



THE PROVINCE OF MPUMALANGA
DIE PROVINSIE MPUMALANGA

Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

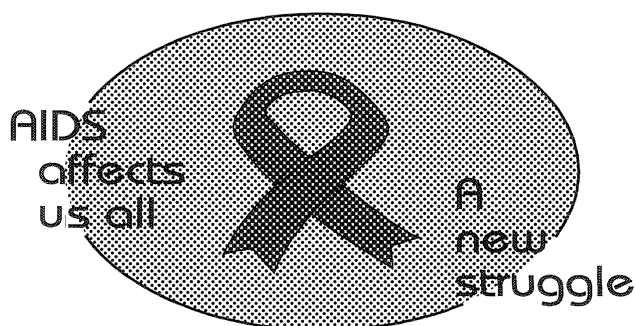
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Vol. 21

NELSPRUIT, 16 SEPTEMBER 2014

No. 2362

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DEPARTMENT OF HEALTH

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GENERAL NOTICES

NOTICE 463 OF 2014

DEPARTMENT OF ECONOMIC DEVELOPMENT AND TOURISM

REGULATION NOTICE

MPUMALANGA LIQUOR LICENCING REGULATIONS, 2014

I, **Sikhumbuzo Eric Kholwane**, Member of the Executive Council for Economic Development and Planning hereby, under section 57 of the Mpumalanga Liquor Licensing Act, 2006 (Act No.05 of 2006), make the regulations contained in the Schedule hereto after consultation with the Mpumalanga Liquor Licensing Board and in consultation with the Executive Council of Mpumalanga, in order to further regulate the Liquor industry in the province and matters connected therewith.

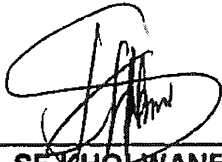
Given under my hand at Nelspruit this ____ day of _____, Two thousand and Fourteen

Mr. S E KHOLWANE
MEMBER OF THE EXECUTIVE COUNCIL
FOR ECONOMIC DEVELOPMENT AND TOURISM

NOTICE 464 OF 2014**DEPARTMENT OF ECONOMIC DEVELOPMENT AND TOURISM****MPUMALANGA LIQUOR LICENCING ACT, 2006**

It is hereby notified that I, Sikhumbuzo Eric Kholwane, Member of Executive Council responsible for liquor licensing and regulation in the Mpumalanga Province hereby, publish the Regulations made in terms of section 57 of the Mpumalanga Licensing Liquor Act, 2006, (Act No. 5 of 2006) for general information.

Given under my hand at Nelospoort this 12 day of September Two Thousand and Fourteen.



Mr. SE KHOLWANE

MEC: FINANCE, ECONOMIC DEVELOPMENT AND TOURISM

DATE: 12 / 09 / 2014

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Definitions

1. In these regulations, unless the context otherwise indicates, a word or expression to which a meaning has been assigned in the Act has that meaning.

Incentive scheme

2. The Member of Executive Council may by notice in the Provincial *gazette* and through the media including at least one newspaper circulating in the Province, make an incentive scheme which will benefit all applicants or category of applicants which the Member of Executive Council has determined.

Form of application, certificates and other documents

3. (1) Every application required to be made, and every certificate or other document required to be issued in an approved form in terms of these regulations, must be issued in the form contained in these regulations.

(2) The Authority must, at the request of a person who wishes to apply for licence in terms of these regulations, furnish that person with the appropriate application form and applicable requirements of a licence.

Application for a liquor licence

4.(1) An application in terms of section 35 of the Act for the application of a liquor licence must be made in the form as set out in Annexure 1 to the Schedule and must be accompanied by all documents specified in such form, including the non-refundable application fee as set out in Annexure 4 to the Schedule.

(2) An application for a liquor licence must be accompanied by comments of the Municipality within which area of jurisdiction the premises of the business in respect of which the application is made, is situated, as set out in Annexure 3 to the Schedule.

(3) An application for a liquor licence must further be accompanied by a non renewable fee as stated in annexure 4 of the schedule, which may be changed from time to time by the Member of Executive Council by notice in a *Gazette*.

(4) The Authority may exempt an applicant from any cost related to the application of a licence upon the receipt of an application for exemption on a form set out in Annexure to 5 to the schedule.

(5) On approval of an application for a liquor licence, the Authority must duly register such an licence and must subsequently issue to the applicant a licence certificate made in the form as set out in Annexure 5 to the Schedule.

