____; or
 - (ii) are already erected, but require additions or alterations to make them suitable for the purposes of the proposed business?
Yes _____ No _____; or
 - (iii) are already erected and, in the applicant's opinion, do not require additions or alterations in order to make them suitable for such purposes?
Yes _____ No _____
- (b) If paragraph 11(a)(i) or (ii) applies, state—
- (i) the date on which such erection, additions or alterations will be commenced with; and

 - (ii) the period which will be required for the erection, additions or alterations

12. In the case of a club liquor registration, attach a copy of the rules of the club, certified by the president, chairman or secretary thereof

Annexure _____

I declare/truly affirm that the information furnished in this application and in the documents attached to it, is true.

Date _____

[Signature of applicant or person authorized to sign application] _____

I certify that this declaration has been signed and sworn to/affirmed before me at _____ this _____ day of _____ by the applicant/person authorized to sign application who acknowledged that—

- (i) he/she knows and understands the contents of this declaration;
- (ii) he/she has no objection to taking the prescribed oath/affirmation; and

(iii) he/she considers the prescribed oath to be binding on his/her conscience,

and that he/she uttered the following words:

'I swear that the contents of this declaration are true, so help me God'./'I truly affirm 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* _____

[Form FSLA1 substituted by section 4(a) of Provincial Notice 230 of 2010]

Form FSLA2

Notice of intention to apply in terms of section 27 read with section 31 for registration

Free State Gambling and Liquor Act, 2010					
Notice is hereby given that _____ intends to lodge an application on _____, particulars of which appear hereunder.					
1	2	3	4	5	6
Municipality	Full names, street and postal address of applicant and identity no. or registration no.	Kind of registration applied for	Kind of product to be sold/ manufactured	Name under which business is to be conducted and full address of premises	Name of, nature of and distance to institutions of learning, similar registered premises and places of worship

Any person may, within 21 days from _____ (date of publication in *Provincial Gazette*) lodge in terms of section 33 of the Free State Gambling and Liquor Act, 2010 an objection in writing to the Free State Liquor Authority (address set out hereunder). The objection must clearly indicate the full names, identity number, residential address, postal address and telephone number, if any, and where applicable, its registration number and address of its office, of the objector. The objection must also identify the application to which it

relates. *The application may be inspected at the offices of the Authority during their office hours. The address of the relevant Office of the Liquor Authority is: _____

Place _____

Signature of applicant or person authorized to sign application

Date _____

[Form FSLA2 substituted by section 4(a) of Provincial Notice 230 of 2010]

Form FSLA3

Registration certificate

Reference No. _____

Free State Gambling and Liquor Act, 2010

_____ Registration

_____ is hereby registered to sell/manufacture * _____ (state kind of product) and to conduct under the name of _____ upon premises, the plan of which has been approved, situated at _____ in the local municipality of _____ such business as is, in accordance with the conditions set out in terms of the Act or any other law, authorized to be conducted under the abovementioned registration.

This registration shall be subject to the conditions determined by the Free State Gambling and Liquor Authority in terms of the Free State Gambling and Liquor Act, 2010, as well as conditions contained in said Act. The conditions determined are set out in Annexure _____ hereto.

Liquor not required for immediate sale, shall be stored on the registered premises.

This registration shall be of no force and effect unless the prescribed registration fees have been paid into the bank account of the Free State Gambling and Liquor Authority and proof thereof has been submitted to the Free State Gambling and Liquor Authority. Payment of the prescribed fees is to be made within sixty days after the undermentioned date of issue.

Complete columns as follows:

(1) Column 1.-State the local municipality in which the premises are situated.

(2) Column 2.-State surname of applicant followed by his or her full first name, residential, business and postal address and identity number. If the applicant is not a natural person, state the full names of such person, followed by the address of its registered office and registration number.

Column 3.-State the kind of registration applied for with due regard to section 46, and in the case of sorghum beer registration, state whether it is intended to sell liquor for consumption on or off the premises.

Column 4.-State kind of product to be sold/manufactured.

Column 5.-State the name under which business is to be conducted and describe the situation of the premises where the business is to be conducted with reference to the erf, street or farm number, including such place on other premises upon which any approval is to be exercised.

Column 6.-State the name of, nature of and distance to institutions of learning, similar registered premises and places of worship within 500 meter from the premises.

Delete part which is not applicable

Date of issue	Prescribed fees	Payable on or before

 Person acting under power of the Free State Gambling and Liquor Authority

 Date

[Form FSLA3 substituted by section 4(a) of Provincial Notice 230 of 2010]

Form FSLA4

Application in terms of section 54 for a special events registrations certificate

 Date stamp

For official use

Amount R _____

Reference No. _____

Date _____

Free State Gambling and Liquor Act, 2010		
Index		
	Description of document	
(i)	Application	Form FSLA4
(ii)	Comprehensive written representations	A
(iii)	Proof of payment of prescribed fees	B

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 and location of the premises to which the application relates

- (f) Postal address _____
- (g) Business telephone number _____ [Delete (b) if applicant is not a natural person]
2. If applicant is not a natural person, state the names, identity number and address of each shareholder, member, partner or beneficiary _____
3. (a) Is applicant a registrant in terms of the Free State Gambling and Liquor Act, 2010? (Mark the applicable square) Yes _____ No _____
- (b) If subparagraph (a) has been replied to in the affirmative, state—
- (i) the kind of registration _____
- (ii) the kind of liquor which may be sold thereunder _____
- (iii) under what name the registered business is conducted _____
- (iv) describe the situation of the premises where the registered business is conducted with reference to the erf, street or farm number _____
- (c) In the case of an application by the holder of a club liquor registration certificate, state whether the special events registration certificate is required for a *bona fide* public function on the premises of the club in respect of which he or she is registered—
- (i) which is connected with any game, match, competition or social occasion which forms part of the activities normally taking place on the premises Yes _____ No _____; or
- (ii) for which no suitable facilities are reasonably available at any place other than the premises of the club in the near vicinity (Delete the subparagraphs which are not applicable) (Mark the applicable square)
Yes _____ No _____
4. (a) If applicant is not the holder of a registration certificate referred to in paragraph 3—
- (1) on behalf of what or who does applicant apply? _____
- (2) what position does applicant hold in institution?

