Western Cape Government • Wes-Kaapse Regering • URhulumente weNtshona Koloni

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CONTENTS

*(*Reprints are obtainable at Room M21, Provincial Legislature Building, 7 Wale Street, Cape Town 8001.)*

The following draft regulations are published for comment:

Provincial Notice

21 Department of Community Safety: Western Cape Liquor Act, 2008 (Act 4 of 2008) Draft Western Cape Liquor Regulations, 2011: Amendment 2017 2

Any person or organisation wishing to comment on these draft regulations is requested to lodge the comments in writing before or on 28 February 2017, by—

(a) posting the comments to:
Adv. JC Gerber SC
Department of Community Safety
PO Box 5346
Cape Town, 8000;

(b) e-mailing the comments to:
jan.gerber@westerncape.gov.za
(Mark the subject box clearly as: COMMENTS ON DRAFT REGULATIONS);

(c) faxing the comments to:
Fax no. 086 531 4283; or

(d) delivering the comments to:
Adv. JC Gerber SC
Department of Community Safety
4th Floor
35 Wale Street
Cape Town, 8001.

The name, telephone number, e-mail address, and/or fax number and postal address of the person submitting the comment should be clearly indicated.

INHOUD

*(*Herdrukke is verkrygbaar by Kamer M21, Provinsiale Wetgewer-gebou, Waalstraat 7, Kaapstad 8001.)*

Die volgende konsepregulasies word vir kommentaar gepubliseer:

Provinsiale Kennisgewing

21 Departement van Gemeenskapsveiligheid: Wes-Kaapse Drankwet, 2008 (Wet 4 van 2008) Wes-Kaapse Drankregulasies, 2011: Wysiging 2017 208

Enige persoon of organisasie wat kommentaar op die konsepregulasies wil lewer, word versoek om die kommentaar skriftelik in te dien voor of op 28 Februarie 2017,—

(a) deur dit te pos aan:
Adv. JC Gerber SC
Departement van Gemeenskapsveiligheid
Posbus 5346
Kaapstad, 8000;

(b) deur dit per e-pos te stuur na:
jan.gerber@westerncape.gov.za
(Merk die onderwerp duidelik as: KOMMENTAAR OP KONSEPREGULASIES);

(c) deur dit te faks na:
086 531 4283; of

(d) deur dit per hand af te lewer aan:
Adv. JC Gerber SC
Departement van Gemeenskapsveiligheid
4de Verdieping
Waalstraat 35
Kaapstad, 8001.

Die naam, telefoon nommer, e-pos adres en/of faks nommer en posadres van die persoon wat kommentaar indien, moet duidelik aangedui word.

IZIQULATHO

*(*Iikopi eziprintiweyo zifumaneka kwigumbi M21, kwiSakhiwo sePhondo seNdlu yoWiso Nthetho, 7 Wale Street, eKapa 8001.)*

Le mimiselo isayilwayo ilandelayo ipapashelwe ukuba uluntu luvakalise izimvo zalo:

Isaziso sePhondo

21 ISebe loKhuseleko loLuntu: UMthetho woTywala weNtshona Koloni, 2008 (uMthetho 4 ka-2008) imiGaqo eSayilwayo yoTywala yaseNtshona Koloni, 2011: isi-Lungiso 2017 410

Nawuphi umntu okanye umbutho ofuna ukufaka izimvo ngale migaqo isayilwayo ucelwa ukuba azifake zibhaliwe izimvo zakhe phambi komhla okanye ngomhla wama-28 Februwari 2017, ngokuthi—

(a) aziposele ku:
Adv. JC Gerber SC
Department of Community Safety
PO Box 5346
Cape Town, 8000;

(b) okanye a-imeyilele ku:
jan.gerber@westerncape.gov.za
(kula mgca ufuna isihloko kufuneka abhale athi: COMMENTS ON DRAFT REGULATIONS);

(c) okanye ngokuthi azifekse izimvo zakhe:
Inomb. yeFeksi 086 531 4283; okanye

(d) okanye ngokuhambisa izimvo azise ku:
Adv. JC Gerber SC
Department of Community Safety
4th Floor
35 Wale Street
Cape Town, 8001.

Igama, inombolo yefowuni, iadresi ye-imeyili, kunye/okanye inombolo yefeksi kunye nedilesi yeposi yomntu ofake izimvo zakhe kufuneka ibhalwe ngokucacileyo.

PROVINCIAL NOTICE

The following Provincial Notice is published for comment.

ADV. B. GERBER,
DIRECTOR-GENERAL

Provincial Legislature Building,
Wale Street,
Cape Town.

PROVINSIALE KENNISGEWING

Die volgende Provinsiale Kennisgewing word vir kommentaar gepubliseer.

ADV. B. GERBER,
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,
Waalstraat,
Kaapstad.

ISAZISO SEPHONDO

Esi saziso silandelayo sipapashelwe ukugaya izimvo.

ADV. B.GERBER,
UMLAWULI-JIKELELE

INdlu yoWiso-mthetho yePhondo,
Wale Street,
eKapa.

P.N. 21/2017 19 January 2017

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)
WESTERN CAPE LIQUOR REGULATIONS, 2011: AMENDMENT 2017

The Provincial Minister of Community Safety in terms of section 88(1) of the Western Cape Liquor Act, 2008 (Act 4 of 2008), intends to make the regulations set out in the Schedule.

SCHEDULE

Definition

1. In these regulations "the Regulations" means the Western Cape Liquor Regulations, 2011, published under Provincial Notice 366/2011 of 21 December 2011, as amended by Provincial Notice 84/2012 of 30 March 2012, Provincial Notice 371/2012 of 10 December 2012, and Provincial Notice 275/2015 of 14 August 2015.

Amendment of Arrangement of Regulations

2. The Arrangement of Regulations before regulation 1 of the Regulations is amended—
   (a) by the substitution for the reference to the heading to regulation 6 of the following item:
   "6 Appointment of members and substitute members of Liquor Licensing Tribunal";
   (b) by the insertion after the reference to the heading to regulation 8 of the following item:
   "8A Date of publication";
   (c) by the deletion in the reference to the heading to regulation 19 of the word "special"; and
   (d) by the insertion after the reference to the heading to regulation 37 of the following item:
   "37A Administrative notices".

Amendment of regulation 1 of the Regulations

3. Regulation 1 of the Regulations is amended—
   (a) by the insertion after the definition of "applicant" of the following definitions:
   " 'certified copy' means a copy of a document certified by a commissioner of oaths as a true copy of the original";
   " 'Department' means the provincial Department of Community Safety;" and
   (b) by the substitution for the definition of "Head of Department" of the following definition:
   " 'Head of Department' means the head of the Department;".

Amendment of regulation 2 of the Regulations

4. Regulation 2 of the Regulations is amended—
   (a) by the substitution in subregulation (2) for the words preceding paragraph *(a)* of the following words:
   "The notice to be published in the *Provincial Gazette* in terms of subregulation (1) must specify the—";
   (b) by the insertion after paragraph *(b)* of subregulation (2) of the following paragraph:
   "*(b*A*)* manner in which copies of the nomination form referred to in subregulation (3) may be obtained;"; and

(c) by the insertion after subregulation (2) of the following subregulations:

"(2A) The notice to be published in the newspapers in terms of subregulation (1) must—

(a) specify the requirements referred to in subregulation (2)*(a)*, *(b*A), *(c)* and *(d)*; and

(b) state that the notice published in the *Provincial Gazette* can be viewed on a website maintained by the Department.

(2B) The Department must ensure that the notice published in the *Provincial Gazette* is published on a website maintained by the Department.".

Substitution of regulation 6 of the Regulations

5. The following regulation is substituted for regulation 6 of the Regulations:

"**Appointment of members and substitute members of Liquor Licensing Tribunal**

6. (1) The Chief Executive Officer must by notice in the three official languages of the Province—

(a) in the *Provincial Gazette* and in at least two newspapers circulating in the Province, invite nominations for the members of the Liquor Licensing Tribunal referred to in section 16(1)*(a)*, *(b)* and *(e)*; and

(b) in at least two newspapers circulating in the Province, invite nominations for substitute members of the Liquor Licensing Tribunal.

(2) The notice to be published in the *Provincial Gazette* in terms of subregulation (1)*(a)* must specify the—

(a) relevant criteria in terms of section 16(1) for appointment as a member of the Liquor Licensing Tribunal;

(b) nomination procedure;

(c) date by which nominations must be submitted to the Chief Executive Officer;

(d) manner in which the nominations must be submitted; and

(e) manner in which copies of the nomination form referred to in subregulation (6) may be obtained.

(3) The notice to be published in the newspapers in terms of subregulation (1)*(a)* must—

(a) specify the requirements referred to in subregulation (2)*(a)*, *(c)*, *(d)* and *(e)*; and

(b) state that the notice published in the *Provincial Gazette* can be viewed on a website maintained by the Department.

(4) The Department must ensure that the notice published in the *Provincial Gazette* is published on a website maintained by the Department.

(5) The notice to be published in the newspapers in terms of subregulation (1)*(b)* must specify the—

(a) criteria for appointment as a substitute member;

(b) nomination procedure;

(c) date by which nominations must be submitted to the Chief Executive Officer;

(d) manner in which the nominations must be submitted; and

(e) manner in which copies of the nomination form referred to in subregulation (6) may be obtained.

(6) A nominee must submit a nomination form, in the form of Form 2 in Annexure 3, duly completed, to the Chief Executive Officer on or before the date referred to in subregulation (2)*(c)* or (5)*(c)*, as the case may be.

(7) The Chief Executive Officer must, within 21 days of the date referred to in subregulation (2)*(c)* or (5)*(c)*, cause all nominations submitted in terms of subregulation (6) to be submitted to the Board, indicating which nominations met the

criteria contemplated in subregulation (2)*(a)* or (5)*(a)*, as the case may be, and in which respect the other nominations failed to meet the said criteria.

(8) The Board must, within 21 days of receiving the nominations referred to in subregulation (7), appoint—
(a) in respect of members of the Liquor Licensing Tribunal, an interviewing panel consisting of—
(i) the member referred to in section 3(1)*(b)* and at least three other members of the Board; and
(ii) the Head of Department; and
(b) in respect of substitute members, an interviewing panel consisting of the member referred to in section 3(1)*(b)* and at least three other members of the Board.

(9) The interviewing panel must—
(a) consider and evaluate the nominations of the nominees who submitted nomination forms in terms of subregulation (6); and
(b) make recommendations to the Board in respect of those nominees.

(10) The Board must appoint the members of the Liquor Licensing Tribunal after considering the recommendations of the interviewing panel.

(11) The Board must, in consultation with the Minister, appoint the substitute members after considering the recommendations of the interviewing panel.

(12) The appointments to the Liquor Licensing Tribunal must be made with race and gender sensitivity.".

Insertion of regulation 8A

6. The following regulation is inserted in the Regulations after regulation 8:

"**Date of publication**

8A. (1) When these regulations require publication of a notice in the *Provincial Gazette* and a newspaper and those notices are not published on the same day, the date of publication of the notice is—
(a) the date on which the notice appears in that newspaper, if the notice in the newspaper is published after the notice in the *Provincial Gazette*; or
(b) the date on which the notice appears in the *Provincial Gazette*, if the notice in the *Provincial Gazette* is published after the notice in the newspaper.

(2) When these regulations require publication of a notice in the *Provincial Gazette* and more than one newspaper and all those notices are not published on the same day, the date of publication of the notice is—
(a) the date on which the notice appears in the newspaper published last, if the notice in that newspaper is published after the notice in the *Provincial Gazette*; or
(b) the date on which the notice appears in the *Provincial Gazette*, if the notice in the *Provincial Gazette* is published after the notice in the newspaper published last.".

Amendment of regulation 9 of the Regulations

7. Regulation 9 of the Regulations is amended—
(a) by the substitution for subregulation (3) of the following subregulation:
"(3) An application referred to in subregulation (2) must—
(a) be made in the form of Form 3 in Annexure 3;
(b) be in typed script on A4 size standard white paper; and
(c) contain the information as required in that form.";
(b) by the substitution for subregulation (4) of the following subregulation:

"(4) An application must be accompanied by:

(a) a legible, comprehensive floor plan of the proposed licensed premises on standard white paper not exceeding A3 in size, in typed script and clearly showing in contrasting colours—

(i) the proposed licensed premises in relation to the entire premises;
(ii) the dimensions of the proposed licensed premises;
(iii) the dimensions of each room on the proposed licensed premises;
(iv) the uses of all the rooms on the proposed licensed premises;
(v) all doors, windows and counters, where applicable, and means of internal and external access;
(vi) the streets and places to which such means of external access lead;
(vii) where liquor will be stored on the proposed licensed premises;
(viii) the areas on the proposed licensed premises where liquor will be sold from in relation to the entire premises;
(ix) the areas on the proposed licensed premises where liquor will be consumed in relation to the entire premises;

(b) a legible site plan of the proposed licensed premises on standard white paper not exceeding A3 in size, in typed script and clearly showing—

(i) an outline of every building in the vicinity of the proposed licensed premises on the erf to which the application relates;
(ii) the relation of the proposed licensed premises to a residential area;
(iii) the relation of the proposed licensed premises to any institutions referred to in section 34(1)*(e)*(ii) to (v) in the vicinity of the proposed licensed premises, with distances indicated in metres;
(iv) the relation of the proposed licensed premises to an undertaking referred to in section 41(1)*(c)*(i) in the vicinity of the proposed licensed premises, with distances indicated in metres;
(v) the licensed premises on the erf;
(vi) the uses of all the buildings in the vicinity of the proposed licensed premises on the erf; and
(vii) the date of preparation of the plan and the name and address of the person who prepared the plan;

(bA) an aerial view map showing the relation of the proposed licensed premises to a residential area;

(c) in a separate document, a description of the premises, with reference to the construction, layout, furnishing, fixtures, fittings and floor covering;

(d) indexed colour photographs showing the completed internal and external features of the proposed licensed premises as indicated on the floor plan referred to in paragraph *(a)* or, where the application relates to incomplete premises referred to in section 44, the stage of completion of the premises;

(e) written representations in support of the application;

(f) written representations in support of any determination, consent, approval or authority required by the applicant in terms of the Act;

(g) proof that the applicable application fee set out in Item 1 of Annexure 1 has been paid to the Authority;

(h) a certified copy of the—

(i) identity card or document of the applicant;
(ii) passport and visa, or, where applicable, the permanent residence permit of the applicant, if the applicant is a foreigner; or
(iii) relevant registration documents, indicating the identity and, where applicable, the financial interest of all the members, directors, partners, beneficiaries or trustees of the applicant, if the applicant is a person other than a natural person;

(i) such other documents as may be specified on the application form and in the Act, or as may be requested by the Authority;

(j) an affidavit by the applicant that he, she or it is not disqualified in terms of section 35 from holding a liquor licence;

(k) proof that the applicant has lodged a copy of the application with the designated liquor officer in whose area of jurisdiction the proposed licensed premises are located;

(l) a valid, original tax clearance certificate in respect of the applicant, issued by the South African Revenue Service not more than three months before the date of lodgement of the application;

(m) proof that the applicant has the right to occupy the proposed licensed premises;

(n) proof of ownership of the proposed licensed premises or, if the applicant is not the owner of the premises, written consent from the owner that the applicant may use the proposed licensed premises for the purposes of the licence applied for; and

(o) a nomination for the appointment of a manager in accordance with regulation 22, if the applicant is not a natural person.".

Amendment of regulation 10 of the Regulations

8. Regulation 10 of the Regulations is amended—

(a) by the substitution for subregulation (1) of the following subregulation:

"(1) The Authority must publish the notices referred to in section 37(1) in the form of Form 3A in Annexure 3 on the first Friday of any month following the lodgement of an application or, if that Friday—

(a) is a public holiday, on the first Friday following that public holiday;

(b) falls in the period between 1 December of any year and 15 January of the following year, on the first Friday after 15 January."; and

(b) by the substitution for subregulation (2) of the following subregulation:

"(2) A notice referred to in section 37(2) must be in the form of Form 3B in Annexure 3 and must—

(a) be headed by the words,
"**NOTICE OF LODGEMENT OF APPLICATION FOR LIQUOR LICENCE**",
in bold-type upper-case letters at least 2 cm in height and in black lettering not less than 0,5 cm-wide on a white background;

(b) be on standard white paper at least A3 in size;

(c) be waterproofed; and

(d) be displayed from the date of lodgement of the application and remain in place for not less than 28 days from the date of publication of the notice of lodgement of the application.".

Amendment of regulation 15 of the Regulations

9. Regulation 15 of the Regulations is amended by the substitution for subregulation (3) of the following subregulation:

"(3) The report by the designated liquor officer must—

(a) state the following—

(i) the address of the proposed licensed premises;

(ii) the location of the proposed licensed premises in relation to—

(aa) institutions referred to in section 34(1)*(e)*(ii) to (v);

(bb) a residential area;

(cc) other licensed premises; and

(dd) an undertaking referred to in section 41(1)*(c)*(i),

in the vicinity of the proposed licensed premises;

(iii) the suitability of the proposed premises;

(iv) the suitability of the applicant, with specific reference to the criminal record of the applicant and his or her spouse;

(v) the public interest;

(vi) crime statistics, if any, which he or she deems relevant in relation to the proposed licensed premises;

(vii) whether the applicant complied with section 37(2) and (3);

(viii) whether a copy of the application was served on the municipality concerned in accordance with section 37(4); and

(ix) whether the designated liquor officer gave notice of the application in accordance with section 37(5); and

(b) include a recommendation for the granting or rejection of the application.".

Amendment of regulation 16 of the Regulations

10. Regulation 16 of the Regulations is amended by the substitution for subregulation (1) of the following subregulation:

"(1) A notice or summons to be present at a meeting in terms of section 23(2) or (5) must be in the form of Form 4A or 4B in Annexure 3, respectively, and must be issued by the secretary.".

Substitution of regulation 17 of the Regulations

11. The following regulation is substituted for regulation 17 of the Regulations:

"**Conditional granting of licence**

17. (1) The Authority must, within seven days after the Liquor Licensing Tribunal has in terms of section 42(1) conditionally granted an application made in terms of section 36, notify the persons referred to in section 46(1) in writing of that decision.

(2) The notice referred to in subregulation (1) must be in the form of Form 5A in Annexure 3.

(3) The Authority must within seven days after the Presiding Officer has satisfied himself or herself that the applicant has complied with the conditions imposed by the Liquor Licensing Tribunal, notify the applicant in writing thereof.

(4) The notice to the applicant must be in the form of Form 6B in Annexure 3.

(5) The applicant must pay the applicable fee set out in Part A of Annexure 2 to the Authority and lodge proof of the payment with the Authority.

(6) The Authority must issue the licence, in the form of Form 7 in Annexure 3, within 14 days of receipt of proof of the payment referred to in subregulation (5).

(7) Regulation 18(5) to (7) applies, with the necessary changes, to licences issued in terms of subregulation (6).

(8) An application referred to in—

(a) section 42(4) to amend or withdraw the conditions imposed by the Liquor Licensing Tribunal when conditionally granting a licence; or

(b) section 42(5)*(b)* to amend a plan of the premises,

must be made by lodging with the Authority and the designated liquor officer in whose area of jurisdiction the premises are located an application in the form of Form 5B in Annexure 3.

(9) The application must—

(a) be accompanied by proof of payment to the Authority of the application fee set out in Item 17(a), (b) or (d) of Annexure 1, as the case may be;

(b) be accompanied by written representations in support of the application; and

(c) in respect of an application in terms of section 42(5)*(b)*, also be accompanied by a copy of the amended plan of the premises.

(10) The designated liquor officer in whose area of jurisdiction the proposed licensed premises are located must, within 14 days after an application made in terms of subregulation (8) has been lodged, serve a copy of his or her report on the applicant and lodge the report with the Authority together with proof that the report has been served on the applicant.

(11) The report by the designated liquor officer must contain the following:
(a) a statement on the effect that the proposed amendment or withdrawal of the conditions or amendment of the plan of the premises, as the case may be, may have on the public;
(b) a statement on the effect that the proposed amendment or withdrawal of the conditions or amendment of the plan of the premises, as the case may be, may have on the institutions referred to in section 34(1)*(e)*(ii) to (v) in the vicinity of the proposed licensed premises;
(c) any other relevant information that should, in the opinion of the designated liquor officer, be taken into account when considering the application; and
(d) a recommendation for the granting or rejection of the application.

(12) If the designated liquor officer fails to lodge his or her report in terms of subregulation (10), the Chief Executive Officer may forward a copy of the application to an inspector with a written instruction to lodge a report containing the information referred to in subregulation (11) in respect of the application concerned.

(13) An inspector must lodge his or her report with the Authority and forward a copy thereof to the applicant within the period stipulated by the Chief Executive Officer in terms of the instruction referred to in subregulation (12).

(14) The applicant must lodge with the Authority his, her or its response to a report by the designated liquor officer referred to in subregulation (10) or a report by an inspector referred to in subregulation (13) within seven days after having been served with a copy of either report.

(15) The Liquor Licensing Tribunal or the Presiding Officer, as the case may be, must consider an application referred to in subregulation (8) within 30 days after receipt of all the relevant documents referred to in subregulations (8) to (14).

(16) The Authority must, within seven days after the Liquor Licensing Tribunal or the Presiding Officer, as the case may be, has decided on an application made in terms of subregulation (8), notify the applicant and each person who lodged a written objection or representations in respect of the application with the Authority in writing of the decision.

(17) The notice referred to in subregulation (16) must be in the form of Form 5C in Annexure 3.

(18) An application referred to in section 42(5)*(a)* to extend the time period stipulated by the Liquor Licensing Tribunal when conditionally granting a licence must be made by lodging with the Authority an application in the form of Form 5B in Annexure 3.

(19) The application must be accompanied by—
(a) proof of payment to the Authority of the application fee set out in Item 17(c) of Annexure 1; and
(b) written representations in support of the application, setting out—
(i) the reasons why the conditions contemplated in section 42(2) cannot or have not been complied with within the time period stipulated by the Liquor Licensing Tribunal;
(ii) the extent to which the applicant has complied with the conditions;
(iii) the steps that the applicant proposes to take in order to comply with the conditions; and
(iv) the time the applicant estimates will be required to complete the proposed steps.

(20) The Presiding Officer must consider an application referred to in subregulation (18) within 30 days after receipt of all the documents referred to in subregulations (18) and (19).

(21) The Authority must, within seven days after the Presiding Officer has decided on an application made in terms of subregulation (18), notify the applicant and each person who lodged a written objection or representations with the Authority in writing of the decision.

(22) The notice must be in the form of Form 5C in Annexure 3.

(23) When an application referred to in subregulation (8) or (18) is granted, the applicant must pay the applicable fee set out in Item 10, 11 or 12 in Part A of Annexure 2, as the case may be, to the Authority.

(24) The Chief Executive Officer must refer any material facts as contemplated in section 42(4A) that have been lodged with the Authority to the Liquor Licensing Tribunal.

(25) The Chief Executive Officer must, simultaneously with the referral contemplated in subregulation (24), serve on the applicant copies of any documents containing the material facts as contemplated in section 42(4A) that were lodged with the Authority, together with a notice in the form of Form 5E setting out:

(a) the action which may be taken by the Liquor Licensing Tribunal in terms of section 42(4A);

(b) the nature and purpose of such action;

(c) the right of the applicant to make representations within the period stipulated in the notice;

(d) the right of the applicant to appeal or apply for the review of any decision of the Liquor Licensing Tribunal.

(26) The Liquor Licensing Tribunal must, within 30 days after receipt of the Chief Executive Officer's referral in terms of subregulation (24), make a decision either to revoke the conditional granting of the licence or not to revoke the conditional granting of the licence.

(27) The Authority must, within seven days after the Liquor Licensing Tribunal has taken a decision as contemplated in subregulation (26), notify the persons referred to in section 46(1) in writing of the decision.

(28) The notice referred to in subregulation (27) must be in the form of Form 5D in Annexure 3.".

Amendment of regulation 18 of the Regulations

12. Regulation 18 of the Regulations is amended—

(a) by the substitution for subregulation (1) of the following subregulation:
"(1) The Authority must, within seven days after the Liquor Licensing Tribunal has decided on an application made in terms of section 36, notify the persons referred to in section 46(1) in writing of the decision.";

(b) by the substitution for subregulation (2) of the following subregulation:
"(2) If the application is granted, the notice to the applicant must be in the form of Form 6A in Annexure 3.";

(c) by the insertion after subregulation (3) of the following subregulations:
"(3A) An application for condonation for failure to pay the applicable fee referred to in section 46(6) must be lodged with the Authority in the form of Form 6C in Annexure 3.
(3B) The Chief Executive Officer must, within 30 days after receipt of an application referred to in subregulation (3A), consider the application.
(3C) The Authority must, within seven days after the Chief Executive Officer has decided on an application made in terms of subregulation (3A), notify the applicant in writing of the decision.

(3D) If the Chief Executive Officer grants an application made in terms of subregulation (3A), the applicant must pay to the Authority the applicable fee together with the 100% penalty referred to in section 46(6).”; and

(d) by the substitution for subregulation (4) of the following subregulation:

“(4) The Authority must issue the licence, in the form of Form 7 in Annexure 3, within 14 days after receipt of proof of the payment referred to in subregulation (3) or (3D), as the case may be.”.

Substitution of regulation 19 of the Regulations

13. The following regulation is substituted for regulation 19 of the Regulations:

“**Application for temporary liquor licence or event liquor licence**

19. (1) An applicant for—

(a) a temporary liquor licence as contemplated in section 48(1); or

(b) an event liquor licence as contemplated in section 48(4),

must lodge an application with the Authority, and a copy thereof with the designated liquor officer in whose area of jurisdiction the proposed licensed premises are located and with the municipality concerned.

(2) An application for—

(a) a temporary liquor licence must—

(i) be made at least 50 days before the first day of the period referred to in section 48(2);

(ii) be made in the form of Form 8 in Annexure 3;

(iii) be in typed script on A4 size standard white paper; and

(iv) contain the information as required in that form;

(b) an event liquor licence must—

(i) be made at least 50 days before the date of the event;

(ii) be made in the form of Form 9 in Annexure 3;

(iii) be in typed script on A4 size standard white paper; and

(iv) contain the information as required in that form.

(3) An application for a temporary liquor licence must be accompanied by—

(a) a legible, comprehensive floor plan of the proposed licensed premises on standard white paper not exceeding A3 in size, in typed script and clearly showing in contrasting colours—

(i) the proposed licensed premises in relation to the entire premises;

(ii) the dimensions of the proposed licensed premises;

(iii) the dimensions of each room on the proposed licensed premises;

(iv) the uses of all the rooms on the proposed licensed premises;

(v) all doors, windows and counters, where applicable, and means of internal and external access;

(vi) the streets and places to which such means of external access lead;

(vii) where liquor will be stored on the proposed licensed premises;

(viii) the areas on the proposed licensed premises where liquor will be sold from in relation to the entire premises; and

(ix) the areas on the proposed licensed premises where liquor will be consumed in relation to the entire premises;

(b) a legible site plan of the proposed licensed premises on standard white paper not exceeding A3 in size, in typed script and clearly showing in contrasting colours—

(i) an outline of every building in the vicinity of the proposed licensed premises on the erf to which the application relates;

(ii) the relation of the proposed licensed premises to a residential area;

(iii) the relation of the proposed licensed premises to any institutions referred to in section 34(1)*(e)*(ii) to (v) in the vicinity of the proposed licensed premises, with distances indicated in metres;

(iv) the relation of the proposed licensed premises to an undertaking referred to in section 41(1)*(c)*(i) in the vicinity of the proposed licensed premises, with distances indicated in metres;
(v) other licensed premises on the erf;
(vi) the uses of all the buildings in the vicinity of the proposed licensed premises on the erf; and
(vii) the date of preparation of and the name and address of the person who prepared the plan;

(c) an aerial view map showing the relation of the proposed licensed premises to a residential area;

(d) indexed colour photographs showing the completed internal and external features of the proposed licensed premises as indicated on the floor plan referred to in paragraph *(a)*;

(e) in a separate document, a description of the premises, with reference to the construction, layout, furnishing, fixtures, fittings and floor covering;

(f) written representations in support of the application;

(g) proof of payment to the Authority of the application fee for a temporary liquor licence set out in Item 2 of Annexure 1;

(h) a certified copy of the—
(i) identity card or document of the applicant;
(ii) passport and visa, or, where applicable, the permanent residence permit of the applicant, if the applicant is a foreigner; or
(iii) relevant registration documents, indicating the identity and, where applicable, the financial interest of all the members, directors, partners, beneficiaries or trustees of the applicant, if the applicant is a person other than a natural person;

(i) such other documents as may be specified on the application form and in the Act, or as may be requested by the Authority;

(j) an affidavit by the applicant that he, she or it is not disqualified in terms of section 35 from holding a liquor licence;

(k) proof that the applicant has lodged a copy of the application with the designated liquor officer in whose area of jurisdiction the proposed licensed premises are located and with the municipality concerned;

(l) a valid, original tax clearance certificate in respect of the applicant, issued by the South African Revenue Service not more than three months before the date of lodgement of the application;

(m) proof that the applicant has the right to occupy the proposed licensed premises for the period of the licence applied for;

(n) proof of ownership of the proposed licensed premises or, if the applicant is not the owner of the premises, written consent from the owner that the applicant may use the proposed licensed premises for the purposes of the licence applied for; and

(o) a nomination for the appointment of a manager in accordance with regulation 22.

(4) An application for an event liquor licence must be accompanied by—

(a) a legible, comprehensive floor plan of the proposed licensed premises on standard white paper not exceeding A3 in size, in typed script and clearly showing in contrasting colours—
(i) the proposed licensed premises in relation to the entire premises;
(ii) the dimensions of the proposed licensed premises;
(iii) the dimensions of each room on the proposed licensed premises;
(iv) the uses of all the rooms on the proposed licensed premises;
(v) all doors, windows and counters, where applicable, and means of internal and external access;
(vi) the streets and places to which such means of external access lead;
(vii) where liquor will be stored on the proposed licensed premises;
(viii) the areas on the proposed licensed premises where liquor will be sold from in relation to the entire premises; and

(ix) the areas on the proposed licensed premises where liquor will be consumed in relation to the entire premises;

(b) a legible site plan of the proposed licensed premises on standard white paper not exceeding A3 in size, in typed script and clearly showing in contrasting colours—

(i) an outline of every building in the vicinity of the proposed licensed premises on the erf to which the application relates;

(ii) the relation of the proposed licensed premises to a residential area;

(iii) the relation of the proposed licensed premises to any institutions referred to in section 34(1)*(e)*(ii) to (v) in the vicinity of the proposed licensed premises, with distances indicated in metres;

(iv) the relation of the proposed licensed premises to an undertaking referred to in section 41(1)*(c)*(i) in the vicinity of the proposed licensed premises, with distances indicated in metres;

(v) other licensed premises on the erf;

(vi) the uses of all the buildings in the vicinity of the proposed licensed premises on the erf;

(vii) the date of preparation of and the name and address of the person who prepared the plan;

(c) an aerial view map showing the relation of the proposed licensed premises to a residential area;

(d) indexed colour photographs showing the completed internal and external features of the proposed licensed premises as indicated on the floor plan referred to in paragraph *(a)*;

(e) in a separate document, a description of the premises, with reference to the construction, layout, furnishing, fixtures, fittings and floor covering;

(f) written representations in support of the application;

(g) proof of payment to the Authority of the application fee for an event liquor licence set out in Item 3 of Annexure 1;

(h) a certified copy of the—

(i) identity card or document of the applicant;

(ii) passport and visa, or, where applicable, the permanent residence permit of the applicant, if the applicant is a foreigner; or

(iii) relevant registration documents, indicating the identity and, where applicable, the financial interest of all the members, directors, partners, beneficiaries or trustees of the applicant, if the applicant is a person other than a natural person;

(i) such other documents as may be specified on the application form and in the Act, or as may be requested by the Authority;

(j) an affidavit by the applicant that he, she or it is not disqualified in terms of section 35 from holding a liquor licence;

(k) proof that the applicant has lodged a copy of the application with the designated liquor officer in whose area of jurisdiction the proposed licensed premises are located and with the municipality concerned;

(l) a valid, original tax clearance certificate in respect of the applicant, issued by the South African Revenue Service not more than three months before the date of lodgement of the application;

(m) proof of ownership of the proposed licensed premises or, if the applicant is not the owner of the premises, written consent from the owner that the applicant may use the proposed licensed premises for the purposes of the licence applied for; and

(n) a nomination for the appointment of a manager in accordance with regulation 22.

(5) The designated liquor officer must, within five days after an application has been lodged in terms subregulation (1)*(a)* or *(b)*, as the case may be, lodge the report containing the information referred to in regulation 15(3)*(a)*(i) to (vi) and a recommendation contemplated in regulation 15(3)*(b)* with the Authority.

(6) If the report referred to in subregulation (5) contains any information or recommendation that is adverse to the applicant, the designated liquor officer must, within five days after the application made in terms of subregulation (1)*(a)* or *(b)* has been lodged, serve a copy of the report on the applicant.

(7) The municipality concerned must, within seven days after the application has been lodged in terms of subregulation (1)*(a)* or *(b)*, as the case may be, forward the comments and documents referred to in section 40(2), if any, to the Authority and the applicant.

(8) If the designated liquor officer fails to lodge his or her report in terms of subregulation (5), the Chief Executive Officer may forward a copy of the application to an inspector with a written instruction to lodge a report containing the information referred to in regulation 15(3)*(a)*(i), (ii), (iii), and (v), a recommendation contemplated in regulation 15(3)*(b)* and, where available, the information referred to in regulation 15(3)*(a)*(iv) and (vi) in respect of the application concerned.

(9) An inspector must lodge his or her report with the Authority within five days after being instructed by the Chief Executive Officer in terms of subregulation (8).

(10) If the report referred to in subregulation (9) contains any information or recommendation that is adverse to the applicant, the inspector must within five days after being instructed by the Chief Executive Officer in terms of subregulation (8), forward a copy of the report to the applicant.

(11) If the municipality concerned does not forward comments and documents in terms of subregulation (7), the Chief Executive Officer must notify the municipality that the period referred to in subregulation (7) has lapsed and that the Presiding Officer may nonetheless proceed to consider the application made in terms of subregulation (1)*(a)* or *(b)*, as the case may be.

(12) The Authority must serve on the applicant copies of any objections or representations lodged with the Authority in respect of an application made in terms of subregulation (1)*(a)* or *(b)*.

(13) The applicant must, within 15 days of lodgement of an application in terms of subregulation (1)*(a)* or *(b)*, lodge with the Authority his, her or its response to—
- *(a)* a report by the designated liquor officer contemplated in subregulation (6) or by an inspector contemplated in subregulation (10);
- *(b)* comments and documents, if any, forwarded by the municipality;
- *(c)* any objections or representations that may have been lodged with the Authority if the objections or representations so lodged were served on the applicant within 10 days of lodgement of the application.

(14) The Presiding Officer may, within three days of receipt of the applicant's response contemplated in subregulation (13), or if no response was received, within one day of the day on which the response of the applicant was due in terms of subregulation (13), request additional information as referred to in section 48(9) from the applicant.

(15) The applicant must furnish the Authority with the additional information within one day of being requested to do so.

(16) An application for condonation in terms of section 48(10) must be lodged with the Authority in the form of Form 12A.

(17) An application contemplated in subregulation (16) must be accompanied by—
- *(a)* the application in terms of subregulation (1)*(a)* or *(b)*, as the case may be, in respect of which condonation is applied for;
- *(b)* written representations in support of the application; and
- *(c)* proof of payment to the Authority of the penalty referred to in section 48(10).

(18) The Presiding Officer must either grant or refuse an application made in terms of subregulation (1)*(a)* or *(b)*—
(a) within 21 days of the date of lodgement of the application; or
(b) in the case of an application for condonation in terms of subregulation (16), on the day on which the application for condonation is granted.

(19) The Authority must, on the day that the Presiding Officer decides to grant or refuse an application made in terms of subregulation (1)*(a)* or *(b)* notify the applicant and each person who lodged a written objection or representations in respect of the application with the Authority in writing of the decision.

(20) If the application made in terms of subregulation (1)*(a)* or *(b)* is granted—
(a) the applicant must pay the fees set out in Item 5 or 6 in Part A of Annexure 2, as the case may be, to the Authority; and
(b) the Authority must issue a licence, in the form of Form 10 or 11 in Annexure 3, as the case may be.

(21) Before the Presiding Officer issues a notice in terms of section 48(13), the Authority must serve on the holder of the licence copies of any report, complaint, referral or representations contemplated in section 48(14) together with a notice in the form of Form 12B setting out:
(a) the action which the Presiding Officer proposes to take in terms of section 48(13);
(b) the nature and purpose of the proposed action;
(c) the right of the holder of the licence to make representations within the period stipulated in the notice;
(d) the right of the holder of the licence to appeal or apply for the review of any decision of the Presiding Officer.

(22) The Presiding Officer must, on the expiry of the period referred to in the notice, consider and decide on the proposed action to be taken.

(23) The Authority must, on the day that the Presiding Officer takes a decision as contemplated in subregulation (22)—
(a) notify the holder of the licence, the Chief Executive Officer and each person who lodged a report, complaint, referral or representations contemplated in section 48(14) with the Authority in writing of the decision; and
(b) if the decision is to take any action in terms of section 48(13), deliver or tender the notice referred to in section 48(13) to the holder of the licence.

Amendment of regulation 20 of the Regulations

14. Regulation 20 of the Regulations is amended by the substitution for subregulation (2) of the following subregulation:
"(2) The licensee must retain copies of invoices in terms of section 50(1)*(a)* at the licensed premises for a period of five years from their date of issue, notwithstanding any law to the contrary.".

Substitution of regulation 21 of the Regulations

15. The following regulation is substituted for regulation 21 of the Regulations:

"**Application to transfer financial interest in licensed business or to let licensed premises**

21. (1) A licensee or any other person with a financial interest in a licensed business who wishes to transfer a financial interest of more than 5% in the licensed business to another person as contemplated in section 51(1) and that other person (in this regulation referred to as joint applicants) must jointly lodge an application with the

Authority, in the form of Form 13 in Annexure 3, and both of them must furnish in the application the information required in that form.

(2) A licensee who wishes to let the licence to another person, allow another person to carry on business in terms of the licence or allow another person to use the licensed premises as contemplated in section 51(7) and that other person (in this regulation referred to as joint applicants) must jointly lodge an application with the Authority, in the form of Form 14 in Annexure 3, and both of them must furnish in the application the information required in that form.

(3) The joint applicants must, when lodging an application with the Authority in terms of subregulation (1) or (2), simultaneously lodge a copy of the application with the designated liquor officer in whose area of jurisdiction the licensed premises are located.

(4) An application made in terms of subregulation (1) and the copy referred to in subregulation (3) must be accompanied by—
- *(a)* proof of payment to the Authority of the applicable application fee set out in Item 5 of Annexure 1;
- *(b)* documented proof of the proposed change in financial interest;
- *(c)* written representations in support of the application;
- *(d)* a certified copy of the following in respect of the person to whom the financial interest is intended to be transferred—
  - (i) his or her identity card or document;
  - (ii) his or her passport and visa or, where applicable, the permanent residence permit, if that person is a foreigner;
  - (iii) the relevant registration documents, indicating the identity and, where applicable, the financial interest of all the members, directors, partners, beneficiaries or trustees, if that person is not a natural person;
- *(e)* an affidavit by the person to whom the financial interest is intended to be transferred that he, she or it is not disqualified in terms of section 35 from holding a liquor licence; and
- *(f)* a valid, original tax clearance certificate in respect of the person to whom the financial interest is intended to be transferred, issued by the South African Revenue Service not more than three months before the date of lodgement of the application.

(5) An application made in terms of subregulation (2) and the copy referred to in subregulation (3) must be accompanied by—
- *(a)* proof of payment to the Authority of the applicable application fee set out in Item 18 of Annexure 1;
- *(b)* documented proof of the proposed letting of the licence, carrying on of the business in terms of the licence or use of the licensed premises;
- *(c)* a copy of the licence concerned;
- *(d)* a certified copy of the following in respect of the person who proposes to let the licence from the licensee, carry on business in terms of the licence or use the licensed premises—
  - (i) his or her identity card or document;
  - (ii) his or her passport and visa or, where applicable, the permanent residence permit, if that person is a foreigner;
  - (iii) the relevant registration documents, indicating the identity and, where applicable, the financial interest of all the members, directors, partners, beneficiaries or trustees, if that person is not a natural person;
- *(e)* an affidavit by the person contemplated in paragraph *(d)* that he, she or it is not disqualified in terms of section 35 from holding a liquor licence;
- *(f)* a copy of the licence of the person who proposes to let the licence from the licensee, carry on business in terms of the licence or use the licensed premises;

(g) a valid, original tax clearance certificate in respect of the person contemplated in paragraph *(d)*, issued by the South African Revenue Service not more than three months before the date of lodgement of the application;

(h) a legible, comprehensive floor plan of the licensed premises on standard white paper not exceeding A3 in size, in typed script and clearly showing in contrasting colours—

(i) the applicable portion of the licensed premises that will be affected by the proposed letting of the licence, carrying on of business under the licence or use of the licensed business in relation to the entire premises;

(ii) the dimensions of the applicable portion;

(iii) the dimensions of each room on the applicable portion of the licensed premises;

(iv) the uses of all the rooms on the applicable portion of the licensed premises;

(v) all doors, windows and counters, where applicable, and means of internal and external access;

(vi) where liquor will be stored on the applicable portion of the licensed premises in relation to the entire premises;

(vii) the areas on the applicable portion of the licensed premises where liquor will be sold from in relation to the entire premises;

(viii) the areas on the applicable portion of the licensed premises where liquor will be consumed in relation to the entire premises; and

(i) indexed colour photographs showing—

(i) the applicable portion of the licensed premises;

(ii) the entire licensed premises.

(6) The designated liquor officer in whose area of jurisdiction the licensed premises are located must, within 14 days after an application made in terms of subregulation (1) or (2), has been lodged, serve a copy of his or her report contemplated in section 51(5) or (7A), as the case may be, on the joint applicants and lodge the report with the Authority together with proof that the report has been served on the joint applicants.

(7) If the designated liquor officer fails to lodge his or her report in terms of subregulation (6) with the Authority, the Chief Executive Officer must, within 21 days from the date of lodgement of the application request the designated liquor officer concerned in writing, to lodge the report with the Authority within three days.

(8) If the designated liquor officer fails to lodge his or her report in terms of subregulation (7), the Chief Executive Officer may forward a copy of the application made in terms of subregulation (1) or (2), as the case may be, to an inspector with a written instruction to lodge a report containing the information contemplated in section 51(5) or (7A) in respect of the application concerned.

(9) An inspector must lodge his or her report with the Authority and forward a copy thereof to the joint applicants within the period stipulated by the Chief Executive Officer in terms of the instruction referred to in subregulation (8).

(10) The joint applicants must lodge with the Authority their response to the report by the designated liquor officer referred to in subregulation (6) or (7) or the report by an inspector referred to in subregulation (9) within seven days after having been served with a copy of either report.

(11) The Presiding Officer must—

(a) in respect of an application made in terms of subregulation (1), either grant or refuse the application within 30 days after receipt of all the documents referred to in subregulations (1), (4), (6) and (10), and where applicable subregulation (9);

(b) in respect of an application made in terms of subregulation (2), either grant or refuse the application within 30 days after receipt of all the documents referred

to in subregulations (2), (5), (6) and (10), and where applicable subregulation (9).

(12) The Authority must, within seven days after the Presiding Officer has decided on an application made in terms of subregulation (1) or (2), as the case may be, notify the joint applicants and each person who lodged a written objection or representations in respect of the application with the Authority in writing of the decision.

(13) If an application is granted, the Authority must issue a written consent within 14 days after the consent was granted.".

Substitution of regulation 22 of the Regulations

16. The following regulation is substituted for regulation 22 of the Regulations:

"**Nomination of manager**

22. (1) A person must when seeking the approval of the appointment of a manager of a licensed business as contemplated in section 52(1), (1A) or (2) lodge a nomination in the form of Form 15 in Annexure 3 with the Authority and a copy thereof with the designated liquor officer in whose area of jurisdiction the licensed premises are located and must furnish the information required in that form.

(2) The nomination must be accompanied by—
(a) a certified copy of the—
(i) identity card or document of the nominated person; or
(ii) passport and visa or, where applicable, the permanent residence permit of the nominated person, if the nominated person is a foreigner;
(b) written representations in support of the nomination;
(c) proof that the nominated person resides in the Province; and
(d) an affidavit by the nominated person that he or she is not disqualified in terms of section 35 from holding a liquor licence.

(3) The designated liquor officer must—
(a) within 14 days after a nomination has been lodged; or
(b) in respect of a nomination contemplated in section 52(1A)*(a)* or *(b)*, within five days after the nomination has been lodged,
as the case may be, serve a copy of his or her report referred to in section 52(3) on the person who lodged the nomination in terms of subregulation (1) and lodge the report with the Authority together with proof that the report has been served on the person who lodged the nomination.

(4) If the designated liquor officer fails to lodge his or her report in terms of subregulation (3) with the Authority, the Chief Executive Officer must—
(a) within 21 days from the date of lodgement of the nomination; or
(b) in respect of a nomination contemplated in section 52(1A)*(a)* or *(b)*, within six days from the date of lodgement of the nomination,
as the case may be, request the designated liquor officer concerned in writing, to lodge the report with the Authority within three days.

(5) If the designated liquor officer fails to lodge his or her report in terms of subregulation (4), the Chief Executive Officer may forward a copy of the nomination concerned to an inspector with a written instruction to lodge a report containing the information referred to in section 52(3), in respect of the nomination concerned.

(6) An inspector must—
(a) within the period stipulated by the Chief Executive Officer in terms of the instruction referred to in subregulation (5); or
(b) in respect of a nomination contemplated in section 52(1A)*(a)* or *(b)*, within three days of receipt of the instruction referred to in subregulation (5),

lodge his or her report with the Authority and forward a copy thereof to the person who lodged the nomination.

(7) The person who lodged the nomination must lodge his, her or its reply, if any, to a report by the designated liquor officer referred to in subregulation (3) or a report by an inspector referred to in subregulation (6)—
(a) within seven days after having been served with a copy of either report; or
(b) in respect of a nomination contemplated in section 52(1A)*(a)* or *(b)*, within three days after having been served with a copy of either report.

(8) The Liquor Licensing Tribunal or the Presiding Officer, as the case may be, must either approve or refuse the appointment of the nominated person within 30 days after receipt of all the documents referred to in subregulations (1), (2), (3) and (7) and, where applicable, subregulation (6).

(9) The Presiding Officer must, in respect of a nomination contemplated in section 52(1A)*(a)* or *(b)*, either approve or refuse the appointment of the nominated person within four days after receipt of all the documents referred to in subregulations (1), (2), (3) and (7) and, where applicable, subregulation (6).

(10) The Authority must notify the person who lodged the nomination in writing of the decision—
(a) within seven days after the Liquor Licensing Tribunal or the Presiding Officer, as the case may be, has decided on a nomination in terms of subregulation (8); or
(b) within one day after the Presiding Officer has decided on a nomination in terms of subregulation (9).

(11) If the appointment is approved, the Authority must—
(a) within 14 days after the consent was granted issue a written consent to the person who lodged the nomination; or
(b) in respect of a nomination contemplated in section 52(1A)*(a)* or *(b)*, simultaneously with the notification referred to in subregulation (10)*(b)*, issue a written consent to the person who lodged the nomination.".

Amendment of regulation 23 of the Regulations

17. Regulation 23 of the Regulations is amended—
(a) by the substitution for subregulation (1) of the following subregulation:
"(1) A licensee who requires consent to perform any action referred to in section 53(1)*(a)* must lodge with the Authority and the designated liquor officer in whose area of jurisdiction the licensed premises are located an application in the form of Form 16 in Annexure 3, accompanied by—
(a) a legible, comprehensive floor plan of the applicable portion of the licensed premises intended to be altered, added to, reconstructed or extended on standard white paper not exceeding A3 in size, in typed script and clearly showing in contrasting colours—
(i) the applicable portion of the licensed premises in relation to the entire premises;
(ii) the dimensions of the applicable portion;
(iii) the dimensions of each room on the applicable portion;
(iv) the uses of each room on the applicable portion;
(v) all doors, windows and counters, where applicable, and means of internal and external access;
(vi) the streets and places to which such means of external access lead;
(vii) how the applicable portion links up with the licensed premises;
(viii) where liquor will be stored on the applicable portion;
(ix) the areas on the applicable portion where liquor will be sold from in relation to the entire premises;

(x) the areas on the applicable portion where liquor will be consumed in relation to the entire premises;

(b) a description of the proposed alterations;

(c) in a separate document, a description of the applicable portion of the licensed premises, with reference to the construction, lay-out, furnishing, fixtures, fittings and floor covering;

(d) proof that the applicant has the right to alter the licensed premises for the purpose contemplated in the application;

(e) proof of payment to the Authority of the application fee set out in Item 6 of Annexure 1;

(f) written representations in support of the application;

(g) in respect of an application to extend the licensed premises, proof that the applicant has the right to occupy the applicable portion;

(h) in respect of an application to extend the licensed premises, proof of ownership of the licensed premises, or, if the applicant is not the owner of the premises, written consent from the owner that the applicant may use the applicable portion for the purposes of the licence; and

(i) indexed colour photographs showing the completed internal and external features of the licensed premises.";

(b) by the substitution for subregulation (2) of the following subregulation:

"(2) A licensee who requires consent to perform any action referred to in section 53(1)*(b)* must lodge with the Authority and the designated liquor officer in whose area of jurisdiction the licensed premises are located an application, in the form of Form 17 in Annexure 3, accompanied by—

(a) a description of the change in the nature of the business;

(b) proof of payment to the Authority of the application fee set out in Item 6 of Annexure 1;

(c) written representations in support of the application;

(d) proof that the applicant has the right to materially change the nature of the business in respect of which the licence was granted; and

(e) the documents specified on the application form or as may be requested by the Authority.";

(c) by the substitution for subregulation (3) of the following subregulation:

"(3) A licensee who requires consent to perform any action referred to in section 53(1)*(c)* must lodge with the Authority and the designated liquor officer in whose area of jurisdiction the licensed premises are located an application, in the form of Form 18 in Annexure 3, accompanied by—

(a) a description of any other business, trade or occupation that is carried on or pursued on the proposed premises on which it is intended that the business under the licence will be conducted;

(b) proof of payment to the Authority of the application fee set out in Item 6 of Annexure 1;

(c) written representations in support of the application;

(d) a legible, comprehensive floor plan of the applicable portion of the proposed premises on which it is intended that the business under the licence will be conducted, on standard white paper not exceeding A3 in size, in typed script and clearly showing in contrasting colours—

(i) the applicable portion of the proposed premises in relation to the entire premises;

(ii) the dimensions of the applicable portion;

(iii) the dimensions of each room on the applicable portion of the proposed premises;

(iv) the uses of each room on the applicable portion of the proposed premises;

(v) all doors, windows and counters, where applicable, and means of internal and external access;

(vi) the streets and places to which such means of external access lead;

(vii) where liquor will be stored on the applicable portion of the proposed premises;

(viii) the areas on the applicable portion of the proposed premises where liquor will be sold from in relation to the entire premises;

(ix) the areas on the applicable portion of the proposed premises where liquor will be consumed in relation to the entire premises;

(e) in a separate document, a description of the applicable portion of the proposed premises, with reference to the construction, lay-out, furnishing, fixtures, fittings and floor covering;

(f) proof that the applicant has the right to occupy the applicable portion of the proposed premises;

(g) proof of ownership of the proposed premises or, if the applicant is not the owner of the premises, written consent from the owner that the applicant may use the applicable portion of the proposed premises for the purposes of the licence; and

(h) indexed colour photographs showing the internal and external features of the proposed premises.";

(d) by the substitution for the word "licensee" in subregulation (4) of the word "applicant";

(e) by the substitution for the word "licensee" in subregulation (7) of the word "applicant";

(f) by the substitution for the word "licensee" in subregulation (8) of the word "applicant";

(g) by the substitution for subregulation (10) of the following subregulation:

"(10) The Authority must, within seven days after the Presiding Officer has decided on an application made in terms of subregulation (1), (2) or (3), notify the applicant and each person who lodged a written objection or representations in respect of the application concerned with the Authority in writing of the decision.";

(h) by the substitution in subregulation (11) for the word "seven" of the number "14"; and

(i) by the substitution for subregulation (12) of the following subregulation:

"(12) When an application is granted in terms of this regulation, the applicant must pay the fees set out in Item 7, 8 or 9 in Part A of Annexure 2, as the case may be, to the Authority.".

Substitution of regulation 24 of the Regulations

18. The following regulation is substituted for regulation 24 of the Regulations:

"**Access to licensed premises and restricted areas**

24. A licensee must ensure that every restricted area referred to in section 56(4) is marked by means of a notice placed at the entrance of the restricted area containing the words, "**RESTRICTED AREA – NO PERSONS UNDER 18 YEARS ALLOWED**", in bold-type upper-case letters at least 5 cm in height and in black lettering not less than 0,5 cm wide on a white background.".

Amendment of regulation 25 of the Regulations

19. Regulation 25 of the Regulations is amended—

(a) by the substitution for subregulation (3) of the following subregulation:

"(3) The designated liquor officer must, within 14 days after the application has been lodged, serve a copy of his or her report referred to in section 73(7)*(a)* containing the information referred to in regulation 15(3)*(a)*(i) to (vi) and a recommendation contemplated in regulation 15(3)*(b)* on the applicant and lodge the report with the Authority together with proof that the report has been served on the licensee.";

(b) by the substitution for the word "licensee" in subregulation (6) of the word "applicant";

(c) by the substitution for the word "licensee" in subregulation (7) of the word "applicant";

(d) by the substitution for subregulation (9) of the following subregulation:

"(9) The Authority must, within seven days after the Presiding Officer has decided on an application made in terms of subregulation (1), notify the applicant and each person who lodged a written objection or representations in respect of the application with the Authority in writing of the decision."; and

(e) by the substitution for the word "seven" in subregulation (10) of the number "14".

Amendment of regulation 26 of the Regulations

20. Regulation 26 of the Regulations is amended—
(a) by the substitution for the expression "Liquor Licensing Tribunal", wherever it occurs, of the expression "Presiding Officer";
(b) by the substitution for the number "21" in subregulation (1) of the number "19";
(c) by the substitution for paragraph *(a)* of subregulation (3) of the following paragraph:
"*(a)* the municipal manager of the municipality concerned in order for the municipality to—
(i) allow the public to view the application;
(ii) obtain the comment of the ward councillor of the area in the municipality where the licensed premises are located; and
(iii) comment on the application;";
(d) by the substitution for the number "14" in subregulation (4) of the number "21";
(e) by the substitution for subregulation (8) of the following subregulation:
"(8) The designated liquor officer must, within 21 days after the application has been lodged, serve a copy of his or her report referred to in section 73(7)*(a)* containing the information referred to in regulation 15(3)*(a)*(i) to (vi) and a recommendation contemplated in regulation 15(3)*(b)* on the applicant and lodge the report with the Authority together with proof that the report has been served on the applicant and that notice of the application was given to the persons and institutions referred to in subregulation (3)."; and
(f) by the substitution for subregulation (11) of the following subregulation:
"(11) The Authority must, within seven days of a decision by the Presiding Officer to grant or refuse the application, notify—
(a) the applicant;
(b) the municipal manager of the municipality concerned;
(bA) the ward councillor of the area in the municipality where the licensed premises are located;
(bB) each person who lodged a written objection or representations in respect of the application with the Authority;
(c) the neighbouring residents and persons who in its opinion may be affected by, or have an interest in, the granting or refusal of the application; and
(d) the community policing forum, if any, of the area in which the premises are located,
in writing of the decision of the Presiding Officer.".

Amendment of regulation 29 of the Regulations

21. Regulation 29 of the Regulations is amended by the substitution for the number "22" of the number "20".

Substitution of regulation 30 of the Regulations

22. The following regulation is substituted for regulation 30 of the Regulations:

"**Automatic renewal of licences and condonation for failure to pay renewal fee by due date**

30. (1) The annual and biennial renewal notice referred to in section 63(1) and (2A) respectively must be in the form of Form 21A in Annexure 3.

(2) The licensee must pay the applicable fee set out in Part C of Annexure 2 to the Authority.

(3) A licensee who intends to subscribe to a biennial renewal cycle referred to in section 63(2A) must lodge with the Authority a notice in the form of Form 21B in Annexure 3 by no later than 31 November of the year in which the Authority has issued the annual renewal notice referred to in section 63(1).

(4) An application for condonation for the failure to pay the renewal fee on or before the last day of February of the applicable period referred to in section 63(4) must be lodged with the Authority in the form of Form 21C in Annexure 3.

(5) The Chief Executive Officer must, within 30 days after receipt of an application referred to in subregulation (4), consider the application.

(6) The Authority must, within seven days after the Chief Executive Officer has decided on an application made in terms of subregulation (4), notify the applicant in writing of the decision.

(7) If the Chief Executive Officer grants an application made in terms of subregulation (4), the licensee must pay to the Authority the applicable fee together with the penalty referred to in section 63(4).".

Amendment of regulation 31 of the Regulations

23. Regulation 31 of the Regulations is amended—
(a) by the substitution for the number "25" in subregulation (1) of the number "22";
(b) by the substitution for the number "26" in subregulation (4) of the number "23";
(c) by the insertion after subregulation (4) of the following subregulations:
"(4A) The Liquor Licensing Tribunal must, within 30 days after receipt of an application referred to in subregulation (4), consider the application.
(4B) The Authority must, within seven days after the Liquor Licensing Tribunal has decided on an application made in terms of subregulation (4), notify the applicant.
(4C) If the Liquor Licensing Tribunal grants the application referred to in subregulation (4), the applicant must pay to the Authority the applicable fee together with the penalty referred to in section 64(4).";
(d) by the substitution for subregulation (6) of the following subregulation:
"(6) The inspectorate and the designated liquor officer must each—
(a) within 14 days from the date of lodgement of the application lodge with the Authority a report that investigates the factors referred to in section 64(1)*(a)* to *(e)*; and
(b) serve on the applicant a copy of that report."; and
(e) by the substitution for subregulation (9) of the following subregulation:
"(9) The Authority must, within seven days after the Liquor Licensing Tribunal has decided on an application made in terms of section 64, notify the applicant, the designated liquor officer, the municipal manager concerned and each person who lodged a written objection or representations in respect of the application with the Authority in writing of the decision.".

Substitution of regulation 32 of the Regulations

24. The following regulation is substituted for regulation 32 of the Regulations:

"**Transfer of licence**

32. (1) A licensee who intends to transfer a licence to another person in terms of section 65(1) must lodge an application for the transfer of his, her or its licence with the Authority and a copy thereof with the designated liquor officer in whose area of jurisdiction the licensed premises are located.

(2) An application in terms of section 65(1) must—
(a) be made in the form of Form 24 in Annexure 3;
(b) be in typed script on A4 size standard white paper;
(c) contain the information as required in that form;
(d) be accompanied by proof of payment to the Authority of the applicable fee set out in Item 10(a) of Annexure 1;
(e) be accompanied by a certified copy of the—
(i) identity card or document of the proposed licensee;

(ii) passport and visa, or, where applicable, the permanent residence permit of the proposed licensee, if the proposed licensee is a foreigner; or

(iii) relevant registration documents, indicating the identity and, where applicable, the financial interest of all the members, directors, partners, beneficiaries or trustees of the proposed licensee, if the proposed licensee is a person other than a natural person;

(f) be accompanied by an affidavit by the proposed licensee that he, she or it is not disqualified in terms of section 35 from holding a liquor licence;

(g) be accompanied by proof that the applicant has lodged a copy of the application with the designated liquor officer in whose area of jurisdiction the licensed premises are located;

(h) be accompanied by a valid, original tax clearance certificate in respect of the proposed licensee, issued by the South African Revenue Service not more than three months before the date of lodgement of the application;

(i) be accompanied by proof that the proposed licensee has the right to occupy the licensed premises;

(j) be accompanied by proof of ownership of the licensed premises or, if the proposed licensee is not the owner of the premises, written consent from the owner that the proposed licensee may use the licensed premises for the purposes of the licence in respect of which an application for transfer was lodged in terms of subregulation (1);

(k) be accompanied by written representations in support of the application; and

(l) be accompanied by documented proof of the reason for the transfer.

(3) The designated liquor officer must, within 14 days after an application for the transfer of a licence has been lodged, serve a copy of his or her report referred to in section 65(11) on the applicant and lodge the report with the Authority together with proof that the report has been served on the applicant.

(4) If the report referred to in subregulation (3) contains any information or recommendation that is adverse to the proposed licensee, the designated liquor officer must, within 14 days after the application made in terms of subregulation (1) has been lodged, notify the proposed licensee in writing thereof and call upon him, her or it to reply thereto within seven days from the date of the notice.

(5) If the designated liquor officer fails to lodge his or her report in terms of subregulation (3), the Chief Executive Officer may forward a copy of the application to an inspector with a written instruction to lodge a report containing the information contemplated in section 65(11), in respect of the application.

(6) An inspector must lodge his or her report with the Authority and forward a copy to the applicant within the period stipulated by the Chief Executive Officer in terms of the instruction referred to in subregulation (5).

(7) If the report referred to in subregulation (6) contains any information or recommendation which is adverse to the proposed licensee, the inspector must notify the proposed licensee in writing thereof and call upon him, her or it to reply thereto within seven days from the date of the notice.

(8) The applicant must lodge with the Authority his, her or its response to a report by the designated liquor officer referred to in subregulation (3) or a report by an inspector referred to in subregulation (6) within seven days after having been served with a copy of either report.