Renewal of a Liquor licence

5. (1) An application for the renewal of a licence shall be made to the Authority on a form set out in Annexure 6 to the Schedule.

(2) An application contemplated in (1) shall be made not less than 90 days before the date on which the licence concerned shall lapse; and accompanied by the non renewable renewal fee stated in annexure 4 of the schedule, which may be changed from time to time by the Member of Executive Council by notice in a *Gazette*.

(3) If an application for the renewal of a licence is made less than 90 days before the date on which the licence concerned shall lapse, the Authority may require the applicant to pay, in addition to the renewable fee stated in annexure 4 of the schedule, and additional fee stated in annexure 4 of the schedule, prior to considering such application.

(4) On approval of an application for a liquor licence, the Authority must duly register such a licence and must subsequently issue to the applicant a licence certificate made in the form as set out in Annexure 7 to the Schedule.

Keeping of records by a licenced person.

6. A licenced person must keep and maintain records of a licenced business pertaining to-

- (a) All licence certificates and conditions of each.
- (b) Annual renewal forms;
- (c) All managers' certificates for managers appointed in terms of regulation 10.2;
- (d) Records of each and every employee;
- (e) Copy of approved sketch plan of business premises;

Records of each and every single sale of R 2500.00 excluding vat.

Voluntary cancellation of licence.

7. (1) A licenced person may, at any time, request the Authority to cancel his, her or its licence with effect from a specified date by use of a request form as set out in Annexure 8 to the Schedule.

(2) The Authority shall upon receipt of such a request inform the person requesting voluntary cancellation of its decision and provide written reasons thereof on a form as set out in Annexure 9 to the Schedule.

Change of controlling interest

8. (1) A licenced person shall not permit any other person to procure a controlling interest in the business to which the licence relates.

(2) A licenced person may, at any time, together with a person eligible for a liquor licence intending to procure interest in a licenced business, make an application as set out in Annexure 10 to the Schedule.

Transfer of licence

9. (1) A licenced person may at any time transfer his, her or its licence to another undisqualified person by making an application together with such new prospective holder of the licence concerned as set out in Annexure 11 to the Schedule.

(2) an application in (1) shall be accompanied by –

- (a) a copy of an advertisement inviting public comments in a local newspaper and a *Gazette*.

(b) comments from the local municipality.

(c) an application fee

as set out in regulation 4.

Management of business

10. (1) A person other than a natural person shall not conduct any business under a licence unless a natural person who is not disqualified from being a licenced person, is appointed by that person to manage and be responsible for the business to which such licence relates as set out in Annexure 12 to the Schedule.

(2) A natural person who is a licenced person may appoint another natural person who is not disqualified from being a licenced person, to manage and be responsible for the business to which such licence relates as set out in Annexure 13 to the Schedule.

Trading hours

11. The Authority shall, when issuing a licence under this Act, restrict the days and hours during which a licenced person may sell liquor in terms of such a licence, in accordance with the recommendations made by the municipality concerned subject to the requirements as set out in Annexure 14 to the schedule.

Summons to appear

12. The Authority may cause any person to personally appear before it for purposes of giving evidence or producing a document or a thing, by a summons as set out in Annexure 14 to the Schedule.

Appeals and reviews

13. Any person whose rights or legitimate expectations have materially and adversely been affected by a decision of the Authority may, within 20 days of being informed of such decision, appeal to the Member of the Executive Council, in writing, as set out in Annexure 15 to the Schedule.

ANNEXURE 1

[Form 1]

APPLICATION FORM

APPLICATION FOR A LIQUOR LICENCE IN TERMS OF
SECTION 35 OF THE MPUMALANGA LIQUOR LICENCING ACT NO 5 OF 2006

A. PERSONAL DETAILS

The Licensee _____, ID

Number

--	--	--	--	--	--	--	--	--	--	--	--	--

Duly authorized and therefore an adult male/female* residing at address: _____
_____ an address in the
Republic of South Africa and within the borders of Mpumalanga Province, hereby apply for a
liquor licence, to trade under the name _____

_____, I make this application for myself/ *on behalf of the juristic person: _____
_____.

B. LICENCE TYPE

- ☐ (a) the retail sale of liquor for consumption on the premises where the liquor is sold;
- ☐ (b) the retail sale of liquor for consumption off the premises where the liquor is sold;
- ☐ (c) the retail sale of liquor for consumption on and off the premises where the liquor is sold;
- ☐ (d) the retail sale of liquor in terms of a special liquor licence for consumption on and off the premises where the liquor is sold;
- ☐ (e) the retail sale of liquor in terms of a special liquor licence in respect of a specified event;
- ☐ (f) the micro-manufacture and the retail sale of such micro-manufactured liquor for consumption on and off the premises where such liquor is sold; and
- ☐ (g) the micro-manufacture and retail sale of traditional African beer for consumption on and off the premises where such traditional African beer is sold.