- (b) Is applicant a person who—
- (i) a person who has been convicted of a contravention Act or any other liquor legislation within the three immediately preceding the date of application? Yes _____ No _____
- (ii) a person who has been convicted, under applicable legislation, of an offence the elements of which are inconsistent with the objects and purposes of this Act, at any time—
- (a) after the coming into operation of this Act; and
- (b) within the three years immediately preceding the date of application. Yes _____ No _____
- (iii) is an unrehabilitated insolvent? Yes _____ No _____

- (iv) is a minor? Yes _____ No _____
- (c) If any of the questions in subparagraph (b) have been replied to in the affirmative, provide full details _____
(Use an annexure if necessary)
5. State the nature of the occasion in respect of which a special events registration certificate is required _____
6. Describe the situation of the premises where the business is to be conducted with reference to the erf, street or farm number _____
7. Will applicant have the right to occupy the premises referred to in paragraph 6 for the purposes of the registration? (Mark the applicable square)
Yes _____ No _____
8. (a) Except in the case of an application by the holder of a club liquor registration certificate, has a special events registration certificate previously been granted to the applicant? Yes _____ No _____
- (b) If answer is yes in 8(a), state the number of days in respect of which such registration was granted since January of the relevant year _____
9. Describe the place or places on the premises in which the sale of liquor is to take place _____
10. State the dates upon and the hours during which such sale will take place _____

I declare/truly affirm that the information furnished in this application and in the documents attached to it, is true.

Date _____

Signature of applicant or person authorized to sign application _____

I certify that this declaration has been signed and sworn to/affirmed before me at _____ this _____ day of by the applicant/person authorized to sign application who acknowledged that—

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

and that he/she uttered the following words:

'I swear that the contents of this declaration are true, so help me God'./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* _____

Form FSLA5***Special events registration certificate******Free State Gambling and Liquor Act, 2010***

Reference No. _____

_____ being the _____ is hereby registered to sell _____ and to conduct such business as is, in accordance with the conditions of the Act or any other law, authorized to be conducted under the above-mentioned certificate at _____ place(s) from where such liquor is to be sold at _____ in the local municipality of _____ between the hours of _____ and _____ on the following dates _____

This certificate shall be subject to the conditions determined by the Free State Gambling and Liquor Authority in terms of the Free State Gambling and liquor Act, 2010, annexed hereto as Annexure _____ and the conditions set out in the said Act.

The registration shall be of no force and effect unless the prescribed registration fees, R _____, have been paid into the bank account of the Free State Gambling and Liquor Authority and proof thereof has been submitted to the Free State Gambling and Liquor Authority.

Place _____

Person acting on behalf of the Free State Gambling and Liquor Authority _____

Date of issue _____

Form FSLA6***Application in terms of section 37 to vary conditions of registration***_____
Date stamp**For official use**

Amount R _____

Reference no. _____

Date _____

Free State Gambling and Liquor Act, 2010		
Index		
	Description of document	Annexure
(i)	Application	Form FSLA6

Free State Gambling and Liquor Act, 2010		
(ii)	Copy of registration certificate and conditions of registration	A
(iii)	Description of the conditions of registration that should be varied	B
(iv)	Comprehensive written representations	C
(v)	Proof of payment of prescribed fees	D

Full names of registrant (applicant) _____

Application prepared by _____

Postal address _____

Telephone no. _____

I declare/truly affirm that the information furnished in this application and in the documents attached to it, is true.

Date _____

Signature of applicant or person authorized to sign application _____

I certify that this declaration has been signed and sworn to/affirmed before me at _____ this _____ day of by the applicant/person authorized to sign application who acknowledged that—

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

and that he/she uttered the following words:

'I swear that the contents of this declaration are true, so help me God'./I truly affirm 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* _____

Form FSLA7***Approval to vary conditions of registration******Free State Gambling and Liquor Act, 2010***

Date: _____ Reference No. _____

Approval is granted to _____ (registrant) to vary conditions of registration in respect of

The new conditions of registration are attached hereto as Annexure _____

On behalf of Free State Gambling and Liquor Authority

Date

*[Form FSLA7 substituted by section 4(a) of Provincial Notice 230 of 2010]***Form FSLA8*****Application in terms of section 38 to effect structural alterations or an extension of registered premises***

*Date stamp***For official use**

Amount R _____

Reference no. _____

Date _____

Free State Gambling and Liquor Act, 2010		
Index		
	Description of document	Annexure
(i)	Application	Form FSLA8
(ii)	Plan of the premises as set out in Regulation 23	A

Free State Gambling and Liquor Act, 2010		
(iii)	Description of the applicable portion of the premises as set out in Regulation 23	B
(iv)	Comprehensive written representations	C
(v)	Copy of registration certificate	D
(vi)	Proof of payment of prescribed fees	E
(vii)	Consent of relevant municipality as set out in Regulation 23	F

Full names of registrant (applicant) _____

Application prepared by _____

Postal address _____

Telephone no. _____

I declare/truly affirm that the information furnished in this application and in the documents attached to it, is true.

Date _____

Signature of applicant or person authorized to sign application _____

I certify that this declaration has been signed and sworn to/affirmed before me at _____ this _____ day of by the applicant/person authorized to sign application who acknowledged that—

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

and that he/she uttered the following words:

'I swear that the contents of this declaration are true, so help me God'./I truly affirm 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* _____

Form FSLA9

Approval to effect structural alternations or extension of registered premises

Free State Gambling and Liquor Act, 2010

Date _____ Reference No. _____

Approval is granted to _____ (registrant) to effect structural alterations to registered premises / extend the registered premises * in respect of _____

The structural alterations to / extension* of the registered premises that are approved is attached hereto as Annexure _____

On behalf of Free State Gambling and Liquor Authority

Date

[Form FSLA9 substituted by section 4(a) of Provincial Notice 230 of 2010]

Form FSLA10

Approval to effect structural alternations or extension of registered premises

 Date stamp

For official use

Amount R _____

Reference No. _____

Date _____

Free State Gambling and Liquor Act, 2010		
Index		
	Description of document	Annexure
(i)	Application	Form FSLA10

* Delete part which is not applicable

* Delete part which is not applicable

Free State Gambling and Liquor Act, 2010		
(ii)	Comprehensive written representations	A
(iii)	Proof of payment of prescribed fees	B

Application prepared by _____

Postal address _____

Telephone no. _____

Part A – Information relating to the applicant who is the registrant

1. Full names of registrant _____
2. If applicant is not a natural person, state the names, identity number and address of each shareholder, member, partner or beneficiary _____

3. Under what name is the registered business conducted? _____
4. (a) Describe the situation of the premises where the registered business is conducted with reference to the erf, street or farm number _____
(b) In which municipality is the premises referred to in subparagraph (a), situated?