(9) The Liquor Licensing Tribunal must consider an application made in terms of subregulation (1) within 30 days after receipt of all the relevant documents referred to in subregulations (1), (2), (3), (4), (6), (7) and (8).

(10) The Authority must, within seven days after the Liquor Licensing Tribunal has decided on an application made in terms of subregulation (1), notify the applicant, the proposed licensee and each person who lodged a written objection or representations in respect of the application with the Authority in writing of the decision in the form of Form 24A in Annexure 3.

(11) When the Liquor Licensing Tribunal conditionally grants an application made in terms of subregulation (1), the Authority must within seven days thereof notify the applicant, the proposed licensee and each person who lodged a written objection or representations in respect of the application with the Authority in writing of the decision in the form of Form 24B in Annexure 3.

(12) When an application made in terms of subregulation (1) is granted, the Authority must within 14 days after payment by the proposed licensee of the applicable fee set out in Part B of Annexure 2 to the Authority issue a certificate of transfer to the proposed licensee in the form of Form 25 in Annexure 3.

(13) When an application made in terms of subregulation (1) is conditionally granted, the Authority must, within seven days after the Presiding Officer has satisfied himself or herself that the proposed licensee has complied with the conditions imposed by the Liquor Licensing Tribunal, notify the proposed licensee in writing thereof.

(14) The notice to the proposed licensee must be in the form of Form 24C in Annexure 3.

(15) The proposed licensee must pay the applicable fee set out in Part B of Annexure 2 to the Authority and lodge proof of the payment with the Authority.

(16) The Authority must, within 14 days of receipt of proof of the payment referred to in subregulation (15), issue a certificate of transfer to the proposed licensee in the form of Form 25 in Annexure 3.

(17) An application for condonation in terms of section 65(19) must be lodged with the Authority in the form of Form 24D in Annexure 3.

(18) The Chief Executive Officer must, within 30 days after receipt of an application referred to in subregulation (17), consider the application.

(19) The Authority must, within seven days after the Chief Executive Officer has decided on an application made in terms of subregulation (17), notify the applicant in writing of the decision.

(20) If the Chief Executive Officer grants the application referred to in subregulation (17), the applicant must pay to the Authority the applicable fee together with the penalty referred to in section 65(19).

(21) An application referred to in section 65(3) for consent to conduct the licensed business pending the transfer of the licence must be made by lodging with the Authority an application in the form of Form 26 in Annexure 3 and a copy thereof with the designated liquor officer in whose area of jurisdiction the licensed premises are located.

(22) The application must be accompanied by—
(a) proof of payment to the Authority of the application fee set out in Item 10(b) of Annexure 1; and
(b) written representations in support of the application.

(23) The designated liquor officer must, within 14 days after the application for consent has been lodged, serve a copy of his or her report referred to in section 65(11) on the applicant and lodge the report with the Authority together with proof that the report has been served on the applicant.

(24) If the report referred to in subregulation (23) contains any information or recommendation that is adverse to the licensee, the designated liquor officer must, within 14 days after the application for consent has been lodged, notify the licensee in writing thereof and call upon the licensee to reply thereto within seven days from the date of the notice.

(25) If the designated liquor officer fails to lodge his or her report in terms of subregulation (23), the Chief Executive Officer may forward a copy of the application to an inspector with a written instruction to lodge a report containing the information contemplated in section 65(11), in respect of the application.

(26) An inspector must lodge his or her report with the Authority and forward a copy to the applicant within the period stipulated by the Chief Executive Officer in terms of the instruction referred to in subregulation (25).

(27) If the report referred to in subregulation (26) contains any information or recommendation that is adverse to the licensee, the inspector must notify the licensee in writing thereof and call upon him, her or it to reply thereto within seven days from the date of the notice.

(28) The applicant must lodge with the Authority his, her or its response to a report by the designated liquor officer referred to in subregulation (23) or a report by an inspector referred to in subregulation (26) within seven days after having been served with a copy of either report.

(29) The Presiding Officer must consider an application made in terms of subregulation (21) within 30 days after receipt of all the relevant documents referred to in subregulations (21) to (28).

(30) The Authority must, within seven days after the Presiding Officer has decided on an application for consent made in terms of subregulation (21), notify the applicant, the licensee, the designated liquor officer in whose area of jurisdiction the licensed premises are located and each person who lodged a written objection or representations in respect of the application with the Authority in writing of the decision.

(31) An application referred to in section 65(6) to extend the consent granted by the Presiding Officer in respect of an application made in terms of subregulation (21) must be made by lodging with the Authority an application in the form of Form 26A in Annexure 3.

(32) The application must be accompanied by—
(a) proof of payment to the Authority of the application fee set out in Item 10(c) of Annexure 1; and
(b) written representations in support of the application.

(33) The Presiding Officer must consider an application made in terms of subregulation (31) within 30 days after receipt of all the documents referred to in subregulations (31) and (32).

(34) The Authority must, within seven days after the Presiding Officer has decided on an application made in terms of subregulation (31), notify the applicant, the licensee, the designated liquor officer in whose area of jurisdiction the licensed premises are located and each person who lodged a written objection or representations in respect of the application with the Authority in writing of the decision in the form of Form 26B in Annexure 3.

(35) An application referred to in section 65(12B) to amend or withdraw the conditions imposed by the Liquor Licensing Tribunal when conditionally granting an application made in terms of subregulation (1) must be made by lodging with the Authority and the designated liquor officer in whose area of jurisdiction the licensed premises are located an application in the form of Form 24E in Annexure 3.

(36) The application must be accompanied by—
(a) proof of payment to the Authority of the application fee set out in Item 17(a) of Annexure 1; and
(b) written representations in support of the application.

(37) The designated liquor officer must, within 14 days after an application made in terms of subregulation (35) has been lodged, serve a copy of his or her report on the applicant and lodge the report with the Authority together with proof that the report has been served on the applicant.

(38) The report by the designated liquor officer must contain the following:
(a) a statement on the effect that the proposed amendment or withdrawal of the conditions may have on the public;
(b) a statement on the effect that the proposed amendment or withdrawal of the conditions may have on the institutions referred to in section 34(1)*(e)*(ii) to (v) in the vicinity of the licensed premises;
(c) any other information that should, in the opinion of the designated liquor officer, be taken into account when considering the application; and
(d) a recommendation for the granting or rejection of the application.

(39) If the report contemplated in subregulation (38) contains any information or recommendation which is adverse to the licensee, the designated liquor officer must, within 14 days after the application made in terms of subregulation (35) has been lodged, notify the licensee in writing thereof and call upon the licensee to reply thereto within seven days from the date of the notice.

(40) If the designated liquor officer fails to lodge his or her report in terms of subregulation (37), the Chief Executive Officer may forward a copy of the application to an inspector with a written instruction to lodge a report containing the information referred to in subregulation (38) in respect of the application.

(41) An inspector must lodge his or her report with the Authority and forward a copy to the applicant within the period stipulated by the Chief Executive Officer in terms of the instruction referred to in subregulation (40).

(42) If the report referred to in subregulation (41) contains any information or recommendation which is adverse to the licensee, the inspector must notify the licensee in writing thereof and call upon him, her or it to reply thereto within seven days from the date of the notice.

(43) The applicant must lodge with the Authority his, her or its response to a report by the designated liquor officer referred to in subregulation (37) or a report by an inspector referred to in subregulation (41) within seven days after having been served with a copy of either report.

(44) The Liquor Licensing Tribunal must consider an application made in terms of subregulation (35) within 30 days after receipt of all the relevant documents referred to in subregulations (35) to (43).

(45) The Authority must, within seven days after the Liquor Licensing Tribunal has decided on an application made in terms of subregulation (35), notify the applicant, the licensee and each person who lodged a written objection or representations in respect of the application with the Authority in writing of the decision in the form of Form 24F in Annexure 3.

(46) An application referred to in section 65(12C) to extend the time period stipulated by the Liquor Licensing Tribunal when conditionally granting an application made in terms of subregulation (1) must be made by lodging with the Authority an application in the form of Form 24E in Annexure 3.

(47) The application must be accompanied by—
(a) proof of payment to the Authority of the application fee set out in Item 17(c) of Annexure 1; and
(b) written representations in support of the application setting out—
(i) the reasons why the conditions contemplated in section 65(12) cannot or have not been complied with within the time period stipulated by the Liquor Licensing Tribunal;
(ii) the extent to which the applicant has complied with the conditions;
(iii) the steps that the applicant proposes to take in order to comply with the conditions; and
(iv) the time the applicant estimates will be required to complete the proposed steps.

(48) The Presiding Officer must consider an application made in terms of subregulation (46) within 30 days after receipt of all the documents referred to in subregulations (46) and (47).

(49) The Authority must, within seven days after the Presiding Officer has decided on an application made in terms of subregulation (46), notify the applicant, the licensee and each person who lodged a written objection or representations in respect of the application with the Authority in writing of the decision in the form of Form 24F.

(50) When an application is granted in terms of this regulation, the applicant must, except in respect of an application made in terms of subregulation (17), pay the applicable fee set out in Part B of Annexure 2 to the Authority.".

Substitution of regulation 33 of the Regulations

25. The following regulation is substituted for regulation 33 of the Regulations:

"**Application for removal of licence**

33. (1) A licensee who intends to remove a licence in terms of section 66(2) must lodge an application for the removal with the Authority and a copy thereof with the designated liquor officer in whose area of jurisdiction the licensed premises are currently located and, where the granting of the application will have the effect of removing the licence to the area of jurisdiction of another designated liquor officer, also with the designated liquor officer of that area, on any Friday of a month, or, if that Friday is a public holiday, on the last working day before that public holiday.

(2) The Authority must publish a notice in the form of Form 27A in Annexure 3 in the *Provincial Gazette*, in the three official languages of the Province on the Friday following the lodgement of the application, or, if that Friday—
(a) is a public holiday, on the first working day following that public holiday; or
(b) falls in the period between 1 December of any year and 15 January of the following year, on the first Friday after 15 January.

(3) The Authority must cause the notice referred to in subregulation (2) to be published, in the three official languages of the Province, in a community newspaper circulating in the area where the licence is to be removed to or, where there is no such community newspaper, in at least one other newspaper circulating in that area, on the day contemplated in subregulation (2), or on the next date on which the newspaper concerned is circulated in that area.

(4) The applicant must display a notice in the form of Form 27B, in the three official languages of the Province, in a prominent place at the proposed licensed premises so that it is visible to passers-by.

(5) The notice referred to in subregulation (4) must—
(a) be headed by the words,
"**NOTICE OF LODGEMENT OF APPLICATION FOR REMOVAL OF LIQUOR LICENCE**",
in bold-type upper-case letters at least 2 cm in height and in black lettering not less than 0,5 cm-wide on a white background;
(b) be at least A3 in size on standard paper;
(c) be waterproofed; and
(d) be displayed from the date of lodgement of the application and remain in place for not less than 28 days from the date of publication of the notice of lodgement of the application.

(6) An application referred to in subregulation (1) must—
(a) be made in the form of Form 27 in Annexure 3;
(b) be in typed script on A4 size standard white paper; and
(c) contain the information required in that form.

(7) The application must be accompanied by:
(a) a legible, comprehensive floor plan of the proposed licensed premises on standard white paper not exceeding A3 in size, in typed script and clearly showing in contrasting colours—
(i) the proposed licensed premises in relation to the entire premises;
(ii) the dimensions of the proposed licensed premises;
(iii) the dimensions of each room on the proposed licensed premises;
(iv) the uses of all the rooms on the proposed licensed premises;
(v) all doors, windows and counters, where applicable, and means of internal and external access;
(vi) the streets and places to which such means of external access lead;
(vii) where liquor will be stored on the proposed licensed premises;
(viii) the areas on the proposed licensed premises where liquor will be sold from in relation to the entire premises;
(ix) the areas on the proposed licensed premises where liquor will be consumed in relation to the entire premises;
(b) a legible site plan of the proposed licensed premises on standard white paper not exceeding A3 in size, in typed script and clearly showing—
(i) an outline of every building in the vicinity of the proposed licensed premises on the erf to which the application relates;
(ii) the relation of the proposed licensed premises to a residential area;
(iii) the relation of the proposed licensed premises to any institutions referred to in section 34(1)*(e)*(ii) to (v) in the vicinity of the proposed licensed premises, with distances indicated in metres;
(iv) the relation of the proposed licensed premises to an undertaking referred to in section 41(1)*(c)*(i) in the vicinity of the proposed licensed premises, with distances indicated in metres;
(v) other licensed premises on the erf; and
(vi) the uses of all the buildings in the vicinity of the proposed licensed premises on the erf;
(c) an aerial view map showing the relation of the proposed licensed premises to a residential area;
(d) in a separate document, a description of the premises, with reference to the construction, layout, furnishing, fixtures, fittings and floor covering;
(e) indexed colour photographs showing the completed internal and external features of the proposed licensed premises or, where the application relates to incomplete premises, the stage of completion of the premises;
(f) written representations in support of the application and any determination, consent, approval or authority simultaneously applied for;

(g) proof of payment to the Authority of the applicable application fee set out in Item 11 of Annexure 1;

(h) a certified copy of the—

(i) identity card or document of the applicant;

(ii) passport and visa, or, where applicable, the permanent residence permit of the applicant, if the applicant is a foreigner; or

(iii) relevant registration documents, indicating the identity and, where applicable, the financial interest of all the members, directors, partners, beneficiaries or trustees of the applicant, if the applicant is a person other than a natural person;

(i) such documents as may be specified in Form 27 in Annexure 3 and in the Act, or as may be requested by the Liquor Licensing Tribunal;

(j) an affidavit by the applicant that he, she or it is not disqualified in terms of section 35 from holding a liquor licence;

(k) proof that the applicant has lodged a copy of the application with the designated liquor officer in whose area of jurisdiction the licensed premises are currently located and, where the granting of the application will have the effect of removing the licence to the area of jurisdiction of another designated liquor officer, proof that the applicant has lodged a copy of the application with the designated liquor officer of that area;

(l) a valid, original tax clearance certificate in respect of the applicant, issued by the South African Revenue Service not more than three months before the date of lodgement of the application;

(m) proof that the applicant has the right to occupy the proposed licensed premises;

(n) proof of ownership of the proposed licensed premises or, if the applicant is not the owner of the premises, written consent from the owner that the applicant may use the proposed licensed premises for the purposes of the licence in respect of which an application for removal was lodged in terms of subregulation (1).

(8) All plans attached to the application must show the date of preparation of and the name and address of the person who prepared the plan.

(9) The Authority and the designated liquor officer or officers concerned must enable the public to inspect the application and every document lodged with the Authority in connection with the application for a period of 28 days after the date of publication of the notice of lodgement of the application.

(10) The designated liquor officer to whose area of jurisdiction the licence is to be removed must—

(a) serve a copy of the application on the municipal manager of the relevant municipality within seven days from the date of lodgement of the application, in order for the municipality to—

(i) allow the public to view the application;

(ii) obtain the comments of the ward councillor of the area in the municipality where the proposed licensed premises are located; and

(iii) comment on the application;

(b) give notice of the application to—

(i) neighbouring residents or such persons who in his or her judgement may be affected by, or have an interest in, the granting or refusal of the application; and

(ii) the community policing forum, if any, of the area in which the proposed licensed premises are located.

(11) If the municipality referred to in subregulation (10) intends to comment, it must forward its comments or recommendations within 28 days after being served with a copy of the application.

(12) *(a)* If a person who has an interest in the granting or refusal of an application lodged in terms of subregulation (1) intends to make representations for or against the granting or refusal of that application, he, she or it may do so in writing within 28 days from the date of publication of the notice of lodgement of the application.
(b) The person referred to in paragraph *(a)* must—
(i) serve a copy of the written representations on the applicant or his, her or its representative and the designated liquor officer to whose area of jurisdiction the licence is to be removed within the period referred to in paragraph *(a)*; and
(ii) lodge the original written representations with the Authority within the period referred to in paragraph *(a).*

(13) The designated liquor officer in whose area of jurisdiction the premises are currently located and, where the granting of the application will have the effect of removing the licence to the area of jurisdiction of another designated liquor officer, also the designated liquor officer of that area, must, within 35 days from the date of publication of the notice of lodgement of the application, serve a copy of his or her report on the application on the applicant and lodge the report with the Authority together with proof that the report has been served on the applicant.

(14) The report by the designated liquor officer in whose area of jurisdiction the premises are currently located must include the following—
(a) the address of the licensed premises;
(b) a summary of the manner in which the licensee conducted his or her business on the licensed premises; and
(c) a recommendation for the granting or rejection of the application.

(15) The report by the designated liquor officer to whose area of jurisdiction the licence is to be removed must include the following—
(a) the address of the proposed licensed premises;
(b) the location of the proposed licensed premises in relation to—
(i) the institutions referred to in section 34(1)*(e)*(ii) to (v);
(ii) a residential area;
(iii) other licensed premises; and
(iv) an undertaking referred to in section 41(1)*(c)*(i),
in the vicinity of the proposed licensed premises;
(c) the suitability of the proposed licensed premises;
(d) the public interest;
(e) crime statistics, if any, which he or she deems relevant in relation to the proposed licensed premises;
(f) a recommendation for the granting or rejection of the application;
(g) a statement on whether the applicant complied with subregulation (4);
(h) a statement on whether a copy of the application was served on the municipality concerned;
(i) a statement on whether notice of the application was given in accordance with subregulation (10).

(16) If either of the designated liquor officers referred to in subregulation (1) fails to lodge his or her report in terms of subregulation (13) the Chief Executive Officer may forward a copy of the application to an inspector with a written instruction to lodge a report containing the information referred to in subregulation (14) or (15), as the case may be, in respect of the application.

(17) An inspector must, within 21 days after being requested to do so, lodge his or her report with the Authority and forward a copy to the applicant.

(18) If the report by a designated liquor officer referred to in subregulation (13) or a report by an inspector referred to in subregulation (17) relating to the application contains any information or recommendation that adversely affects the application, the applicant must lodge with the Authority his, her or its response to such report within seven days after having been served with a copy thereof.

(19) The Liquor Licensing Tribunal must consider an application made in terms of subregulation (1) within 30 days after receipt of all the relevant documents referred to in subregulations (1), (6), (7), (11), (12), (13), (17) and (18).

(20) The Authority must, within seven days after the Liquor Licensing Tribunal has decided on an application made in terms of subregulation (1), notify the applicant and each person who lodged a written objection or representations in respect of the application with the Authority in writing of the decision in the form of Form 27C in Annexure 3.

(21) When the Liquor Licensing Tribunal conditionally grants an application made in terms of subregulation (1) or grants an application as contemplated in section 66(13), as the case may be, the Authority must within seven days thereof notify the applicant and each person who lodged a written objection or representations in respect of the application with the Authority in writing of the decision in the form of Form 27D in Annexure 3.

(22) When an application made in terms of subregulation (1) is granted, the Authority must, subject to subregulation (23), within 14 days after payment by the applicant of the applicable fee set out in Part B of Annexure 2 to the Authority, issue a certificate of removal in terms of section 66(6) in the form of Form 28 in Annexure 3.

(23) When an application made in terms of subregulation (1) is conditionally granted or an application is granted as contemplated in section 66(13), the Authority must, within seven days after the Presiding Officer has satisfied himself or herself that the applicant has complied with the conditions imposed by the Liquor Licensing Tribunal or the conditions or requirements imposed by the Presiding Officer, as the case may be, notify the applicant in writing thereof.

(24) The notice to the applicant must be in the form of Form 27E in Annexure 3.

(25) The applicant must pay the applicable fee set out in Part B of Annexure 2 to the Authority and lodge proof of payment with the Authority.

(26) The Authority must, within 14 days of receipt of proof of the payment referred to in subregulation (25), issue a certificate of removal to the applicant in the form of Form 28 in Annexure 3.

(27) An application for condonation in terms of section 66(8) must be lodged with the Authority in the form of Form 27F in Annexure 3.

(28) The Chief Executive Officer must, within 30 days after receipt of an application referred to in subregulation (27), consider the application.

(29) The Authority must, within seven days after the Chief Executive Officer has decided on an application made in terms of subregulation (27), notify the applicant in writing of the decision.

(30) If the Chief Executive Officer grants the application referred to in subregulation (27), the applicant must pay to the Authority the applicable fee together with the penalty referred to in section 66(8).

(31) An application to—

(a) amend or withdraw the conditions imposed by the Liquor Licensing Tribunal when conditionally granting an application made in terms of subregulation (1);

(b) revoke or amend any condition or requirement determined under section 66(13); or

(c) approve an amended plan referred to in section 66(14),

must be made by lodging with the Authority and the designated liquor officer to whose area of jurisdiction the licence is to be removed an application in the form of Form 27G in Annexure 3.

(32) The application must—

(a) be accompanied by proof of payment to the Authority of the application fee set out in Item 17(a), (b) or (d) of Annexure 1, as the case may be;

(b) be accompanied by written representations in support of the application; and

(c) in respect of an application made in terms of subregulation (31)*(c)*, also be accompanied by a copy of the amended plan of the premises.

(33) The designated liquor officer to whose area of jurisdiction the licence is to be removed must, within 14 days after an application in terms of subregulation (31)*(a)*, *(b)* or *(c)*, as the case may be, has been lodged, serve a copy of his or her report on the applicant and lodge the report with the Authority together with proof that the report has been served on the applicant.

(34) The report by the designated liquor officer must contain the following:

(a) a statement on the effect that the proposed amendment or withdrawal of the conditions or revocation or amendment of the conditions or requirements may have on the public;

(b) a statement on the effect that the proposed amendment or withdrawal of the conditions or revocation or amendment of the conditions or requirements may have on the institutions referred to in section 34(1)*(e)*(ii) to (v) in the vicinity of the proposed licensed premises;

(c) any other information, if any, that should, in the opinion of the designated liquor officer, be taken into account when considering the application; and

(d) a recommendation for the granting or rejection of the application.

(35) If the designated liquor officer fails to lodge his or her report in terms of subregulation (33), the Chief Executive Officer may forward a copy of the application to an inspector with a written instruction to lodge a report containing the information referred to in subregulation (34), in respect of the application concerned.

(36) An inspector must lodge his or her report with the Authority and forward a copy to the applicant within the period stipulated by the Chief Executive Officer in terms of the instruction referred to in subregulation (35).

(37) The applicant must lodge with the Authority his, her or its response to a report by the designated liquor officer referred to in subregulation (33) or a report by an inspector referred to in subregulation (36) within seven days after having been served with a copy of either report.

(38) The Liquor Licensing Tribunal or the Presiding Officer, as the case may be, must consider an application made in terms of subregulation (31)*(a)*, *(b)* or *(c)* within 30 days after receipt of all the relevant documents referred to in subregulations (31) to (37).

(39) The Authority must, within seven days after the Liquor Licensing Tribunal or the Presiding Officer, as the case may be, has decided on an application made in terms of subregulation (31)*(a)*, *(b)* or *(c)*, notify the applicant and each person who lodged a written objection or representations in respect of the application with the Authority in writing of the decision in the form of Form 27H in Annexure 3.

(40) An application to extend the time period—

(a) stipulated by the Liquor Licensing Tribunal in terms of section 66(4A); or

(b) stipulated by the Presiding Officer in terms of section 66(13) or (14)*(b)*,

must be made by lodging with the Authority an application in the form of Form 27G in Annexure 3.

(41) The application must be accompanied by—
(a) proof of payment to the Authority of the application fee set out in Item 17(c) of Annexure 1; and
(b) written representations in support of the application setting out—
(i) the reasons why the conditions contemplated in section 66(4C) or the conditions and requirements contemplated in section 66(13) cannot or have not been complied with within the time stipulated by the Liquor Licensing Tribunal or the Presiding Officer, as the case may be;
(ii) the extent to which the applicant has complied with the conditions or requirements;
(iii) the steps that the applicant proposes to take in order to comply with the conditions or requirements; and
(iv) the time the applicant estimates will be required to complete the proposed steps.

(42) The Presiding Officer must consider an application made in terms of subregulation (40)*(a)* or *(b)* within 30 days after receipt of all the relevant documents referred to in subregulations (40) and (41).

(43) The Authority must, within seven days after the Presiding Officer has decided on an application made in terms of subregulation (40)*(a)* or *(b)*, notify the applicant and each person who lodged a written objection or representations in respect of the application with the Authority in writing of the decision in the form of Form 27H in Annexure 3.

(44) When an application is granted in terms of this regulation the applicant must, except in respect of an application made in terms of subregulation (27), pay the applicable fee set out in Part B of Annexure 2 to the Authority.".

Substitution of regulation 34 of the Regulations

26. The following regulation is substituted for regulation 34 of the Regulations:

"**Appeals and reviews**

34. (1) A person who has lodged—
(a) an application;
(b) an objection; or
(c) representations,
in terms of the Act and who feels aggrieved by a decision made by the Liquor Licensing Tribunal, the Presiding Officer or a Deputy Presiding Officer, as the case may be, in respect of the application, objection or representations and who intends to lodge with the Authority a notice of appeal or an application for review (in this regulation referred to as the appellant), may request the Liquor Licensing Tribunal, Presiding Officer or Deputy Presiding Officer, as the case may be, to furnish reasons for the decision.

(2)*(a)* An appellant who intends to request reasons for a decision must lodge with the Authority a request for reasons—
(i) within 14 days of the date on which he, she or it was notified of the decision; or
(ii) within one day of the date on which he, she or it was notified of the decision, if the notice of appeal or application for review is intended to be lodged in respect of an application made in terms of regulation 19(1)*(a)* or *(b)*.
(b) An appellant who does not intend to request reasons for the decision must within—
(i) 40 days of the date on which he, she or it was notified of the decision; or
(ii) four days of the date on which he, she or it was notified of the decision, if the notice of appeal or application for review is intended to be lodged in respect of an application made in terms of regulation 19(1)*(a)* or *(b)*,

request from the Authority a list of the names and addresses of all the interested parties, if any, who may be affected by the notice of appeal or application for review.

(3) The Liquor Licensing Tribunal, the Presiding Officer or a Deputy Presiding Officer, as the case may be, must—

(a) in respect of a request made in terms of subregulation (2)*(a)*(i), within 21 days; or

(b) in respect of a request made in terms of subregulation (2)*(a)*(ii), within two days,

after receipt of the request for reasons, furnish written reasons for the decision.

(4) An appellant contemplated in subregulation (2)*(a)* must request from the Authority a list of the names and addresses of all the interested parties, if any, who may be affected by the appeal or review within—

(a) five days of receipt of the reasons for the decision; or

(b) one day of receipt of the reasons for the decision if the notice of appeal or application for review is intended to be lodged in respect of an application made in terms of regulation 19(1)*(a)* or *(b)*.

(5) The Authority must provide the appellant with the list—

(a) within five days of receipt of the request made in terms of subregulation (2)*(b)*(i) or (4)*(a)*, as the case may be; or

(b) within one day of receipt of the request made in terms of subregulation (2)*(b)*(ii) or (4)*(b)*, as the case may be.

(6)*(a)* An appellant must lodge with the Authority a notice of appeal or an application for review, as the case may be, in the form of Form 29 in Annexure 3—

(i) within 20 days of the period referred to in subregulation (5)*(a)*; or

(ii) within five days of the period referred to in subregulation (5)*(b)*.

(b) The appellant must, within the period referred to in paragraph *(a)*(i) or (ii), as the case may be—

(i) serve a copy of the notice or application referred to in paragraph *(a)* on every interested party, if any, whose details appear on the list contemplated in subregulation (5); and

(ii) provide proof to the Authority that the notice or application has been so served.

(7) A notice of appeal or an application for review must—

(a) be in typed script and in double spacing on A4 size standard white paper;

(b) be accompanied by a statement setting out the grounds of appeal or review;

(c) be accompanied by a concise statement of the main factual or legal points that the appellant intends to argue on appeal or review;

(d) be accompanied by a list of the authorities, if any, to be tendered in support of each of the main points; and

(e) set out the relief sought by the appellant.

(8)*(a)* The Liquor Licensing Tribunal, Presiding Officer or Deputy Presiding Officer, as the case may be, and an interested party contemplated in subregulation (6)*(b)*(i) may lodge with the Appeal Tribunal a responding statement to the notice of appeal or application for review referred to in subregulation (7) within—

(i) 14 days of receipt of the notice of appeal or application for review; or

(ii) five days of receipt of the notice of appeal or application for review, if the notice of appeal or application for review was lodged in respect of an application made in terms of regulation 19(1)*(a)* or *(b)*;

(b) The Liquor Licensing Tribunal, Presiding Officer or Deputy Presiding Officer, as the case may be, and an interested party contemplated in subregulation (6)*(b)*(i) must within the period referred to in paragraph *(a)*(i) or (ii), as the case may be—

(i) serve a copy of the responding statement referred to in paragraph *(a)* on the appellant; and

(ii) provide proof to the Authority that the responding statement has been so served.

(9) A responding statement must—
(a) be in typed script and in double spacing on A4 size standard white paper;
(b) set out a response to the notice of appeal or application for review lodged in terms of subregulation (6)*(a)*; and
(c) be accompanied by a list of the authorities, if any, to be tendered in support of the statement.

(10) The Chief Executive Officer must, within seven days after receipt of a notice of appeal or an application for review, or within two days of receipt of a notice of appeal or an application for review if the notice or application was lodged in respect of an application made in terms of regulation 19(1)*(a)* or *(b)*—
(a) give written notice of a date for the consideration of the notice of appeal or application for review to the Liquor Licensing Tribunal, Presiding Officer or Deputy Presiding Officer, as the case may be, the appellant and an interested party contemplated in subregulation (6)*(b)*(i), which date must be within—
(i) 50 days of receipt of the notice of appeal or application for review; or
(ii) 10 days of receipt of the notice of appeal or application for review, if the notice or application was lodged in respect of an application made in terms of regulation 19(1)*(a)* or *(b)*;
(b) submit to the Appeal Tribunal the record of the decision of the Liquor Licensing Tribunal, Presiding Officer or Deputy Presiding Officer, as the case may be, that is the subject of the notice of appeal or application for review;
(c) submit to the Appeal Tribunal, where available, the transcription of the recording of the meeting of the Liquor Licensing Tribunal relating to the notice of appeal or application for review; and
(d) submit to the Appeal Tribunal the notice of appeal or application for review.

(11) An appellant may, at any time before the Appeal Tribunal makes a decision on a notice of appeal or an application for review lodged by the appellant, withdraw the notice of appeal or application for review by giving written notice of the withdrawal to the Chief Executive Officer.

(12) The Appeal Tribunal must consider the notice of appeal or application for review on the date as contemplated in subregulation (10) or (28), as the case may be.

(13) The Appeal Tribunal may request further information that, in the opinion of the Appeal Tribunal, is required to clarify issues raised by the notice of appeal or application for review from the Liquor Licensing Tribunal, Presiding Officer or Deputy Presiding Officer, as the case may be, the appellant or an interested party contemplated in subregulation (6)*(b)*(i).

(14) The Appeal Tribunal must, within five days of receipt of all the relevant documents and information referred to in subregulations (8) and (10) or within one day of receipt of all the relevant documents referred to in subregulation (8) and (10) if the notice of appeal or application for review was lodged in respect of an application made in terms of regulation 19(1)*(a)* or *(b)*, assess whether the Appeal Tribunal requires further information.

(15) If the Appeal Tribunal assesses that further information is required, the Chief Executive Officer must, within five days of the assessment referred to in subregulation (14), or within one day of the assessment referred to in subregulation (14) if the notice of appeal or application for review was lodged in respect of an application made in terms of regulation 19(1)*(a)* or *(b)*, notify the relevant person that further information is required and of the details of the further information so required.

(16) The person from whom further information is requested must, within five days of receipt of the notice referred to in subregulation (15) or within one day of receipt of the notice referred to in subregulation (15) if the notice of appeal or application for review was lodged in respect of an application made in terms of regulation 19(1)*(a)* or *(b)*—

(a) serve copies of the further information requested on—

(i) every interested party contemplated in subregulation (6)*(b)*(i) and the Liquor Licensing Tribunal, Presiding Officer or Deputy Presiding Officer, as the case may be, if the person is the appellant;

(ii) the appellant, Liquor Licensing Tribunal, Presiding Officer or Deputy Presiding Officer, as the case may be, and every other interested party contemplated in subregulation (6)*(b)*(i), if the person is an interested party; or

(iii) the appellant and every interested party contemplated in subregulation (6)*(b)*(i), if the person is the Liquor Licensing Tribunal, Presiding Officer or Deputy Presiding Officer, as the case may be; and

(b) lodge the further information with the Chief Executive Officer.

(17) The Chief Executive Officer must on the day on which the further information is received forward a copy thereof to the Appeal Tribunal.

(18) When further information is served as contemplated in subregulation (16), the relevant persons contemplated in subregulation (16)*(a)* may, within—

(a) five days of receipt of the further information; or

(b) one day of receipt of the further information if the notice of appeal or application for review was lodged in respect of an application made in terms of regulation 19(1)*(a)* or *(b)*,

submit to the Appeal Tribunal submissions in relation to the further information lodged.

(19) The Appeal Tribunal may consider a notice of appeal or an application for review by means of—

(a) the consideration of the relevant documents and information referred to in subregulation (7), (9), (10)*(b)*, (10)*(c)*, (17) and (18); or

(b) an oral hearing.

(20) The notice of appeal or application for review may, subject to subregulation (25) and (26), be considered in terms of subregulation (19)*(a)* if it appears to the Appeal Tribunal that the issues for determination in the notice of appeal or application for review can be adequately determined in the absence of the parties by considering the documents or other materials provided to it.

(21) The notice of appeal or application for review may be considered in terms of subregulation (19)*(b)*—

(a) if it appears to the Appeal Tribunal that the issues for determination in the notice of appeal or application for review cannot be adequately determined in the absence of the parties by considering the documents or other materials provided to it; or

(b) if an oral hearing would assist in the expeditious and fair disposal of the notice of appeal or application for review.

(22)*(a)* Where no further information is required, the Appeal Tribunal must, within one day of its assessment referred to in subregulation (14) assess whether the notice of appeal or application for review lodged by the appellant should be considered in terms of subregulation (19)*(a)* or *(b)* and simultaneously notify the Chief Executive Officer of its assessment.

(b) Where further information is required, the Appeal Tribunal must, within—

(i) three days of receipt of the submissions contemplated in subregulation (18)*(a)*, if any; or

(ii) one day of receipt of the submissions contemplated in subregulation (18)*(b)*, if any,

assess whether the notice of appeal or application for review lodged by the appellant should be considered in terms of subregulation (19)*(a)* or *(b)* and simultaneously notify the Chief Executive Officer of its assessment.

(23) The Chief Executive Officer must within—

(a) three days of receipt of the notice contemplated in subregulation (22)*(a)* or (22)*(b)*(i); or

(b) one day of receipt of the notice contemplated in subregulation (22)*(a)*, if the notice of appeal or application for review was lodged in respect of an application made in terms of regulation 19(1)*(a)* or *(b)* or (22)*(b)*(ii),

notify the Liquor Licensing Tribunal, Presiding Officer or Deputy Presiding Officer, as the case may be, the appellant and every interested party contemplated in subregulation (6)*(b)*(i) whether the notice of appeal or application for review lodged by the appellant is to be considered in terms of subregulation (19)*(a)* or *(b)*.

(24) Where the notice referred to in subregulation (23) states that the notice of appeal or application for review is to be considered in terms of subregulation (19)*(a)*, the appellant and every interested party contemplated in subregulation (6)*(b)*(i) must within—

(a) five days of receipt of the notice referred to in subregulation (23)*(a)*; or

(b) one day of receipt of the notice referred to in subregulation (23)*(b)*,

notify the Chief Executive Officer in writing whether or not he, she or it agrees to the consideration of the notice of appeal or application for review in terms of subregulation (19)*(a)*.

(25) If the Chief Executive Officer does not receive a notice from the appellant or an interested party within the relevant period referred to in subregulation (24) whether or not he, she or it agrees to the consideration of the notice of appeal or application for review in terms of subregulation (19)*(a)*, it must be assumed that the appellant or interested party, as the case may be, so agrees.

(26) If the appellant or an interested party contemplated in subregulation (6)*(b)*(i) notifies the Chief Executive Officer in terms of subregulation (25) that he or she does not agree to the consideration of the notice of appeal or application for review in terms of subregulation (19)*(a)*, the notice of appeal or application for review must be considered in terms of subregulation (19)*(b)*.

(27) The Chief Executive Officer must, on the day on which the notice contemplated in subregulation (24) is received from the appellant or interested party or on the day on which the relevant period referred to in subregulation (24) lapses, notify the Appeal Tribunal whether or not the appellant or interested party agrees to the consideration of the notice of appeal or application for review in terms of subregulation (19)*(a)* or whether no response was received from the appellant or the interested party, as the case may be.

(28) Where the notice referred to in subregulation (27) states that the appellant and every interested party contemplated in subregulation (6)*(b)*(i) agree to the consideration of the notice of appeal or application for review in terms of subregulation (19)*(a)* or that no response was received from the appellant and any interested party contemplated in subregulation (6)*(b)*(i), the Appeal Tribunal must consider the notice of appeal or application for review in terms of subregulation (19)*(a)* on the day following receipt of the notice referred to in subregulation (27).

(29) When an appeal or review is to be considered by means of an oral hearing, the Appeal Tribunal must at the consideration of the appeal or review follow the following procedure:

(a) the Appeal Tribunal must advise the appellant and every interested party contemplated in subregulation (6)*(b)*(i) who are present that he, she or it will be given an opportunity to present and argue his, her or its notice of appeal, application for review or responding statement, as the case may be;

(b) the Appeal Tribunal may adjourn the oral hearing on good grounds at the request of a party;
(c) the appellant must present and argue his, her or its notice of appeal or application for review first;
(d) the representative of the Liquor Licensing Tribunal, Presiding Officer or Deputy Presiding Officer, as the case may be, may present his, her or its responding statement, if any, after the appellant at the request of the Appeal Tribunal;
(e) every interested party contemplated in subregulation (6)*(b)*(i) may present and argue his, her or its responding statement, if any, after the representative of the Liquor Licensing Tribunal, Presiding Officer or Deputy Presiding Officer, as the case may be;
(f) the Appeal Tribunal may ask questions to obtain clarity during the oral hearing;
(g) the Authority must ensure that all oral submissions made during the oral hearing are recorded.

(30)*(a)* The Appeal Tribunal must keep a written record of its findings and the reasons for the findings.
(b) The Chief Executive Officer must keep a written record of all appeals and applications for reviews lodged with the Authority.

(31) If a notice of appeal or application for review, a document accompanying it, a statement contemplated in subregulation (9) or a notice is defective in any respect or if any person fails to lodge any document or adhere to a time period or time limit, the Appeal Tribunal may condone the defect or failure if such condonation is not likely to prejudice any person.

(32) The Appeal Tribunal must reach a decision on a notice of appeal or application for review—
(a) in respect of an oral hearing—
(i) within 14 days of the date of the oral hearing; or
(ii) within two days of the date of the oral hearing if the notice of appeal or application for review was lodged in respect of an application made in terms of regulation 19(1)*(a)* or *(b)*;
(b) in respect of a consideration of the notice of appeal or application for review in terms of subregulation (19)*(a)*—
(i) within 14 days after the day following receipt of the notice in terms of subregulation (27); or
(ii) within two days of the day following receipt of the notice in terms of subregulation (27) if the notice of appeal or application for review was made in terms of regulation 19(1)*(a)* or *(b)*; or
(c) the extended period contemplated in subregulation (33).

(33) The Appeal Tribunal may extend the period contemplated in subregulation (32)*(a)*(i) in exceptional circumstances.

(34) The Appeal Tribunal must notify the Authority of its decision and the reasons therefore within—
(a) two days of reaching a decision as contemplated in subregulation (32)*(a)*(i) or *(b)*(i), as the case may be; or
(b) one day of reaching a decision as contemplated in subregulation (32)*(a)*(ii) or *(b)*(ii), as the case may be.

(35) The Chief Executive Officer must, within—
(a) seven days after the Appeal Tribunal has notified the Authority of its decision in terms of subregulation (34)*(a)*; or
(b) one day after the Appeal Tribunal has notified the Authority of its decision in terms of subregulation (34)*(b)*,
notify the Liquor Licensing Tribunal, Presiding Officer or Deputy Presiding Officer, as the case may be, the appellant and every interested party contemplated in subregulation (6)*(b)*(i) in writing of the decision of the Appeal Tribunal, the reasons

therefore and the extent to which the decision of the Liquor Licensing Tribunal, Presiding Officer or Deputy Presiding Officer, as the case may be, is confirmed, amended or set aside.".

Amendment of regulation 35 of the Regulations

27. Regulation 35 of the Regulations is amended—
(a) by the substitution in subregulation (1) for the number "34" of the number "30"; and
(b) by the substitution in subregulation (3) for the number "35" of the number "31".

Amendment of regulation 36 of the Regulations

28. Regulation 36 of the Regulations is amended—
(a) by the substitution for subregulation (6) of the following subregulation:
"(6) The Authority must, within seven days after the Liquor Licensing Tribunal has decided on an application made in terms of subregulation (1), notify the applicant and each person who lodged a written objection or representations in respect of the application with the Authority in writing of the decision."; and
(b) by the substitution in paragraph *(b)* of subregulation (7) for the word "seven" of the number "14".

Amendment of regulation 37 of the Regulations

29. Regulation 37 of the Regulations is amended—
(a) by the substitution for subregulation (2) of the following subregulation:
"(2) A licensee must at a conspicuous place on the licensed premises display the—
(a) licence;
(b) notice of renewal in respect of the relevant year;
(c) proof of payment to the Authority of the renewal fee for the relevant year or two-year period; and
(d) if applicable, a copy of the completed Form 23A in Annexure 3 by means of which the licensee has applied to subscribe to a biennial cycle in terms of regulation 30(2A)"; and
(b) by the addition of the following subregulation:
"(3) The proof of payment referred to in subregulation (2)*(c)* must contain the number of the licence assigned by the Authority in terms of regulation 18(2).".

Insertion of regulation 37A

30. The following regulation is inserted in the Regulations after regulation 37:

"**Administrative notices**

37A. (1) When an inspector reasonably suspects that liquor is being sold or micro-manufactured contrary to the Act, the inspector must serve on the owner or person in charge of any premises contemplated in section 74(1)*(a)*(iii) an administrative notice in the form of Form 32 in Annexure 3 setting out the following:
(a) the name of the owner or person in charge of the premises;
(b) the address of the premises;
(c) information on the steps that the owner or person in charge of the premises may take to obtain a licence in terms of the Act.

(2) The inspector must—
(a) obtain the information referred to in subregulation (1)*(a)* and *(b)* from the owner or person in charge of the premises;
(b) complete the form; and
(c) request the owner or person in charge of the premises to sign the administrative notice.

(3) The inspector must immediately hand a copy of the signed administrative notice to the owner or person in charge of the premises and submit copies thereof to the Authority.

(4) The Chief Executive Officer must submit to the Minister a report once every three months, or upon request by the Minister, on the administrative notices issued during the reporting period or such other period as requested by the Minister.

(5) The report must include—
a) the number of administrative notices issued;
(b) details of the areas in which the administrative notices were issued; and
(c) any other relevant information that the Minister may require.".

Transitional arrangements

31. (1) Any application, nomination, appeal or application for review lodged before these regulations take effect must be administered as if these regulations have not been made.

(2) A report lodged by a designated liquor officer in terms of regulation 21(12) of the Regulations as it read before the substitution of regulation 21 by these regulations must be recorded and filed by the Authority.

Substitution of Annexure 1 of the Regulations

32. The following annexure is substituted for Annexure 1 of the Regulations:

"**ANNEXURE 1**

Fees payable in respect of certain applications

Item No.	Nature of application	Fees payable (R)
1.	Application for a licence in terms of section 36(1)(e)	1 600
2.	Application for a temporary liquor licence in terms of section 48(1)	350
3.	Application for an event liquor licence in terms of section 48(4)	350
4.	Application to amend the conditions of a licence in terms of section 49(6)	650
5.	Application to transfer a financial interest in the business to which the licence relates in terms of section 51(2) and application to let licensed premises in terms of section 51(7)	650
6.	Application for consent to alter licensed premises, change the nature of the business or to conduct business under the licence on premises on which any other business, trade or occupation is carried on or pursued in terms of section 53(1)(a), (b) or (c) respectively	650 (each)
7.	(a) Application to store liquor in terms of section 57(1) (b) Granting of application to store liquor in terms of section 57(1)	350 350
8.	(a) Application for the extension of trading hours in terms of section 59(4) (b) Granting of application for extension of trading hours in terms of section 59(4)	350 1 000
9.	Application for renewal in terms of section 64(1)	350
10.	(a) Application for the transfer of a licence in terms of section 65(1) (b) Application for consent in terms of section 65(3) to conduct the licensed business pending the transfer of the licence in terms of section 65(1)	350 350

Item No.	Nature of application	Fees payable (R)
	(c) Application for the extension in terms of section 65(6) of the time period in respect of consent granted in terms of section 65(3)	350
11.	Application for the removal of a licence in terms of section 66(2)	650
12.	(a) Application for exemption in terms of section 84(2) (b) Granting of an application for exemption in terms of section 84(2)	650 650
14.	Application for a copy of a licence and the conditions thereto or of any application	100
15.	Copies of minutes of proceedings of Authority, Liquor Licensing Tribunal or Appeal Tribunal	100
16.	Maximum amount of fine that the Liquor Licensing Tribunal may impose in terms of section 20(3)(b)(v)	100 000
17.	Application to— (a) withdraw or amend conditions attached to a conditional approval: regulations 17(9), 32(36), 33(32) (b) amend a plan of the premises attached to a conditional approval: regulations 17(9), 33(32) (c) extend the time period granted for a conditional approval: regulations 17(19), 32(47), 33(41) (d) revocation or amendment of conditions or requirements determined under section 66(13)	 350 350 350 350
18.	Application in terms of section 51(7) to— (a) let the licensed premises to another person; (b) allow another person to carry on business in terms of the licence; (c) allow another person to use the licensed premises	 650 650 650

.”.

Substitution of Annexure 2 of the Regulations

33. The following annexure is substituted for Annexure 2 of the Regulations:

"**ANNEXURE 2**

Fees payable in respect of licenses, transfers, removals, renewals, and upon granting of certain applications

	Part A	Part B	Part C	
Item	Fees payable in respect of a new licence and when certain applications are granted (R)	Fees payable in respect of the transfer or removal of a licence (R)	Renewal fees (R)	
			Annual	Biennial
1. On-consumption licence	2 000	1 250	4 000	8 000
2. Off-consumption licence	2 000	1 250	4 000	8 000
3. On- and off-consumption licence	2 000	1 900	6 500	13 000
4. Micro-manufacturing licence	2 000	1 250	4 000	8 000
5. Temporary liquor licence	350 per day	-	-	-
6. Event liquor licence	200 per day	-	-	-
7. Alter licensed premises	200	-	-	-
8. Change nature of licences business	200	-	-	-

9. Conduct licensed business on premises on which other business is conducted	200	-	-	-
10. Amend or withdraw conditions attached to a conditional approval	650	-	-	-
11. Amend the plan attached to a conditional approval	650	-	-	-
12. Extend the time period attached to a conditional approval	650	-	-	-
13. Conduct licensed business pending the transfer of the licence	650	-	-	-
14. Extend the time period in respect of consent granted to conduct business pending the transfer of the licence	650	-	-	-
15. Revocation or amendment of conditions or requirements determined under section 66(13)	650	-	-	-

.”.

Substitution of Annexure 3 of the Regulations

34. The following annexure is substituted for Annexure 3 of the Regulations:

"**ANNEXURE 3**

Index to forms

REGULATION	FORM NO.	DESCRIPTION
APPOINTMENT OF MEMBERS OF THE BOARD AND LIQUOR LICENSING TRIBUNAL		
2(3)	1	Nomination form for appointment as member of the Board
6(5)	2	Nomination form for appointment as member or substitute member of Liquor Licensing Tribunal
APPLICATION PROCEDURE FOR NEW LICENCE		
9(3)	3	Application for a licence in terms of section 36
10(1)	3A	Notice of applications for liquor licences in terms of section 37(1) of the Western Cape Liquor Act, 2008
10(2)	3B	Notice of lodgement of application for liquor licence
NOTICES AND SUMMONSES		
16(1)	4A	Notice to be present at a meeting of the Liquor Licensing Tribunal in terms of section 23(2)
16(1)	4B	Summons in terms of section 23(5)

CONDITIONAL GRANTING OF LICENCES		
17(2)	5A	Notice of conditional granting of licence in terms of regulation 17(2)
17(8) & (18)	5B	Application— A – In terms of section 42(4) for the amendment or withdrawal of the conditions imposed in terms of section 42(1) B – In terms of section 42(5)(b) for the amendment of the plan of the premises C – In terms of section 42(5)(a) for the extension of the time period
17(17) & (22)	5C	Notice of decision in terms of regulation 17(17) or (22)
17(28)	5D	Notice in terms of section 42(4A) of the revocation of licence conditionally granted
17(25)	5E	Notice in terms of regulation 17(25)
ISSUING OF LICENCE		
18(2)	6A	Notice of granting of licence
17(4)	6B	Notice in terms of regulation 17(4) that conditions of conditional granting of licence have been complied with
18(3A)	6C	Application for condonation of the failure to pay prescribed fee in terms of section 46(6)
17(6) & 18(4)	7	Liquor licence
APPLICATION FOR TEMPORARY LIQUOR LICENCE OR EVENT LIQUOR LICENCE		
19(2)(a)(ii)	8	Application for a temporary liquor licence in terms of

REGULATION	FORM NO.	DESCRIPTION
19(2)(b)(ii)	9	Application for an event liquor licence in terms of section 48(4)
19(20)(b)	10	Temporary liquor licence
19(20)(b)	11	Event liquor licence
19(16)	12A	Application for condonation of the late filing of an application for a temporary or an event liquor licence in terms of section 48(10)
19(21)	12B	Notice in terms of regulation 19(19)
APPLICATION FOR TRANSFER OF FINANCIAL INTEREST IN LICENSED BUSINESS OR TO LET LICENSED BUSINESS		
21(1)	13	Application to transfer a financial interest in the licensed business in terms of section 51(1)
21(2)	14	Application to let premises to another person, allow another person to carry on business in terms of the licence or allow another person to use the licensed premises in terms of section 51(7)
NOMINATION OF MANAGER		
22(1)	15	Nomination for the appointment of a manager in terms of section 52
ALTERATION OF LICENSED BUSINESS OR NATURE OF BUSINESS		
23(1)	16	Application for consent to carry out structural alterations to the licensed premises in terms of section 53(1)(a)
23(2)	17	Application for consent to materially change the nature of the licenced business in terms of section 53(1)(b)

REGULATION	FORM NO.	DESCRIPTION
23(3)	18	Application for consent to conduct a business under a licence on premises on which any other business, including a business to which any other licence relates, or any other trade or occupation is carried on in terms of section 53(1)(c)
TRADING HOURS		
26(1)	19	Application for the extension of trading hours in terms of section 59(4)
ABANDONMENT OF LICENCE		
29	20	Notice of abandonment of licence
AUTOMATIC RENEWAL OF LICENCE AND CONDONATION OF THE FAILURE TO PAY RENEWAL FEE BY DUE DATE		
30(1)	21A	Annual or biennial renewal notice
30(3)	21B	Biennial renewal notice: Notice to subscribe to biennial renewal cycle
30(4)	21C	Application for condonation of the failure to pay renewal fee in terms of section 63(4)
APPLICATION FOR THE RENEWAL OF LICENCE		
31(1)	22	Application for renewal of licence in terms of section 64(1)
31(4)	23	Application for condonation of the failure to apply for the renewal of licence in terms of section 64(4)
TRANSFER OF LICENCE		
32(2)(a)	24	Application for transfer of licence in terms of section 65(1)

REGULATION	FORM NO.	DESCRIPTION
32(10)	24A	Notice of granting or refusal of transfer of licence
32(11)	24B	Notice of conditional granting of transfer of licence in terms of regulation 32(11)
32(14)	24C	Notice that the conditions of conditional granting of transfer of licence have been complied with in terms of regulation 32(14)
32(17)	24D	Application for condonation of failure to pay prescribed fee in terms of section 65(19)
32(35) & (46)	24E	Application— A – In terms of section 65(12B) for the amendment or withdrawal of conditions imposed in terms of section 65(12) B – In terms of section 65(12C) for the extension of the time period stipulated in terms of section 65(12A)
32(45) & (49)	24F	Notice of decision in terms of regulation 32(45) or (49)
32(12) & (16)	25	Certificate of transfer of a liquor licence in terms of section 65(17)
32(21)	26	Application for consent to conduct licensed business pending the transfer of the licence in terms of section 65(3)
32(31)	26A	Application in terms of section 65(6) to extend the time period of consent granted in terms of section 65(5)
32(34)	26B	Consent for the extension of the time period granted in terms of section 65(5)
APPLICATION FOR REMOVAL OF LICENCE		
33(6)	27	Application for the removal of a licence in terms of

REGULATION	FORM NO.	DESCRIPTION
		section 66(2)
33(2)	27A	Notice of lodgement of application for removal of liquor licence in terms of section 66(2) of the Western Cape Liquor Act, 2008
33(4)	27B	Notice of lodgement of application for removal of liquor licence
33(20)	27C	Notice of granting or refusal of removal of licence
33(21)	27D	Notice of conditional granting of removal of licence in terms of regulation 33(21)
33(24)	27E	Notice that the conditions of conditional granting have been complied with in terms of regulation 33(24)
33(27)	27F	Application for condonation of the failure to pay prescribed fee in terms of section 66(8)
33(31) & (40)	27G	Application— A – In terms of section 66(4B) for the amendment or withdrawal of conditions B – In terms of section 66(14)(a) to revoke or amend any condition or requirement C – In terms of section 66(14)(d) to approve an amended plan D – To extend the time period— (a) stipulated by the Liquor Licensing Tribunal in terms of section 66(4C) (b) stipulated by the Presiding Officer in terms of section 66(14)(b) or (c)
33(39) & (43)	27H	Notice of decision in terms of regulation 33(39) or (43)
33(22) & (26)	28	Certificate of removal of licence in terms of section 65(17)

REGULATION	FORM NO.	DESCRIPTION
APPEALS AND REVIEWS		
34(6)	29	Notice of appeal or application for review in terms of section 68(3)
COMPLIANCE		
35(1)	30	Compliance notice in terms of section 69(1)
35(3)	31	Certificate of compliance in terms of section 69(6)
ADMINISTRATIVE NOTICE		
37A(1)	32	Notice in terms of regulation 37A(1)

FORM 1

NOMINATION FORM FOR APPOINTMENT AS MEMBER OF THE BOARD

[Reg. 2(3)]

PART A: FOR COMPLETION BY THE PERSON MAKING THE NOMINATION:

1. PERSONAL DETAILS

1.1 Full name : _____

1.2 Identity number : _____

1.3 Date of birth : _____/_____/ _____

1.4 Residential address : _____

_____

Postal code : _____

1.5 Postal address : _____

_____

Postal code : _____

1.6 Telephone numbers:

Office :_____

Mobile :_____

Home or other :_____

1.7 Fax number : _____

E-mail address : _____

2. RELATIONSHIP TO NOMINEE

Nominator to indicate the nature of the relationship (spouse, family member, partner or business associate) between him or herself and the nominee.

_____

3. REASONS FOR NOMINATING THE NOMINEE

Nominator to indicate the reasons why the Nominee should be appointed as a member of the Board.

_____

_____

_____

_____

SIGNED AT _____ on this _____ day of _____

20_____.

_____

PERSON MAKING THE NOMINATION

PART B: FOR COMPLETION BY THE NOMINEE

1. PERSONAL DETAILS

1.1 Full name : _____

1.2 Identity number : _____

1.3 Date of birth : _____/_____/ _____

1.4 Residential address : _____

_____

Postal code : _____

1.5 Postal address : _____

_____

Postal code : _____

1.6 Telephone numbers :

Office : _____

Mobile : _____

Home or other : _____

1.7 Fax number : _____

1.8 E-mail address : _____

2. QUALIFICATION OF NOMINEE

2.1(a)	Are you a citizen of the Republic of South Africa and permanently resident in the Province?	Yes	No
(b)	Are you younger than twenty-five (25) years of age?	Yes	No
(c)	Have you in the preceding ten (10) years been convicted of an offence in terms of this Act or any similar law?	Yes	No
(d)	Have you, in the preceding ten (10) years, whether in the Republic or elsewhere, been convicted of theft, fraud, forgery, the uttering of a forged document, perjury or any offence under the Corruption Act, 1992 (Act 94 of 1992), or the Prevention and Combating of Corrupt Activities Act, 2004 (Act 12 of 2004), or any offence of which dishonesty is an element?	Yes	No
(e)	Are you an unrehabilitated insolvent or subject to any legal disability?	Yes	No
(f)	Have you in the preceding ten (10) years been removed from any office of trust on account of misconduct or dishonesty?	Yes	No
(g)	Are you a political office-bearer?	Yes	No
(h)	Do you, whether personally or through your spouse, family	Yes	No

	member, partner or business associate— (i) have a direct or indirect financial interest in any liquor business or establishment?; or		
	(ii) have any interest in any business or enterprise that may conflict or interfere with the proper performance of your duties as a member of the Board or in any licence issued under this Act?	Yes	No

Please note: *For the purposes of this paragraph, an indirect financial interest does not include an indirect interest held through any fund or investment if the person holding such interest has no control over the investment decisions made in respect of that fund or investment.*

2.2 If any of the questions in paragraph 2.1(b) to (h) have "yes" as the answer, kindly provide full details:

_____

_____

_____

_____

(Use an annexure if necessary.)

2.3 If you have been nominated for appointment in terms of section 3(1)(a) of the Act:
Do you have appropriate knowledge of or experience in systems and processes for ensuring proper accountability, probity and openness in the conduct of the business of the Authority as an organisation? **YES / NO**
If yes, kindly indicate your knowledge or experience:

_____

_____

_____

2.4 If you have been nominated for appointment in terms of section 3(1)(b) of the Act:
Do you have appropriate knowledge of or experience in dealing with the combating of the negative social consequences of the abuse of liquor? **YES / NO**

If yes, kindly indicate your knowledge or experience:

_____

_____

_____

3. ACADEMIC QUALIFICATIONS

Please provide full details of all your academic qualifications, including short courses, if any:

_____

_____

_____

4. COMMUNITY INVOLVEMENT

Please provide details of your community involvement.

5. MOTIVATION IN SUPPORT OF THE APPOINTMENT

Please submit a comprehensive motivation why you believe you should be appointed as a member of the Board: _____

_____

_____

SIGNED AT _____ on this _____ day of _____

20 ____

_____

NOMINEE

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008 lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original, is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

_____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 2

NOMINATION FORM FOR APPOINTMENT AS MEMBER OR SUBSTITUTE MEMBER OF LIQUOR LICENSING TRIBUNAL

[Reg. 6(5)]

PART A: FOR COMPLETION BY PERSON MAKING THE NOMINATION

1. PERSONAL DETAILS

1.1 Full name : _____

1.2 Identity number : _____

1.3 Date of birth : _____/_____/_____

1.4 Residential address : _____

_____

Postal code : _____

1.5 Postal address : _____

_____

Postal code : _____

1.6 Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

1.7 Fax number : _____

1.8 E-mail address : _____

2. RELATIONSHIP TO NOMINEE

Nominator to indicate the nature of the relationship (spouse, family member, partner or associate) between him or her and the nominee:

_____

3. REASONS FOR NOMINATING THE NOMINEE

Nominator to indicate the reasons why the Nominee should be appointed as a member or substitute member of the Liquor Licensing Tribunal:

_____

_____.

_____

SIGNED AT _____ this _____ day of

_____ 20 _____

_____

PERSON MAKING THE NOMINATION

PART B: FOR COMPLETION BY THE NOMINEE

1. PERSONAL DETAILS

1.1 Full name : _____

1.2 Identity number : _____

1.3 Date of birth : _____/_____/ _____

1.4 Residential address : _____

_____

Postal code : _____

1.5 Postal address : _____

_____

Postal code : _____

1.6 Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

1.7 Fax number : _____

1.8 E-mail address : _____

2. QUALIFICATION OF NOMINEE

2.1(a)	Have you in the preceding ten (10) years been convicted of an offence and sentenced to imprisonment without the option of a fine?	Yes	No
(b)	Have you in the preceding ten (10) years been convicted of an offence in terms of this Act, the Liquor Act, 2003 (Act 59 of 2003), the Liquor Act, 1989 (Act 27 of 1989), or any similar law?	Yes	No
(c)	Are you an unrehabilitated insolvent or subject to any legal disability?	Yes	No
(d)	Are you younger than twenty-five (25) years of age?	Yes	No
(e)	Do you have any direct interest in the liquor trade?	Yes	No
(f)	Are you a family member, partner or business associate of a person with a direct interest in the liquor trade?	Yes	No
(g)	Are you disqualified in terms of section 35 of the Act from holding a liquor licence?	Yes	No
(h)	Are you currently resident in the Province?	Yes	No

2.2 If any of the questions in paragraph 2.1(a) to (g) has "yes" as the answer, provide full details.

_____

_____

_____

_____

(Attach a separate annexure if necessary.)

3. ACADEMIC QUALIFICATIONS

Please provide full details of all academic qualifications.