C. BUSINESS PREMISES

Physical address: _____, an address in the Republic of South Africa and within the borders of Mpumalanga Province. Postal address:

D. DECLARATION

I declare that I am a person who is –

- (a) not a minor;
- (b) not an unrehabilitated insolvent;
- (c) not a subject of a court order declaring me a person of an unsound mind/ mentally; disordered /mentally defective.
- (d) have not been convicted of contravening the liquor Act for the past three years;
- (e) have not been convicted of an offence the element of which is not inconsistent with the object of this act for the past three years.

Signature _____

Signed at _____ on the _____ day of 20_____

Supporting documents to be attached:

- Municipality comment form.
- Sketch plan of the premises to be licenced.
- Copy of advertised invitation for comments.
- Received comments.
- Certified copy of applicant's ID

ANNEXURE 2

[Form 2]

**INVITATION FOR PUBLIC COMMENTS IN APPLICATION FOR A
LIQUOR LICENCE IN TERMS OF
SECTION 35(2) (a) OF THE MPUMALANGA LIQUOR LICENCING ACT NO 5 OF
2006**

A. PERSONAL DETAILS

The Licensee _____, ID

Number

--	--	--	--	--	--	--	--	--	--	--	--	--

Duly authorized and therefore an adult male/female* residing at address:___

_____, an address in the
Republic of South Africa and within the borders of Mpumalanga Province, hereby invite
public comments/ representations concerning my application for a liquor licence to the
Mpumalanga Liquor Licensing Authority to trade under the name_____
_____. I make this application for myself/ *on behalf of
the juristic person: _____

B. LICENCE TYPE:

C. BUSINESS PREMISES

Physical address: _____, an address in the
Republic of South Africa and within the borders of Mpumalanga Province. Postal address:

D. COMMENTS ADDRESS

Comments/ representations should be made in writing and be addressed to the municipality
concerned and a copy to the applicant.

Municipality 's address

Applicants address (Postal Address)

Fax/ / E.mail-----

To reach the addresses within thirty (30) days of this publication.

ANNEXURE 3

[Form 3]

**MUNICIPALITY COMMENT FORM IN TERMS OF SECTION 35(2) (b)
OF THE MPUMALANGA LIQUOR LICENCING ACT NO 5 OF 2006**

A. PERSONAL PARTICULARS OF APPLICANT

I _____, ID _____

Number

[illegible]

an adult male/female* residing at address: _____,

an address in the Republic of South Africa and within the borders of Mpumalanga Province,

hereby apply for a liquor licence, to trade under the name _____

_____, I make this application for myself/ *on behalf of the
juristic person: _____.

B. LICENCE TYPE

(Mark one appropriate box with an "x")

- ☐ (a) the retail sale of liquor for consumption on the premises where the liquor is sold;
- ☐ (b) the retail sale of liquor for consumption off the premises where the liquor is sold;
- ☐ (c) the retail sale of liquor for consumption on and off the premises where the liquor is sold;
- ☐ (d) the retail sale of liquor in terms of a special liquor licence for consumption on and off the premises where the liquor is sold;
- ☐ (e) the retail sale of liquor in terms of a special liquor licence in respect of a specified event;
- ☐ (f) the micro-manufacture and the retail sale of such micro-manufactured liquor for consumption on and off the premises where such liquor is sold; and
- ☐ (g) the micro-manufacture and retail sale of traditional African beer for consumption on and off the premises where such traditional African beer is sold.