5. What is reason for transfer of registration? _____

I declare/truly affirm that the information furnished in Part A and B of this application in so far as it relates to me/the applicant on whose behalf I am authorized to sign the application, is true.

Date _____

Signature of applicant who is the holder of the registration or person authorized to sign application

I certify that this declaration has been signed and sworn to/affirmed before me at _____ this _____ day of _____ by the applicant/person authorized to sign application who acknowledged that—

- (i) he/she knows and understands the contents of this declaration;
- (ii) he/she has no objection to taking the prescribed oath/affirmation; and

(iii) he/she considers the prescribed oath to be binding on his/her conscience,

and that he/she uttered the following words:

'I swear that the contents of this declaration are true, so help me God'./'I truly affirm 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 the applicant who is the prospective holder

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 and location of the premises to which the application relates

 - (f) Postal address _____
 - (g) Business telephone number _____
- [Delete (b) if applicant is not a natural person]*
2. If applicant is not a natural person, state the names, identity number and address of each shareholder, member, partner or beneficiary _____

 3. (a) Is applicant a person who—
 - (i) a person who has been convicted of a contravention of this Act or any other liquor legislation within the three years immediately preceding the date of application? Yes _____ No _____
 - (ii) a person who has been convicted, under applicable legislation, of an offence the elements of which are inconsistent with the objects and purposes of this Act, at any time—
 - (a) after the coming into operation of this Act; and
 - (b) within the three years immediately preceding the date of application. Yes _____ No _____
 - (iii) an unrehabilitated insolvent? Yes _____ No _____
 - (iv) is a minor? Yes _____ No _____

- (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 (*Mark the applicable square*) Yes _____ No _____
- (c) If any of the questions in subparagraphs (a) or (b) have been replied to in the affirmative, provide full details

(Use an annexure if necessary)

4. (a) State the names, identity number and address of each person—

(i) who, including the applicant, has any financial interest in the business to which the registration relates; and

(ii) who, including the applicant, will have such interest if the 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-operatives Act, 1981 (Act 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 cooperative 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 financial interest in the liquor trade in the Province of the applicant and if the applicant is a private company, close corporation, partnership or trust, also of every shareholder, member or partner thereof or beneficiary thereunder. (If the applicant or the said shareholder, member, partner or beneficiary has no such interest, this fact must be specifically mentioned.)

(Use an annexure if necessary)

- (c) If the application relates to a liquor store registration, sorghum beer brewer's registration or sorghum beer registration for off-consumption, is the applicant—
- (i) a producer or his or her agent? Yes _____ No _____
 - (ii) a manufacturer of beer or his or her agent? Yes _____ No _____
 - (iii) a person who has a financial interest in the business of a producer or a manufacturer of beer, or the agent of such a person? Yes _____ No _____
 - (iv) a company in which shareholders having a financial interest in the business of a manufacturer of beer, together hold a controlling interest, or the agent of such a company? Yes _____ No _____
 - (v) a company in which a company contemplated in subparagraph (e)(iv) holds a controlling interest, or the agent of such a company? Yes _____ No _____

(Delete subparagraph (c) if not applicable)

(Mark the applicable square)

5. If application is made for the transfer of a micro-manufacturer's registration for the production of wine only, is applicant—
- (i) a person who engages in viticulture? Yes _____ No _____
 - (ii) an association of persons the majority of the members of which engages in viticulture? Yes _____ No _____
 - (iii) a co-operative society, which manufactures wine from grapes produced by members of the co-operative society and of which no other such co-operative society is a member? Yes _____ No _____

(Delete paragraph 5 if not applicable)

(Mark the applicable square)

6. If application is made for the transfer of a producer's registration, is applicant a person who—
- (i) engages in viticulture? Yes _____ No _____
 - (ii) manufactures any other fermented beverage? Yes _____ No _____

(Delete paragraph 6 if not applicable)

(Mark the applicable square)

7. Under what name is the business to be conducted? _____
8. Will applicant 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 registration? *(Mark the applicable square)* Yes _____ No _____

I declare/truly affirm that the information furnished in Part B of this application in so far as it relates to me/the applicant on whose behalf I am authorized to sign the application and in the documents attached to it, is true

Date _____

Signature of applicant who is the prospective holder or person authorized to sign application

I certify that this declaration has been signed and sworn to/affirmed before me at _____ this _____ day of _____ by the applicant/person authorized to sign application who acknowledged that—

- (i) he/she knows and understands the contents of this declaration;
- (ii) he/she has no objection to taking the prescribed oath/affirmation; and

(iii) he/she considers the prescribed oath to be binding on his/her conscience,

and that he/she uttered the following words:

'I swear that the contents of this declaration are true, so help me God'./'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* _____

Form FSLA11

Approval in terms of section 39 for the transfer of registration

Date _____ Reference No. _____

Free State Gambling and Liquor Act, 2020

The _____ registration certificate, held by _____ in respect of premises situated at _____ in the local municipality of _____, under which business is conducted under the name of _____, is hereby transferred to _____

The business will in future be conducted under the name of _____

This registration shall be of no force and effect unless the prescribed registration fees have been paid into the bank account of the Free State Gambling and Liquor Authority and proof thereof has been submitted to the Free State Gambling and Liquor Authority. Payment of the prescribed fees is to be made within sixty days after the undermentioned date of issue.

Date of issue	Prescribed fees	Payable on or before

On behalf of Free State Gambling and Liquor Authority

Date

[Form FSLA11 substituted by section 4(a) of Provincial Notice 230 of 2010]

Form FSLA12

Notification in terms of section 39(3) regarding procuring of a controlling interest over the registrant

Date stamp

For official use

Amount R _____

Reference No. _____

Date _____

Free State Gambling and Liquor Act, 2010		
Index		
	Description of document	Annexure
(i)	Notification	Form FSLA12
(ii)	Comprehensive written representations	A
(iii)	Proof of payment of prescribed fees	B

Application prepared by _____

Postal address _____

Telephone no. _____

Part A – Information relating to the registrant

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

I declare/truly affirm that the information furnished in Part A and B of this application in so far as it relates to me/the applicant on whose behalf I am authorized to sign the application, is true.

