

KwaZulu-Natal, South Africa

KwaZulu-Natal Liquor Licensing Act, 2010

## KwaZulu-Natal Liquor Licensing Regulations, 2013

Provincial Notice 45 of 2014

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# KwaZulu-Natal Liquor Licensing Regulations, 2013

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# KwaZulu-Natal South Africa

## KwaZulu-Natal Liquor Licensing Act, 2010

# KwaZulu-Natal Liquor Licensing Regulations, 2013

## Provincial Notice 45 of 2014

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**Assented to on 28 January 2014**

**Commenced on 13 February 2014**

*[This is the version of this document from 13 February 2014  
and includes any amendments published up to 9 May 2024.]*

I hereby make the Regulations contained in the Schedule hereto under section 99 of the KwaZulu-Natal Liquor Licensing Act, 2010 ([Act No. 6 of 2010](#)), in order to regulate liquor licensing matters in the Province.

Mr Mabuyakhulu MPL

Member of the Executive Council of the Province of KwaZulu-Natal responsible for Liquor Licensing

## Part 1 – Introductory provisions

### 1. Definitions

In these Regulations, “the Act” means the KwaZulu-Natal Liquor Licensing Act, 2010 ([Act No. 6 of 2010](#)), and any word or expression to which a meaning is assigned in the Act bears the meaning so assigned to it and, unless the context otherwise indicates-

“**applicant**” means any person who applies in writing to the Liquor Authority in terms of the Act;

“**application**” means any application lodged with the Liquor Authority, which meets all the requirements as set out in the Act;

“**Code of Conduct**” means the Code of Conduct of members and staff of the Liquor Authority referred to in Part VII of these regulations;

“**guidelines**” means a policy- or procedural manual developed by the Liquor Authority subject to amendments from time to time when necessary to-

- (a) assist the Liquor Authority in carrying out its mandate;
- (b) guide an applicant in the application process in terms of these regulations;
- (c) guide the licensed traders in terms of compliance with the Act;
- (d) guide a local committee in its operation and functions to execute its mandate;
- (e) regulate the management of complaints by the Liquor Authority;
- (f) regulate any other matter, where necessary, for the implementation of the Act; and
- (g) guide any other party in terms of compliance with the Act;

“**member**” means a member of the Liquor Authority appointed in terms of section 8(1)(a) of the Act and a member of the local committee appointed in terms of section 32(1) of the Act;

“**person**” means a natural or juristic person;

“**public facilities**” means public buildings, structures or land developed for the use of the public within an urban or peri-urban area;

“**regulations**” includes all the annexures;

“**SAPS**” means the South African Police Service; and

“**substituted service**” means service of documents or notices by e-mail or publication in a newspaper circulating in an area where an individual or a number of individuals, having a direct or indirect interest in the matter, reside/s.

## **Part II – Application for liquor licence in terms of section 41 of Act**

### **2. Lodging of application with Liquor Authority for liquor licence in respect of licence categories listed under sections 39 and 41 of Act**

- (1) A person applying for a liquor licence in respect of the categories listed under section 39(a) or (b) of the Act, read with section 2 of the Act, must lodge such application with the Liquor Authority and must pay the application fee contemplated in Annexure B.
- (2) The application contemplated in subregulation (1) must be lodged with the Liquor Authority only on a Friday, excluding declared public holidays, at an address provided for by the Liquor Authority in the application form.
- (3) An application lodged with the Liquor Authority as contemplated in subregulation (1) is treated as duly lodged when all necessary documents and information contemplated in section 41 (2) of the Act have been submitted to the Liquor Authority.

### **3. Form of application to Liquor Authority for liquor licence in respect of licence categories listed under sections 39 and 41 of Act**

- (1) An applicant must submit a written application, in block letters and in triplicate, for a licence, using Form KZNLA 1 of Annexure A and must-
  - (a) furnish such information together with the relevant documents as required in the application form, including-
    - (i) a duly signed and completed application form;
    - (ii) proof of payment of the application fee in the form of a bank receipt or a receipt issued by the payments teller of the Liquor Authority;
    - (iii) an original or certified copy of the Broad Based Black Economic Empowerment verification certificate, if the applicant is a legal business entity;
    - (iv) an original or certified copy of the business or trading licence issued by the relevant organ of state in terms of any law or municipal by-law if the premises are already operational;
    - (v) a certified copy of a title deed or lease agreement or permission to occupy issued by the relevant authority in favour of the applicant confirming lawful occupation of the premises;
    - (vi) an original or certified copy of written consent from the relevant authority for the owner and/ or occupier of the premises to trade in liquor;
    - (vii) a sketch plan of the proposed premises as well as colour photographs;
    - (viii) an original or certified copy of a certificate issued by the SAPS valid as at date of lodgement of application for a period in excess of three months from the date of issue by the SAPS;

- (ix) a valid and active tax clearance certificate issued by the South African Revenue Services valid for one year from the date of lodgement of the application;
    - (x) a detailed security plan; and
    - (xi) for applications relating to methylated spirits, a relevant certificate issued by a relevant municipality or a government department in terms of any law or by-law allowing the applicant to trade in that particular product in a manner contemplated, where applicable; and
  - (b) declare under oath or truly affirm at the end of the said form that the information contained therein, is true and correct.
- (2) Every such application must, at the time lodged with the Liquor Authority, be accompanied by-
- (a) a plan of the premises clearly showing-
    - (i) the dimensions of each room;
    - (ii) all doors, windows and counters;
    - (iii) the entries and exits to the premises; and
    - (iv) the street and places to which such entries and exits lead; and
  - (b) a description and size of the premises in square metres with reference to the rooms, including kitchens, ablution facilities, store rooms and the service area where liquor is to be served;
  - (c) where the building is already in operation, colour photographs clearly depicting the requirements of paragraph (b) above;
  - (d) an indication of the total occupation capacity of patrons, seated and standing, that can be accommodated within the outlet;
  - (e) any other information required in terms of the Act; and
  - (f) a comprehensive written representation or motivation in support of the application, which must include-
    - (i) public interest requirements contemplated in section 48(6) of the Act, which must include-
      - (aa) the need for a liquor outlet in the area;
      - (bb) the socio-economic impact of a liquor outlet in the area; and
      - (cc) the capability of the applicant to run the outlet; and
    - (ii) the number of people to be employed;
    - (iii) the social responsibility program proposal, containing an implementation plan with time lines, by the applicant;
    - (iv) the proximity of other licensed outlets, learning institutions and religious institutions and other public recreational facilities to the proposed premises;
    - (v) the security plan contemplated in Annexure T, including the impact assessment on the prevalence of crime as contemplated in section 48(6)(b)(i) of the Act;
    - (vi) the criteria as contemplated in section 48(6)(b) of the Act;
    - (vii) a valid and active tax clearance certificate valid for one year from the date of lodgement of the application; and

- (viii) an original or certified copy of a certificate issued by the SAPS valid as at the date of lodgement of the application for a period in excess of three months from the date of issue by the SAPS.

**4. Procedure upon receipt of application to Liquor Authority in respect of licence categories listed under section 41 of Act**

Where the application for a licence lodged in terms of regulation 2 is incomplete, the Chief Executive Officer must, within 14 days after receipt of such an application, issue a notice, in Form KZNLA 2 of Annexure C, to the applicant to complete the application.

**5. Procedure to be followed by applicant upon receipt of written notice from local committee in terms of section 42(1)(b) of Act**

- (1) Upon receipt of a written notice from the local committee, the applicant must-
  - (a) publish such notice in at least one newspaper circulating in the area in which the proposed premises (whether premises is complete or incomplete) will be located, using Form KZNLA 3 of Annexure D;
  - (b) display a 1 m x 1 m notice board in a prominent place at the proposed premises, visible to passers-by, clearly showing the same information contained in Form KZNLA 3 of Annexure D; and
  - (c) serve a notice in terms of [section 42\(1\)\(b\)\(iii\)](#) on a member of the household over the age of 16 years where such residents are within a radius of 100 metres from the proposed premises, complete or incomplete, using Form KZNLA 3 of Annexure D.
- (2) The notice referred to in subregulation (5)(1)(a) must-
  - (a) be published in a local newspaper;
  - (b) contain the information requested in Form KZNLA 4 of Annexure E;
  - (c) be 5 cm x 10 cm in size; and
  - (d) lie for inspection at the relevant district local committee and the relevant SAPS station for a period of 21 days from the date of publication in the newspaper.

**6. Procedure in relation to objections or representations in terms of section 43 of Act**

- (1) A person making representations or lodging objections to an application for a liquor licence lodged in terms of regulation 2 must comply with the requirements as set out in section 43(3) of the Act.
- (2) Upon receipt of written representations, the Liquor Authority must cause a copy of such representations to be sent by registered post or delivered to an applicant, advising such applicant to respond in writing to the written representations or submissions regarding the proposed award of the licence.

**7. Submission of inspection report in terms of sections 45(2) and 56(3) of Act**

An inspector, appointed in terms of section 81(1)(a) of the Act, must conduct an inspection and submit a report in terms of section 45(2) or 82(1) of the Act in Form KZNLA 5A or KZNLA 5B respectively of Annexure F1 and Annexure F2.



## **8. Procedure for applicant's response to objections or representations in terms of section 43(4) of Act**

An applicant may, not later than seven days after receipt of an objection or representation in terms of section 43(4) of the Act, or an inspection report, submit, in triplicate, his or her written response to the local committee.

## **9. Objection hearings by local committee in terms of section 47(1) of Act**

- (1) Upon receipt of the response contemplated in regulation 8 and where the matter-
  - (a) is clear in terms of the written representations; and
  - (b) is capable of being determined in terms of the papers before the committee,the local committee may dispense with the holding of an objection hearing as contemplated in section 47(1) of the Act.
- (2) Where the local committee holds an objection hearing in terms of section 47(1) of the Act, the order or procedure must be as prescribed in the guidelines.
- (3) Where the local committee holds an objection hearing as per subregulation (2) above, it must do so in compliance with section 47(2) of the Act and must notify affected parties using Form KZNLA 7 of Annexure H1.
- (4) The notice contemplated in subregulation (3) must be given at least 14 days before such hearing takes place.
- (5) The written notice delivered in terms of section 47(4)(a) of the Act may either be delivered by hand, registered post or by substituted service.

## **10. Procedure to be followed by Liquor Authority in terms of section 48 of Act**

- (1) Within 14 days after consideration of the application for a licence, a local committee must submit a report with recommendations to the Liquor Authority.
- (2) All reports from the local committee to the Liquor Authority must be in writing and be accompanied by all supporting documents.
- (3) Where the local committee fails to execute its function due to-
  - (a) non-functionality or poor functionality of the local committee as is required in terms of section 41(5) of the Act; or
  - (b) a failure to execute its functions in terms of sections 46(2) and 47(1) of the Act,the Liquor Authority must consider and finalise the matter as the final authority on the application.
- (4) Where the Liquor Authority acts under circumstances contemplated in subregulation (3), the Liquor Authority must inform the responsible Member of the Executive Council of such failure on the part of the local committee.
- (5) The responsible Member of the Executive Council must take appropriate action against the members of the local committee as per the prescribed Code of Conduct applicable to the local committee as well as act in accordance with the provisions of section 37 of the Act.

## **11. Licence certificate upon granting of licence**

- (1) Where a licence is granted by the Liquor Authority, a licence certificate in Form KZNLA 9 of Annexure I must, in terms of section 23(2)(a) of the Act, be issued by the Chief Executive Officer.

- (2) The Liquor Authority may issue a conditional approval notice contemplated in section 49(1) of the Act.
- (3) Any approval issued in terms of this regulation is not transferable without prior approval of the Liquor Authority.

## **12. Inspections**

Where the secretary of a local committee has, in terms of section 45(1) of the Act, directed an inspector, appointed in terms of section 81(1)(a) of the Act, to carry out an inspection, he or she must do so and submit a report to the local committee by completing Form KZNLA 5A of Annexure F1 within 14 days after conducting such an inspection.

## **13. Conditional approvals in terms of section 49 of Act**

- (1) If the applicant fails to comply with the conditions contemplated in section 49(1) of the Act within 18 months from the date of granting of the application, the granting of the conditional approval lapses and such approval is deemed not to have been granted: Provided that a written request for extension contemplated in subregulation (2) has not been made.
- (2) The applicant contemplated in subregulation (1) may make a written request to the Liquor Authority for an extension of the period contemplated in subregulation (1) one month prior to the expiry of such period referred to in subregulation (1).
- (3) The onus rests with the applicant to ensure that the application for extension referred to in subregulation (2) is received by the Liquor Authority one month prior to the expiry of the conditional approval.
- (4) Where the applicant fails to comply with the time frames contemplated in subregulations (1) and (3) the conditional approval is deemed to have lapsed.
- (5) The applicant must ensure that the relevant business or trading licence, where applicable, is secured and submitted to the Liquor Authority within the period referred to in subregulations (1) and (3).

## **14. Special conditions for grocer's premises in terms of section 50(3) of Act**

- (1) A holder of an off-consumption licence in respect of a grocer's premises must ensure that a separate and demarcated area is set aside within the grocer's premises for the purposes of retail sale of liquor in terms of the Act.
- (2) The area contemplated in subregulation (1) must be clearly marked in red on the floor plan of the store.
- (3) The area contemplated in subregulation (1) must have-
  - (a) a separate till point;
  - (b) strictly controlled entry and exit points;
  - (c) appropriate signage to be displayed at the entrance to the liquor section within the grocer's store prohibiting entry of minors; and
  - (d) a separate and enclosed demarcated area for retail sale of liquor with a single entry and exit point for the enclosed area.
- (4) Any structural alterations, additions, reconstruction or extension of, or to, the demarcated area on the floor plan must be approved by the Liquor Authority in terms of section 72(1) of the Act.

- (5) A licence holder must ensure that the tellers and other staff members within the demarcated area are trained in the provisions of the Act, the liquor licensing conditions and not to sell liquor to minors.
- (6) Where a licence holder or a staff member in the employ of a licence holder reasonably suspects a customer to be a minor, such licence holder or staff member in the employ of the licence holder must require the customer to provide positive identification or proof of age.

#### **15. Communication of decision in terms of section 51(1) of Act**

- (1) Where the Liquor Authority has made a decision to grant a licence, the Chief Executive Officer must inform the applicant within 14 days that the licence will be issued upon payment of the application fee in Annexure B.
- (2) When communicating the decision contemplated in subregulation (1) the Chief Executive Officer must also inform any person who objected or made representations, as contemplated in section 51(1)(b) of the Act, of the right to appeal the decision of the Liquor Authority by following the process contemplated in section 61 of the Act.
- (3) Where an appeal is lodged in terms of section 61 of the Act, the Liquor Authority must inform the applicant that the licence certificate will not be issued until such appeal is finalised and an outcome is issued in terms of section 61(7) of the Act.