C. BUSINESS PREMISES

Physical address: _____, an address in the Republic of South Africa and within the borders of Mpumalanga Province. Postal address:

D. DECLARATION

(Mark one appropriate box with an "x")

I declare that I am a person who is –

a) a minor? ☐ yes ☐ no

(b) an unrehabilitated insolvent? ☐ yes ☐ no

(c) a subject of a court order declaring him/her a person of an unsound mind/ mentally; disordered /mentally defective? ☐ yes ☐ no

(d) have been convicted of contravening the liquor Act for the past three Years? ☐ yes ☐ no

(e) have been convicted of an offence the element of which is not inconsistent with the object of this act for the past three years? ☐ yes ☐ no

Signature _____

Signed at _____ on the ____ day of 20____

COMMENTS OF THE MUNICIPALITY

Name of the municipality :

The municipality has considered the details of this application and comments as follows:

the proposed liquor business is within the jurisdiction of the municipality ☐ yes ☐ no

the proposed business address is suitable for a liquor business ☐ yes ☐ no

the proposed business address is suitable for the licence type applied for ☐ yes ☐ no

the proposed business premises is suitable for a liquor business ☐ yes ☐ no

the proposed business premises is suitable for the licence type applied for ☐ yes ☐ No.

the proposed business address is situated next to a learning institution ☐ yes ☐ no

the proposed business address is situated next to a religious institution ☐ yes ☐ no

any business which may have conflicting interests with the liquor busies ☐ yes ☐ no

The municipality is in support of the application ☐ yes ☐ no

supporting reasons not related to those indicated above

.....

Recommended business hours.

Business hours on Sunday : From : to : *OR No business

Business hours on Monday : From : to : *OR No business

Business hours on Tuesday : From : to : *OR No business

Business hours on Wednesday : From : to : *OR No business

Business hours on Thursday : From : to : *OR No business

Business hours on Friday : From : to : *OR No business

Business hours on Saturday : From : to : *OR No business

Business on public holidays : From : to : *OR No business

Reasons why there should not be business on the days indicated as such if any

.....

.....

.....

.....

.....

.....

.....

.....

Authorized to sign for or on behalf of the Municipality

Initials and Surname:.....

Signature :..... date :.....

Capacity :

Municipality stamp

ANNEXURE 4

**PRESCRIBED FEES IN TERMS OF SECTION 35
OF THE MPUMALANGA LIQUOR LICENCING ACT NO 5 OF 2006**

Licence type		Fees			
		Application	New Licence fee	Renewal	Transfer
a	The retail sale of liquor for consumption on the premises where the liquor is sold.	R 700.00	R 1000.00	R 1500.00	R 1000.00
b	The retail sale of liquor for consumption off the premises where the liquor is sold.	R 2000.00	R 1000.00	R2500.00	R 1000.00
c	The retail sale of liquor for consumption on and off the premises where the liquor is sold.	R 3000.00	R 2000.00	R 5000.00	R 2000.00
d	The retail sale of liquor in terms of a special liquor licence for consumption on and off the premises where the liquor is sold.	R 3000.00	R 3000.00	R 6000.00	R 1000.00
e	The retail sale of liquor in terms of a special liquor licence in respect of a specified event.	R 1000.00	R 1000.00	---	---
f	The micro-manufacture and the retail sale of such micro-manufactured liquor for consumption on and off the premises where such liquor is sold.	R 3000.00	R 1000.00	R 3000.00	R 1000.00
g	The micro-manufacture and retail sale of traditional African beer for consumption on and off the premises where such traditional African beer is sold.	R 500.00	R 500.00	R 1000.00	R 500.00

FEES FOR COPIES OF DOCUMENTS

Description		Fee
1	Copies or duplication of folio in any file	R 50.00
2	Records or transcripts of proceedings	R 15.00 per page
3	Reasons for the Authority 's decisions	R 300.00

ANNEXURE 5**CATERGORIES OF APPLICANTS EXEMPTED FROM THE APPLICATION FEE IN
TERMS OF SECTION 35(9) OF THE MPUMALANGA LIQUOR LICENCING ACT
NO 5 OF 2006**

1.	Charitable organizations
2.	Educational institutions
3.	Class of communities
4.	Spheres of government, public entities, government and institutions funded by government
5.	Any other class, community, society or individual which the Authority may deem necessary to exempt.

ANNEXURE 6
[Form 4]

LICENCE IN TERMS OF SECTION 37 OF THE
MPUMALANGA LIQUOR ACT, NO 5 OF 2006

LICENCE NO.

.....is hereby certified as a licenced person to

Conduct under the name:

Licence type:

Licenced premises:

.....

Valid from **to**

Business hours.....

Date of issue	Prescribed fees
.....