Date _____

Signature of applicant who is the holder of the registration certificate or person authorized to sign application _____

I certify that this declaration has been signed and sworn to/affirmed before me at _____ this _____ day of _____ by the applicant/person authorized to sign application who acknowledged that—

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

and that he/she uttered the following words:

'I swear that the contents of this declaration are true, so help me God'./'I truly affirm 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 the person who obtained control (applicant)

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 and location of the premises to which the application relates

 - (f) Postal address _____
 - (g) Business telephone number _____
- [Delete (b) if applicant is not a natural person]*
2. If applicant is not a natural person, state the names, identity number and address of each shareholder, member, partner or beneficiary _____

 3. What other category of registration does applicant hold?

 4. (a) Is applicant a person who—
 - (i) a person who has been convicted of a contravention of this Act or any other liquor legislation within the three years immediately preceding the date of application? Yes _____ No _____

- (ii) a person who has been convicted, under applicable legislation, of an offence the elements of which are inconsistent with the objects and purposes of this Act, at any time—
- (a) after the coming into operation of this Act; and
- (b) within the three years immediately preceding the date of application. Yes _____ No _____
- (iii) an unrehabilitated insolvent? Yes _____ No _____
- (iv) is a minor? Yes _____ No _____
- (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 (*Mark the applicable square*) Yes _____ No _____
- (c) If any of the questions in subparagraphs (a) or (b) have been replied to in the affirmative, provide full details (*Use an annexure if necessary*)
5. (a) State the names, identity number and address of each person—
- (i) who, including the applicant, has any financial interest in the business to which the registration relates; and
- (ii) who, including the applicant, will have such interest if the 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-operatives Act, 1981 (Act 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 cooperative 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 financial interest in the liquor trade in the Province of the applicant and if the applicant is a private company, close corporation, partnership or trust, also of every shareholder, member or partner thereof or beneficiary thereunder. (*If the applicant or the said shareholder, member, partner or beneficiary has no such interest, this fact must be specifically mentioned.*) _____
- (*Use an annexure if necessary*)
- (c) If the application relates to a liquor store registration, sorghum beer brewer's registration or sorghum beer registration for off-consumption, is the applicant—
- (i) a producer or his or her agent? Yes _____ No _____
- (ii) a manufacturer of beer or his or her agent? Yes _____ No _____
- (iii) a person who has a financial interest in the business of a producer or a manufacturer of beer, or the agent of such a person? Yes _____ No _____
- (iv) a company in which shareholders having a financial interest in the business of a manufacturer of beer, together hold a controlling interest, or the agent of such a company? Yes _____ No _____

- (v) a company in which a company contemplated in subparagraph (c)(iv) holds a controlling interest, or the agent of such a company? Yes _____ No _____

(Delete subparagraph (c) if not applicable)

(Mark the applicable square)

I declare/truly affirm that the information furnished in Part B of this application in so far as it relates to me/the applicant on whose behalf I am authorized to sign the application and in the documents attached to it, is true.

Date _____

Signature of applicant who is the proposed person or person authorized to sign application

I certify that this declaration has been signed and sworn to/affirmed before me at _____ this _____ day of _____ by the applicant who is the proposed person/person authorized to sign application who acknowledged that—

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

and that he/she uttered the following words:

'I swear that the contents of this declaration are true, so help me God'./'I truly affirm 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* _____

Form FSLA13

Application in terms of section 40(3) for the appointment of a person to conduct registered activities pending appointment of administrator

Date stamp

For official use

Amount R _____

Reference No. _____

Date _____

Free State Gambling and Liquor Act, 2010		
Index		
	Description of document	Annexure
(i)	Application	Form FSLA13
(ii)	Copy of registration certificate	A
(iii)	Comprehensive written representations	B
(iv)	Proof of notices required by section 40(4)(a)	C
(v)	Confirmation that an Administrator has not yet been appointed	D
(vi)	If proposed appointment is a registrant submit a separate sheet setting out details of such registration	E
(vii)	Proof of payment of prescribed fees	F

Application prepared by _____

Postal address _____

Telephone no. _____

1. Full names of applicant _____
2. If applicant is not a natural person, state the names, identity number and address of each shareholder, member, partner or beneficiary _____
3. (a) Under what name is the registered business conducted? _____
 - (b) (i) Will the name change? Yes _____ No _____
(Mark applicable square)
 - (ii) If so, state new name _____
4. (a) Describe the situation of the premises where the registered business is conducted with reference to the erf, street or farm number _____

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

5. State for what period this approval is required _____

I declare/truly affirm that the information furnished in this application and in the documents attached to it, is true.

Date _____

Signature of applicant or person authorized to sign application

I certify that this declaration has been signed and sworn to/affirmed before me at _____ this _____ day of _____ by the applicant/person authorized to sign application who acknowledged that—

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

and that he/she uttered the following words:

'I swear that the contents of this declaration are true, so help me God'./I truly affirm 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* _____

Form FSLA14

Approval in terms of section 40 (3) for the appointment of a person to conduct registered activities pending appointment of administrator

Reference No. _____

Free State Gambling and Liquor Act, 2010

Approval is granted that the _____ registration in respect of premises situated at _____ and upon which business is conducted under the name of _____, is hereby temporarily transferred to _____ (name of person)

The appointment is permitted for the period _____

The determinations, consent, approvals and authorities which have been granted are set out in Annexure(s) _____ hereto.

This approval shall be subject to the conditions determined by the Free State Gambling and Liquor Authority in terms of the Free State Gambling and Liquor Act, 2010 as set out in Annexure _____ and any conditions set out in said Act.