4. MOTIVATION IN SUPPORT OF APPOINTMENT

Please submit a comprehensive motivation on why you believe you should be appointed as a member or substitute member of the Liquor Licensing Tribunal

SIGNED AT _____ on this _____day of _____
20 _____

_____
NOMINEE

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.
A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 3

APPLICATION FOR A LICENCE IN TERMS OF SECTION 36

[Reg. 9(3)]

ORIGINAL MUST BE LODGED WITH AUTHORITY AND TWO COPIES WITH DESIGNATED LIQUOR OFFICER

Date stamp of designated liquor officer on receipt of application	Date stamp of Authority on receipt of application

INDEX

Description of documents to be attached	**Annexure**
Comprehensive floor plan of the proposed licensed premises	A
Site plan	B
Aerial view map	C
Description of the premises	D
Indexed colour photographs	E
Written representations in support of the application	F
Affidavit by the applicant that he or she is not disqualified in terms of section 35 from holding a liquor licence	G
Proof of notice in terms of section 37(2)	H

Description of documents to be attached	Annexure
Proof of right to occupy the proposed licensed premises	I
Proof of ownership of the proposed licensed premises or, if the applicant is not the owner, written consent from the owner of the proposed licensed premises that the applicant may use the proposed licensed premises for the purposes of the licence applied for	J
A certified copy of the identity card or document, or the passport and visa or permanent residence permit of the applicant if the applicant is a foreigner, and, in the case of an applicant other than a natural person, copies of the relevant registration documents indicating the identity and, where applicable, the financial interests of all members, directors, partners, beneficiaries or trustees	K
A valid, original tax clearance certificate in respect of the applicant, issued by the South African Revenue Services not more than three months before the date of lodgement of the application	L
Proof of payment of the applicable application fee	M
A zoning certificate or a copy of a planning application submitted to the municipality concerned in terms of applicable planning legislation	N
Other documents required in the Act or required by the Authority	O
A nomination for the appointment of a manager in accordance with regulation 22, if applicable	P

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

_____

Postal code : _____

Physical address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

1. APPLICANT'S DETAILS

1.1 Full name : _____

1.2 Identity number : _____

1.3 Date of birth : _____/ _____/ _____

(If applicant is a natural person)

Registration number : _____

(If applicant is not a natural person)

1.4 Residential address : _____

_____

Postal code : _____

1.5 Postal address : _____

_____

Postal code : _____

1.6 Address for service of all notices and documents: _____

_____

_____

Postal code: _____

1.7 Address for service of all notices and documents after application has been determined:

_____

_____

Postal code: _____

1.8 Contact details of applicant or, if the applicant is not a natural person, of contact person:

_____

_____

_____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

1.9 Fax number : _____

1.10 E-mail address : _____

2. QUALIFICATION OF APPLICANT

2.1	Is the applicant someone who—	Mark "yes" or "no"	
(a)	has, within the five (5) years prior to the lodgement of this application, been sentenced to imprisonment without the option of paying a fine?	Yes	No
(b)	has, within the five (5) years prior to the lodgement of this application, been declared to be unfit to hold a registration by the National Liquor Authority or a licence by any provincial liquor authority?	Yes	No
(c)	is an unrehabilitated insolvent?	Yes	No
(d)	is a minor?	Yes	No
(e)	was the holder of a licence which was cancelled in terms of the Act or an Act regulating liquor licences in any other province within a period of twelve (12) months prior to the lodgement of this application?	Yes	No
(f)	is a spouse or life partner of a person described in (a), (b) or (e) above?	Yes	No
(g)	anyone who is mentally ill as defined in the Mental Health Care Act, 2002 (Act 17 of 2002)?	Yes	No
2.2	In the case of an applicant who is not a natural person: Is any member, shareholder, partner, beneficiary or trustee of the applicant a person described in paragraph 2.1 (a), (b), (c), (d) or (e)?	Yes	No

2.3 If any of the questions in paragraph 2.1 or 2.2 has "yes" as the answer, provide full details.

_____

_____

_____

_____

_____

(Use an annexure if necessary.)

3. FINANCIAL INTEREST

3.1 State the name, identity number and address of each person, including the applicant, who has 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 co-operative as contemplated in the Co-operatives Act, 2005 (Act 14 of 1981), it is sufficient if only the name and postal address of such company, statutory institution or co-operative, as the case may be, the name of each director (if any) thereof and the nature and extent of the financial interest of such company, statutory institution or co-operative are furnished and not also the interests of individual members of such company, statutory institution or co-operative*.]

_____

_____

_____

_____

_____

_____

_____

(Use an annexure if necessary.)

3.2	If the applicant is a company, close corporation, partnership or trust, state whether a person contemplated in paragraph 3.1 above—	Mark "yes" or "no"	
(a)	has a controlling interest in the company, close corporation or trust?	Yes	No
(b)	is a partner in the partnership?	Yes	No

(c)	is the main beneficiary under the trust?	Yes	No

3.3 If any of the questions in paragraph 3.2 (a), (b) or (c) has "yes" as the answer, provide full details:

_____

_____

_____

_____

_____

_____

(Use an annexure if necessary.)

4. APPLICATION DETAILS

4.1 State the category of licence applied for: _____

4.2 State the kind(s) of liquor the applicant intends selling or manufacturing under the licence: _____

_____

_____

4.3 Under what name is the business to be conducted? _____

_____

4.4 Address of the premises to be licensed, with reference to the number of the erf, street(s), apartment(s), shop(s) or farm, as the case may be, from where the business will be conducted:

_____

_____

_____

4.5 Does the applicant own the proposed licensed premises? **YES / NO**

If not, give details of the owner and the applicant's right of occupation:

Owner's name : _____

Owner's address : _____

_____

Applicant's right of occupation: _____

Duration of right of occupation: _____

4.6	Is the application made in respect of premises that—	Mark "yes" or "no"	
(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 the purposes of the proposed business?	Yes	No

4.7 If any of the questions in paragraph 4.6(a) or (b) has "yes" as the answer, please state—

(a) the date when such erection, addition or alteration will commence:

_____/ _____/ 20_____, and

(b) the period that will be required for the erection, additions or alterations.

_____.

4.8 Trading hours sought during which it is proposed liquor may be sold or consumed on the licensed premises:

_____

4.9 Should the application be granted, indicate whether the licence will automatically be renewed on an **annual** or **biennial** basis. *(Mark which is applicable.)*

4.10 Jobs to be created:

(a) How many persons will be employed by the business?

_____

(b) How many persons will be employed as managers?

_____

(c) How many persons will be employed specifically for the sale of liquor?

_____

5. DETAILS OF APPLICANT IF APPLICANT IS NOT A NATURAL PERSON

(To be filled in if applicant is a company, close corporation, trust or partnership.)

5.1 Registered name: _____

5.2 Registration number: _____

5.3 Date of registration: _____

(Attach proof of registration as an annexure.)

5.4 Details of members, directors, partners or trustees:

(Use an annexure if necessary.)

(First person)

Full name : _____

Physical address : _____

_____

Postal code : _____

Postal address : _____

_____

Postal code : _____

Identity number : _____

(Second person)

Full name : _____

Physical address : _____

_____

Postal code : _____

Postal address : _____

_____

Postal code : _____

Identity number : _____

6. OTHER LICENCES

6.1 Give full details of any existing liquor licence on the property where the proposed premises are located:

Licensee : _____

Type of licence : _____

Authority reference number: _____

(The location of such other licensed premises in relation to proposed premises must be indicated on a site plan.)

6.2 Give full details of all liquor licences held by the applicant in the Western Cape Province, as well as full details of any registration held with the National Liquor Authority in terms of the Liquor Act, 2003 (Act 59 of 2003): _____

_____

_____

(Use an annexure if necessary.)

_____ _____

Date **Signature of applicant or person authorised by applicant**

_____

Print name

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 3A

NOTICE OF APPLICATIONS FOR LIQUOR LICENCES IN TERMS OF SECTION 37(1) OF THE WESTERN CAPE LIQUOR ACT, 2008

[Reg. 10(1)]

Notice is hereby given that the following applications for liquor licences have been lodged with the Western Cape Liquor Authority (the Authority) and with the designated liquor officers at the indicated South African Police Service offices.

The applications concerned may, up to and including the 28th day from the date of this notice, upon request and free of charge, be inspected by any person, at the offices of the Authority or the designated liquor officer listed hereunder. Copies of an application can be obtained from the Authority after payment of the prescribed fee.

Objections and representations must be lodged in writing with the Authority and the designated liquor officer in accordance with section 39 of the Act.

WES-KAAPSE DRANKWET 4 VAN 2008

VORM 3A

KENNISGEWING VAN AANSOEKE OM DRANKLISENSIES INGEVOLGE ARTIKEL 37(1) VAN DIE WES-KAAPSE DRANKWET, 2008

[Reg. 10(1)]

Hiermee word kennis gegee dat die volgende aansoeke om dranklisensies ingedien is by die Wes-Kaapse Drankowerheid (die Owerheid) en by die aangewese drankbeamptes by die aangeduide Suid-Afrikaanse Polisiedienskantore.

Die betrokke aansoeke kan, tot en met die 28ste dag vanaf die datum van hierdie kennisgewing, op versoek en gratis deur enige persoon by die kantore van die Owerheid of van die aangewese drankbeampte hieronder gelys, besigtig word. Afskrifte van ’n aansoek kan by die Owerheid verkry word na betaling van die voorgeskrewe fooi.

Besware en vertoë moet ooreenkomstig artikel 39 van die Wet skriftelik by die Owerheid en die aangewese drankbeampte ingedien word.

UMTHETHO WOTYWALA WENTSHONA KOLONI 4 KA-2008

IFOMU 3A

ISAZISO SOKUFAKWA KWESICELO SEPHEPHA MVUME NGOKWECANDELO 37(1) LOMTHETHO WOTYWALA WENTSHONA KOLONI KA-2008

[Reg. 10(1)]

Isaziso siyanikezelwa ukuba ezi zicelo zilandelayo zamaphepha mvume otywala zifakiwe kwabasemaGunyeni ezoTywala eNtshona Koloni (abasemaGunyeni) nakumagosa ajongene nemiba engotywala kwii-ofisi ezixeliweyo zeeNkonzo zamaPolisa aseMzantsi Afrika.

Izicelo ekubhekiselelwa kuzo zingakwazi kwiintsuku ezingamashumi amabini anesibhozo (28) ukususela ngomhla wesi saziso, xa eceliwe kwaye simahla, ziye kuhlolwa nguye nawuphi umntu okwi-Ofisi esemaGunyeni okanye yegosa elijongene nemiba engotywala elixelwe apha ngezantsi. Iikopi zesicelo zingafumaneka kwabasemaGunyeni emva kwentlawulo emiselweyo.

Uchaso neengxelo ezixhasayo ezibhaliweyo zingafakwa kwabasemaGunyeni nakwigosa elijongene nemiba engotywala ngokwecandelo 39 loMthetho.

No.	Full name of applicant Volle naam van aansoeker Igama elipheleleyo lomfaki-sicelo	Name under which business will be conducted Naam waaronder besigheid bedryf sal word Igama ishishini eza kushishina phantsi kwalo	Address of the proposed premises Adres van voorgenome perseel Idilesi yesakhiwo	Kind of licence applied for Tipe lisensie waarom aansoek gedoen word Uhlobo lwephepha mvume olucelayo	South African Police Services designated liquor officer office where the application has been lodged Suid-Afrikaanse Polisiediens-kantoor van die aangewese drankbeampte waar die aansoek ingedien is i-Ofisi yeGosa elijongene nemiba engotywala yeeNkonzo zamaPolisa eMzantsi Afrika apho isicelo sifakwe khona

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 3B

NOTICE OF LODGEMENT OF APPLICATION FOR LIQUOR LICENCE

[Reg. 10(2)]

Notice is hereby given that an application for a liquor licence, particulars of which appear hereunder, has been lodged at the Western Cape Liquor Authority (the Authority) and the office of the designated liquor officer at the South African Police Service.

The application concerned may, up to and including the twenty-eighth (28th) day from the date of publication by the Authority of the lodgement of the application in terms of regulation 10(1), upon request and free of charge, be inspected by any person at the offices of the Authority and the designated liquor officer. Copies of the application can be obtained from the Authority after payment of the prescribed fee.

In terms of section 39 you may lodge objections or representations for or against the said application. Should you wish to do so, the objections or representations must be lodged, in writing, with the Authority and the office of the designated liquor officer.

Date of notice: _____

(This date must correspond with the date of lodgement of the application.)

Full name of applicant: _____

Identity number or registration number of applicant: _____

Street address of applicant: _____

_____

Postal address of applicant: _____

_____

Postal code: _____

Kind of licence applied for: _____

Kind(s) of liquor to be micro-manufactured and/or sold: _____

_____

Name under which business will be conducted: _____

_____

Address of the premises to be licensed, with reference to the number of the erf, street(s), apartment(s), shop(s) or farm where the business will be conducted from, as the case may be:

_____

_____

Name and signature of person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

Physical address : _____

Telephone numbers:

Office : _____

Mobile : _____

Fax number : _____

E-mail : _____

_____

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

_____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 4A

NOTICE TO BE PRESENT AT A MEETING OF THE LIQUOR LICENSING TRIBUNAL IN TERMS OF SECTION 23(2)

[Reg. 16(1)]

TO:

Name: _____

Address: _____

By virtue of the powers vested in the Presiding Officer by section 23(2) of the Act and due to the fact that you may be adversely affected in the consideration of a matter by the Liquor Licensing Tribunal, you are hereby notified to be present at a meeting of the Liquor Licensing Tribunal which relates to the application or licence with the following particulars:

Name and address of premises: _____

Name of applicant/licensee: _____

Authority reference number: _____

The meeting will be held on the date, time and at the place as indicated below:

Date: _____/ _____/ 20 _____

Time: _____

Place: _____

Please note the following:

(i) It is important for you to appear in person. You may appoint an advocate, attorney or any other person to appear on your behalf.

(ii) The Presiding Officer may require from you to give evidence or to produce any document or any other thing that is in your possession or custody or under your control.

Issued at _____ on the _____day of _____ / 20 __

_____

Secretary

FOR OFFICIAL USE ONLY

I certify that I have served this notice upon the person mentioned in the notice by—

(a) delivering a true copy to _____PERSONALLY

OR

(b) delivering 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 _____ as he/she could not be found at _____ _____.

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

Time of service:

Time: _____ Day: _____ Month: _____ 20_____

_____

Signature of police officer or inspector

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 4B

SUMMONS IN TERMS OF SECTION 23(5)

[Reg. 16(1)]

TO:

Name: _____

Address: _____

_____

_____

By virtue of the powers vested in the Presiding Officer by section 23(5) of the Act, you are hereby summonsed to be present and give evidence or produce documents or anything indicated in Annexure _____ hereto at a meeting of the Liquor Licensing Tribunal which relates to the application or licence with the following particulars:

Name of premises : _____

Address of premises : _____

_____

Name of applicant/licensee : _____

Authority reference : _____

The meeting will be held on the date and time and at the place indicated below:

Date: _____

Time: _____

Place: _____

(i) **Please note that it is an offence in terms of section 23(13) of the Act not to attend a meeting of the Liquor Licensing Tribunal after having been summonsed**.

(ii) The Presiding Officer may require from you to give evidence or to produce any document or anything which is in your possession or custody or under your control.

(iii) Witnesses are entitled to bring a representative to the meeting to appear on their behalf.

Issued at _____ on the _____ day of _____ 20_____

_____

Secretary

_____

FOR OFFICIAL USE ONLY

I certify that I have served this summons on the person mentioned in the summons by—

(a) delivering a true copy to _____ PERSONALLY

OR

(b) delivering 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 _____, as he/she could not be found at

_____

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

Time: _____ Day: _____ Month: _____ 20 ____

_____

Signature of police officer or inspector

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 5A

NOTICE OF CONDITIONAL GRANTING OF LICENCE IN TERMS OF REGULATION 17(2)

[Reg. 17(2)]

NAME OF APPLICANT: _____

NAME OF PROPOSED LICENSED BUSINESS: _____

_____

ADDRESS OF PROPOSED LICENSED BUSINESS: _____

_____

AUTHORITY REFERENCE NUMBER: _____

The application for a/an _____ licence refers.

Kindly note that a/an _____ licence has been conditionally granted and the licence will be issued upon compliance with the following conditions:

_____

_____

_____

_____

_____

_____

_____

Kindly note the following:

(a) The above conditions must be complied with within _____ from the date of this notice or on or before the ___ day of _____ 20 ____.

(b) Application may be made to the Liquor Licensing Tribunal in terms of section 42(4) in the form of Form 5B to amend or withdraw the conditions upon which the licence was conditionally granted.

(c) Application may be made to the Presiding Officer of the Liquor Licensing Tribunal in the form of Form 5B to extend the period of the conditional granting in terms of section 42(5)(a) or to approve an amendment of the plan of the premises in terms of section 42(5)(b).

(d) If the applicant fails to comply with the aforesaid conditions within the period as determined at the time of the conditional granting or within the extended period in terms of section 42(5)(a), the granting of the licence will lapse and the licence will be deemed not to have been granted.

_____

Chief Executive Officer of the Western Cape Liquor Authority
or person acting under power delegated by the Chief Executive Officer

Date: _____

_____

KINDLY NOTE THAT THIS CONDITIONAL GRANTING OF A LICENCE IS NOT PERMISSION TO TRADE WITHOUT A VALID LIQUOR LICENCE ISSUED IN TERMS OF THE WESTERN CAPE LIQUOR ACT, 2008.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 5B

APPLICATION—

A – IN TERMS OF SECTION 42(4) FOR THE AMENDMENT OR WITHDRAWAL OF THE CONDITIONS IMPOSED IN TERMS OF SECTION 42(1); OR

B – IN TERMS OF SECTION 42(5)(b) FOR THE AMENDMENT OF THE PLAN OF THE PREMISES; OR

C – IN TERMS OF SECTION 42(5)(a) FOR THE EXTENSION OF THE TIME PERIOD

[Reg. 17(8) and (18)]

ORIGINAL TO BE LODGED WITH AUTHORITY AND ONE COPY WITH THE RELEVANT DESIGNATED LIQUOR OFFICER

AUTHORITY REFERENCE: _____

APPLICANT: _____

PREMISES: _____

APPLICATION:

A	**B**	**C**

(Indicate which application.)

INDEX

Description of documents to be attached	**Annexure**
Amended plan of the premises (if applicable)	A
Written representations in support of the application	B
Proof of payment	C

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

_____

Postal code : _____

Physical address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

_____ _____

Date **Signature of applicant or person authorised by applicant**

_____

Print name

A person who, regarding an application, objection or representations in terms of The Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

_____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 5C

NOTICE OF DECISION IN TERMS OF REGULATION 17(17) OR (22)

[Reg. 17(17) or 17(22)]

NAME OF APPLICANT: _____

NAME OF PROPOSED LICENSED BUSINESS: _____

ADDRESS OF PREMISES: _____

_____

AUTHORITY REFERENCE NUMBER: _____

Kindly note that the application in terms of—

A section 42(4) to amend or withdraw the conditions;

B section 42(5)(b) to amend the plan of the premises; or

C section 42(5)(a) to extend the time period,

(a) **has been granted** subject to the attached conditions; or

(b) **has been refused**.

_____

Chief Executive Officer of the Western Cape Liquor Authority
or person acting under power delegated by the Chief Executive Officer

Date: _____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 5D

NOTICE IN TERMS OF SECTION 42(4A) OF THE REVOCATION OF LICENCE CONDITIONALLY GRANTED

[Reg. 17(28)]

NAME OF APPLICANT: _____

NAME OF PROPOSED LICENSED BUSINESS: _____

ADDRESS OF PREMISES: _____

_____

AUTHORITY REFERENCE NUMBER: _____

Kindly note that the Liquor Licensing Tribunal has in terms of section 42(4A) decided to revoke the conditional granting of the licence that was granted in terms of section 42(1).

You have the right in terms of section 68 of the Act to appeal or to apply for the review of any decision of the Liquor Licensing Tribunal.

_____

Chief Executive Officer of the Western Cape Liquor Authority
or person acting under power delegated by the Chief Executive Officer

Date: _____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 5E

NOTICE IN TERMS OF REGULATION 17(25)

[Reg. 17(25)]

NAME OF APPLICANT: _____

NAME OF PROPOSED LICENSED BUSINESS: _____

ADDRESS OF PREMISES: _____

_____

AUTHORITY REFERENCE NUMBER: _____

The application that was conditionally granted on _____ refers.

Material facts of which the Liquor Licensing Tribunal was unaware at the time when the licence was conditionally granted have been lodged with the Authority on _____. The Chief Executive Officer has referred these material facts to the Liquor Licensing Tribunal in terms of regulation 17(24).

The Liquor Licensing Tribunal will consider the material facts and if it is satisfied that, had it been aware of those facts at the time when the application was granted it would not have conditionally granted the licence, it may revoke the conditional granting of the licence in terms of section 42(4A) of the Act.

You have the right to make representations by no later than _____.

The material facts referred to above are attached hereto.

If the Liquor Licensing Tribunal after the consideration of the attached material facts decides to revoke the conditional granting in terms of section 42(4A), you have the right in terms of section 68 to appeal or to apply for the review of that decision.

_____

Chief Executive Officer of the Western Cape Liquor Authority
or person acting under power delegated by the Chief Executive Officer

Date: _____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 6A

NOTICE OF GRANTING OF LICENCE

[Reg. 18(2)]

NAME OF APPLICANT: _____

NAME OF PROPOSED LICENSED BUSINESS: _____

ADDRESS OF PROPOSED LICENSED BUSINESS: _____

_____

AUTHORITY REFERENCE NUMBER: _____

The application for a/an _____ licence refers.

Kindly note that a _____ licence will be issued upon payment of the fee referred in section 46(2) within sixty (60) days of the issuing of this notice, failing which, subject to section 46(6), the granting of the application will lapse.

If the fee is not paid within the period referred to above, you may apply in terms of section 46(6) in writing to the Chief Executive Officer for condonation of the failure to pay the fee.

If the Chief Executive Officer condones the failure to pay the fee, the fee must be paid by a date determined by the Chief Executive Officer together with a penalty of 100% of that fee.

_____

Chief Executive Officer of the Western Cape Liquor Authority
or person acting under power delegated by the Chief Executive Officer

Date: _____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 6B

NOTICE IN TERMS OF REGULATION 17(4) THAT CONDITIONS OF CONDITIONAL GRANTING OF LICENCE HAVE BEEN COMPLIED WITH

[Reg. 17(4)]

NAME OF APPLICANT: _____

NAME OF PROPOSED LICENSED BUSINESS: _____

ADDRESS OF PROPOSED LICENSED BUSINESS: _____

_____

AUTHORITY REFERENCE NUMBER: _____

The application for a/an _____ licence refers.

Kindly note that the Presiding Officer is satisfied that the applicant has complied with the conditions imposed by the Liquor Licensing Tribunal on _____ and that the applicable licence will be issued upon payment of the fee referred in section 46(2) within sixty (60) days of the issuing of this notice, failing which, the granting of the application will lapse.

If the fee is not paid within the period referred to above, you may apply in writing to the Chief Executive Officer for condonation of the failure to pay the fee in terms of section 46(6).

If the Chief Executive Officer condones the failure, the fee must be paid by a date determined by the Chief Executive Officer together with a penalty of 100% of that fee.

_____

Chief Executive Officer of the Western Cape Liquor Authority
or person acting under power delegated by the Chief Executive Officer

Date: _____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 6C

APPLICATION FOR CONDONATION OF THE FAILURE TO PAY PRESCRIBED FEE IN TERMS OF SECTION 46(6)

[Reg. 18(3A)]

ORIGINAL MUST BE LODGED WITH AUTHORITY

LIQUOR AUTHORITY REFERENCE NUMBER _____

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

_____

Postal code : _____

Physical address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

DETAILS OF APPLICANT

1. Full name of applicant: _____

2. Written representations in support of this application: _____

_____

_____

_____

_____

(Use an annexure if necessary.)

_____ _____

Date **Signature of applicant or person authorised by applicant**

_____

Print name

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 7

_____ LIQUOR LICENCE

[Reg. 17(6) or 18(4)]

AUTHORITY REFERENCE NUMBER _____

_____

(hereafter referred to as the licensee)

is hereby licensed to micro-manufacture and/or sell: _____

_____

_____ *(Insert kind(s) of liquor.)*

and to conduct its licensed business under the name of:

_____ *(Insert trading name.)*

upon the licensed premises (the plan of which has been submitted with the application or any other plan thereof which has been subsequently approved by the Liquor Licensing Tribunal, and a copy of which is attached hereto as Annexure "A"), situated at:

_____

(Insert physical address of licensed premises.)

in the municipality of _____ such business as is, in accordance with the provisions of the Act and the conditions, determinations, consents, approvals or authorities issued with this licence and attached hereto.

_____

Chief Executive Officer of the Western Cape Liquor Authority
or person acting under power delegated by the Chief Executive Officer

Date: _____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 8

APPLICATION FOR A TEMPORARY LIQUOR LICENCE IN TERMS OF SECTION 48(1)

[Reg. 19(2)(a)(ii)]

ORIGINAL MUST BE LODGED WITH AUTHORITY, ONE COPY WITH THE RELEVANT DESIGNATED LIQUOR OFFICER AND ONE COPY WITH THE MUNICIPALITY IN WHOSE AREA OF JURISDICTION THE PREMISES ARE LOCATED

AUTHORITY REFERENCE NUMBER: _____

Date stamp of Authority on receipt of application	Date stamp of designated liquor officer on receipt of application
Date stamp of relevant municipality on receipt of application	

INDEX

Description of documents to be attached	Annexure
Comprehensive floor plan of the proposed licensed premises	A
Site plan	B
Aerial view map	C
Indexed colour photographs	D
Description of the premises	E
Written representations in support of the application	F
Proof of payment of the applicable application fee	G
A certified copy of the identity card or document, or the passport and visa or permanent residence permit of the applicant if the applicant is a	H

Description of documents to be attached	Annexure
foreigner, and, in the case of an applicant other than a natural person, copies of the relevant registration documents indicating the identity and, where applicable, the financial interest of all members, directors, partners, beneficiaries or trustees	
Other documents required in the Act or required by the Authority	I
Affidavit by the applicant that he or she is not disqualified in terms of section 35 from holding a liquor licence	J
A valid, original tax clearance certificate in respect of the applicant, issued by the South African Revenue Services not more than three months before the date of lodgement of the application	K
Proof of right of occupation for the period applied for	L
Proof of ownership of the proposed licensed premises or, if the applicant is not the owner, written consent from the owner of the proposed licensed premises that the applicant may use the proposed licensed premises for the purposes of the licence applied for	M
A nomination for the appointment of a manager in accordance with regulation 22	N

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

_____

Postal code : _____

Physical address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

1. APPLICANT'S DETAILS

1.1 Full name : _____

1.2 Residential address : _____

_____

Postal code : _____

1.3 Postal address : _____

_____

Postal code : _____

1.4 Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

1.5 Fax number : _____

1.6 E-mail address : _____

1.7 Address for service of all notices and documents:

_____

_____

Postal code: _____

1.8 Address for service of all notices and documents after application has been determined:

_____

_____

Postal code: _____

1.9 Contact details of licensee or, if the applicant is not a natural person, full details of contact person:

_____

_____

1.10 Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

2. DETAILS OF LICENSED BUSINESS

2.1 Category of licence: *(Mark the relevant licence with a cross.)*

Licence in terms of section 33(1)(a)	
Licence in terms of section 33(1)(b)	
Licence in terms of section 33(1)(c)	
Licence in terms of section 33(1)(d)	

2.2 Kind(s) of liquor that may be sold under licence: _____

_____

2.3 Name under which licensed business is conducted: _____

_____

2.4 The erf number and address of licensed premises: _____

_____

2.5 Municipal area of the licensed premises: _____

2.6 Licence number: _____

3. DETAILS OF APPLICATION

3.1 State the reasons for the application and the nature of the occasion (if applicable) in respect of which a temporary liquor licence is required: _____

_____

_____

_____

_____

3.2 Particulars of the premises where the business is to be conducted:

Erf number : _____

Address : _____

_____

_____

3.3 Municipal area in which the business is to be conducted: _____

3.4 Name under which the business is to be conducted: _____

_____

3.5 Describe the place or places on the premises in which the sale of liquor is to take place:

_____

_____

_____

3.6 Trading hours and dates sought during which liquor may be sold or consumed on the licensed premises:

_____

_____

_____

3.7 Will the applicant have the right to occupy the proposed premises?

(Mark "yes" or "no".) **YES / NO**

If "yes", give details of the owner and the applicant's right of occupation:

(a) Owner's name:

_____

(b) Owner's address:

_____

(c) Description of applicant's right of occupation:

_____

_____

_____

(d) Duration of right of occupation:

_____

_____

(e) Does the applicant have the right to sell liquor on the specific premises?

_____

3.8 Has a temporary liquor licence previously been granted to the applicant for the current calendar year? *(Mark "yes" or "no".)* **YES / NO**

If yes, state—

(a) the number of temporary licences granted for the current calendar year:

_____

(b) the total number of days for which temporary licence has been granted for the current calendar year:

_____

4. OTHER LICENCES

Give full details of any existing liquor licences on the proposed premises:

Licensee: _____

_____

Type of licence: _____

_____

Authority reference number: _____

(Location of such other licences in relation to proposed premises must be indicated on site plan.)

5. FINANCIAL INTEREST

State the name, identity number and address of each person, including the applicant, who has any financial interest in the business to be conducted in terms of this application and in each case state the nature and extent of such interest.

_____

_____

_____

_____

(Use an annexure if necessary.)

_____ _____

Date **Signature of applicant or person authorised by applicant**

_____

Print name

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information That he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 9

APPLICATION FOR AN EVENT LIQUOR LICENCE IN TERMS OF SECTION 48(4)

[Reg. 19(2)(b)(ii)]

ORIGINAL TO BE LODGED WITH AUTHORITY, ONE COPY WITH THE RELEVANT DESIGNATED LIQUOR OFFICER AND ONE COPY WITH THE MUNICIPALITY IN WHOSE AREA OF JURISDICTION THE PREMISES ARE SITUATED

Date stamp of Authority on receipt of application	Date stamp of designated liquor officer on receipt of application
Date stamp of relevant municipality on receipt of application	

AUTHORITY REFERENCE NUMBER: _____

INDEX

Description of documents to be attached	Annexure
Comprehensive floor plan of the premises	A
Site plan	B
Aerial view map	C
Indexed colour photographs	D
Description of the premises	E
Written representations in support of the application	F
Proof of payment of the applicable application fee	G
A certified copy of the identity card or document, or the passport and visa or permanent residence permit of the applicant if the applicant is a foreigner, and,	H

Description of documents to be attached	Annexure
in the case of an applicant other than a natural person, copies of the relevant registration documents, indicating the identity and, where applicable, the financial interest of all members, directors, partners, beneficiaries or trustees	
Other documents required in the Act or required by the Authority	I
Affidavit by the applicant that he or she is not disqualified in terms of section 35 from holding a liquor licence	J
A valid, original tax clearance certificate in respect of the applicant, issued by the South African Revenue Services not more than three months before the date of lodgement of the application	K
Proof of ownership of the proposed licensed premises or, if the applicant is not the owner, written consent from the owner of the proposed licensed premises that the applicant may use the proposed licensed premises for the purposes of the licence applied for	L
A nomination for the appointment of a manager in accordance with regulation 22	M

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Residential address : _____

_____

Postal code : _____

Postal address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

1. APPLICANT'S DETAILS

1.1 Full name : _____

1.2 Residential address : _____

_____

Postal code : _____

1.3 Postal address : _____

_____

Postal code : _____

1.4 Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

1.5 Fax number : _____

1.6 E-mail address : _____

1.7 Address for service of all notices and documents: _____

_____

Postal code: _____

1.8 Address for service of all notices and documents after application has been determined:

_____

_____

Postal code: _____

1.9 Contact details of licensee or, if applicant is not a natural person, full details of contact person:

_____

_____

1.10 Telephone numbers:

Office : _____

Mobile : _____

Home or other: _____

1.11 Registration number (If the applicant is not a natural person): _____

1.12	Is the applicant a person who—	Mark "yes" or "no"	
(a)	has, within the five (5) years prior to the lodgement of the application, been sentenced to imprisonment without the option of paying a fine?	Yes	No
(b)	has, within the five (5) years prior to the lodgement of the application, been declared to be unfit to hold a registration by the National Liquor Authority or a licence by any provincial liquor authority?	Yes	No
(c)	is an unrehabilitated insolvent?	Yes	No
(d)	is a minor?	Yes	No
(e)	was the holder of a licence which was cancelled in terms of this Act or an Act regulating liquor licences in any other province within a period of twelve (12) months prior to the lodgement of the application?	Yes	No
(f)	is a spouse or life partner of a person described in (a), (b) or (e) above?	Yes	No
(g)	is mentally ill as defined in the Mental Health Care Act, 2002 (Act 17 of 2002)?	Yes	No

1.13 If any of the questions in 1.12 above has “yes” as the answer, provide full details.

_____

_____

_____

_____

_____

_____

_____

(Use an annexure if necessary.)

2. **DETAILS OF EVENT AND PROPOSED PREMISES**

2.1 State the nature of the event in respect of which an event liquor licence is required:

_____

_____

2.2 Erf number and address of the premises where the business is to be conducted:

Erf number: _____

Address: _____

_____

2.3 Municipal area where the business is to be conducted: _____

2.4 Under what name the business is to be conducted: _____

_____

_____

2.5 Describe the place or places on the premises in which the sale of liquor is to take place:

_____

_____

_____

2.6 Will liquor be sold for consumption on or off or both on and off the licensed premises?

_____

2.7 State the dates upon and the hours during which such sale will take place.

_____

_____

_____

2.8 Will the applicant have the right to sell liquor on the proposed premises? **YES / NO**

2.9 If yes, give details of the owner and the applicant's right to sell liquor on the proposed premises:

(a) Owner's name: _____

(b) Owner's address: _____

(c) Description of applicant's right to sell liquor: _____

_____

_____

_____

(d) Duration of right to sell liquor: _____

2.10 Has an event liquor licence previously been granted to the applicant in the current calendar year? *(Mark "yes" or "no".)* **YES / NO**

3. OTHER LICENCES

Give full details of any existing liquor licences on the proposed premises:

Licensee: _____

Type of licence: _____

Authority reference number: _____

(Location of such other licences in relation to the proposed premises must be indicated on site plan.)

4. FINANCIAL INTEREST

4.1 Who will have a financial interest in the business that will be conducted on the proposed premises? _____

4.2 Describe the nature and extent of such interest: _____

_____

_____

_____

(Use an annexure if necessary.)

_____ _____

Date **Signature of applicant or person authorised by applicant**

_____

Print name

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 10

TEMPORARY LIQUOR LICENCE

[Reg. 19(20)(b)]

AUTHORITY REFERENCE: _____

_____,

who is the holder of a valid liquor licence (the licensee) in terms of section 33(.....) is hereby licensed to sell _____

(list kind(s) of liquor) **and to conduct his or her business under the name of:**

_____

upon the licensed premises situated at: _____

_____

_____

(Physical address of licensed premises)

on the following days and hours: _____

_____

The licensee is licensed to conduct his or her business in accordance with the Act and the conditions and plans as set out in the attached annexure.

_____

Chief Executive Officer of the Western Cape Liquor Authority
or person acting under power delegated by the Chief Executive Officer

Date: _____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 11

EVENT LIQUOR LICENCE

[Reg. 19(20)(b)]

_____ (the licensee)

is hereby licensed to sell _____

_____ *(List kind(s) of liquor.)*

and to conduct business under the name of _____

_____

upon the licensed premises, situated at: _____

_____
(Physical address of licensed premises)

on the following days and hours:

_____
for on or off or both on and off consumption purposes.

The licensee is licensed to conduct his or her business in accordance with the provisions of the Act and the conditions and plans as set out in the attached annexure.

_____
Chief Executive Officer of the Western Cape Liquor Authority
or person acting under power delegated by the Chief Executive Officer

Date: _____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 12A

APPLICATION FOR CONDONATION OF THE LATE FILING OF AN APPLICATION FOR A TEMPORARY OR AN EVENT LIQUOR LICENCE IN TERMS OF SECTION 48(10)

[Reg. 19(16)]

ORIGINAL MUST BE LODGED WITH AUTHORITY

LIQUOR AUTHORITY REFERENCE NUMBER _____.

Date stamp of Authority on receipt of application

INDEX

Description of documents to be attached	Annexure
Proof of payment of the penalty	A
Application in terms of regulation 19(1)(a) or (b)	B
Proof of payment of the application fee in respect of the application made in terms of regulation 19(1)(a) or (b)	C

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

_____

Postal code : _____

Physical address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail : _____

DETAILS OF APPLICANT

1. Full name of applicant: _____

2. Written representations in support of this application for condonation:

_____

_____

_____

_____

_____

(Use an annexure if necessary.)

_____ _____

Date **Signature of applicant or person authorised by applicant**

_____

Print name

_____

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

_____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 12B

NOTICE IN TERMS OF REGULATION 19(19)

[Reg. 19(21)]

NAME OF THE HOLDER OF A TEMPORARY LIQUOR LICENCE OR AN EVENT LIQUOR LICENCE:

_____

NAME OF LICENSED BUSINESS: _____

ADDRESS OF PREMISES: _____

_____

AUTHORITY REFERENCE NUMBER: _____

The temporary or event liquor licence that was issued on: _____

_____ refers.

Copies of any report, complaint, referral or representations contemplated in section 48(14) are hereby served on you.

After considering the said report, complaint, referral, or representations, the Presiding Officer of the Liquor Licensing Tribunal may in terms of section 48(13)—

(a) declare the licence to be subject to such conditions or restrictions or such further conditions or restrictions set out in the notice as he or she may in his or her discretion impose;

(b) suspend, revoke or amend any condition or restriction imposed in respect of the licence; or

(c) suspend or revoke the licence.

You have the right to make representations by no later than _____.

If the Presiding Officer decides to take action in terms of section 48(13), you have the right in terms of section 68 to appeal or apply for the review of that decision.

_____

Chief Executive Officer of the Western Cape Liquor Authority

or person acting under power delegated by the Chief Executive Officer

Date: _____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 13

APPLICATION TO TRANSFER A FINANCIAL INTEREST IN THE LICENSED BUSINESS IN TERMS OF SECTION 51(1)

[Reg. 21(1)]

ORIGINAL MUST BE LODGED WITH AUTHORITY AND COPY WITH DESIGNATED LIQUOR OFFICER IN WHOSE AREA OF JURISDICTION THE LICENCED PREMISES ARE SITUATED

Date stamp of Authority on receipt of application	Date stamp of designated liquor officer on receipt of application

AUTHORITY REFERENCE NUMBER: _____.

INDEX

Description of documents to be attached	Annexure
Proof of payment	A
Documented proof of the change in financial interest in the case of an application in terms of regulation 21(1)(a)	B
Written representations in support of application	C
A certified copy of the identity card or document, or the passport and visa or permanent residence permit of the person to whom the financial interest is intended to be transferred if that person is a foreigner, and, in the case of a person other than a natural person, copies of the relevant registration documents, indicating the identity and, where applicable, the financial interest of all members, directors, partners, beneficiaries or trustees	D
An affidavit by the person to whom the financial interest is to be transferred that he or she is not disqualified in terms of section 35 from holding a liquor licence	E
A valid, original tax clearance certificate in respect of the person to whom the financial interest is intended to be transferred, issued by the South	F

Description of documents to be attached	Annexure
African Revenue Services not more than three months before the date of lodgement of the application	

Name, signature and contact details of the person who prepared this application:

Name : _____

Signature : _____

Residential address : _____

_____

Postal code : _____

Postal address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

PART A

DETAILS OF LICENSEE

1. Liquor licence number: _____

2. Full name of licensee: _____

3. State the name, identity number and address and extent of financial interest of each shareholder, member, partner, beneficiary or trustee who intends to transfer the financial interest

_____

_____

_____

(Use an annexure if necessary.)

4. (a) Name and address of the licensed premises: _____

_____

_____

(b) Describe the situation of the premises where the licensed business is conducted, with reference to the number of the erf, street(s), apartment(s), shop(s) or farm, as the case may be: _____

_____

_____

_____

(c) In which municipal area are the premises referred to in subparagraph (a) situated?

_____

5. Daytime contact name and telephone number

_____

PART B

DETAILS OF THE PERSON(S) TO WHOM THE FINANCIAL INTEREST WILL BE TRANSFERRED

1. Full name:

_____

2. Identity number or, in the case of a company or close corporation, its registration number: _____

(Attach a copy of the identity card or document or proof of registration.)

3. Residential address or address of registered office:

_____

_____

_____

_____

4. Business address: _____

_____

_____

_____

5. Postal address: _____

_____

6. Telephone number: _____

7.1	Is the person to whom the financial interest is to be transferred a person who—	Mark "yes" or "no"	
(a)	has, within the five (5) years prior to the lodgement of the application, been sentenced to imprisonment without the option of paying a fine?	Yes	No
(b)	has, within the five (5) years prior to the lodgement of the application, been declared to be unfit to hold a registration by the National Liquor Authority or a licence by any provincial liquor authority?	Yes	No
(c)	is an unrehabilitated insolvent?	Yes	No
(d)	is a minor?	Yes	No
(e)	was the holder of a licence that was cancelled in terms of this Act or an Act regulating liquor licences in any other province within a period of twelve (12) months prior to the lodgement of the application?	Yes	No
(f)	is a spouse or life partner of a person described in (a), (b) or (e) above?	Yes	No
(g)	is mentally ill as defined in the Mental Health Care Act, 2002 (Act 17 of 2002)?	Yes	No
7.2	If the person to whom the financial interest is to be transferred is not a natural person—	Yes	No

	Is any member, shareholder, trustee, beneficiary or partner of the applicant a person described in paragraph 7.1(a), (b) or (e)?		

7.3 If any of the questions in paragraphs 7.1 or 7.2 has "yes" as the answer, provide full details.

_____

_____

_____

_____

_____

(Use an annexure if necessary.)

7.4.	If the person to whom the financial interest is to be transferred is a company, close corporation, partnership or trust, state whether a person contemplated in paragraph 7.1 above—	Mark "yes" or "no"	
(a)	has a controlling interest in the company, close corporation or trust?	Yes	No
(b)	is a partner in the partnership?	Yes	No
(c)	is the main beneficiary under the trust?	Yes	No

7.5 If any of the questions in paragraph 7.4(a) to (c) has "yes" as the answer, provide full details:

_____

_____

_____

_____

_____

(Use an annexure if necessary.)

7.6 State the name, identity number and address of each person—

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

(b) who, including the person to whom the financial interest is to be transferred, will have such interest if the application is granted, and in each case, the nature and extent of such financial interest.

_____

_____

_____

_____

_____

(Use an annexure if necessary.)

Date: _____

_____

Signature of the applicant or person authorised by the applicant

_____

Name in print

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 14

APPLICATION TO LET PREMISES TO ANOTHER PERSON, ALLOW ANOTHER PERSON TO CARRY ON BUSINESS IN TERMS OF THE LICENCE OR ALLOW ANOTHER PERSON TO USE THE LICENSED PREMISES IN TERMS OF SECTION 51(7)

[Reg. 21(2)]

ORIGINAL MUST BE LODGED WITH AUTHORITY AND COPY WITH DESIGNATED LIQUOR OFFICER IN WHOSE AREA OF JURISDICTION THE LICENCED PREMISES ARE LOCATED

Date stamp of Authority on receipt of application	Date stamp of designated liquor officer on receipt of application

AUTHORITY REFERENCE NUMBER: _____

INDEX

Description of documents to be attached	Annexure
Proof of payment of the applicable application fee	A
Documented proof of the letting of the licenced premises, conducting of the business in terms of the licence or use of the licensed premises, as the case may be	B
Written representations in support of the application	C
A certified copy of the identity card or document of the person who proposes to let the licence from the licensee, carry on business in terms of the licence or use the licensed premises, or, if that person is a foreigner the passport and visa or permanent residence permit, and, in the case of a person other than a natural person, copies of the relevant registration documents, indicating the identity and, where applicable, the financial interest of all members, directors, partners, beneficiaries or trustees	D

Description of documents to be attached	Annexure
An affidavit by the person intended to be allowed to let the licence, carry on business or use the licensed premises that he or she is not disqualified in terms of section 35 from holding a liquor licence	E
A valid, original tax clearance certificate in respect of the person intended to be allowed to let the licence, carry on business or use the licensed premises	F
Copy of the liquor licence of the person who proposes to let the licence, carry on business or use the licensed premises	G
Copy of the liquor licence of the person who intends to let premises to another person, allow another person to carry on business in terms of the licence or allow another person to use the licensed premises	H
A comprehensive floor plan in accordance with regulation 21(5)(h)	I
Indexed colour photographs in terms of regulation 21(5)(i)	J

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Residential address : _____

_____

Postal code : _____

Postal address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

PART A

DETAILS OF LICENSEE OF LICENCED PREMISES (LESSOR)

1.1 Licence number: _____

1.2 Full name of licensee: _____

1.3 If the licensee is not a natural person, state the name, identity number, address and extent of financial interest of each shareholder, member, partner, beneficiary or trustee _____

_____

_____

_____

(Use an annexure if necessary.)

1.4 (a) Name and address of the licensed premises _____

_____

_____

(b) Describe the situation of the premises where the licensed business is conducted, with reference to the number of the erf, street(s), apartment(s), shop(s) or farm, as the case may be

_____

_____

_____

_____

(c) In which municipal area are the premises referred to in subparagraph (a) situated?

_____

1.5 Daytime contact name and telephone number: _____

_____

PART B

DETAILS OF THE LICENSEE(S) TO WHOM PART OF THE LICENSED PREMISES WILL BE LET (LESSEE)

2.1 Full name: _____

2.2 Identity number, or in the case of a company or close corporation, its registration number: _____

(Attach a copy of identity card or document or proof of registration.)

2.3 Residential address or address of registered office: _____

_____

_____

_____

2.4 Business address: _____

_____

_____

_____

2.5 Postal address: _____

2.6 Telephone number: _____

2.7	Is the licensee a person who—	Mark “yes” or “no”	
(a)	has, within the sixty (60) months prior to the lodgement of the application, been sentenced to imprisonment without the option of paying a fine?	Yes	No
(b)	has, within the sixty (60) months prior to the lodgement of the application, been declared unfit to hold a registration by the National Liquor Authority or a licence by any provincial liquor authority?	Yes	No
(c)	is an unrehabilitated insolvent?	Yes	No
(d)	is a minor?	Yes	No

(e)	was the holder of a licence that was cancelled in terms of this Act or an Act regulating liquor licences in any other province within a period of twelve (12) months prior to the lodgement of the application?	Yes	No
(f)	is a spouse or life partner of a person described in (a), (b) or (e) above?	Yes	No
(g)	is mentally ill as defined in the Mental Health Care Act, 2002 (Act 17 of 2002)?	Yes	No
(h)	has resided in South Africa for five (5) years prior to the lodgement of the application?	Yes	No
(i)	is disqualified in terms of the Immigration Act, 2007 (Act 13 of 2007)?	Yes	No
2.8	In the case of a Lessee who is not a natural person— Is any member, shareholder, trustee, beneficiary or partner of the applicant a person described in paragraph 7.1(a), (b) or (e)?	Yes	No

2.9 If any of the questions in paragraphs 2.7 or 2.8 have “yes” as the answer, provide full details:

_____

_____

_____

_____

_____

(Use an annexure if necessary.)

2.10	If the Lessee is a company, close corporation, partnership or trust, s whether a person contemplated in paragraph 7.1 above—	Mark “yes” or “no”	
(a)	has a controlling interest in the company, close corporation or trust.	Yes	No
(b)	is a partner in the partnership.	Yes	No
(c)	is the main beneficiary under the trust.	Yes	No

2.11 If any of the questions in paragraph 2.10(a) to (c) above has "yes" as the answer, provide full details: _____

_____

_____

_____

(Use an annexure if necessary.)

3. State the name, identity number and address of each person—

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

(d) who, including the Lessee, will have such interest if the application is granted.

In each case, state the nature and extent of such financial interest.

_____

_____

_____

_____

(Use an annexure if necessary.)

_____ _____

Date **Signature of the applicant or the person authorised by the applicant to sign**

_____

Name in print

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 15

NOMINATION FOR THE APPOINTMENT OF A MANAGER IN TERMS OF SECTION 52

[Reg. 22(1)]

ORIGINAL MUST BE LODGED WITH AUTHORITY AND COPY WITH DESIGNATED LIQUOR OFFICER

Date stamp of Authority on receipt of application	Date stamp of designated liquor officer on receipt of application

AUTHORITY REFERENCE NUMBER: _____

INDEX

Description of documents to be attached	Annexure
A certified copy of the identity card or document of the nominated person, or the passport and visa or permanent residence permit of the nominated person if he or she is a foreigner	A
Written representations in support of the nomination	B
Proof of the nominated person's address in the Western Cape	C
An affidavit by the nominated person that he or she is not disqualified in terms of section 35 from holding a liquor licence	D

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Residential address : _____

_____

Postal code : _____

Postal address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

PART A

NOMINATION OF MANAGER

1. Name of licensed business: _____

2. If applicable, state full details of person whose appointment has been terminated:

   (a) Full name:

   _____

   (b) Identity number:

   _____

   (c) Date of termination:

   _____

3. State full details of person being nominated:

   (a) Full name:

   _____

   (b) Identity number: _____

   (Attach copy of identity card or document.)

   (c) Physical address of nominated person: _____

   _____

   _____

(d) Postal address of nominated person:_____

_____

_____

_____

(e) Telephone number of nominated person: _____

(f) Relationship between nominated person and the person who is the holder of the liquor licence: _____

(g)	Is the nominated person a person who—	Mark “yes” or “no”	
(i)	has, within the sixty (60) months prior to the lodgement of the application, been sentenced to imprisonment without the option of paying a fine?	Yes	No
(ii)	has, within the sixty (60) months prior to the lodgement of the application, been declared unfit to hold a registration by the National Liquor Authority or a licence by any provincial liquor authority?	Yes	No
(iii)	is an unrehabilitated insolvent?	Yes	No
(iv)	is a minor?	Yes	No
(v)	was the holder of a licence that was cancelled in terms of this Act or an Act regulating liquor licences in any other province within a period of twelve (12) months prior to the lodgement of this nomination?	Yes	No
(vi)	is a spouse or life partner of a person described in (a), (b) or (e) above?	Yes	No
(vii)	is mentally ill as defined in the Mental Health Care Act, 2002 (Act 17 of 2002)?	Yes	No
(viii)	has resided in South Africa for five (5) years prior to the lodgement of the application?	Yes	No
(iv)	is disqualified in terms of the Immigration Act, 2007 (Act 13 of 2007)?	Yes	No

(h) If any of the questions in subparagraph (g) has “yes” as the answer, provide full details: _____

_____

_____

_____ *(Use an annexure if necessary.)*

(i) Date of intended appointment: _____

4. If the nominated person has any financial interest in the licensed business, provide full details:

_____

_____

_____

_____ _____

Date **Signature of the applicant or person authorised by the applicant to sign**

_____

Name in print

PART B

ACCEPTANCE BY NOMINATED MANAGER

I, _____, the undersigned, hereby accept the above nomination and accept responsibility for the management of the business and understand that I am subject to the same duties, obligations and liabilities as the licensee.

_____

Signature of nominated manager

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one which purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 16

APPLICATION FOR CONSENT TO CARRY OUT STRUCTURAL ALTERATIONS TO THE LICENSED PREMISES IN TERMS OF SECTION 53(1)(a)

[Reg. 23(1)]

ORIGINAL MUST BE LODGED WITH AUTHORITY AND ONE COPY WITH DESIGNATED LIQUOR OFFICER

Date stamp of Authority on receipt of application.	Date stamp of designated liquor officer on receipt of application.

AUTHORITY REFERENCE NUMBER: _____

INDEX

Description of documents to be attached	Annexure
Comprehensive floor plan of the premises in accordance with regulation 23(1)(a)	A
Description of the proposed alterations in terms of regulation 23(1)(b)	B
A description of the applicable portion of the licensed premises in terms of regulation 23(1)(c)	C
Proof of ownership of the licensed premises or, if the applicant is not the owner, written consent from the owner that the applicant may use the premises for the purposes of the licence, if applicable	D
Proof of payment of the applicable application fee	E
Written representations in support of the application	F
Indexed colour photographs of the existing licensed premises showing the completed internal and external features of the licensed premises	G

Description of documents to be attached	Annexure
Proof that the applicant has the right to occupy the premises, if applicable	
Proof that the applicant has the right to alter the licensed premises, if applicable	H
Consent from the owner of the premises that the applicant may use the proposed extended portion for purposes of the licence	I

Name, signature and contact details of the person who prepared this application:

Name : _____

Signature : _____

Residential address : _____

_____

Postal code : _____

Postal address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

1. DETAILS OF APPLICANT

1.1 Full name: _____

1.2 Address: _____

_____

Postal code: _____

1.3 Address for service of documents: _____

_____

Postal code: _____

1.4 Contact details of licensee or, if applicant is not a natural person, full details of contact person:

_____

_____

1.5 Telephone numbers:

Office : _____

Mobile : _____

Home or other: _____

2. DETAILS OF LICENSED BUSINESS

2.1 Category of licence: *(Mark the relevant licence with a cross.)*

Licence in terms of section 33(1)(a)	
Licence in terms of section 33(1)(b)	
Licence in terms of section 33(1)(c)	
Licence in terms of section 33(1)(d)	

2.2 Kind(s) of liquor that may be sold under the licence: _____

_____

2.3 Name under which the licensed business is conducted: _____

_____

2.4 Erf number and address of licensed premises: _____

_____

_____

2.5 Municipal area of the licensed premises: _____

_____ _____

Date **Signature of applicant or person authorised by applicant**

_____

Name in print

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 17

APPLICATION FOR CONSENT TO MATERIALLY CHANGE THE NATURE OF THE LICENSED BUSINESS IN TERMS OF SECTION 53(1)(b)

[Reg. 23(2)]

ORIGINAL MUST BE LODGED WITH AUTHORITY AND ONE COPY WITH DESIGNATED LIQUOR OFFICER

Date stamp of Authority on receipt of application	Date stamp of designated liquor officer on receipt of application

AUTHORITY REFERENCE NUMBER: _____.

INDEX

Description of documents to be attached	Annexure
A description of the proposed change in the nature of the business Include, if necessary: 1. Colour photographs of the premises 2. Floor plan of the premises	A
Written representations in support of the application	B
Proof of payment of the applicable application fee	C
Proof that the applicant has the right to change the nature of the premises in terms of regulation 23(2)(d), if applicable	D

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Residential address : _____

_____

Postal code : _____

Postal address : _____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

1. DETAILS OF APPLICANT

1.1 Full name: _____

1.2 Address: _____

_____

Postal code: _____

1.3 Address for service of documents: _____

_____

Postal code: _____

1.4 Contact details of licensee or, if applicant is not a natural person, full details of contact person: _____

_____

1.5 Telephone numbers:

Office : _____

Mobile : _____

Home or other: _____

2. DETAILS OF LICENSED BUSINESS

2.1 Category of licence: *(Mark the relevant licence with a cross.)*

Licence in terms of section 33(1)(a)	
Licence in terms of section 33(1)(b)	
Licence in terms of section 33(1)(c)	
Licence in terms of section 33(1)(d)	

2.2 Kind(s) of liquor that may be sold under licence: _____

_____

2.3 Name under which the licensed business is conducted: _____

_____

2.4 Erf number and address of licensed premises: _____

_____

_____

2.5 Municipal area of the licensed premises: _____

_____ _____

Date **Signature of applicant or**
person authorised by applicant

_____

Name in print

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.
A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 18

APPLICATION FOR CONSENT TO CONDUCT A BUSINESS UNDER A LICENCE ON PREMISES ON WHICH ANY OTHER BUSINESS, INCLUDING A BUSINESS TO WHICH ANY OTHER LICENCE RELATES, OR ANY OTHER TRADE OR OCCUPATION IS CARRIED ON IN TERMS OF SECTION 53(1)(c)

[Reg. 23(3)]

ORIGINAL MUST BE LODGED WITH AUTHORITY AND ONE COPY WITH DESIGNATED LIQUOR OFFICER

Date stamp of designated liquor officer on receipt of application	Date stamp of Authority on receipt of application

Description of documents to be attached	Annexure
Description of any other business, trade or occupation that is carried on or pursued on the premises	A
Proof of payment of the applicable application fee	B
Written representations in support of the application	C
A legible, comprehensive floor plan of the proposed premises on which it is intended that the business under the licence will be conducted	D
A description of the applicable portion of the premises, with reference to the construction, layout, furnishing, fixtures, fittings and floor covering	E
Proof that the applicant has the right to occupy the proposed premises	F
Proof of ownership of the proposed licensed premises or, if the applicant is not the owner, written consent from the owner of the premises that the applicant may use the proposed licensed premises for the purposes of the licence	G

Description of documents to be attached	Annexure
Indexed colour photographs showing the internal and external features of the proposed premises	H

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

_____

Postal code : _____

Physical address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

1. DETAILS OF APPLICANT

1.1 Full name: _____

1.2 Address: _____

_____

Postal code: _____

1.3 Address for service of documents: _____

_____

Postal code: _____

1.4 Contact details of licensee or if applicant is a natural person, full details of contact person:

_____

_____

1.5 Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

1.6 Date of birth *(if applicant is an individual)* _____ / _____/ _____

2. DETAILS OF LICENSED BUSINESS

2.1 Type of liquor licence: *(Mark the relevant licence with a cross.)*

Liquor licence in terms of section 33(1)(a)	
Liquor licence in terms of section 33(1)(c)	

2.2 Kind(s) of liquor that may be sold under liquor licence: _____

_____

2.3 Name under which the licensed business is conducted: _____

_____

2.4 Erf number and address of licensed premises: _____

_____

_____

2.5 Municipal area of the licensed premises: _____

_____ _____

Date **Signature of applicant or a person authorised by applicant**

_____

Name in print

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 19

APPLICATION FOR THE EXTENSION OF TRADING HOURS IN TERMS OF SECTION 59(4)

[Reg. 26(1)]

ORIGINAL MUST BE LODGED WITH AUTHORITY AND TWO COPIES WITH DESIGNATED LIQUOR OFFICER

Date stamp of designated liquor officer on receipt of application	Date stamp of Authority on receipt of application

AUTHORITY REFERENCE NUMBER: _____

INDEX

Description of documents to be attached	Annexure
Written representations in support of the application	A
Proof of payment of the applicable application fee	B

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

_____

Postal code : _____

Physical address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

DETAILS OF LICENSEE

1. Full name of licensee: _____

2. If the licensee is not a natural person, state the name, identity number and address and extent of financial interest of each shareholder, member, partner, beneficiary or trustee:

_____

_____

_____

_____

_____

(Use an annexure if necessary.)

3. (a) Name and address of the licensed premises: _____

_____

_____

(b) Describe the situation of the premises where the licensed business is conducted, with reference to the number of the erf, street(s), apartment(s), shop(s) or farm(s), as the case may be:

_____

_____

_____

_____

(Use an annexure if necessary.)

(c) In which municipal area are the premises referred to in subparagraph (a), situated?

_____

_____

4. Daytime contact name and telephone number: _____

5. State reasons why licensee applies for extension of trading hours: _____

_____

_____

_____

(Use an annexure if necessary.)

_____ _____

Date **Signature of applicant or the person authorised by applicant**

_____

Name in print

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one which purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 20

NOTICE OF ABANDONMENT OF LICENCE

[Reg. 29]

ORIGINAL TO BE LODGED WITH AUTHORITY AND A COPY WITH THE DESIGNATED LIQUOR OFFICER

Date stamp of designated liquor officer on receipt of application	Date stamp of Authority on receipt of application

AUTHORITY REFERENCE NUMBER: _____

INDEX

Description of document to be attached	**Annexure**
Affidavit relating to abandonment	A

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

_____

Postal code : _____

Physical address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

1. DETAILS OF LICENSEE

Full name of licensee: _____

2. REASONS FOR ABANDONMENT

2.1 The licenced business has been abandoned by the licensee: **YES / NO**

2.2 The licensee is a person described in section 67(3) and a person referred to in subsection (1)(b) has been appointed as the licensee. **YES / NO**

2.3 Attach an affidavit explaining the circumstances.

_____ _____

Date **Signature of applicant or person authorised by applicant**

_____

Print name

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 21A
ANNUAL OR BIENNIAL LICENCE RENEWAL NOTICE:
FEES PAYABLE IN RESPECT OF A LIQUOR LICENCE FOR:
THE YEAR 20_____; OR
THE TWO YEARS 20_____ AND 20 _____

[Reg. 30(1)]

LIQUOR AUTHORITY REFERENCE NUMBER: _____

Name of licensee: _____

Address of the licensed premises: _____

_____

(**If the residential or postal address has changed, please also supply the new address to the following e-mail address: liquor.enquiries@wcla.gov.za.**)

Category of licence: _____

You are hereby notified that the total renewal fees payable to the Western Cape Liquor Authority are:

Annual: R _____, payable on or before: _____

Biennial: R _____, payable on or before: _____

Please Note:

1. Payment must be made by direct deposit into the following bank account of the Authority:
   Bank: Nedbank
   Account holder: Western Cape Liquor Authority
   Account number: 145 206 9883
   Branch code: 198 765
   Please use your licence number as the reference on the deposit slip (the WCP/DTI number indicated just below the heading of this form).

2. **A licence lapses on 1 January** of the year in respect of which the applicable renewal fee is not paid on or before 31 December of the preceding year. See section 62(2)(b).

3. A licence that has lapsed in this way becomes valid again only if the applicable renewal fee is paid along with a penalty of 50% of the fee on or before 31 January, or with a penalty of 100% of the fee on or before the last day of February of the year in respect of which the renewal fees had to be paid. See section 62(3)(a)(i) and (ii).

4. A licensee who has failed to pay the prescribed renewal fee on or before the last day of February of the year in respect of which the renewal fee had to be paid may, on or before 31 March of that year, apply in writing (on Form 23) to the Chief Executive Officer for condonation of such failure, and the Chief Executive Officer may condone the failure and allow the late payment of the prescribed fee by a date to be determined by the Authority, subject to the payment of the renewal fee plus a penalty of 150% of the fee. See section 63(4).