Date-stamp of the authority

.....
Person acting under power delegated by the
Minister

ANNEXURE 7

[Form 5]

**APPLICATION FOR A RENEWAL OF A LIQUOR LICENCE IN TERMS OF
SECTION 38 (1) (a) OF THE MPUMALANGA LIQUOR LICENCING ACT NO 5 OF 2006****A. PERSONAL PARTICULARS**

The Licensee _____, ID

Number

--	--	--	--	--	--	--	--	--	--	--	--	--

Duly authorized and therefore an adult male/female* residing at address:____
_____, _____ an address in the
Republic of South Africa and within the borders of Mpumalanga Province, hereby apply for
renewal of a liquor licence number _____, trading under the name _____

B. LICENCE TYPE

(Mark one appropriate box with an "x")

- ☐ (a) the retail sale of liquor for consumption on the premises where the liquor is sold;
- ☐ (b) the retail sale of liquor for consumption off the premises where the liquor is sold;
- ☐ (c) the retail sale of liquor for consumption on and off the premises where the liquor is sold;
- ☐ (d) the retail sale of liquor in terms of a special liquor licence for consumption on and off the premises where the liquor is sold;
- ☐ (e) the retail sale of liquor in terms of a special liquor licence in respect of a specified event;
- ☐ (f) the micro-manufacture and the retail sale of such micro-manufactured liquor for consumption on and off the premises where such liquor is sold; and
- ☐ (g) the micro-manufacture and retail sale of traditional African beer for consumption on and off the premises where such traditional African beer is sold.

*Delete whichever is not applicable

C. BUSINESS PREMISES

Physical address: _____, an address in the Republic of South Africa and within the borders of Mpumalanga Province. Postal address: _____

D.DECLARATION

I declare that am a person who is –

- (a) a minor; ☐ yes ☐ no
- (b) an unrehabilitated insolvent; ☐ yes ☐ no
- (c) a subject of a court order declaring him/her a person of an unsound mind/ mentally; disordered /mentally defective. ☐ yes ☐ no
- (d) have been convicted of contravening the liquor Act for the past three years; ☐ yes ☐ no
- (e) have been convicted of an offence the element of which is not inconsistent with the object of this act for the past three years. ☐ yes ☐ no

Signature _____

Signed at _____ on the _____ day of 20____

ANNEXURE 8

[Form 6]

RENEWAL CERTIFICATE IN TERMS OF SECTION 38 (4) OF THE
MPUMALANGA LIQUOR ACT, NO 5 OF 2006

LICENCE NO.

Whereas the Licenseeis a licenced person to

Conduct under the name:

Licence type:.....

Licensed premises:

.....

and has fully complied with the provisions of the Mpumalanga Liquor Act, no 5 of 2006.

The Mpumalanga Liquor Authority renews such a licence to be valid from

..... to

Business hours.....

Date of issue	Prescribed fees
.....

Date-stamp of the authority

.....
*Person acting under power delegated by the
Member of the Executive Council*

ANNEXURE 9

[Form 6]

**VOLUNTARY CANCELLATION OF A LIQUOR LICENCE IN TERMS OF
SECTION 41(1) OF THE MPUMALANGA LIQUOR LICENCING ACT NO 5 OF 2006**

A. PERSONAL PARTICULARS

The Licensee

ID Number

[illegible]

*a holder of liquor licence no _____, trading under the name

*a manager of liquor licence no _____, held by a juristic person: _____, hereby apply for a voluntary cancellation of the said licence with effect from (date) _____

B. LICENCE TYPE

- ☐ (a) the retail sale of liquor for consumption on the premises where the liquor is sold;
- ☐ (b) the retail sale of liquor for consumption off the premises where the liquor is sold;
- ☐ (c) the retail sale of liquor for consumption on and off the premises where the liquor is sold;
- ☐ (d) the retail sale of liquor in terms of a special liquor licence for consumption on and off the premises where the liquor is sold;
- ☐ (e) the retail sale of liquor in terms of a special liquor licence in respect of a specified event;
- ☐ (f) the micro-manufacture and the retail sale of such micro-manufactured liquor for consumption on and off the premises where such liquor is sold; and
- ☐ (g) the micro-manufacture and retail sale of traditional African beer for consumption on and off the premises where such traditional African beer is sold.