### **Part III – Applications for special events permits in terms of section 52(1)(a) and (b) of Act**

#### **16. Procedure for lodging of application for special events permits in terms of section 52(1)(a) and (b) of Act**

- (1) A person applying for a special events permit in terms of section 52(1)(a) and (b) of the Act must lodge such application with the Liquor Authority using Form KZNLA 1 of Annexure A and must pay the application fee for special events permits contemplated in Annexure B.
- (2) The application for a special events permit contemplated in subregulation (1) must be lodged with the Liquor Authority on any business day and within 14 days prior to the date of the event.
- (3) An application lodged with the Liquor Authority as contemplated in subregulation (1) is treated as duly lodged when all necessary documents and information required in the form have been submitted to the Liquor Authority.

#### **17. Application for special events permit in terms of section 52(3) of Act**

- (1) Where an applicant applies for a special events permit, such application must be in writing, in block letters and in triplicate, using Form KZNLA 1 of Annexure A.
- (2) Where an applicant applies for a special events permit contemplated in subregulation (1), such applicant must-
  - (a) furnish such information together with the relevant documents as required in the application form, including-
    - (i) a duly signed and completed application form;
    - (ii) proof of payment of the application fee in the form of a bank receipt or a receipt issued by the payment's teller of the Liquor Authority;
    - (iii) an original or certified copy of a letter of consent from the local municipality for the special event;

- (iv) a certified copy or original letter of written consent from the organiser of the special event, consenting to the issue of the special events permit to the applicant for the event;
    - (v) a detailed security plan;
    - (vi) an original or certified copy of the situational report from the station commander at the local SAPS;
    - (vii) where applicable, proof of publication in terms of section 52(3)(f) of the Act;
    - (viii) proof of service in terms of section 52(3)(g) of the Act;
    - (ix) for applications relating to methylated spirits a relevant certificate issued by a relevant municipality or a government department in terms of any law or by-law to enable the applicant to trade in that particular product in a manner contemplated where applicable; and
    - (x) any other document required in terms of the Act; and
  - (b) furnish the name of the person who will manage the sale of liquor at the special event; and
  - (c) declare under oath or truly affirm at the end of the form that the information contained therein is true and correct.
- (3) If the premises where the special event contemplated in subregulation (1) is in a residential area the applicant must give notice of the application to the public using the procedure contemplated in regulation 5.
- (4) The applicant contemplated in subregulation (1) must submit a detailed security plan contemplated in section 52(3)(h) of the Act and in accordance with the provisions of regulation 3(2)(d)(v).
- (5) Where the application form for a special events permit is incomplete, the Liquor Authority must forthwith issue a notice in Form KZNLA 2 of Annexure C to the applicant to complete an application.
- (6) The onus rests with the applicant to ensure that-
- (a) the application for a special events permit is complete; and
  - (b) the application for the special events permit is submitted to the Liquor Authority timeously for adjudication.
- (7) The application for a special events permit must be accompanied by a duly completed situational report in Form KZNLA 21 of Annexure U.
- (8) Where the application for a special events permit is complete, the Liquor Authority must, within five days of receipt thereof, consider the application in accordance with section 53 of the Act.
- (9) Where the Liquor Authority grants a permit in terms of section 53(2)(a) of the Act it must do so using Form KZNLA 13 of Annexure M.
- (10) Any approval issued in terms of this regulation is not transferable.
- (11) The applicant is liable for a fee contemplated in Annexure B for each trading day for the duration of the special event.
- (12) The fee contemplated in subregulation (11) is payable prior to the issue of the special events permit.
- (13) Where the application contemplated in subregulation (1) is rejected, the Liquor Authority must notify the applicant of his or her right to appeal the decision of the Liquor Authority by following the process contemplated in section 61 of the Act.

**18. Objections or representations in respect of application for special events permit in terms of section 53(1)(a) of Act**

- (1) In the interest of the public and read with the provisions of [section 52\(3\)\(f\); \(g\) and \(h\)](#) of the Act, the Liquor Authority must, in terms of section 53(1)(a) of the Act, consider all written representations received when considering a complete application for a special events permit.
- (2) Representations contemplated in subregulation (1) must be received not later than five days from the date upon which such notice of the proposed special event was published in the newspaper.
- (3) Representation referred to in subregulation (2) must be filed at the offices of the Liquor Authority.
- (4) Any person making representations contemplated in subregulation (2) must-
  - (a) set out his or her full names and address;
  - (b) provide a certified copy of the identity document of a natural person;
  - (c) state the nature of the person's interest in the application; and
  - (d) provide comprehensive grounds for representation concerning the special events permit application.
- (5) Upon receipt of written representations contemplated in subregulation (2), the Liquor Authority must cause a copy of such representations to be sent by registered post or substituted service to be delivered to the applicant, advising such applicant to respond in writing to the written representations or submissions within 48 hours of receipt of the notification.
- (6) Where an appeal is lodged in terms of section 61 of the Act, the Liquor Authority must inform the applicant that the special events permit will not be issued before the appeal is finalised and an outcome is issued in terms of section 61 (7) of the Act.

**Part IV – Applications to engage in micro-manufacturing of liquor in terms of section 55(1) of Act****19. Application procedure for micro-manufacturing of liquor in terms of section 55(1) of Act**

- (1) A person who wishes to engage in the micro-manufacturing of liquor as contemplated in section 55(1) of the Act must-
  - (a) lodge a signed and completed application, together with the relevant documents, where required, with the Liquor Authority in writing, using Form KZNLA 1 in Annexure A;
  - (b) indicate the physical address of the facility where the business will be conducted or a description of the location of the premises in terms of identifiable landmarks;
  - (c) provide the required particulars of the applicant; and
  - (d) pay the application fee contemplated in Annexure B.
- (2) The application contemplated in subregulation (1) must be lodged with the Liquor Authority only on a Friday, excluding declared public holidays at an address provided for by the Liquor Authority in the application form.
- (3) The premises, in respect of which licensing to engage in micro-manufacturing of liquor is being sought, must meet the prescribed requirements of the standard building regulations of a municipality within which the business is situated.

- (4) Every such application must, at the time lodged with the Liquor Authority, be accompanied by-
- (a) a plan of the premises clearly showing-
    - (i) the dimensions of each room;
    - (ii) all counters, doors and windows which serve as a means of entry and exit to the premises; and
    - (iii) the street and places to which such entries and exits lead; and
  - (b) a description and size of the premises, in square metres, with reference to the rooms, including kitchens, ablution facilities, store rooms, service areas of the premises and construction material;
  - (c) in relation to premises not yet constructed or under construction -
    - (i) the details of such proposed premises, including a detailed sketch plan of the premises showing the rooms, buildings and construction material; and
    - (ii) other relevant information; and
  - (d) where the premises contemplated in paragraphs (a) and (b) are already in operation, colour photographs clearly depicting the facilities outlined in paragraphs (a) and (b);
  - (e) proof of lawful occupation of the premises in the form of an original or certified copy of a title deed, a lease agreement in the name of the applicant or permission to occupy the premises issued in favour of the applicant by the relevant authority;
  - (f) an original or certified copy of written consent from the owner of the premises or the relevant authority for the applicant to conduct the intended business from the premises concerned;
  - (g) a comprehensive written representation or motivation in support of the application;
  - (h) public interest requirements contemplated in section 57(5) of the Act, which must include-
    - (i) the need for a micro-manufacturing facility in the area;
    - (ii) the economic impact of a micro-manufacturing facility in the area;
    - (iii) the capability of the applicant to run the facility in terms of infrastructure and industry expertise;
    - (iv) the number of people to be employed;
    - (v) the social responsibility program proposal by the applicant;
    - (vi) the proximity of other licensed outlets and micro-manufacturing facilities, learning institutions and religious institutions and other public recreational facilities to the proposed premises;
    - (vii) a security plan contemplated in Annexure T, which includes the impact assessment on the prevalence of crime as contemplated in section 57(5)(b)(i) of the Act; and
    - (viii) the criteria contemplated in section 57(4) and (5) of the Act; and
  - (i) a valid and active tax clearance certificate issued by the South African Revenue Services valid for one year from the date of lodgement of the application;
  - (j) an original or certified copy of the Broad Based Black Economic Empowerment verification certificate, if the applicant is a legal business entity;
  - (k) an original or certified copy of the business or trading licence issued by the relevant organ of state in terms of any law or municipal by-law if the premises is already operational;

- (l) an original or certified copy of a certificate issued by the SAPS valid as at the date of lodgement of application for a period in excess of three months from the date of issue by the SAPS;
  - (m) for applications relating to methylated spirits, a relevant certificate issued by a relevant municipality or a government department in terms of any law or by-law to enable the applicant to trade in that particular product in a manner contemplated where applicable; and
  - (n) any other document required in terms of the Act.
- (5) The Chief Executive Officer must-
- (a) receive all applications contemplated in subregulation (1);
  - (b) endorse on each application the date of receipt;
  - (c) compile a list of applicants and retain and maintain the list as part of the register contemplated in section 23(2)(b) of the Act; and
  - (d) upon receipt of an application, examine the application in order to determine whether it is complete.
- (6) If the Chief Executive Officer determines that the application is incomplete, he or she must, within 14 days after receipt of an application, issue a notice calling on the applicant to supplement or remedy the incomplete application within 21 days.
- (7) Where an appeal is lodged in terms of section 61 of the Act, the Liquor Authority must inform the applicant that the licence will not be issued before the appeal is finalised and an outcome certificate is issued in terms of section 61(7) of the Act.

## **20. Inspections in respect of application to engage in micro-manufacturing of liquor in terms of section 56(3) of Act**

In terms of section 56(3) of the Act, the inspector must conduct the inspection and submit a report to the Liquor Authority using Form KZNLA 5A of Annexure F1.

## **21. Conditional approvals in respect of application to engage in micro-manufacturing of liquor in terms of section 58 of Act**

- (1) If the applicant fails to comply with the conditions contemplated in section 58 of the Act, within 18 months from the date of granting of the application, the conditional approval lapses and such approval is deemed not to have been granted: Provided that a written request for an extension contemplated in subregulation (2) has not been made.
- (2) The applicant contemplated in subregulation (1) may make a written request to the Liquor Authority for an extension of the period contemplated in subregulation (1) one month prior to the expiry of such period referred to in subregulation (1).
- (3) The onus rests with the applicant to ensure that the application for extension referred to in subregulation (2) is received by the Liquor Authority one month prior to the expiry of the conditional approval.
- (4) Where the applicant fails to comply with the time frames contemplated in subregulations (1) and (3), the conditional approval is deemed to have lapsed.
- (5) The applicant must ensure that the relevant business or trading licence is secured and submitted to the Liquor Authority within the period referred to in subregulations (1) and (3).

## **22. Prohibition of micro-manufacturing of unhealthy concoctions in terms of section 92 of Act**

A holder of a licence under the category micro-manufacturing of liquor may not manufacture liquor other than that approved by the relevant government department and in compliance with the Liquor Products Act, 1989 ([Act No. 60 of 1989](#)), as amended.

## **23. Form of appeals against decisions of liquor authority in terms of section 61(1) of Act**

Where a person affected by a decision taken by the Liquor Authority wishes to appeal against the decision as contemplated in section 61(1) of the Act, such person must lodge a notice of intention to appeal, using Form KZNLA 14 of Annexure N.

## **24. Notice of licence certificate or permit in terms of section 62(1) of Act**

Where a licence or permit has been granted by the Liquor Authority, the Chief Executive Officer must, after having received payment of the prescribed licence or permit fee contemplated in Annexure B, issue a licence certificate or permit in the applicant's name using Form KZNLA 9 of Annexure I.

## **25. Annual fees in terms of section 64 of Act**

- (1) A licence holder must, within six months prior to the expiry of the validity of the licence in terms of section 64(2)(b) of the Act-
  - (a) apply for the renewal of its licence using form KZNLA 19 of Annexure S; and
  - (b) pay the annual fee contemplated in Annexure B on or before the expiry date of the licence.
- (2) The payment of the annual fee contemplated in subregulation (1) constitutes a renewal of a licence for a period of one year.
- (3) Upon payment of the annual fee contemplated in subregulation (1) the licence holder must provide the Liquor Authority with-
  - (a) a certified copy of the liquor licence;
  - (b) a certified copy of the identity document of the licence holder;
  - (c) an original or certified copy of a valid and active tax clearance certificate, valid for one year from the date of lodgement of the application; and
  - (d) an original or certified copy of a certificate issued by the SAPS valid as at the date of lodgement of the application for a period in excess of three months from the date of issue by the SAPS.
- (4) The application for renewal contemplated in subregulation (3) is deemed to be complete when all the documents contemplated in subregulation (3) are submitted.
- (5) The responsible Member of the Executive Council may, by notice in the *Gazette* and after consultation with the Member of the Executive Council responsible for Finance, annually review the prescribed fees contemplated in Annexure B.

## **26. Cancellation of licence due to non-trading in terms of section 66(1) of Act**

- (1) Before the Liquor Authority decides to, upon application by an interested person, cancel a licence in terms of section 66(1) of the Act, the Liquor Authority must notify the licence holder of the intended decision.
- (2) The notice contemplated in subregulation (1) must clearly state the licence holder's right to make representations as to why the licence should not be cancelled.



- (3) The notice contemplated in subregulation (1) must clearly state the time frame within which and to whom such representations must be made.
- (4) Once the Liquor Authority has received the representations contemplated in subregulation (3) it may decide to either hold an enquiry or decide on the matter on the basis of the information received from or representations made by the licence holder.
- (5) Once a decision has been reached by the Liquor Authority it must be communicated to the licence holder within 14 days after taking such a decision.
- (6) The licence holder has the right to appeal the decision of the Liquor Authority by following the process contemplated in section 61 of the Act.

**27. Death or incapacity of certain licensed persons or applicants who are holders of conditional grant or prospective holders or permit holders in terms of section 68 of Act**

- (1) In circumstances where the interest held in a licensed business by a person who is under curatorship or is deceased passes, by operation of law or otherwise, to his or her estate or to any person who applies in terms of section 68(2)(a)(i) of the Act must, within 30 days after the date of such death or curatorship applies, in writing, apply to the Liquor Authority for a licence.
- (2) The applicant contemplated in subregulation (1) must submit a written application, in triplicate and in block letters, for a licence using Form KZNLA 17A of Annexure Q1 and must-
  - (a) furnish such information as solicited in the application form; and
  - (b) declare under oath or truly affirm at the end of the said form that the information contained therein is true and correct.
- (3) The application contemplated in subregulation (1) must include-
  - (a) a copy of the liquor licence;
  - (b) a copy of the identity document of the applicant contemplated in subregulation (1);
  - (c) a copy of the identity document of a licensed person, or an applicant who is a holder of a conditional grant, or a prospective holder or permit holder, who is sequestered, placed in liquidation or under judicial management or is deceased;
  - (d) a certified copy of the licence holder's death certificate;
  - (e) a certified copy of proof that the licence holder is incapacitated, liquidated or under judicial management;
  - (f) an original or certified copy of a valid and active tax clearance certificate valid for one year from the date of lodgement of the application; and
  - (g) an original or certified copy of a certificate issued by the SAPS valid as at the date of lodgement of the application for a period in excess of three months from the date of issue by the SAPS.
- (4) The application contemplated in subregulation (1) is deemed to be complete when all the documents contemplated in subregulation (3) are submitted.
- (5) The provisions of section 74 of the Act apply with the necessary changes in so far as the application contemplated in subregulation (1) is concerned.