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 21B

BIENNIAL RENEWAL NOTICE:
NOTICE TO SUBSCRIBE TO BIENNIAL RENEWAL CYCLE
FOR THE YEARS 20_____ AND 20 _____

[Reg. 30(3)]

AUTHORITY REFERENCE NUMBER: _____

Name of licensee: _____

Address of the licensed premises: _____

_____

CATEGORY OF LICENCE TO BE RENEWED

(Mark the relevant licence with a cross.)

1.	Licence in terms of section 33(1)(a)	
2.	Licence in terms of section 33(1)(b)	
3.	Licence in terms of section 33(1)(c)	
4.	Licence in terms of section 33(1)(d)	

Licence number: _____

A. I, _____ (the licensee), confirm that I hereby subscribe to a biennial renewal cycle; or

B. I, _____, (a person authorised by the licensee) confirm that the said licensee hereby subscribes to a biennial renewal cycle.

_____	_____
Date	**Signature of licensee or person authorised by the licensee**
	_____
	Print name

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT 4 OF 2008

FORM 21C

APPLICATION FOR CONDONATION OF THE FAILURE TO PAY RENEWAL FEE IN TERMS OF SECTION 63(4)

[Reg. 30(4)]

ORIGINAL MUST BE LODGED WITH AUTHORITY

LIQUOR AUTHORITY REFERENCE NUMBER _____

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

_____

Postal code : _____

Physical address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

DETAILS OF LICENSEE

1. Licence number: _____

2. Full name of licensee: _____

3. Written representations in support of the application:

_____

_____

_____

_____

_____

(Use an annexure if necessary.)

_____ _____

Date **Signature of applicant or person authorised by applicant**

_____

Print name

_____

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

_____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 22

APPLICATION FOR RENEWAL OF LICENCE IN TERMS OF SECTION 64(1)

[Reg. 31(1)]

ORIGINAL MUST BE LODGED WITH AUTHORITY AND ONE COPY WITH DESIGNATED LIQUOR OFFICER

Date stamp of designated liquor officer on receipt of application	Date stamp of Authority on receipt of application

LIQUOR AUTHORITY REFERENCE NUMBER: _____

INDEX

Description of documents to be attached	Annexure
Written representations in support of the application	A
Proof of payment of the applicable application fee	B

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

_____

Postal code : _____

Physical address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

DETAILS OF LICENSEE

1. Licence number: _____
2. Full name of licensee: _____
3. In which municipal district are the premises situated?

   _____
4. State reason(s) why the licensee should be allowed to renew the licence despite the existence of (a) situation(s) as contemplated in section 64(1)(a) to (e):

   _____

   _____

   _____

   _____

(Use an annexure if necessary.)

_____ _____

Date **Signature of applicant or person authorised by applicant**

_____

Print name

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 23

APPLICATION FOR CONDONATION OF THE FAILURE TO APPLY FOR THE RENEWAL OF LICENCE IN TERMS OF SECTION 64(4)

[Reg. 31(4)]

ORIGINAL TO BE LODGED WITH AUTHORITY AND ONE COPY WITH DESIGNATED LIQUOR OFFICER

Date stamp of designated liquor officer on receipt of application	Date stamp of Authority on receipt of application

AUTHORITY REFERENCE NUMBER: _____

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

_____

Postal code : _____

Physical address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

DETAILS OF LICENSEE

1. Licence number: _____

2. Full name of licensee: _____

3. State reason(s) for not applying for the renewal of the licence on or before 30 September of the relevant year in the prescribed form:

_____

_____

_____

_____

_____

_____

(Use an annexure if necessary.)

_____ _____

Date **Signature of applicant or person authorised by applicant**

_____

Print name

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 24

APPLICATION FOR TRANSFER OF LICENCE IN TERMS OF SECTION 65(1)

[Reg. 32(2)(a)]

ORIGINAL MUST BE LODGED WITH AUTHORITY AND ONE COPY WITH DESIGNATED LIQUOR OFFICER

Date stamp of designated liquor officer on receipt of application	Date stamp of Authority on receipt of application

AUTHORITY REFERENCE NUMBER: _____

INDEX

Description of documents to be attached	Annexure
Written representations in support of the application	A
A certified copy of the identity card or document, or the passport and visa or permanent residence permit of the proposed licensee if the proposed licensee is a foreigner, and, in the case of a person other than a natural person, copies of the relevant registration documents, indicating the identity and, where applicable, the financial interest of all members, directors, partners, beneficiaries or trustees of the proposed licensee	B
Proof of payment of the applicable application fee set out in Item 10(a) of Annexure 1	C
Affidavit by the proposed licensee that he, she or it is not disqualified in terms of section 35 from holding a liquor licence	D
Proof that the applicant has lodged a copy of this application with the designated liquor officer	E
A valid, original tax clearance certificate, issued by the South African Revenue Services for the proposed licensee not more than three months before the date of lodgement of the application	F

Description of documents to be attached	Annexure
Proof that the proposed licensee has the right to occupy the licensed premises	G
Proof of ownership of the licensed premises or, if the proposed licensee is not the owner of the premises, written consent from the owner that the proposed licensee may use the licensed premises for the purposes of the licence in respect of which the application for transfer is lodged	H
Documented proof of the reason for the transfer	I

Name, signature and contact details of the person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

_____

Postal code : _____

Physical address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

PART A

DETAILS OF LICENSEE

1. Full name of licensee: _____

2. Name and address of the licensed premises: _____

_____

_____

PART B

DETAILS OF THE PROPOSED LICENSEE

1. Full name: _____

2. Identity number of the proposed licensee or, if the proposed licensee is not a natural person, its registration number

(Attach copy of identity card or document or proof of registration.)

3. Residential address or address of registered office: _____

_____

_____

Postal code: _____

4. Business address: _____

_____

_____.

Postal code: _____

5. Postal address: _____

_____

_____

Postal code: _____

6. Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

7.	Is the proposed licensee a person who—	Mark "yes" or "no"	
(a)	has within sixty (60) months prior to the lodgement of the application, been sentenced to imprisonment without the option of paying a fine?	Yes	No
(b)	has within sixty (60) months prior to the lodgement of the application, been declared to be unfit to hold a registration by the National Liquor Authority or a licence by any provincial liquor authority?	Yes	No
(c)	is an unrehabilitated insolvent?	Yes	No
(d)	is a minor?	Yes	No
(e)	was the holder of a licence which was cancelled in terms of this Act or an Act regulating liquor licences in any other province within a period of twelve (12) months prior to the lodgement of the application?	Yes	No
(f)	is a spouse of a person described in (a), (b) or (e) above?	Yes	No
(g)	is mentally ill as defined in the Mental Health Care Act, 2002 (Act 17 of 2002)?	Yes	No
(h)	in the case where the proposed licensee is not a natural person, is one of its members, shareholders, trustees or beneficiaries a person described in (a), (b), (d), (e) or (g) above?	Yes	No

8.	In the case of a proposed licensee who is not a natural person— Is any member, shareholder, trustee, beneficiary or partner of the proposed licensee a person described in paragraph 7(a), (b), (e) or (h)?	Yes	No

9. If any of the questions in subparagraphs 7(a) to (h) and 8 have “yes” as the answer, provide full details:

_____

_____

_____

_____

_____

_____

(Use an annexure if necessary.)

10.	If the proposed licensee is a company, close corporation, partnership or trust, state whether a person contemplated in paragraph 7 above, except as referred to in paragraph 7(f)—	Mark “yes” or “no”	
(a)	has an interest in such company, close corporation or trust?	Yes	No
(b)	is a partner in such partnership?	Yes	No
(c)	is a beneficiary under such trust?	Yes	No

11. If any of the question in subparagraphs 10(a) to (c) above have “yes” as the answer, provide full details

_____

_____

_____

_____

(Use an annexure if necessary.)

12. State the name, identity number and address of each person—

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

(b) who including the proposed licensee, will have such interest if the application is granted,

and in each case, state the nature and extent of such financial interest.

_____

_____

_____

_____

_____

(Use an annexure if necessary.)

(c) Does the proposed licensee own the premises? **YES / NO**

(d) If the answer to (c) above is "no", give details of the owner and the proposed licensee's right of occupation:

Owner's name _____

Owner's address _____

Proposed licensee's right of occupation _____

Duration of right of occupation _____

Date: _____ _____

Signature of licensee or person authorised by the licensee

_____

Print name

Date: _____ _____

Signature of proposed licensee or person authorised by the proposed licensee

_____

Print name

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 24A

NOTICE OF GRANTING OR REFUSAL OF TRANSFER OF LICENCE

[Reg. 32(10)]

NAME OF APPLICANT: _____

NAME OF PREMISES: _____

ADDRESS OF PREMISES: _____

_____

AUTHORITY REFERENCE NUMBER: _____

The application for the transfer of a licence refers.

Kindly note that—

1. The application for the transfer of the licence has been **refused** on _____;
2. The application for the transfer of the licence has been **granted** on _____.

   A certificate of transfer will be issued upon compliance with the following conditions:

   (a) The fee in the amount of R _____ must be paid within sixty (60) days of the issuing of this notice, failing which the granting of the application lapses.

   (b) If the fee is not paid within the period referred to above, you may apply in writing to the Chief Executive Officer for condonation of the failure to pay the fee (See section 65(19)).

   (c) If the Chief Executive Officer condones the failure, the fee must be paid by a date determined by the Chief Executive Officer together with a penalty of 100% of that fee.

_____

Chief Executive Officer of the Western Cape Liquor Authority
or person acting under power delegated by the Chief Executive Officer

Date: _____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 24B

NOTICE OF CONDITIONAL GRANTING OF TRANSFER OF LICENCE IN TERMS OF REGULATION 32(11)

[Reg. 32(11)]

NAME OF APPLICANT: _____

NAME AND ADDRESS OF PREMISES: _____

_____

AUTHORITY REFERENCE NUMBER: _____

The application for a transfer of a licence refers.

Kindly note that a transfer of a licence has been conditionally granted and the licence will be issued upon compliance with the following conditions:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Kindly note the following:

(a) The conditions must be complied with within _____ from the date of this notice or on or before the _____day of _____ 20 ____.

(b) Application may be made to the Liquor Licensing Tribunal in terms of section 65(12B) in the form of Form 24E to amend or withdraw the conditions upon which the transfer of the licence was conditionally granted.

(c) Application may be made to the Presiding Officer in terms of section 65(12C) in the form of Form 24E to extend the time period of the conditional granting.

(d) If the applicant fails to comply with the aforesaid conditions within the period as determined at the time of the conditional granting or extended period in terms of section 65(12C), the conditional granting of the transfer of the licence lapses and the transfer will be deemed to have been refused.

_____

Chief Executive Officer of the Western Cape Liquor Authority
Or person acting under power delegated by the Chief Executive Officer

Date: _____

KINDLY NOTE THAT THIS CONDITIONAL GRANTING OF A TRANFER OF A LICENCE IS NOT PERMISSION TO TRADE WITHOUT A VALID LIQUOR LICENCE ISSUED IN TERMS OF THE WESTERN CAPE LIQUOR ACT, 2008.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 24C

NOTICE THAT THE CONDITIONS OF CONDITIONAL GRANTING OF TRANSFER OF LICENCE HAVE BEEN COMPLIED WITH IN TERMS OF REGULATION 32(14)

[Reg. 32(14)]

NAME OF APPLICANT: _____

NAME AND ADDRESS OF PREMISES: _____

AUTHORITY REFERENCE NUMBER: _____

1. The application for the transfer of a licence refers.
2. Kindly note that the Presiding Officer is satisfied that the applicant has complied with the conditions imposed by the Liquor Licensing Tribunal on _____ and that the certificate of transfer will be issued upon payment of the fee referred in section 65(16) within sixty (60) days of the issuing of this notice, failing which the granting of the application will lapse.
3. If the fee is not paid within the period referred to above, you may apply in terms of section 65(19) in writing to the Chief Executive Officer for condonation of the failure to pay the fee.
4. If the Chief Executive Officer condones the failure to pay, the fee together with a penalty of 100% of that fee must be paid by a date determined by the Chief Executive Officer.

_____

Chief Executive Officer of the Western Cape Liquor Authority
or person acting under power delegated by Chief Executive Officer

Date: _____

KINDLY NOTE THAT THIS CONDITIONAL GRANTING OF A LICENCE IS NOT PERMISSION TO TRADE WITHOUT A VALID LIQUOR LICENCE ISSUED IN TERMS OF THE WESTERN CAPE LIQUOR ACT, 2008.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 24D

APPLICATION FOR CONDONATION OF THE FAILURE TO PAY PRESCRIBED FEE IN TERMS OF SECTION 65(19)

[Reg. 32(17)]

ORIGINAL MUST BE LODGED WITH AUTHORITY

AUTHORITY REFERENCE NUMBER _____

INDEX

Description of document to be attached	Annexure
Written representations in support of the application	A

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

_____

Postal code : _____

Physical address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

DETAILS OF LICENSEE

Full name of licensee: _____

_____ _____

Date **Signature of applicant or person authorised by applicant**

_____

Print name

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 24E

APPLICATION—

A – IN TERMS OF SECTION 65(12B) FOR THE AMENDMENT OR WITHDRAWAL OF CONDITIONS IMPOSED IN TERMS OF SECTION 65(12); OR

B – IN TERMS OF SECTION 65(12C) FOR THE EXTENSION OF THE TIME PERIOD STIPULATED IN TERMS OF SECTION 65(12A)

[Reg. 32(35) and (46)]

ORIGINAL MUST BE LODGED WITH AUTHORITY AND, IN THE CASE OF APPLICATION A, ALSO ONE COPY WITH THE RELEVANT DESIGNATED LIQUOR OFFICER

Date stamp of designated liquor officer on receipt of application	Date stamp of Authority on receipt of application

AUTHORITY REFERENCE NUMBER: _____

NAME OF APPLICANT: _____

NAME OF PREMISES: _____

APPLICATION:

A	**B**

(Indicate which application.)

INDEX

Description of documents to attached	**Annexure**
Proof of payment	A
Written representations in support of the application	B

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

_____

Postal code : _____

Physical address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

_____ _____

Date **Signature of applicant or person authorised by applicant**

_____

Print name

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 24F

NOTICE OF DECISION IN TERMS OF REGULATION 32(45) OR (49)

[Reg. 32(45) or (49)]

NAME OF APPLICANT: _____

NAME OF PREMISES: _____

ADDRESS OF PREMISES: _____

_____

AUTHORITY REFERENCE NUMBER: _____

Kindly note that the application in terms of—

A section 65(12B) to amend or withdraw the conditions; or

B section 65(12C) to extend the time period,

(a) has been **granted** subject to the attached conditions.

(b) has been **refused**.

_____

Chief Executive Officer of the Western Cape Liquor Authority
or person acting under power delegated by the Chief Executive Officer

Date: _____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 25

CERTIFICATE OF TRANSFER OF A LIQUOR LICENCE IN TERMS OF SECTION 65(17)

[Reg. 32(12) and (16)]

AUTHORITY REFERENCE NUMBER: _____

The licence held by _____ in respect of the

premises situated at _____

in the municipality of _____, under which the licensed

business is conducted under the name of _____

_____

is hereby transferred to _____,

subject to the conditions and the plans attached hereto.

The licensed business will in future be conducted under the name of:

_____.

This certificate must at all times be attached to the licence concerned.

_____

Chief Executive Officer of the Western Cape Liquor Authority
or person acting under power delegated by the Chief Executive Officer

Date: _____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 26

APPLICATION FOR CONSENT TO CONDUCT LICENSED BUSINESS PENDING THE TRANSFER OF THE LICENCE IN TERMS OF SECTION 65(3)

[Reg. 32(21)]

ORIGINAL TO BE LODGED WITH AUTHORITY AND A COPY WITH THE DESIGNATED LIQUOR OFFICER

Date stamp of designated liquor officer on receipt of application	Date stamp of Authority on receipt of application

AUTHORITY REFERENCE NUMBER: _____

INDEX

Description of documents to be attached	Annexure
Written representations in support of the application	A
Proof of payment of the applicable fee	B

Name, signature and contact details of the person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

_____

Postal code : _____

Physical address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

PART A

DETAILS OF LICENSEE

1. Full name of licensee: _____

2. Name and address of the licensed business: _____

_____

_____

3. Name under which the proposed licensee will conduct the licensed business:

_____

4. By signing this application the licensee acknowledges that he/she/it is aware of the conditions contained in section 65(8) of the Act.

_____ _____

Date **Signature of licensee or person authorised by licensee**

_____

Print name

PART B

DETAILS OF THE PROPOSED LICENSEE

5. Full name: _____

6. Identity number or, in the case of a company or close corporation, its registration number:

(Attach identity card or document or proof of registration.)

7. Residential address or address of registered office: _____

_____

_____

Postal code: _____

8. Business address: _____

_____

Postal code: _____

9. Postal address: _____

_____

_____

Postal code: _____

10. Telephone numbers:

Office: _____

Mobile: _____

Home or other: _____

11. Fax: _____

12. E-mail address: _____

_____	_____
Date	**Signature of proposed licensee or person authorised by proposed licensee**
	_____
	Print name

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 26A

APPLICATION IN TERMS OF SECTION 65(6) TO EXTEND THE TIME PERIOD OF CONSENT GRANTED IN TERMS OF SECTION 65(5)

[Reg. 32(31)]

ORIGINAL MUST BE LODGED WITH AUTHORITY AND ONE COPY WITH DESIGNATED LIQUOR OFFICER

Date stamp of designated liquor officer on receipt of application	Date stamp of Authority on receipt of application

LIQUOR AUTHORITY REFERENCE NUMBER: _____

INDEX

Description of documents to be attached	Annexure
Written representations in support of the application	A
Proof of payment of the application fee	B

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

_____

Postal code : _____

Physical address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

DETAILS OF PROPOSED LICENSEE

1. Liquor licence number: _____

2. Full name of licensee: _____

3. If the licensee is not a natural person, state the name, identity number and address and extent of financial interest of each shareholder, member, partner, beneficiary or trustee:

_____

_____

_____

_____

(Use an annexure if necessary.)

4. (a) Name and address of the licensed premises: _____

_____

_____

(b) Describe the situation of the premises where the licensed business is conducted with reference to the number of the erf, street(s), apartment(s), shop(s) or farm, as the case may be:

_____

_____

_____

(Use an annexure if necessary.)

(c) In which municipal area are the premises referred to in subparagraph (a) situated? _____

5. Daytime contact name and telephone number: _____

6. State reason(s) for the application for the extension of the consent granted in terms of section 65(5): _____
_____
_____
_____
_____
_____

(Use an annexure if necessary.)

_____ _____

Date **Signature of proposed licensee or person authorised by proposed licensee**

_____

Print name

I hereby consent to the extension of the permission in terms of section 65(6) of the Act until the _____ day of _____ 20 _____.

_____ _____

Date **Signature of licensee or person authorised by licensee**

_____

Print name

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 26B

CONSENT FOR THE EXTENSION OF THE TIME PERIOD GRANTED IN TERMS OF SECTION 65(5)

[Reg. 32(34)]

AUTHORITY REFERENCE NUMBER: _____

Consent granted to _____ to conduct the licenced business, pending the transfer of the licence, in respect of the premises situated at _____ in the municipality of _____, under which business is conducted under the name of _____, has been extended for the following period _____.

This notice must at all times during the currency thereof be attached to the licence concerned.

_____

Chief Executive Officer of the Western Cape Liquor Authority
or person acting under power delegated by the Chief Executive Officer

Date: _____

NB: One copy each to the licensee, the proposed licensee and the designated liquor officer

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 27

APPLICATION FOR THE REMOVAL OF A LICENCE IN TERMS OF SECTION 66(2)

[Reg. 33(6)]

ORIGINAL MUST BE LODGED WITH AUTHORITY AND A COPY WITH THE RELEVANT DESIGNATED LIQUOR OFFICER(S)

AUTHORITY REFERENCE NUMBER: _____

Date stamp of Authority on receipt of application	Date stamp of designated liquor officer on receipt of application

INDEX

Description of documents to be attached	Annexure
A legible, comprehensive floor plan of the proposed licensed premises as contemplated in regulation 33(7)(a)	A
A legible site plan of the premises as contemplated in regulation 33(7)(b)	B
An aerial view map showing the relation of the proposed licensed premises to a residential area as contemplated in regulation 33(7)(c)	C
Description of the premises as contemplated in regulation 33(7)(d)	D
Indexed colour photographs showing the completed internal and external features of the proposed licensed premises or, where the application relates to incomplete premises, the stage of completion of the premises as contemplated in regulation 33(7)(e)	E

Description of documents to be attached	Annexure
A certified copy of the— (i) identity card or document of the applicant; (ii) passport and visa, or where applicable, the permanent residence permit of the applicant if the applicant is a foreigner; or (iii) relevant registration documents, indicating the identity and, where applicable, the financial interest of all members, directors, partners, beneficiaries or trustees of the applicant, if the applicant is a person other than a natural person	F
Affidavit by the applicant that he/she/it is not disqualified in terms of section 35 from holding a liquor licence	G
A valid, original tax clearance certificate in respect of the applicant, issued by the South African Revenue Services not more than three months before the date of lodgement of the application	H
Proof that the applicant has the right to occupy the proposed licensed premises	I
Proof of ownership of the proposed licensed premises or, if the applicant is not the owner of the premises, consent from the owner that the applicant may use the proposed licensed premises for the purposes of the licence in respect of which an application for removal was lodged	J
Written representations in support of the application	K
Proof of payment of the applicable application fee	L
Proof of notices in terms of regulation 33(4)	M
Zoning certificate	N
Proof that a copy of the application has been lodged with the designated liquor officer in whose area of jurisdiction the licensed premises are currently located and, where the granting of the application will have the effect of removing the licence to the area of jurisdiction of another designated liquor officer, proof that the applicant has lodged a copy of the application with the designated liquor officer of that area	O

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Residential address : _____

_____

Postal code : _____

Postal address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

1. APPLICANT'S DETAILS

1.1 Full name: _____

1.2 Residential address : _____

_____

Postal code : _____

1.3 Postal address : _____

_____

Postal code : _____

1.4 Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

1.5 Fax number : _____

1.6 E-mail address : _____

1.7 Address for service of all notices and documents: _____

_____

_____

Postal code : _____

1.8 Contact details of licensee or, if applicant is not a natural person, full details of contact person:

_____

_____

1.9 Telephone numbers:

Office : _____

Mobile : _____

Home or other: _____

1.10 Date of birth *(if applicant is an individual)* _____ / _____/ _____

2. DETAILS OF THE REMOVAL

2.1 Under what name is the licence business conducted? _____

_____

2.2 Will the name change upon approval of the application for removal? **YES / NO**

2.3 If so, state the new name: _____

2.4 Describe the situation of the premises where the business is to be conducted, with reference to the number of the erf, street(s), apartment(s), shop(s) or farm:

_____

_____

_____

_____

2.5 Are the premises referred to in paragraph 2.4 in the same police district as the current licensed premises? **YES / NO**

2.6 Are the premises referred to in paragraph 2.4 in the same municipal area as the current licensed premises? **YES / NO**

2.7 Does the applicant own the premises to which the licence is to be removed?

YES / NO

2.8 If not, provide details of the owner and applicant's right of occupation:

Owner's name: _____

Owner's address: _____

_____

_____

_____

Applicant's right of occupation: _____

_____

_____

Duration of right of occupation: _____

_____

2.9 In the case of an application for a licence that permits consumption of liquor on the premises, state in which portion of the premises liquor will be served and consumed:

_____

_____

_____

2.10 Is the application made in respect of premises that—

(a) have not yet been erected? **YES / NO**

(b) have already been erected but require additions or alterations to make the premises suitable for the purpose of business? **YES / NO**

(c) have already been erected and do not require additions or alterations in order to make the premises suitable for the purpose of business? **YES / NO**

2.11 If the answer to question 2.10(a) or (b) is "yes", please state—

(a) the date such erections, additions or alterations will commence:

_____; and

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

_____.

2.12 In the case of an application for the temporary removal of the licence, state for what period such removal is required: _____

_____

_____

_____

_____

_____ _____

Date **Signature of applicant or person authorised by applicant**

_____

Print name

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 27A

NOTICE OF LODGEMENT OF APPLICATION FOR REMOVAL OF LIQUOR LICENCE IN TERMS OF SECTION 66(2) OF THE WESTERN CAPE LIQUOR ACT, 2008

[Reg. 33(2)]

Notice is hereby given that an application for the removal of a liquor licence has been lodged with the Western Cape Liquor Authority (the Authority) and with the designated liquor officer in whose area of jurisdiction the licenced premises are currently located and, where the granting of the application will have the effect of removing the license to the area of jurisdiction of another designated liquor officer, also with the designated liquor officer of that area.

The application concerned may, up to and including the 28th day from date of this notice, upon request and free of charge, be inspected by any person, at the offices of the Authority or the relevant designated liquor officer(s). Copies of the application can be obtained from the Authority after payment of the prescribed fee.

Objections and representations may be lodged in writing with the Authority and the relevant designated liquor officer(s) in accordance with regulation 33(12) of the Regulations.

WES-KAAPSE DRANKWET 4 VAN 2008

VORM 27A

KENNISGEWING VAN INDIENING VAN AANSOEK OM VERWYDERING VAN DRANKLISENSIE INGEVOLGE ARTIKEL 66(2) VAN DIE WES-KAAPSE DRANKWET, 2008

[Reg. 33(2)]

Hiermee word kennis gegee dat ’n aansoek om die verwydering van ’n dranklisensie ingedien is by die Wes-Kaapse Drankowerheid (die Owerheid) en by die aangewese drankbeampte in wie se regsgebied die gelisensieerde perseel tans geleë is en, waar die toestaan van die aansoek die verwydering van die lisensie na die regsgebied van ’n ander aangewese drankbeampte tot gevolg sal hê, ook by die aangewese drankbeampte van daardie gebied.

Die betrokke aansoek kan tot en met die 28ste dag vanaf die datum van hierdie kennisgewing op versoek en gratis deur enige persoon by die kantore van die Owerheid of die tersaaklike aangewese drankbeampte besigtig word. Afskrifte van die aansoek kan by die Owerheid na betaling van die voorgeskrewe fooi verkry word.

Besware en ertoë mag ooreenkomstig regulasie 33(12) van die Regulasies skriftelik by die Owerheid en die tersaaklike aangewese drankbeampte(s) ingedien word.

UMTHETHO WOTYWALA WENTSHONA KOLONI 4 KA-2008

IFOMU 27A

ISAZISO SOKUFAKWA KWESICELO SOKUSUSWA KWEPHEPHA-MVUME LOTYWALA NGOKWECANDELO 66(2) LOMTHETHO WEZOTYWALA WENTSHONA KOLONI, 2008

[Reg. 33(2)]

Isaziso siyanikezelwa ukuba isicelo sokususwa kwephepha-mvume lotywala sifakiwe kwabasemaGunyeni ezoTywala eNtshona Koloni (abasemaGunyeni) nakwigosa elijongene nemiba engotywala elijongene nolawulo lweendawo ezinempapha-mvume kwaye, apho ukunikezelwa kwesicelo kuza kuchaphazela ukususwa kwephepha-mvume phantsi kolawulo lwelinye igosa elijongene nemiba engotywala kuloo ngingqi.

Isicelo ekubhekiswa kuso singakwazi, ukuya kwiintsuku eziquka usuku lwama-28 ukusukela ngokusuku lwesi saziso, xa siceliwe kwaye simahla, sihlolwe nguye nawuphi na umntu okwiofisi yabasemaGunyeni okanye i(ama)gosa eli(a)jongene nemiba engotywala. Iikopi zesicelo singafumaneka kwabasemaGunyeni emva kwentlawulo emisiweyo.

Uchaso neengxelo ezixhasayo ezibhaliweyo zingafakwa kwabasemaGunyeni nakwigosa elijongene nemiba engotywala ngokwecandelo 39 loMthetho.

No.	Full name of applicant Volle naam van aansoeker Igama eliphele leyo lomfaki-sicelo	Name under which business will be conducted Naam waaronder die besigheid bedryf sal word Igama ishishini eza kushishina phantsi kwalo	Address of the proposed premises Adres van voorgenome perseel Idilesi yesakhiwo	Category of licence Kategorie lisensie waarom aansoek gedoen word Uhlobo lwephepha mvume olucelayo	South African Police Services designated liquor officer's offices where the application has been lodged Suid-Afrikaanse Polisiediens- kantoor van die aangewese drankbeampte waar die aansoek ingedien is i-Ofisi yeGosa elijongene nemiba engotywala yeeNkonzo zamaPolisa eMzantsi Afrika apho isicelo sifakwe khona

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 27B
NOTICE OF LODGEMENT OF APPLICATION FOR REMOVAL OF LIQUOR LICENCE

[Reg. 33(4)]

Notice is hereby given that an application for the removal of a liquor licence to these premises, particulars of which are provided here, has been lodged with the Western Cape Liquor Authority (the Authority) and the offices of the relevant designated liquor officer(s) at the South African Police Service.

The application concerned may, up to and including the twenty-eighth (28th) day from the date of publication by the Authority of the lodgement of the application in terms of regulation 33(3), upon request and free of charge, be inspected by any person at the offices of the Authority and the designated liquor officer(s). Copies of the application can be obtained from the Authority after payment of the prescribed fee.

In terms of regulation 33(12) of the Regulations, you may lodge representations for or against the said application. Should you wish to do so, the representations must be lodged, in writing, with the Authority and the office of the relevant designated liquor officer(s).

Date of notice: _____
(This date must correspond with the date of lodgement of the application.)

Full name of applicant: _____

Identity number or registration number of applicant: _____

Street address of applicant: _____

_____

Postal address of applicant: _____

_____

Postal code: _____

Kind of licence applied for: _____

Kind(s) of liquor to be micro-manufactured and/or sold: _____

_____

Name under which business will be conducted: _____

_____

Address of the premises proposed to be licensed, with reference to the number of the erf, street(s), apartment(s), shop(s) or farm where the business will be conducted, as the case may be:_____

_____

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

Physical address : _____

Telephone numbers:

Office : _____

Mobile : _____

Fax number : _____

E-mail address : _____

_____

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

_____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 27C

NOTICE OF GRANTING OR REFUSAL OF REMOVAL OF LICENCE

[Reg. 33(20)]

NAME OF PREMISES: _____

ADDRESS OF PREMISES: _____

_____

AUTHORITY REFERENCE NUMBER: _____

The application for the removal of a licence refers.
Kindly note that—

1. The application for the removal of the licence has been **refused** on _____.

2. The application for the removal of the licence has been **granted** on _____.
   A certificate of removal will be issued upon compliance with the following conditions:
   (a) The fee in the amount of R _____ must be paid within sixty (60) days of the issuing of this notice, failing which the granting of the application will lapse.
   (b) If the fee is not paid within the period referred to above, you may apply in writing to the Chief Executive Officer for condonation of the failure to pay the fee (See section 66(8)).
   (c) If the Chief Executive Officer condones the failure, the fee must be paid by a date determined by the Chief Executive Officer together with a penalty of 100% of that fee.

_____

Chief Executive Officer of the Western Cape Liquor Authority
or person acting under power delegated by the Chief Executive Officer

Date: _____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 27D

NOTICE OF CONDITIONAL GRANTING OF REMOVAL OF LICENCE IN TERMS OF REGULATION 33(20)

[Reg. 33(21)]

NAME OF APPLICANT: _____

NAME AND ADDRESS OF PREMISES: _____

AUTHORITY REFERENCE NUMBER: _____

The application for the removal of a licence refers.

Kindly note that the removal of a licence has been conditionally granted and the certificate of removal will be issued upon compliance with the following conditions or requirements:

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

Kindly note the following:

1. The stated conditions or requirements or conditions must be complied with—
   (a) within _____from the issuing of this notice; or
   (b) on or before the _____ day of _____ 20 ____.

2. Application may be made to—
   (a) the Liquor Licensing Tribunal to amend or withdraw the conditions in terms of section 66(4B); or
   (b) the Presiding Officer to revoke or amend any condition or requirement determined under section 66(14)(a); or
   (c) the Presiding Officer to approve an amended plan referred to in section 66(14)(d); or
   (d) the Presiding Officer in terms of section 66(14)(b) to extend the time period—
      (i) stipulated by the Liquor Licensing Tribunal in terms of section 66(4A); or
      (ii) stipulated by the Presiding Officer in terms of section 66(13) or (14)(b).

3. If the applicant fails to comply with the stated conditions or requirements within the period as determined by the Liquor Licensing Tribunal or the Presiding Officer, as the case may be, or any extended period, the conditional granting of the removal of the licence will lapse and the application for removal of the licence will be deemed not to have been granted.

_____

Chief Executive Officer of the Western Cape Liquor Authority
or person acting under power delegated by the Chief Executive Officer

Date: _____

KINDLY NOTE THAT THIS CONDITIONAL GRANTING OF A LICENCE IS NOT PERMISSION TO TRADE WITHOUT A VALID LIQUOR LICENCE ISSUED IN TERMS OF THE WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008).

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 27E

NOTICE THAT THE CONDITIONS OF CONDITIONAL GRANTING HAVE BEEN COMPLIED WITH IN TERMS OF REGULATION 33(23)

[(Reg. 33(24)]

NAME OF APPLICANT: _____

NAME OF PREMISES: _____

ADDRESS OF PREMISES: _____

_____

AUTHORITY REFERENCE NUMBER: _____

The application for the removal of a licence refers.

Kindly note that the Presiding Officer is satisfied that the applicant has complied with the conditions imposed by the Liquor Licensing Tribunal on _____ and that the applicable licence will be issued upon compliance with the following:

(a) The fee referred in section 66(6) must be paid within sixty (60) days of the issuing of this notice, failing which the granting of the application will lapse.

(b) If the fee is not paid within the period referred to in paragraph (a), you may within sixty (60) days after the expiry of the period referred to in (a) apply in terms of section 66(8) in writing to the Chief Executive Officer for condonation of the failure to pay the fee.

(c) If the Chief Executive Officer condones the failure, the fee, together with a penalty of 100% of that fee, must be paid by a date determined by the Chief Executive Officer.

_____

Chief Executive Officer of the Western Cape Liquor Authority
or person acting under power delegated by the Chief Executive Officer

Date: _____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 27F

APPLICATION FOR CONDONATION OF THE FAILURE TO PAY PRESCRIBED FEE IN TERMS OF SECTION 66(8)

[Reg. 33(27)]

ORIGINAL TO BE LODGED WITH AUTHORITY

AUTHORITY REFERENCE NUMBER _____

INDEX

Description of document to be attached	Annexure
Written representations in support of the application	A

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

_____

Postal code : _____

Physical address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

DETAILS OF LICENSEE

1. Full name of licensee: _____

_____ _____

Date **Signature of applicant or person authorised by applicant**

_____

Print name

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 27G

APPLICATION—

A – IN TERMS OF SECTION 66(4B) FOR THE AMENDMENT OR WITHDRAWAL OF CONDITIONS; OR

B – IN TERMS OF SECTION 66(14)(a) TO REVOKE OR AMEND ANY CONDITION OR REQUIREMENT; OR

C – IN TERMS OF SECTION 66(14)(d) TO APPROVE AN AMENDED PLAN; OR

D – TO EXTEND THE TIME PERIOD—

(a) STIPULATED BY THE LIQUOR LICENSING TRIBUNAL IN TERMS OF SECTION 66(4C); OR

(b) STIPULATED BY THE PRESIDING OFFICER IN TERMS OF SECTION 66(14)(b) OR (c)

[Reg. 33(31) and (40)]

ORIGINAL MUST BE LODGED WITH AUTHORITY AND ONE COPY WITH THE RELEVANT DESIGNATED LIQUOR OFFICER

Date stamp of designated liquor officer on receipt of application	Date stamp of Authority on receipt of application

AUTHORITY REFERENCE NUMBER: _____

NAME OF APPLICANT: _____

NAME OF PREMISES: _____

APPLICATION:

A	B	C	D(a)	D(b)

(Indicate which application is being made.)

INDEX

Description of documents to attached	Annexure
Proof of payment of the prescribed fee	A
Written representations in support of the application	B

Name, signature and contact details of person who prepared this application:

Name : _____

Signature : _____

Postal address : _____

_____

Postal code : _____

Physical address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

_____ _____

Date **Signature of applicant or person authorised by applicant**

_____

Print name

A person who, regarding an application, objection or representations in terms of the Western Cape Liquor Act, 2008, lodges or provides information that he or she knows to be false or misleading, or that he or she does not know to be true, or lodges a forged document or one that purports to be, but is not, a true copy of the original is guilty of an offence in terms of section 77(a) of the Act.

A person so convicted is liable on conviction to a fine not exceeding R50 000,00 or to imprisonment for a period not exceeding three months or to both such fine and such period of imprisonment.

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 27H

NOTICE OF DECISION IN TERMS OF REGULATION 33(39) OR (43)

[Reg. 33(39) or (43)]

NAME OF APPLICANT: _____

NAME OF PREMISES: _____

ADDRESS OF PREMISES: _____

_____

AUTHORITY REFERENCE NUMBER: _____

Kindly note that the application—

A – for the amendment or withdrawal of conditions in terms of section 66(4B); or

B – to revoke or amend any condition or requirement in terms of section 66(14)(a); or

C – to approve an amended plan in terms of section 66(14)(d); or

D – to extend the time period—

(a) stipulated by the Liquor Licensing Tribunal in terms of section 66(4C); or

(b) stipulated by the Presiding Officer in terms of section 14(b) or (c),

(i) **has been granted**, subject to the attached conditions; or

(ii) **has been refused**.

_____

Chief Executive Officer of the Western Cape Liquor Authority
or person acting under power delegated by the Chief Executive Officer

Date: _____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 28

CERTIFICATE OF REMOVAL OF LICENCE IN TERMS OF SECTION 65(17)

[Reg. 33(22) and (26)]

AUTHORITY REFERENCE NUMBER: _____

The licence granted in respect of premises situated at: _____

_____

and upon which the licensed business is conducted under the name of _____

_____,

is hereby permanently/temporarily removed to the premises situated at: _____

_____

in the municipality of _____, under which the licensed business will be conducted subject to the conditions and plans attached hereto.

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

_____

This certificate must at all times during the currency thereof be attached to the licence concerned.

_____

Chief Executive Officer of the Western Cape Liquor Authority
or person acting under power delegated by the Chief Executive Officer

Date: _____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 29

NOTICE OF APPEAL OR APPLICATION FOR REVIEW IN TERMS OF SECTION 68(3)

[Reg. 34(6)]

ORIGINAL MUST BE LODGED WITH AUTHORITY

AUTHORITY REFERENCE NUMBER _____

INDEX

Description of documents to be attached	Annexure
A statement setting out the grounds of appeal or application for review	A
A concise statement of the main factual or legal points that the appellant intends to argue on appeal or review	B
A list of authorities, if any, to be tendered in support of each of the main points	C
The relief sought by the appellant	D

NAME OF THE APPELLANT: _____

Name, signature and contact details of person who prepared this notice:

Name : _____

Signature : _____

Postal address : _____

_____

Postal code : _____

Physical address : _____

_____

Postal code : _____

Telephone numbers:

Office : _____

Mobile : _____

Home or other : _____

Fax number : _____

E-mail address : _____

DETAILS OF THE APPEAL OR APPLICATION FOR REVIEW

1. Which Western Cape Liquor Authority decision is this appeal or application for review brought against?

   _____

2. Date of decision: _____

3. Date on which the appellant was informed of the decision: _____

_____ _____

Date **Signature of applicant or person authorised by applicant**

_____

Print name

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 30

COMPLIANCE NOTICE IN TERMS OF SECTION 69(1)

[Reg. 35(1)]

AUTHORITY REFERENCE NUMBER: _____

TO: Name: _____

Address: _____

_____

Identity number:

By virtue of the powers vested in inspectors of the Western Cape Liquor Authority and designated liquor officers by section 69 of the Western Cape Liquor Act, 2008, you are hereby notified that you have not complied with the following provisions of the Act or conditions of the licence:

_____

_____

_____

_____

You are hereby requested to comply with the above provisions of the Act or conditions of the licence by no later than: _____, by *(state action required from licensee or manager)* _____

_____

_____

_____

Your attention is drawn to sections 69(5) to 69(12) of the Act.

Signature of person served (if obtainable): _____

FOR OFFICIAL USE ONLY

I hereby confirm that I have served this notice by delivering the original at: _____

_____

as contemplated in regulation 35(2). The nature and urgency of the notice was explained to the recipient. Place of service: _____

_____ Date and time of service: _____

Signature of inspector or designated liquor officer: _____

Name of inspector or designated liquor officer: _____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 31

CERTIFICATE OF COMPLIANCE IN TERMS OF SECTION 69(6)

[Reg. 35(3)]

AUTHORITY REFERENCE NUMBER: _____

TO: Name: _____

Address: _____

_____

Identity number: | | | | | | | | | | | | | |

By virtue of the powers vested in inspectors of the Western Cape Liquor Authority and designated liquor officers by section 69 of the Western Cape Liquor Act, 2008, you are hereby notified that you have complied with a notice issued to you on: _____

_____

Signature of person served (if obtainable)

FOR OFFICIAL USE ONLY

I hereby confirm that I have served this certificate of compliance by delivering the original at:

_____

as contemplated in regulation 35(4).

Place: _____ Date and time: _____

Signature of inspector or designated liquor officer: _____

Name of inspector or designated liquor officer: _____

WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)

FORM 32

NOTICE IN TERMS OF REGULATION 37A(1)

[Reg. 37A(1)]

AUTHORITY REFERENCE NUMBER: _____

TO: Name of the owner or person in charge of the premises: _____

_____

Address of the premises: _____

_____

_____

Identity number: | | | | | | | | | | | | | |

By virtue of the powers vested in inspectors of the Authority in terms of regulation 37A of the regulations of the Western Cape Liquor Act, 2008 (the Act), you are hereby notified that I have reasonable grounds to suspect that liquor is being sold or micro-manufactured by you or on your instructions or with your knowledge on the abovementioned premises contrary to the provision of the Act.

It is a contravention of the Act to sell or micro-manufacture liquor without a licence issued in terms of the Act, and you may be prosecuted in a criminal court. If convicted, you may be sentenced to pay a fine of up to R1 000 000 or alternatively to a term of imprisonment of up to five (5) years or to both the fine and the period of imprisonment.

You are hereby advised to take immediate steps to apply for a licence authorising you to sell or micro-manufacture liquor on these premises.

Applications for licences must be submitted to the Western Cape Liquor Authority:

Physical address: Third Floor, Sunbel Building, 3 Old Paarl Road, Bellville

Telephone number: 021 204 9700

Office hours: 7:30 to 16:00

Website address: www.wcla.gov.za

You will receive the necessary assistance you require with your application.

Signature of person served (if obtainable): _____

FOR OFFICIAL USE ONLY

I hereby confirm that I served this notice by delivering the original at: _____

_____

as contemplated in regulation 37A(1). The nature and urgency of the matter was explained to the recipient.

Place of service: _____

Date and time of service: _____

Signature of inspector: _____

Name of inspector: _____

.".

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)
WES-KAAPSE DRANKREGULASIES, 2011: WYSIGING 2017

Die Provinsiale Minister van Gemeenskapsveiligheid is van voorneme om ingevolge artikel 88(1) van die Wes-Kaapse Drankwet, 2008 (Wet 4 van 2008), die regulasies uiteengesit in die Bylae te maak.

BYLAE

Woordomskrywing

1. In hierdie regulasies beteken "die Regulasies" die Wes-Kaapse Drankregulasies, 2011, gepubliseer onder Provinsiale Kennisgewing 68/2012 van 25 Mei 2012, soos gewysig by Provinsiale Kennisgewing 84/2012 van 30 Maart 2012, Provinsiale Kennisgewing 371/2012 van 10 Desember 2012, en Provinsiale Kennisgewing 275/2015 van 14 Augustus 2015.

Wysiging van Uitleg van Regulasies

2. Die Uitleg van Regulasies voor regulasie 1 van die Regulasies word gewysig—
   (a) deur die verwysing na die opskrif van regulasie 6 met die volgende item te vervang:
   "6 Aanstelling van lede en vervangende lede van Dranklisensiëringstribunaal";
   (b) deur na die verwysing na die opskrif van regulasie 8 die volgende item in te voeg:
   "8A Datum van publikasie";
   (c) deur die woord "spesiale" in die verwysing na die opskrif van regulasie 19 te skrap; en
   (d) deur na die verwysing na die opskrif van regulasie 37 die volgende item in te voeg:
   "37A Administratiewe kennisgewings".

Wysiging van regulasie 1 van die Regulasies

3. Regulasie 1 van die Regulasies word gewysig—
   (a) deur die volgende omskrywing na die omskrywing van "artikel" in te voeg:
   " 'Departement' die provinsiale Departement van Gemeenskapsveiligheid;"
   (b) deur die omskrywing van "Departementshoof" deur die volgende omskrywing te vervang:
   " 'Departementshoof' die hoof van die Departement;"; en
   (c) deur die volgende omskrywing na die omskrywing van "Departementshoof" in te voeg:
   " 'gesertifiseerde afskrif' 'n afskrif van 'n dokument wat deur 'n kommissaris van ede as 'n ware afskrif van die oorspronklike gesertifiseer is;".

Wysiging van regulasie 2 van die Regulasies

4. Regulasie 2 van die Regulasies word gewysig—
   (a) deur in subartikel (2) die woorde wat paragraaf *(a)* voorafgaan deur die volgende woorde te vervang:
   "Die kennisgewing wat ingevolge subregulasie (1) in die *Provinsiale Koerant* gepubliseer moet word, moet die volgende spesifiseer:";
   (b) deur die volgende paragraaf na paragraaf *(b)* van subregulasie (2) in te voeg:
   "*(bA)* manier waarop afskrifte van die benoemingsvorm soos na verwys in subregulasie (3) verkry kan word;"; en
   (c) deur die volgende subregulasies na subregulasie (2) in te voeg:
   "(2A) Die kennisgewing wat ingevolge subartikel (1) in die koerante gepubliseer moet word, moet—
   (a) die vereistes soos na verwys in subregulasie (2)*(a)*, *(bA)*, *(c)* en *(d)* spesifiseer; en

(b) vermeld dat die kennisgewing wat in die *Provinsiale Koerant* gepubliseer word, op 'n webblad te sien is wat die Departement onderhou.

(2B) Die Departement moet toesien dat die kennisgewing wat in die *Provinsiale Koerant* gepubliseer word, gepubliseer word op 'n webblad wat die Departement in stand hou.".

Vervanging van regulasie 6 van die Regulasies

5. Regulasie 6 van die Regulasies word deur die volgende regulasie vervang:

"**Aanstelling van lede en vervangende lede van Dranklisensiëringstribunaal**

6. (1) Die Hoof-Uitvoerende Beampte moet by kennisgewing in die drie amptelike tale van die Provinsie—

(a) in die *Provinsiale Koerant* en in ten minste twee koerante wat in die Provinsie sirkuleer, benoemings versoek vir die lede van die Dranklisensiëringstribunaal soos na verwys in artikel 16(1)*(a)*, *(b)* en *(e)*; en

(b) in ten minste twee koerante wat in die Provinsie sirkuleer, benoemings vir vervangende lede van die Dranklisensiëringstribunaal versoek.

(2) Die kennisgewing wat ingevolge subregulasie (1)*(a)* in die *Provinsiale Koerant* gepubliseer moet word, moet die volgende spesifiseer:

(a) die toepaslike kriteria ingevolge artikel 16(1) vir aanstelling as 'n lid van die Dranklisensiëringstribunaal;

(b) die benoemingsprosedure;

(c) die datum waarteen benoemings by die Hoof-Uitvoerende Beampte ingedien moet wees;

(d) die wyse waarop die benoemings ingedien moet word; en

(e) die wyse waarop afskrifte van die benoemingsvorm soos na verwys in subregulasie (6) bekom kan word.

(3) Die kennisgewing wat ingevolge subregulasie (1)*(a)* in die koerante gepubliseer moet word, moet—

(a) die vereistes soos na verwys in subregulasie (2)*(a)*, *(c)*, *(d)* en *(e)* spesifiseer; en

(b) vermeld dat die kennisgewing wat in die *Provinsiale Koerant* gepubliseer word op 'n webblad te sien is wat die Departement onderhou.

(4) Die Departement moet toesien dat die kennisgewing wat in die *Provinsiale Koerant* gepubliseer word op 'n webblad gepubliseer word wat die Departement in stand hou.

(5) Die kennisgewing wat ingevolge subregulasie (1)*(b)* in die koerante gepubliseer moet word, moet die volgende spesifiseer:

(a) die kriteria vir aanstelling as 'n vervangende lid;

(b) die benoemingsprosedure;

(c) die datum waarteen benoemings by die Hoof-Uitvoerende Beampte ingedien moet wees;

(d) die wyse waarop die benoemings ingedien moet word; en

(e) die wyse waarop afskrifte van die benoemingsvorm soos na verwys in subregulasie (6) bekom kan word.

(6) 'n Benoemde moet op of voor die datum soos na verwys in subregulasie (2)*(c)* of (5)*(c)*, na gelang van die geval, 'n benoemingsvorm in die vorm van Vorm 2 in Aanhangsel 3, behoorlik voltooi, by die Hoof-Uitvoerende Beampte indien.

(7) Die Hoof-Uitvoerende Beampte moet binne 21 dae vanaf die datum soos na verwys in subregulasie (2)*(c)* of (5)*(c)* al die benoemings wat ingevolge subregulasie (6) ingedien is by die Raad laat indien, met 'n aanduiding van welke benoemings voldoen het aan die kriteria beoog in subregulasie (2)*(a)* of (5)*(a)*, na gelang van die geval, en in watter opsig die ander benoemings nie aan die vermelde kriteria voldoen het nie.

(8) Die Raad moet binne 21 dae vanaf ontvangs van die benoemings soos na verwys in subregulasie (7) die volgende persone aanstel:
(a) ten opsigte van lede van die Dranklisensiëringstribunaal, 'n onderhoudspaneel wat bestaan uit—
(i) die lid soos na verwys in artikel 3(1)*(b)* en ten minste drie ander lede van die Raad; en
(ii) die Departementshoof; en
(b) ten opsigte van vervangende lede, 'n onderhoudspaneel wat uit die lid soos na verwys in artikel 3(1)*(b)* en ten minste drie ander lede van die Raad bestaan.

(9) Die onderhoudspaneel moet—
(a) die benoemings van die benoemdes wat benoemingsvorms ingevolge subregulasie (6) ingedien het, oorweeg en evalueer; en
(b) aanbevelings aan die Raad ten opsigte van daardie benoemdes maak.

(10) Die Raad moet die lede van die Dranklisensiëringstribunaal aanstel na oorweging van die aanbevelings van die onderhoudspaneel.

(11) Die Raad moet, in oorleg met die Minister, die vervangende lede aanstel na oorweging van die aanbevelings van die onderhoudspaneel.

(12) Die aanstellings in die Dranklisensiëringstribunaal moet met sensitiwiteit vir ras en geslag gedoen word.".

Invoeging van regulasie 8A

6. Die volgende regulasie word na regulasie 8 in die Regulasies ingevoeg:

"**Datum van publikasie**

8A. (1) Wanneer hierdie regulasies die publikasie van 'n kennisgewing in die *Provinsiale Koerant* en 'n koerant vereis en daardie kennisgewings nie op dieselfde dag gepubliseer is nie, is die datum van publikasie van die kennisgewing—
(a) die datum waarop die kennisgewing in daardie koerant verskyn, indien die kennisgewing in die koerant na die kennisgewing in die *Provinsiale Koerant* gepubliseer is; of
(b) die datum waarop die kennisgewing in die *Provinsiale Koerant* verskyn, indien die kennisgewing in die *Provinsiale Koerant* na die kennisgewing in die koerant verskyn het.

(2) Wanneer hierdie regulasies die publikasie van 'n kennisgewing in die *Provinsiale Koerant* en in meer as een koerant vereis en al daardie kennisgewings is nie op dieselfde dag gepubliseer nie, is die datum van publikasie van die kennisgewing—
(a) die datum waarop die kennisgewing in die koerant verskyn wat die laaste gepubliseer is, indien daardie koerant na die kennisgewing in die *Provinsiale Koerant* gepubliseer is; of
(b) die datum waarop die kennisgewing in die *Provinsiale Koerant* verskyn, indien die kennisgewing in die *Provinsiale Koerant* gepubliseer is na die kennisgewing in die koerant wat die laaste gepubliseer is.".

Wysiging van regulasie 9 van die Regulasies

7. Regulasie 9 van die Regulasies word gewysig—
(a) deur subregulasie (3) deur die volgende subregulasie te vervang:
"(3) 'n Aansoek soos na verwys in subregulasie (2) moet—
(a) in die vorm van Vorm 3 in Aanhangsel 3 ingedien word;
(b) in tikskrif op A4-grootte standaard wit papier wees; en
(c) die inligting bevat soos vereis in daardie vorm.";

(b) deur subregulasie (4) deur die volgende subregulasie te vervang:

"(4) 'n Aansoek moet vergesel wees van—

(a) 'n leesbare, omvattende vloerplan van die voorgenome gelisensieerde perseel op standaard wit papier van hoogstens A3-grootte, in tikskrif en wat duidelik in kontrasterende kleure die volgende aandui:

(i) die voorgenome gelisensieerde perseel in verhouding tot die algehele perseel;

(ii) die afmetings van die voorgenome gelisensieerde perseel;

(iii) die afmetings van elke vertrek op die voorgenome gelisensieerde perseel;

(iv) die gebruike van al die vertrekke op die voorgenome gelisensieerde perseel;

(v) alle deure, vensters en toonbanke, waar toepaslik, en middele van interne en eksterne toegang;

(vi) die strate en plekke waarheen sodanige middele van eksterne toegang lei;

(vii) waar op die voorgenome gelisensieerde perseel drank geberg sal word;

(viii) die gebiede op die voorgenome gelisensieerde perseel waar drank verkoop sal word in verhouding tot die algehele perseel;

(ix) die gebiede op die voorgenome gelisensieerde perseel waar drank verbruik sal word in verhouding tot die algehele perseel;

(b) 'n leesbare terreinplan van die voorgenome gelisensieerde perseel op standaard wit papier van hoogstens A3-grootte, in tikskrif en wat duidelik die volgende aandui:

(i) 'n omtrek van elke gebou in die nabyheid van die voorgenome gelisensieerde perseel op die erf waarop die aansoek betrekking het;

(ii) die verhouding van die gelisensieerde perseel tot 'n woongebied;

(iii) die verhouding van die voorgenome gelisensieerde perseel tot enige instellings soos na verwys in artikel 34(1)*(e)*(ii) tot (v) in die nabyheid van die voorgenome gelisensieerde perseel, met afstande aangedui in meter;

(iv) die verhouding van die voorgenome gelisensieerde perseel tot 'n onderneming soos na verwys in artikel 41(1)*(c)*(i) in die nabyheid van die voorgenome gelisensieerde perseel, met afstande aangedui in meter;

(v) die gelisensieerde perseel op die erf;

(vi) die gebruike van al die geboue in die nabyheid van die voorgenome gelisensieerde perseel op die erf; en

(vii) die datum van voorbereiding van die plan en die naam en adres van die persoon wat die plan voorberei het;

(bA) 'n lugbeeldkaart wat die verhouding van die voorgenome gelisensieerde perseel tot 'n woongebied aandui;

(c) in 'n afsonderlike dokument, 'n beskrywing van die perseel, met verwysing na die konstruksie, uitleg, meubilering, los en vaste toebehore en vloerbedekking;

(d) geïndekseerde kleurfoto's wat die voltooide interne en eksterne kenmerke van die voorgenome gelisensieerde perseel aantoon soos aangedui op die vloerplan soos na verwys in paragraaf *(a)* of, waar die aansoek betrekking het op 'n onvoltooide perseel soos na verwys in artikel 44, die stadium van voltooiing van die perseel;

(e) skriftelike vertoë ter ondersteuning van die aansoek;

(f) skriftelike vertoë ter ondersteuning van enige bepaling, toestemming, goedkeuring of magtiging wat die aansoeker ingevolge die Wet benodig;

(g) bewys van betaling aan die Owerheid van die toepaslike aansoekfooi uiteengesit in Item 1 van Aanhangsel 1;

(h) 'n gesertifiseerde afskrif van die—
  (i) identiteitskaart of -dokument van die aansoeker;
  (ii) paspoort en visum of, waar toepaslik, die permanente verblyfpermit van die aansoeker, indien die aansoeker 'n buitelander is; of
  (iii) toepaslike registrasiedokumente wat die identiteit en, waar van toepassing, die finansiële belang van al die lede, direkteure, vennote, begunstigdes of trustees van die aansoeker aandui, indien die aansoeker nie 'n natuurlike persoon is nie;

(i) sodanige ander dokumente wat op die aansoekvorm en in die Wet gespesifiseer mag word, of soos die Owerheid mag versoek;

(j) 'n beëdigde verklaring dat hy of sy nie ingevolge artikel 35 gediskwalifiseer is om 'n dranklisensie te hou nie;

(k) bewys dat die aansoeker 'n afskrif van die aansoek ingedien het by die aangewese drankbeampte in wie se regsgebied die voorgenome gelisensieerde perseel geleë is;

(l) 'n geldige, oorspronklike belastingklaringsertifikaat ten opsigte van die aansoeker, wat nie meer as drie maande voor die datum van indiening van die aansoek deur die Suid-Afrikaanse Inkomstediens uitgereik is nie;

(m) bewys dat die aansoeker die reg het om die voorgenome gelisensieerde perseel te okkupeer;

(n) bewys van eienaarskap van die voorgenome gelisensieerde perseel of, indien die aansoeker nie die eienaar van die perseel is nie, die skriftelike toestemming van die eienaar dat die aansoeker die voorgenome gelisensieerde perseel mag gebruik vir die doel van die lisensie waarvoor aansoek gedoen word; en

(o) 'n benoeming vir die aanstelling van 'n bestuurder ooreenkomstig regulasie 22, indien die aansoeker nie 'n natuurlike persoon is nie.".

Wysiging van regulasie 10 van die Regulasies

8. Regulasie 10 van die Regulasies word gewysig—

(a) deur subregulasie (1) deur die volgende subregulasie te vervang:

"(1) Die Owerheid moet die kennisgewings soos na verwys in artikel 37(1) in die vorm van Vorm 3A in Aanhangsel 3 publiseer op die eerste Vrydag wat volg op die indiening van 'n aansoek of, indien daardie Vrydag—

(a) 'n openbare vakansiedag is, op die eerste Vrydag wat op daardie openbare vakansiedag volg; of

(b) binne die tydperk tussen 1 Desember van enige jaar en 15 Januarie van die daaropvolgende jaar val, op die eerste Vrydag na 15 Januarie."; en

(b) deur subregulasie (2) deur die volgende subregulasie te vervang:

"(2) 'n Kennisgewing soos na verwys in artikel 37(2) moet in die vorm van Vorm 3B in Aanhangsel 3 wees en moet—

(a) 'n opskrif hê met die woorde,
"**KENNISGEWING VAN INDIENING VAN AANSOEK OM DRANKLISENSIE**",
in vetdruk hoofletters van ten minste 2 cm in hoogte en in 'n swart lettertipe van nie minder as 0,5 cm wyd nie op 'n wit agtergrond;

(b) ten minste op A3-grootte standaard wit papier wees;"; en

(c) waterdig wees; en

(d) in plek bly vir nie minder nie as 28 dae vanaf die datum van publikasie van die indiening van die aansoek.".

Wysiging van regulasie 15 van die Regulasies

9. Regulasie 15 van die Regulasies word gewysig deur subregulasie (3) deur die volgende paragraaf te vervang:

"(3) Die verslag deur die aangewese drankbeampte moet—

(a) die volgende bevat:

(i) die adres van die voorgenome gelisensieerde perseel;

(ii) die ligging van die voorgenome gelisensieerde perseel in verhouding tot—

(aa) instellings soos na verwys in artikel 34(1)*(e)*(ii) tot (v);

(bb) 'n woongebied;

(cc) ander gelisensieerde persele; en

(dd) 'n onderneming soos na verwys in artikel 41(1)*(c)*(i),

in die nabyheid van die voorgenome gelisensieerde perseel;

(iii) die geskiktheid van die voorgenome perseel;

(iv) die geskiktheid van die aansoeker, met spesifieke verwysing na die kriminele rekord van die aansoeker en sy of haar gade;

(v) die openbare belang;

(vi) misdaadsyfers, indien enige, wat hy of sy tersaaklik ag in verhouding tot die voorgenome gelisensieerde perseel;

(vii) of die aansoeker aan artikel 37(2) en (3) voldoen het;

(viii) of 'n afskrif van die aansoek ooreenkomstig artikel 37(4) aan die betrokke munisipaliteit beteken is; en

(ix) of die aangewese drankbeampte ooreenkomstig artikel 37(5) kennis van die aansoek gegee het; en

(b) 'n aanbeveling bevat vir die toestaan of weiering van die aansoek.".

Wysiging van regulasie 16 van die Regulasies

10. Regulasie 16 van die Regulasies word gewysig deur subregulasie (1) deur die volgende subregulasie te vervang:

"(1) 'n Kennisgewing of dagvaarding om teenwoordig te wees by 'n vergadering ingevolge artikel 23(2) of (5) moet in die vorm van onderskeidelik Vorm 4A of 4B in Aanhangsel 3 wees en deur die sekretaris uitgereik word.".

Wysiging van regulasie 17 van die Regulasies

11. Regulasie 17 van die Regulasies word deur die volgende regulasie vervang:

"**Voorwaardelike toestaan van lisensie**

17. (1) Die Owerheid moet, binne sewe dae nadat die Dranklisensiëringstribunaal 'n aansoek ingedien ingevolge artikel 36 voorwaardelik toegestaan het ingevolge artikel 42(1), die persone soos na verwys in artikel 46(1) skriftelik van daardie besluit in kennis stel.