***Delete whichever is not applicable**

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Date

(official stamp)

ANNEXURE 10

[Form 7]

**APPLICATION FOR PROCUREMENT OF CONTROLLING INTERESTS IN TERMS
OF SECTION 42(1) OF THE MPUMALANGA LIQUOR LICENCING ACT NO 5 OF
2006**

The Licensee _____

ID Number

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

*a holder of liquor licence no _____, trading under the name

*a manager of liquor licence no _____, held by a juristic
person: _____, hereby apply for procurement of
controlling interest by another person,

(full names) _____

Sex _____, ID no _____, age _____

(a) a minor; ☐ yes ☐ no

(b) an unrehabilitated insolvent; ☐ yes ☐ no

(c) a subject of a court order declaring him/her a person of an unsound mind/ mentally;
disordered /mentally defective. ☐ yes ☐ no

(d) have been convicted of contravening the liquor Act for the past three
years; ☐ yes ☐ no

(e) have been convicted of an offence the element of which is not inconsistent with the object
of this act for the past three years. ☐ yes ☐ no

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(official stamp)

***Delete whichever is not applicable**

ANNEXURE 11

[Form 8]

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

MPUMALANGA LIQUOR LICENCING ACT, 2006 (Act No. 5 of 2006)

APPLICATION IN TERMS OF SECTION 43 FOR THE TRANSFER OF A LICENCE

Liquor Authority's reference No.....

INDEX

	<i>Description of document</i>	<i>Annexure</i>
(i)	Application	Form 11
(ii)	Copy of prescribed advertisement	A
(iii)	Copy of prescribed form containing Municipal comments	B
(iv)	
(v)	

Application prepared by
Postal Address
Telephone No.

PART A

INFORMATION RELATING TO THE APPLICANT WHO IS THE HOLDER OF THE LICENCE

1.
 - (a) Full name of applicant
 - (b) Age
 - (c) Identity No./Registration No.
 - (d) Residential Address or address of registered office
 - (e) Business Address
 - (f) Postal Address
 - (g) Business telephone number
2. If applicant is not a natural person state name, identity number and address of each shareholder/member/partner or beneficiary
.....
3. Under what name is the licenced business conducted?
.....
.....
4. (a) Describe the situation of the premises where the licenced business is conducted with reference to the erf, street and farm number
.....
.....
..

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

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

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 atthis
day of by the applicant who is the holder of the licence/person
 authorised to sign application who acknowledged that –

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

“I swear that the contents of this declaration are true, so help me God”/I
 truly affirm that the contents of this declaration are true”

.....
 COMMISSIONER OF OATHS

Full name

Business address

Designation

Area for which appointment is held

Office held if appointment is ex officio

PART B

INFORMATION RELATING TO THE APPLICANT WHO IS THE PROSPECTIVE HOLDER

1.
 - (a) Full name of applicant
 - (b) Age
 - (c) Identity No./Registration No.
 - (d) Residential Address or address of registered office
 - (e) Business Address
 - (f) Postal Address
 - (g) Business telephone number
2. If applicant is not a natural person state name, identity number and address of each shareholder/member/partner or beneficiary

3. (a) Is applicant a person who-

(i) a minor;

yes

no

(ii) is an unrehabilitated insolvent ?

yes

no

(iii) is subject to an order of a competent Court declaring him or her to be of unsound mind or mentally disordered or defective ?

yes

no

(iv) has been convicted of a contravention of this Act within three years immediately preceding date of application ?

yes

no

(v) has been convicted of an offence the elements of which are inconsistent with the objects and purposes of this Act within three years immediately preceding date of application ?

yes

no

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

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

(c) If any of the questions in subparagraph (a) and (b) have been replied to in the affirmative, provide full details

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

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

(ii) who including the applicant, will have such interest if the application is granted, and in each case, the nature and extent of such interest.

(b) State the financial interest in the liquor trade in the Republic of the applicant and if the applicant is a private company, close corporation, partnership or trust, also of every shareholder, member of, partner thereof or beneficiary thereunder

.....
.....

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

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

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

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 atthis
day of by the applicant who is the holder of the licence/person authorised
 to sign application who acknowledged that –

- (iv) he/she knows and understands the contents of this declaration;
- (v) he/she has no objection to taking the prescribed oath/affirmation;
- (vi) 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 name

Business address

Designation

Area for which appointment is held

Office held if appointment is ex officio

ANNEXURE 12

[Form 9]

**APPOINTMENT OF A LIQUOR LICENCE MANAGER IN TERMS OF
SECTION 45(1) OF THE MPUMALANGA LIQUOR LICENCING ACT NO 5 OF 2006**

The Licensee _____

Being a person duly authorized by juristic person _____
holding a liquor licence no _____
hereby appoint a manager in terms of section 45(1) (a) of the Mpumalanga Liquor Licensing
Act no 5 of 2006.