**28. Acquisition of financial interest in terms of section 69(1) of Act**

- (1) A licensed person must not allow any other person to acquire a financial interest in the business to which the licence relates, unless the Liquor Authority has, in terms of section 69(1) of the Act,

upon written application by the licensed person made by using Form KZNLA 17A of Annexure Q1, granted consent that the other person may acquire that interest in that business.

- (2) The application contemplated in subregulation (1) must be accompanied by-
  - (a) a valid and active tax clearance certificate of the person who is acquiring a financial interest; and
  - (b) an original or certified copy of a certificate issued by the SAPS valid as at the date of lodgement of the application for a period in excess of three months from the date of issue by the SAPS, indicating whether or not the person who is acquiring the financial interest has been convicted of any criminal offences.
- (3) Where the Liquor Authority decides to approve the acquisition of a financial interest contemplated in subregulation (1), such interest or acquisition may not exceed the percentage of interest that the licence holder has in the business.
- (4) Before the Liquor Authority decides to approve the transfer contemplated in subregulation (2), the Liquor Authority may investigate the status of the proposed person who is the subject of the application to ensure that such person is not disqualified in terms of section 40 of the Act.
- (5) In investigating the person contemplated in subregulation (4) the Liquor Authority may, on good cause shown, invite the public to make representations as to why the acquisition contemplated in subregulation (1) may not be approved.
- (6) Where the Liquor Authority rejects the application contemplated in subregulation (2), the applicant or the person who is acquiring a financial interest may appeal against the decision of the Liquor Authority by following the process contemplated in section 61 of the Act.

## **29. Alteration of licensed premises or nature of business in terms of section 72 of Act**

- (1) A licence holder wishing to-
  - (a) effect structural alterations to the licensed premises;
  - (b) change the nature of the business; or
  - (c) change the floor plan,must apply in writing, using Form KZNLA 16 of Annexure P, to the Liquor Authority for approval.
- (2) An application contemplated in subregulation (1) must be accompanied by-
  - (a) a revised plan with the alterations of the premises marked in red together with the relevant approval by the relevant authority;
  - (b) a written representation;
  - (c) a description of the licensed premises;
  - (d) a certified copy of the identity document of the licence holder or memorandum of incorporation, if it is a juristic person;
  - (e) proof of payment of the prescribed fee, as contemplated in Annexure B of the Schedule to these regulations; and
  - (f) where applicable, consent from the owner of the premises.
- (3) An application contemplated in subregulation (1) is treated as duly lodged when all necessary documents have been submitted to the Liquor Authority.
- (4) Upon receipt of the application contemplated in subregulation (2), the Liquor Authority must, within 14 days, dispatch a designated inspector to conduct an inspection of the licensed premises and to submit a written report of the inspection within 21 days.

- (5) The Liquor Authority must consider and finalise the application lodged in terms of subregulation (1) within 90 days of receipt of such application.

### **30. Storage of liquor in terms of section 73 of Act**

- (1) A licence holder or permit holder wishing to store liquor on premises other than the licensed premises must submit a written request to the Liquor Authority for consideration using Form KZNLA 15 of Annexure O.
- (2) The written request contemplated in subregulation (1) must be accompanied by-
  - (a) a floor plan of the premises, having been approved by the relevant authority for storage purposes;
  - (b) the physical address and description of the proposed storage premises;
  - (c) written representation or motivation for additional storage space;
  - (d) a certified copy of the identity document of the licence holder or permit holder, if a natural person, or memorandum of incorporation, if it is a juristic person applying;
  - (e) proof of payment of the prescribed fee as contemplated in Annexure B of the Schedule to these regulations;
  - (f) a certified copy of the valid licence or permit; and
  - (g) where applicable, written consent from the owner of the premises where the liquor will be stored.
- (3) A request contemplated in subregulation (1) is treated as duly lodged when all necessary documents have been submitted and the fees paid to the Liquor Authority.
- (4) Upon receipt of the request contemplated in subregulation (1), the Liquor Authority must, within 14 days, dispatch a designated inspector to-
  - (a) conduct an inspection of the licensed premises; and
  - (b) submit a written report to the Liquor Authority-
    - (i) within 21 days in the case of licence holders; or
    - (ii) within five days in the case of permit holders.
- (5) The Liquor Authority must consider and finalise the request lodged in terms of subregulation (1) within a reasonable time.

## **Part V – Transfer of licence to prospective holder in terms of section 74 of Act**

### **31. Procedure for transfer of licence to prospective holder in terms of section 74 of Act**

- (1) A licence holder applying for a transfer of a liquor licence to another person in terms of section 74 of the Act must lodge such application with the Liquor Authority using Form KZNLA 17A of Annexure Q1 and must pay the application fee for transfer of a licence as contemplated in Annexure B.
- (2) The application for a transfer of a licence contemplated in subregulation (1) must be lodged with the Liquor Authority only on a Friday, excluding declared public holidays, at an address provided for by the Liquor Authority in the application form.
- (3) An application lodged with the Liquor Authority, as contemplated in subregulation (1), is treated as duly lodged when all necessary documents and information contemplated in [section 41 \(2\)\(b\)\(ii\)\(iii\)](#) (iv) and section 74(2) of the Act have been submitted to the Liquor Authority.

**32. Procedure relating to incomplete application for transfer of liquor licence to prospective holder in terms of section 74 of Act**

- (1) Where an application for a transfer of a liquor licence is incomplete, the Chief Executive Officer must forthwith issue a notice, in Form KZNLA 2 of Annexure C, to the applicant, requesting such applicant to complete the application within 14 days.
- (2) Where the applicant fails to comply with the notice contemplated in subregulation (1) the Liquor Authority must-
  - (a) reject the application for a transfer of a liquor licence; and
  - (b) notify the applicant, in writing, of its decision within 14 days after reaching such decision.

**33. Procedure upon granting of application in respect of transfer of liquor licence to prospective holder in terms of section 74 of Act**

- (1) The Liquor Authority must consider an application for transfer of a liquor licence and make a finding no more than 90 days after receipt of the applicant's response to any representations or submissions received.
- (2) Where a licence has been granted by the Liquor Authority the Chief Executive Officer must, after having received payment of the prescribed licence fee contemplated in Annexure B, issue a licence certificate in the applicant's name using Form KZNLA 9 of Annexure I.
- (3) Any approval issued in terms of this regulation is not transferable without prior approval of the Liquor Authority.

**Part VI – Removal of licence from licensed premises to other premises in terms of section 75 of Act****34. Procedure for removal of licence from licensed premises to other premises in terms of section 75 of Act**

- (1) A person applying for removal of a licence from licensed premises to other premises in terms of section 75 of the Act must-
  - (a) lodge such application with the Liquor Authority; and
  - (b) pay the application fee contemplated in Annexure B.
- (2) The application contemplated in subregulation (1) must be lodged with the Liquor Authority only on a Friday, excluding declared public holidays, at an address provided for by the Liquor Authority in the application form.
- (3) An application lodged with the Liquor Authority as contemplated in subregulation (1) is treated as duly lodged when all necessary documents and information contemplated in sections 41 - 51 or sections 55 - 60 of the Act have been submitted to the Liquor Authority.

**35. Form of application to Liquor Authority for liquor licence in respect of removal of licence from licensed premises to other premises in terms of section 75 of Act**

- (1) An applicant must make a written application, in triplicate, for removal of a licence from licensed premises to other premises as contemplated in section 75 of the Act, using Form KZNLA 18 of Annexure R and must-
  - (a) furnish in the said application such information as is required in the said application form; and

- (b) declare under oath or truly affirm at the end of the said form that the information contained therein is true and correct.
- (2) In addition to the requirements contemplated in section 41(2) of the Act, every application must, at the time of being lodged with the Liquor Authority, be accompanied by-
  - (a) a plan of the premises clearly showing-
    - (i) the dimensions of each room;
    - (ii) all doors, windows and counters;
    - (iii) all internal and external information- or notice boards; and
    - (iv) the street and places to which such entries and exits lead; and
  - (b) a comprehensive written representation or motivation in support of the application.

**36. Procedure upon receipt of application to Liquor Authority for liquor licence in respect of removal of licence from licensed premises to other premises in terms of section 75 of Act**

- (1) Where the application to the Liquor Authority for removal of a liquor licence from licensed premises to other premises, lodged in terms of regulation 34, is incomplete, the Chief Executive Officer must forthwith issue a notice, in Form KZNLA 2 of Annexure C, to the applicant to complete the application within 14 days.
- (2) Where the application is complete, the Chief Executive Officer must, within 14 days of receipt, dispatch the application and all accompanying documents to the local committee.
- (3) Upon receipt of an application contemplated in subregulation (2) the local committee must notify the applicant in order to give notice of the application.
- (4) The application and all accompanying documents must be open for public inspection at-
  - (a) the office of the relevant local committee; and
  - (b) the office of the local station commander.
- (5) Any person must, within a period of 21 days from date of publication, be allowed to inspect and copy the application contemplated in subregulation (4), upon payment of the prescribed fee.

**37. Notice of application to local committee for liquor licence in respect of removal of licence from licensed premises to other premises in terms of section 75 of Act**

- (1) Upon receipt of a written notice by the applicant from the local committee, the applicant must-
  - (a) publish such notice in at least one newspaper circulating in the area in which the proposed premises will be located, using Form KZNLA 3 of Annexure D;
  - (b) display a 1 m x 1 m notice board in a prominent place at the proposed premises, clearly showing the same information contained in Form KZNLA 3 of Annexure D;
  - (c) ensure that the notice contemplated in paragraph (b) is visible to passers-by;
  - (d) serve notice of the application on a member of a household over the age of 16 years of each of the occupied residences within a radius of 100 metres of the proposed premises, only if the proposed premises is in the residential area;
  - (e) simultaneously with publication of the application in the newspaper, deliver a copy of the application to the local office of the station commander of the South African Police Service in whose area of jurisdiction the proposed premises are or will be located; and

- (f) submit proof of compliance within seven days from date of publication and notification to the local committee.
- (2) In publishing the notice contemplated in subregulation (1)(b), a local newspaper must use Form KZNLA 3 of Annexure D.
- (3) The local committee must advise the applicant that, in addition to the publication of the notice in terms of subregulation (1), the applicant must cause a copy of such notice to be sent by registered post or delivered to-
  - (a) the person or body currently in control of the residence earmarked for business;
  - (b) the registered owner of the land and the occupier of the residence earmarked for business;
  - (c) the municipal manager of the municipality for the area in which the residence earmarked for business is situated; and
  - (d) all known stakeholders in the general area in which the residence earmarked for business is situated, advising those stakeholders to make written representations or submissions regarding the proposed awarding of the licence.

### **38. Objections or representations in respect of application for removal of licence from licensed premises to other premises in terms of section 75 of Act**

- (1) Not later than 21 days after the applicant has given notice of application for removal of a licence from licensed premises, any person may, in writing-
  - (a) object to; or
  - (b) make representations for or against the granting or refusal of the application, and must serve a copy thereof to-
    - (i) the local committee; and
    - (ii) the applicant or his or her representative who prepared the application; and
  - (c) provide conclusive proof of service by the applicant to the local committee.
- (2) A person making representations or lodging objections contemplated in subregulation (1) must-
  - (a) set out his or her full names and address;
  - (b) provide his or her identity number or, if a company or closed corporation, its registration number;
  - (c) if applicable, state the name and address of his or her representative;
  - (d) state the nature of the person's interest in the granting or refusal of the application; and
  - (e) provide comprehensive grounds for objections to, or support of, the application.
- (3) Upon receipt of written representations contemplated in subregulation (2), the local committee must cause a copy of such representations to be sent by registered post or delivered to the applicant, advising such applicant to respond in writing to the written representations or submissions regarding the objections or representations.

### **39. Filing of inspection report in respect of application for removal of licence from licensed premises to other premises in terms of section 75 of Act**

Not later than 14 days after the secretary of the local committee has examined the application in terms of section 44(1) of the Act, an inspector, appointed in terms of section 81(1)(a) of the Act, must conduct an inspection and submit a report using Form KZNLA 5A of Annexure F1.

**40. Applicant's reply in respect of application for transfer of licence from licensed premises to other premises in terms of section 74 of Act**

An applicant must, not later than seven days after receipt of an objection or representation in terms of section 43(1) of the Act or an inspection report, submit, in duplicate, his or her written response to the local committee.

**41. Objection hearings in respect of application for removal of licence from licensed premises to other premises in terms of section 75 of Act**

- (1) Upon receipt of the response contemplated in regulation 38(3) and where-
  - (a) the matter is clear in terms of the written representations; and
  - (b) the matter is capable of being determined in terms of the papers before the committee,the local committee may dispense with the holding of an objection hearing as contemplated in section 47(1) of the Act.
- (2) Where the local committee holds an objection hearing in terms of section 47(1) of the Act, the order or procedure will be as prescribed in the guidelines.
- (3) When the local committee holds an objection hearing as per subregulation (2), it must-
  - (a) do so in compliance with section 47(2) of the Act; and
  - (b) notify affected parties using Form KZNLA 7 of Annexure H1.
- (4) The notice contemplated in subregulation (3) must be made at least 14 days before such hearing takes place.
- (5) The written notice delivered in terms of section 47(4)(a) of the Act may either be by hand, post or by substituted service.

**42. Forwarding of documents to liquor authority in respect of application for transfer of liquor licence to prospective holder in terms of section 75 of Act**

Within 14 days after consideration of the application for a licence, a local committee must submit to the Liquor Authority-

- (a) a report with recommendations;
- (b) the application; and
- (c) any copies of documents submitted in terms of these regulations.

**43. Procedure upon granting of application for removal of liquor licence from licensed premises to other premises in terms of section 75 of Act**

- (1) Where an application is granted in respect of the premises which are suitable for the purpose of the business to be conducted thereon by the local committee, a licence contemplated in Form KZNLA 9 of Annexure I must, in terms of section 23(2)(a) of the Act, be issued by the Chief Executive Officer.
- (2) If an application is granted in respect of incomplete premises, a written notice or conditional approval must be issued by the Chief Executive Officer.
- (3) Any approval issued in terms of this regulation is not transferable without prior approval of the Liquor Authority.



- (4) Where an appeal is lodged in terms of section 61 of the Act, the Liquor Authority must inform the applicant that the licence will not be issued before the appeal is finalised and an outcome certificate is issued in terms of section 61(7) of the Act.