On behalf of Free State Gambling and Liquor Authority

Date

[Form FSLA14 substituted by section 4(a) of Provincial Notice 230 of 2010]

Form FSLA15

Notice of intention to apply in terms of section 41(2) for the temporary removal of registration

Free State Gambling and Liquor Act, 2010					
Notice is hereby given that _____ intends to lodge an application for temporary removal of registration, particulars of which appear hereunder, with the Free State Gambling and Liquor Authority:					
1	2	3	4	5	6
Address of designated office of the Free State Gambling and Liquor Authority in the area of the relevant district municipality	Full names, street and postal address of applicant	Kind of registration to be transferred	Kind of product to be sold/ manufactured	Full address of registered premises and local municipality in which situated	Name under which business is to be conducted and full address of other premises

Any person may lodge an objection within 21 days from _____ (date of publication in *Provincial Gazette*) in writing to the Free State Gambling and Liquor Authority. The objection must clearly indicate the full names, identity number, residential address, postal address and telephone number, if any, and where applicable, its registration number and address of its office, of the objector. The objection must also identify the application to

which it relates. The application may be inspected at the offices of the Free State Gambling and Liquor Authority during its office hours at the following address:

Objections must be submitted to:

Place _____

Signature of applicant or person authorized to sign application

Date _____

*

[Form FSLA15 substituted by section 4(a) of Provincial Notice 230 of 2010]

Form FSLA16

Application in terms of section 43 for the temporary removal of registration

Date stamp

For official use

Amount R _____

Reference No. _____

Date _____

Free State Gambling and Liquor Act, 2010		
Index		
	Description of document	Annexure
(i)	Application	Form FSLA16

*

Complete columns as follows:

- (i) Column 1.-State surname of applicant followed by his or her full first names, residential, business and postal address. If applicant is not a natural person, state the full names of such person followed by the address of its registered office.
- (ii) Column 2.-State the kind of registration to be removed with due regard to section 42, and in the case of a sorghum beer license, state whether liquor is sold for consumption on or off the registered premises.
- (iii) Column 3.-State the kind of product to be sold/manufactured.
- (iv) Column 4.-Describe the situation of the premises where the registered business is conducted with reference to the erf, street or farm number and state the local municipality in which it is situated.
- (v) Column 5.-State the name under which business is to be conducted and describe the situation of the premises where the business is to be conducted with reference to the erf, street or farm number, including such place on other premises upon which any approval or determination is to be exercised.

Free State Gambling and Liquor Act, 2010		
(ii)	Plan of the premises	A
(iii)	Description of the premises	B
(iv)	Comprehensive written representations	C
(v)	Proof of notices required by section 43(2)	D
(vi)	Proof of payment of prescribed fees	E

Application prepared by _____

Postal address _____

Telephone no. _____

1. Full names of applicant _____
2. If applicant is not a natural person, state the names, identity number and address of each shareholder, member, partner or beneficiary _____
3. (a) Under what name is the registered business conducted _____
 (b) (i) Will the name change as a result of the removal? Yes _____ No _____
 (Mark applicable square)
 (ii) If so, state new name _____
4. (a) Describe the situation of the premises where the registered business is conducted with reference to the erf, street or farm number _____
 (b) Describe the situation of the premises where the business is to be conducted with reference to the erf, street or farm number _____
5. (a) Are the premises referred to in paragraph 4(a) and (b) in the same municipality?
 (Mark applicable square)
 Yes _____ No _____
 (b) State the shortest distance by road from the premises referred to in paragraph 4(a) to the premises referred to in paragraph 4(b) _____
6. In the case of a micro-manufacturer's registration for the production of wine only, describe the situation of the premises where the liquor concerned is manufactured with reference to the erf, street or farm number _____
7. In the case of a producer's registration, describe the situation of the premises where the liquor concerned is manufactured with reference to the erf, street or farm number _____

8. Will applicant have the right to occupy the premises referred to in paragraph 4(b), including such place on other premises upon which any approval or determination is to be exercised, for the purposes of the registration?

(Mark applicable square)

Yes _____ No _____

9. In the case of an application for the temporary removal of an on-consumption registration, state in which portion of the premises the sale of liquor is to take place _____

10. (a) is application made in respect of premises which—

(i) have not yet been erected? Yes _____ No _____; or

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

Yes _____ No _____; or

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

Yes _____ No _____

- (b) if paragraph 10(a)(i) or (ii) applies, state—

(i) the date on which such erection, additions, or alterations will be commenced with _____; and

(ii) the period which will be required for the erection, additions or alterations

11. State for what period such removal is desired _____

I declare/truly affirm that the information furnished in this application and in the documents attached to it, is true.

Date _____

Signature of applicant or person authorized to sign application

I certify that this declaration has been signed and sworn to/affirmed before me at _____ this _____ day of _____ by the applicant/person authorized to sign application who acknowledged that—

(i) he/she knows and understands the contents of this declaration;

(ii) he/she has no objection to taking the prescribed oath/affirmation; and

(iii) he/she considers the prescribed oath to be binding on his/her conscience,

And that he/she uttered the following words:

'I swear that the contents of this declaration are true, so help me God'./'I truly affirm 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* _____

[Please note: page 36 missing in the original.]

[Form FSLA16 substituted by section 4(a) of Provincial Notice 230 of 2010]

Form FSLA17

Approval for temporary removal in terms of section 41 of registration

Reference No. _____

Free State Gambling and Liquor Act, 2010

The _____ registration granted in respect of premises situated at _____ and upon which business is conducted under the name of _____, is hereby temporarily removed to premises situated at _____ in the local municipality of _____ where business will be conducted under the name of _____

The temporary removal is permitted for the period _____

The determinations, consent, approvals and authorities which have been granted are set out in Annexure(s) _____ hereto.

This approval shall be subject to the conditions determined by the Free State Gambling and Liquor Authority in terms of the Free State Gambling and Liquor Act, 2010 as set out in Annexure _____ and any conditions set out in said Act.

Liquor not required for immediate sale shall be stored on the registered premises/at a place indicated in Annexure _____ hereto.

This registration shall be of no force and effect unless the prescribed registration fees have been paid into the bank account of the Free State Gambling and Liquor Authority and proof thereof has been submitted to the Free State Gambling and Liquor Authority. Payment of the prescribed fees is to be made within sixty days after the undermentioned date of issue.