Appointee manager (full names) _____

Sex _____, ID no _____, age _____

(a) a minor; ☐ yes ☐ no

(b) an unrehabilitated insolvent; ☐ yes ☐ no

(c) a subject of a court order declaring him/her a person of an unsound mind/ mentally;
disordered /mentally defective. ☐ yes ☐ no

(d) have been convicted of contravening the liquor Act for the past three
years; ☐ yes ☐ no

(e) have been convicted of an offence the element of which is not inconsistent with the object
of this act for the past three years. ☐ yes ☐ no

Signature of the appointing official date.....

Capacity

(official stamp)

Signature of the appointee manager date.....

ANNEXURE 13

[Form 10]

**APPOINTMENT OF A LIQUOR LICENCE MANAGER IN TERMS OF
SECTION 45(2) OF THE MPUMALANGA LIQUOR LICENCING ACT NO 5 OF 2006**

I _____

Being a liquor licence manager of a juristic person _____

holding a liquor licence no _____

hereby appoint a manager in terms of section 45(1) (b) of the Mpumalanga Liquor Licensing
Act no 5 of 2006.

Appointee manager (full names) _____

Sex _____, ID no _____, age _____

(a) a minor; ☐ yes ☐ no(b) an unrehabilitated insolvent; ☐ yes ☐ no(c) a subject of a court order declaring him/her a person of an unsound mind/ mentally;
disordered /mentally defective. ☐ yes ☐ no(d) have been convicted of contravening the liquor Act for the past three
years; ☐ yes ☐ no(e) have been convicted of an offence the element of which is not inconsistent with the object
of this act for the past three years. ☐ yes ☐ no

Signature of the appointing manager date.....

(official stamp)

Signature of the appointee manager date.....

ANNEXURE 14

TRADING HOURS IN TERMS OF SECTION 46 OF THE MPUMALANGA LIQUOR LICENCING ACT NO 5 OF 2006

(A) The retail sale of liquor for consumption on the premises where the liquor is sold.

WEEK DAY	TRADING HOURS
Sunday	10 h 00 am to 02 h00
Monday	10 h 00 am to 24 h00
Tuesday	10 h 00 am to 24 h00
Wednesday	10 h 00 am to 24 h00
Thursday	10 h 00 am to 24 h00
Friday	10 h 00 am to 24 h00
Saturday	10 h 00 am to 24 h00
Public holidays	10 h 00 am to 24 h00

(B) The retail sale of liquor for consumption off the premises where the liquor is sold.

WEEK DAY	TRADING HOURS
Sunday and Public holidays	10 h 00 am to 17 h 00
Monday	08 h 00 am to 20 h00
Tuesday	08 h 00 am to 20 h00
Wednesday	08 h 00 am to 20 h00
Thursday	08 h 00 am to 20 h00
Friday	08 h 00 am to 20 h00
Saturday	08 h 00 am to 20 h00

(C) The retail sale of liquor for consumption on and off the premises where the liquor is sold.

WEEK DAY	TRADING HOURS
Sunday	10 h 00 am to 17h00
Monday	10 h 00 am to 24 h00
Tuesday	10 h 00 am to 24 h00
Wednesday	10 h 00 am to 24 h00
Thursday	10 h 00 am to 24 h00
Friday	10 h 00 am to 24 h00
Saturday	10 h 00 am to 24 h00
Public holidays	10 h 00 am to 24 h00

THERE IS NEED TO CRAFT.e.g The Authority reserve the right to alter the retail sale hours as and when influenced by -----

(D) The retail sale of liquor in terms of a special liquor licence for consumption on and off the remises where the liquor is sold.

WEEK DAY	TRADING HOURS
Sunday and Public holidays	10 h 00 am to 02 h00
Monday	10 h 00 am to 02 h00
Tuesday	10 h 00 am to 02 h00
Wednesday	10 h 00 am to 02 h00

Thursday	10 h 00 am to 02 h00
Friday	10 h 00 am to 02 h00
Saturday	10 h 00 am to 02 h00

(E) The retail sale of liquor in terms of a special liquor licence in respect of a specified event.