#### **44. Appointment of manager of licensed premises (section 77 of Act)**

- (1) A person appointed by a licensed person in terms of section 77(2) of the Act may only be issued with a certificate of appointment as a manager of the licensed premises by the Liquor Authority once the Liquor Authority is satisfied that the proposed manager is not disqualified or incompetent in terms of section 77(1)(a) of the Act.
- (2) In order for the Liquor Authority to execute its mandate in terms of subregulation (1), the licence holder must provide the following-
  - (a) a duly completed and signed application form for the appointment of a manager in accordance with Form KZNLA 8 of Annexure H2;
  - (b) proof of payment of the relevant application fee set out in Annexure B;
  - (c) a certified copy of the identity document of the proposed appointed manager;
  - (d) an original or certified copy of a written contract of employment;
  - (e) where the proposed manager is a foreign national, a certified copy of a valid and active work permit issued by the relevant government department or government agency; and
  - (f) an original or certified copy of a certificate issued by the SAPS valid as at the date of lodgement of the application for a period in excess of three months from the date of issue by the SAPS.
- (3) The Liquor Authority must consider the application contemplated in subregulation (2)(a) and make a decision whether to approve or refuse the application within 30 days of having received a fully completed application.
- (4) The application in terms of this regulation may be lodged at the same time as the application for a new liquor licence or an application for a renewal of an existing licence, where applicable.
- (5) Notwithstanding the number of appointments of managers applied for at the same time, the fees payable are per manager.
- (6) A person so appointed to manage the business of the holder of the liquor licence is subject to the same obligations arising out of the Act and this regulation as the licensee concerned.
- (7) Notwithstanding the appointment of a manager the licence holder remains responsible in respect of matters arising out of the licence and the licensed premises.
- (8) The appointment of the manager is valid for the period of the liquor licence.
- (9) The appointment of the manager lapses when-
  - (a) the liquor licence expires;
  - (b) the liquor licence is either suspended, revoked, withdrawn or cancelled; and
  - (c) the manager resigns, is dismissed or abandons employment.

#### **45. Tariffs to be paid to witnesses by Liquor Authority on appeal or review proceedings in terms of section 99 of Act**

The Liquor Authority must pay tariffs or allowances payable to witnesses in appeal proceedings in accordance with the Magistrate Courts Act, 1944 ([Act No. 32 of 1944](#)), and tariff allowances payable to witnesses in civil cases in terms of the relevant provisions of the Supreme Court Act, 1959 ([Act No. 59 of 1959](#)).



**46. Procedure for submitting complaint with liquor authority (section 99(1)(o) of Act)**

- (1) A person lodging a complaint in terms of section 99(1)(o) of the Act must-
  - (a) lodge such complaint with the Liquor Authority using Form KZNLA 22 of Annexure V; and
  - (b) lodge such complaint with the local committee or the SAPS, using the form referred to in subregulation (1)(a).
- (2) The complainant contemplated in subregulation (1) must provide the information and/ or documentation, if any, to support their complaint.
- (3) Upon receipt of the complaint by the Chief Executive Officer of the Liquor Authority, the station commander of the local SAPS station or the chairperson of the local committee, a notice must be sent to the licence holder informing him or her of the complaint against him or her and his or her premises.
- (4) The licence holder must, within a period of seven working days, make a representation on the allegations of the complaint against him or her, to the Chief Executive Officer.
- (5) If the licence holder fails to provide such representation within the time contemplated in subregulation (4) the Chief Executive Officer of the Liquor Authority may give permission to investigate the complaint.
- (6) If the evidence gathered is immaterial or there is no evidence found to support the complaint the Chief Executive Officer must dismiss the complaint and inform the complainant of the outcome.
- (7) If the evidence proves that there is a contravention of the Act the Chief Executive Officer must send a compliance notice to the licence holder.
- (8) If the licence holder fails to comply with the conditions of the compliance notice, contemplated in subregulation (7), the Chief Executive Officer may suspend or revoke the licence.

**47. Application for temporary amnesty registration (section 99 of Act)**

- (1) The Liquor Authority may grant temporary amnesty only to pre-existing and valid licence holders licensed in terms of the Liquor Act, 1989 ([Act No. 27 of 1989](#)), for the following categories wherein such licensed premises are now, in terms of this Act-
  - (a) licensed premises situated within an area with a 500 meter circumference from learning and religious institutions; and
  - (b) convenience stores franchised to a service station selling petrol, diesel or other petroleum products to the public.
- (2) Licence holders who are eligible for consideration for such an amnesty application must apply, within six months of the promulgation of the Act, to the Liquor Authority by completing Form KZNLA 23 of Annexure W1.
- (3) A completed application with all the required documents, which is in compliance with the requirements set out in regulations 2 and 3, may be accepted for consideration by the Liquor Authority.
- (4) Within 14 days of receipt of the application contemplated in subregulation (3) the Liquor Authority, once satisfied that all the requirements have been complied with, may grant an amnesty registration by issuing a certificate contemplated in Form KZNLA 24 of Annexure W2, to the applicant.
- (5) Simultaneously with the lodgement of the application contemplated in subregulation (2), the licence holder must apply for the removal of the licence, as contemplated in regulation 34.

- (6) (a) An amnesty registration certificate issued pursuant to subregulation (4) is, subject to the annual renewal contemplated in subregulation (8), valid for a period of three years, calculated from the date of publication of these regulations.
- (b) The amnesty registration certificate lapses and becomes of no force and effect once the application for a removal, contemplated in regulation 34, is finalised by the Liquor Authority and an outcome certificate is issued to the licence holder.
- (7) The holder of an amnesty registration must, for as long as that amnesty registration remains in force, enjoy all of the same rights and be subject to the same restrictions as that which he or she enjoyed in terms of the original licence.
- (8) The holder of an amnesty registration must lodge an annual renewal of that registration together with the application for annual renewal of his or her licence.
- (9) An annual renewal contemplated in subregulation (8) must be in writing and addressed to the Liquor Authority, accompanied by a certified copy of the certificate issued as contemplated in Form KZNLA 24 of Annexure W2 and be-
  - (a) lodged with the Liquor Authority annually on or before the anniversary of the date on which that amnesty registration was first issued; and
  - (b) accompanied by proof of payment of a renewal fee as set out in Annexure B of these Regulations.
- (10) The Liquor Authority must, upon receipt of the annual renewal fee contemplated in subregulation (9), immediately stamp that form, thereby indicating that the amnesty registration has been renewed and return a copy of the stamped annual renewal to the eligible person.
- (11) An amnesty registration which is not renewed in accordance with the provisions of subregulation (9), lapses on the day immediately following the anniversary of the issue of that amnesty registration and is of no further force or effect.
- (12) Licence holders falling within the categories contemplated in subregulation (1), and failing to submit an application for amnesty within the requisite period contemplated in subregulation (2), will be held accountable as licence holders in terms of the provisions of the Act.

## **Part VII – Code of Conduct for members of Liquor Authority**

### **48. General Conduct of members of Liquor Authority in terms of section 99(1)(t) of Act**

A member of the Liquor Authority must-

- (a) perform the functions of office in good faith, honestly, transparently and with all due diligence;
- (b) at all times, act in the best interests of the Liquor Authority and in such a way that the credibility and integrity of the Liquor Authority is not compromised;
- (c) strive to be familiar with and abide by all statutory and other instructions applicable to his or her conduct;
- (d) co-operate with public institutions established under legislation and the Constitution in the promotion of public interest;
- (e) serve the public in an unbiased and impartial manner in order to create confidence in the Liquor Authority;
- (f) be helpful and reasonably accessible in his or her dealings with the public and at all times treat members of the public as customers who are entitled to receive high standards of service;

- (g) not unfairly discriminate against any member of the public on account of race, gender, ethnic or social origin, colour, sexual orientation, age, disability, religion, political persuasion, conscience, belief, culture or language;
- (h) not abuse his or her position to promote prejudice or self-interest;
- (i) recognise the public's right to access of information, excluding information that is specifically protected by law;
- (j) strive to achieve the objectives of the Liquor Authority cost-effectively and in the public interest;
- (k) be punctual in the execution of his or her duties;
- (l) be honest and accountable in dealing with public funds;
- (m) use the Liquor Authority's property and other resources effectively, efficiently and only for authorised official purposes;
- (n) execute his or her responsibilities in a professional and competent manner; and
- (o) not engage in any action that is in conflict with or infringes on the execution of his or her official duties.

#### **49. Rewards, gifts and favours**

A member of the Liquor Authority may not request, solicit or accept any reward, gift or favour for-

- (a) voting or not voting in a particular manner on any matter before the Liquor Authority or before a committee of which that member is part of;
- (b) influencing the Liquor Authority or any committee concerning the exercise of any power, function or duty;
- (c) making a representation to the Liquor Authority; or
- (d) disclosing privileged or confidential information.

#### **50. Unauthorised disclosure of information**

- (1) A member of the Liquor Authority may not, without the permission of the Liquor Authority, disclose any privileged or confidential information of the Liquor Authority to any third party.
- (2) For the purpose of this regulation, "privileged or confidential information" includes, but is not limited to, any information-
  - (a) determined by the Liquor Authority to be privileged or confidential;
  - (b) discussed in closed session by the Liquor Authority;
  - (c) disclosure of which would violate a person's right to privacy; or
  - (d) declared to be privileged, confidential or secret in terms of law.
- (3) This regulation does not derogate from the right of any person to access information in terms of National legislation.

#### **51. Intervention in administration**

A member of the Liquor Authority may not, except as provided by law-

- (a) interfere in the management or administration of the Liquor Authority unless mandated by the Liquor Authority;

- (b) give or purport to give any instruction to any employee of the Liquor Authority except when authorised to do so by the Liquor Authority;
- (c) obstruct or attempt to obstruct the implementation of any decision of the Liquor Authority; or
- (d) encourage or participate in any conduct that would cause or contribute to maladministration in the Liquor Authority.

## **52. Duty of chairperson of Liquor Authority**

- (1) If the chairperson of the Liquor Authority, on reasonable suspicion, is of the opinion that a provision of the Code of Conduct has been breached, the chairperson must-
  - (a) authorise an investigation of the alleged breach;
  - (b) give the member a reasonable opportunity to reply in writing regarding the alleged breach; and
  - (c) report the matter to a meeting of the Liquor Authority after paragraphs (a) and (b) have been complied with.
- (2) The chairperson must, within a reasonable time, report the outcome of the investigation to the responsible Member of the Executive Council.
- (3) The chairperson must ensure that each member, when taking office, is aware of the Code of Conduct.

## **53. Breach of Code of Conduct**

- (1) The Liquor Authority may-
  - (a) investigate, charge, adjudicate and make a finding on any alleged breach of a provision of the Code of Conduct; or
  - (b) establish a special committee to deal with any alleged breach of a provision of the Code of Conduct-
    - (i) to investigate and make a finding on any alleged breach of the Code of Conduct; and
    - (ii) to make appropriate recommendations to the responsible Member of the Executive Council.
- (2) If the Liquor Authority or a special committee finds that a member has breached a provision of the Code of Conduct, the Liquor Authority may-
  - (a) issue a formal warning to the member;
  - (b) suspend the member from office for a period determined by the Liquor Authority; or
  - (c) remove the member from office.
- (3)
  - (a) Any member who has been warned, suspended or removed in terms of paragraph (a), (b) or (c) of subregulation (2) may, within 21 days of having been notified of the decision of the Liquor Authority, appeal to the responsible Member of the Executive Council, in writing, setting out the reasons on which the appeal is based.
  - (b) The appellant must provide a copy of the notice of appeal to the Liquor Authority.
  - (c) The Liquor Authority may, within 14 days of receipt of the appeal referred to in paragraph (b), make any representation pertaining to the appeal to the responsible Member of the Executive Council in writing.

- (d) The responsible Member of the Executive Council may, after having considered the appeal, confirm, set aside or vary the decision of the Liquor Authority and inform the appellant and the Liquor Authority of the outcome of the appeal.
- (4) The responsible Member of the Executive Council may appoint a person or a committee to investigate any alleged breach of a provision of the Code and to make a recommendation as to the appropriate sanction in terms of subregulation (2).
- (5) The responsible Member of the Executive Council may determine that any or all of sections 3 - 11 of the KwaZulu-Natal Commissions Act, 1999 ([Act No. 3 of 1999](#)), apply to an investigation in terms of subregulation (4).
- (6) If the responsible Member of the Executive Council is of the opinion that the member has breached a provision of the Code of Conduct and that such contravention warrants a suspension or removal from office, the responsible Member of the Executive Council may-
  - (a) suspend the member for a period and on conditions determined by the responsible Member of the Executive Council; or
  - (b) remove the member from office.
- (7) Any investigation in terms of this regulation must be in accordance with the rules of natural justice.
- (8) The Code of Conduct applies to members of the local committees, with the necessary changes.

## Part VIII – General provisions

### 54. Appointment of inspectors in terms of section 81(1) of Act

Each inspector appointed by the responsible Member of the Executive Council in terms of section 81 of the Act is provided with a certificate in Form KZNLA 6 of Annexure G.

### 55. Short title

These Regulations are called the KwaZulu-Natal Liquor Licensing Regulations, 2013.