(2) Die kennisgewing soos na verwys in subregulasie (1) moet in die vorm van Vorm 5A in Aanhangsel 3 wees.

(3) Die Owerheid moet binne sewe dae nadat die Voorsittende Beampte hom- of haarself oortuig het dat die aansoeker voldoen het aan die voorwaardes opgelê deur die Dranklisensiëringstribunaal, die aansoeker skriftelik daarvan in kennis stel.

(4) Die kennisgewing aan die aansoeker moet in die vorm van Vorm 6B in Aanhangsel 3 wees.

(5) Die aansoeker moet die toepaslike fooi uiteengesit in Deel A van Aanhangsel 2 aan die Owerheid betaal en bewys van die betaling by die Owerheid indien.

(6) Die Owerheid moet binne 14 dae vanaf ontvangs van die bewys van betaling soos na verwys in subregulasie (5) die lisensie in die vorm van Vorm 7 in Aanhangsel 3 uitreik.

(7) Regulasie 18(5) tot (7) is van toepassing, met die nodige veranderinge, op lisensies wat ingevolge subregulasie (6) uitgereik word.

(8) 'n Aansoek soos na verwys in—
(a) artikel 42(4) om die voorwaardes opgelê deur die Dranklisensiëringstribunaal te wysig of in te trek wanneer 'n lisensie voorwaardelik toegestaan word; of
(b) artikel 42(5)*(b)* om 'n plan van die perseel te wysig,
moet in die vorm van Vorm 5B in Aanhangsel 3 by die Owerheid en die aangewese drankbeampte in wie se regsgebied die perseel geleë is, ingedien word.

(9) Die aansoek moet—
(a) vergesel wees van bewys van betaling aan die Owerheid van die aansoekfooi uiteengesit in Item 17(a), (b) of (d*)* van Aanhangsel 1, na gelang van die geval;
(b) vergesel wees van skriftelike vertoë ter ondersteuning van die aansoek; en
(c) ten opsigte van 'n aansoek ingevolge artikel 42(5)*(b)*, ook vergesel wees van 'n afskrif van die gewysigde plan van die perseel.

(10) Die aangewese drankbeampte in wie se regsgebied die voorgenome gelisensieerde perseel geleë is, moet binne 14 dae nadat 'n aansoek ingevolge subregulasie (8) ingedien is 'n afskrif van sy of haar verslag aan die aansoeker beteken en die verslag by die Owerheid indien tesame met bewys dat die verslag aan die aansoeker beteken is.

(11) Die verslag deur die aangewese drankbeampte moet die volgende bevat:
(a) 'n verklaring oor die uitwerking wat die voorgestelde wysiging of intrekking van die voorwaardes of die wysiging van die plan van die perseel, na gelang van die geval, moontlik op die publiek kan hê;
(b) 'n verklaring oor die uitwerking wat die voorgestelde wysiging of intrekking van die voorwaardes of die wysiging van die plan van die perseel, na gelang van die geval, moontlik kan hê op die instellings soos na verwys in artikel 34(1)*(e)*(ii) tot (v) in die nabyheid van die voorgenome gelisensieerde perseel;
(c) enige ander tersaaklike inligting wat, na die mening van die aangewese drankbeampte, in ag geneem behoort te word by oorweging van die aansoek; en
(d) 'n aanbeveling vir die toestaan of weiering van die aansoek.

(12) Indien die aangewese drankbeampte versuim om sy of haar verslag ingevolge subregulasie (10) in te dien, mag die Hoof-Uitvoerende Beampte 'n afskrif van die aansoek na 'n inspekteur aanstuur met 'n skriftelike opdrag om 'n verslag in te dien wat die inligting soos na verwys in subregulasie (11) ten opsigte van die betrokke aansoek bevat.

(13) 'n Inspekteur moet binne die tydperk gestipuleer deur die Hoof-Uitvoerende Beampte sy of haar verslag by die Owerheid indien en 'n afskrif daarvan na die aansoeker aanstuur ingevolge die opdrag soos na verwys in subregulasie (12).

(14) Die aansoeker moet sy of haar antwoord op 'n verslag deur die aangewese drankbeampte soos na verwys in subregulasie (10) of 'n verslag deur 'n inspekteur soos na verwys in subregulasie (13) by die Owerheid indien binne sewe dae nadat 'n afskrif van die een of die ander verslag op hom of haar beteken is.

(15) Die Dranklisensiëringstribunaal of die Voorsittende Beampte, na gelang van die geval, moet 'n aansoek soos na verwys in subregulasie (8) oorweeg binne 30 dae na ontvangs van al die tersaaklike dokumente soos na verwys in subregulasies (8) tot (14).

(16) Die Owerheid moet binne sewe dae nadat die Dranklisensiëringstribunaal of die Voorsittende Beampte, na gelang van die geval, besluit het oor ’n aansoek ingedien ingevolge subregulasie (8) die aansoeker en elke persoon wat ’n skriftelike beswaar of vertoë ten opsigte van die aansoek by die Owerheid ingedien het skriftelik van die besluit in kennis stel.

(17) Die kennisgewing soos na verwys in subregulasie (16) moet in die vorm van Vorm 5C in Aanhangsel 3 wees.

(18) ’n Aansoek soos na verwys in artikel 42(5)(a) om die tydperk gestipuleer deur die Dranklisensiëringstribunaal by die voorwaardelike toestaan van ’n lisensie te verleng, moet in die vorm van Vorm 5B in Aanhangsel 3 by die Owerheid ingedien word.

(19) Die aansoek moet vergesel wees van—
(a) bewys van betaling aan die Owerheid van die toepaslike fooi uiteengesit in Item 17(c) van Aanhangsel 1; en
(b) skriftelike vertoë ter ondersteuning van die aansoek, wat die volgende uiteensit:
(i) die redes waarom daar nie binne die tydperk gestipuleer deur die Dranklisensiëringstribunaal aan die voorwaardes beoog in artikel 42(2) voldoen kan word of voldoen is nie;
(ii) die mate waarin die aansoeker aan die voorwaardes voldoen het;
(iii) die stappe wat die aansoeker onderneem om te doen om aan die voorwaardes te voldoen; en
(iv) die tyd wat die aansoeker skat hy of sy sal benodig om die voorgenome stappe te voltooi.

(20) Die Voorsittende Beampte moet binne 30 dae na ontvangs van al die dokumente soos na verwys in subregulasies (18) en (19) ’n aansoek soos na verwys in subregulasie (18) oorweeg.

(21) Die Owerheid moet binne sewe dae nadat die Voorsittende Beampte besluit het oor ’n aansoek ingedien ingevolge subregulasie (18) die aansoeker en elke persoon wat ’n skriftelike beswaar of vertoë ingedien het skriftelik van die besluit in kennis stel.

(22) Die kennisgewing moet in die vorm van Vorm 5C in Aanhangsel 3 wees.

(23) Wanneer ’n aansoek soos na verwys in subregulasie (8) of (18) toegestaan word, moet die aansoeker die toepaslike fooi uiteengesit in Item 10, 11 of 12 in Deel A van Aanhangsel 2, na gelang van die geval, aan die Owerheid betaal.

(24) Die Hoof-Uitvoerende Beampte moet enige wesenlike feite soos beoog in artikel 42(4A) wat by die Owerheid ingedien is na die Dranklisensiëringstribunaal verwys.

(25) Die Hoof-Uitvoerende Beampte moet op dieselfde tyd dat die verwysing beoog in subregulasie (24) gemaak word afskrifte van enige dokumente wat die wesenlike feite soos beoog in artikel 42(4A) bevat wat by die Owerheid ingedien is aan die aansoeker beteken tesame met ’n kennisgewing in die vorm van Vorm 5E wat die volgende uiteensit:
(a) die stappe wat die Dranklisensiëringstribunaal ingevolge artikel 42(4A) mag doen;
(b) die aard en doel van sodanige stappe;
(c) die reg van die aansoeker om vertoë te rig binne die tydperk gestipuleer in die kennisgewing;
(d) die reg van die aansoeker om teen enige besluit van die Dranklisensiërings-tribunaal te appelleer of dit in hersiening te neem.

(26) Die Dranklisensiëringstribunaal moet binne 30 dae na ontvangs van die verwysing van die Hoof-Uitvoerende Beampte ingevolge subregulasie (24) 'n besluit neem om óf die voorwaardelike toestaan van die lisensie in te trek óf nie die voorwaardelike toestaan van die lisensie in te trek nie.

(27) Die Owerheid moet binne sewe dae nadat die Dranklisensiëringstribunaal 'n besluit soos beoog in subregulasie (26) geneem het die persone soos na verwys in artikel 46(1) skriftelik van die besluit in kennis stel.

(28) Die kennisgewing soos na verwys in subregulasie (27) moet in die vorm van Vorm 5D in Aanhangsel 3 wees.".

Wysiging van regulasie 18 van die Regulasies

12. Regulasie 18 van die Regulasies word gewysig—

(a) deur subregulasie (1) deur die volgende subregulasie te vervang:

"(1) Die Owerheid moet binne sewe dae nadat die Dranklisensiëringstribunaal besluit het oor 'n aansoek ingedien ingevolge artikel 36 die persone soos na verwys in artikel 46(1) skriftelik van die besluit in kennis stel.";

(b) deur subregulasie (2) deur die volgende subregulasie te vervang:

"(2) Indien die aansoek toegestaan word, moet die kennisgewing aan die aansoeker in die vorm van Vorm 6A in Aanhangsel 3 wees.";

(c) deur die volgende subregulasies na subregulasie (3) in te voeg:

"(3A) 'n Aansoek om kondonering vir versuim om die toepaslike fooi soos na verwys in artikel 46(6) te betaal, moet in die vorm van Vorm 6C in Aanhangsel 3 by die Owerheid ingedien word.

(3B) Die Hoof-Uitvoerende Beampte moet binne 30 dae na ontvangs van 'n aansoek soos na verwys in subregulasie (3A) die aansoek oorweeg.

(3C) Die Owerheid moet binne sewe dae nadat die Hoof-Uitvoerende Beampte besluit het oor 'n aansoek wat ingevolge subregulasie (3A) ingedien is die aansoeker skriftelik van die besluit in kennis stel.

(3D) Indien die Hoof-Uitvoerende Beampte 'n aansoek ingedien ingevolge subregulasie (3A) toestaan, moet die aansoeker die toepaslike fooi tesame met die 100%-boete soos na verwys in artikel 46(6) aan die Owerheid betaal."; en

(c) deur subregulasie (4) deur die volgende subregulasie te vervang:

"(4) Die Owerheid moet binne 14 dae na ontvangs van bewys van die betaling soos na verwys in subregulasie (3) of (3D), na gelang van die geval, die lisensie in die Vorm van Vorm 7 in Aanhangsel 3 uitreik."

Vervanging van regulasie 19 van die Regulasies

13. Regulasie 19 van die Regulasies word deur die volgende regulasie vervang:

"**Aansoek om tydelike dranklisensie of dranklisensie vir 'n geleentheid**

19. (1) 'n Aansoeker om—

(a) 'n tydelike dranklisensie soos beoog in artikel 48(1); of

(b) 'n dranklisensie vir 'n geleentheid soos beoog in artikel 48(4),

moet 'n aansoek by die Owerheid indien en 'n afskrif daarvan by die aangewese drankbeampte in wie se regsgebied die voorgenome gelisensieerde perseel geleë is en by die betrokke munisipaliteit indien.

(2) 'n Aansoek om—

(a) 'n tydelike dranklisensie moet—

(i) ten minste 50 dae voor die eerste dag van die tydperk soos na verwys in artikel 48(2) ingedien word;

(ii) in die vorm van Vorm 8 in Aanhangsel 3 ingedien word;

(iii) in tikskrif op A4-grootte standaard wit papier wees; en

(iv) die inligting soos vereis in daardie vorm bevat;

(b) 'n dranklisensie vir 'n geleentheid moet—

(i) ten minste 50 dae voor die datum van die geleentheid ingedien word;
(ii) in die vorm van Vorm 9 in Aanhangsel 3 ingedien word;
(iii) in tikskrif op A4-grootte standaard wit papier wees; en
(iv) die inligting soos vereis in daardie vorm bevat.

(3) 'n Aansoek om 'n tydelike dranklisensie moet vergesel wees van—

(a) 'n leesbare, omvattende vloerplan van die voorgenome gelisensieerde perseel op standaard wit papier van hoogstens A3-grootte, in tikskrif en wat duidelik in kontrasterende kleure die volgende aandui:

(i) die voorgenome gelisensieerde perseel in verhouding tot die algehele perseel;
(ii) die afmetings van die voorgenome gelisensieerde perseel;
(iii) die afmetings van elke vertrek op die voorgenome gelisensieerde perseel;
(iv) die gebruike van al die vertrekke op die voorgenome gelisensieerde perseel;
(v) alle deure, vensters en toonbanke, waar toepaslik, en middele van interne en eksterne toegang;
(vi) die strate en plekke waarheen sodanige middele van eksterne toegang lei;
(vii) waar op die voorgenome gelisensieerde perseel geberg sal word;
(viii) die gebiede op die voorgenome gelisensieerde perseel waar drank verkoop sal word in verhouding tot die algehele perseel; en
(ix) die gebiede op die voorgenome gelisensieerde perseel waar drank verbruik sal word in verhouding tot die algehele perseel;

(b) 'n leesbare terreinplan van die voorgenome gelisensieerde perseel op standaard wit papier van hoogstens A3-grootte, in tikskrif en wat duidelik die volgende in kontrasterende kleure aandui:

(i) 'n omtrek van elke gebou in die nabyheid van die voorgenome gelisensieerde perseel op die erf waarop die aansoek betrekking het;
(ii) die verhouding van die voorgenome gelisensieerde perseel tot 'n woongebied;
(iii) die verhouding van die voorgenome gelisensieerde perseel tot enige instellings soos na verwys in artikel 34(1)*(e)*(ii) tot (v) in die nabyheid van die voorgenome gelisensieerde perseel, met afstande aangedui in meter;
(iv) die verhouding van die voorgenome gelisensieerde perseel tot 'n onderneming soos na verwys in artikel 41(1)*(c)*(i) in die nabyheid van die voorgenome gelisensieerde perseel, met afstande aangedui in meter;
(v) ander gelisensieerde persele op die erf;
(vi) die gebruike van al die geboue in die nabyheid van die voorgenome gelisensieerde perseel op die erf; en
(vii) die datum van voorbereiding van die plan en die naam en adres van die persoon wat die plan voorberei het;

(c) 'n lugbeeldkaart wat die verhouding van die voorgenome gelisensieerde perseel tot 'n woongebied aandui;

(d) geïndekseerde kleurfoto's wat die voltooide interne en eksterne kenmerke van die voorgenome gelisensieerde perseel aantoon soos aangedui op die vloerplan soos na verwys in paragraaf *(a)*;

(e) in 'n afsonderlike dokument, 'n beskrywing van die perseel, met verwysing na die konstruksie, uitleg, meubilering, los en vaste toebehore en vloerbedekking;

(f) skriftelike vertoë ter ondersteuning van die aansoek;

(g) bewys van betaling aan die Owerheid van die aansoekfooi vir 'n tydelike dranklisensie uiteengesit in Item 2 van Aanhangsel 1;

(h) 'n gesertifiseerde afskrif van die—

(i) identiteitskaart of -dokument van die aansoeker;
(ii) paspoort en visum of, waar toepaslik, die permanente verblyfpermit van die aansoeker, indien die aansoeker 'n buitelander is; of

(iii) toepaslike registrasiedokumente wat die identiteit en, waar toepaslik, die finansiële belang van al die lede, direkteure, vennote, begunstigdes of trustees van die aansoeker aandui, indien die aansoeker nie ’n natuurlike persoon is nie;

(i) sodanige ander dokumente wat op die aansoekvorm en in die Wet gespesifiseer mag word of soos die Owerheid mag versoek;

(j) ’n beëdigde verklaring deur die aansoeker dat hy of sy nie ingevolge artikel 35 gediskwalifiseer is om ’n dranklisensie te hou nie;

(k) bewys dat die aansoeker ’n afskrif van die aansoek by die aangewese drankbeampte in wie se regsgebied die voorgenome gelisensieerde perseel geleë is en by die betrokke munisipaliteit ingedien het;

(l) ’n geldige, oorspronklike belastingklaringsertifikaat ten opsigte van die aansoeker wat nie meer as drie maande voor die datum van indiening van die aansoek deur die Suid-Afrikaanse Inkomstediens uitgereik is nie;

(m) bewys dat die aansoeker die reg het om die voorgenome gelisensieerde perseel te okkupeer vir die tydperk van die lisensie waarvoor aansoek gedoen word;

(n) bewys van eienaarskap van die voorgenome gelisensieerde perseel of, indien die aansoeker nie die eienaar van die perseel is nie, die skriftelike toestemming van die eienaar dat die aansoeker die voorgenome gelisensieerde perseel mag gebruik vir die doel van die lisensie waarvoor aansoek gedoen word; en

(o) ’n benoeming vir die aanstelling van ’n bestuurder ooreenkomstig regulasie 22.

(4) ’n Aansoek om ’n dranklisensie vir ’n geleentheid moet vergesel wees van—

(a) ’n leesbare, omvattende vloerplan van die voorgenome gelisensieerde perseel op standaard wit papier van hoogstens A3-grootte, in tikskrif en wat duidelik in kontrasterende kleure die volgende aandui:

(i) die voorgenome gelisensieerde perseel in verhouding tot die algehele perseel;

(ii) die afmetings van die voorgenome gelisensieerde perseel;

(iii) die afmetings van elke vertrek op die voorgenome gelisensieerde perseel;

(iv) die gebruike van al die vertrekke op die voorgenome gelisensieerde perseel;

(v) alle deure, vensters en toonbanke, waar van toepassing, en middele van interne en eksterne toegang;

(vi) die strate en plekke waarheen sodanige middele van eksterne toegang lei;

(vii) waar op die voorgenome gelisensieerde perseel drank geberg sal word;

(viii) die gebiede op die voorgenome gelisensieerde perseel waar drank verkoop sal word in verhouding tot die algehele perseel; en

(ix) die gebiede op die voorgenome gelisensieerde perseel waar drank verbruik sal word in verhouding tot die algehele perseel;

(b) ’n leesbare terreinplan van die voorgenome gelisensieerde perseel op standaard wit papier van hoogstens A3-grootte, in tikskrif en wat duidelik in kontrasterende kleure die volgende aandui:

(i) ’n omtrek van elke gebou in die nabyheid van die voorgenome gelisensieerde perseel op die erf waarop die aansoek betrekking het;

(ii) die verhouding van die gelisensieerde perseel tot ’n woongebied;

(iii) die verhouding van die voorgenome gelisensieerde perseel tot enige instellings soos na verwys in artikel 34(1)*(e)*(ii) tot (v) in die nabyheid van die voorgenome gelisensieerde perseel, met afstande aangedui in meter;

(iv) die verhouding van die voorgenome gelisensieerde perseel tot ’n onderneming soos na verwys in artikel 41(1)*(c)*(i) in die nabyheid van die voorgenome gelisensieerde perseel, met afstande aangedui in meter;

(v) ander gelisensieerde persele op die erf;

(vi) die gebruike van al die geboue in die nabyheid van die voorgenome gelisensieerde perseel op die erf;
(vii) die datum van voorbereiding van die plan en die naam en adres van die persoon wat die plan voorberei het;

(c) 'n lugbeeldkaart wat die verhouding van die voorgenome gelisensieerde perseel tot 'n woongebied aandui;

(d) geïndekseerde kleurfoto's wat die voltooide interne en eksterne kenmerke van die voorgenome gelisensieerde perseel aantoon soos aangedui op die vloerplan soos na verwys in paragraaf *(a)*;

(e) in 'n afsonderlike dokument, 'n beskrywing van die perseel, met verwysing na die konstruksie, uitleg, meubilering, los en vaste toebehore en vloerbedekking;

(f) skriftelike vertoë ter ondersteuning van die aansoek;

(g) bewys van betaling aan die Owerheid van die aansoekfooi vir 'n dranklisensie vir 'n geleentheid uiteengesit in Item 3 van Aanhangsel 1;

(h) 'n gesertifiseerde afskrif van die—
(i) identiteitskaart of -dokument van die aansoeker;
(ii) paspoort en visum of, waar toepaslik, die permanente verblyfpermit van die aansoeker, indien die aansoeker 'n buitelander is; of
(iii) toepaslike registrasiedokumente wat die identiteit en, waar van toepassing, die finansiële belang van al die lede, direkteure, vennote, begunstigdes of trustees van die aansoeker aandui, indien die aansoeker nie 'n natuurlike persoon is nie;

(i) sodanige ander dokumente wat op die aansoekvorm en in die Wet gespesifiseer mag word, of soos die Owerheid mag versoek;

(j) 'n beëdigde verklaring deur die aansoeker dat hy of sy nie ingevolge artikel 35 gediskwalifiseer is om 'n dranklisensie te hou nie;

(k) bewys dat die aansoeker 'n afskrif van die aansoek by die aangewese drankbeampte in wie se regsgebied die voorgenome gelisensieerde perseel geleë is en by die betrokke munisipaliteit ingedien het;

(l) 'n geldige, oorspronklike belastingklaringsertifikaat ten opsigte van die aansoeker wat nie meer as drie maande voor die datum van indiening van die aansoek uitgereik is nie;

(m) bewys van eienaarskap van die voorgenome gelisensieerde perseel of, indien die aansoeker nie die eienaar van die perseel is nie, die skriftelike toestemming van die eienaar dat die aansoeker die voorgenome gelisensieerde perseel mag gebruik vir die doel van die lisensie waarvoor aansoek gedoen word; en

(n) 'n benoeming vir die aanstelling van 'n bestuurder ooreenkomstig regulasie 22.

(5) Die aangewese drankbeampte moet binne vyf dae nadat 'n aansoek ingedien is ingevolge subregulasie (1)*(a)* of *(b)*, na gelang van die geval, die verslag, wat die inligting soos na verwys in regulasie 15(3)*(a)*(i) tot (vi) en 'n aanbeveling beoog in regulasie 15(3)*(b)* bevat, by die Owerheid indien.

(6) Indien die verslag soos na verwys in subregulasie (5) enige inligting of aanbeveling bevat wat die aansoeker benadeel, moet die aangewese drankbeampte binne vyf dae nadat die aansoek ingevolge subregulasie (1)*(a)* of *(b)* ingedien is 'n afskrif van die verslag op die aansoeker laat beteken.

(7) Die betrokke munisipaliteit moet binne sewe dae nadat die aansoek by die Owerheid ingedien is ingevolge subregulasie (1)*(a)* of *(b)*, na gelang van die geval, die kommentaar en dokumente soos na verwys in artikel 40(2), indien enige, na die Owerheid en die aansoeker aanstuur.

(8) Indien die aangewese drankbeampte versuim om sy of haar verslag ingevolge subregulasie (5) in te dien, mag die Hoof-Uitvoerende Beampte 'n afskrif van die aansoek na 'n inspekteur aanstuur met 'n skriftelike opdrag om 'n verslag in te dien wat die inligting soos na verwys in regulasie 15(3)*(a)*(i), (ii), (iii) en (v), 'n aanbeveling beoog in regulasie 15(3)*(b)* en, waar beskikbaar, die inligting soos na verwys in regulasie 15(3)*(a)*(iv) en (vi) ten opsigte van die betrokke aansoek bevat.

(9) ’n Inspekteur moet binne vyf dae nadat hy of sy ingevolge subregulasie (8) deur die Hoof-Uitvoerende Beampte opdrag gegee is sy of haar verslag by die Owerheid indien.

(10) Indien die verslag soos na verwys in subregulasie (9) enige inligting of aanbeveling bevat wat die aansoeker benadeel, moet die inspekteur binne vyf dae nadat hy of sy ingevolge subartikel (8) deur die Hoof-Uitvoerende Beampte opdrag gegee is ’n afskrif van die verslag na die aansoeker aanstuur.

(11) Indien die betrokke munisipaliteit nie kommentaar en dokumente ingevolge subregulasie (7) aanstuur nie moet die Hoof-Uitvoerende Beampte die munisipaliteit in kennis stel dat die tydperk soos na verwys in subregulasie (7) verstryk het en dat die Voorsittende Beampte nietemin mag voortgaan om die aansoek ingedien ingevolge subregulasie (1)*(a)* of *(b)*, na gelang van die geval, te oorweeg.

(12) Die Owerheid moet aan die aansoeker afskrifte van enige besware of vertoë wat by die Owerheid ingedien is ten opsigte van ’n aansoek ingedien ingevolge subregulasie (1)*(a)* of *(b)* beteken.

(13) Die aansoeker moet binne 15 dae nadat hy of sy ’n aansoek ingevolge subregulasie (1)*(a)* of *(b)* ingedien het sy of haar antwoord op die volgende by die Owerheid indien:
- *(a)* ’n verslag deur die aangewese drankbeampte soos na verwys in subregulasie (6) of ’n inspekteur soos na verwys in subregulasie (10);
- *(b)* kommentaar en dokumente, indien enige, aangestuur deur die munisipaliteit;
- *(c)* enige besware of vertoë wat moontlik by die Owerheid ingedien is indien die besware of vertoë aldus ingedien binne 10 dae vanaf die indiening van die aansoek aan die aansoeker beteken is.

(14) Die Voorsittende Beampte mag, binne drie dae vanaf ontvangs van die aansoeker se antwoord beoog in subregulasie (13) of, indien geen antwoord ontvang is nie, binne een dag vanaf die dag waarop die antwoord van die aansoeker ingevolge subregulasie (13) ingedien moes gewees het, bykomende inligting soos na verwys in artikel 48(9) van die aansoeker versoek.

(15) Die aansoeker moet die bykomende inligting binne een dag vanaf die versoek daarvoor aan die Owerheid verskaf.

(16) ’n Aansoek om kondonering ingevolge artikel 48(10) moet in die vorm van Vorm 12A by die Owerheid ingedien word.

(17) ’n Aansoek beoog in subregulasie (16) moet vergesel wees van—
- *(a)* die aansoek ingevolge subregulasie (1)*(a)* of *(b)*, na gelang van die geval, ten opsigte waarvoor kondonering aansoek gedoen word;
- *(b)* skriftelike vertoë ter ondersteuning van die aansoek; en
- *(c)* bewys van betaling aan die Owerheid van die boete soos na verwys in artikel 48(10).

(18) Die Voorsittende Beampte moet ’n aansoek ingedien ingevolge subregulasie (1)*(a)* of *(b)* óf toestaan of óf weier—
- *(a)* binne 21 dae vanaf die datum van indiening van die aansoek; of
- *(b)* in die geval van ’n aansoek om kondonering ingevolge subregulasie (16), op die dag waarop die aansoek om kondonering toegestaan is.

(19) Die Owerheid moet op die dag dat die Voorsittende Beampte besluit om ’n aansoek ingedien ingevolge subregulasie (1)*(a)* of *(b)* toe te staan of te weier die aansoeker en elke persoon wat ’n skriftelike beswaar of vertoë ten opsigte van die aansoek by die Owerheid ingedien het skriftelik van die besluit in kennis stel.

(20) Indien die aansoek ingedien ingevolge subregulasie (1)*(a)* of *(b)* toegestaan word—
(a) moet die aansoeker die fooie uiteengesit in Item 5 of 6 in Deel A van Aanhangsel 2, na gelang van die geval, aan die Owerheid betaal; en
(b) moet die Owerheid 'n lisensie, in die vorm van Vorm 10 of 11 in Aanhangsel 3, na gelang van die geval, uitreik.

(21) Voordat die Voorsittende Beampte 'n kennisgewing ingevolge artikel 48(13) uitreik, moet die Owerheid aan die lisensiehouer afskrifte van enige verslag, klagte, verwysing of vertoë beoog in artikel 48(14) beteken tesame met 'n kennisgewing in die vorm van Vorm 12B wat die volgende uiteensit:
(a) die stappe wat die Voorsittende Beampte beoog om ingevolge artikel 48(13) te doen;
(b) die aard en doel van die voorgenome stappe;
(c) die reg van die lisensiehouer om binne die tydperk gestipuleer in die kennisgewing vertoë te rig;
(d) die reg van die lisensiehouer om teen enige besluit van die Voorsittende Beampte te appelleer of dit in hersiening te neem.

(22) Die Voorsittende Beampte moet by verstryking van die tydperk soos na verwys in die kennisgewing die voorgenome stappe wat gedoen staan te word oorweeg en daaroor besluit.

(23) Die Owerheid moet, op die dag wat die Voorsittende Beampte 'n besluit neem soos beoog in subregulasie (22)—
(a) die lisensiehouer, die Hoof-Uitvoerende Beampte en elke persoon wat 'n verslag, klagte, of verwysing of vertoë beoog in artikel 48(14) by die Owerheid ingedien het skriftelik van die besluit in kennis stel; en
(b) indien die besluit is om stappe ingevolge artikel 48(13) te doen, die kennisgewing soos na verwys in artikel 48(13) aan die lisensiehouer aflewer of aanbied.

Wysiging van regulasie 20 van die Regulasies

14. Regulasie 20 van die Regulasies word gewysig deur subregulasie (2) deur die volgende regulasie te vervang:
"(2) Die lisensiehouer moet ingevolge artikel 50(1)*(a)* afskrifte van fakture by die gelisensieerde perseel hou vir 'n tydperk van vyf jaar vanaf die datum van hul uitreiking, ondanks enige strydige wetgewing.".

Vervanging van regulasie 21 van die Regulasies

15. Regulasie 21 van die Regulasies word deur die volgende regulasie vervang:

"**Aansoek om finansiële belang in gelisensieerde besigheid oor te dra of om gelisensieerde perseel te verhuur**

21. (1) 'n Lisensiehouer of enige ander persoon met 'n finansiële belang in 'n gelisensieerde besigheid wat soos beoog in artikel 51(1) 'n finansiële belang van meer as 5% in die gelisensieerde besigheid wil oordra aan 'n ander persoon en daardie ander persoon (waarna daar in hierdie regulasie verwys word as gesamentlike aansoekers) moet gesamentlik 'n aansoek in die vorm van Vorm 13 in Aanhangsel 3 by die Owerheid indien, waarin hulle albei die inligting wat in daardie vorm vereis word, moet verskaf.

(2) 'n Lisensiehouer wat die lisensie aan 'n ander persoon wil verhuur, 'n ander persoon wil toelaat om die besigheid ingevolge die lisensie te bedryf of 'n ander persoon wil toelaat om die gelisensieerde perseel te gebruik soos beoog in artikel 51(7) en daardie ander persoon (waarna daar in hierdie regulasie verwys word as gesamentlike aansoekers) moet gesamentlik 'n aansoek in die vorm van Vorm 14 in

Aanhangsel 3 by die Owerheid indien, waarin hulle albei die inligting wat in daardie vorm vereis word, moet verskaf.

(3) Die gesamentlike aansoekers moet wanneer hulle ingevolge subregulasie (1) of (2) 'n aansoek by die Owerheid indien, tegelykertyd 'n afskrif van die aansoek by die aangewese drankbeampte in wie se regsgebied die gelisensieerde perseel geleë is, indien.

(4) 'n Aansoek wat ingevolge subregulasie (1) ingedien word en die afskrif soos na verwys in subregulasie (3) moet vergesel wees van—

(a) bewys van betaling aan die Owerheid van die toepaslike aansoekfooi uiteengesit in Item 5 van Aanhangsel 1;

(b) gedokumenteerde bewys van die voorgenome verandering in finansiële belang;

(c) skriftelike vertoë ter ondersteuning van die aansoek;

(d) 'n gesertifiseerde afskrif van die volgende ten opsigte van die persoon aan wie die finansiële belang bestem is om oorgedra te word:

(i) sy of haar identiteitskaart of -dokument;

(ii) sy of haar paspoort en visum of, waar van toepassing, die permanente verblyfpermit, indien daardie persoon 'n buitelander is;

(iii) die toepaslike registrasiedokumente wat die identiteit en, waar van toepassing, die finansiële belang van al die lede, direkteure, vennote, begunstigdes of trustees aandui, indien daardie persoon nie 'n natuurlike persoon is nie;

(e) 'n beëdigde verklaring deur die persoon aan wie die finansiële belang bestem is om oorgedra te word, dat hy of sy nie ingevolge artikel 35 gediskwalifiseer is om 'n dranklisensie te hou nie; en

(f) 'n geldige, oorspronklike belastingklaringsertifikaat ten opsigte van die persoon aan wie die finansiële belang bestem is om oorgedra te word, wat nie meer as drie maande voor die datum van indiening van die aansoek deur die Suid-Afrikaanse Inkomstediens uitgereik is nie.

(5) 'n Aansoek wat ingevolge subregulasie (2) ingedien word en die afskrif soos na verwys in subregulasie (3) moet vergesel wees van—

(a) bewys van betaling aan die Owerheid van die toepaslike aansoekfooi uiteengesit in Item 18 van Aanhangsel 1;gedokumenteerde bewys van die voorgenome verhuring van die lisensie, die bedryf van die besigheid ingevolge die lisensie of die gebruik van die gelisensieerde perseel;

(c) 'n afskrif van die betrokke lisensie;

(d) 'n gesertifiseerde afskrif van die volgende ten opsigte van die persoon wat beoog om die lisensie by die lisensiehouer te huur, die besigheid ingevolge die lisensie te bedryf of die gelisensieerde perseel te gebruik:

(i) sy of haar identiteitskaart of -dokument;

(ii) sy of haar paspoort en visum of, waar toepaslik, die permanente verblyfpermit, indien daardie persoon 'n buitelander is; of

(iii) die toepaslike registrasiedokumente wat die identiteit en, waar van toepassing, die finansiële belang van al die lede, direkteure, vennote, begunstigdes of trustees aandui, indien daardie persoon nie 'n natuurlike persoon is nie;

(e) 'n beëdigde verklaring deur die persoon beoog in paragraaf *(d)* dat hy of sy nie ingevolge artikel 35 gediskwalifiseer is om 'n dranklisensie te hou nie;

(f) 'n afskrif van die lisensie van die persoon wat beoog om die lisensie van die lisensiehouer te huur, die besigheid ingevolge die lisensie te bedryf of die gelisensieerde perseel te gebruik;

(g) 'n geldige, oorspronklike belastingklaringsertifikaat ten opsigte van die persoon beoog in paragraaf *(d)*, wat nie meer as drie maande voor die datum van indiening van die aansoek deur die Suid-Afrikaanse Inkomstediens uitgereik is nie;

(h) 'n leesbare, omvattende vloerplan van die gelisensieerde perseel op standaard wit papier van hoogstens A3-grootte, in tikskrif en wat duidelik in kontrasterende kleure die volgende aandui:

(i) die tersaaklike gedeelte van die gelisensieerde perseel wat geraak sal word deur die voorgenome verhuring van die lisensie, die bedryf van besigheid kragtens die lisensie of die gebruik van die gelisensieerde besigheid in verhouding tot die algehele perseel;
(ii) die afmetings van die tersaaklike gedeelte;
(iii) die afmetings van elke vertrek op die tersaaklike gedeelte van die gelisensieerde perseel;
(iv) die gebruike van al die vertrekke op die tersaaklike gedeelte van die gelisensieerde perseel;
(v) al die deure, vensters en toonbanke, waar toepaslik, en middele van interne en eksterne toegang;
(vi) waar op die tersaaklike gedeelte van die gelisensieerde perseel drank geberg sal word in verhouding tot die algehele perseel;
(vii) die gebiede op die tersaaklike gedeelte van die gelisensieerde perseel waarvandaan drank verkoop sal word in verhouding tot die algehele perseel;
(viii) die gebiede op die tersaaklike gedeelte van die gelisensieerde perseel waar drank verbruik sal word in verhouding tot die algehele perseel; en

(i) geïndekseerde kleurfoto's wat die volgende aandui:
(i) die tersaaklike gedeelte van die gelisensieerde perseel;
(ii) die algehele gelisensieerde perseel.

(6) Die aangewese drankbeampte in wie se regsgebied die gelisensieerde perseel geleë is, moet binne 14 dae nadat 'n aansoek ingevolge subregulasie (1) of (2) ingedien is 'n afskrif van sy of haar verslag beoog in artikel 51(5) of (7A), na gelang van die geval, aan die gesamentlike aansoekers beteken en die verslag by die Owerheid indien tesame met bewys dat die verslag aan die gesamentlike aansoekers beteken is.

(7) Indien die aangewese drankbeampte versuim om sy of haar verslag ingevolge subregulasie (6) by die Owerheid in te dien, moet die Hoof-Uitvoerende Beampte binne 21 dae vanaf die datum van indiening van die aansoek die betrokke aangewese drankbeampte skriftelik versoek om die verslag binne drie dae by die Owerheid in te dien.

(8) Indien die aangewese drankbeampte versuim om sy of haar verslag ingevolge subregulasie (7) in te dien, mag die Hoof-Uitvoerende Beampte 'n afskrif van die aansoek wat ingevolge subregulasie (1) of (2), na gelang van die geval, ingedien is na 'n inspekteur aanstuur met 'n skriftelike opdrag om 'n verslag wat die inligting beoog in artikel 51(5) of (7A) ten opsigte van die betrokke aansoek bevat, in te dien.

(9) 'n Inspekteur moet binne die tydperk gestipuleer deur die Hoof-Uitvoerende Beampte ingevolge die opdrag soos na verwys in subregulasie (8) sy of haar verslag by die Owerheid indien en 'n afskrif daarvan na die gesamentlike aansoekers aanstuur.

(10) Die gesamentlike aansoekers moet hul antwoord op die verslag deur die aangewese drankbeampte soos na verwys in subregulasie (6) of (7) of die verslag deur die inspekteur soos na verwys in subregulasie (9) binne sewe dae nadat 'n afskrif van een van die verslae aan hulle beteken is by die Owerheid indien.

(11) Die Voorsittende Beampte moet—

(a) ten opsigte van 'n aansoek ingedien ingevolge subregulasie (1), die aansoek binne 30 dae vanaf ontvangs van al die dokumente soos na verwys in subregulasies (1), (4), (6) en (10), en waar toepaslik subregulasie (9), óf toestaan óf weier;

(b) ten opsigte van ’n aansoek ingedien ingevolge subregulasie (2), die aansoek binne 30 dae na ontvangs van al die dokumente soos na verwys in subregulasies (2), (5), (6) en (10), en waar toepaslik subregulasie (9), óf toestaan óf weier.

(12) Die Owerheid moet binne sewe dae nadat die Voorsittende Beampte besluit het oor ’n aansoek ingedien ingevolge subregulasie (1) of (2), na gelang van die geval, die gesamentlike aansoekers en elke persoon wat ’n skriftelike beswaar of vertoë ten opsigte van die aansoek by die Owerheid ingedien het skriftelik van die besluit in kennis stel.

(13) Indien ’n aansoek toegestaan word, moet die Owerheid binne 14 dae nadat die toestemming toegestaan is ’n skriftelike toestemming uitreik.”.

Vervanging van regulasie 22 van die Regulasies

16. Regulasie 22 van die Regulasies word deur die volgende regulasie vervang:

“**Benoeming van bestuurder**

22. (1) Wanneer ’n persoon die goedkeuring van die aanstelling van ’n bestuurder van ’n gelisensieerde besigheid verlang soos beoog in artikel 52(1), (1A) of (2), moet die persoon ’n benoeming in die vorm van Vorm 15 in Aanhangsel 3 by die Owerheid en ’n afskrif daarvan by die aangewese drankbeampte in wie se regsgebied die gelisensieerde perseel geleë is, indien en moet die persoon die vereiste inligting in daardie vorm verskaf.

(2) Die benoeming moet vergesel wees van—
(a) ’n gesertifiseerde afskrif van die—
(i) identiteitskaart of -dokument van die benoemde persoon; of
(ii) paspoort en visum of, waar toepaslik, die permanente verblyfpermit van die benoemde persoon, indien die benoemde persoon ’n buitelander is;
(b) skriftelike vertoë ter ondersteuning van die benoeming;
(c) bewys dat die benoemde persoon in die Provinsie woonagtig is; en
(d) ’n beëdigde verklaring deur die benoemde persoon dat hy of sy nie ingevolge artikel 35 gediskwalifiseer is om ’n lisensie te hou nie.

(3) Die aangewese drankbeampte moet—
(a) binne 14 dae nadat ’n benoeming ingedien is; of
(b) ten opsigte van ’n benoeming beoog in artikel 52(1A)*(a)* of *(b)*, binne vyf dae nadat die benoeming ingedien is,
na gelang van die geval, ’n afskrif van sy of haar verslag soos na verwys in artikel 52(3) aan die persoon wat die benoeming ingevolge subregulasie (1) ingedien het, beteken en die verslag by die Owerheid indien tesame met bewys dat die verslag aan die persoon wat die benoeming ingedien het, beteken is.

(4) Indien die aangewese drankbeampte versuim om sy of haar verslag ingevolge subregulasie (3) by die Owerheid in te dien, moet die Hoof-Uitvoerende Beampte—
(a) binne 21 dae vanaf die datum van indiening van die benoeming; of
(b) ten opsigte van ’n benoeming beoog in artikel 52(1A)*(a)* of *(b)*, binne ses dae vanaf die datum van indiening van die benoeming,
na gelang van die geval, die betrokke aangewese drankbeampte skriftelik versoek om die verslag binne drie dae by die Owerheid in te dien.

(5) Indien die aangewese drankbeampte versuim om sy of haar verslag ingevolge subregulasie (4) in te dien, mag die Hoof-Uitvoerende Beampte ’n afskrif van die betrokke benoeming na ’n inspekteur aanstuur met ’n skriftelike opdrag om ’n verslag in te dien wat die inligting soos na verwys in artikel 52(3) ten opsigte van die betrokke benoeming bevat.

(6) ’n Inspekteur moet—

(a) binne die tydperk gestipuleer deur die Hoof-Uitvoerende Beampte ingevolge die opdrag soos na verwys in subregulasie (5); of

(b) ten opsigte van ’n benoeming beoog in artikel 52(1A)*(a)* of *(b)*, binne drie dae vanaf ontvangs van die opdrag soos na verwys in subregulasie (5),

sy of haar verslag by die Owerheid indien en ’n afskrif daarvan na die aansoeker aanstuur.

(7) Die persoon wat die benoeming ingedien het, moet sy of haar antwoord, indien enige, op ’n verslag deur die aangewese drankbeampte soos na verwys in subregulasie (3) of ’n verslag deur ’n inspekteur soos na verwys in subregulasie (6) indien—

(a) binne sewe dae nadat ’n afskrif van die een of die ander verslag aan hom of haar beteken is; of

(b) ten opsigte van ’n benoeming beoog in artikel 52(1A)*(a)* of *(b)*, binne drie dae nadat ’n afskrif van die een of die ander verslag aan hom of haar beteken is.

(8) Die Dranklisensiëringstribunaal of die Voorsittende Beampte, na gelang van die geval, moet binne 30 dae na ontvangs van al die dokumente soos na verwys in subregulasies (1), (2), (3) en (7) en, waar van toepassing, subregulasie (6) die aanstelling van die benoemde persoon óf toestaan óf weier.

(9) Die Voorsittende Beampte moet binne vier dae na ontvangs van al die dokumente soos na verwys in subregulasies (1), (2), (3) en (7) en, waar van toepassing, subregulasie (6) ten opsigte van ’n benoeming beoog in artikel 52(1A)*(a)* of *(b)* die aanstelling van die benoemde persoon óf goedkeur óf weier.

(10) Die Owerheid moet die persoon wat die benoeming ingedien het skriftelik van die besluit in kennis stel—

(a) binne sewe dae nadat die Dranklisensiëringstribunaal of die Voorsittende Beampte, na gelang van die geval, ingevolge subregulasie (8) oor ’n benoeming besluit het;

(b) binne een dag nadat die Voorsittende Beampte oor ’n benoeming ingevolge subregulasie (9) besluit het.

(11) Indien die aanstelling goedgekeur is, moet die Owerheid—

(a) binne 14 dae nadat die toestemming verleen is ’n skriftelike toestemming uitreik aan die persoon wat die benoeming ingedien het; of

(b) ten opsigte van ’n benoeming beoog in artikel 52(1A)*(a)* of *(b)*, gelyktydig met die kennisgewing soos na verwys in subregulasie (10)*(b)* ’n skriftelike toestemming uitreik aan die persoon wat die benoeming ingedien het.”.

Wysiging van regulasie 23 van die Regulasies

17. Regulasie 23 van die Regulasies word gewysig—

(a) deur subregulasie (1) deur die volgende subregulasie te vervang:

“(1) ’n Lisensiehouer wat toestemming benodig om enige bedrywigheid soos na verwys in artikel 53(1)*(a)* uit te voer, moet by die Owerheid en die aangewese drankbeampte in wie se regsgebied die gelisensieerde perseel geleë is ’n aansoek in die vorm van Vorm 16 in Aanhangsel 3 indien, vergesel van—

(a) ’n leesbare, omvattende vloerplan van die tersaaklike gedeelte van die gelisensieerde perseel wat bestem is om verander, by aangebou, verbou of uitgebrei te word, op standaard wit papier van hoogstens A3-grootte, in tikskrif en wat duidelik in kontrasterende kleure die volgende aandui:

(i) die tersaaklike gedeelte van die gelisensieerde perseel in verhouding tot die algehele perseel;

(ii) die afmetings van die tersaaklike gedeelte;

(iii) die afmetings van elke vertrek op die tersaaklike gedeelte;

(iv) die gebruike van elke vertrek op die tersaaklike gedeelte;

(v) alle deure, vensters en toonbanke, waar van toepassing, en middele van interne en eksterne toegang;

(vi) die strate en plekke waarheen sodanige middele van eksterne toegang lei;
(vii) hoe die tersaaklike gedeelte by die gelisensieerde perseel inskakel;
(viii) waar op die tersaaklike gedeelte drank geberg sal word;
(ix) die gebiede op die tersaaklike gedeelte waar drank verkoop sal word in verhouding tot die algehele perseel;
(x) die gebiede op die tersaaklike gedeelte waar drank verbruik sal word in verhouding tot die algehele perseel;

(b) 'n beskrywing van die voorgenome veranderings;
(c) in 'n afsonderlike dokument, 'n beskrywing van die tersaaklike gedeelte van die gelisensieerde perseel, met verwysing na die konstruksie, uitleg, meubilering, los en vaste toebehore en vloerbedekking;
(d) bewys dat die aansoeker die reg het om die gelisensieerde perseel te verander vir die doel beoog in die aansoek;
(e) bewys van betaling aan die Owerheid van die toepaslike aansoekfooi uiteengesit in Item 6 van Aanhangsel 1;
(f) skriftelike vertoë ter ondersteuning van die aansoek;
(g) ten opsigte van 'n aansoek om die gelisensieerde perseel uit te brei, bewys dat die aansoeker die reg het om die tersaaklike gedeelte te okkupeer;
(h) ten opsigte van 'n aansoek om die gelisensieerde perseel uit te brei, bewys van eienaarskap van die gelisensieerde perseel of, indien die aansoeker nie die eienaar van die perseel is nie, skriftelike toestemming van die eienaar dat die aansoeker die tersaaklike gedeelte vir die doel van die lisensie mag gebruik; en
(i) geïndekseerde kleurfoto's wat die voltooide interne en eksterne kenmerke van die gelisensieerde perseel aantoon.";deur subregulasie (2) deur die volgende subregulasie te vervang:

"(2) 'n Lisensiehouer wat toestemming benodig om enige bedrywigheid soos na verwys in artikel 53(1)*(b)* uit te voer, moet by die Owerheid en die aangewese drankbeampte in wie se regsgebied die gelisensieerde perseel geleë is 'n aansoek indien in die vorm van Form 17 in Aanhangsel 3, vergesel van—
(a) 'n beskrywing van die verandering van die aard van die besigheid;
(b) bewys van betaling aan die Owerheid van die aansoekfooi uiteengesit in Item 6 van Aanhangsel 1;
(c) skriftelike vertoë ter ondersteuning van die aansoek;
(d) bewys dat die aansoeker die reg het om die aard van die besigheid ten opsigte waarvan die lisensie toegestaan is wesenlik te verander; en
(e) die dokumente gespesifiseer op die aansoekvorm of soos wat die Owerheid mag versoek;";

(c) deur subregulasie (3) deur die volgende subregulasie te vervang:

"(3) 'n Lisensiehouer wat toestemming benodig om enige bedrywigheid soos na verwys in artikel 53(1)*(c)* uit te voer, moet by die Owerheid en die aangewese drankbeampte in wie se regsgebied die gelisensieerde perseel geleë is 'n aansoek indien in die vorm van Vorm 18 in Aanhangsel 3, vergesel van—
(a) 'n beskrywing van enige ander besigheid wat bedryf, handel wat gedryf of beroep wat beoefen word op die voorgenome perseel waarop beoog word die besigheid kragtens die lisensie te bedryf;bewys van betaling aan die Owerheid van die aansoekfooi uiteengesit in Item 6 van Aanhangsel 1;skriftelike vertoë ter ondersteuning van die aansoek;
(d) 'n leesbare, omvattende vloerplan van die tersaaklike gedeelte van die voorgenome perseel waarop daar beoog word om die besigheid kragtens die lisensie te bedryf, op standaard wit papier van hoogstens A3-grootte, in tikskrif en wat duidelik in kontrasterende kleure die volgende aandui:
(i) die tersaaklike gedeelte van die voorgenome perseel in verhouding tot die algehele perseel;
(ii) die afmetings van die tersaaklike gedeelte van die voorgenome perseel;
(iii) die afmetings van elke vertrek op die tersaaklike gedeelte van die voorgenome perseel;

(iv) die gebruike van elke vertrek op die tersaaklike gedeelte van die voorgenome perseel;
(v) alle deure, vensters en toonbanke, waar van toepassing, en middele van interne en eksterne toegang;
(vi) die strate en plekke waarheen sodanige eksterne toegang lei;
(vii) waar op die tersaaklike gedeelte van die voorgenome perseel drank geberg sal word;
(viii) die gebiede op die tersaaklike gedeelte van die voorgenome perseel waar drank verkoop sal word in verhouding tot die algehele perseel;
(ix) die gebiede op die voorgenome perseel waar drank verbruik sal word in verhouding tot die algehele perseel;

(e) in ’n afsonderlike dokument, ’n beskrywing van die tersaaklike gedeelte van die voorgenome perseel, met verwysing na die konstruksie, uitleg, meubilering, los en vaste toebehore en vloerbedekking;

(f) bewys dat die aansoeker die reg het om die tersaaklike gedeelte van die voorgenome perseel te okkupeer;

(g) bewys van eienaarskap van die voorgenome perseel of, indien die aansoeker nie die eienaar van die perseel is nie, skriftelike toestemming van die eienaar dat die aansoeker die tersaaklike gedeelte van die voorgenome perseel vir die doel van die lisensie mag gebruik; en

(h) geïndekseerde kleurfoto’s wat die interne en eksterne kenmerke van die voorgenome perseel aantoon.”;

(d) deur in subregulasie (4) die woord “lisensiehouer” deur die woord “aansoeker” te vervang;

(e) deur in subregulasie (7) die woord “lisensiehouer” deur die woord “aansoeker” te vervang;

(f) deur in subregulasie (8) die woord “lisensiehouer” deur die woord “aansoeker” te vervang;

(g) deur subregulasie (10) deur die volgende subregulasie te vervang:

“(10) Die Owerheid moet binne sewe dae nadat die Voorsittende Beampte oor ’n aansoek ingedien ingevolge subregulasie (1), (2) of (3) die aansoeker en elke persoon wat ’n skriftelike beswaar of vertoë by die Owerheid ingedien het ten opsigte van die betrokke aansoek skriftelik van die besluit in kennis stel.”;

(h) deur in subregulasie (11) die woord “sewe” deur die getal “14” te vervang; en

(i) deur subregulasie (12) deur die volgende subregulasie te vervang:

“(12) Wanneer ’n aansoek ingevolge hierdie regulasie toegestaan word, moet die aansoeker die fooie uiteengesit in Item 7, 8 of 9 in Deel A van Aanhangsel 2, na gelang van die geval, aan die Owerheid betaal.”.

Vervanging van regulasie 24 van die Regulasies

18. Regulasie 24 van die Regulasies word deur die volgende regulasie vervang:

“**Toegang tot gelisensieerde persele en beperkte gebiede**

24. ’n Lisensiehouer moet toesien dat elke beperkte gebied soos na verwys in artikel 56(4) gemerk is by wyse van ’n kennisgewing wat by die ingang van die beperkte gebied geplaas is en wat die woorde,
“**BEPERKTE GEBIED – GEEN PERSONE ONDER 18 JAAR TOEGELAAT NIE**”,
in vetgedrukte hoofletters van ten minste 5 cm in hoogte en in ’n swart lettertipe van nie minder nie as 0,5 cm wyd teen ’n wit agtergrond bevat.”.

Wysiging van regulasie 25 van die Regulasies

19. Regulasie 25 van die Regulasies word gewysig—

(a) deur subregulasie (3) deur die volgende subregulasie te vervang:

“(3) Die aangewese drankbeampte moet binne 14 dae nadat die aansoek ingedien is ’n afskrif van sy of haar verslag soos na verwys in artikel 73(7)*(a)* wat die inligting soos na verwys in regulasie 15(3)*(a)*(i) tot (vi) en ’n aanbeveling beoog in regulasie 15(3)*(b)* bevat aan die aansoeker beteken en die verslag tesame met bewys dat die verslag aan die lisensiehouer beteken is by die Owerheid indien.”;

(b) deur die woord “lisensiehouer” in subregulasie (6) deur die woord “aansoeker” te vervang;

(c) deur die woord "lisensiehouer" in subregulasie (7) deur die woord "aansoeker" te vervang;
(d) deur subregulasie (9) deur die volgende subregulasie te vervang:
"(9) Die Owerheid moet binne sewe dae nadat die Voorsittende Beampte besluit het oor 'n aansoek ingedien ingevolge subregulasie (1) die aansoeker en elke persoon wat ten opsigte van die aansoek 'n skriftelike beswaar of vertoë by die Owerheid ingedien het skriftelik van die besluit in kennis stel."; en
(e) deur in subregulasie (10) die woord "sewe" deur die getal "14" te vervang.

Wysiging van regulasie 26 van die Regulasies

20. Regulasie 26 van die Regulasies word gewysig—
(a) deur die woord "Dranklisensiëringstribunaal", waar dit ook al voorkom, deur die woorde "Voorsittende Beampte" te vervang;
(b) deur die getal "21" in subregulasie (1) deur die getal "19" te vervang;
(c) deur paragraaf *(a)* van subregulasie (3) deur die volgende paragraaf te vervang:
"*(a)* die munisipale bestuurder van die betrokke munisipaliteit, sodat die munisipaliteit—
(i) die publiek kan toelaat om insae in die aansoek te hê;
(ii) die kommentaar van die wyksraadslid van die gebied in die munisipaliteit waar die gelisensieerde perseel geleë is, kan bekom; en
(iii) kommentaar op die aansoek kan lewer;";
(d) deur die getal "14" in subregulasie (4) deur die syfer "21" te vervang;
(e) deur subregulasie (8) deur die volgende subregulasie te vervang:
"(8) Die aangewese drankbeampte moet binne 21 dae nadat die aansoek ingedien is 'n afskrif van sy of haar verslag soos na verwys in artikel 73(7)*(a)* wat die inligting soos na verwys in regulasie 15(3)*(a)*(i) tot (vi) en 'n aanbeveling beoog in regulasie 15(3)*(b)* bevat aan die aansoeker beteken en die verslag by die Owerheid indien tesame met bewys dat die verslag aan die aansoeker beteken is en dat kennisgewing van die aansoek aan persone en instellings soos na verwys in subregulasie (3) gegee is."; en
(f) deur subregulasie (11) deur die volgende subregulasie te vervang:
"(11) Die Owerheid moet binne sewe dae vanaf 'n besluit deur die Voorsittende Beampte om 'n aansoek toe te staan of te weier—
(a) die aansoeker;
(b) die munisipale bestuurder van die betrokke munisipaliteit;
(bA) die wyksraadslid van die gebied in die munisipaliteit waar die gelisensieerde perseel geleë is;
(bB) elke persoon wat 'n skriftelike beswaar of vertoë ten opsigte van die aansoek by die Owerheid ingedien het;
(c) die aangrensende inwoners en persone wat na die mening van die Owerheid geraak kan word deur of 'n belang het by die toestaan of weiering van die aansoek; en
(d) die gemeenskapspolisieforum, indien enige, van die gebied waarin die perseel geleë is,
skriftelik van die besluit van die Voorsittende Beampte in kennis stel.".

Wysiging van regulasie 29 van die Regulasies

21. Regulasie 29 van die Regulasies word gewysig deur die getal "22" deur die getal "20" te vervang.

Vervanging van regulasie 30 van die Regulasies

22. Regulasie 30 van die Regulasies word deur die volgende regulasie vervang:

"**Outomatiese hernuwing van lisensies en kondonering vir versuim om hernuwingsfooi teen betaaldatum te betaal**

30. (1) Die jaarlikse en tweejaarlikse hernuwingskennisgewing soos na verwys in onderskeidelik artikel 63(1) en (2A) moet in die vorm van Vorm 21A in Aanhangsel 3 wees.

(2) Die lisensiehouer moet die toepaslike fooi uiteengesit in Deel C van Aanhangsel 2 aan die Owerheid betaal.

(3) 'n Lisensiehouer wat beoog om op 'n tweejaarlikse hernuwingsiklus soos na verwys in artikel 63(2A) in te teken, moet 'n kennisgewing in die vorm van Vorm 21B in Aanhangsel 3 nie later nie as 31 November van die jaar waarin die Owerheid die jaarlikse hernuwingskennisgewing soos na verwys in artikel 63(1) uitgereik het, by die Owerheid indien.

(4) 'n Aansoek om kondonering vir die versuim om die hernuwingsfooi op of voor die laaste dag van Februarie van die toepaslike tydperk soos na verwys in artikel 63(4) te betaal, moet in die vorm van Vorm 21C in Aanhangsel 3 by die Owerheid ingedien word.

(5) Die Hoof-Uitvoerende Beampte moet binne 30 dae na ontvangs van 'n aansoek soos na verwys in subregulasie (4) die aansoek oorweeg.

(6) Die Owerheid moet binne sewe dae nadat die Hoof-Uitvoerende Beampte besluit het oor 'n aansoek ingedien ingevolge subregulasie (4) die aansoeker skriftelik van die besluit in kennis stel.

(7) Indien die Hoof-Uitvoerende Beampte 'n aansoek ingedien ingevolge subregulasie (4) toestaan, moet die lisensiehouer die toepaslike fooi tesame met die boete soos na verwys in artikel 63(4) aan die Owerheid betaal.

Wysiging van regulasie 31 van die Regulasies

23. Regulasie 31 van die Regulasies word gewysig—

(a) deur in subregulasie (1) die getal "25" deur die getal "22" te vervang;

(b) deur in subregulasie (4) die getal "26" deur die getal "23" te vervang;

(c) deur na subregulasie (4) die volgende subregulasies in te voeg:

"(4A) Die Dranklisensiëringstribunaal moet binne 30 dae na ontvangs van 'n aansoek soos na verwys in subregulasie (4) die aansoek oorweeg.

(4B) Die Owerheid moet binne sewe dae nadat die Dranklisensiëringstribunaal oor 'n aansoek ingedien ingevolge subregulasie (4) besluit het die aansoeker in kennis stel.

(4C) Indien die Dranklisensiëringstribunaal die aansoek soos na verwys in subregulasie (4) goedkeur, moet die aansoeker die toepaslike fooi tesame met die boete soos na verwys in artikel 64(4) aan die Owerheid betaal.";

(d) deur subregulasie (6) deur die volgende subregulasie te vervang:

"(6) Die inspektoraat en die aangewese drankbeampte moet elk—

(a) binne 14 dae vanaf die datum van indiening van die aansoek 'n verslag wat die faktore soos na verwys in artikel 64(1)*(a)* tot *(e)* ondersoek by die Owerheid indien; en

(b) 'n afskrif van daardie verslag aan die aansoeker beteken."; en

(e) deur subregulasie (9) deur die volgende subregulasie te vervang:

"(9) Die Owerheid moet binne sewe dae nadat die Dranklisensiëringstribunaal besluit het oor 'n aansoek wat ingevolge artikel 64 ingedien is die aansoeker, die

aangewese drankbeampte, die betrokke munisipale bestuurder en elke persoon wat ’n skriftelike beswaar of vertoë ten opsigte van die aansoek by die Owerheid ingedien het, skriftelik van die besluit in kennis stel.”.

Vervanging van regulasie 32 van die Regulasies

24. Regulasie 32 van die Regulasies word deur die volgende regulasie vervang:

“**Oordrag van lisensie**

32. (1) ’n Lisensiehouer wat beoog om ’n lisensie ingevolge artikel 65(1) oor te dra na ’n ander persoon moet ’n aansoek om die oordrag van sy of haar lisensie by die Owerheid en ’n afskrif daarvan die aangewese drankbeampte in wie se regsgebied die gelisensieerde perseel geleë is, indien.