Date of issue	Prescribed fees	Payable on or before

On behalf of Free State Gambling and Liquor Authority

Date

[Form FSLA17 substituted by section 4(a) of Provincial Notice 230 of 2010]

Form FSLA18

Application in terms of section 27(2) for micro-manufacturer or authorised dealer of methylated spirits registration certificate

Date stamp

For official use

Amount R _____

Reference No. _____

Date _____

Free State Gambling and Liquor Act, 2010		
Index		
	Description of document	Annexure
(i)	Application	Form FSLA18
(ii)	Plan of the premises approved by the municipality	A
(iii)	Comprehensive written representations	B
(iv)	In the case of authorized dealer an indication where methylated spirits will be held	C

Free State Gambling and Liquor Act, 2010		
(v)	Proof of payment of prescribed fees	D
(vi)	Certified copy of the identity document or certified proof in the case of trust, consortium, partnership or other legal entity	F

Application prepared by _____

Postal address _____

Telephone No. _____

1. (a) Full names of applicant _____
 - (b) Age _____
 - (d) 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 and location of the premises to which the application relates

 - (f) Postal address _____
 - (g) Business telephone number _____
- [Delete (b) if applicant is not a natural person]*
2. (a) Is applicant—
 - (i) a minor? Yes _____ No _____
 - (ii) a person who has been convicted of a contravention of this Act or any other liquor legislation within the three years immediately preceding the date of application? Yes _____ No _____
 - (iii) a person who has been convicted, under applicable legislation, of an offence the elements of which are inconsistent with the objects and purposes of this Act, at any time—
 - (a) after the coming into operation of this Act; and
 - (b) within the three years immediately preceding the date of application.
 Yes _____ No _____
 - (iv) an unrehabilitated insolvent? Yes _____ No _____
 - (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 any of the questions in subparagraphs (a) or (b) have been replied to in the affirmative, provide full details
(Use an annexure if necessary)
3. (a) State the names, 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 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 cooperative _____
(Use an annexure if necessary)
- (b) State the financial interest in the liquor trade in the Province of the applicant and if the applicant is a private company, close corporation, partnership or trust, also of every shareholder, member or partner thereof or beneficiary thereunder. (If the applicant or the said shareholder, member, partner or beneficiary has no such interest, this fact must be specifically mentioned)

(Use an annexure if necessary)
4. State kind of registration applied for _____
5. If application is made for a micro-manufacturer's registration—
- (a) is applicant a person who—
- (i) engages in viticulture? Yes _____ No _____
- (ii) manufactures any other fermented beverage? Yes _____ No _____
- (b) Describe the situation of the premises where the liquor concerned is manufactured with reference to the erf, street or farm number _____
- (Delete paragraph 6 if not applicable)*
(Mark applicable square)
6. Under what name is the business to be conducted? _____
7. (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 municipality is the premises referred to in subparagraph (a), situated?

8. Will applicant have the right to occupy the premises referred to in paragraph 9, including such place on other premises upon which any approval is to be exercised, for the purposes of the registration applied for? *(Mark the applicable square)*
Yes _____ No _____
9. (a) Is application made in respect of premises which—
- (i) have not yet been erected? Yes _____ No _____; or
- (ii) are already erected, but require additions or alterations to make them suitable for the purposes of the proposed business? Yes _____ No _____; or

(iii) are already erected and, in the applicant's opinion, do not require additions or alterations in order to make them suitable for such purposes? Yes _____ No _____

(b) If paragraph 9(a)(i) or (ii) applies, state—

(i) the date on which such erection, additions or alterations will be commenced with; and

(ii) the period which will be required for the erection, additions or alterations

Yes _____ No _____

I declare/truly affirm that the information furnished in this application and in the documents attached to it, is true.

Date _____

Signature of applicant or person authorized to sign application

I certify that this declaration has been signed and sworn to/affirmed before me at _____ this _____ day of _____ by the applicant/person authorized to sign application who acknowledged that—

(i) he/she knows and understands the contents of this declaration;

(ii) he/she has no objection to taking the prescribed oath/affirmation; and

(iii) he/she considers the prescribed oath to be binding on his/her conscience,

and that he/she uttered the following words:

'I swear that the contents of this declaration are true, so help me God'./'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* _____

Form FSLA19

Registration certificate: Micro-manufacture or authorised dealer of methylated spirits

Reference No. _____

Free State Gambling and Liquor Act, 2010

_____ Registration

_____ is hereby registered to sell/manufacture methylated spirits and to conduct under the name of _____

Upon premises, the plan of which has been approved, situated at _____ in the local municipality of _____ such business as is, in accordance with the conditions set out in terms of the Act or any other law, authorized to be conducted under the abovementioned registration.

The determinations, consent, approvals and authorities which have been granted are set out in Annexure(s) _____ hereto.

This registration shall be subject to the conditions determined by the Free State Gambling and Liquor Authority in terms of the Free State Gambling and Liquor Act, 2010, as well as conditions contained in said Act. The conditions determined are set out in Annexure _____ hereto.

This registration shall be of no force and effect unless the prescribed registration fees have been paid into the bank account of the Free State Gambling and Liquor Authority and proof thereof has been submitted to the Free State Gambling and Liquor Authority. Payment of the prescribed fees is to be made within sixty days after the undermentioned date of issue.

Date of issue	Prescribed fees	Payable or before

Person acting under power of the Free State Gambling and Liquor Authority

Date

[Form FSLA19 substituted by section 4(a) of Provincial Notice 230 of 2010]

Form FSLA20**Compliance notice****Free State Gambling and Liquor Act, 2020**

Date _____ Reference No. _____

To: _____

1. Please take notice that the inspector/police officer named below states that you have failed to comply with the following provisions of the Free State Gambling and Liquor Act, 2010 and its regulations as set out on attached sheet (Annexure _____).
2. The particulars of your failure to comply are as set out on the attached sheet (Annexure _____).

3. You are hereby required to take the actions, or cease the actions, set out in the attached sheet, within the time specified in respect of each of them (Annexure _____).
4. Failure to comply with this notice may result in any one or more of the following penalties:
 - 4.1 Prosecution in terms of section 128(2)(e) of the Free State Gambling and Liquor Act, 2010, for the offence of failure to comply with this notice, for which the penalty upon conviction is a fine or imprisonment for a term not exceeding 10 years, or to both a fine and imprisonment.
 - 4.2 Prosecution for an offence in terms of section 128 of the Free State Gambling and Liquor Act, 2010, for which the penalty upon conviction is a fine or imprisonment for a term not exceeding 10 years, or to both a fine and imprisonment.
 - 4.3 Cancellation of your registration held under registration number _____ for failure to comply with this notice, in terms of section 42 of the Free State Gambling and Liquor Act, 2010.

