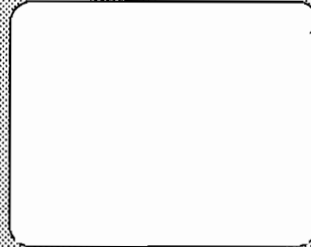


NORTHERN CAPE PROVINCE

PROFENSI YA KAPA-BOKONE

NOORD-KAAP PROVINSIE



IPHONDO LOMNTLA KOLONI

EXTRAORDINARY • BUITENGEWONE

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GENERAL NOTICE

NOTICE 46 OF 2011

NORTHERN CAPE PROVINCIAL GOVERNMENT

DEPARTMENT OF ECONOMIC DEVELOPMENT AND TOURISM


**PUBLICATION FOR PUBLIC COMMENT: PROPOSED AMENDMENT OF THE
NORTHERN CAPE LIQUOR ACT, 2008**

Proposed amendments to the Northern Cape Liquor Act, 2008 (Act No. 2 of 2008), contained in this Notice, are hereby published for public comment. Written representations may be made to the Department of Economic Development and Tourism and must be directed to:

Derek Martin
Head of Ministry
14th Floor
Metlife Building
Private Bag X 5054
KIMBERLEY
8300

Fax: 053 832 2672
Tel: 053 830 8404
E-mail: dmartin@ncpg.gov.za

no later than **15 July 2011**.



J Block, MPL
**MEC: Finance, Economic Development
& Tourism**

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

_____ Words underlined with a solid line indicate insertions in existing enactments.

BILL

To amend the Northern Cape Liquor Act, 2008, so as to further provide for delegations; and to provide for matters connected therewith.

BE IT ENACTED by the Provincial Legislature of the Northern Cape Province as follows:-

Amendment of section 18 of Act No. 2 of 2008

- | | | |
|-----|---|----|
| 1. | Section 18 of the Northern Cape Liquor Act, 2008 (Act No. 2 of 2008), is hereby amended by – | 5 |
| (a) | the insertion of subsections (3), (4), (5) and (6) after subsection (2): | 10 |
| | <p>“(3) Notwithstanding section 60(4), the Board may delegate any of the functions referred to in subsection (2) to a committee of the Board.</p> | |
| (4) | The committee contemplated in subsection (3), consists of – | 15 |
| (a) | two members of the Board, appointed by the Board for a term of six months at a time; and | |
| (b) | the chief executive officer. | 20 |
| (5) | A member of a committee appointed in terms of subsection (4)(a), may not serve on the committee for consecutive terms. | |
| (6) | A decision of a committee contemplated in subsection (3) must be – | 25 |
| (a) | unanimous; and | |
| (b) | minuted by the chief executive officer, | |
| | <p>but if unanimity cannot be reached by the committee when considering an application, the application must be considered and <u>disposed of by the Board.</u>”; and</p> | 30 |
| (b) | the renumbering of the existing subsection (3) to subsection (7). | 35 |

Short title

2. This Act is called the Northern Cape Liquor Amendment Act, 2011.

KENNISGEWING 46 VAN 2011

PROVINSIALE REGERING VAN DIE NOORD-KAAP

DEPARTEMENT VAN EKONOMIESE ONTWIKKELING EN TOERISME

PUBLIKASIE VIR OPENBARE KOMMENTAAR: VOORGESTELDE WYSIGING

VAN DIE NOORD-KAAP DRANKWET, 2008

Voorgestelde wysigings op die Noord-Kaap Drankwet, 2008 (Wet No. 2 van 2008), soos vervat in hierdie Kennisgewing, word hierby vir openbare kommentaar gepubliseer. Skriftelike voorleggings kan gedoen word aan die Departement van Ekonomiese Ontwikkeling en Toerisme en moet gerig word aan:

Derek Martin
Hoof van Ministerie
14de Vloer
Metlifegebou
Privaatsak X5054
KIMBERLEY
8300

Faks: 053 832 2672
Tel: 053 830 8404
E-pos: dmartin@ncpg.gov.za

nie later as **15 Julie 2011** nie.



J Block, LPW
LUR: Finansies, Ekonomiese Ontwikkeling
en Toerisme

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde in vetdruk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.

_____ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WETSONTWERP

Tot wysiging van die Noord-Kaap Drankwet, 2008, ten einde verder vir delegasies voorsiening te maak; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

DAAR WORD BEPAAL deur die Provinsiale Wetgewer van die Provinsie Noord-Kaap, soos volg:-

Wysiging van artikel 18 van Wet No. 2 van 2008

- | | | |
|----|--|----|
| | | 5 |
| 1. | Artikel 18 van die Noord-Kaap Drankwet, 2008 (Wet No. 2 van 2008), word hierby gewysig deur – | |
| | (a) die invoeging van subartikels (3), (4), (5) en (6) na subartikel (2): | 10 |
| | “(3) Ondanks artikel 60(4), kan die Raad enige werksaamheid in subartikel (2) genoem aan ‘n komitee van die Raad deleger. | |
| | (4) Die komitee in subartikel (3) bedoel, bestaan uit – | 15 |
| | (a) twee lede van die Raad, deur die Raad vir ‘n termyn van ses maande op ‘n keer aangestel; en | |
| | (b) die hoof-uitvoerende beampte. | 20 |
| | (5) ‘n Lid van ‘n komitee ingevolge subartikel (4)(a) aangestel, mag nie vir opeenvolgende termyne op die komitee dien nie. | |
| | (6) ‘n Besluit van ‘n komitee in subartikel (3) bedoel moet – | 25 |
| | (a) eenparig wees; en | |
| | (b) deur die hoof-uitvoerende beampte genotuleer word, | |
| | maar as eenstemmigheid nie by oorweging van ‘n aansoek deur die komitee bereik kan word nie, moet die aansoek deur die Raad <u>oorweeg en afgehandel word.</u> ”; en | 30 |
| | (b) die hernoemering van die bestaande subartikel (3) na subartikel (7). | 35 |

Kort titel

2. Hierdie Wet heet die Noord-Kaap Drankwysigingswet, 2011.