(2) ’n Aansoek ingevolge artikel 65(1) moet—

(a) in die vorm van Vorm 24 in Aanhangsel 3 wees;

(b) in tikskrif op A4-grootte standaard wit papier wees;

(c) die inligting bevat soos in daardie vorm aangedui;

(d) vergesel wees van bewys van betaling aan die Owerheid van die toepaslike fooi uiteengesit in Item 10(a) van Aanhangsel 1;

(e) vergesel wees van ’n gesertifiseerde afskrif van die—

(i) identiteitskaart of -dokument van die voorgenome lisensiehouer;

(ii) paspoort en visum of, waar toepaslik, die permanente verblyfpermit van die voorgenome lisensiehouer, indien die voorgenome lisensiehouer ’n buitelander is; of

(iii) toepaslike registrasiedokumente wat die identiteit en, waar van toepassing, die finansiële belang van al die lede, direkteure, vennote, begunstigdes of trustees van die voorgenome lisensiehouer aandui, indien die voorgenome lisensiehouer nie ’n natuurlike persoon is nie;

(f) vergesel wees van ’n beëdigde verklaring deur die voorgenome lisensiehouer dat hy of sy nie ingevolge artikel 35 gediskwalifiseer is om ’n dranklisensie te hou nie;

(g) vergesel wees van bewys dat die aansoeker ’n afskrif van die aansoek by die aangewese drankbeampte in wie se regsgebied die gelisensieerde perseel geleë is, ingedien het;

(h) vergesel wees van ’n geldige, oorspronklike belastingklaringsertifikaat ten opsigte van die voorgenome lisensiehouer, wat nie meer as drie maande voor die datum van indiening van die aansoek deur die Suid-Afrikaanse Inkomstediens uitgereik is nie;

(i) vergesel wees van bewys dat die voorgenome lisensiehouer die reg het om die gelisensieerde perseel te okkupeer;

(j) vergesel wees van bewys van eienaarskap van die gelisensieerde perseel of, indien die voorgenome lisensiehouer nie die eienaar van die perseel is nie, skriftelike toestemming van die eienaar dat die voorgenome lisensiehouer die gelisensieerde perseel mag gebruik vir die doel van die lisensie ten opsigte waarvan ’n aansoek om oordrag ingevolge subregulasie (1) ingedien is;

(k) vergesel wees van skriftelike vertoë ter ondersteuning van die aansoek; en

(l) vergesel wees van gedokumenteerde bewys van die rede vir die oordrag.

(3) Die aangewese drankbeampte moet binne 14 dae nadat ’n aansoek om die oordrag van ’n lisensie ingedien is ’n afskrif van sy of haar verslag soos na verwys in artikel 65(11) aan die aansoeker beteken en die verslag by die Owerheid indien tesame met bewys dat die verslag aan die aansoeker beteken is.

(4) Indien die verslag soos na verwys in subregulasie (3) enige inligting of aanbeveling bevat wat die voorgenome lisensiehouer benadeel, moet die aangewese drankbeampte binne 14 dae nadat die aansoek ingevolge subregulasie (1) ingedien is die voorgenome lisensiehouer skriftelik daarvan in kennis stel en hom of haar

versoek om binne sewe dae vanaf die datum van die kennisgewing daarop te antwoord.

(5) Indien die aangewese drankbeampte versuim om sy of haar verslag ingevolge subregulasie (3) in te dien, mag die Hoof-Uitvoerende Beampte ’n afskrif van die aansoek na ’n inspekteur aanstuur met ’n skriftelike opdrag om ’n verslag wat die inligting beoog in artikel 65(11) bevat ten opsigte van die aansoek in te dien.

(6) ’n Inspekteur moet binne die tydperk gestipuleer deur die Hoof-Uitvoerende Beampte ingevolge die opdrag soos na verwys in subregulasie (5) sy of haar verslag by die Owerheid indien en ’n afskrif na die aansoeker aanstuur.

(7) Indien die verslag soos na verwys in subregulasie (6) enige inligting of aanbeveling bevat wat die voorgenome lisensiehouer benadeel, moet die inspekteur die voorgenome lisensiehouer skriftelik daarvan in kennis stel en hom of haar versoek om daarop te antwoord binne sewe dae vanaf die datum van die kennisgewing.

(8) Die aansoeker moet sy of haar antwoord op ’n verslag deur die aangewese drankbeampte soos na verwys in subregulasie (3) of ’n verslag deur ’n inspekteur soos na verwys in subregulasie (6) binne sewe dae nadat ’n afskrif van die een of die ander verslag aan hom of haar beteken is by die Owerheid indien.

(9) Die Dranklisensiëringstribunaal moet ’n aansoek wat ingevolge subregulasie (1) ingedien is binne 30 dae van ontvangs van al die tersaaklike dokumente soos na verwys in subregulasies (1), (2), (3), (4), (6), (7) en (8) oorweeg.

(10) Die Owerheid moet binne sewe dae nadat die Dranklisensiëringstribunaal besluit het oor ’n aansoek wat ingevolge subregulasie (1) ingedien is die aansoeker, die voorgenome lisensiehouer en elke persoon wat ’n skriftelike beswaar of vertoë ten opsigte van die aansoek by die Owerheid ingedien het skriftelik in die vorm van Vorm 24A in Aanhangsel 3 van die besluit in kennis stel.

(11) Wanneer die Dranklisensiëringstribunaal ’n aansoek ingedien ingevolge subregulasie (1) voorwaardelik toestaan, moet die Owerheid binne sewe dae die aansoeker, die voorgenome lisensiehouer en elke persoon wat ’n skriftelike beswaar of vertoë ten opsigte van die aansoek by die Owerheid ingedien het skriftelik in die vorm van Vorm 24B in Aanhangsel 3 van die besluit in kennis stel.

(12) Wanneer ’n aansoek ingedien ingevolge subregulasie (1) toegestaan word, moet die Owerheid binne 14 dae na betaling deur die voorgenome lisensiehouer van die toepaslike fooi uiteengesit in Deel B van Aanhangsel 2 ’n sertifikaat van oordrag in die vorm van Vorm 25 in Aanhangsel 3 aan die voorgenome lisensiehouer uitreik.

(13) Wanneer ’n aansoek ingedien ingevolge subregulasie (1) voorwaardelik toegestaan word, moet die Owerheid binne sewe dae nadat die Voorsittende Beampte hom- of -haarself oortuig het dat die voorgenome lisensiehouer aan die voorwaardes opgelê deur die Dranklisensiëringstribunaal voldoen het, die voorgenome lisensiehouer skriftelik daarvan in kennis stel.

(14) Die kennisgewing aan die voorgenome lisensiehouer moet in die vorm van Vorm 24C in Aanhangsel 3 wees.

(15) Die voorgenome lisensiehouer moet die toepaslike fooi uiteengesit in Deel B van Aanhangsel 2 aan die Owerheid betaal en die bewys van betaling by die Owerheid indien.

(16) Die Owerheid moet binne 14 dae vanaf ontvangs van die bewys van betaling soos na verwys in subregulasie (15) ’n sertifikaat van oordrag in die vorm van Vorm 25 in Aanhangsel 3 aan die voorgenome lisensiehouer uitreik.

(17) ’n Aansoek om kondonering ingevolge artikel 65(19) moet in die vorm van Vorm 24D in Aanhangsel 3 by die Owerheid ingedien word.

(18) Die Hoof-Uitvoerende Beampte moet binne 30 dae na ontvangs van ’n aansoek soos na verwys in subregulasie (17) die aansoek oorweeg.

(19) Die Owerheid moet binne sewe dae nadat die Hoof-Uitvoerende Beampte besluit het oor ’n aansoek ingedien ingevolge subregulasie (17) die aansoeker skriftelik van die besluit in kennis stel.

(20) Indien die Hoof-Uitvoerende Beampte die aansoek soos na verwys in subregulasie (17) toestaan, moet die aansoeker die toepaslike fooi tesame met die boete soos na verwys in artikel 65(19) aan die Owerheid betaal.

(21) ’n Aansoek om toestemming soos na verwys in artikel 65(3) om die gelisensieerde besigheid te bedryf hangende die oordrag van die lisensie moet in die vorm van Vorm 26 in Aanhangsel 3 by die Owerheid en ’n afskrif daarvan by die aangewese drankbeampte in wie se regsgebied die gelisensieerde perseel geleë is, ingedien word.

(22) Die aansoek moet vergesel wees van—
(a) bewys van betaling aan die Owerheid van die toepaslike fooi uiteengesit in Item 10(b) van Aanhangsel 1; en
(b) skriftelike vertoë ter ondersteuning van die aansoek.

(23) Die aangewese drankbeampte moet binne 14 dae nadat die aansoek om toestemming ingedien is ’n afskrif van sy of haar verslag soos na verwys in artikel 65(11) aan die aansoeker beteken en die verslag tesame met bewys dat die verslag aan die aansoeker beteken is by die Owerheid indien.

(24) Indien die verslag soos na verwys in subregulasie (23) enige inligting of aanbeveling bevat wat die lisensiehouer benadeel, moet die aangewese drankbeampte binne 14 dae nadat die aansoek om toestemming ingedien is die lisensiehouer skriftelik daarvan in kennis stel en die lisensiehouer versoek om binne sewe dae vanaf die datum van die kennisgewing daarop te antwoord.

(25) Indien die aangewese drankbeampte versuim om sy of haar verslag ingevolge subregulasie (23) in te dien, mag die Hoof-Uitvoerende Beampte ’n afskrif van die aansoek na ’n inspekteur aanstuur met ’n skriftelike opdrag om ’n verslag ten opsigte van die aansoek in te dien wat die inligting beoog in artikel 65(11) bevat.

(26) ’n Inspekteur moet binne die tydperk gestipuleer deur die Hoof-Uitvoerende Beampte ingevolge die opdrag soos na verwys in subregulasie (25) sy of haar verslag by die Owerheid indien en ’n afskrif na die aansoeker aanstuur.

(27) Indien die verslag soos na verwys in subregulasie (26) enige inligting of aanbeveling bevat wat die lisensiehouer benadeel, moet die inspekteur die lisensiehouer skriftelik daarvan in kennis stel en hom of haar versoek om binne sewe dae vanaf die datum van die kennisgewing daarop te antwoord.

(28) Die aansoeker moet sy of haar antwoord op ’n verslag deur die aangewese drankbeampte soos na verwys in subregulasie (23) of ’n verslag deur ’n inspekteur soos na verwys in subregulasie (26) binne sewe dae nadat ’n afskrif aan hom of haar beteken is by die Owerheid indien.

(29) Die Voorsittende Beampte moet ’n aansoek ingedien ingevolge subregulasie (21) binne 30 dae na ontvangs van al die tersaaklike dokumente soos na verwys in subregulasies (21) tot (28) oorweeg.

(30) Die Owerheid moet binne sewe dae nadat die Voorsittende Beampte besluit het oor ’n aansoek om toestemming ingedien ingevolge subregulasie (21) die aansoeker, die lisensiehouer die aangewese drankbeampte in wie se regsgebied die gelisensieerde perseel geleë is en elke persoon wat ’n skriftelike beswaar of vertoë ten opsigte van die aansoek by die Owerheid ingedien het skriftelik van die besluit in kennis stel.

(31) ’n Aansoek soos na verwys in artikel 65(6) om die toestemming verleen deur die Voorsittende Beampte ten opsigte van ’n aansoek ingedien ingevolge subregulasie (21) te verleng, moet by die Owerheid ingedien word in die vorm van Vorm 26A in Aanhangsel 3.

(32) Die aansoek moet vergesel wees van—

(a) bewys van betaling aan die Owerheid van die aansoekfooi uiteengesit in Item 10(c) van Aanhangsel 1; en

(b) skriftelike vertoë ter ondersteuning van die aansoek.

(33) Die Voorsittende Beampte moet ’n aansoek ingedien ingevolge subregulasie (31) binne 30 dae na ontvangs van al die dokumente soos na verwys in subregulasies (31) en (32) oorweeg.

(34) Die Owerheid moet binne sewe dae nadat die Voorsittende Beampte besluit het oor ’n aansoek ingedien ingevolge subregulasie (31) die aansoeker, die lisensiehouer, die aangewese drankbeampte in wie se regsgebied die gelisensieerde perseel geleë is en elke persoon wat ’n skriftelike beswaar of vertoë ten opsigte van die aansoek by die Owerheid ingedien het skriftelik in die vorm van Vorm 26B in Aanhangsel 3 van die besluit in kennis stel.

(35) ’n Aansoek soos na verwys in artikel 65(12B) om die voorwaardes te wysig of in te trek wat die Dranklisensiëringstribunaal opgelê het toe hy ’n aansoek wat ingevolge subregulasie (1) ingedien is voorwaardelik toegestaan het, moet in die vorm van Vorm 24E in Aanhangsel 3 by die Owerheid en by die aangewese drankbeampte in wie se regsgebied die gelisensieerde perseel geleë is, ingedien word.

(36) Die aansoek moet vergesel wees van—

(a) bewys van betaling aan die Owerheid van die toepaslike fooi uiteengesit in Item 17(a) van Aanhangsel 1; en

(b) skriftelike vertoë ter ondersteuning van die aansoek.

(37) Die aangewese drankbeampte moet binne 14 dae nadat ’n aansoek ingevolge subregulasie (35) ingedien is ’n afskrif van sy of haar verslag beteken aan die aansoeker beteken en die verslag by die Owerheid indien tesame met bewys dat die verslag aan die aansoeker beteken is.

(38) Die verslag deur die aangewese drankbeampte moet die volgende bevat:

(a) ’n verklaring oor die uitwerking wat die voorgestelde wysiging of intrekking van die voorwaardes moontlik op die publiek kan hê;

(b) ’n verklaring oor die uitwerking wat die voorgestelde wysiging of intrekking van die voorwaardes moontlik op die instellings soos na verwys in artikel 34(1)*(e)*(ii) tot (v) in die nabyheid van die gelisensieerde perseel kan hê;

(c) enige ander inligting wat, na die mening van die aangewese drankbeampte, in aanmerking geneem behoort te word by die oorweging van die aansoek; en

(d) ’n aanbeveling dat die aansoek toegestaan of geweier word.

(39) Indien die verslag soos na verwys in subregulasie (37) enige inligting of aanbeveling bevat wat die lisensiehouer benadeel, moet die aangewese drankbeampte die lisensiehouer binne 14 dae nadat die aansoek ingevolge subregulasie 35 ingedien is

skriftelik daarvan in kennis stel en die lisensiehouer versoek om binne sewe dae vanaf die datum van die kennisgewing daarop te antwoord.

(40) Indien die aangewese drankbeampte versuim om sy of haar verslag ingevolge subregulasie (37) in te dien, mag die Hoof-Uitvoerende Beampte ’n afskrif van die aansoek na ’n inspekteur aanstuur met ’n skriftelike opdrag om ’n verslag ten opsigte van die aansoek in te dien wat die inligting soos na verwys in subregulasie (38) bevat.

(41) ’n Inspekteur moet sy of haar verslag by die Owerheid indien en ’n afskrif na die aansoeker aanstuur binne die tydperk gestipuleer deur die Hoof-Uitvoerende Beampte ingevolge die opdrag soos na verwys in subregulasie (40).

(42) Indien die verslag soos na verwys in subregulasie (41) enige inligting of aanbeveling bevat wat die lisensiehouer benadeel, moet die inspekteur die lisensiehouer skriftelik daarvan in kennis stel en hom of haar versoek om binne sewe dae vanaf die datum van die kennisgewing daarop te antwoord.

(43) Die aansoeker moet sy of haar antwoord op ’n verslag deur die aangewese drankbeampte soos na verwys in subregulasie (37) of ’n verslag deur ’n inspekteur soos na verwys in subregulasie (41) binne sewe dae nadat ’n afskrif van die een of die ander verslag aan hom of haar beteken is by die Owerheid indien.

(44) Die Dranklisensiëringstribunaal moet ’n aansoek ingedien ingevolge subregulasie (35) binne 30 dae na ontvangs van alle tersaaklike dokumente soos na verwys in subregulasies (35) tot (43) oorweeg.

(45) Die Owerheid moet binne sewe dae nadat die Dranklisensiëringstribunaal besluit het oor ’n aansoek wat ingevolge subregulasie (35) ingedien is die aansoeker, die lisensiehouer en elke persoon wat ’n skriftelike beswaar of vertoë ten opsigte van die aansoek by die Owerheid ingedien het skriftelik in die vorm van Vorm 24F in Aanhangsel 3 van die besluit in kennis stel.

(46) ’n Aansoek soos na verwys in artikel 65(12C) om die tydperk gestipuleer deur die Dranklisensiëringstribunaal by die voorwaardelike toestaan van ’n aansoek ingedien ingevolge subregulasie (1) te verleng, moet in die vorm van Vorm 24E in Aanhangsel 3 by die Owerheid ingedien word.

(47) Die aansoek moet vergesel wees van—

(a) bewys van betaling aan die Owerheid van die toepaslike fooi uiteengesit in Item 17(c) van Aanhangsel 1; en

(b) skriftelike vertoë ter ondersteuning van die aansoek wat die volgende uiteensit:

(i) die redes waarom daar nie aan die voorwaardes beoog in artikel 65(12) binne die tydperk gestipuleer deur die Dranklisensiëringstribunaal voldoen kan word of voldoen is nie;

(ii) die mate waarin die aansoeker aan die voorwaardes voldoen het;

(iii) die stappe wat die aansoeker onderneem om te doen om aan die voorwaardes te voldoen; en

(iv) die tyd wat die aansoeker skat benodig word om die voorgenome stappe te voltooi.

(48) Die Voorsittende Beampte moet binne 30 dae na ontvangs van al die dokumente soos na verwys in subregulasies (46) en (47) ’n aansoek ingedien ingevolge subregulasie (46) oorweeg.

(49) Die Owerheid moet binne sewe dae nadat die Voorsittende Beampte besluit het oor ’n aansoek ingedien ingevolge subregulasie (46) die aansoeker, die lisensiehouer en elke persoon wat ’n skriftelike beswaar of vertoë by die Owerheid ingedien het skriftelik in die vorm van Vorm 24F van die besluit in kennis stel.

(50) Wanneer ’n aansoek ingevolge hierdie regulasie toegestaan is, behalwe ten opsigte van ’n aansoek ingedien ingevolge subregulasie (17), moet die aansoeker die toepaslike fooi uiteengesit in Deel B van Aanhangsel 2 aan die Owerheid betaal.”.

Vervanging van regulasie 33 van die Regulasies

25. Regulasie 33 van die Regulasies word deur die volgende regulasie vervang:

“**Aansoek om verwydering van lisensie**

33. (1) ’n Lisensiehouer wat beoog om ’n lisensie te verwyder ingevolge artikel 66(2) moet ’n aansoek om die verwydering by die Owerheid en ’n afskrif by die aangewese drankbeampte in wie se regsgebied die gelisensieerde perseel tans geleë is, indien en, waar die toestaan van die aansoek die verwydering van die lisensie na die regsgebied van ’n ander aangewese drankbeampte tot gevolg sal hê, ook by die aangewese drankbeampte van daardie gebied, op enige Vrydag van ’n maand of, indien daardie Vrydag ’n openbare vakansiedag is, op die laaste werksdag voor daardie openbare vakansiedag.

(2) Die Owerheid moet ’n kennisgewing in die vorm van Vorm 27A in Aanhangsel 3 in die drie amptelike tale van die Provinsie in die *Provinsiale Koerant* publiseer op die Vrydag wat volg op die indiening van die aansoek of, indien daardie Vrydag—
(a) ’n openbare vakansiedag is, op die eerste werksdag wat op daardie openbare vakansiedag volg; of
(b) in die tydperk tussen 1 Desember van enige jaar en 15 Januarie van die daaropvolgende jaar val, op die eerste Vrydag na 15 Januarie.

(3) Die Owerheid moet die kennisgewing soos na verwys in subregulasie (2) in die drie amptelike tale van die Provinsie laat publiseer in ’n gemeenskapskoerant wat in die gebied sirkuleer waarheen die lisensie verwyder staan te word of, waar daar nie so ’n gemeenskapskoerant bestaan nie, in ten minste een ander koerant wat in daardie gebied sirkuleer op die dag beoog in subregulasie (2) of die volgende datum waarop die betrokke koerant in die daardie gebied sirkuleer.

(4) Die aansoeker moet ’n kennisgewing in die vorm van Vorm 27B in die drie amptelike tale van die Provinsie vertoon op ’n prominente plek op die voorgenome gelisensieerde perseel sodat dit vir verbygangers sigbaar is.

(5) Die kennisgewing soos na verwys in subregulasie (4) moet—
(a) ’n opskrif hê met die woorde,
“**KENNISGEWING VAN INDIENING VAN AANSOEK OM VERWYDERING VAN DRANKLISENSIE**”,
in vetdruk hoofletters van ten minste 2 cm in hoogte en in ’n swart lettertipe van nie minder as 0,5 cm wyd nie op ’n wit agtergrond;
(b) ten minste A3-grootte op standaard papier wees;
(c) waterdig wees; en
(d) vertoon word vanaf die datum van indiening van die aansoek en in plek bly vir nie minder nie as 28 dae vanaf die datum van publikasie van die kennisgewing van indiening van die aansoek.

(6) ’n Aansoek soos na verwys in subregulasie (1) moet—
(a) in die vorm van Vorm 27 in Aanhangsel 3 wees;
(b) in tikskrif op A4-grootte standaard wit papier wees; en
(c) die inligting bevat wat in daardie vorm vereis word.

(7) Die aansoek moet vergesel wees van—
(a) ’n leesbare, omvattende vloerplan van die voorgenome gelisensieerde perseel op standaard wit papier van hoogstens A3-grootte, in tikskrif en wat duidelik in kontrasterende kleure die volgende aandui:

(i) die voorgenome gelisensieerde perseel in verhouding tot die algehele perseel;
(ii) die afmetings van die voorgenome gelisensieerde perseel;
(iii) die afmetings van elke vertrek op die voorgenome gelisensieerde perseel;
(iv) die gebruike van al die vertrekke op die voorgenome gelisensieerde perseel;
(v) alle deure, vensters en toonbanke, waar toepaslik, en middele van interne en eksterne toegang;
(vi) die strate en plekke waarheen sodanige middele van eksterne toegang lei;
(vii) waar op die voorgenome gelisensieerde perseel drank geberg sal word;
(viii) die gebiede op die voorgenome gelisensieerde perseel waarvandaan drank verkoop sal word in verhouding tot die algehele perseel;
(ix) die gebiede op die voorgenome gelisensieerde perseel waar drank verbruik sal word in verhouding tot die algehele perseel;

(b) 'n Leesbare terreinplan van die voorgenome gelisensieerde perseel op standaard wit papier van hoogstens A3-grootte, in tikskrif en wat die volgende duidelik aandui:
(i) 'n omtrek van elke gebou in die nabyheid van die voorgenome gelisensieerde perseel op die erf waarop die aansoek betrekking het;
(ii) die verhouding van die voorgenome gelisensieerde perseel tot 'n woongebied;
(iii) die verhouding van die voorgenome gelisensieerde perseel tot enige instellings soos na verwys in artikel 34(1)*(e)*(ii) tot (v) in die nabyheid van die voorgenome gelisensieerde perseel, met afstande in meter aangedui;
(iv) die verhouding van die voorgenome gelisensieerde perseel tot 'n onderneming soos na verwys in artikel 41(1)*(c)*(i) in die nabyheid van die voorgenome gelisensieerde perseel, met afstande in meter aangedui;
(v) ander gelisensieerde persele op die erf; en
(vi) die gebruike van al die geboue in die nabyheid van die voorgenome gelisensieerde perseel op die erf;

(c) 'n lugbeeldkaart wat die verhouding van die voorgenome gelisensieerde perseel tot 'n residensiële gebied aandui;

(d) in 'n afsonderlike dokument, 'n beskrywing van die perseel, met verwysing na die konstruksie, uitleg, meubilering, los en vaste toebehore en vloerbedekking;

(e) geïndekseerde kleurfoto's wat die voltooide interne en eksterne kenmerke van die voorgenome gelisensieerde perseel aantoon of, waar die aansoek betrekking het op 'n onvoltooide perseel, die stadium van voltooiing van die perseel;

(f) skriftelike vertoë ter ondersteuning van die aansoek en van enige bepaling, toestemming, goedkeuring of magtiging waarvoor terselfdertyd aansoek gedoen word;

(g) bewys van betaling aan die Owerheid van die toepaslike fooi uiteengesit in Item 11 van Aanhangsel 1;

(h) 'n gesertifiseerde afskrif van die—
(i) identiteitskaart of -dokument van die aansoeker;
(ii) paspoort en visum of, waar toepaslik, die permanente verblyfpermit van die aansoeker, indien die aansoeker 'n buitelander is; of
(iii) toepaslike registrasiedokumente wat die identiteit en, waar van toepassing, die finansiële belang van al die lede, direkteure, vennote, begunstigdes of trustees van die aansoeker aandui, indien die aansoeker nie 'n natuurlike persoon is nie;

(i) sodanige dokumente soos wat in Vorm 27 in Aanhangsel 3 en in die Wet gespesifiseer mag word of wat die Dranklisensiëringstribunaal mag versoek;

(j) 'n beëdigde verklaring deur die aansoeker dat hy of sy nie ingevolge artikel 35 gediskwalifiseer is om 'n dranklisensie te hou nie;

(k) bewys dat die aansoeker 'n afskrif van die aansoek ingedien het by die aangewese drankbeampte in wie se regsgebied die gelisensieerde perseel tans geleë is en, waar die toestaan van die aansoek die verwydering van die lisensie na die regsgebied van 'n ander aangewese drankbeampte tot gevolg sal hê, bewys dat die aansoeker 'n afskrif van die aansoek by die aangewese drankbeampte van daardie gebied ingedien het;

(l) 'n geldige, oorspronklike belastingklaringsertifikaat ten opsigte van die aansoeker, uitgereik deur die Suid-Afrikaanse Inkomstediens nie meer as drie maande voor die datum van indiening van die aansoek nie;

(m) bewys dat die aansoeker die reg het om die voorgenome gelisensieerde perseel te okkupeer;

(n) bewys van eienaarskap van die voorgenome gelisensieerde perseel of, indien die aansoeker nie die eienaar van die perseel is nie, die skriftelike toestemming van die eienaar dat die aansoeker die voorgenome gelisensieerde perseel mag gebruik vir die doel van die lisensie ten opsigte waarvan die aansoek om die verwydering ingevolge regulasie (1) ingedien word.

(8) Alle planne wat by die aansoek geheg word, moet die datum van voorbereiding en die naam en adres van die persoon wat die plan voorberei het, aandui.

(9) Die Owerheid en die betrokke aangewese drankbeampte of -beamptes moet die publiek in staat stel om vir 'n tydperk van 28 dae na die datum van publikasie van die kennisgewing van indiening van die aansoek insae te hê in die aansoek en elke dokument wat in verband daarmee ingedien is.

(10) Die aangewese drankbeampte na wie se regsgebied die lisensie verwyder staan te word, moet—

(a) 'n afskrif van die aansoek aan die munisipale bestuurder van die tersaaklike munisipaliteit beteken binne sewe dae vanaf die datum van indiening van die aansoek, sodat die munisipaliteit—

(i) die publiek in staat kan stel om insae te hê in die aansoek;

(ii) die kommentaar kan bekom van die wyksraadslid van die gebied in die munisipaliteit waar die voorgenome gelisensieerde perseel geleë is; en

(iii) kommentaar op die aansoek kan lewer;

(b) kennis gee van die aansoek aan—

(i) aangrensende inwoners of sodanige persone wat volgens sy of haar oordeel moontlik geraak kan word deur, of 'n belang kan hê by, die toestaan of weiering van die lisensie; en

(ii) die gemeenskapspolisieforum, indien enige, van die gebied waarin die voorgenome gelisensieerde perseel geleë is.

(11) Indien die munisipaliteit soos na verwys in subregulasie (10) beoog om kommentaar te lewer, moet hy sy kommentaar of aanbevelings aanstuur binne 28 dae nadat 'n afskrif van die aansoek aan hom beteken is.

(12) *(a)* Indien 'n persoon wat 'n belang het by die toestaan of weiering van 'n aansoek ingedien ingevolge subregulasie (1) beoog om vertoë vir of teen die toestaan of weiering van die aansoek in te dien, mag hy of sy dit skriftelik doen binne 28 dae vanaf die datum van publikasie van die kennisgewing van indiening van die aansoek.

(b) 'n Persoon soos na verwys in paragraaf *(a)* moet—

(i) binne die tydperk beoog in paragraaf (a) 'n afskrif van die skriftelike vertoë aan die aansoeker of sy of haar verteenwoordiger en die aangewese drankbeampte na wie se regsgebied die lisensie verwyder staan te word, beteken; en

(ii) binne die tydperk soos na verwys in paragraaf *(a)* die oorspronklike vertoë by die Owerheid indien.

(13) Die aangewese drankbeampte in wie se regsgebied die perseel tans geleë is en, waar die toestaan van die aansoek die verwydering van die lisensie na die regsgebied van 'n ander aangewese drankbeampte tot gevolg sal hê, ook die aangewese drankbeampte van daardie gebied moet binne 35 dae vanaf die datum

van publikasie van die kennisgewing van indiening van die aansoek, ’n afskrif van sy of haar verslag oor die aansoek aan die aansoeker beteken en die verslag by die Owerheid indien tesame met bewys dat die verslag aan die aansoeker beteken is.

(14) Die verslag van die aangewese drankbeampte in wie se regsgebied die perseel tans geleë is, moet die volgende bevat:
- *(a)* die adres van die gelisensieerde perseel;
- *(b)* ’n opsomming van die wyse waarop die lisensiehouer sy of haar besigheid op die gelisensieerde perseel bedryf het; en
- *(c)* ’n aanbeveling oor die toestaan of weiering van die aansoek.

(15) Die verslag deur die aangewese drankbeampte na wie se regsgebied die lisensie verwyder staan te word, moet die volgende bevat:
- *(a)* die adres van die voorgenome gelisensieerde perseel;
- *(b)* die ligging van die voorgenome gelisensieerde perseel in verhouding tot—
  - (i) die instellings soos na verwys in artikel 34(1)*(e)*(ii) tot (v);
  - (ii) ’n woongebied;
  - (iii) ander gelisensieerde persele; en
  - (iv) ’n onderneming soos na verwys in artikel 41(1)*(c)*(i),

  in die nabyheid van die voorgenome gelisensieerde perseel;
- *(c)* die geskiktheid van die voorgenome gelisensieerde perseel;
- *(d)* die openbare belang;
- *(e)* misdaadsyfers, indien enige, wat hy of sy tersaaklik tot die voorgenome gelisensieerde perseel ag;
- *(f)* ’n aanbeveling dat die aansoek toegestaan of geweier word;
- *(g)* ’n verklaring oor of die aansoeker aan subregulasie (4) voldoen het;
- *(h)* ’n verklaring oor of ’n afskrif van die aansoek aan die betrokke munisipaliteit beteken is;
- *(i)* ’n verklaring oor of kennis van die aansoek ooreenkomstig subregulasie (10) gegee is.

(16) Indien enigeen van die aangewese drankbeamptes soos na verwys in subregulasie (1) versuim om sy of haar verslag ingevolge subregulasie (13) in te dien, mag die Hoof-Uitvoerende Beampte ’n afskrif van die aansoek na ’n inspekteur aanstuur met ’n skriftelike opdrag om ’n verslag wat die inligting bevat soos na verwys in subregulasie (14) of (15), na gelang van die geval, ten opsigte van die aansoek in te dien.

(17) ’n Inspekteur moet binne 21 dae nadat hy of sy versoek is om dit te doen sy of haar verslag by die Owerheid indien en ’n afskrif na die aansoeker aanstuur.

(18) Indien die verslag deur die aangewese drankbeampte soos na verwys in subregulasie (13) of ’n verslag deur ’n inspekteur soos na verwys in subregulasie (17) in verband met die aansoek enige inligting of aanbeveling bevat wat die aansoek benadeel, moet die aansoeker sy of haar antwoord op sodanige verslag by die Owerheid indien binne sewe dae nadat ’n afskrif daarvan aan hom of haar beteken is.

(19) Die Dranklisensiëringstribunaal moet ’n aansoek ingedien ingevolge subregulasie (1) binne 30 dae na ontvangs van al die tersaaklike dokumente soos na verwys in subregulasies (1), (6), (7), (11), (12), (13) (17) en (18) oorweeg.

(20) Die Owerheid moet binne sewe dae nadat die Dranklisensiëringstribunaal besluit het oor ’n aansoek ingedien ingevolge subregulasie (1) die aansoeker en elke persoon wat ’n skriftelike beswaar of vertoë ten opsigte van die aansoek by die Owerheid ingedien het skriftelik in die vorm van Vorm 27C in Aanhangsel 3 van die besluit in kennis stel.

(21) Wanneer die Dranklisensiëringstribunaal ’n aansoek ingedien ingevolge subregulasie (1) voorwaardelik toestaan of ’n aansoek toestaan soos beoog in artikel 66(13), na gelang van die geval, moet die Owerheid binne sewe dae die

aansoeker en elke persoon wat ’n skriftelike beswaar of vertoë ten opsigte van die aansoek by die Owerheid ingedien het skriftelik in die vorm van Vorm 27D in Aanhangsel 3 van die besluit in kennis stel.

(22) Wanneer ’n aansoek ingedien ingevolge subregulasie (1) toegestaan word, moet die Owerheid, behoudens subregulasie (23), binne 14 dae na die betaling deur die aansoeker aan die Owerheid van die toepaslike fooi uiteengesit in Deel B van Aanhangsel 2 ’n sertifikaat van verwydering ingevolge artikel 66(6) in die vorm van Vorm 28 in Aanhangsel 3 uitreik.

(23) Wanneer ’n aansoek ingedien ingevolge subregulasie (1) voorwaardelik toegestaan word of ’n aansoek toegestaan word soos beoog in artikel 66(13) moet die Owerheid binne sewe dae nadat die Voorsittende Beampte hom of -haarself oortuig het dat die aansoeker voldoen het aan die voorwaardes opgelê deur die Dranklisensiëringstribunaal of die voorwaardes of vereistes opgelê deur die Voorsittende Beampte, na gelang van die geval, die aansoeker skriftelik daarvan in kennis stel.

(24) Die kennisgewing aan die aansoeker moet in die vorm van Vorm 27E in Aanhangsel 3 wees.

(25) Die aansoeker moet die toepaslike fooi uiteengesit in Deel B van Aanhangsel 2 aan die Owerheid betaal en bewys van betaling by die Owerheid indien.

(26) Die Owerheid moet binne 14 dae vanaf ontvangs van bewys van die betaling soos na verwys in subregulasie (25) ’n sertifikaat van verwydering in die vorm van Vorm 28 in Aanhangsel 3 aan die aansoeker uitreik.

(27) ’n Aansoek om kondonering ingevolge artikel 66(8) moet in die vorm van Vorm 27F in Aanhangsel 3 by die Owerheid ingedien word.

(28) Die Hoof-Uitvoerende Beampte moet binne 30 dae na ontvangs van ’n aansoek soos na verwys in subregulasie (27) die aansoek oorweeg.

(29) Die Owerheid moet binne sewe dae nadat die Hoof-Uitvoerende Beampte besluit het oor ’n aansoek ingedien ingevolge subregulasie (27) die aansoeker skriftelik van die besluit in kennis stel.

(30) Indien die Hoof-Uitvoerende Beampte die aansoek soos na verwys in subregulasie (27) toestaan, moet die aansoeker die toepaslike fooi tesame met die boete soos na verwys in artikel 66(8) aan die Owerheid betaal.

(31) ’n Aansoek om—

(a) die voorwaardes te wysig of in te trek wat deur die Dranklisensiëringstribunaal opgelê is by die voorwaardelike toestaan van ’n aansoek ingedien ingevolge subregulasie (1);

(b) enige voorwaarde of vereiste wat kragtens artikel 66(13) bepaal is, in te trek of te wysig; of

(c) die goedkeuring van ’n gewysigde plan soos na verwys in artikel 66(14),

moet gedoen word deur ’n aansoek in die vorm van Vorm 27G in Aanhangsel 3 by die Owerheid en ’n afskrif daarvan by die aangewese drankbeampte na wie se regsgebied die lisensie verwyder staan te word, in te dien.

(32) Die aansoek moet—

(a) vergesel wees van bewys van die betaling aan die Owerheid van die aansoekfooi uiteengesit in Item 17(a), (b) of (d) van Aanhangsel 1, na gelang van die geval;

(b) vergesel wees van skriftelike vertoë ter ondersteuning van die aansoek; en

(c) ten opsigte van ’n aansoek ingedien ingevolge subregulasie (31)*(c)*, ook vergesel wees van ’n afskrif van die gewysigde plan van die perseel.

(33) Die aangewese drankbeampte na wie se regsgebied die lisensie verwyder staan te word, moet binne 14 dae nadat 'n aansoek ingevolge subregulasie (31)*(a)*, *(b)* of *(c)*, na gelang van die geval, ingedien is 'n afskrif van sy of haar verslag aan die aansoeker beteken en die verslag tesame met bewys dat die verslag aan die aansoeker beteken is by die Owerheid indien.

(34) Die verslag deur die aangewese drankbeampte moet die volgende bevat:
- *(a)* 'n verklaring oor die uitwerking wat die voorgestelde wysiging of intrekking van die voorwaardes of die intrekking of wysiging van die voorwaardes of vereistes moontlik op die publiek kan hê;
- *(b)* 'n verklaring oor die uitwerking wat die voorgestelde wysiging of intrekking van die voorwaardes of die intrekking of wysiging van die voorwaardes of vereistes moontlik op die instellings soos na verwys in artikel 34(1)*(e)*(ii) tot (v) in die nabyheid van die voorgenome gelisensieerde perseel kan hê;
- *(c)* enige ander inligting, indien enige, wat na die mening van die aangewese drankbeampte in aanmerking geneem behoort te word by die oorweging van die aansoek; en
- *(d)* 'n aanbeveling oor die toestaan of weiering van die aansoek.

(35) Indien die aangewese drankbeampte versuim om sy of haar verslag ingevolge subregulasie (33) in te dien, mag die Hoof-Uitvoerende Beampte 'n afskrif van die aansoek na 'n inspekteur aanstuur met 'n skriftelike opdrag om ten opsigte van die betrokke aansoek 'n verslag met die inligting soos na verwys in subregulasie (34) in te dien.

(36) 'n Inspekteur moet sy of haar verslag by die Owerheid indien en 'n afskrif na die aansoeker aanstuur binne die tydperk gestipuleer deur die Hoof-Uitvoerende Beampte ingevolge die opdrag soos na verwys in subregulasie (35).

(37) Die aansoeker moet sy of haar antwoord op 'n verslag deur die aangewese drankbeampte soos na verwys in subregulasie (33) of op 'n verslag deur 'n inspekteur soos na verwys in subregulasie (36) binne sewe dae nadat 'n afskrif van die een of die ander verslag aan hom of haar beteken is by die Owerheid indien.

(38) Die Dranklisensiëringstribunaal of die Voorsittende Beampte, na gelang van die geval, moet 'n aansoek ingedien ingevolge subregulasie (31)*(a)*, *(b)* of *(c)* binne 30 dae na ontvangs van al die tersaaklike dokumente soos na verwys in subregulasies (31) tot (37) oorweeg.

(39) Die Owerheid moet binne sewe dae nadat die Dranklisensiëringstribunaal of die Voorsittende Beampte, na gelang van die geval, besluit het oor 'n aansoek ingedien ingevolge subregulasie (31)*(a)*, *(b)* of *(c)* die aansoeker en elke persoon wat 'n skriftelike beswaar of vertoë ten opsigte van die aansoek by die Owerheid ingedien het skriftelik in die vorm van Vorm 27H in Aanhangsel 3 van die besluit in kennis stel.

(40) 'n Aansoek om die tydperk te verleng—
- *(a)* wat deur die Dranklisensiëringstribunaal ingevolge artikel 66(4A) gestipuleer is; of
- *(b)* wat deur die Voorsittende Beampte ingevolge artikel 66(13) of (14)*(b)* gestipuleer is,

moet in die vorm van Vorm 27G in Aanhangsel 3 by die Owerheid ingedien word.

(41) Die aansoek moet vergesel wees van—
- *(a)* bewys van betaling aan die Owerheid van die aansoekfooi uiteengesit in Item 17(c) van Aanhangsel 1; en
- *(b)* skriftelike vertoë ter ondersteuning van die aansoek wat die volgende uiteensit:
  - (i) die redes waarom daar nie binne die tydperk gestipuleer deur die Dranklisensiëringstribunaal of die Voorsittende Beampte, na gelang van die geval, aan die voorwaardes beoog in artikel 66(4C) of die

voorwaardes en vereistes beoog in artikel 66(13) voldoen kan word of voldoen is nie;

(ii) die mate waarin die aansoeker aan die voorwaardes of vereistes voldoen het;

(iii) die stappe wat die aansoeker onderneem om te doen om aan die voorwaardes of vereistes te voldoen; en

(iv) die tyd wat die aansoeker skat benodig sal word om die voorgenome stappe te voltooi.

(42) Die Voorsittende Beampte moet binne 30 dae na ontvangs van al die tersaaklike dokumente soos na verwys in subregulasies (40) en (41) 'n aansoek ingedien ingevolge subregulasie (40)*(a)* of *(b)* oorweeg.

(43) Die Owerheid moet binne sewe dae nadat die Voorsittende Beampte besluit het oor 'n aansoek ingedien ingevolge subregulasie (40)*(a)* of *(b)* die aansoeker en elke persoon wat 'n skriftelike beswaar of vertoë ten opsigte van die aansoek by die Owerheid ingedien het skriftelik in die vorm van Vorm 27H in Aanhangsel 3 van die besluit in kennis stel.

(44) Wanneer 'n aansoek ingevolge hierdie regulasie toegestaan word, moet die aansoeker, behalwe ten opsigte van 'n aansoek ingedien ingevolge subregulasie (27), die toepaslike fooi uiteengesit in Deel B van Aanhangsel 2 aan die Owerheid betaal.".

Vervanging van regulasie 34 van die Regulasies

26. Regulasie 34 van die Regulasies word deur die volgende regulasie vervang:

"**Appèlle en hersienings**

34. (1) 'n Persoon wat ingevolge die Wet—

(a) 'n aansoek;

(b) 'n beswaar; of

(c) vertoë,

ingevolge die Wet ingedien het en wat gegrief voel deur 'n besluit van die Dranklisensiëringstribunaal, die Voorsittende Beampte of 'n Adjunk-Voorsittende Beampte, na gelang van die geval, ten opsigte van die aansoek, beswaar of vertoë en wat beoog om 'n kennisgewing van appèl of 'n aansoek om hersiening by die Owerheid in te dien (na wie daar in hierdie regulasie as "appellant" verwys word), mag die Dranklisensiëringstribunaal, Voorsittende Beampte of Adjunk-Voorsittende Beampte, na gelang van die geval, versoek om redes vir die besluit te verskaf.

(2)*(a)* 'n Appellant wat beoog om redes vir 'n besluit te versoek moet 'n versoek om redes by die Owerheid indien—

(i) binne 14 dae vanaf die datum waarop hy of sy van die besluit in kennis gestel is; of

(ii) binne een dag vanaf die datum waarop hy of sy van die besluit in kennis gestel is, indien die kennisgewing van appèl of hersieningsaansoek beoog word vir indiening ten opsigte van 'n aansoek ingedien ingevolge regulasie 19(1)*(a)* of *(b)*.

(b) 'n Appellant wat nie beoog om redes vir die besluit te versoek nie moet—

(i) binne 40 dae vanaf die datum waarop hy of sy van die besluit in kennis gestel is; of

(ii) binne vier dae vanaf die datum waarop hy of sy van die besluit in kennis gestel is, indien die kennisgewing van appèl of hersieningsaansoek beoog word vir indiening ten opsigte van 'n aansoek ingedien ingevolge regulasie 19(1)*(a)* of *(b)*,

'n lys by die Owerheid versoek van die name en adresse van al die belanghebbende partye, indien enige, wat moontlik deur die kennisgewing van appèl of hersieningsaansoek geraak kan word.

(3) Die Dranklisensiëringstribunaal, die Voorsittende Beampte of ’n Adjunk-Voorsittende Beampte, na gelang van die geval, moet—

(a) binne 21 dae, ten opsigte van ’n versoek ingedien ingevolge subregulasie (2)*(a)*(i); of

(b) binne twee dae, ten opsigte van ’n versoek ingedien ingevolge subregulasie (2)*(a)*(ii),

na ontvangs van die versoek om redes, skriftelike redes vir die besluit verstrek.

(4) ’n Appellant beoog in subregulasie (2)*(a)* moet by die Owerheid ’n lys versoek van die name en adresse van al die belanghebbendes, indien enige, wat deur die appèl of hersiening geraak kan word, binne—

(a) vyf dae vanaf ontvangs van die redes vir die besluit; of

(b) een dag vanaf ontvangs van die redes vir die besluit indien die kennisgewing van appèl of hersieningsaansoek beoog word vir indiening ten opsigte van ’n aansoek ingedien ingevolge regulasie 19(1)*(a)* of *(b)*.

(5) Die Owerheid moet die lys aan die appellant verskaf—

(a) binne vyf dae vanaf ontvangs van die versoek wat ingevolge subregulasie (2)*(b)*(i) of (4)*(a)*, na gelang van die geval, gerig is; of

(b) binne een dag vanaf ontvangs van die versoek wat ingevolge subregulasie (2)*(b)*(ii) of (4)*(b)*, na gelang van die geval, gerig is.

(6)*(a)* ’n Appellant moet ’n kennisgewing van appèl of ’n hersieningsaansoek, na gelang van die geval, in die vorm van Vorm 29 in Aanhangsel 3 by die Owerheid indien—

(i) binne 20 dae vanaf die tydperk soos na verwys in subregulasie (5)*(a)*; of

(ii) binne vyf dae vanaf die tydperk soos na verwys in subregulasie (5)*(b)*.

(b) Die appellant moet binne die tydperk soos na verwys in paragraaf *(a)*(i) of (ii), na gelang van die geval—

(i) ’n afskrif van die kennisgewing of aansoek soos na verwys in paragraaf *(a)* aan elke belanghebbende, indien enige, wie se besonderhede op die lys beoog in subregulasie (5) verskyn, beteken; en

(ii) bewys aan die Owerheid verskaf dat die kennisgewing of aansoek aldus beteken is.

(7) ’n Kennisgewing van appèl of ’n hersieningsaansoek moet—

(a) in tikskrif en in dubbelspasiëring op A4-grootte standaard wit papier wees;

(b) vergesel wees van ’n verklaring wat die gronde vir die appèl of hersiening uiteensit;

(c) vergesel wees van ’n bondige verklaring van die vernaamste feitelike of regspunte wat die appellant beoog om op appèl of hersiening te beredeneer;

(d) vergesel wees van ’n lys van die gesag, indien enige, wat ter ondersteuning van elk van die hoofpunte aangebied sal word; en

(e) die bystand uiteensit wat die appellant verlang.

(8)*(a)* Die Dranklisensiëringstribunaal, Voorsittende Beampte of Adjunk-Voorsittende Beampte, na gelang van die geval, en ’n belanghebbende beoog in subregulasie (6)*(b)*(i) mag ’n antwoordende verklaring op die kennisgewing van appèl of hersieningsaansoek soos na verwys in subregulasie (7) by die Appèltribunaal indien binne—

(i) 14 dae vanaf ontvangs van die kennisgewing van appèl of hersieningsaansoek; of

(ii) vyf dae vanaf ontvangs van die kennisgewing van appèl of hersieningsaansoek, indien die kennisgewing van appèl of hersieningsaansoek ingedien is ten opsigte van ’n aansoek ingevolge regulasie 19(1)*(a)* of *(b)*.

(b) Die Dranklisensiëringstribunaal, Voorsittende Beampte of Adjunk-Voorsittende Beampte, na gelang van die geval, en ’n belanghebbende beoog in subregulasie (6)*(b)*(i) moet binne die tydperk soos na verwys in paragraaf *(a)*(i) of (ii), na gelang van die geval—

(i) ’n afskrif van die antwoordende verklaring soos na verwys in paragraaf *(a)* aan die appellant beteken; en

(ii) bewys aan die Owerheid verskaf dat die antwoordende verklaring aldus beteken is.

(9) ’n Antwoordende verklaring moet—

(a) in tikskrif en in dubbelspasiëring op A4-grootte standaard wit papier wees;

(b) ’n antwoord op die kennisgewing van appèl of hersieningsaansoek ingedien ingevolge subregulasie (6)*(a)* uiteensit; en

(c) vergesel wees van ’n lys van die gesag, indien enige, wat ter ondersteuning van die verklaring aangebied sal word.

(10) Die Hoof-Uitvoerende Beampte moet binne sewe dae na ontvangs van ’n kennisgewing van appèl of ’n hersieningsaansoek, of binne twee dae vanaf ontvangs van ’n kennisgewing van appèl of hersieningsaansoek indien die kennisgewing of aansoek ingedien is ten opsigte van ’n aansoek ingedien ingevolge regulasie 19(1)*(a)* of *(b)*—

(a) skriftelike kennisgewing gee aan die Dranklisensiëringstribunaal, Voorsittende Beampte of Adjunk-Voorsittende Beampte, na gelang van die geval, die appellant en ’n belanghebbende beoog in subregulasie (6)*(b)*(i) van ’n datum vir die oorweging van die kennisgewing van appèl of hersieningsaansoek, welke datum binne die volgende tydperk moet wees:

(i) 50 dae vanaf ontvangs van die kennisgewing van appèl of hersieningsaansoek; of

(ii) 10 dae vanaf ontvangs van die kennisgewing van appèl of hersieningsaansoek, indien die kennisgewing of aansoek ingedien is ten opsigte van ’n aansoek ingevolge regulasie 19(1)*(a)* of *(b)*;

(b) die rekord van die besluit van die Dranklisensiëringstribunaal, Voorsittende Beampte of Adjunk-Voorsittende Beampte, na gelang van die geval, wat die onderwerp van die kennisgewing van appèl of hersieningsaansoek is by die Appèltribunaal indien;

(c) waar beskikbaar, die transkripsie van die opname van die vergadering van die Dranklisensiëringstribunaal wat met die kennisgewing van appèl of hersieningsaansoek verband hou, by die Appèltribunaal indien; en

(d) die kennisgewing van appèl of hersieningsaansoek by die Appèltribunaal indien.

(11) ’n Appellant mag te eniger tyd voordat die Appèltribunaal ’n besluit neem oor ’n kennisgewing van appèl of ’n hersieningsaansoek wat deur die appellant ingedien is, die kennisgewing van appèl of hersieningsaansoek terugtrek deur skriftelike kennisgewing van die terugtrekking aan die Hoof-Uitvoerende Beampte te gee.

(12) Die Appèltribunaal moet die kennisgewing van appèl of hersieningsaansoek op die datum soos beoog in subregulasie (10) of (28), na gelang van die geval, oorweeg.

(13) Die Appèltribunaal mag van die Dranklisensiëringstribunaal, die Voorsittende Beampte of Adjunk-Voorsittende Beampte, na gelang van die geval, die appellant of ’n belanghebbende beoog in subregulasie (6)*(b)*(i) verdere inligting versoek wat, na die mening van die Appèltribunaal, benodig word om kwessies op te klaar wat deur die kennisgewing van appèl of hersieningsaansoek aangeraak is.

(14) Die Appèltribunaal moet, binne vyf dae vanaf ontvangs van al die tersaaklike dokumente en inligting soos na verwys in subregulasies (8) en (10) of binne een dag vanaf ontvangs van al die tersaaklike dokumente soos na verwys in subregulasies (8) en (10) indien die kennisgewing van appèl of hersieningsaansoek ingedien is ten

opsigte van ’n aansoek ingedien ingevolge regulasie 19(1)*(a)* of *(b)*, bepaal of die Appèltribunaal verdere inligting benodig.

(15) Indien die Appèltribunaal bepaal dat verdere inligting benodig word, moet die Hoof-Uitvoerende Beampte binne vyf dae vanaf die bepaling soos na verwys in subregulasie (14), of binne een dag vanaf die bepaling soos na verwys in subregulasie (14) indien die kennisgewing van appèl of hersieningsaansoek ingedien is ten opsigte van ’n aansoek ingevolge regulasie 19(1)*(a)* of *(b)*, die tersaaklike persoon in kennis stel dat verdere inligting benodig word en die besonderhede van die verdere inligting wat aldus benodig word.

(16) Die persoon van wie die verdere inligting versoek word moet binne vyf dae vanaf ontvangs van die kennisgewing soos na verwys in subregulasie (15) of binne een dag vanaf ontvangs van die kennisgewing soos na verwys in subregulasie (15) indien die kennisgewing van appèl of hersieningsaansoek ingedien is ten opsigte van ’n aansoek ingevolge regulasie 19(1)*(a)* of *(b)*—

(a) afskrifte van die versoekte verdere inligting beteken aan—

(i) elke belanghebbende beoog in subregulasie (6)*(b)*(i) en die Dranklisensiëringstribunaal, Voorsittende Beampte of Adjunk-Voorsittende Beampte, na gelang van die geval, indien die persoon die appellant is; en

(ii) die appellant, Dranklisensiëringstribunaal, Voorsittende Beampte of Adjunk-Voorsittende Beampte, na gelang van die geval, en elke ander belanghebbende beoog in subregulasie (6)*(b)*(i), indien die persoon ’n belanghebbende is; of

(iii) die appellant en elke belanghebbende beoog in subregulasie (6)*(b)*(i), indien die persoon die Dranklisensiëringstribunaal, Voorsittende Beampte of Adjunk-Voorsittende Beampte, na gelang van die geval, is; en

(b) die verdere inligting by die Hoof-Uitvoerende Beampte indien.

(17) Die Hoof-Uitvoerende Beampte moet op die dag waarop die verdere inligting ontvang is ’n afskrif daarvan na die Appèltribunaal aanstuur.

(18) Wanneer verdere inligting beteken word soos beoog in subregulasie (16), mag die tersaaklike persone beoog in subregulasie (16)*(a)* binne—

(a) vyf dae vanaf ontvangs van die verdere inligting; of

(b) binne een dag vanaf ontvangs van die verdere inligting indien die kennisgewing van appèl of hersieningsaansoek ingedien is ten opsigte van ’n aansoek ingedien ingevolge regulasie 19(1)*(a)* of *(b)*,

by die Appèltribunaal voorleggings in verband met die verdere inligting indien.

(19) Die Appèltribunaal mag ’n kennisgewing van appèl of ’n hersieningsaansoek oorweeg deur middel van—

(a) die oorweging van die tersaaklike dokumente en inligting soos na verwys in subregulasie (7), (9), (10)*(b)*, (10)*(c)*, (17) en (18); of

(b) ’n mondelinge verhoor.

(20) Die kennisgewing van appèl of hersieningsaansoek mag, behoudens subregulasies (25) en (26), ingevolge subregulasie (19)*(a)* oorweeg word indien dit vir die Appèltribunaal blyk dat die kwessies vir die bepaling van die kennisgewing van appèl of hersieningsaansoek voldoende bepaal kan word in die afwesigheid van die partye deur die dokumente of ander materiaal wat aan die Appèltribunaal verskaf is, te oorweeg.

(21) Die kennisgewing van appèl of hersieningsaansoek mag ingevolge subregulasie (19)*(b)* oorweeg word—

(a) indien dit vir die Appèltribunaal blyk dat die kwessies vir die bepaling van die kennisgewing van appèl of hersieningsaansoek nie voldoende bepaal kan word in die afwesigheid van die partye deur die dokumente of ander materiaal wat aan die Appèltribunaal verskaf is te oorweeg nie; of

(b) indien 'n mondelinge verhoor tot die spoedige en regverdige afhandeling van die kennisgewing van appèl of hersieningsaansoek sal bydra.

(22)*(a)* Waar geen verdere inligting vereis word nie moet die Appèltribunaal binne een dag vanaf sy bepaling soos na verwys in subregulasie (14) bepaal of die kennisgewing van appèl of hersieningsaansoek ingedien deur die appellant oorweeg behoort te word ingevolge subregulasie (19)*(a)* of *(b)* en terselfdertyd die Hoof-Uitvoerende Beampte van sy bepaling in kennis stel.

(b) Waar verdere inligting vereis word, moet die Appèltribunaal—

(i) binne drie dae vanaf ontvangs van die voorleggings beoog in subregulasie (18)*(a)*, indien enige; of

(ii) binne een dag van ontvangs van die voorleggings beoog in subregulasie (18)*(b)*, indien enige,

bepaal of die kennisgewing van appèl of hersieningsaansoek ingedien deur die appellant oorweeg moet word ingevolge subregulasie (19)*(a)* of *(b)* en terselfdertyd die Hoof-Uitvoerende Beampte van sy bepaling in kennis stel.

(23) Die Hoof-Uitvoerende Beampte moet—

(a) binne drie dae vanaf ontvangs van die kennisgewing beoog in subregulasie (22)*(a)* of (22)*(b)*(i); of

(b) binne een dag van ontvangs van die kennisgewing beoog in subregulasie (22)*(a)*, indien die kennisgewing van appèl of hersieningsaansoek ingedien is ten opsigte van 'n aansoek ingedien ingevolge regulasie 19(1)*(a)* of *(b)* of (22)*(b)*(ii),

die Dranklisensiëringstribunaal, Voorsittende Beampte of Adjunk-Voorsittende Beampte, na gelang van die geval, die appellant en elke belanghebbende beoog in subregulasie (6)*(b)* in kennis stel of die kennisgewing van appèl of hersieningsaansoek ingedien deur die appellant ingevolge subregulasie (19)*(a)* of *(b)* oorweeg sal word.

(24) Waar die kennisgewing soos na verwys in subregulasie (23) vermeld dat die kennisgewing van appèl of hersieningsaansoek ingevolge subregulasie (19)*(a)* oorweeg sal word, moet die appellant en elke belanghebbende beoog in subregulasie (6)*(b)*(i)—

(a) binne vyf dae vanaf ontvangs van die kennisgewing soos na verwys in subregulasie (23)*(a)*; of

(b) binne een dag vanaf ontvangs van die kennisgewing soos na verwys in subregulasie (23)*(b)*,

die Hoof-Uitvoerende Beampte skriftelik in kennis stel of hy of sy instem tot die oorweging van die kennisgewing van appèl of hersieningsaansoek ingevolge subregulasie (19)*(a)*.

(25) Indien die Hoof-Uitvoerende Beampte nie binne die tersaaklike tydperk soos na verwys in subregulasie (24) 'n kennisgewing van die appellant of 'n belanghebbende ontvang dat of hy of sy instem al dan nie tot die oorweging van die kennisgewing van appèl of hersieningsaansoek ingevolge subregulasie (19)*(a)* nie, moet daar aanvaar word dat die appellant of belanghebbende party daartoe instem.

(26) Indien die appellant of 'n belanghebbende beoog in subregulasie (6)*(b)*(i) die Hoof-Uitvoerende Beampte ingevolge subregulasie (25) in kennis stel dat hy of sy nie instem tot die oorweging van die kennisgewing van appèl of hersieningsaansoek ingevolge subregulasie (19)*(a)* nie, moet die kennisgewing van appèl of hersieningsaansoek ingevolge subregulasie (19)*(b)* oorweeg word.

(27) Die Hoof-Uitvoerende Beampte moet, op die dag waarop die kennisgewing beoog in subregulasie (24) van die appellant of 'n belanghebbende ontvang is of op die dag waarop die tersaaklike tydperk soos na verwys in subregulasie (24) verval, die Appèltribunaal in kennis stel dat die appellant of belanghebbende instem tot die oorweging van die hersieningsaansoek of hersieningsaansoek ingevolge

subregulasie (19)*(a)* al dan nie of dat daar geen antwoord ontvang is van die appellant of ’n belanghebbende nie

(28) Waar die kennisgewing soos na verwys in subregulasie (27) vermeld dat die appellant en elke belanghebbende beoog in subregulasie (6)*(b)*(i) instem tot die oorweging van die kennisgewing van appèl of hersieningsaansoek ingevolge subregulasie (19)*(a)* of dat geen antwoord van die appellant of ’n belanghebbende beoog in subregulasie (6)*(b)*(i) ontvang is nie, moet die Appèltribunaal die kennisgewing van appèl of hersieningsaansoek ingevolge subregulasie (19)*(a)* oorweeg op die dag wat volg op die ontvangs van die kennisgewing soos na verwys in subregulasie (27).

(29) Wanneer ’n appèl of hersiening deur ’n mondelinge verhoor oorweeg sal word, moet die Appèltribunaal by die oorweging van die appèl of hersiening die volgende prosedure volg:
- *(a)* die Appèltribunaal moet die appellant en elke belanghebbende beoog in subregulasie (6)*(b)*(i) teenwoordig meedeel dat hy of sy ’n geleentheid gegee sal word om sy of haar kennisgewing van appèl, aansoek om hersiening of antwoordende verklaring, na gelang van die geval, voor te lê en te beredeneer;
- *(b)* die Appèltribunaal mag op goeie gronde die mondelinge verhoor op die versoek van ’n party verdaag;
- *(c)* die appellant moet eerste sy of haar kennisgewing van appèl of hersieningsaansoek voorlê en beredeneer;
- *(d)* die verteenwoordiger van die Dranklisensiëringstribunaal, Voorsittende Beampte of Adjunk-Voorsittende Beampte, na gelang van die geval, mag na die appellant op versoek van die Appèltribunaal sy of haar antwoordende verklaring, indien enige, voorlê;
- *(e)* elke belanghebbende beoog in subregulasie (6)*(b)*(i) mag na die verteenwoordiger van die Dranklisensiëringstribunaal, Voorsittende Beampte of Adjunk-Voorsittende Beampte, na gelang van die geval, sy of haar antwoordende verklaring, indien enige, voorlê en beredeneer;
- *(f)* die Appèltribunaal mag gedurende die mondelinge verhoor vrae vra om duidelikheid te kry;
- *(g)* die Owerheid moet toesien dat al die mondelinge voorleggings wat gedurende die mondelinge verhoor gemaak word, opgeneem word.

(30)*(a)* Die Appèltribunaal moet ’n skriftelike rekord hou van sy bevindinge en die redes vir die bevindinge.

(b) Die Hoof-Uitvoerende Beampte moet ’n skriftelike rekord hou van alle appèlle en hersieningsaansoeke wat by die Owerheid ingedien word.