## Annexure A

### Application form

#### *KwaZulu-Natal Liquor Licensing Act, 2010*

([Act No. 6 of 2010](#))

KZNLA 1

Date stamp

KZN

Liquor

Authority

Amount: R: \_\_\_\_\_

Receipt No.: \_\_\_\_\_

Date: \_\_\_\_\_

### ***Instructions***

1. Read these instructions and every question carefully before answering and follow any specific instruction which may be given in respect of certain questions.
2. Answer every question in full. If you fail to answer any question or give incomplete answers or fail to submit all the additional information and documentation required, your application may be rejected.
3. If a question does not apply to you, write "N/A" (for "Not Applicable") in the space provided. If there is nothing to disclose about a particular question, write "None" in the space provided. If an alteration is made to an answer, sign in full next to the alteration.
4. All answers on the forms, except signatures, must be typed or neatly printed in capital letters in black ink. On completion, each page of this form must be signed in full in the space provided at the bottom of each page.
5. Application forms must be completed by the applicant or a person designated by the applicant.
6. All original completed application forms and all the additional required information and documentation, which must be certified copies plus one copy of all pages, including all supporting documentation, must be submitted.
7. If you need additional space to answer any question, please use additional pages but be sure to indicate the number(s) of the question(s) you are answering on these additional pages and clearly cross reference the additional information with the relevant questions.
8. All dates must be in the following format: day/month/year.
9. All applications must be accompanied by the requisite copy of the payment receipt of the application fee.
10. All applications must be submitted to the following address:

Office of the Chief Executive Officer  
22 Dorothy Nyembe Street  
1st Floor The Marine Building  
Durban  
4000  
Telephone: (031) 302 0600/38  
Fax: 086 6274734  
website: [www.kznlqa.co.za](http://www.kznlqa.co.za)

### ***Application for licence in terms of section 41(1)***

|  |  |
|--|--|
| (Part A) On-consumption in terms of section 39(a)        |  |
| Off-consumption in terms of section 39(b)                |  |
| (Part B) Special events permit in terms of section 39(c) |  |
| (Part C) Micro-manufacturing in terms of section 39(d)   |  |

(Indicate the category of licence application that you intend to apply for by marking the relevant square with an X)

### ***Index***

#### ***Description of document***

Annexures:

- (i) Application KZNLA 1 Annexure A
- (ii) Comprehensive written representations or motivation in terms of section 41(2) A
- (iii) Plan of the premises with dimensions in terms of section (41) (2)(e) B
- (iv) Description and photographs of the premises C
- (v) Documents required to be attached to application in section (41) (2)(a - I), as per regulation 3

Application prepared by:

1. Applicant #
2. Person acting on behalf of the applicant #  
(attach power of attorney)
3. If number 2 is applicable, please provide the following details:
  - (a) Name and surname of person: \_\_\_\_\_
  - (b) Postal address: \_\_\_\_\_
  - (c) Contact details: \_\_\_\_\_
  - (d) Cell no.: \_\_\_\_\_
  - (e) Landline no.: \_\_\_\_\_
  - (f) Fax no.: \_\_\_\_\_
  - (g) Email address: \_\_\_\_\_

| Particulars of applicant  |       |       |         |
|---|-------|-------|---------|
| 1. (a) Full names and surname of applicant:   |       |       |         |
| (b) Age of applicant:   |       |       |         |
| (c) Identity number/ Company registration number of applicant:  |       |       |         |
| (d) Residential address of applicant:   |       |       |         |
| (e) Business address of applicant:  |       |       |         |
| (f) Postal Address of applicant:  |       |       |         |
| (g) District Municipality:  |       |       |         |
| (h) Local Municipality:   |       |       |         |
| (i) Business contact details:   |       |       |         |
| Cell:.  | Tel:. | Fax:. | Email:. |
| 2(a) Is applicant a person who-   |       |       |         |
| (i) has, in the Republic or elsewhere, in the preceding 10 years been sentenced to imprisoned without the option of a fine;   | Yes   | No    |         |
| (ii) has, in the preceding 10 years, been convicted of an offence in terms of the Liquor Act, ( <a href="#">Act No. 27 of 1989</a> ), or the KwaZulu-Natal Liquor Licensing Act, 2010 ( <a href="#">Act No. 6 of 2010</a> ), irrespective of the sentence imposed and was, within three years after the conviction, again convicted of an offence in terms of any of the abovementioned two Acts and was then sentenced therefore to a fine of not less than R200 or Yes No to imprisonment without the option of a fine; | Yes   | No    |         |
| (iii) is a South African citizen;   | Yes   | No    |         |
| (iv) if not, state the country of origin and submit a valid work or business permit from Home Affairs:<br>_____   |       |       |         |



|   |     |    |
|---|-----|----|
| (v) is an unrehabilitated insolvent;  | Yes | No |
| (vi) is a minor;  | Yes | No |
| (vii) is the spouse of a person contemplated in subparagraphs (i), (ii) or (iv); or   | Yes | No |
| (viii) has been committed in terms of the Mental Health Act, 1973 ( <a href="#">Act No. 18 of 1973</a> ), or the Mental Health Care Act 2002, ( <a href="#">Act No. 17 of 2002</a> )?   | Yes | No |
| 3.(a) If the applicant is a legally registered company, close corporation, partnership, co-operative, association or trust, state whether a person contemplated in subparagraph (a) -   |     |    |
| (i) has a controlling interest in such a company, close corporation, co-operative, association or trust;  | Yes | No |
| (ii) is a partner in such a partnership; or   | Yes | No |
| (iii) is the main beneficiary under such trust?   | Yes | No |
| (b) If any of the questions in subparagraph (a) have been replied to in the affirmative, provide the legal documents establishing the specific legal entity referred to in (a) above; together with the resolution signed by all members of such entity authorising this application.<br><i>(Use an annexure if necessary)</i>  |     |    |
| 4.(a) State the name, identity number and address of each person, including the applicant, who will have any financial interest in the business, and in each case the nature and extent of such interest. If the applicant is a public company, statutory institution or a co-operative, as contemplated in The Co-operatives Act, 1981 ( <a href="#">Act No. 91 of 1981</a> ), 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. |     |    |
| (b) State the financial interest of the applicant in the liquor trade in the Republic of South Africa 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 shall be specifically mentioned.) <i>(Use an annexure if necessary)</i>  |     |    |
| <b>Particular of applicant</b>  |     |    |
| 1. Location of premises: physical address or identifiable landmarks:  |     |    |
| (a) Residential:  |     |    |

|   |     |    |
|---|-----|----|
| (b) Commercially zoned area:  |     |    |
| (c) Urban:  |     |    |
| (d) Rural:  |     |    |
| 2. State the proximity of the proposed premises in terms of metres to:  |     |    |
| (a) Learning institutions:  |     |    |
| (b) Religious institutions:   |     |    |
| (c) Other licensed premises:  |     |    |
| 3. What is the status of the applicant in terms of BEE rating? (Relevant certificates are to be attached)<br>_____  |     |    |
| 4. Details pertaining to the total number of jobs to be created in terms of the proposed premises to be provided _____  |     |    |
| 5. Provide a description of the social responsibility programs in respect of alcohol consumption to be undertaken by the proposed licence applicant _____   |     |    |
| 6. Proof of a valid and current tax clearance certificate to be attached at the time of submission of this application _____  |     |    |
| 7. Is the application in the public interest?<br>(If yes, provide motivation as contemplated in section 48(6) of the Liquor Act.)<br>_____  | Yes | No |
| 8. Is the structure of the premises complete? (If yes, submit a valid business licence.)  | Yes | No |
| 9. Do you have lawful occupation of the premises? (If yes, proof is to be submitted.)   | Yes | No |
| 10. Are you the owner of the proposed premises from which liquor is intended to be sold?<br><br>(If not, consent is required from the owner of the premises or relevant authority to conduct trade in liquor and proof is to be submitted.) | Yes | No |

|   |     |    |
|---|-----|----|
| 11. Do you have a security plan for the proposed premises? <i>(If yes, attach proof.)</i>   | Yes | No |
| 12. Have you paid for your application? <i>(If yes, attach proof.)</i>  | Yes | No |
| 13. Do you have a detailed sketch plan for the proposed premises, including storage of liquor? <i>(If yes, attach proof.)</i>   | Yes | No |
| 14. Do you have additional storage? <i>(If yes, attach a sketch plan with dimensions.)</i>  | Yes | No |
| If the premises will be managed by a person other than the applicant, then the application form must be accompanied by an application in terms of section 77(1)(d) and Form KZNLA 8 of Annexure H2. | Yes | No |

### Part A – Consumption

On-Consumption #

Off-Consumption #

#### 4. Details of proposed premises

- (1) The name in which the business is to be conducted: \_\_\_\_\_
- (2) State the type of premises applied for in terms of section 39(a). \_\_\_\_\_
- (3) State the physical address of the premises where the business will be conducted or the description of the location of the premises in terms of identifiable landmarks as required in terms of section 41(2)(a). \_\_\_\_\_
- (4) Describe the situation of the premises where the business is to be conducted by reference to the erf-, street- or farm number. \_\_\_\_\_
- (5) In which district or metropolitan area is the premises referred to in subparagraph (4) situated.  
\_\_\_\_\_
- (6) State on which portion of the premises the sale of liquor is to take place.  
\_\_\_\_\_
- (7) Is application made in respect of premises which-
  - (a) have not yet been erected;

|     |    |
|-----|----|
| Yes | No |
|-----|----|

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

|     |    |
|-----|----|
| Yes | No |
|-----|----|

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

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (d) a business licence from the relevant local authority is attached where proposed premises will be physically located? (*proof to be submitted*)

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (8) If paragraph 7(a) or (b) applies, state-

- (a) the date on which such erections, additions or alterations will be commenced with:

\_\_\_\_\_;

and

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

\_\_\_\_\_

- (9) (a) Is application made for any determination, consent, approval or authority which may be granted by the KwaZulu-Natal Liquor Authority (e.g. other business or tasting facilities)?

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (b) If so, give full particulars with reference to the section in terms of which application is made.

\_\_\_\_\_

(Provide comprehensive motivation - Use an annexure)

- (10) In the case of an on-consumption licence in respect of premises of a club, attach a copy of the rules/ constitution of the club, certified by the president, chairman or secretary.

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

\_\_\_\_\_

Date

\_\_\_\_\_

Signature (*of applicant or person authorised to sign application*)

I certify that this declaration has been signed and sworn to/ affirmed before me at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the applicant/ person authorised to sign the application and who has acknowledged that-

- (a) he/she knows and understands the contents of this declaration;
  - (b) he/she has no objection to taking the prescribed oath/ affirmation;
  - (c) he/she considers the prescribed oath/ affirmation 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

\_\_\_\_\_

Affirmation

Full names and surname: \_\_\_\_\_

Business address: \_\_\_\_\_

Designation: \_\_\_\_\_

Area for which appointment is held: \_\_\_\_\_

Office held if appointment is *ex officio*: \_\_\_\_\_

## Part B – Special events

### *Details of special events permit application*

- (1) State type of liquor applicant intends selling under approved permit:  
\_\_\_\_\_
- (2) Please indicate the place of storage and provide a plan: \_\_\_\_\_
- (3) What is the name of the special event? \_\_\_\_\_
- (4) (a) Describe the physical address of the premises where the business is to be conducted by reference to the erf-, street- or farm number and a description of the premises in terms of identifiable landmarks: \_\_\_\_\_  
\_\_\_\_\_

- (b) In which district or metropolitan area is the premises referred to in subparagraph (a) situated?  
\_\_\_\_\_
- (5) Will the applicant have the right to occupy the premises, including such place on other premises upon which any approval is to be exercised, for the purposes of the licence applied for?

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (6) Duration of the special event: \_\_\_\_\_
- (7) Start date and end date of the special event: \_\_\_\_\_
- (8) Start time and closing time of the event for each day: \_\_\_\_\_
- (9) Name of the person who will be responsible for the sale of liquor at the special event:  
\_\_\_\_\_
- (10) Identity number of person referred to in (9) above (attach certified copy of the I.D.):  
\_\_\_\_\_
- (11) Contact details of the person managing the event: \_\_\_\_\_

### Part C – Micro-manufacturing

- (1) State type of liquor applicant intends manufacturing: \_\_\_\_\_
- (2) State intended amount of liquor to be manufactured per year:  
\_\_\_\_\_
- (3) If application is made for a micro-manufacturer's licence-
- (a) is applicant a person who-
- (i) engages in viticulture;

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (ii) manufactures any other fermented beverage?

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (4) (a) Is application made in respect of premises which-
- (i) have not yet been erected;

|     |    |
|-----|----|
| Yes | No |
|-----|----|

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

|     |    |
|-----|----|
| Yes | No |
|-----|----|

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

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (5) If paragraph 4(a)(i) or (ii) applies, state-

- (a) the date on which such erections, additions or alterations will be commenced with: \_\_\_\_\_ and;

- (b) the period which will be required for the erection, additions or alterations: \_\_\_\_\_

- (6) (a) Is application made for any determination, consent, approval or authority which may be granted by the KwaZulu-Natal Liquor Authority?(e.g. other business or tasting facilities.)

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (b) If so, give full particulars with reference to the section in terms of which application is made:

\_\_\_\_\_

*(Use an annexure if necessary)*

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

\_\_\_\_\_

Date

\_\_\_\_\_

Signature *(of applicant or person authorised to sign application)*

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

at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the applicant/ person authorised to sign the application and who has acknowledged that-

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

- (c) 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

\_\_\_\_\_  
Affirmation

Full names and surname: \_\_\_\_\_

Business address: \_\_\_\_\_

Designation: \_\_\_\_\_

Area for which appointment is held: \_\_\_\_\_

Office held, if appointment is *ex officio*: \_\_\_\_\_

***Form to be completed with respect to the proximity of proposed premises to any learning or religious institution or place of worship (numbers 2 and 6 of the instructions apply)***

| Name of the Institution: specify whether a learning/religious institution or a place of worship | Physical address | Contact details | Proximity to the proposed or completed premises |
|---|------------------|-----------------|---|
|   |                  |                 |   |
|   |                  |                 |   |
|   |                  |                 |   |
|   |                  |                 |   |
|   |                  |                 |   |
|   |                  |                 |   |

## Annexure B

### KwaZulu-Natal liquor licensing fees

***KwaZulu-Natal Liquor Licensing Act, 2010***

***(Act No. 6 of 2010)***



| <b>Part A - Primary application</b>  |                            |                        |                           |                             |
|--|----------------------------|------------------------|---------------------------|-----------------------------|
| <b>Categories in terms of section 39 of KZN Liquor Licensing Act, 2010</b> | <b>Type of application</b> | <b>Application fee</b> | <b>Licence issue fees</b> | <b>Licence renewal fees</b> |
| On-Consumption   | Accommodation              | R1 500,00              | R2 400,00                 | R2 400,00 per annum         |
|  | Restaurant                 | R1 500,00              | R2 400,00                 | R2 400,00 per annum         |
|  | Club                       | R1 500,00              | R1 200,00                 | R1 200,00 per annum         |
|  | Night Club                 | R1 500,00              | R4 800,00                 | R4 800,00 per annum         |
|  | Gaming premises            | R1 500,00              | R4 800,00                 | R4 800,00 per annum         |
|  | Sports ground              | R1 500,00              | R4 800,00                 | R4 800,00 per annum         |
|  | Pub                        | R1 500,00              | R4 800,00                 | R4 800,00 per annum         |
|  | Tavern                     | R1 500,00              | R1 000,00                 | R1 000,00 per annum         |
|  | Theatre                    | R1 500,00              | R2 400,00                 | R2 400,00 per annum         |
| Off- Consumption   | Liquor Store               | R1 500,00              | R4 800,00                 | R4 800,00 per annum         |
|  | Grocer's wine              | R1 500,00              | R2 400,00                 | R2 400,00 per annum         |
| Micro-Manufacture  | Micro-Manufacture          | R1 500,00              | R9 700,00                 | R9 700,00 per annum         |

|                |                       |           |                    |   |
|----------------|-----------------------|-----------|--------------------|---|
| Special Events | Special Events Permit | R1 000,00 | R1 000, 00 per day | - |
|----------------|-----------------------|-----------|--------------------|---|

| <b>Part B - Secondary applications</b> |                        |   |                            |
|--|------------------------|---|----------------------------|
| <b>Type of secondary application</b>   | <b>Application fee</b> | <b>Licence issue fee</b>                          | <b>Renewal licence fee</b> |
| Transfer of a licence                  | R1 000,00              | As per type of application as indicated in Part A |                            |
| Removal of a licence                   | R1 000,00              |   |                            |
| Transfer of financial interests        | R500, 00               | R1 000,00   | —                          |
| Appointment of manager                 | R500, 00               | R1 000, 00  | —                          |
| Structural alterations                 | R500, 00               | R1 000, 00  | —                          |
| Offsite storage                        | R500, 00               | R1 000, 00  | —                          |
| Tasting                                | R500, 00               | R1 000, 00  | —                          |
| Any copies for all documents           | R300, 00               | —   | —                          |
| Appeals                                | R500, 00               | —   | —                          |

## **Annexure C**

### **Notice of incomplete application**

#### ***KwaZulu-Natal Liquor Licensing Act, 2010***

***(Act No. 6 of 2010)***

KZNLA 2

Our ref: \_\_\_\_\_ Enquiries: \_\_\_\_\_

Date: \_\_\_\_\_

[Address of applicant]

Dear Sir/Madam

Application in terms of [applicable section ] of Kwazulu-Natal Liquor Licensing Act, 2010 ([Act No. 6 of 2010](#)) - [name of outlet] - [district]

The application lodged on [Date] refers.