Name of Liquor Inspector or Police Officer

Date

[Form FSLA20 substituted by section 4(a) of Provincial Notice 230 of 2010]

Form FSLA21

Notice in terms of regulation 52(2) of the Free State Gambling and Liquor Act, 2010, to be present at a meeting of the Free State Gambling and Liquor Authority

Free State Gambling and Liquor Act, 2010

Reference No. _____

To:

Name:		
Address:		
Sex:	Age:	Id no:

By virtue of the powers vested in the Free State Gambling and Liquor Authority by Regulation 52(2) of the Act, you are hereby directed to be present at a meeting of the Free State Gambling and Liquor Authority which relates to _____ and which will be held on the date, time and at the place indicated below.

Date	Time	Place

Your attention is drawn to the following:

- (i) It is compulsory for you to appear in person. If you are unable to appear in person you may appoint an advocate, attorney or any other person to appear on your behalf.
- (ii) It is an offence not to be present and to remain in attendance, without you having appointed somebody to appear on your behalf.
- (iii) The Free State Gambling and Liquor Authority may require from you to give evidence or to produce any document or any other thing which is in your possession or custody or under your control.

Place of issue _____ Date _____

On behalf of the Free State Gambling and Liquor Authority

For Official use only

I certify that I have served this notice upon the said person by delivering a true copy to _____ PERSONALLY; or

Delivering as he/she could not be found, a true copy to _____ apparently over the age of 16 years and apparently residing or employed at the place of RESIDENCE/EMPLOYMENT/BUSINESS of the said _____

At _____

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

Time _____ Day _____ Month _____ 20 _____

Signature of Police Officer or Liquor Inspector

Form FSLA22

Record of liquor sales of 150 litres or more

Name of registrant

Free State Gambling and Liquor Act, 2010

To whom sold				Quantity sold in litres			
Names and identity no.	Address	Spirits	Fortified wine	Natural wine	Beer	Other	Date of sale

To whom sold				Quantity sold in litres			

Form FSLA23

Application in terms of regulation 61 of a natural person to manage and be responsible for the business to which the registration relates

 Date stamp

Reference no. _____

Free State Gambling and Liquor Act, 2010		
Index		
	Description of document	
(i)	Appointment	Form FSLA23

Form completed by _____

Postal address _____

Telephone no. _____

1. Under what name is the registered business conducted? _____
2. In which local municipality is the premises referred to in paragraph 1 situated? _____
3. State the following particulars of person whose appointment has been terminated (if applicable):
 - (a) Full names _____
 - (b) Identity number _____
 - (c) Date of termination of appointment _____
4. State the following particulars of person now appointment:
 - (a) Full names _____
 - (b) Age _____
 - (c) Identity number _____
 - (d) Relationship between him or her and the person who is the holder of the license

(e) Is applicant—

- (i) A minor? Yes _____ No _____
- (ii) a person who has been convicted of a contravention of this Act or any other liquor legislation within the three years immediately preceding the date of application? Yes _____ No _____
- (iii) a person who has been convicted, under applicable legislation, of an offence the elements of which are inconsistent with the objects and purposes of this Act, at any time—
- (a) after the coming into operation of this Act; and
- (b) within the three years immediately preceding the date of application Yes _____ No _____
- (iv) an unrehabilitated insolvent? Yes _____ No _____
- (v) the spouse of a person contemplated in subparagraphs (ii), (iii) and (iv)? Yes _____ No _____
(*Mark the applicable square*)
- (vi) domiciled in the Republic of South Africa (*Mark the applicable square*) Yes _____ No _____
- (f) If any of the questions in subparagraph (e) have been replied to in the affirmative, provide full details (*Use an annexure if necessary*)
- (g) Date of appointment: _____

I declare/truly affirm that the information furnished in this application and in the documents attached to it, is true.

Date _____

Signature of holder of the license or person authorized to sign Form

I certify that this declaration has been signed and sworn to/affirmed before me at _____ this _____ day of _____ by the applicant/person authorized to sign application who acknowledged that—

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

and that he/she uttered the following words:

'I swear that the contents of this declaration are true, so help me God'./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* _____

Form FSLA24***Inspector's certificate******Free State Gambling and Liquor Act, 2010***

Date _____ Reference No. _____

The Free State Gambling and Liquor Authority responsible for Economic Affairs hereby appoints
_____to be an Inspector for the purposes of the Free State Gambling and Liquor Act, 2010, to investigate complaints in terms of the Act, to monitor and enforce compliance with the Act, and to perform any other functions and exercise any other powers conferred on an Inspector in terms of the Free State Gambling and Liquor Act, 2010.
_____MEC responsible for Gambling and Liquor Matters

Date

*[Form FSLA24 substituted by section 4(a) of Provincial Notice 230 of 2010]***Form FSLA25*****Renewal certificate***

Registration No.: _____

Free State Gambling and Liquor Act, 2010

Bank account of Authority:

Bank Name: _____

Branch Code: _____

Account No.: _____

Advice of annual registration fees payable in respect of a liquor licence for the year 20__

Name of the registrant and postal address:		Name and address of licensed premises:

Kind of licence	Fees payable

For official use by First National Bank

[Note: The fees must be paid before or on 31 December annually. Late payments are not allowed in terms of the Free State Gambling and Liquor Act, registration lapse if payments are not made before or on 31 December]

Amount received	Receipt no.	Bank stamp

[Form FSLA25 added by section 4(b) of Provincial Notice 230 of 2010]

Schedule 2**Fees payable in respect of applications**

[Schedule 2 substituted by Provincial Notice 230 of 2010]

Part A	Part B
Nature of application	Fees payable R
Application in terms of section 27 read with section 31 for registration (excluding a special event and methylated spirits registration):	
- Accommodation establishment, except guesthouse	1000
- Accommodation establishment: Guesthouse	1000
- Restaurant	2500
- Club	1500
- Tavern	1500
- Night Club	2000
- Gambling establishment	3000
- Liquor store	2500