(31) Indien ’n kennisgewing van appèl of hersieningsaansoek, ’n dokument wat dit vergesel, ’n verklaring beoog in subregulasie (9) of ’n kennisgewing in enige opsig gebrekkig is of indien enige persoon versuim om enige dokument in te dien of om binne ’n tydperk of spertyd te hou, mag die Appèltribunaal die gebrek of versuim kondoneer indien sodanige kondonering waarskynlik niemand sal benadeel nie.

(32) Die Appèltribunaal moet tot ’n besluit kom oor ’n kennisgewing van appèl of hersieningsaansoek—
- *(a)* ten opsigte van ’n mondelinge verhoor—
  - (i) binne 14 dae vanaf die datum van die mondelinge verhoor; of
  - (ii) binne twee dae vanaf die datum van die mondelinge verhoor, indien die kennisgewing van appèl of hersieningsaansoek ingedien is ten opsigte van ’n aansoek ingedien ingevolge regulasie 19(1)*(a)* of *(b)*;
- *(b)* ten opsigte van ’n oorweging van die kennisgewing van appèl of hersieningsaansoek ingevolge subregulasie (19)*(a)*—
  - (i) binne 14 dae na die dag wat volg op die ontvangs van die kennisgewing ingevolge subregulasie (27); of
  - (ii) binne twee dae vanaf die dag wat volg op die kennisgewing ingevolge subregulasie (27) indien die kennisgewing van appèl of

hersieningsaansoek ingedien is ten opsigte van ’n aansoek ingedien ingevolge regulasie 19(1)*(a)* of *(b)*; of

(c) binne die verlengde tydperk beoog in subregulasie (33).

(33) Die Appèltribunaal mag die tydperk beoog in subregulasie (32)*(a)*(i) in uitsonderlike omstandighede verleng.

(34) Die Appèltribunaal moet die Owerheid van sy besluit en die redes daarvoor in kennis stel binne—

(a) twee dae nadat hy tot ’n besluit gekom het soos beoog in subregulasie (32)*(a)*(i) of *(b)*(i), na gelang van die geval; of

(b) een dag nadat hy tot ’n besluit gekom het soos beoog in subregulasie (32)*(a)*(ii) of *(b)*(ii) gekom het.

(35) Die Hoof-Uitvoerende Beampte moet binne—

(a) sewe dae nadat die Appèltribunaal die Owerheid ingevolge subregulasie (34)*(a)* van sy besluit in kennis gestel het; of

(b) binne een dag nadat die Appèltribunaal die Owerheid ingevolge subregulasie (34)*(b)* van sy besluit in kennis gestel het,

die Dranklisensiëringstribunaal, Voorsittende Beampte of Adjunk-Voorsittende Beampte, na gelang van die geval, die appellant en elke belanghebbende beoog in subregulasie (6)*(b)*(i) skriftelik in kennis stel van die besluit van die Appèltribunaal, die redes daarvoor en die mate waarin die besluit van die Dranklisensiëringstribunaal, Voorsittende Beampte of Adjunk-Voorsittende Beampte, na gelang van die geval, bevestig, gewysig of ter syde gestel is.”.

Wysiging van regulasie 35 van die Regulasies

27. Regulasie 35 van die Regulasies word gewysig—

(a) deur in subregulasie (1) die getal “34” deur die getal “30” te vervang; en

(b) deur in subregulasie (3) die getal “35” deur die getal “31” te vervang.

Wysiging van regulasie 36 van die Regulasies

28. Regulasie 36 van die Regulasies word gewysig—

(a) deur subregulasie (6) deur die volgende subregulasie te vervang:

“(6) Die Owerheid moet binne sewe dae nadat die Dranklisensiëringstribunaal oor ’n aansoek ingedien ingevolge subregulasie (1) besluit het die aansoeker en elke persoon wat ’n skriftelike beswaar of vertoë ten opsigte van die aansoek by die Owerheid ingedien het skriftelik van die besluit in kennis stel.”; en

(b) deur in paragraaf *(b)* van subregulasie (7) die woord “sewe” deur die getal “14” te vervang.

Wysiging van regulasie 37 van die Regulasies

29. Regulasie 37 van die Regulasies word gewysig—

(a) deur subregulasie (2) deur die volgende subregulasie te vervang:

“(2) ’n Lisensiehouer moet op ’n duidelik sigbare plek op die gelisensieerde perseel die volgende vertoon:

(a) die lisensie;

(b) die kennisgewing van hernuwing ten opsigte van die tersaaklike jaar of tweejaartydperk; en

(c) indien van toepassing, ’n afskrif van die voltooide Vorm 23A in Aanhangsel 3 waarmee die lisensiehouer aansoek gedoen het om in te teken op ’n tweejaarlikse siklus ingevolge regulasie 30(2A).”; en

(b) deur die volgende subregulasie by te voeg:

“(3) Die bewys van betaling soos na verwys in subregulasie (2)*(c)* moet die nommer van die lisensie toegeken deur die Owerheid ingevolge regulasie 18(5) bevat.”.

Invoeging van regulasie 37A

30. Die volgende regulasie word na regulasie 37 van die Regulasies ingevoeg:
"**Administratiewe kennisgewings**

37A. (1) Wanneer 'n inspekteur 'n redelike vermoede het dat drank strydig met die Wet verkoop of mikrovervaardig word, moet die inspekteur aan die eienaar of persoon in beheer van enige perseel beoog in artikel 74(1)*(a)*(iii) 'n administratiewe kennisgewing in die vorm van Vorm 32 in Aanhangsel 3 beteken, wat die volgende uiteensit:
(a) die naam van die eienaar of persoon in beheer van die perseel;
(b) die adres van die perseel;
(c) inligting oor die stappe wat die eienaar of persoon in beheer van die perseel kan doen om 'n lisensie ingevolge die Wet te bekom.

(2) Die inspekteur moet—
(a) die inligting soos na verwys in subregulasie (1)*(a)* en *(b)* van die eienaar of persoon in beheer van die perseel bekom;
(b) die vorm voltooi; en
(c) die eienaar of persoon in beheer van die perseel versoek om die administratiewe kennisgewing te onderteken.

(3) Die inspekteur moet onmiddellik 'n afskrif van die ondertekende kennisgewing aan die eienaar of persoon in beheer van die perseel oorhandig en afskrifte daarvan by die Owerheid indien.

(4) Die Hoof-Uitvoerende Beampte moet elke drie maande 'n verslag aan die Minister voorlê, of op versoek van die Minister, oor die administratiewe kennisgewings wat gedurende die verslagdoeningstydperk of sodanige ander tydperk soos versoek deur die Minister uitgereik is.

(5) Die verslag moet die volgende bevat:
(a) die getal administratiewe kennisgewings wat uitgereik is;
(b) besonderhede oor die gebiede waarin die administratiewe kennisgewings uitgereik is; en
(c) enige ander tersaaklike inligting wat die Minister mag vereis.".

Oorgangsmaatreëls

31. (1) Enige aansoek, benoeming, appèl of hersiening wat ingedien is voordat hierdie regulasies in werking tree, moet geadministreer word asof hierdie regulasies nog nie gemaak is nie.

(2) 'n Verslag wat deur 'n aangewese drankbeampte ingedien is ingevolge regulasie 21(12) van die Regulasies soos dit gelees het voor die vervanging van regulasie 21 deur hierdie regulasies moet deur die Owerheid aangeteken en geliasseer word.

Vervanging van Aanhangsel 1 van die Regulasies

32. Aanhangsel 1 van die Regulasies word deur die volgende aanhangsel vervang:

"**AANHANGSEL 1**
Fooie betaalbaar ten opsigte van sekere aansoeke

Item-nr.	Aard van aansoek	Fooie betaalbaar (R)
1.	Aansoek om 'n lisensie ingevolge artikel 36(1)(e)	1 600
2.	Aansoek om 'n tydelike lisensie ingevolge artikel 48(1)	350
3.	Aansoek om 'n dranklisensie vir 'n geleentheid ingevolge artikel 48(4)	350
4.	Aansoek om die voorwaardes van 'n lisensie te wysig ingevolge artikel 49(6)	650
5.	Aansoek om 'n finansiële belang in die besigheid waarop die lisensie betrekking het oor te dra ingevolge artikel 51(2) en aansoek om 'n gelisensieerde perseel te verhuur ingevolge artikel 51(7)	650
6.	Aansoek om toestemming ingevolge artikel 53(1)(a), (b) of (c) om onderskeidelik 'n gelisensieerde perseel te verander, die aard van die besigheid te verander of om besigheid kragtens die lisensie te bedryf op 'n perseel waarop enige ander besigheid bedryf, handel gedryf of beroep beoefen word	650 (elk)
7.	(a) Aansoek om alkohol te berg ingevolge artikel 57(1) (b) Toestaan van aansoek om alkohol te berg ingevolge artikel 57(1)	350 350
8.	(a) Aansoek om die verlenging van handelsure ingevolge artikel 59(4) (b) Toestaan van aansoek om die verlenging van handelsure ingevolge artikel 59(4)	350 1 000
9.	Aansoek om hernuwing ingevolge artikel 64(1)	350
10.	(a) Aansoek om die oordrag van 'n lisensie ingevolge artikel 65(1) (b) Aansoek om toestemming ingevolge artikel 65(3) om die gelisensieerde besigheid te bedryf hangende die oordrag van die lisensie ingevolge artikel 65(1) (c) Aansoek om verlenging ingevolge artikel 65(6) van die tydperk ten opsigte van toestemming wat verleen is ingevolge artikel 65(3)	350 350 350
11.	Aansoek om die verwydering van 'n lisensie ingevolge artikel 66(2)	650
12.	(a) Aansoek om vrystelling ingevolge artikel 84(2) (b) Toestaan van 'n aansoek om vrystelling ingevolge artikel 84(2)	650 650
14.	Aansoek om 'n afskrif van 'n lisensie en die voorwaardes daarop of van enige aansoek	100

Item-nr.	Aard van aansoek	Fooie betaalbaar (R)
15.	Afskrifte of notules van verrigtinge van die Owerheid, Dranklisensiëringstribunaal of Appèltribunaal	100
16.	Maksimum bedrag van ’n boete wat die Dranklisensiërings-tribunaal mag oplê ingevolge artikel 20(3)(b)(v)	100 000
17.	Aansoek om— (a) die voorwaardes geheg aan ’n voorwaardelike goedkeuring in te trek of te wysig: regulasies 17(9), 32(36), 33(32) (b) ’n plan van die perseel geheg aan ’n voorwaardelike goedkeuring te wysig: regulasies 17(9), 33(32) (c) die tydperk toegestaan vir ’n voorwaardelike goedkeuring te verleng: regulasies 17(19), 32(47), 33(41) (d) intrekking of wysiging van voorwaardes bepaal kragtens artikel 66(13)	 350 350 350 350
18.	Aansoek ingevolge artikel 51(7) om— (a) die gelisensieerde perseel te verhuur aan ’n ander persoon; (b) ’n ander persoon toe te laat om die besigheid ingevolge die lisensie te bedryf; (c) ’n ander persoon toe te laat om die gelisensieerde perseel te gebruik	 650 650 650

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Vervanging van Aanhangsel 2 van die Regulasies

33. Aanhangsel 2 van die Regulasies word deur die volgende aanhangsel vervang:

"**AANHANGSEL 2**
Fooie betaalbaar ten opsigte van lisensies, oordragte, verwyderings, hernuwings en by die toestaan van sekere aansoeke

	Deel A	Deel B	Deel C	
Item	Fooie betaalbaar ten opsigte van 'n nuwe lisensie en by die toestaan van sekere aansoeke (R)	Fooie betaalbaar ten opsigte van die oordrag of verwydering van 'n lisensie (R)	Hernuwingsfooie (R)	
			Jaarliks	Twee-jaarliks
1. Lisensie vir verbruik op perseel	2 000	1 250	4 000	8 000
2. Lisensie vir verbruik weg van perseel	2 000	1 250	4 000	8 000
3. Lisensie vir verbruik op en weg van perseel	2 000	1 900	6 500	13 000
4. Lisensie vir mikrovervaardiging	2 000	1 250	4 000	8 000
5. Tydelike dranklisensie	350 per dag	-	-	-
6. Dranklisensie vir 'n geleentheid	200 per dag	-	-	-
7. Verandering aan gelisensieerde perseel	200	-	-	-
8. Verandering van aard van gelisensieerde besigheid	200	-	-	-
9. Bedryf van besigheid op 'n perseel waarop 'n ander besigheid bedryf word	200	-	-	-

10. Wysiging of intrekking van voorwaardes geheg aan die voorwaardelike goedkeuring	650	-	-	-
11. Wysiging van plan geheg aan voorwaardelike goedkeuring	650	-	-	-
12. Verlenging van tydperk aangeheg aan ’n voorwaardelike goedkeuring	650	-	-	-
13. Bedryf van gelisensieerde besigheid hangende die oordrag van die lisensie	650	-	-	-
14. Verlenging van tydperk ten opsigte van toestemming verleen om besigheid te bedryf hangende die oordrag van die lisensie	650	-	-	-
15. Intrekking of wysiging van voorwaardes of vereistes bepaal kragtens artikel 66(13)	650	-	-	-

.”.

Vervanging van Aanhangsel 3 van die Regulasies

34. Aanhangsel 3 van die Regulasies word deur die volgende aanhangsel vervang:

"**AANHANGSEL 3**
Inhoudsopgawe van vorms

REGULASIE	VORM-NR.	BESKRYWING
AANSTELLING VAN LEDE VAN DIE RAAD EN DRANKLISENSIËRINGSTRIBUNAAL		
2(3)	1	Benoemingsvorm vir aanstelling as lid van die Raad
6(5)	2	Benoemingsvorm vir aanstelling as lid of vervangende lid van Dranklisensiëringstribunaal
AANSOEKPROSEDURE VIR NUWE LISENSIE		
9(3)	3	Aansoek om 'n lisensie ingevolge artikel 36
10(1)	3A	Kennisgewing van aansoeke om dranklisensies ingevolge artikel 37(1) van die Wes-Kaapse Drankwet, 2008
10(2)	3B	Kennisgewing van indiening van aansoek om dranklisensie
KENNISGEWINGS EN DAGVAARDINGS		
16(1)	4A	Kennisgewing om teenwoordig te wees by 'n vergadering van die Dranklisensiëringstribunaal ingevolge artikel 23(2)
16(1)	4B	Dagvaarding ingevolge artikel 23(5)
VOORWAARDELIKE TOESTAAN VAN LISENSIES		
17(2)	5A	Kennisgewing van voorwaardelike toestaan van lisensie ingevolge regulasie 17(2)

17(8) & (18)	5B	Aansoek— A – Ingevolge artikel 42(4) om die wysiging of intrekking van die voorwaardes opgelê ingevolge artikel 42(1) B – Ingevolge artikel 42(5)(b) om die wysiging van die plan van die perseel C – Ingevolge artikel 42(5)(a) om die verlenging van die tydperk
17(17) & (22)	5C	Kennisgewing van besluit ingevolge regulasie 17(17) of (22)
17(28)	5D	Kennisgewing ingevolge artikel 42(4A) van intrekking van lisensie voorwaardelik toegestaan
17(25)	5E	Kennisgewing ingevolge regulasie 17(25)
UITREIKING VAN LISENSIE		
18(2)	6A	Kennisgewing van toestaan van lisensie
17(4)	6B	Kennisgewing ingevolge regulasie 17(4) dat daar voldoen is aan die voorwaardes van die voorwaardelike toestaan van die lisensie
18(3A)	6C	Aansoek om kondonering van die versuim om voorgeskrewe fooi te betaal ingevolge artikel 46(6)
17(6) & 18(4)	7	Dranklisensie
AANSOEK OM TYDELIKE DRANKLISENSIE OF DRANKLISENSIE VIR ’N GELEENTHEID		
19(2)(a)(ii)	8	Aansoek om ’n tydelike dranklisensie ingevolge artikel 48(1)
19(2)(b)(ii)	9	Aansoek om ’n dranklisensie vir ’n geleentheid ingevolge artikel 48(4)
19(20)(b)	10	Tydelike dranklisensie
19(20)(b)	11	Dranklisensie vir ’n geleentheid

19(16)	12A	Aansoek om kondonering van die laat indiening van ’n aansoek om ’n tydelike dranklisensie of ’n dranklisensie vir ’n geleentheid ingevolge artikel 48(10)
19(21)	12B	Kennisgewing ingevolge regulasie 19(19)
AANSOEK OM OORDRAG VAN FINANSIËLE BELANG IN GELISENSIEERDE BESIGHEID OF VERHURING VAN GELISENSIEERDE BESIGHEID		
21(1)	13	Aansoek om ’n finansiële belang in die gelisensieerde besigheid oor te dra ingevolge artikel 51(1)
21(2)	14	Aansoek om perseel aan ’n ander persoon te verhuur, ’n ander persoon toe te laat om besigheid ingevolge die lisensie te bedryf of ’n ander persoon toe te laat om die gelisensieerde perseel te gebruik ingevolge artikel 51(7)
BENOEMING VAN BESTUURDER		
22(1)	15	Benoeming vir die aanstelling van ’n bestuurder ingevolge artikel 52
VERANDERING AAN GELISENSIEERDE BESIGHEID OF AARD VAN BESIGHEID		
23(1)	16	Aansoek om toestemming om strukturele veranderings aan die gelisensieerde perseel aan te bring ingevolge artikel 53(1)(a)
23(2)	17	Aansoek om toestemming om die aard van die gelisensieerde besigheid wesenlik te verander ingevolge artikel 53(1)(b)
23(3)	18	Aansoek om toestemming om ’n besigheid kragtens ’n lisensie te bedryf op ’n perseel waarop enige ander besigheid bedryf word, insluitend ’n besigheid waarop enige ander lisensie betrekking het, of enige handel gedryf of beroep beoefen word ingevolge artikel 53(1)(c)
HANDELSURE		
26(1)	19	Aansoek om die verlenging van handelsure ingevolge artikel 59(4)

ABANDONNERING VAN LISENSIE		
29	20	Kennisgewing van abandonnering van lisensie
OUTOMATIESE HERNUWING VAN LISENSIE EN KONDONERING VAN DIE VERSUIM OM HERNUWINGSFOOI TEEN BETAALDATUM TE BETAAL		
30(1)	21A	Jaarlikse of tweejaarlikse lisensiehernuwingskennisgewing
30(3)	21B	Tweejaarlikse hernuwingskennisgewing: Kennisgewing van intekening op tweejaarlikse hernuwingsiklus
30(4)	21C	Aansoek om kondonering van die versuim om hernuwingsfooi te betaal ingevolge artikel 63(4)
AANSOEK OM HERNUWING VAN LISENSIE		
31(1)	22	Aansoek om hernuwing van lisensie ingevolge artikel 64(1)
31(4)	23	Aansoek om kondonering van die versuim om vir die hernuwing van ’n lisensie aansoek te doen ingevolge artikel 64(4)
OORDRAG VAN LISENSIE		
32(2)(a)	24	Aansoek om oordrag van lisensie ingevolge artikel 65(1)
32(10)	24A	Kennisgewing van toestaan of weiering van oordrag van lisensie
32(11)	24B	Kennisgewing van voorwaardelike toestaan van oordrag van lisensie ingevolge regulasie 32(11)
32(14)	24C	Kennisgewing dat daar voldoen is aan die voorwaardes van die voorwaardelike toestaan van die lisensie ingevolge regulasie 32(14)
32(17)	24D	Aansoek om kondonering van die versuim om voorgeskrewe fooi te betaal ingevolge artikel 65(19)

32(35) & (46)	24E	Aansoek— A – Ingevolge artikel 65(12B) om voorwaardes opgelê ingevolge artikel 65(12) te wysig of in te trek B – Ingevolge artikel 65(12C) om die tydperk gestipuleer ingevolge artikel 65(12A) te verleng
32(45) & (49)	24F	Kennisgewing van besluit ingevolge regulasie 32(45) of (49)
32(12) & (16)	25	Sertifikaat van oordrag van dranklisensie ingevolge artikel 65(17)
32(21)	26	Aansoek om toestemming om gelisensieerde besigheid te bedryf hangende die oordrag van die lisensie ingevolge artikel 65(3)
32(31)	26A	Aansoek ingevolge artikel 65(6) om die tydperk van toestemming verleen ingevolge artikel 65(5) te verleng
32(34)	26B	Toestemming vir die verlenging van die tydperk toegestaan ingevolge artikel 65(5)
AANSOEK OM VERWYDERING VAN LISENSIE		
33(6)	27	Aansoek om die verwydering van ’n lisensie ingevolge artikel 66(2)
33(2)	27A	Kennisgewing van indiening van aansoek om verwydering van dranklisensie ingevolge artikel 66(2) van die Wes-Kaapse Drankwet, 2008
33(4)	27B	Kennisgewing van indiening van aansoek om verwydering van dranklisensie
33(20)	27C	Kennisgewing van toestaan of weiering van verwydering van lisensie
33(21)	27D	Kennisgewing van voorwaardelike toestaan van verwydering van lisensie ingevolge regulasie 33(21)
33(24)	27E	Kennisgewing dat daar voldoen is aan die voorwaardes van die voorwaardelike toestaan ingevolge regulasie 33(24)

33(27)	27F	Aansoek om kondonering van die versuim om voorgeskrewe fooi te betaal ingevolge artikel 66(8)
33(31) & (40)	27G	Aansoek— A – Ingevolge artikel 66(4B) om die wysiging of intrekking van voorwaardes B – Ingevolge artikel 66(14)(a) om ’n voorwaarde of vereiste in te trek of te wysig C – Ingevolge artikel 66(14)(d) om die goedkeuring van ’n gewysigde plan D – Om die tydperk te verleng— (a) wat die Dranklisensiëringstribunaal ingevolge artikel 66(4C) gestipuleer het (b) wat die Voorsittende Beampte ingevolge artikel 66(14)(b) of (c) gestipuleer het
33(39) & (43)	27H	Kennisgewing van besluit ingevolge regulasie 33(39) of (43)
33(22) & (26)	28	Sertifikaat van verwydering van lisensie ingevolge artikel 65(17)
APPELLE EN HERSIENINGS		
34(6)	29	Kennisgewing van appèl of hersieningsaansoek ingevolge artikel 68(3)
VOLDOENING		
35(1)	30	Voldoeningskennisgewing ingevolge artikel 69(1)
35(3)	31	Sertifikaat van voldoening ingevolge artikel 69(6)
ADMINISTRATIEWE KENNISGEWING		
37A(1)	32	Kennisgewing ingevolge regulasie 37A(1)

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 1

BENOEMINGSVORM VIR AANSTELLING AS LID VAN DIE RAAD

[Reg. 2(3)]

DEEL A: VIR VOLTOOIING DEUR DIE PERSOON WAT DIE BENOEMING MAAK:

1. PERSOONLIKE BESONDERHEDE

1.1 Volle naam : _____

1.2 Identiteitsnommer : _____

1.3 Geboortedatum : _____/_____/ _____

1.4 Woonadres : _____

_____

Poskode : _____

1.5 Posadres : _____

_____

Poskode : _____

1.6 Telefoonnommers:

Kantoor :_____

Selfoon :_____

Tuis of ander :_____

1.7 Faksnommer : _____

E-posadres : _____

2. VERWANTSKAP AAN BENOEMDE

Benoemer moet die aard van die verwantskap (gade, familielid, vennoot of besigheidsdeelgenoot) tussen hom- of haarself en die benoemde aandui.

_____

3. REDE VIR BENOEMING VAN BENOEMDE

Benoemer moet redes verskaf waarom die Benoemde aangestel behoort te word as ’n lid van die Raad.

_____
_____
_____
_____

ONDERTEKEN te _____ op hierdie _____ dag van _____

20_____.

_____
PERSOON WAT DIE BENOEMING DOEN

DEEL B: VIR VOLTOOIING DEUR DIE BENOEMDE

1. PERSOONLIKE BESONDERHEDE

1.1 Volle naam : _____

1.2 Identiteitsnommer : _____

1.3 Geboortedatum : _____/_____/ _____

1.4 Woonadres : _____

_____

Poskode : _____

1.5 Posadres : _____

_____

Poskode : _____

1.6 Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

1.7 Faksnommer : _____

1.8 E-posadres : _____

2. KWALIFISERING VAN BENOEMDE

2.1(a)	Is u ’n burger van die Republiek van Suid-Afrika en permanent woonagtig in die Provinsie?	Ja	Nee
(b)	Is u jonger as vyf-en-twintig (25) jaar oud?	Ja	Nee
(c)	Is u in die voorafgaande tien (10) jaar skuldig bevind aan ’n misdryf ingevolge hierdie Wet of enige soortgelyke wet?	Ja	Nee
(d)	Is u, in die voorafgaande tien (10) jaar, hetsy in die Republiek of elders, skuldig bevind aan diefstal, bedrog, vervalsing, die uitgee van ’n vervalste dokument, meineed of enige misdryf kragtens die Wet op Korrupsie, 1992 (Wet 94 van 1992), of die Wet op die Voorkoming en Bestryding van Korrupte Bedrywighede, 2004 (Wet 12 van 2004), of enige misdryf waarvan oneerlikheid ’n element is?	Ja	Nee
(e)	Is u ’n ongerehabiliteerde insolvent of iemand wat onderworpe is aan ’n handelingsonbevoegdheid?	Ja	Nee
(f)	Is u in die voorafgaande tien (10) jaar uit ’n vertrouensamp ontslaan weens wangedrag of oneerlikheid?	Ja	Nee
(g)	Is u ’n politieke ampsbekleër?	Ja	Nee
(h)(i)	Het u, hetsy persoonlik of deur u gade, familielid, vennoot of besigheidsdeelgenoot— ’n regstreekse of onregstreekse finansiële belang in enige drankbesigheid of -onderneming; of	Ja	Nee

(h)(ii)	enige belang in enige besigheid of onderneming wat in stryd kan wees of kan inmeng met die behoorlike uitvoering van u pligte as ’n lid van die Raad of in enige lisensie kragtens hierdie Wet uitgereik?	Ja	Nee

(***Neem kennis:*** *Vir die doel van hierdie paragraaf sluit ’n onregstreekse finansiële belang nie ’n onregstreekse belang in wat gehou word deur middel van enige fonds of belegging indien die persoon wat sodanige belang het geen beheer het oor die beleggingsbesluite wat ten opsigte van daardie fonds of belegging geneem word nie.)*

2.2 Indien die antwoord op enige vrae in paragraaf 2.1(b) tot (h) “ja” is, verskaf volledige besonderhede. *(Gebruik ’n aanhangsel indien nodig.)*

_____

_____

_____

_____

2.3 Indien u benoem is vir aanstelling ingevolge artikel 3(1)(a) van die Wet: Beskik u oor toepaslike kennis en ondervinding in stelsels en prosesse ten einde behoorlike verantwoordenspligtigheid, integriteit en openheid in die verrigting van die besigheid van die Owerheid as ’n organisasie? *(Merk “ja” of “nee”.)* **JA / NEE**
Indien “ja”, dui u kennis en ondervinding aan:

_____

_____

_____

2.4 Indien u benoem is vir aanstelling ingevolge artikel 1(1)(b) van die Wet: Beskik u oor die toepaslike kennis en ondervinding in die bestryding van die negatiewe maatskaplike gevolge van die misbruik van drank? **JA / NEE**
Indien “ja”, dui u kennis en ondervinding aan:

_____

_____

_____

3. AKADEMIESE KWALIFIKASIES

Verskaf volledige besonderhede van al u akademiese kwalifikasies, insluitend kort kursusse, indien enige: _____

_____

_____

4. GEMEENSKAPSBETROKKENHEID

Verskaf besonderhede van u betrokkenheid by die gemeenskap.

5. MOTIVERING TER ONDERSTEUNING VAN AANSTELLING

Verskaf ’n omvattende motivering waarom u glo u as ’n lid van die Raad aangestel behoort te word:_____

_____

_____

ONDERTEKEN TE _____ op hierdie _____ dag van

_____ 20 ____

_____

BENOEMDE

’n Persoon wat met betrekking tot ’n aansoek, ’n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of ’n vervalste dokument of een wat voorgee ’n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan ’n misdryf ingevolge artikel 77(a) van die Wet.

’n Persoon wat aldus skuldig bevind word, is strafbaar met ’n boete van hoogstens R50 000 of met gevangenisstraf vir ’n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 2

BENOEMINGSVORM VIR AANSTELLING AS LID OF VERVANGENDE LID VAN DRANKLISENSIËRINGSTRIBUNAAL

[Reg. 6(5)]

DEEL A: VIR VOLTOOIING DEUR PERSOON WAT BENOEMING MAAK

1. PERSOONLIKE BESONDERHEDE

1.1 Volle naam : _____

1.2 Identiteitsnommer : _____

1.3 Geboortedatum : _____/_____/_____

1.4 Woonadres : _____

_____

Poskode : _____

1.5 Posadres : _____

_____

Poskode : _____

1.6 Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

1.7 Faksnommer : _____

1.8 E-posadres : _____

2. VERWANTSKAP AAN BENOEMDE

Benoemer moet die aard van die verwantskap (gade, familielid, vennoot of besigheidsdeelgenoot) tussen hom of haar en die benoemde aandui:

_____

3. REDES VIR BENOEMING VAN BENOEMDE

Benoemer moet die redes verskaf waarom die Benoemde as 'n lid of vervangende lid van die Dranklisensiëringstribunaal aangestel behoort te word:

_____

_____.

_____

ONDERTEKEN TE _____ op hierdie _____ dag van _____ 20 _____

_____

PERSOON WAT BENOEMING MAAK

DEEL B: VIR VOLTOOIING DEUR DIE BENOEMDE

1. PERSOONLIKE BESONDERHEDE

1.1 Volle naam : _____

1.2 Identiteitsnommer : _____

1.3 Geboortedatum : _____ /_____/ _____

1.4 Woonadres : _____

_____

Poskode : _____

1.5 Posadres : _____

_____

Poskode : _____

1.6 Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

1.7 Faksnommer: : _____

1.8 E-posadres : _____

2. KWALIFISERING VAN BENOEMDE

2.1(a)	Is u in die afgelope tien (10) jaar skuldig bevind aan ’n misdryf en gevonnis tot gevangenisstraf sonder die keuse van ’n boete?	Ja	Nee
(b)	Is u in die afgelope tien (10) jaar skuldig bevind aan ’n misdryf ingevolge hierdie Wet, die “Liquor Act, 2003” (Wet 59 van 2003), die Drankwet, 1989 (Wet 27 van 1989), of enige soortgelyke wet?	Ja	Nee
(c)	Is u ’n ongerehabiliteerde insolvent of onderworpe aan enige handelingsonbevoegdheid?	Ja	Nee
(d)	Is u jonger as vyf-en-twintig (25) jaar oud?	Ja	Nee
(e)	Het u enige regstreekse belang in die drankhandel?	Ja	Nee
(f)	Is u of ’n familielid, vennoot of besigheidsdeelgenoot iemand met ’n regstreekse belang in die drankhandel?	Ja	Nee
(g)	Is u ingevolge artikel 35 van die Wet gediskwalifiseer om ’n dranklisensie te hou?	Ja	Nee
(h)	Is u tans woonagtig in die Provinsie?	Ja	Nee

2.2 Indien enige van die vrae in paragraaf 2.1(a) tot (g) “ja” as antwoord het, verskaf volle besonderhede. *(Heg ’n aanhangsel aan indien nodig.)*

_____
_____
_____
_____.

3. AKADEMIESE KWALIFIKASIES

Verskaf volledige besonderhede van alle akademiese kwalifikasies.

4. MOTIVERING TER ONDERSTEUNING VAN DIE AANSOEK

Verskaf ’n omvattende motivering waarom u glo u as ’n lid of vervangende lid van die Dranklisensiëringstribunaal aangestel behoort te word.

ONDERTEKEN TE _____ op hierdie _____dag van

_____20 _____

_____
BENOEMDE

’n Persoon wat met betrekking tot ’n aansoek, ’n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of ’n vervalste dokument of een wat voorgee ’n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan ’n misdryf ingevolge artikel 77(a) van die Wet.
’n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met ’n boete van hoogstens R50 000,00 of met gevangenisstraf vir ’n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 3

AANSOEK OM ’N LISENSIE INGEVOLGE ARTIKEL 36

[Reg. 9(3)]

OORSPRONKLIKE MOET BY OWERHEID EN TWEE AFSKRIFTE BY AANGEWESE DRANKBEAMPTE INGEDIEN WORD

Datumstempel van aangewese drankbeampte by ontvangs van aansoek	Datumstempel van Owerheid by ontvangs van aansoek

INHOUD

Beskrywing van dokumente wat aangeheg moet word	Aanhangsel
Omvattende vloerplan van voorgenome gelisensieerde perseel	A
Terreinplan	B
Lugbeeldkaart	C
Beskrywing van die perseel	D
Geïndekseerde kleurfoto’s	E
Skriftelike vertoë ter ondersteuning van die aansoek	F
Beëdigde verklaring deur die aansoeker dat hy of sy nie ingevolge artikel 35 gediskwalifiseer is om ’n dranklisensie te hou nie	G
Bewys van kennisgewing ingevolge artikel 37(2)	H
Bewys van reg om die voorgenome gelisensieerde perseel te okkupeer	I
Bewys van eienaarskap van die voorgenome gelisensieerde perseel of, indien die aansoeker nie die eienaar is nie, skriftelike toestemming van die eienaar van die voorgenome gelisensieerde perseel dat die aansoeker die	J

Beskrywing van dokumente wat aangeheg moet word	Aanhangsel
voorgenome gelisensieerde perseel mag gebruik vir die doel van die lisensie waarvoor aansoek gedoen word	
’n Gesertifiseerde afskrif van die aansoeker se identiteitskaart of -dokument, of die paspoort en visum of permanente verblyfpermit van die aansoeker indien die aansoeker ’n buitelander is, en, in die geval van ’n aansoeker wat nie ’n natuurlike persoon is nie, afskrifte van die tersaaklike registrasiedokumente wat die identiteit en, waar van toepassing, die finansiële belang van alle lede, direkteure, vennote, begunstigdes of trustees aandui	K
’n Geldige, oorspronklike belastingklaringsertifikaat ten opsigte van die aansoeker wat deur die Suid-Afrikaanse Inkomstediens uitgereik is nie meer as drie maande voor die datum van indiening van die aansoek nie	L
Bewys van betaling van die toepaslike aansoekfooi	M
’n Soneringsertifikaat of ’n afskrif van ’n beplanningsaansoek wat ingevolge die toepaslike beplanningswetgewing by die betrokke munisipaliteit ingedien is	N
Ander dokumente wat deur die Wet of die Owerheid vereis word	O
’n Benoeming vir die aanstelling van ’n bestuurder ooreenkomstig regulasie 22, indien van toepassing	P

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

_____

Poskode : _____

Fisiese adres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

1. BESONDERHEDE VAN AANSOEKER

1.1 Volle naam : _____

1.2 Identiteitsnommer : _____

1.3 Geboortedatum : _____/ _____/ _____

(Indien die aansoeker 'n natuurlike persoon is)

Registrasienommer : _____

(Indien die aansoeker nie 'n natuurlike persoon is nie)

1.4 Woonadres : _____

_____

Poskode : _____

1.5 Posadres : _____

_____

Poskode : _____

1.6 Adres vir betekening van alle kennisgewings en dokumente:

_____

_____

_____ Poskode: _____

1.7 Adres vir betekening van alle kennisgewings en dokumente nadat die aansoek bepaal is:

_____

_____

Poskode: _____

1.8 Kontakbesonderhede van aansoeker of, indien die aansoeker nie ’n natuurlike persoon is nie, van skakelpersoon:

_____

_____

_____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

1.9 Faksnommer : _____

1.10 E-posadres : _____

2. KWALIFISERING VAN AANSOEKER

2.1	Is die aansoeker iemand wat—	Merk “ja” of “nee”	
(a)	in die vyf (5) jaar voor die indiening van hierdie aansoek gevonnis is tot gevangenisstraf sonder die keuse om ’n boete te betaal?	Ja	Nee
(b)	in die vyf (5) jaar voor die indiening van hierdie aansoek onbevoeg verklaar is om ’n registrasie by die Nasionale Drankowerheid of ’n lisensie by enige provinsiale drankowerheid te hou?	Ja	Nee
(c)	’n ongerehabiliteerde insolvent is?	Ja	Nee
(d)	minderjarig is?	Ja	Nee
(e)	in die tydperk van twaalf (12) maande voor die indiening van hierdie aansoek ’n houer was van ’n lisensie wat gekanselleer is ingevolge die Wet of ’n wet wat dranklisensies reguleer in enige ander provinsie?	Ja	Nee
(f)	die gade of lewensmaat is van ’n persoon beskryf in (a), (b) of (e) hierbo?	Ja	Nee
(g)	geestesongesteld is soos omskryf in die “Mental Health Care Act, 2002” (Wet 17 van 2002)?	Ja	Nee
2.2	In die geval van ’n aansoeker wat nie ’n natuurlike persoon is nie— is enige lid, aandeelhouer, trustee, begunstigde of vennoot van die aansoeker ’n persoon beskryf in paragraaf 2.1(a), (b), (c), (d) of (e)?	Ja	Nee

2.3 Indien enige vrae in paragrawe 2.1 of 2.2 “ja” as antwoord het, verskaf die volle besonderhede:

_____

_____

_____

_____

(Gebruik ’n aanhangsel indien nodig.)

3. FINANSIËLE BELANG

3.1 Verskaf die naam, identiteitsnommer en adres van elke persoon, insluitend die aansoeker, wat ’n finansiële belang het in die besigheid en in elke geval die aard en omvang van sodanige belang.

(Indien die aansoeker ’n publieke maatskappy, statutêre instelling of ko-operatief is soos beoog in die Koöperasiewet, 1981 (Wet 91 van 1981), is dit voldoende om slegs die naam en posadres van sodanige maatskappy, statutêre instelling of koöperatief, na gelang van die geval, die naam van elke direkteur (indien enige) en die aard en omvang van die finansiële belang van sodanige maatskappy, statutêre instelling of koöperatief te verskaf en nie ook die belang van indiwiduele lede van sodanige maatskappy, statutêre instelling of koöperatief nie.)

_____

_____

_____

_____

_____

_____

(Gebruik ’n aanhangsel indien nodig.)

3.2	Indien die aansoeker ’n maatskappy, beslote korporasie, vennootskap of trust is, ’n persoon beoog in paragraaf 3.1 hierbo—	Merk “ja” of “nee”	
(a)	iemand met ’n beherende belang in die maatskappy, beslote korporasie of trust?	Ja	Nee
(b)	’n vennoot in die vennootskap?	Ja	Nee
(c)	die hoofbegunstigde onder die trust?	Ja	Nee

3.3 Indien enige van die vrae in paragraaf 3.2 (a), (b) of (c) “ja” as antwoord het, verskaf die volle besonderhede: *(Gebruik ’n aanhangsel indien nodig.)*

_____
_____
_____
_____
_____

4. BESONDERHEDE VAN AANSOEK

4.1 Vermeld die kategorie lisensie waarvoor aansoek gedoen word:

_____

4.2 Vermeld die soort(e) drank wat die aansoeker beoog om kragtens die lisensie te verkoop of te vervaardig:

_____
_____

4.3 Onder watter naam gaan die besigheid bedryf word?

_____
_____

4.4 Adres van die perseel wat gelisensieer sal word, met verwysing na die nommer van die erf, straat/strate, woonstel(le), winkel(s) of plaas, na gelang van die geval, waarvandaan die besigheid bedryf sal word:

_____
_____
_____

4.5 Is die aansoeker die eienaar van die voorgenome gelisensieerde perseel? **JA / NEE**
Indien nie, verskaf die besonderhede van die eienaar en die aansoeker se reg op okkupasie:

Naam van eienaar : _____
Adres van eienaar : _____
_____
Aansoeker se reg van okkupasie: _____
Duur van reg van okkupasie: _____

4.6	Word die aansoek gemaak ten opsigte van ’n perseel—	Merk “ja” of “nee”	
(a)	wat nog opgerig moet word?	Ja	Nee
(b)	wat reeds opgerig is maar aanbouings of veranderings benodig om dit geskik te maak vir die doel van die voorgenome besigheid?	Ja	Nee
(c)	wat reeds opgerig is en na die aansoeker se mening nie aanbouings of veranderings benodig om dit geskik te maak vir die doel van die voorgenome besigheid nie?	Ja	Nee

4.7 Indien die vrae in paragraaf 4.6(a) of (b) “ja” as antwoord het, vermeld—

(a) die datum waarop sodanige oprigting, aanbouings of veranderings sal begin:

_____/ _____/ 20_____, en

(b) die tydperk wat benodig word vir die oprigting, aanbouings of veranderings:

_____.

4.8 Handelsure gevra waartydens voorgestel word drank verkoop of verbruik mag word op die gelisensieerde perseel:

_____

4.9 Sou die lisensie toegestaan word, dui aan of die lisensie outomaties hernu sal word op ’n **jaarlikse** of **tweejaarlikse** grondslag. *(Merk watter een van toepassing is.)*

4.10 Werk wat geskep sal word:

(a) Hoeveel mense sal deur die besigheid aangestel word?

_____

(b) Hoeveel mense sal bestuurders wees?

_____

(c) Hoeveel mense sal aangestel word spesifiek vir die verkoop van drank?

_____

5. BESONDERHEDE VAN AANSOEKER INDIEN AANSOEKER NIE 'N NATUURLIKE PERSOON IS NIE

(Moet ingevul word indien aansoeker 'n maatskappy, beslote korporasie, trust of vennootskap is.)

5.1 Geregistreerde naam: _____

5.2 Registrasienommer: _____

5.3 Datum van registrasie: _____

(Bewys van registrasie moet as 'n aanhangsel aangeheg word.)

5.4 Besonderhede van lede, direkteure, vennote of trustees:
(Gebruik 'n aanhangsel indien nodig.)

(Eerste persoon)
Volle naam : _____
Fisiese adres : _____
_____
Poskode : _____
Posadres : _____
_____
Poskode : _____
Identiteitsnommer : _____

(Tweede persoon)
Volle naam : _____
Fisiese adres : _____
_____
Poskode : _____
Posadres : _____
_____
Poskode : _____
Identiteitsnommer : _____

6. ANDER LISENSIES

6.1 Verskaf die volle besonderhede van enige bestaande dranklisensie op die eiendom waar die voorgenome gelisensieerde perseel geleë is:

Lisensiehouer : _____

Tipe lisensie : _____

Owerheidsverwysingsnommer: _____

(Die ligging van sodanige ander gelisensieerde perseel in verhouding tot die voorgenome perseel moet op 'n terreinplan uitgebeeld word.)

6.2 Gee volledige besonderhede van alle dranklisensies in die Wes-Kaapse Provinsie, asook volledige besonderhede van enige registrasie gehou by die Nasionale Drankowerheid ingevolge die "Liquor Act, 20013" (Wet 59 van 2003):

_____

_____

(Gebruik aparte aanhangsel indien nodig.)

_____ _____

Datum **Handtekening van aansoeker of persoon gemagtig deur aansoeker**

_____

Naam in drukskrif

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.

'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 3A

NOTICE OF APPLICATIONS FOR LIQUOR LICENCES IN TERMS OF SECTION 37(1) OF THE WESTERN CAPE LIQUOR ACT, 2008

[Reg. 10(1)]

Notice is hereby given that the following applications for liquor licences have been lodged with the Western Cape Liquor Authority (the Authority) and with the designated liquor officers at the indicated South African Police Service offices.

The applications concerned may, up to and including the twenty-eighth (28th) day from the date of this notice, upon request and free of charge, be inspected by any person, at the offices of the Authority or the designated liquor officer listed hereunder. Copies of an application can be obtained from the Authority after payment of the prescribed fee.

Objections and representations must be lodged in writing with the Authority and the designated liquor officer in accordance with section 39 of the Act.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 3A

KENNISGEWING VAN AANSOEKE OM DRANKLISENSIES INGEVOLGE ARTIKEL 37(1) VAN DIE WES-KAAPSE DRANKWET, 2008

[Reg. 10(1)]

Kennis word hiermee gegee dat die volgende aansoeke om dranklisensies ingedien is by die Wes-Kaapse Drankowerheid (die Owerheid) en by die aangewese drankbeamptes by die aangeduide Suid-Afrikaanse Polisiedienskantore.

Die betrokke aansoeke kan, tot en met die ag-en-twintigste (28ste) dag vanaf die datum van hierdie kennisgewing, op versoek en gratis deur enige persoon by die kantore van die Owerheid of van die aangewese drankbeampte hieronder gelys, besigtig word. Afskrifte van ’n aansoek kan by die Owerheid bekom word na betaling van die voorgeskrewe fooi.

Besware en vertoë moet ooreenkomstig artikel 39 van die Wet skriftelik by die Owerheid en die aangewese drankbeampte ingedien word.

UMTHETHO WOTYWALA WENTSHONA KOLONI 4 KA-2008

IFOMU 3A

ISAZISO SOKUFAKWA KWESICELO SEPHEPHA MVUME NGOKWECANDELO 37(1) LOMTHETHO WOTYWALA WENTSHONA KOLONI KA-2008

[Reg. 10(1)]

Isaziso siyanikezelwa ukuba ezi zicelo zilandelayo zamaphepha mvume otywala zifakiwe kwabasemaGunyeni ezoTywala eNtshona Koloni (abasemaGunyeni) nakumagosa ajongene nemiba engotywala kwii-ofisi ezixeliweyo zeeNkonzo zamaPolisa aseMzantsi Afrika.

Izicelo ekubhekiselelwa kuzo zingakwazi kwiintsuku ezingamashumi amabini anesibhozo (28) ukususela ngomhla wesi saziso, xa eceliwe kwaye simahla, ziye kuhlolwa nguye nawuphi umntu okwi-Ofisi esemaGunyeni okanye yegosa elijongene nemiba engotywala elixelwe apha ngezantsi. Iikopi zesicelo zingafumaneka kwabasemaGunyeni emva kwentlawulo emiselweyo.

Uchaso neengxelo ezixhasayo ezibhaliweyo zingafakwa kwabasemaGunyeni nakwigosa elijongene nemiba engotywala ngokwecandelo 39 loMthetho.

Nr.	**Full name of applicant** **Volle naam van aansoeker** **Igama elipheleleyo lomfaki-sicelo**	**Name under which business will be conducted** **Naam waaronder besigheid bedryf sal word** **Igama ishishini eza kushishina phantsi kwalo**	**Address of the proposed premises** **Adres van voorgenome perseel** **Idilesi yesakhiwo**	**Kind of licence applied for** **Soort lisensie waarom aansoek gedoen word** **Uhlobo lwephepha mvume olucelayo**	**South African Police Services designated liquor officer office where the application has been lodged** **Suid-Afrikaanse Polisiediens-kantoor van die aangewese drankbeampte waar die aansoek ingedien is** **i-Ofisi yeGosa elijongene nemiba engotywala yeeNkonzo zamaPolisa eMzantsi Afrika apho isicelo sifakwe khona**

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 3B

KENNISGEWING VAN INDIENING VAN AANSOEK OM DRANKLISENSIE

[Reg. 10(2)]

Kennis word hiermee gegee dat ’n aansoek om ’n dranklisensie, waarvan die besonderhede hieronder gegee word, by die Wes-Kaapse Drankowerheid (die Owerheid) en by die kantoor van die aangewese drankbeampte by die Suid-Afrikaanse Polisiediens ingedien is.

Die publiek kan, tot en met die ag-en-twintigste (28ste) dag vanaf die datum van publikasie deur die Owerheid van die aansoek ingevolge regulasie 10(1), op versoek en gratis by die Owerheid die betrokke aansoek besigtig. Afskrifte van die aansoek kan by betaling van die voorgeskrewe fooi by die Owerheid bekom word.

U mag ingevolge artikel 39 besware en vertoë ten gunste van of teen die genoemde aansoek indien. Sou u dit wou doen, moet die besware of vertoë skriftelik by die Owerheid en die aangewese drankbeampte ingedien word.

Datum van kennisgewing: _____

(Hierdie datum moet ooreenstem met die datum van indiening van die aansoek.)

Volle naam van aansoeker: _____

Identiteitsnommer of registrasienommer van aansoeker: _____

Straatadres van aansoeker: _____

_____

Posadres van aansoeker: _____

_____

Poskode: _____

Tipe lisensie waarvoor aansoek gedoen word: _____

Soort(e) drank wat mikrovervaardig en/of verkoop sal word: _____

_____

Naam waaronder die besigheid bedryf sal word: _____

_____

Adres van perseel wat gelisensieer staan te word, met verwysing na die nommer van die erf, straat/strate, woonstel(le), winkel(s) of plaas, na gelang van die geval, waarvandaan die besigheid bedryf staan te word.

_____

_____

_____

Naam en handtekening van persoon wat hierdie kennisgewing voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

Fisiese adres : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Faksnommer : _____

E-posadres : _____

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.

'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 4A

KENNISGEWING OM TEENWOORDIG TE WEES BY 'N VERGADERING VAN DIE DRANKLISENSIËRINGSTRIBUNAAL INGEVOLGE ARTIKEL 23(2)

[Reg. 16(1)]

AAN:

Naam: _____

Adres: _____

Uit hoofde van die bevoegdhede wat by artikel 23(2) van die Wet in die Voorsittende Beampte vestig en weens die feit dat u moontlik benadeel kan word by die oorweging van 'n aangeleentheid deur die Dranklisensiëringstribunaal word u hiermee versoek om teenwoordig te wees by 'n vergadering van die Dranklisensiëringstribunaal wat verband hou met die aansoek of lisensie met die volgende besonderhede:

Naam en adres van perseel: _____

Naam van aansoeker/lisensiehouer: _____

Owerheidsverwysingsnommer: _____

Die vergadering sal gehou word op die datum, tyd en plek soos aangedui hieronder:

Datum: _____/ _____/ 20 _____

Tyd: _____

Plek: _____

Let op die volgende:

(i) Dit is belangrik dat u persoonlik verskyn. U mag 'n advokaat, prokureur of enige ander persoon aanstel om namens u te verskyn.

(ii) Die Voorsittende Beampte mag van u vereis om te getuig of om enige dokument of enige ander ding wat in u besit of bewaring is of onder u beheer is, te verskaf.

Uitgereik te _____ op die _____ dag van _____ 20 __

_____

Sekretaris

SLEGS VIR AMPTELIKE GEBRUIK

Ek sertifiseer dat ek hierdie kennisgewing aan die persoon genoem in die kennisgewing beteken het deur—

(a) ’n ware afskrif PERSOONLIK af te lewer aan _____
OF

(b) ’n ware afskrif af te lewer aan _____, wat blykbaar ouer as 16 jaar is en blykbaar woon of werk by die WONING/WERKPLEK/BESIGHEID van die genoemde _____, aangesien hy/sy nie te vinde was by _____ _____ nie.

Die aard en dringendheid van hierdie kennisgewing is aan die ontvanger verduidelik.

Tyd van betekening:

Tyd: _____ Dag: _____ Maand: _____ 20_____

_____

Handtekening van polisiebeampte of inspekteur

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 4B

DAGVAARDING INGEVOLGE ARTIKEL 23(5)

[Reg. 16(1)]

AAN:

Naam: _____

Adres: _____

_____

_____

Uit hoofde van die bevoegdhede wat by artikel 23(5) van die Wet in die Voorsittende Beampte vestig, word u hiermee gedagvaar om teenwoordig te wees en te getuig of dokumente of enigiets aangedui in Aanhangsel _____ hierby aangeheg te verskaf by 'n vergadering van die Dranklisensiëringstribunaal wat verbandhou met die aansoek of lisensie met die volgende besonderhede:

Naam van perseel : _____

Adres van perseel : _____

_____

Naam van aansoeker/lisensiehouer : _____

Owerheidsverwysing : _____

Die vergadering sal gehou word op die datum en tyd en by die plek soos hieronder aangedui:

Datum: _____

Tyd: _____

Plek: _____

(i) **Neem kennis: Dit is 'n misdryf ingevolge artikel 23(13) van die Wet om nie 'n vergadering van die Dranklisensiëringstribunaal by te woon nadat 'n mens gedagvaar is nie.**

(ii) Die Voorsittende Beampte mag u vra om te getuig of enige dokument of enigiets in u besit of bewaring of onder u beheer te verskaf.

(iii) Getuies is daarop geregtig om ’n verteenwoordiger saam te bring om namens hulle te verskyn.

Uitgereik te _____ op die _____ dag

van _____ 20_____

_____

Sekretaris

_____

SLEGS VIR AMPTELIKE GEBRUIK

Ek sertifiseer dat ek hierdie kennisgewing aan die persoon genoem in die kennisgewing beteken het deur—

(a) ’n ware afskrif PERSOONLIK af te lewer aan _____

OF

(b) ’n ware afskrif af te lewer aan _____, wat blykbaar ouer as 16 jaar is en blykbaar woon of werk by die WONING/WERKPLEK/BESIGHEID van die genoemde _____ aangesien hy/sy nie te vinde was by _____ _____ nie.

Die aard en dringendheid van hierdie kennisgewing is aan die ontvanger verduidelik.

Tyd van betekening:

Tyd: _____ Dag: _____ Maand: _____ 20_____

_____

Handtekening van polisiebeampte of inspekteur

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 5A

KENNISGEWING VAN VOORWAARDELIKE TOESTAAN VAN LISENSIE INGEVOLGE REGULASIE 17(2)

[Reg. 17(2)]

NAAM VAN AANSOEKER: _____

NAAM VAN VOORGENOME GELISENSIEERDE BESIGHEID:

_____

ADRES VAN VOORGENOME GELISENSIEERDE PERSEEL:

_____

_____

OWERHEIDSVERWYSINGSNOMMER: _____

Die aansoek om 'n _____ *(naam van lisensie)* het betrekking.

Neem kennis dat 'n _____ *(naam van lisensie)* voorwaardelik toegestaan is en dat die lisensie uitgereik sal word by voldoening aan die volgende voorwaardes:

_____

_____

_____

_____

_____

_____

_____

Neem kennis van die volgende:

(a) Daar moet aan die vermelde voorwaardes voldoen word binne _____ vanaf die datum van hierdie kennisgewing of op of voor die _____ dag van _____ 20_____.

(b) Aansoek kan ingevolge artikel 42(4) by die Dranklisensiëringstribunaal gedoen word in die vorm van Vorm 5B om die voorwaardes waarop die lisensie voorwaardelik toegestaan is te wysig of in te trek.

(c) Aansoek kan by die Voorsittende Beampte van die Dranklisensiëringstribunaal gedoen word in die vorm van Vorm 5B om die tydperk van die voorwaardelike toestaan te verleng ingevolge artikel 42(5)(a) of om 'n wysiging van die plan van die perseel goed te keur ingevolge artikel 42(5)(b).

(d) Indien die aansoeker versuim om aan die vermelde voorwaardes te voldoen binne die tydperk soos bepaal by die voorwaardelike toestaan of binne die verlengde tydperk ingevolge artikel 42(5)(a), verval die toestaan van die lisensie en word die lisensie geag nie toegestaan te gewees het nie.

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

_____

HIERDIE VOORWAARDELIKE TOESTAAN VAN 'N LISENSIE IS NIE TOESTEMMING OM HANDEL TE DRYF SONDER 'N GELDIGE DRANKLISENSIE UITGEREIK INGEVOLGE DIE WES-KAAPSE DRANKWET, 2008, NIE.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 5B

AANSOEK—

A – INGEVOLGE ARTIKEL 42(4) OM DIE WYSIGING OF INTREKKING VAN DIE VOORWAARDES OPGELÊ INGEVOLGE ARTIKEL 42(1); OF

B – INGEVOLGE ARTIKEL 42(5)(b) OM DIE WYSIGING VAN DIE PLAN VAN DIE PERSEEL; OF

C – INGEVOLGE ARTIKEL 42(5)(a) OM DIE VERLENGING VAN DIE TYDPERK

[Reg. 17(8) en (18)]

OOORSPRONKLIKE MOET BY OWERHEID EN EEN AFSKRIF BY DIE BETROKKE AANGEWESE DRANKBEAMPTE INGEDIEN WORD

OWERHEIDSVERWYSING: _____

AANSOEKER: _____

PERSEEL: _____

AANSOEK:

A	**B**	**C**

(Dui aan watter aansoek.)

INHOUD

Beskrywing van dokumente wat aangeheg moet word	**Aanhangsel**
Gewysigde plan van perseel (indien van toepassing)	A
Skriftelike vertoë ter ondersteuning van die aansoek	B
Bewys van betaling	C

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

_____

Poskode : _____

Fisiese adres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

_____ _____

Datum **Handtekening van aansoeker of persoon gemagtig deur die aansoeker**

_____

Naam in drukskrif

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.

'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 5C

KENNISGEWING VAN BESLUIT INGEVOLGE REGULASIE 17(17) OF (22)

[Reg. 17(17) of (22)]

NAAM VAN AANSOEKER: _____

NAAM VAN VOOORGENOME GELISENSIEERDE BESIGHEID:

_____

ADRES VAN PERSEEL: _____

_____

OWERHEIDSVERWYSINGSNOMMER: _____

Neem kennis dat die aansoek ingevolge—

A artikel 42(4) om die voorwaardes te wysig of in te trek;

B artikel 42(5)(b) om die plan van die perseel te wysig; of

C artikel 42(5)(a) om die tydperk te verleng,

(a) **toegestaan is** behoudens die aangehegte voorwaardes; of

(b) **geweier is**.

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 5D

KENNISGEWING INGEVOLGE ARTIKEL 42(4A) VAN INTREKKING VAN LISENSIE VOORWAARDELIK TOEGESTAAN

[Reg. 17(28)]

NAAM VAN AANSOEKER: _____

NAAM VAN VOORGENOME GELISENSIEERDE BESIGHEID:

_____

ADRES VAN PERSEEL: _____

_____

OWERHEIDVERWYSINGSNOMMER: _____

Neem kennis dat die Dranklisensiëringstribunaal ingevolge artikel 42(4A) besluit het om die voorwaardelike toestaan van die lisensie wat ingevolge artikel 42(1) toegestaan is, in te trek.

U het ingevolge artikel 68 van die Wet die reg om te appelleer of om aansoek te doen om ’n hersiening van enige besluit van die Dranklisensiëringstribunaal.

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 5E

KENNISGEWING INGEVOLGE REGULASIE 17(25)

[Reg. 17(25)]

NAAM VAN AANSOEKER: _____

NAAM VAN VOORGENOME GELISENSIEERDE BESIGHEID:

_____

ADRES VAN PERSEEL: _____

_____

OWERHEIDSVERWYSINGSNOMMER: _____

Die aansoek wat voorwaardelik toegestaan is op _____ het betrekking.

Wesenlike feite waarvan die Dranklisensiëringstribunaal onbewus was toe die lisensie voorwaardelik toegestaan is, by die Owerheid ingedien op _____. Die Hoof-Uitvoerende Beampte het hierdie wesenlike feite na die Dranklisensiëringstribunaal verwys ingevolge regulasie 17(24).
Die Dranklisensiëringstribunaal sal hierdie wesenlike feite oorweeg en, indien die Dranklisensiëringstribunaal oortuig is dat hy nie die lisensie voorwaardelik sou toegestaan het indien hy van daardie feite bewus was toe die aansoek toegestaan is nie, mag hy die voorwaardelike toestaan van die lisensie ingevolge artikel 42(4A) van die Wet intrek.

U het die reg om vertoë te rig teen nie later nie as _____.

Die wesenlike feite waarna daar hierbo verwys word, hierby aangeheg.

Indien die Dranklisensiëringstribunaal na oorweging van die aangehegde wesenlike feite besluit om die voorwaardelike toestaan ingevolge artikel 42(4A) in te trek, het u die reg om ingevolge artikel 68 te appelleer of om aansoek te doen om die hersiening van daardie besluit.

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 6A

KENNISGEWING VAN TOESTAAN VAN LISENSIE

[Reg. 18(2)]

NAAM VAN AANSOEKER: _____

NAAM VAN VOORGENOME GELISENSIEERDE BESIGHEID:

_____

ADRES VAN VOORGENOME GELISENSIEERDE BESIGHEID:

_____

_____

OWERHEIDSVERWYSINGSNOMMER: _____

Die aansoek om ’n _____ *(naam van lisensie)* het betrekking.

Neem kennis dat ’n _____ *(naam van lisensie)* uitgereik sal word by betaling van die fooi soos na verwys in artikel 46(2) binne sestig (60) dae vanaf die uitreiking van hierdie kennisgewing, by gebreke waarvan, behoudens artikel 46(6) die toestaan van die aansoek sal verval.

Indien die fooi nie binne die tydperk soos na verwys hierbo betaal is nie, mag u ingevolge artikel 46(6), skriftelik by die Hoof-Uitvoerende Beampte aansoek doen om kondonering van die versuim om die fooi te betaal.

Indien die Hoof-Uitvoerende Beampte die versuim om die fooi te betaal kondoneer, moet die fooi betaal word teen ’n datum bepaal deur die Hoof-Uitvoerende Beampte tesame met ’n boete van 100% van daardie fooi.

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 6B

KENNISGEWING INGEVOLGE REGULASIE 17(4) DAT DAAR VOLDOEN IS AAN DIE VOORWAARDES VAN DIE VOORWAARDELIKE TOESTAAN VAN DIE LISENSIE

[Reg. 17(4)]

NAAM VAN AANSOEKER: _____

NAAM VAN VOORGENOME GELISENSIEERDE BESIGHEID:

_____

ADRES VAN VOORGENOME GELISENSIEERDE BESIGHEID:

_____

_____

OWERHEIDSVERWYSINGSNOMMER: _____

Die aansoek om ’n _____ *(naam van lisensie)* het betrekking.