Your application has been perused for administrative compliance and the following peremptory requirements have not been met:

Section/ Regulation:

[Quote the section of the Act/Regulation]

If you are of the opinion that you have complied with the abovementioned provisions, as prescribed, you are given the opportunity to submit proof within 10 days from the date hereof.

Failing to submit the above outstanding requirements, your application will be an incomplete application and will not proceed any further for approval.

Kwazulu-Natal Liquor Authority

## Annexure D

### Notice to display intention to apply for liquor licence in terms of section (42) (1 )(b)(iii) of Act

*KwaZulu-Natal Liquor Licensing Act, 2010*

**([Act No. 6 of 2010](#))**

KZNLA 3

(To be displayed in a prominent place at the proposed premises USING A NOTICE BOARD 1 m x1 m in size)

|   |  |
|---|--|
| Name and surname of the applicant:  |  |
| Category of licence applied for: (on/off consumption/<br>micro-manufacturer/ special event):  |  |
| Type of premises for which licence is applied for:  |  |
| Trading name of the premises:   |  |
| Address of the premises:  |  |
| Date of display:  |  |
| Expiry date of display:   |  |
| NB: Objections should be lodged with the local committee in the district from where the application emanates within 21 days from the date of the display. |  |

**Annexure E****Notice of application in terms of section 42(1)(b) and regulation 5(2) of Act*****KwaZulu-Natal Liquor Licensing Act, 2010******(Act No. 6 of 2010)***

KZNLA 4

DATE

STAMP KZN LOCAL COMMITTEE

NAME OF THE DISTRICT MUNICIPALITY: \_\_\_\_\_

Notice is hereby given that it is the intention of the person whose details are set out below to lodge an application for a (type of business and licence sought):

\_\_\_\_\_ with the  
secretary of the local committee of (district municipality): \_\_\_\_\_

1. Full names and surname of the applicant: \_\_\_\_\_
2. Intended trading name: \_\_\_\_\_
3. Identity number or Registration number: \_\_\_\_\_
4. Full address and location of the premises: \_\_\_\_\_
5. Type of licence applied for: \_\_\_\_\_
6. Names and the nature of educational institutions within a radius of 500 metres of the premises:  
\_\_\_\_\_
7. Names and distances to similar licensed premises within a radius of 500 metres of the premises:  
\_\_\_\_\_
8. Places of worship within a radius of 500 meters from the premises: \_\_\_\_\_
9. The notices have been displayed at the proposed premises, visible to all passers-by.

|     |    |
|-----|----|
| Yes | No |
|-----|----|

Dated at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Chairperson of Local Committee

**Annexure F1****Inspection report in terms of section 45(2) and section 56(3) of Act*****KwaZulu-Natal Liquor Licensing Act, 2010******(Act No. 6 of 2010)***

KZNLA 5A

1. Name of applicant/ name of a company/ partnership/ close corporation: \_\_\_\_\_
2. Identity number/ Registration number: \_\_\_\_\_
3. is the applicant registered as a tax payer?

|     |    |
|-----|----|
| Yes | No |
|-----|----|

4. Name of proposed premises and address of premise (including GPS coordinates):  
\_\_\_\_\_  
\_\_\_\_\_

5. Is the applicant disqualified in terms of section 40?

|     |    |
|-----|----|
| Yes | No |
|-----|----|

6. Description of location (district, local municipality, urban/ rural): \_\_\_\_\_

7. Description of premises:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Category of licensing being sought:  
\_\_\_\_\_  
\_\_\_\_\_

9. (a) Suitability of premises in terms of the submitted sketch plan:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- (b) Is application made in respect of premises which-

|  |  |
|--|--|
| (i) have not yet been erected:                               |  |
| (ii) are already erected, but require alterations or         |  |
| (ii) are already erected and do not require any alterations? |  |

*(Mark applicable box)*

10. Is the permission to occupy/ lease agreement/ title deed attached?

|     |    |
|-----|----|
| Yes | No |
|-----|----|

11. Is the business licence/ ITB attached to the application?

|     |    |
|-----|----|
| Yes | No |
|-----|----|

12. Is the detailed security plan attached to the application?

|     |    |
|-----|----|
| Yes | No |
|-----|----|

13. Are there any similar applications pending, conditionally approved and existing licensed premises?

|     |    |
|-----|----|
| Yes | No |
|-----|----|

14. Names and nature of any learning institutions and places of worship within a 500 m circumference:

---



---



---

15. Is the granting of this application likely to cause a monopolistic situation?

|     |    |
|-----|----|
| Yes | No |
|-----|----|

Explain:

---



---



---

16. Do any forwarded objections in respect of this application exist?

|     |    |
|-----|----|
| Yes | No |
|-----|----|

Explain:

---



---



---

17. Is the proposed premises or complete premises capable of hosting a total number of people seated and standing as per the application submitted?

|     |    |
|-----|----|
| Yes | No |
|-----|----|

18. General remarks:

---



---



---

19. Report compiled by: \_\_\_\_\_

20. Dated at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_

Inspector

## Annexure F2

### Inspection report in terms of section 82(1)(a) of the Act

#### *KwaZulu-Natal Liquor Licensing Act, 2010*

***(Act No. 6 of 2010)***

KZNLA 5B

1. Name and surname of complainant: \_\_\_\_\_
2. Identity number of complainant: \_\_\_\_\_
3. Physical address: \_\_\_\_\_  
\_\_\_\_\_
4. Contact number(s): \_\_\_\_\_  
\_\_\_\_\_
5. Name of premises against which the complaint is lodged: \_\_\_\_\_

6. Licence number: \_\_\_\_\_
7. Physical address/ Description of location of premises (district, municipality, urban/ rural):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
8. Nature of complaint: \_\_\_\_\_  
 \_\_\_\_\_
9. Brief description of the complaint: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
10. Findings: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
11. Recommendations: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
12. General remarks: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
13. Report compiled by: \_\_\_\_\_
14. Dated at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_, 20\_\_  
 \_\_\_\_\_  
 Inspector

### Annexure G

#### Inspector's certificate of appointment in terms section 81(1)(b) of Act

#### *KwaZulu-Natal Liquor Licensing Act, 2010*

*(Act No. 6 of 2010)*

KZNLA 6

Certificate No.: \_\_\_\_\_

I, \_\_\_\_\_, by virtue of the powers vested in me as the Member of the Executive Council for Economic Development and Tourism, hereby appoint-



- (a) Name and surname: \_\_\_\_\_
- (b) Identity number: \_\_\_\_\_; and
- (c) Employee number: \_\_\_\_\_, to be a Provincial Liquor Inspector in terms of section 81(1) of the KwaZulu-Natal Liquor Licensing Authority, to carry out the duties as contemplated in sections 82, 83, 84, 85, 86, 87, 88 and 89 of the same Act read with the provisions of section 334 of the Criminal Procedure Act, 1977 ([Act No. 51 of 1977](#)).

\_\_\_\_\_  
KwaZulu-Natal Liquor Authority Member of Executive Council

\_\_\_\_\_  
Date

## Annexure H1

### Objecting hearing: Notice in terms of section 47(2) of Act to be present and appear at hearing of District Municipal Local Committee

#### *KwaZulu-Natal Liquor Licensing Act, 2010*

**([Act No. 6 of 2010](#))**

KZNLA 7

Reference no.: \_\_\_\_\_

For attention:

|                                      |
|--------------------------------------|
| Name and surname:                    |
| Address:                             |
| Sex: _____ Age: _____ I.D. No: _____ |

By virtue of the powers vested in the chairperson of the local committee by section 36(1) of the Act, you are hereby directed to be present at a meeting of the committee which relates to a hearing in respect of objections received (see Annexure attached) in respect of the application for a liquor licence for the abovementioned premises, which will be held as per the place, date and time indicated as follows:

|        |       |       |
|--------|-------|-------|
| Place: | Date: | Time: |
|        |       |       |

Your attention is drawn to the following-

- (a) it is compulsory for you to appear in person. The applicant may be assisted or represented by any person of his/her choice in terms of section 47(3)(c) of the Act;
- (b) it is an offence not to be present and to remain in attendance, without you having appointed somebody to appear on your behalf, in terms of section 94(c) of the Act; and

- (c) you will be required to give evidence under oath and/ or produce any document or article which is in your possession or custody or under your control, in terms of section 47(4)(a) and (b) of the Act.

\_\_\_\_\_  
Place of issue

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Date

For official use only

I certify that I have served this notice upon the said person by-

( Cross out that which is not relevant and true by drawing a line through the word/s)

|      |  |
|------|--|
| *(a) | Delivering a true copy to _____ personally; or   |
| *(b) | 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 the Liquor Inspector

## Annexure H2

### Application in terms of regulation 44 for appointment of natural person to manage and be responsible for business to which licence relates

*KwaZulu-Natal Liquor Licensing Act, 2010*

*(Act No. 6 of 2010)*

KZNLA8

A. Application made by:

|                |
|----------------|
| _____<br>_____ |
|----------------|

B. Name of the Licensed Premises and Licence Number:

|             |
|-------------|
| <hr/> <hr/> |
|-------------|

C. Name of the Metropolitan Municipality/ District Municipality/ Local Municipality where the Licensed Premises are situated:

|             |
|-------------|
| <hr/> <hr/> |
|-------------|

D. Address for service of documents:

|             |
|-------------|
| <hr/> <hr/> |
|-------------|

E. Contact Details:

|             |
|-------------|
| <hr/> <hr/> |
|-------------|

F. Documents required to be attached to the application:

|  |     |    |
|--|-----|----|
| (a) Certified copy of identity document.   | Yes | No |
| (b) Police Clearance Certificate (SAPS 69).  | Yes | No |
| (c) Written contract of employment between the licence holder and the prospective manager or a resolution. | Yes | No |
| (d) Valid work permit.   | Yes | No |

1. Application details

Particulars of the person who is now being appointed:

- (a) Full names and surname: \_\_\_\_\_
- (b) Identity number: \_\_\_\_\_
- (c) Relationship between the proposed manager and the licence holder:  
\_\_\_\_\_

## 2. Suitability of the proposed manager

Is the proposed manager a person who-

|   |   |    |  |  |
|---|---|----|--|--|
| (a) is an unrehabilitated insolvent;  | Yes   | No |  |  |
|   | If the answer to the above is affirmative kindly provide details. |    |  |  |
| (b) is a minor;   | Yes   | No |  |  |
| (c) is domiciled in the Republic;   |   |    |  |  |
|   | Yes   | No |  |  |
|   | If the answer to the above is affirmative kindly provide details. |    |  |  |
| (d) has, in the Republic or elsewhere in the preceding 10 years been sentenced for any offence to imprisonment without an option of a fine; of  |   |    |  |  |
|   | Yes   | No |  |  |
|   | If the answer to the above is affirmative kindly provide details. |    |  |  |
| (e) has, as the proposed manager, in the preceding 10 years been convicted of an offence in terms of the Liquor Act, 1989 ( <a href="#">Act No. 27 of 1989</a> ), or the Criminal Procedure Act, 1977 ( <a href="#">Act No. 51 of 1977</a> ), irrespective of the sentence imposed, and was, within 3 years after the conviction, again convicted of an offence | Yes   | No |  |  |
|   | If the answer to the above is affirmative kindly provide details. |    |  |  |

|  |  |  |  |  |
|--|--|--|--|--|
| in terms of<br>any of the<br>abovementioned<br>two Acts and<br>was then<br>sentenced<br>therefore to a<br>fine of not less<br>than R200 or to<br>imprisonment<br>without the<br>option of a<br>fine? |  |  |  |  |
|--|--|--|--|--|

Date of appointment

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

Date: \_\_\_\_\_

Signature of holder of the licence or person authorised to sign this form

I certify that this declaration has been signed and sworn to/ affirmed before me at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the holder of the licence/ person authorised to sign the form who acknowledges that-

- (a) he/she knows and understands the contents of this declaration;
- (b) he/she has no objection to taking the prescribed oath/ affirmation; and
- (c) 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 and surname: \_\_\_\_\_

Business address: \_\_\_\_\_

Designation: \_\_\_\_\_

Area for which appointment is held: \_\_\_\_\_

Office held if appointment is *ex officio*: \_\_\_\_\_

## Annexure I

### Licence certificate in terms of section of 62(1) of Act

#### *KwaZulu-Natal Liquor Licensing Act, 2010*

***(Act No. 6 of 2010)***

KZNLA 9

| Particulars of the licence holder          |
|--|
| Licence number:                            |
| Licence category:                          |
| Type of premises:                          |
| Period of validity:                        |
| Date for renewal application:              |
| Name of licence holder:                    |
| Identity number of licence holder:         |
| Physical address of licence holder:        |
| Name of licensed premises:                 |
| Physical address of licensed premises:     |
| Name of person managing licensed premises: |
| Identity number of manager:                |
| Amount paid:                               |
| Receipt number:                            |
| District:                                  |
| Local municipality:                        |
| General conditions:                        |
|  |
|  |
|  |
|  |



|   |
|---|
| Special conditions:   |
|   |
|   |
|   |
|   |
|   |
|   |
| Determinations, consent, approvals and authorities granted: |
|   |
|   |
|   |
|   |
|   |
|   |
|   |
| Place of issue:   |
| Date of issue:  |

---

Person acting under power delegated by responsible Member of the Executive Council

### **Annexure J**

#### **Notice of intention to apply for special events liquor permit**

***KwaZulu-Natal Liquor Licensing Act, 2010***

***(Act No. 6 of 2010)***

KZNLA 10

|  |
|--|
| Name and surname of the applicant:   |
| Identity number of the applicant:  |
| Name of the event:   |
| Nature of the event:   |
| Physical address of the premises of the event:   |
| Date of display:   |
| Expiry date of display:  |
| NB: <i>Objections should be lodged with the local committee in the district from where the application emanates within 21 days from the date of display.</i> |