Part A	Part B
- Grocer's wine	2500
- Micro-manufacturing of liquor	2500
Application in terms of section 54 for special events registration	1000
Application in terms of section 37 for variation of conditions of registration	500
Application in terms of section 38 for alteration or extension of registered premises	500
Application in terms of section 39(3) to procure a controlling interest in the business to which the registration relates	500
Application in terms of section 39 or 41 for the transfer or removal of registration:	
- Accommodation establishment	788
- Restaurant	750
- Club	750
- Tavern	625
- Night Club	1250
- Gambling establishment	1250
- Liquor store	750
- Grocer's wine	375
- Micro-manufacturing of liquor	1250
Application in terms of section 40(3) for the appointment of a person to conduct registered activities pending appointment of Administrator	500

Part A	Part B
Application in terms of section 27(2) for registration as a micro-manufacturer of methylated spirits	750
Application in terms of section 27(2) for registration as authorized dealer of methylated spirits.	750
Application in terms of regulation 61 of a natural person to manage and be responsible for the business for the business to which the registration relates	500

[Please note: Although there is no instruction in Provincial Notice 230 of 2010 to substitute Schedule 2, a new Schedule 2 was included in that notice. We have effected the substitution.]

Schedule 3

Fees payable in respect of registration certificates

[Schedule 3 substituted by section 5 of Provincial Notice 230 of 2010]

**Registration	Part A	Part B	**Part C	Part D
	Fees payable in respect of a new registration	Fees payable in respect of the transfer of a registration	Annual registration fees	Annual registration fees 2010/2011
	R	R	R	R
Accommodation establishment, except guesthouse	8000	1500	5000	5000
Accommodation establishment: Guesthouse	8000	1750	3500	3500
Restaurant	15000	1000	3000	3000
Club	10000	1000	3000	3000
Tavern	10000	1000	2500	*Rural 500
				*Urban 750

**Registration	Part A	Part B	**Part C	Part D
Night Club	12000	1000	5000	5000
Gambling establishment	20000	2000	10000	5000
Liquor store:				
a) Whole sale	15000	2500	5000	5000
b) Other liquor store	10000	1500	3000	3000
Authorized dealer of methylated spirits	3000	500	1000	1000
Grocer's wine	15000	2500	5000	5000
Micro-manufacturing of liquor/methylated spirits	15000	2500	5000	5000
Special events registration	1000 + 250 per day of event	N/A	N/A	N/A

***Urban" when referred to in Part D of Schedule 3 means Bloemfontein, Welkom, Sasolburg, Bethlehem and Kroonstad*

***Rural" when referred to in Part D of Schedule 3 means all other areas in the Free State Province excluding those referred to as "Urban"*

**In an instance where it is uncertain whether a liquor registration falls within a rural or an urban area, the CEO of the Authority has the power to decide in which area the registration must fall*

***Will be reviewed*

Schedule 4

Times of business

[Schedule 4 substituted by section 6 of Provincial Notice 230 of 2010]

Type of business	Business hours	Business days during week
Accommodation establishment	10:00 - 00:00	Monday to Sunday

Type of business	Business hours	Business days during week
Restaurant	10:00 - 00:00	Monday to Sunday
Tavern	10:00 - 02:00	Monday to Sunday
Club	10:00 - 22:00	Monday to Sunday
Night club	18:00 - 04:00	Monday to Sunday
Gambling establishment (excluding casino)	10:00 - 04:00	Monday to Sunday
Casino	08:00 - 06:00	Monday to Sunday
Special event	As determined in registration certificate	As determined in registration certificate
Liquor store:		
(a) Wholesale	08:00 - 20:00	Monday to Friday
	08:00 - 17:00	Saturday and all public holidays excluding religious public holidays
(b) Other liquor store	08:00 - 20:00	Monday to Friday
	08:00 - 17:00	Saturday and all public holidays excluding religious public holidays
Grocer's wine	08:00 - 20:00	Monday to Saturday

Schedule 5

Conversion of licence

[Schedule 5 added by section 7 of Provincial Notice 230 of 2010]

	Part A	Part B
	R	R

Application for conversion	500	500
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Schedule 6

Transitional clause

[Schedule 6 added by section 7 of Provincial Notice 230 of 2010]

Fees payable in respect of registration certificates and business times applicable

Registration	**Part A	**Part B	Part C	Part D	
	Fees payable in respect of the transfer of a registration	Annual registration fees after 2010/11	Annual registration fees 2010/2011	Authorised business hours	Authorised days on which liquor may be sold
	R	R	R	R	R
Hotel liquor licence	2500	5000	750	10:00-02:00	Monday-Sunday
Wine house	1000	2000	75	10:00-02:00	Monday-Sunday
Restaurant liquor licence	1500	3000	375	10:00-02:00	Monday-Sunday
Club liquor licence	1500	3000	375	10:00-02:00	Monday-Sunday
Sorghum beer (on consumption)	500	1000	150	08:00-20:00	Monday-Sunday
Special (Employers)	1500	3000	1500	10:00-02:00	Monday-Sunday
Special (Tavern)	1250	2500	150	10:00-02:00	Monday-Sunday
Special (Accommodation)	1750	3500	750	10:00-02:00	Monday-Sunday

Registration	**Part A	**Part B	Part C	Part D	
Special (Eating house)	1250	2500	150	10:00-02:00	Monday–Sunday
Special (other)	1500	3000	1500	10:00-02:00	Monday–Sunday
Sportsground	1500	3000	750	10:00-02:00	Monday–Sunday
Theatre liquor licence	1500	3000	750	10:00-02:00	Monday–Sunday
Brewer's licence	2500	5000	3000	08:00-20:00	Monday–Saturday
Liquor store	1500	3000	1500	08:00-20:00	Monday–Saturday
Grocer's wine	2500	5000	750	08:00-20:00	Monday–Saturday
Wine farmers'	1000	2000	75	08:00-20:00	Monday–Saturday
Special Licence			1500		
Sorghum beet brewers	2500	5000	3000	08:00-20:00	Monday–Sunday
Sorghum beer (off consumption)	1500	3000	375	08:00-19:00	Monday–Saturday
Producers licence	1000	2000	75	08:00-20:00	Monday–Saturday

***Will be reviewed*