WEEK DAY	TRADING HOURS
Sunday and Public holidays	10 h 00 am to 04 h00
Monday	10 h 00 am to 04 h00
Tuesday	10 h 00 am to 04 h00
Wednesday	10 h 00 am to 04 h00
Thursday	10 h 00 am to 04 h00
Friday	10 h 00 am to 04 h00
Saturday	10 h 00 am to 04 h00

(F) The micro-manufacture and the retail sale of such micro-manufactured liquor for consumption on and off the premises where such liquor is sold.

WEEK DAY	TRADING HOURS
Sunday and Public holidays	10 h 00 am to 17 h00
Monday	08 h 00 am to 20 h00
Tuesday	08 h 00 am to 20 h00
Wednesday	08 h 00 am to 20 h00
Thursday	08 h 00 am to 20 h00
Friday	08 h 00 am to 20 h00
Saturday	08 h 00 am to 20 h00

(g) The micro-manufacture and retail sale of traditional African beer for consumption on and off the premises where such traditional African beer is sold.

WEEK DAY	TRADING HOURS
Sunday and Public holidays	10 h 00 am to 17 h00
Monday	08 h 00 am to 20 h00
Tuesday	08 h 00 am to 20 h00
Wednesday	08 h 00 am to 20 h00
Thursday	08 h 00 am to 20 h00
Friday	08 h 00 am to 20 h00
Saturday	08 h 00 am to 20 h00

ANNEXURE 15
[Form 11]

**SUMMONS INTERMS OF SECTION 51 (1)
OF THE MPUMALANGA LIQUOR LICENCING ACT NO 5 OF 2006**

TO:

Name:		
Address:		
Sex:	Age:	ID No:

By virtue of the powers vested in the chairman of the Mpumalanga Liquor Authority in terms of section 51(1) of the Mpumalanga Liquor Licensing Act, you are hereby directed to be present and give evidence/ produce the documents or any other thing indicated in annexure _____ hereto at the meeting of the Authority which relates to _____

And which will be held at the date, time and place indicated below.

Date	Time	Place

Your attention is invited to the fact that it is an offence not to appear or not to remain in attendance without the consent of the chairman first having been obtained.

Place of issue: Nelspruit

Secretary:

Date:

(official stamp)

--

[For official use only]

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

*(a) delivering a true copy toPERSONALY or

*(b) delivering as he/she could not be found, a true copy to
apparently over the age of 16 and apparently residing or employed at the place of residence/employment/business* of the said

.....
at

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

Time Day Month20...

*****Delete whichever is not applicable*****

ANNEXURE 16

[Form 12]

**APPEAL TO THE MEMBER OF EXECUTIVE COUNCIL IN TERMS OF
SECTION 58(1) OF THE MPUMALANGA LIQUOR LICENCING ACT NO 5 OF
2006**

Appellant's full names:

Authority's reference number if any:.....

Mpumalanga Liquor Authority's decision appealed against:

.....

Decision date :

Date on which the appellant was informed of the decision:

Nature of right or legitimate expectation adversely affected by the decision:

.....

.....

Merits of the appeal

(attach extra page if the space is not sufficient)

.....

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.....

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.....

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NOTICE – CHANGE OF TELEPHONE NUMBERS: GOVERNMENT PRINTING WORKS

As the mandated government security printer, providing world class security products and services, Government Printing Works has adopted some of the highly innovative technologies to best serve its customers and stakeholders. In line with this task, Government Printing Works has implemented a new telephony system to ensure most effective communication and accessibility. As a result of this development, our telephone numbers will change with effect from 3 February 2014, starting with the Pretoria offices.

The new numbers are as follows:

- Switchboard : 012 748 6001/6002
- Advertising : 012 748 6205/6206/6207/6208/6209/6210/6211/6212
- Publications Enquiries : 012 748 6052/6053/6058 GeneralEnquiries@gpw.gov.za
 - Maps : 012 748 6061/6065 BookShop@gpw.gov.za
 - Debtors : 012 748 6060/6056/6064 PublicationsDebtors@gpw.gov.za
 - Subscription : 012 748 6054/6055/6057 Subscriptions@gpw.gov.za
- SCM : 012 748 6380/6373/6218
- Debtors : 012 748 6236/6242
- Creditors : 012 748 6246/6274

Please consult our website at www.gpwonline.co.za for more contact details.

The numbers for our provincial offices in Polokwane, East London and Mmabatho will not change at this stage.