Dated at on this day of, 20\_\_\_\_\_

Applicant/ Agent

### **Annexure K**

#### **Notice in terms of section 52(3)(f) of Act**

#### ***KwaZulu-Natal Liquor Licensing Act, 2010***

***(Act No. 6 of 2010)***

KZNLA 11

|   |                |                    |                     |                  |  |  |  |  |  |
|---|----------------|--------------------|---------------------|------------------|--|--|--|--|--|
| <b>Notice of intention to apply for a liquor licence for the undermentioned premises and proof of service</b> |                |                    |                     |                  |  |  |  |  |  |
| Name of premises<br>_____   |                |                    |                     |                  |  |  |  |  |  |
| Physical address of the premises:<br>_____<br>_____   |                |                    |                     |                  |  |  |  |  |  |
| Category of licence<br>_____  |                |                    |                     |                  |  |  |  |  |  |
| Type of premises<br>_____   |                |                    |                     |                  |  |  |  |  |  |
| <b>Full name</b>  | <b>Surname</b> | <b>I.D. Number</b> | <b>Full address</b> | <b>Signature</b> |  |  |  |  |  |
|   |                |                    |                     |                  |  |  |  |  |  |
|   |                |                    |                     |                  |  |  |  |  |  |
|   |                |                    |                     |                  |  |  |  |  |  |
|   |                |                    |                     |                  |  |  |  |  |  |
|   |                |                    |                     |                  |  |  |  |  |  |
|   |                |                    |                     |                  |  |  |  |  |  |

Dated at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Applicant/Agent

### **Annexure L**

#### **Notice of intention to apply for a liquor licence**

***KwaZulu-Natal Liquor Licensing Act, 2010***

***(Act No. 6 of 2010)***

KZNLA 12

*(To be displayed in a prominent place at the proposed premises using a notice board 1 mx 1 m in size)*

|  |
|--|
| Name and surname of applicant:   |
| Category of licence applied for:<br>(on/ off-consumption/ micro-manufacturer/ special event):  |
| Type of premises licence is applied for:   |
| Trading name of premises:  |
| Address of the premises:   |
| Date of display:   |
| Expiry date of display:  |
| NB: <i>Objections should be lodged with the local committee in the district from where the application emanates within 21 days from the date of display.</i> |

Dated at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Applicant/ Agent

### **Annexure M**

#### **Special events liquor permit in terms of section 53(7) of Act**

#### ***KwaZulu-Natal Liquor Licensing Act, 2010***

***(Act No. 6 of 2010)***

KZNLA 13

| Particulars of the permit holder                                 |
|--|
| Permit number:   |
| Name of event:   |
| Nature of event:   |
| Period of event:   |
| Start date of event:   |
| End date of event:   |
| Name of permit holder:   |
| Number/ Registration number of the permit holder:                |
| Physical address of the premises where the event will be held:   |
| Description of the location in terms of identifiable land marks: |
| Name and surname of person managing special event premises:      |
| Identity number of manager:                                      |
| Amount paid:   |
| Receipt number:  |
| District:  |
| Local municipality:  |
| General conditions:  |
|  |
|  |
|  |
|  |

|                                  |
|----------------------------------|
|                                  |
|                                  |
| Special conditions:              |
|                                  |
|                                  |
|                                  |
|                                  |
|                                  |
| Place of issue: Pietermaritzburg |
| Date of issue:                   |

\_\_\_\_\_  
 Person acting under power delegated by the responsible Member of the Executive Council

## Annexure N

### Notice of intention to appeal against decision of liquor authority

*KwaZulu-Natal Liquor Licensing Act, 2010*

*(Act No. 6 of 2010)*

KZNLA 14

Official use: KZN Liquor Authority reference number: \_\_\_\_\_

Amount: R \_\_\_\_\_

Receipt No: \_\_\_\_\_

Date: \_\_\_\_\_

In the matter between-

Appellant/ Applicant\*:

\_\_\_\_\_

and

The KZN liquor authority and premises (address) : \_\_\_\_\_

take notice that \_\_\_\_\_ (hereinafter called the appellant/applicant\*) hereby applies to this liquor authority for an order in the following terms:

1. \*Leave to appeal against the judgment (state particulars):

\_\_\_\_\_  
 \_\_\_\_\_

2. \*Condoning of the failure to (state particulars):

3. \*Any other matter (state particulars):

The accompanying documentation of \_\_\_\_\_ is attached in support of the application.

If you intend to oppose this application, you are required to lodge your affidavit in support of your opposition, after prior service upon the Appellant/ Applicant, with the responsible Member of the Executive Council or the Liquor Authority within one month after service of this application on you.

Dated at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

Applicant/ Appellant/ Agent

Address: \_\_\_\_\_

To: \_\_\_\_\_ (local committee)

Address: \_\_\_\_\_

## Annexure O

### Application in terms of section 73(1) of Act for additional storage of liquor

*KwaZulu-Natal Liquor Licensing Act, 2010*

*(Act No. 6 of 2010)*

KZNLA 15

Official Use: KZN Liquor Authority reference no.: \_\_\_\_\_

Amount: R \_\_\_\_\_

Receipt No.: \_\_\_\_\_

Date: \_\_\_\_\_

1. Name of the licensed premises: \_\_\_\_\_

2. Name of licence holder:

3. The physical address of the existing licensed premises: \_\_\_\_\_
4. The physical address of the proposed storage premises:  
\_\_\_\_\_
5. In which district or metropolitan municipality is the liquor going to be stored? \_\_\_\_\_
6. Description of premises and coloured photograph  
\_\_\_\_\_
7. Comprehensive written representation or motivation: \_\_\_\_\_
8. Documents required to be attached to the application-
  - (a) plan of the premises;
  - (b) consent from the owner of the premises; and
  - (c) a certified copy of the applicant's identity document if a natural person or the memorandum of incorporation, if it is a juristic person.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature (of holder of the licence or person authorised to sign this form)

I certify that this declaration has been signed and sworn to/ affirmed before me at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ by the holder of the licence/ person authorised to sign the form who has acknowledged that-

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

\_\_\_\_\_  
Affirmation

Full names and surname: \_\_\_\_\_

Business address: \_\_\_\_\_

Designation: \_\_\_\_\_

Area for which appointment is held: \_\_\_\_\_

Office held if appointment is *ex officio*: \_\_\_\_\_



**Annexure P**  
**Application for alteration of business premises**

*KwaZulu-Natal Liquor Licensing Act, 2010*

*(Act No. 6 of 2010)*

KZNLA 16

|                      |
|----------------------|
| Date stamp<br>_____  |
| KZN liquor authority |

KZN Liquor Authority reference no.: \_\_\_\_\_

***Index***

***Description of document***

Annexures:

1. Description of premises and coloured photographs (Reg. 3(2)(b)).
2. Comprehensive written representation or motivation (Reg. 3(2)(c)).
3. Documents required to be attached to the application-
  - (a) a certified copy of the identity document, if a natural person; or
  - (b) the memorandum of incorporation if it is a juristic person; and
  - (c) the plan showing alterations marked in red;
  - (d) approval of altered premises from the relevant municipality; and
  - (e) consent from the owner of the premises.

Form completed by: \_\_\_\_\_

Postal address: \_\_\_\_\_

Telephone no: \_\_\_\_\_

Name in which the licensed business is conducted: \_\_\_\_\_

Name of licence holder:

\_\_\_\_\_

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

\_\_\_\_\_

Date

\_\_\_\_\_

Signature (of holder of the licence or person authorised to sign this form)

I certify that this declaration has been signed and sworn to/ affirmed before me at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ by the holder of the licence/ person authorised to sign the form who has acknowledged that-

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

\_\_\_\_\_  
Affirmation

Full names and surname: \_\_\_\_\_

Business address: \_\_\_\_\_

Designation: \_\_\_\_\_

Area for which appointment is held: \_\_\_\_\_

Office held if appointment is *ex officio*: \_\_\_\_\_

## Annexure Q1

### Application for transfer of liquor licence to prospective licence holder

*KwaZulu-Natal Liquor Licensing Act, 2010*

***(Act No. 6 of 2010)***

KZNLA 17A

For official use: KZN Liquor Authority Reference No: \_\_\_\_\_

Amount: R \_\_\_\_\_

Receipt No: \_\_\_\_\_

Date: \_\_\_\_\_

***Application for a licence in terms of \_\_\_\_\_***

*(Choose the applicable section in the table below and mark the relevant square with an X)*

|  |  |
|--|--|
| Section 68 in respect of death or incapacity of a licensed person  |  |
| Section 69(1) to transfer financial interest   |  |
| Section 74 to transfer a liquor licence to a prospective holder  |  |
| <p>Index</p> <p>Description of document</p> <p>Attachments:</p> <ol style="list-style-type: none"> <li>1. Application in terms of sections 68, 69 and 74.</li> <li>2. Comprehensive written representations.</li> <li>3. Documents required to be attached to the application- <ol style="list-style-type: none"> <li>(a) letter of executorship;</li> <li>(b) death certificate (sections 68 and 74);</li> <li>(c) permission to occupy (in the form of a title deed or lease agreement or rates statement from the municipality);</li> <li>(d) copy of the existing valid business licence;</li> <li>(e) certified copy of identity document of the applicant;</li> <li>(f) proof of payment of lodging fees;</li> <li>(g) proof of renewal of licence fees;</li> <li>(h) tax clearance certificate of applicant/ person acquiring a financial interest; and</li> <li>(i) an SAPS 69 from the South African Police Service.</li> </ol> </li> </ol> |  |

### **Part A – Information relating to applicant who is the holder of the licence**

1. Full names and surname of applicant:

---



---



---

2. If the applicant is not natural person, state the name, identity number and address of each shareholder, member, partner or beneficiary. The applicant is required to submit a resolution from the company authorising a signatory from amongst the existing shareholders. The resolution must be accompanied by a certified copy of the signatories' identity document/s. Should the applicant resolve to have the consultant be the signatory, then the applicant is required to attach a power of attorney.
3. Name under which the licensed business is conducted: \_\_\_\_\_

4. (a) Describe the situation of the premises where the licensed business is conducted with reference to the erf-, street- and farm number: \_\_\_\_\_
- (b) In which district or metropolitan municipality is the premises referred to in subparagraph (a) situated? \_\_\_\_\_

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

\_\_\_\_\_

Date

\_\_\_\_\_

Signature (of applicant who is the holder of the licence or person authorised to sign application

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

at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ by the holder of the licence/ person authorised to sign application who has acknowledged that-

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

\_\_\_\_\_

Affirmation

Full names and surname: \_\_\_\_\_

Business address: \_\_\_\_\_

Designation: \_\_\_\_\_

Area for which appointment is held: \_\_\_\_\_

Office held if appointment is *ex officio*: \_\_\_\_\_

### **Part B – Information relating to applicant who is the prospective holder**

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

*(delete (b) if applicant is not a natural person)*

2. If applicant is not a natural person, state the name, identity number and address of each shareholder, member, partner or beneficiary: \_\_\_\_\_

3. (a) The applicant is required to submit a letter of executorship or letter of authority.

- (b) The applicant is to state or explain his/her relationship to the licence holder:

\_\_\_\_\_

- (c) The applicant-

- (i) has, in the Republic or elsewhere in the preceding 10 years, been Yes No sentenced for any offence to imprisonment without the option of a fine;

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (ii) has, in the preceding 10 years, been convicted of an offence in terms of the Liquor Act, 1989 ([Act No. 27 of 1989](#)), or the KZN Liquor Licensing Act, 2010 ([Act No. 6 of 2010](#)), irrespective of the sentence imposed, and was, within three years after the conviction, again convicted of an offence in terms of any of the abovementioned two Acts and was, therefore, then sentenced to a fine Yes \* of not less than R200 or to imprisonment without the option of a fine;

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (iii) is not domiciled in the Republic;

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (iv) is an unrehabilitated insolvent;

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (v) is a minor;

|     |    |
|-----|----|
| Yes | No |
|-----|----|

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

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (vii) is committed in terms of the Mental Health Act, 1973 ([Act no. 18 of 1973](#)) or the Mental Health Care Act, 2002 ([Act No. 17 of 2002](#)), as the case may be; and

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (d) if the applicant is a company, close corporation, partnership, co-operative association or trust, state whether a person contemplated in subparagraph (a)-

- (i) has a controlling interest in such a company, close corporation, co-operative association or trust;

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (ii) is a partner in such a partnership; or

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (iii) is the main beneficiary under such a trust; and

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (e) if any of the questions in subparagraph (a) or (b) have been replied to in the affirmative, provide full details: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

*(use an annexure if necessary)*

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

- (i) including the holder of the licence, or who has any financial interest in the business to which the licence relates:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_; and

- (ii) who, including the applicant, will have an interest if the application is granted, and in each case, the nature and extent of such interest. If the applicant is a juristic person, it shall be sufficient if the name, registration number and postal address of such juristic person is provided, together with the name of each director and the nature and extent of the financial interest of such company:

\_\_\_\_\_  
*(Use an annexure if necessary)*

- (b) State the financial interest of the applicant in the liquor trade in the Republic and, if the applicant is a private company, close corporation, partnership or trust, also of every shareholder, member or partner thereof or beneficiary 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) In the case of an application for a liquor store licence, or a special licence for off-consumption, is the applicant-

- (i) a producer or his agent;

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (ii) a manufacturer of beer or his 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 person;

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (iv) a company in which shareholders have a financial interest in the business of a producer or a manufacturer or hold a controlling interest in such business; or

|     |    |
|-----|----|
| 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?

*(Delete subparagraph (c) if not applicable or mark the applicable square)*

5. If application is made for the transfer of a micro-manufacturing licence, is the applicant a person who-

- (a) engages in viticulture;

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (b) manufactures any other fermented beverage; or

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (c) is a member of a co-operative society, as defined in section 1 of the Wine and Spirit Control Act, 1970 ([Act No. 47 of 1970](#)), which Yes manufactures wine from grapes produced by members of the co-operative society?

|     |    |
|-----|----|
| Yes | No |
|-----|----|

6. Name under which the business is to be conducted: \_\_\_\_\_
7. Will the 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 licence?

|     |    |
|-----|----|
| 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 authorised to sign the application and in the documents attached to it, is true and correct.

\_\_\_\_\_

Date

\_\_\_\_\_

Signature (of applicant who is the prospective holder of licence or person authorised to sign application)

I certify that this declaration has been signed and sworn to/ affirmed before me at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by the applicant who is the prospective holder/ person authorised to sign the application who has acknowledged that-

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



- (c) 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

\_\_\_\_\_  
Affirmation

Full names and surname: \_\_\_\_\_

Business address: \_\_\_\_\_

Designation: \_\_\_\_\_

Area for which appointment is held: \_\_\_\_\_

Office held if appointment is *ex officio*: \_\_\_\_\_

## Annexure Q2

### Transfer of liquor licence certificate

#### *KwaZulu-Natal Liquor Licensing Act, 2010*

*(Act No. 6 of 2010)*

KZNLA 17B

#### ***Certificate in terms of section 74(3): Transfer of a liquor licence***

Licence number: \_\_\_\_\_

The \_\_\_\_\_ (type of licence) licence held by: \_\_\_\_\_ situated at \_\_\_\_\_ in the \_\_\_\_\_ (district or metropolitan municipality under which business is conducted) in the name of: \_\_\_\_\_ is hereby transferred to \_\_\_\_\_

The business is conducted in the name of: \_\_\_\_\_

The transfer of the licence shall be of no force and effect after the expiry date unless the prescribed renewal fees have been paid.

| Date of Issue | Amount Received | Receipt No. | Expiry Date |
|---------------|-----------------|-------------|-------------|
|               |                 |             |             |
|               |                 |             |             |

**Annexure R****Application for removal of licence from licensed premises to other premises in terms of section 75*****KwaZulu-Natal Liquor Licensing Act, 2010******(Act No. 6 of 2010)***

KZNLA 18

For official use:

Date stamp

\_\_\_\_\_

KZN liquor authority receipt of application

Amount: R \_\_\_\_\_

Receipt No.: \_\_\_\_\_

Date: \_\_\_\_\_

KZN Liquor Authority reference no.: \_\_\_\_\_

***Index******Description of document***

Annexures:

1. Application.
2. Plan of the premises.
3. Description of premises and colour photographs.
4. Comprehensive written representation or motivation.
5. Documents required to be attached to the application-
  - (a) liquor inspector's report;
  - (b) business licence;
  - (c) permission to occupy (in the form of a title deed or lease agreement or rates statement from the municipality);
  - (d) consent to trade in liquor;
  - (e) certified copy of identity document of the applicant;
  - (f) proof of payment of lodging fees;
  - (g) tax clearance certificate of applicant; and
  - (h) power of attorney/ company resolution authorising a signatory (to be accompanied by a certified copy of the signatories' identity document/s (where applicable).

- (1) Full names and surname of applicant: \_\_\_\_\_
- (2) If applicant is not a natural person, state the name, identity number and address of each shareholder, member, partner or beneficiary: \_\_\_\_\_

*(use an annexure if necessary)*

- (3) (a) Name in which licensed business is conducted: \_\_\_\_\_
- (b) Will the name change as a result of the removal?

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (c) If so, state new name: \_\_\_\_\_
- (4) (a) Describe the situation of the premises where the licensed business is presently conducted with reference to the erf-, street- and farm number:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- (b) Describe the situation of the proposed premises where the business is to be conducted with reference to the erf-, street- and farm number:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- (5) (a) Are the premises referred to in paragraph 4(a) and (b) in the same district or metropolitan municipality, and if not, state the district/ metropolitan municipality:

|     |    |
|-----|----|
| 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):

\_\_\_\_\_

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (6) Will the applicant have the right to occupy the premises referred to in paragraph 4(b)?

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (7) In the case of an application for the removal of an on-consumption licence, state in which portion of the premises the sale of liquor is to take place:

- (8) (a) Is application made in respect of premises which-

- (i) have not yet been erected;

|     |    |
|-----|----|
| Yes | No |
|-----|----|

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

|     |    |
|-----|----|
| Yes | No |
|-----|----|

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

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (b) If paragraph 8(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:  
\_\_\_\_\_

- (9) (a) Is application made for any determination, consent, approval or authority which may be granted by the competent authority (e.g. other business or tasting facilities)?

|     |    |
|-----|----|
| Yes | No |
|-----|----|

- (b) If so, give full particulars with reference to the relevant section in terms of which application is made:

\_\_\_\_\_  
(use an annexure if necessary)

- (10) In the case of an application for the temporary removal of a licence, 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 and correct.

\_\_\_\_\_

Name (of applicant or person authorised to sign application)

\_\_\_\_\_

Signature (of applicant or person authorised to sign application)

\_\_\_\_\_

Date

I certify that this declaration has been signed and sworn to/ affirmed before me at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_ by the applicant/ person authorised to sign application who has acknowledged that-

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

\_\_\_\_\_

Affirmation

Full names: \_\_\_\_\_

Business address: \_\_\_\_\_

Designation: \_\_\_\_\_

Area for which appointment is held: \_\_\_\_\_

Office held if appointment is *ex officio*: \_\_\_\_\_

## Annexure S

### Application for renewal of licence in terms of section 64(2) of Act

*KwaZulu-Natal Liquor Licensing Act, 2010*

***(Act No. 6 of 2010)***

KZNLA 19

### *Renewal information*

|  |    |
|--|----|
| <b>1. Details of licensed outlet or premises</b>   |    |
| (a) Name of outlet:  |    |
| (b) Trade name/s (if any):   |    |
| (c) Registration number:   |    |
| (d) Name of the metropolitan municipality/district municipality or local municipality where the licensed premises are situated:  |    |
| (e) Physical business address of applicant:  |    |
| <b>2. Personal details of the applicant</b>  |    |
| (a) Names and surname:   |    |
| (b) Designation of applicant:  |    |
| (c) Contact details:   |    |
| Cell: _____ Tel: _____ Fax: _____ Email: _____   |    |
| <b><i>(Please attach certified copies of the documents requested in terms of regulation 25(3) to this form)</i></b>  |    |
| 1. During the past 12 months, has the applicant, or any person holding an interest in the applicant, become disqualified from holding this liquor licence, as contemplated in section 40 of the Act? |    |
| Yes  | No |
| 2. If the answer to the above question is in the affirmative, please provide details of any decision taken by the relevant provincial licensing authority in terms of section 40 of the Act          |    |
| 3. Has the applicant or any of its owners, directors or subsidiaries been indicted or charged with any criminal offence, excluding traffic offences, during the past 12 months?                      |    |
| Yes  | No |
| 4. Has the applicant or any of its subsidiaries been a party to a law suit during the past 12 months?  |    |

If yes, provide details: \_\_\_\_\_

\_\_\_\_\_

I declare/ truly affirm that-

- (a) I have taken cognisance of and understand the rights and duties pertaining to the licence applied for;
- (b) I am the person identified in this form and I am, or have been, duly authorised by the Applicant to provide all the information contained herein;
- (c) I have personally or by representation completed this form and have supplied all the information indicated herein; and
- (d) I certify that the particulars contained herein are true and correct in every detail and that I have fully disclosed the information required in completing this form.

\_\_\_\_\_

Name (of applicant or person authorised to sign application)

\_\_\_\_\_

Signature (of applicant or person authorised to sign application)

\_\_\_\_\_

Date

I certify that this declaration has been signed and sworn to/ affirmed before me at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ by the applicant/ person authorised to sign application who has acknowledged that-

- (a) he/she knows and understands the contents of this declaration;
- (b) he/she has no objection to taking the prescribed oath/ affirmation; and
- (c) 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.<sup>7</sup> “I truly affirm that the contents of this declaration are true.”

\_\_\_\_\_

Commissioner of Oaths

\_\_\_\_\_

Affirmation

Full names: \_\_\_\_\_

Business address: \_\_\_\_\_

Designation: \_\_\_\_\_

Area for which appointment is held: \_\_\_\_\_

Office held if appointment is *ex officio*: \_\_\_\_\_

\_\_\_\_\_

|  |          |              |              |  |
|--|----------|--------------|--------------|--|
| For official use only:   |          |              |              |  |
| Evaluation: whether previous licence conditions are still met.(Attach inspector's report)                              |          |              |              |  |
| Approved   |          | Not approved |              |  |
| Inspector's Report: whether special conditions in terms of <u>section 41(2)</u> or <u>section 55(2)</u> are still met. |          |              |              |  |
|  | Approved |              | Not approved |  |
| Is the application approved by the Chief Executive Officer?  |          |              |              |  |
|  | Approved |              | Not approved |  |
| Was the application made prior to the six month expiry date of renewal application?                                    |          |              |              |  |
|  | Yes      |              | No           |  |
| Has the annual fee been paid?  |          |              |              |  |
|  | Yes      |              | No           |  |
|  |          |              |              |  |

Comments by the Chief Executive Officer: \_\_\_\_\_

Dated at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Chief Executive Officer

## **Annexure T**

### **Security plan**

#### ***KwaZulu-Natal Liquor Licensing Act, 2010***

***(Act No. 6 of 2010)***

KZNLA 20

The Security Plan is to include the following-



| No. | Security plan   | Check box |    |
|-----|---|-----------|----|
| 1.  | The floor plan of the proposed site or area.  | Yes       | No |
| 2.  | The access point (entry and exit).  | Yes       | No |
| 3.  | The entry/ exit point to be manned at all times.  | Yes       | No |
| 4.  | Patrons to be searched at point of arrival and departure.   | Yes       | No |
| 5.  | Storage facilities for licensed firearms to be provided.  | Yes       | No |
| 6.  | The point of sale to be cordoned off (indicated on the floor plan submitted).                                   | Yes       | No |
| 7.  | The restricted part for consumption of liquor to be cordoned off (to be indicated on the floor plan submitted). | Yes       | No |
| 8.  | Parking to be provided.   | Yes       | No |
| 9.  | Ablution facilities for males and females to be provided.   | Yes       | No |
|     |   |           |    |

Dated \_\_\_\_\_ at on this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_

\_\_\_\_\_  
Applicant

**Annexure U**

**Situational report**

***KwaZulu-Natal Liquor Licensing Act, 2010***

***(Act No. 6 of 2010)***

KZNLA 21

| No. | Situational report   |
|-----|--|
| 1.  | Name and surname of the applicant:   |
| 2.  | Trading name:  |
| 3.  | Category of licence:   |
| 4   | Type of premises applied for:  |
| 5.  | Address of premises:   |
| 6.  | The floor plan of the proposed site or area is included:   |
| 7.  | The access point (entry and exit) is indicated in red on the floor plan:   |
| 8.  | The entry and exit point is manned at all times:<br>Please provide the number of security staff who will man the door:   |
| 9.  | Patrons are searched at point of arrival and departure: Indicate the point of search on the floor plan in black.   |
| 10. | Storage facilities for licensed firearms are provided in compliance with the Firearm Control Act, 2000 ( <a href="#">Act No. 60 of 2000</a> ):                         |
| 11. | The point of sale is cordoned off (to be indicated on the floor plan submitted): Please indicate the type of equipment used for cordoning:                             |
| 12. | The restricted part for consumption of liquor is cordoned off (indicated on the floor plan submitted):   |
| 13. | Sufficient parking is made available in compliance with municipal regulations:   |
| 14. | Ablution facilities for males and females are indicated on the floor plan: There is compliance with municipal by-laws regarding the following-<br>(a) age restriction; |

|  |   |
|--|---|
|  | (b) the restriction on sound levels in the case of music and public announcements; and<br><br>(c) restrictions on the quantity of liquor supplied to individuals. |
|--|---|

Dated at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Applicant

## Annexure V Complaint form

*KwaZulu-Natal Liquor Licensing Act, 2010*

***(Act No. 6 of 2010)***

KZNLA 22

|                        |  |  |  |  |  |                  |  |
|------------------------|--|--|--|--|--|------------------|--|
| For office<br>use only |  |  |  |  |  | Reference<br>No: |  |
|                        |  |  |  |  |  |                  |  |

Please note: 1. Print or type (DO NOT highlight).

1. Use black ink.
2. Include copies of all relevant documents.

### A. Personal details

|                      |
|----------------------|
| Name:                |
| Identity Number:     |
| Residential Address: |
|                      |
|                      |
| Postal address:      |
|                      |
|                      |
|                      |

### B. Contact details

|                             |                |
|-----------------------------|----------------|
| Business Telephone Number:  |                |
| Alternate Telephone Number: |                |
| Cell Number:                |                |
| Fax No:                     | Email Address: |

## C. Particulars of party against whom the complaint is being lodged

|                                |
|--------------------------------|
| Name of the outlet:            |
| Identity No./Registration No.: |
| Residential Address:           |
| Postal address:                |

## D. Contact details of the party lodging the complaint

|   |                |
|---|----------------|
| Business Telephone Number:                  |                |
| Alternate Telephone Number:                 |                |
| Cell Number:                                |                |
| Fax: No:                                    | Email Address: |
| Name and designation of a person spoken to: |                |

## E. Details of actual complaint

NB: Do not give a detailed account of the history of the issue. Please single out the main points of the issue, providing names and dates where possible. Mere reference to attached documents is not accepted. Also indicate what steps you have taken to resolve the problem.

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F. Describe the result or outcome that you seek

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Date:

Signature: \_\_\_\_\_

### **Annexure W1**

#### **Application for temporary amnesty registration**

***KwaZulu-Natal Liquor Licensing Act, 2010***

***(Act No. 6 of 2010)***

KZNLA 23

|            |
|------------|
| Date stamp |
| KZN liquor |
| Authority  |

Amount: R: \_\_\_\_\_

Receipt No.: \_\_\_\_\_

Date: \_\_\_\_\_

#### ***Application in terms of regulation 47 for amnesty registration***

Application prepared by:

1. Applicant: #

2. Person acting on behalf of the applicant: #  
(attach power of attorney)
3. If 2 above is applicable, provide the following details in respect of the person acting on behalf of the applicant:
- (a) Name and surname of person: \_\_\_\_\_
- (b) Postal Address: \_\_\_\_\_
- (c) Contact details of applicant or person acting on behalf of applicant:

|       |      |      |        |
|-------|------|------|--------|
| Cell: | Tel: | Fax: | Email: |
|-------|------|------|--------|

**Particulars of applicant**

(a) Identity number (individual):

(b) Registration number (entity):

(c) Residential address:

(d) Business address:

(e) Postal address:

(f) Contact details:

|       |       |      |        |
|-------|-------|------|--------|
| Cell: | Tel.: | Fax: | Email: |
|-------|-------|------|--------|

**Particulars of business**

|    |  |
|----|--|
| 1. | Under what name is the business conducted? |
|----|--|

|    |   |
|----|---|
| 2. | Since what date has the abovementioned business been conducted? |
|----|---|

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

\_\_\_\_\_  
Date

Signature (of applicant or person authorised to sign application)

I certify that this declaration has been signed and sworn to/ affirmed before me at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ by the applicant/ person authorised to sign application who acknowledged that-

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

\_\_\_\_\_  
Affirmation

Full names and surname: \_\_\_\_\_

Business address: \_\_\_\_\_

Designation: \_\_\_\_\_

Area for which appointment is held: \_\_\_\_\_

Office held if appointment is *ex officio*: \_\_\_\_\_

## **Annexure W2**

### **Notice of temporary amnesty registration**

***KwaZulu-Natal Liquor Licensing Act, 2010***

***(Act No. 6 of 2010) KZNLA 24***

***Particulars of temporary amnesty registration***



|  |  |
|--|--|
| Amnesty registration number:   |  |
| Valid until:   |  |
| Name of the registered holder:   |  |
| Identity number of the registered holder or the registration number of the outlet: |  |
| Physical address of the registered holder:   |  |
| Physical address of the premises:  |  |
| Application fee paid:  |  |
| Place of issue:  |  |
| Date of issue:   |  |

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Chief Executive Officer