Neem kennis dat die Voorsittende Beampte oortuig is dat die aansoeker voldoen het aan die voorwaardes opgelê deur die Dranklisensiëringstribunaal op _____ en dat die tersaaklike lisensie uitgereik sal word by betaling van die fooi soos na verwys in artikel 46(2) binne sestig (60) dae vanaf die uitreiking van hierdie kennisgewing, by gebreke waarvan die toestaan van die aansoek sal verval.

Indien die fooi nie binne die tydperk hierbo betaal word nie, mag u skriftelik by die Hoof-Uitvoerende Beampte aansoek doen om die kondonering van die versuim om die fooi te betaal ingevolge artikel 46(6).

Indien die Hoof-Uitvoerende Beampte die versuim kondoneer, moet die fooi betaal word teen ’n datum bepaal deur die Hoof-Uitvoerende Beampte tesame met ’n boete van 100% van daardie fooi.

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of
persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 6C

AANSOEK OM KONDONERING VAN DIE VERSUIM OM VOORGESKREWE FOOI TE BETAAL INGEVOLGE ARTIKEL 46(6)

[Reg. 18(3A)]

OORSPRONKLIKE MOET BY OWERHEID INGEDIEN WORD

DRANKOWERHEIDVERWYSINGSNOMMER _____

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

_____

Poskode : _____

Fisiese adres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

BESONDERHEDE VAN AANSOEKER

1. Volle naam van aansoeker: _____

2. Skriftelike vertoë ter ondersteuning van hierdie aansoek: _____

_____

_____

_____

_____

(Gebruik 'n aanhangsel indien nodig.)

_____ _____

Datum **Handtekening van aansoeker of persoon gemagtig deur aansoeker**

_____

Naam in drukskrif

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.

'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 7
DRANKLISENSIE:

_____ *(soort dranklisensie)*

[Reg. 17(6) of 18(4)]

OWERHEIDSVERWYSINGSNOMMER _____

_____

(hierna die lisensiehouer genoem)

is hiermee gelisensieerd om die volgende soort(e) drank te mikrovervaardig en/of te verkoop:

_____

_____

_____

en sy of haar gelisensieerde besigheid te bedryf onder die naam:

_____ *(Voeg handelsnaam in)*

op die gelisensieerde perseel (waarvan die plan wat ingedien is saam met die aansoek of enige ander plan daarvan wat daarna deur die Dranklisensiëringstribunaal goedgekeur is, aangeheg is as Aanhangsel "A") geleë te:

_____

(Voeg in fisiese adres van gelisensieerde perseel.)

in die munisipaliteit van _____,

sodanige besigheid as wat ooreenkomstig die Wet en die voorwaardes, bepalings, toestemmings, goedkeurings of magtigings wat saam met hierdie lisensie uitgereik is en hierby aangeheg is.

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 8

AANSOEK OM ’N TYDELIKE DRANKLISIENSIE INGEVOLGE ARTIKEL 48(1)

[Reg. 19(2)(a)(ii)]

OORSPRONKLIKE MOET BY OWERHEID INGEDIEN WORD, EEN AFSKRIF BY DIE TERSAAKLIKE AANGEWESE DRANKBEAMPTE EN EEN AFSKRIF BY DIE MUNISIPALITEIT IN WIE SE REGSGEBIED DIE PERSEEL GELEË IS

OWERHEIDSVERWYSINGSNOMMER: _____

Datumstempel van Owerheid by ontvangs van aansoek	Datumstempel van aangewese drankbeampte by ontvangs van aansoek
Datumstempel van tersaaklike munisipaliteit by ontvangs van aansoek	

INHOUD

Beskrywing van dokumente wat aangeheg moet word	Aanhangsel
Omvattende vloerplan van die voorgenome gelisensieerde perseel	A
Terreinplan	B
Lugbeeldkaart	C
Geïndekseerde kleurfoto’s	D
Beskrywing van die perseel	E
Skriftelike vertoë ter ondersteuning van die aansoek	F
Bewys van betaling van die toepaslike aansoekfooi	G
’n Gesertifiseerde afskrif van die identiteitskaart of -dokument, of die paspoort en visum of permanente verblyfpermit van die aansoeker indien die aansoeker ’n buitelander is en, in die geval van ’n aansoeker wat nie ’n natuurlike persoon is nie, afskrifte van die tersaaklike	H

Beskrywing van dokumente wat aangeheg moet word	Aanhangsel
registrasiedokumente wat die identiteit, en waar van toepassing die finansiële belang, van alle lede, direkteure, vennote, begunstigdes of trustees aandui	
Ander dokumente wat die Wet of die Owerheid vereis	I
Beëdigde verklaring deur die aansoeker dat hy of sy nie ingevolge artikel 35 gediskwalifiseer is om ’n dranklisensie te hou nie	J
’n Geldige, oorspronklike belastingklaringsertifikaat ten opsigte van die aansoek, uitgereik deur die Suid-Afrikaanse Inkomstediens nie meer as drie maande voor die datum van indiening van die aansoek nie	K
Bewys van reg van okkupasie vir die tydperk waarvoor aansoek gedoen word	L
Bewys van eienaarskap van die voorgenome gelisensieerde perseel of, indien die aansoeker nie die eienaar is nie, skriftelike toestemming van die eienaar van die voorgenome gelisensieerde perseel dat die aansoeker die voorgenome gelisensieerde perseel vir die doel van die lisensie waarvoor aansoek gedoen word mag gebruik	M
’n Benoeming vir die aanstelling van ’n bestuurder ooreenkomstig regulasie 22	N

Naam, handtekening en kontakbesonderhede van persoon wat aansoek voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

_____

Poskode : _____

Fisiese adres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

1. BESONDERHEDE VAN AANSOEKER

1.1 Volle naam: _____

1.2 Woonadres : _____

_____

Poskode : _____

1.3 Posadres : _____

_____

Poskode : _____

1.4 Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

1.5 Faksnommer : _____

1.6 E-posadres : _____

1.7 Adres van betekening van alle kennisgewings en dokumente:

_____

_____

Poskode: _____

1.8 Adres vir betekening van alle kennisgewings en dokumente nadat die aansoek bepaal is:

_____

_____

Poskode: _____

1.9 Kontakbesonderhede van lisensiehouer of, indien die aansoeker nie ’n natuurlike persoon is nie, volledige besonderhede van skakelpersoon:

_____

_____

1.10 Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

2. BESONDERHEDE VAN GELISENSIEERDE BESIGHEID

2.1 Kategorie lisensie: *(Merk die toepaslike lisensie met ’n kruisie.)*

Lisensie ingevolge artikel 33(1)(a)	
Lisensie ingevolge artikel 33(1)(b)	
Lisensie ingevolge artikel 33(1)(c)	
Lisensie ingevolge artikel 33(1)(d)	

2.2 Soort(e) drank wat kragtens die lisensie verkoop mag word: _____

_____

2.3 Naam waaronder die gelisensieerde besigheid bedryf word: _____

_____

2.4 Die erfnommer en adres van die gelisensieerde perseel: _____

_____

2.5 Munisipale gebied waarin die gelisensieerde perseel bedryf word: _____

_____

2.6 Lisensienommer: _____

3. BESONDERHEDE VAN AANSOEK

3.1 Verskaf die redes vir die aansoek en die aard van die geleentheid (indien van toepassing) ten opsigte waarvan 'n tydelike dranklisensie benodig word:

_____

_____

_____

_____

3.2 Besonderhede van die perseel waar die besigheid bedryf sal word:

Erfnommer : _____

Adres : _____

_____

_____

3.3 Munisipale gebied waarin die besigheid bedryf sal word: _____

_____

3.4 Naam waaronder die besigheid bedryf sal word: _____

_____

3.5 Beskryf die plek of plekke op die perseel waar die verkoop van drank sal plaasvind:

_____

_____

_____

3.6 Handelsure en -datums waarvoor aansoek gedoen word waartydens drank verkoop of verbruik mag word op die gelisensieerde perseel:

_____

_____

_____

3.7 Sal die aansoeker reg van okkupasie hê op die voorgenome perseel?

(Merk "ja" of "nee".) **JA / NEE**

Indien die antwoord "ja" is, verskaf besonderhede van die eienaar en die aansoeker se reg van okkupasie:

(a) Naam van eienaar: _____

(b) Adres van eienaar: _____

(c) Beskrywing van aansoeker se reg van okkupasie: _____

_____

_____

(d) Duur van reg van okkupasie: _____

_____

(e) Het die aansoeker die reg om drank te verkoop op die spesifieke perseel?

_____

3.8 Is 'n tydelike dranklisensie reeds toegestaan aan die aansoeker vir die huidige kalenderjaar? *(Merk "ja" of "nee".)* **JA / NEE**

Indien ja, vermeld—

(a) die getal tydelike dranklisensies wat reeds vir die huidige kalenderjaar aan u toegestaan is: _____

(b) die totale getal dae waarvoor 'n tydelike dranklisensie vir die huidige kalenderjaar aan u toegestaan is:

_____

4. ANDER LISENSIES

Gee volledige besonderhede van enige bestaande dranklisensies op die voorgenome perseel:

Lisensiehouer: _____

_____

Tipe lisensie: _____

_____

Owerheidsverwysingsnommer: _____

(Ligging van sodanige ander lisensies in verhouding tot die voorgenome perseel moet op die terreinplan aangedui word.)

5. FINANSIËLE BELANG

Verskaf die naam, identiteitsnommer en adres van elke persoon, insluitend die aansoeker, wat ’n finansiële belang het in die besigheid wat ingevolge hierdie aansoek bedryf sal word en meld in elke geval die aard en omvang van sodanige belang.

_____

_____

_____

_____

_____

(Gebruik ’n aanhangsel indien nodig.)

_____ _____

Datum **Handtekening van aansoeker of persoon gemagtig deur aansoeker**

_____

Naam in drukskrif

’n Persoon wat met betrekking tot ’n aansoek, ’n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of ’n vervalste dokument of een wat voorgee ’n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan ’n misdryf ingevolge artikel 77(a) van die Wet.

’n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met ’n boete van hoogstens R50 000,00 of met gevangenisstraf vir ’n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 9

AANSOEK OM ’N DRANKLISENSIE VIR ’N GELEENTHEID INGEVOLGE ARTIKEL 48(4)

[Reg. 19(2)(b)(ii)]

OORSPRONKLIKE MOET BY DIE OWERHEID INGEDIEN WORD, EEN AFSKRIF BY DIE TERSAAKLIKE AANGEWESE DRANKBEAMPTE EN EEN AFSKRIF BY DIE MUNISIPALITEIT IN WIE SE REGSGEBIED DIE PERSEEL GELEË IS

Datumstempel van Owerheid by ontvangs van aansoek	Datumstempel van aangewese drankbeampte by ontvangs van aansoek
Datumstempel van tersaaklike munisipaliteit by ontvangs van aansoek	

AUTHORITY REFERENCE NUMBER: _____

INHOUD

Beskrywing van dokumente wat aangeheg moet word	Aanhangsel
Omvattende vloerplan van die perseel	A
Terreinplan	B
Lugbeeldkaart	C
Geïndekseerde kleurfoto’s	D
Beskrywing van die perseel	E
Skriftelike vertoë ter ondersteuning van die aansoek	F
Bewys van betaling van die toepaslike aansoekfooi	G

Beskrywing van dokumente wat aangeheg moet word	Aanhangsel
’n Gesertifiseerde afskrif van die identiteitskaart of -dokument, of die paspoort en visum of permanente verblyfpermit van die aansoeker indien die aansoeker ’n buitelander is en, in die geval van ’n aansoeker wat nie ’n natuurlike persoon is nie, afskrifte van die tersaaklike registrasiedokumente wat die identiteit en, waar van toepassing, die finansiële belang, van alle lede, direkteure, vennote, begunstigdes of trustees aandui	H
Ander dokumente wat die Wet of die Owerheid vereis	I
Beëdigde verklaring deur die aansoeker dat hy of sy nie ingevolge artikel 35 gediskwalifiseer is om ’n dranklisensie te hou nie	J
’n Geldige, oorspronklike belastingklaringsertifikaat ten opsigte van die aansoeker, uitgereik deur die Suid-Afrikaanse Inkomstediens nie meer as drie maande voor die datum van indiening van die aansoek nie	K
Bewys van eienaarskap van die voorgenome gelisensieerde perseel of, indien die aansoeker nie die eienaar is nie, skriftelike toestemming van die eienaar van die voorgenome gelisensieerde perseel dat die aansoeker die voorgenome gelisensieerde perseel vir die doel van die lisensie waarvoor aansoek gedoen word mag gebruik	L
’n Benoeming vir die aanstelling van ’n bestuurder ooreenkomstig regulasie 22	M

Naam, handtekening en kontakbesonderhede van persoon wat aansoek voorberei het:

Naam : _____

Handtekening : _____

Woonadres : _____

_____

Poskode : _____

Posadres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

1. BESONDERHEDE VAN AANSOEKER

1.1 Volle naam : _____

1.2 Woonadres : _____

_____

Poskode : _____

1.3 Posadres : _____

_____

Poskode : _____

1.4 Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

1.5 Faksnommer : _____

1.6 E-posadres : _____

1.7 Adres vir betekening van alle kennisgewings en dokumente:

_____

_____

Poskode: _____

1.8 Adres vir betekening van alle kennisgewings en dokumente nadat die aansoek bepaal is: _____

_____

Poskode: _____

1.9 Kontakbesonderhede van lisensiehouer of, indien aansoeker nie ’n natuurlike persoon is nie, die volledige besonderhede van skakelpersoon:

_____

_____

1.10 Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

1.11 Registrasienommer *(Indien die aansoeker nie ’n natuurlike persoon is nie.)*

_____

1.12	Is die aansoeker iemand wat—	Merk “ja” of “nee”	
(a)	in die vyf (5) jaar voor die indiening van die aansoek gevonnis is tot gevangenisstraf sonder die keuse om ’n boete te betaal?	Ja	Nee
(b)	in die vyf (5) jaar voor die indiening van die aansoek onbevoeg verklaar is om ’n registrasie by die Nasionale Drankowerheid of ’n lisensie by enige provinsiale drankowerheid te hou?	Ja	Nee
(c)	’n ongerehabiliteerde insolvent is?	Ja	Nee
(d)	minderjarig is?	Ja	Nee
(e)	in die tydperk van twaalf (12) maande voor die indiening van hierdie aansoek ’n houer was van ’n lisensie wat gekanselleer is ingevolge hierdie Wet of ’n wet wat dranklisensies reguleer in enige ander provinsie?	Ja	Nee
(f)	die gade of lewensmaat is van ’n persoon beskryf in (a), (b) of (e) hierbo?	Ja	Nee
(g)	geestesongesteld is soos omskryf in die “Mental Health Care Act, 2002” (Wet 17 van 2002)?	Ja	Nee

1.13 Indien enige van die vrae in 1.12 hierbo “ja” as antwoord het, verskaf volledige besonderhede:

_____

_____

_____

_____

(Gebruik ’n aanhangsel indien nodig.)

2. BESONDERHEDE VAN GELEENTHEID EN VOORGESTELDE PERSEEL

2.1 Vermeld die aard van die geleentheid ten opsigte waarvan ’n dranklisensie vir ’n geleentheid benodig word:

_____

_____

2.2 Erfnommer en adres van die perseel waar die besigheid bedryf sal word:

Erfnommer: _____

Adres: _____

_____

2.3 Munisipale gebied waar die besigheid bedryf sal word: _____

2.4 Die naam waaronder die besigheid bedryf sal word: _____

_____

_____

2.5 Beskryf die plek of plekke op die perseel waar die verkoop van drank sal plaasvind:

_____

_____

_____

2.6 Sal drank verkoop word vir verbruik op of weg of beide op en weg van die gelisensieerde perseel?

_____

2.7 Vermeld die datums en die ure waartydens sodanige verkoop sal plaasvind:

_____

_____

_____

2.8 Sal die aansoeker die reg hê om drank op die voorgenome perseel te verkoop?

JA / NEE

2.9 Indien “ja”, verskaf die besonderhede van die eienaar en die aansoeker se reg om drank op die voorgenome perseel te verkoop:

(a) Naam van eienaar: _____

(b) Adres van eienaar: _____

(c) Beskrywing van aansoeker se reg om drank te verkoop:

_____

_____

_____

_____

(d) Duur van reg om drank te verkoop: _____

2.10 Is ’n dranklisensie vir ’n geleentheid vantevore in die huidige kalenderjaar aan die aansoeker toegestaan? *(Merk “ja” of “nee”.)* **JA /NEE**

3. ANDER LISENSIES

Verskaf volledige besonderhede van enige bestaande dranklisensies op die voorgenome perseel:

Lisensiehouer: _____

Soort lisensie: _____

Owerheidsverwysingsnommer: _____

(Ligging van sodanige ander lisensies in verhouding tot voorgenome perseel moet op die terreinplan aangedui word.)

4. FINANSIËLE BELANG

4.1 Wie sal ’n finansiële belang hê in die besigheid wat op die voorgenome perseel bedryf sal word? _____

_____

_____

4.2 Beskryf die aard en omvang van sodanige belang: _____

_____

_____

_____

(Gebruik 'n aanhangsel indien nodig.)

_____ _____

Datum **Handtekening van aansoeker of persoon gemagtig deur aansoeker**

_____

Naam in drukskrif

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.

'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 10

TYDELIKE DRANKLISENSIE

[Reg. 19(20)(b)]

OWERHEIDSVERWYSING: _____

_____,

wat die houer van 'n geldige dranklisensie is (die lisensiehouer), is hiermee ingevolge artikel 33(.....) gelisensieer om _____

_____

(lys die soort(e) drank) **te verkoop en om sy of haar besigheid te bedryf onder die naam:**

_____

op die gelisensieerde perseel geleë te: _____

_____

_____

(Fisiese adres van gelisensieerde perseel)

op die volgende dae en vir die volgende ure: _____

_____

Die lisensiehouer is gelisensieer om sy of haar besigheid ooreenkomstig die Wet en die voorwaardes en planne hierby aangeheg te bedryf.

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 11

DRANKLISENSIE VIR 'N GELEENTHEID

[Reg. 19(20)(b)]

_____ (die lisensiehouer)

is hiermee gelisensieer om _____

_____ **te verkoop**
(Lys soort(e) drank.)

en sy of haar besigheid te bedryf onder die naam van:

_____

op die gelisensieerde perseel geleë te: _____

_____
(Fisiese adres van gelisensieerde perseel)

op die volgende dae en vir die volgende ure:

_____ **vir die doeleindes van verbruik op of weg of beide op en weg van die gelisensieerde perseel.**

Die lisensiehouer is gelisensieer om sy of haar besigheid ooreenkomstig die Wet en die voorwaardes en planne hierby aangeheg te bedryf.

_____
Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 12A

AANSOEK OM KONDONERING VAN DIE LAAT INDIENING VAN 'N AANSOEK OM 'N TYDELIKE DEDRANKLISENSIE OF 'N DRANKLISENSIE VIR 'N GELEENTHEID INGEVOLGE ARTIKEL 48(10)

[Reg. 19(16)]

OORSPRONKLIKE MOET BY DIE OWERHEID INGEDIEN WORD

VERWYSINGSNOMMER VAN DRANKOWERHEID_____

Datumstempel van Owerheid by ontvangs van aansoek

INHOUD

Beskrywing van dokumente wat aangeheg moet word	Aanhangsel
Bewys van betaling van die boete	A
Aansoek ingevolge regulasie 19(1)(a) of (b)	B
Bewys van betaling van die toepaslike fooi ten opsigte van die aansoek wat ingevolge regulasie 19(1)(a) of (b) gemaak word	C

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

_____

Poskode : _____

Fisiese adres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

BESONDERHEDE VAN AANSOEKER

1. Volle naam van aansoeker: _____

2. Skriftelike vertoë ter ondersteuning van hierdie aansoek om kondonering:

_____

_____

_____

_____

_____

(Gebruik 'n aanhangsel indien nodig.)

_____ _____

Datum **Handtekening van aansoeker of persoon wat deur aansoeker gemagtig is**

_____

Naam in drukskrif

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.

'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 12B

KENNISGEWING INGEVOLGE REGULASIE 19(19)

[Reg. 19(21)]

NAAM VAN HOUER VAN ’N TYDELIKE DRANKLISENSIE OF ’N DRANKLISENSIE VIR ’N GELEENTHEID: _____

NAAM VAN GELISENSIEERDE BESIGHEID: _____

ADRES VAN PERSEEL: _____

_____

OWERHEIDSVERWYSINGSNOMMER: _____

Die tydelike dranklisensie of dranklisensie vir ’n geleentheid wat uitgereik is op:

_____ het betrekking.

Afskrifte van enige verslag, klagte, verwysing of vertoë beoog in artikel 48(14) word hiermee aan u beteken.

Na oorweging van die genoemde verslag, klagte, verwysing of vertoë mag die Voorsittende Beampte van die Dranklisensiëringstribunaal ingevolge artikel 48(13)—

(a) die lisensie onderworpe verklaar aan sodanige voorwaardes of beperkings of sodanige verdere voorwaardes of beperkings uiteengesit in die kennisgewing wat hy of sy na sy of haar goeddunke mag oplê;

(b) enige voorwaarde of beperking wat ten opsigte van die lisensie opgelê is, opskort, intrek of wysig; of

(c) die lisensie opskort of intrek.

U het die reg om vertoë te rig teen nie later nie as _____.

Indien die Voorsittende Beampte besluit om ingevolge artikel 48(13) stappe te doen, het u die reg ingevolge artikel 68 om te appelleer of aansoek te doen om die hersiening van daardie besluit.

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 13

AANSOEK OM ’N FINANSIËLE BELANG IN DIE GELISENSIEERDE BESIGHEID OOR TE DRA INGEVOLGE ARTIKEL 51(1)

[Reg. 21(1)]

OORSPRONKLIKE MOET BY DIE OWERHEID INGEDIEN WORD EN ’N AFSKRIF BY DIE AANGEWESE DRANKBEAMPTE IN WIE SE REGSGEBIED DIE GELISENSIEERDE PERSEEL GELEË IS

Datumstempel van Owerheid by ontvangs van aansoek	Datumstempel van aangewese drankbeampte by ontvangs van aansoek

AUTHORITY REFERENCE NUMBER: _____.

INHOUD

Beskrywing van dokumente wat aangeheg moet word	Aanhangsel
Bewys van betaling	A
Gedokumenteerde bewys van die verandering in finansiële belang in die geval van ’n aansoek ingevolge regulasie 21(1)(a)	B
Skriftelike vertoë ter ondersteuning van die aansoek	C
’n Gesertifiseerde afskrif van die aansoeker se identiteitskaart of -dokument, of die paspoort en visum of permanente verblyfpermit van die persoon aan wie die finansiële belang bestem word om oorgedra te word indien daardie persoon ’n buitelander is, en, in die geval van ’n aansoeker wat nie ’n natuurlike persoon is nie, afskrifte van die tersaaklike registrasiedokumente wat die identiteit en, waar van toepassing, die finansiële belang van alle lede, direkteure, vennote, begunstigdes of trustees aandui	D
’n Beëdigde verklaring deur die persoon aan wie die finansiële belang	E

Beskrywing van dokumente wat aangeheg moet word	Aanhangsel
oorgedra staan te word dat hy of sy nie ingevolge artikel 35 gediskwalifiseer is om ’n dranklisensie te hou nie	
’n Geldige, oorspronklike belastingklaringsertifikaat ten opsigte van die persoon aan wie die finansiële belang beoog word om oorgedra te word, uitgereik deur die Suid-Afrikaanse Inkomstediens nie meer as drie maande voor die datum van indiening van die aansoek nie	F

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Woonadres : _____

_____

Poskode : _____

Posadres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

DEEL A

BESONDERHEDE VAN LISENSIEHOUER

1. Dranklisensienommer: _____

2. Volle naam van lisensiehouer: _____

3. Verskaf die naam, identiteitsnommer en adres en omvang van finansiële belang van elke aandeelhouer, lid, vennoot, begunstigde of trustee wat beoog om die finansiële belang oor te dra

   _____

   _____

   _____

   (Gebruik 'n aanhangsel indien nodig.)

4. (a) Naam en adres van die gelisensieerde perseel: _____

   _____

   _____

   (b) Beskryf die situasie van die perseel waar die gelisensieerde besigheid bedryf word, met verwysing na die nommer van die erf, straat/strate, woonstel(le), winkel(s) of plaas, na gelang van die geval:

   _____

   _____

   _____

   _____

   (c) In watter munisipale gebied is die perseel waarna in subparagraaf (a) verwys word geleë?

   _____

5. Naam en telefoonnommer bedags _____

DEEL B

BESONDERHEDE VAN DIE PERSOON/PERSONE AAN WIE DIE FINANSIËLE BELANG OORGEDRA SAL WORD

1. Volle naam: _____

2. Identiteitsnommer of, in die geval van ’n maatskappy of beslote korporasie, die registrasienommer: _____

   (Heg ’n afskrif aan van identiteitskaart of -dokument of bewys van registrasie.)

3. Woonadres of adres van geregistreerde kantoor: _____
   _____
   _____
   _____

4. Besigheidsadres: _____
   _____
   _____
   _____

5. Posadres: _____
   _____

6. Telefoonnommer: _____

7.1	Is die persoon aan wie die finansiële belang oorgedra sal word iemand wat—	Merk “ja” of “nee”	
(a)	in die vyf (5) jaar voor die indiening van die aansoek gevonnis is tot gevangenisstraf sonder die keuse om ’n boete te betaal?	Ja	Nee
(b)	in die vyf (5) jaar voor die indiening van die aansoek onbevoeg verklaar is om ’n registrasie by die Nasionale Drankowerheid of ’n lisensie by enige provinsiale drankowerheid te hou?	Ja	Nee
(c)	’n ongerehabiliteerde insolvent is?	Ja	Nee
(d)	minderjarig is?	Ja	Nee
(e)	in die tydperk van twaalf (12) maande voor die indiening van hierdie aansoek ’n houer was van ’n lisensie wat gekanselleer is ingevolge hierdie Wet of ’n wet wat dranklisensies reguleer in enige ander provinsie?	Ja	Nee

(f)	die gade of lewensmaat is van ’n persoon beskryf in (a), (b) of (e) hierbo?	Ja	Nee
(g)	geestesongesteld is soos omskryf in die “Mental Health Care Act, 2002” (Wet 17 van 2002)?	Ja	Nee
7.2	Indien die persoon aan wie die finansiële belang oorgedra sal word nie ’n natuurlike persoon is nie— Is enige lid, aandeelhouer, trustee, begunstigde of vennoot van die aansoeker iemand wat in paragraaf 7.1(a), (b), of (e) beskryf word?	Ja	Nee

7.3 Indien enige van die vrae in paragrawe 7.1 of 7.2 “ja” as antwoord het, verskaf die volle besonderhede.

_____

_____

_____

_____

_____

(Gebruik ’n aanhangsel indien nodig.)

7.4.	Indien die persoon aan wie die finansiële belang oorgedra sal word ’n maatskappy, beslote korporasie, vennootskap of trust is, vermeld of ’n persoon beoog in paragraaf 7.1 hierbo—	Merk “ja” of “nee”	
(a)	’n beherende belang in die maatskappy, beslote korporasie of trust het.	Ja	Nee
(b)	’n vennoot in die vennootskap is.	Ja	Nee
(c)	die hoofbegunstigde onder die trust is.	Ja	Nee

7.5 Indien enige van die antwoorde in paragraaf 7.4(a) tot (c) “ja” as antwoord het, verskaf die volle besonderhede:

_____

_____

_____

_____

_____

(Gebruik ’n aanhangsel indien nodig.)

7.6 Verskaf die naam, identiteitsnommer en adres van elke persoon—

(a) wat, insluitend die lisensiehouer, enige finansiële belang in die besigheid het waarop die lisensie betrekking het; en

(b) wat, insluitend die persoon aan wie die finansiële belang oorgedra sal word, so ’n belang sal hê indien die aansoek toegestaan word, en in elke geval, die aard en omvang van sodanige finansiële belang.

_____

_____

_____

_____

_____

(Gebruik ’n aanhangsel indien nodig.)

Datum: _____ _____

Handtekening van aansoeker of persoon gemagtig deur aansoeker

_____

Naam in drukskrif

’n Persoon wat met betrekking tot ’n aansoek, ’n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of ’n vervalste dokument of een wat voorgee ’n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan ’n misdryf ingevolge artikel 77(a) van die Wet.

’n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met ’n boete van hoogstens R50 000,00 of met gevangenisstraf vir ’n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 14

AANSOEK OM PERSEEL AAN ’N ANDER PERSOON TE VERHUUR, ’N ANDER PERSOON TOE TE LAAT OM DIE BESIGHEID INGEVOLGE DIE LISENSIE TE BEDRYF OF ’N ANDER PERSOON TOE TE LAAT OM DIE GELISENSIEERDE PERSEEL TE GEBRUIK INGEVOLGE ARTIKEL 51(7)

[Reg. 21(2)]

OORSPRONKLIKE MOET BY OWERHEID EN ’N AFSKRIF BY DIE AANGEWESE DRANKBEAMPTE IN WIE SE REGSGEBIED DIE GELISENSIEERDE PERSEEL GELEË IS, INGEDIEN WORD

Datumstempel van Owerheid by ontvangs van aansoek	Datumstempel van aangewese drankbeampte by ontvangs van aansoek

OWERHEIDSVERWYSINGSNOMMER: _____

INHOUD

Beskrywing van dokumente wat aangeheg moet word	Aanhangsel
Bewys van betaling van die toepaslike fooi	A
Gedokumenteerde bewys van die verhuring van die gelisensieerde perseel, die bedryf van die besigheid ingevolge die lisensie of die gebruik van die gelisensieerde perseel, na gelang van die geval	B
Skriftelike vertoë ter ondersteuning van die aansoek	C
’n Gesertifiseerde afskrif van die identiteitskaart of –dokument van die persoon wat voorstel om die lisensie by die lisensiehouer te huur, die besigheid ingevolge die lisensie te bedryf of die gelisensieerde perseel te gebruik, of, indien die persoon ’n buitelander is, die paspoort en visum of permanente verblyfpermit, en, in die geval waar die persoon nie ’n natuurlike persoon is nie, afskrifte van die tersaaklike registrasiedokumente wat die identiteit, en waar van toepassing die finansiële belang, van alle lede, direkteure, vennote, begunstigdes of trustees aandui	D
Beëdigde verklaring deur die persoon wat beoog word om toegelaat te word om die lisensie te huur, die besigheid te bedryf of die gelisensieerde perseel te gebruik dat hy of sy nie ingevolge artikel 35 gediskwalifiseer is om ’n dranklisensie te hou nie	E

Beskrywing van dokumente wat aangeheg moet word	Aanhangsel
’n Geldige, oorspronklike belastingklaringsertifikaat ten opsigte van die persoon wat beoog om die lisensie te huur, die besigheid te bedryf of die gelisensieerde perseel te gebruik	F
Afskrif van die dranklisensie van die persoon wat beoog om die lisensie te huur, besigheid te bedryf of gelisensieerde perseel te gebruik	G
Afskrif van die dranklisensie van die persoon wat beoog om die perseel aan ’n ander te verhuur, ’n ander persoon toe te laat om die besigheid ingevolge die lisensie te bedryf of ’n ander persoon toe te laat om die gelisensieerde perseel te gebruik	H
’n Omvattende vloerplan ooreenkomstig regulasie 21(5)(h)	I
Geïndekseerde kleurfoto’s ingevolge regulasie 21(5)(i)	J

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Woonadres : _____

_____

Poskode : _____

Posadres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

DEEL A

BESONDERHEDE VAN LISENSIEHOUER VAN GELISENSIEERDE PERSEEL (VERHUURDER)

1.1 Lisensienommer: _____

1.2 Volle naam van lisensiehouer: _____

1.3 Indien die lisensiehouer nie ’n natuurlike persoon is nie, verskaf die naam, identiteitsnommer, adres en omvang van die finansiële belang van elke aandeelhouer, lid, vennoot, begunstigde of trustee: _____

_____

_____

_____

(Gebruik ’n aanhangsel indien nodig.)

1.4 (a) Naam en adres van die gelisensieerde perseel _____

_____

_____

(b) Beskryf die situasie van die perseel waar die gelisensieerde besigheid bedryf word, met verwysing na die nommer van die erf, straat/strate, woonstel(le), winkel(s) of plaas, na gelang van die geval:

_____

_____

_____

_____

(c) In watter munisipale gebied is die perseel soos na verwys in subparagraaf (a) geleë?

_____

1.5. Naam en telefoonnommer bedags: _____

_____

DEEL B

BESONDERHEDE VAN DIE LISENSIEHOUER(S) AAN WIE DIE GELISENSIEERDE PERSEEL VERHUUR SAL WORD (HUURDER)

2.1 Volle naam: _____

2.2. Identiteitsnommer of, in die geval van ’n maatskappy of beslote korporasie, die registrasienommer: _____

(Heg afskrif aan van identiteitskaart of -dokument of bewys van registrasie)

2.3. Woonadres of adres van geregistreerde kantoor: _____

_____

_____

_____

2.4. Besigheidsadres: _____

_____

_____

_____

2.5 Posadres: _____

2.6 Telefoonnommer: _____

2.7	Is die lisensiehouer iemand wat—	Merk “ja” of “nee”	
(a)	in die sestig (60) maande voor die indiening van die aansoek gevonnis is tot gevangenisstraf sonder die keuse om ’n boete te betaal?	Ja	Nee
(b)	in die sestig (60) maande voor die indiening van die aansoek onbevoeg verklaar is om ’n registrasie by die Nasionale Drankowerheid of ’n lisensie by enige provinsiale drankowerheid te hou?	Ja	Nee
(c)	’n ongerehabiliteerde insolvent is?	Ja	Nee
(d)	minderjarig is?	Ja	Nee
(e)	in die tydperk van twaalf (12) maande voor die indiening van hierdie aansoek ’n houer was van ’n lisensie wat gekanselleer is ingevolge hierdie Wet of ’n wet in enige ander provinsie wat dranklisensies reguleer?	Ja	

(f)	die gade of lewensmaat is van ’n persoon beskryf in (a), (b) of (e) hierbo?	Ja	Nee
(g)	geestesongesteld is soos omskryf in die “Mental Health Care Act, 2002” (Wet 17 van 2002)?	Ja	Nee
(h)	vir vyf (5) jaar voor die indiening van die aansoek in Suid-Afrika woon?	Ja	Nee
(i)	gediskwalifiseer is ingevolge die “Immigration Act, 2007” (Wet 13 van 2007)?	Ja	Nee
2.8	In die geval van ’n Huurder wat nie ’n natuurlike persoon is nie— Is enige lid, aandeelhouer, trustee, begunstigde of vennoot van die aansoeker ’n persoon wat in paragraaf 7.1(a), (b) of (e) beskryf word?	Ja	Nee

2.9. Indien enige van die vrae in paragrawe 2.7 of 2.8 “ja” as antwoord het, verskaf die volle besonderhede:

_____

_____

_____

_____

(Gebruik ’n aanhangsel indien nodig.)

2.10	Indien die Huurder ’n maatskappy, beslote korporasie, vennootskap of trust is, vermeld of ’n persoon beoog in paragraaf 7.1 hierbo—	Merk “ja” of “nee”	
(a)	’n beherende belang in die maatskappy, beslote korporasie of trust het.	Ja	Nee
(b)	’n vennoot in die vennootskap is.	Ja	Nee
(c)	die hoofbegunstigde onder die trust is.	Ja	Nee

2.11. Indien enige van die vrae in paragraaf 2.10(a) tot (c) hierbo “ja” as antwoord het, verskaf die volle besonderhede:

_____

_____

_____

_____

_____

(Gebruik ’n aanhangsel indien nodig.)

3. Verskaf die naam, identiteitsnommer en adres van elke persoon—

   (a) wat, insluitend die houer van die lisensie, enige finansiële belang in die besigheid het waarop die lisensie betrekking het; en

   (b) wat, insluitend die Huurder, sodanige belang sal hê indien die aansoek toegestaan word.

   In elke geval, verskaf die aard en omvang van sodanige finansiële belang.

_____

_____

_____

_____

(Gebruik aanhangsel indien nodig.)

_____ _____

Datum **Handtekening van die aansoeker of die persoon gemagtig om te teken deur die aansoeker**

_____

Naam in drukskrif

_____

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.

'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 15

BENOEMING VIR DIE AANSTELLING VAN ’N BESTUURDER INGEVOLGE ARTIKEL 52

[Reg. 22(1)]

OORSPRONKLIKE MOET BY OWERHEID EN AFSKRIF BY AANGEWESE DRANKBEAMPTE INGEDIEN WORD

Datumstempel van Owerheid by ontvangs van aansoek	Datumstempel van aangewese drankbeampte by ontvangs van aansoek

OWERHEIDSVERWYSINGSNOMMER: _____

INHOUD

Beskrywing van dokumente wat aangeheg moet word	**Aanhangsel**
’n Gesertifiseerde afskrif van die identiteitskaart of -dokument van die benoemde persoon, of die paspoort en visum of permanente verblyfpermit van die benoemde persoon indien hy of sy ’n buitelander is	A
Skriftelike vertoë ter ondersteuning van die benoeming	B
Bewys van adres in die Wes-Kaap van benoemde persoon	C
’n Beëdigde verklaring deur benoemde dat hy of sy nie ingevolge artikel 35 gediskwalifiseer is om ’n dranklisensie te hou nie	D

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Woonadres : _____

_____

Poskode : _____

Posadres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

DEEL A

BENOEMING VAN BESTUURDER

1. Naam van gelisensieerde besigheid: _____

2. Indien van toepassing, verskaf volle besonderhede van persoon wie se aanstelling beëindig is:
   (a) Volle naam: _____
   (b) Identiteitsnommer: _____
   (c) Datum van beëindiging: _____

3. Verskaf volledige besonderhede van persoon wat benoem word:
   (a) Volle naam: _____

   (b) Identiteitsnommer: _____

   (Heg afskrif aan van identiteitskaart of -dokument.)

   (c) Fisiese adres: _____

   _____

   _____

(d) Posadres van benoemde persoon: _____

_____

_____

_____

(e) Telefoonnommer van benoemde persoon: _____

(f) Verhouding tussen benoemde persoon en die persoon wat die houer van die dranklisensie is: _____

(g)	Is die benoemde persoon iemand wat—	Merk “ja” of “nee”	
(i)	in die sestig (60) maande voor die indiening van die aansoek gevonnis is tot gevangenisstraf sonder die keuse om ’n boete te betaal?	Ja	Nee
(ii)	in die sestig (60) maande voor die indiening van die aansoek onbevoeg verklaar is om ’n registrasie by die Nasionale Drankowerheid of ’n lisensie by enige provinsiale drankowerheid te hou?	Ja	Nee
(iii)	’n ongerehabiliteerde insolvent is?	Ja	Nee
(iv)	minderjarig is?	Ja	Nee
(v)	in die tydperk van twaalf (12) maande voor die indiening van hierdie benoeming ’n houer was van ’n lisensie wat gekanselleer is ingevolge hierdie Wet of ’n wet wat dranklisensies reguleer in enige ander provinsie?	Ja	Nee
(vi)	die gade of lewensmaat is van ’n persoon beskryf in (a), (b) of (e) hierbo?	Ja	Nee
(vii)	geestesongesteld is soos omskryf in die “Mental Health Care Act, 2002” (Wet 17 van 2002)?	Ja	Nee

(h) Indien enige van die vrae in subparagraaf (g) “ja” as antwoord het, verskaf volle besonderhede:

_____

_____

_____

_____

(Gebruik ’n aanhangsel indien nodig.)

(i) Datum van beoogde aanstelling: _____

4. Indien die benoemde persoon enige finansiële belang in die besigheid het, verskaf volle besonderhede: _____

_____

_____

_____ _____

Datum **Handtekening van aansoeker of persoon gemagtig deur aansoeker om te teken**

_____

Naam in drukskrif

DEEL B

AANVAARDING DEUR BENOEMDE BESTUURDER

Ek, _____, die ondergetekende, aanvaar hiermee my benoeming en aanvaar verantwoordelikheid vir die bestuur van die besigheid en verstaan dat ek onderworpe is aan dieselfde pligte, verpligtinge en aanspreeklikhede as die lisensiehouer.

_____

Handtekening van benoemde bestuurder

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.

'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 16

AANSOEK OM TOESTEMMING OM STRUKTURELE VERANDERINGS AAN GELISENSIEERDE PERSEEL AAN TE BRING INGEVOLGE ARTIKEL 53(1)(a)

[Reg. 23(1)]

OORSPRONKLIKE MOET BY OWERHEID EN EEN AFSKRIF BY AANGEWESE DRANKBEAMPTE INGEDIEN WORD

Datumstempel van Owerheid by ontvangs van aansoek	Datumstempel van aangewese drankbeampte by ontvangs van aansoek

OWERHEIDSVERWYSINGSNOMMER: _____

INHOUD

Beskrywing van dokumente wat aangeheg moet word	**Aanhangsel**
Omvattende vloerplan van die perseel ooreenkomstig regulasie 23(1)(a)	A
Beskrywing van die voorgestelde veranderings ingevolge regulasie 23(1)(b)	B
Beskrywing van die tersaaklike gedeelte van die gelisensieerde perseel ingevolge regulasie 23(1)(c)	C
Bewys van eienaarskap van die voorgenome gelisensieerde perseel of, indien die aansoeker nie die eienaar is nie, skriftelike toestemming van die eienaar dat die aansoeker die perseel mag gebruik vir die doel van die lisensie waarvoor aansoek gedoen word	D
Bewys van betaling van die toepaslike fooi	E
Skriftelike vertoë ter ondersteuning van die aansoek	F

Beskrywing van dokumente wat aangeheg moet word	Aanhangsel
Geïndekseerde kleurfoto's van die bestaande gelisensieerde perseel wat die voltooide interne en eksterne kenmerke van die gelisensieerde perseel aandui	G
Bewys dat die aansoeker die reg het om die perseel te okkupeer, indien van toepassing	H
Bewys dat die aansoeker die reg het om die gelisensieerde perseel te verander, indien van toepassing	I
Toestemming van die eienaar van die perseel dat die aansoeker die voorgestelde uitgebreide gedeelte vir die doel van die lisensie mag gebruik	J

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Name : _____

Handtekening : _____

Woonadres : _____

_____

Poskode : _____

Posadres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

1. BESONDERHEDE VAN AANSOEKER

1.1 Volle naam: _____

1.2 Adres: _____

_____

Poskode: _____

1.3 Adres vir betekening van dokumente: _____

_____

Poskode: _____

1.4 Kontakbesonderhede van lisensiehouer of, indien die aansoeker nie ’n natuurlike persoon is nie, die volledige besonderhede van die skakelpersoon:

_____

_____

1.5 Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

2. BESONDERHEDE VAN GELISENSIEERDE BESIGHEID

2.1 Kategorie lisensie: *(Merk die toepaslike lisensie met ’n kruisie.)*

Lisensie ingevolge artikel 33(1)(a)	
Lisensie ingevolge artikel 33(1)(b)	
Lisensie ingevolge artikel 33(1)(c)	
Lisensie ingevolge artikel 33(1)(d)	

2.2 Soort(e) drank wat kragtens die lisensie verkoop mag word: _____

_____

2.3 Naam waaronder die gelisensieerde besigheid bedryf word:

_____

2.4 Erfnommer en adres van gelisensieerde perseel: _____

_____

_____

2.5 Munisipale gebied van die gelisensieerde perseel: _____

_____ _____

Datum **Handtekening van aansoeker of persoon gemagtig deur aansoeker**

_____

Naam in drukskrif

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.

'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 17

AANSOEK OM TOESTEMMING OM DIE AARD VAN DIE GELISENSIEERDE BESIGHEID WESENLIK TE VERANDER INGEVOLGE ARTIKEL 53(1)(b)

[Reg. 23(2)]

OORSPRONKLIKE MOET BY OWERHEID EN ’N AFSKRIF BY AANGEWESE DRANKBEAMPTE INGEDIEN WORD

Datumstempel van Owerheid by ontvangs van aansoek	Datumstempel van aangewese drankbeampte by ontvangs van aansoek

OWERHEIDSVERWYSINGSNOMMER: _____

INHOUD

Beskrywing van dokumente wat aangeheg moet word	Aanhangsel
’n Beskrywing van die voorgestelde verandering in die aard van die besigheid. Indien nodig, sluit die volgende in: 1. Kleurfoto’s van die perseel 2. Vloerplan van die perseel	A
Skriftelike vertoë ter ondersteuning van die aansoek	B
Bewys van betaling van die toepaslike aansoekfooi	C
Bewys dat die aansoeker die reg het om die aard van die perseel te verander ingevolge regulasie 23(2)(d), indien van toepassing	D

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Woonadres : _____

_____

Poskode : _____

Posadres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

1. BESONDERHEDE VAN AANSOEKER

1.1 Volle naam: _____

1.2 Adres: _____

_____

Poskode: _____

1.3 Adres vir betekening van dokumente: _____

_____

Poskode: _____

1.4 Kontakbesonderhede van lisensiehouer of, indien die aansoeker nie ’n natuurlike persoon is nie, volledige besonderhede van skakelpersoon: _____

_____

_____

1.5 Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

2. BESONDERHEDE VAN GELISENSIEERDE BESIGHEID

2.1 Kategorie lisensie: *(Merk die toepaslike lisensie met ’n kruisie.)*

Lisensie ingevolge artikel 33(1)(a)	
Lisensie ingevolge artikel 33(1)(b)	
Lisensie ingevolge artikel 33(1)(c)	
Lisensie ingevolge artikel 33(1)(d)	

2.2 Soort(e) drank wat kragtens die lisensie verkoop mag word: _____

_____

2.3 Naam waaronder die gelisensieerde besigheid bedryf word: _____

_____

2.4 Erfnommer en adres van gelisensieerde perseel: _____

_____

_____

2.5 Munisipale gebied van die gelisensieerde perseel:

_____

_____ _____

Datum **Handtekening van aansoeker of persoon gemagtig deur aansoeker**

_____

Naam in drukskrif

_____

’n Persoon wat met betrekking tot ’n aansoek, ’n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of ’n vervalste dokument of een wat voorgee ’n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan ’n misdryf ingevolge artikel 77(a) van die Wet.
’n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met ’n boete van hoogstens R50 000,00 of met gevangenisstraf vir ’n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 18

AANSOEK OM TOESTEMMING OM ’N BESIGHEID KRAGTENS ’N LISENSIE TE BEDRYF OP ’N PERSEEL WAAROP ENIGE ANDER BESIGHEID BEDRYF WORD, INSLUITEND ’N BESIGHEID WAAROP ENIGE ANDER LISENSIE BETREKKING HET, OF ENIGE HANDEL GEDRYF OF BEROEP BEOEFEN WORD INGEVOLGE ARTIKEL 53(1)(c)

[Reg. 23(3)]

OORSPRONKLIKE MOET BY OWERHEID EN EEN AFSKRIF BY DIE AANGEWESE DRANKBEAMPTE INGEDIEN WORD

Datumstempel van aangewese drankbeampte by ontvangs van aansoek	Datumstempel van Owerheid by ontvangs van aansoek

Beskrywing van dokumente wat aangeheg moet word	**Aanhangsel**
Beskrywing van enige ander besigheid wat bedryf word, handel wat gedryf word of beroep wat beoefen word op die perseel	A
Bewys van betaling van die toepaslike fooi	B
Skriftelike vertoë ter ondersteuning van die aansoek	C
’n Leesbare, omvattende vloerplan van die voorgenome perseel waarop dit beoog word om die besigheid kragtens die lisensie te bedryf	D
’n Beskrywing van die tersaaklike gedeelte van die perseel, met verwysing na die konstruksie, uitleg, meubilering, los en vaste toebehore en vloerbedekking	E
Bewys dat die aansoeker die reg het om die voorgenome perseel te okkupeer	F

Beskrywing van dokumente wat aangeheg moet word	Aanhangsel
Bewys van eienaarskap van die voorgenome gelisensieerde perseel of, indien die aansoeker nie die eienaar is nie, skriftelike toestemming van die eienaar van die perseel dat die aansoeker die voorgenome gelisensieerde perseel mag gebruik vir die doel van die lisensie	G
Geïndekseerde kleurfoto's wat die interne en eksterne kenmerke van die voorgenome perseel aandui	H

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

_____

Poskode : _____

Fisiese adres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

1. BESONDERHEDE VAN AANSOEKER

1.1 Volle naam: _____

1.2 Adres: _____

_____

Poskode: _____

1.3 Adres vir betekening van dokumente: _____

_____

Poskode: _____

1.4 Kontakbesonderhede van lisensiehouer of, indien aansoeker nie ’n natuurlike persoon is nie, die volledige besonderhede van die skakelpersoon:

_____

_____

1.5 Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

1.6 Geboortedatum _____ / _____/ _____

(Indien aansoeker ’n indiwidu is)

2. BESONDERHEDE VAN GELISENSIEERDE BESIGHEID

2.1 Tipe dranklisensie: *(Merk die toepaslike lisensie met ’n kruisie.)*

Lisensie ingevolge artikel 33(1)(a)	
Lisensie ingevolge artikel 33(1)(c)	

2.2 Soort(e) drank wat kragtens die lisensie verkoop mag word: _____

_____

2.3 Naam waaronder gelisensieerde besigheid bedryf word: _____

_____

2.4 Erfnommer en adres van gelisensieerde perseel: _____

_____

_____

2.5 Munisipale gebied van die gelisensieerde perseel:

_____

_____ _____

Datum **Handtekening van aansoeker of persoon gemagtig deur aansoeker**

_____

Naam in drukskrif

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.
'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 19

AANSOEK OM DIE VERLENGING VAN HANDELSURE INGEVOLGE ARTIKEL 59(4)

[Reg. 26(1)]

OOORSPRONKLIKE MOET BY OWERHEID EN TWEE AFSKRIFTE BY DIE AANGEWESE DRANKBEAMPTE INGEDIEN WORD

Datumstempel van aangewese drankbeampte by ontvangs van aansoek	Datumstempel van Owerheid by ontvangs van aansoek

OWERHEIDSVERWYSINGSNOMMER: _____

INHOUD

Beskrywing van dokumente wat aangeheg moet word	**Aanhangsel**
Skriftelike vertoë ter ondersteuning van die aansoek	A
Bewys van betaling van die toepaslike aansoekfooi	B

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

_____

Poskode : _____

Fisiese adres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

BESONDERHEDE VAN LISENSIEHOUER

1. Volle naam van lisensiehouer: _____

2. Indien die lisensiehouer nie ’n natuurlike persoon is nie, vermeld die naam, identiteitsnommer en adres en die omvang van die finansiële belang van elke aandeelhouer, lid, vennoot, begunstigde of trustee:

_____

_____

_____

_____

(Gebruik ’n aanhangsel indien nodig.)

3. (a) Naam en adres van die gelisensieerde perseel: _____

_____

_____

(b) Beskryf die situasie van die perseel waar die gelisensieerde besigheid bedryf word, met verwysing na die nommer van die erf, straat/strate, woonstel(le), winkel(s) of plaas, na gelang van die geval:

_____

_____

_____

_____

(Gebruik ’n aanhangsel indien nodig.)

(c) In watter munisipale gebied is die perseel soos na verwys in subparagraaf (a) geleë?

_____

_____

4. Naam en telefoonnommer bedags: _____

5. Verskaf die redes waarom die lisensiehouer aansoek doen om die verlenging van handelsure: _____

_____

_____

_____

(Gebruik 'n aanhangsel indien nodig.)

_____ _____

Datum **Handtekening van aansoeker of persoon gemagtig deur aansoeker**

_____

Naam in drukskrif

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.

'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 20

KENNISGEWING VAN ABANDONNERING VAN LISENSIE

[Reg. 29]

OORSPRONKLIKE MOET BY OWERHEID EN 'N AFSKRIF BY DIE AANGEWESE DRANKBEAMPTE INGEDIEN WORD

Datumstempel van aangewese drankbeampte by ontvangs van aansoek	Datumstempel van Owerheid by ontvangs van aansoek

OWERHEIDSVERWYSINGSNOMMER: _____

INHOUD

Beskrywing van dokument wat aangeheg moet word	**Aanhangsel**
Beëdigde verklaring in verband met abandonnering	A

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

_____

Poskode : _____

Fisiese adres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

1. BESONDERHEDE VAN LISENSIEHOUER

Volle naam van lisensiehouer: _____

2. REDES VIR ABANDONNERING

2.1 Die lisensie is deur die lisensiehouer geabandonneer: **JA / NEE**

2.2 Die lisensiehouer is ’n persoon beskryf in artikel 67(3) en ’n persoon soos na verwys in subartikel (1)(b) is as die lisensiehouer aangestel. **JA / NEE**

2.3 Heg ’n beëdigde verklaring aan om die omstandighede te verduidelik.

_____ _____

Datum **Handtekening van aansoeker of persoon gemagtig deur aansoeker**

_____

Naam in drukskrif

’n Persoon wat met betrekking tot ’n aansoek, ’n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of ’n vervalste dokument of een wat voorgee ’n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan ’n misdryf ingevolge artikel 77(a) van die Wet.
’n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met ’n boete van hoogstens R50 000,00 of met gevangenisstraf vir ’n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 21A
JAARLIKSE OF TWEEJAARLIKSE LISENSIEHERNUWINGSKENNISGEWING:
FOOIE BETAALBAAR TEN OPSIGTE VAN 'N DRANKLISIENSIE VIR:
DIE JAAR 20_____; OF
DIE TWEE JARE 20_____ EN 20 _____

[Reg. 30(1)]

OWERHEIDSVERWYSINGSNOMMER: _____

Naam van lisensiehouer _____

Adres van die gelisensieerde perseel: _____

_____

(**Indien die woon- of posadres verander het, stuur ook die nuwe adres na die volgende e-posadres: liquor.enquiries@wcla.gov.za.**)

Kategorie lisensie: _____

U word hiermee in kennis gestel dat die lisensiehernuwingsfooi betaalbaar aan die Wes-Kaapse Drankowerheid die volgende is:

Jaarliks: R _____, betaalbaar op of voor: _____

OF

Tweejaarliks: R _____, betaalbaar op of voor: _____

Neem kennis:

1. Betaling moet gemaak word deur 'n direkte deposito in die volgende bankrekening van die Owerheid:
   Bank: Nedbank
   Rekeninghouer: Wes-Kaapse Drankowerheid
   Rekeningnommer: 145 206 9883
   Takkode: 198 765
   Gebruik u lisensienommer as die verwysing op die depositostrokie (die WCP/DTI-nommer net onder die opskrif van hierdie kennisgewing).

2. **'n Lisensie verval op 1 Januarie** van die jaar ten opsigte waarvan die toepaslike hernuwingsfooi nie betaal word voor of op 31 Desember van die voorafgaande jaar nie. Sien artikel 62(2)(b).

3. ’n Lisensie wat op hierdie manier verval het, word weer geldig slegs indien die toepaslike hernuwingsfooi tesame met ’n boete van 50% van die fooi betaal word voor of op 31 Januarie, of tesame met ’n boete van 100% van die fooi betaal word voor of op die laaste dag van Februarie, van die jaar ten opsigte waarvan die hernuwingsfooi betaal moes word. Sien artikel 62(3)(a)(i) en (ii).

4. ’n Lisensiehouer wat versuim het om die voorgeskrewe hernuwingsfooi te betaal op of voor die laaste dag van Februarie van die jaar ten opsigte waarvan die hernuwingsfooi betaal moes word, mag voor of op 31 Maart van daardie jaar skriftelik aansoek doen (op Vorm 23) by die Hoof-Uitvoerende Beampte om die kondonering van sodanige versuim, en die Hoof-Uitvoerende Beampte mag die versuim kondoneer en die laat betaling van die voorgeskrewe fooi teen ’n datum wat die Owerheid bepaal toelaat, onderhewig aan die betaling van die hernuwingsfooi tesame met ’n boete van 150% van die fooi. Sien artikel 63(4).

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 21B

TWEEJAARLIKSE HERNUWINGSKENNISGEWING:
KENNISGEWING VAN INTEKENING OP TWEEJAARLIKSE HERNUWINGSIKLUS
VIR DIE JARE 20_____ EN 20 _____

[Reg. 30(3)]

OWERHEIDSVERWYSINGSNOMMER: _____

Naam van lisensiehouer: _____

Adres van gelisensieerde perseel: _____

_____

KATEGORIE LISENSIE OM TE HERNU

(Merk die toepaslike lisensie met 'n kruisie.)

1.	Lisensie ingevolge artikel 33(1)(a)	
2.	Lisensie ingevolge artikel 33(1)(b)	
3.	Lisensie ingevolge artikel 33(1)(c)	
4.	Lisensie ingevolge artikel 33(1)(d)	

Lisensienommer: _____

A. Ek, _____ (die lisensiehouer), bevestig dat ek hiermee op 'n tweejaarlikse hernuwingsiklus inteken; of

B. Ek, _____, ('n persoon gemagtig deur die lisensiehouer) bevestig dat die genoemde lisensiehouer hiermee op 'n tweejaarlikse hernuwingsiklus inteken.

_____ _____

Datum **Handtekening van lisensiehouer van persoon gemagtig deur die lisensiehouer**

_____

Naam in drukskrif

’n Persoon wat met betrekking tot ’n aansoek, ’n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of ’n vervalste dokument of een wat voorgee ’n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan ’n misdryf ingevolge artikel 77(a) van die Wet.
’n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met ’n boete van hoogstens R50 000,00 of met gevangenisstraf vir ’n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 21C
AANSOEK OM KONDONERING VAN DIE VERSUIM OM HERNUWINGSFOOI TE BETAAL INGEVOLGE ARTIKEL 63(4)

[Reg. 30(4)]

OORSPRONKLIKE MOET BY OWERHEID INGEDIEN WORD

VERWYSINGSNOMMER VAN DRANKOWERHEID: _____

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

_____

Poskode : _____

Fisiese adres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

BESONDERHEDE VAN LISENSIEHOUER

1. Lisensienommer: _____

2. Volle naam van lisensiehouer: _____

3. Skriftelike vertoë ter ondersteuning van die aansoek:

_____

_____

_____

_____

_____

(Gebruik 'n aanhangsel indien nodig.)

_____ _____

Datum **Handtekening van aansoeker of persoon gemagtig deur aansoeker**

_____

Naam in drukskrif

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.

'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 22

AANSOEK OM HERNUWING VAN LISENSIE INGEVOLGE ARTIKEL 64(1)

[Reg. 31(1)]

OORSPRONKLIKE MOET BY OWERHEID EN EEN AFSKRIF BY AANGEWESE DRANKBEAMPTE INGEDIEN WORD

Datumstempel van aangewese drankbeampte by ontvangs van aansoek	Datumstempel van Owerheid by ontvangs van aansoek

DRANKOWERHEIDSVERWYSINGSNOMMER: _____

INHOUD

Beskrywing van dokumente wat aangeheg moet word	**Aanhangsel**
Skriftelike vertoë ter ondersteuning van die aansoek	A
Bewys van betaling van die toepaslike aansoekfooi	B

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

_____

Poskode : _____

Fisiese adres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

BESONDERHEDE VAN LISENSIEHOUER

1. Lisensienommer: _____
2. Volle naam van lisensiehouer: _____
3. In watter munisipale distrik is die perseel geleë?

   _____
4. Verskaf rede(s) waarom die lisensiehouer toegelaat behoort te word om die lisensie te hernu ten spyte van die bestaan van (’n) situasie(s) soos beoog in artikel 64(1)(a) tot (e):

   _____

   _____

   _____

   _____

(Gebruik ’n aanhangsel indien nodig.)

_____ _____

Datum **Handtekening van aansoeker of persoon gemagtig deur aansoeker**

_____

Naam in drukskrif

’n Persoon wat met betrekking tot ’n aansoek, ’n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of ’n vervalste dokument of een wat voorgee ’n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan ’n misdryf ingevolge artikel 77(a) van die Wet.

’n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met ’n boete van hoogstens R50 000,00 of met gevangenisstraf vir ’n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 23

AANSOEK OM KONDONERING VAN DIE VERSUIM OM VIR DIE HERNUWING VAN 'N LISENSIE AANSOEK TE DOEN INGEVOLGE ARTIKEL 64(4)

[Reg. 31(4)]

OORSPRONKLIKE MOET BY DIE OWERHEID EN EEN AFSKRIF BY DIE AANGEWESE DRANKBEAMPTE INGEDIEN WORD

Datumstempel van aangewese drankbeampte by ontvangs van aansoek	Datumstempel van Owerheid by ontvangs van aansoek

OWERHEIDSVERWYSINGSNOMMER: _____

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

_____

Poskode : _____

Fisiese adres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

BESONDERHEDE VAN LISENSIEHOUER

1. Lisensienommer: _____

2. Volle naam van lisensiehouer: _____

3. Verskaf die redes waarom u nie op of voor 30 September van die tersaaklike jaar aansoek doen om die hernuwing van die lisensie in die voorgeskrewe vorm nie:

_____

_____

_____

_____

_____

_____

(Gebruik aanhangsel indien nodig.)

_____ _____

Datum **Handtekening van aansoeker of persoon gemagtig deur die aansoeker**

_____

Naam in drukskrif

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.
'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 24

AANSOEK OM OORDRAG VAN LISENSIE INGEVOLGE ARTIKEL 65(1)

[Reg. 32(2)(a)]

OORSPRONKLIKE MOET BY OWERHEID EN EEN AFSKRIF BY AANGEWESE DRANKBEAMPTE INGEDIEN WORD

Datumstempel van aangewese drankbeampte by ontvangs van aansoek	Datumstempel van Owerheid by ontvangs van aansoek

OWERHEIDSVERWYSINGSNOMMER: _____

INHOUD

Beskrywing van dokumente wat aangeheg moet word	Aanhangsel
Skriftelike vertoë ter ondersteuning van die aansoek	A
’n Gesertifiseerde afskrif van die voorgenome lisensiehouer se identiteitskaart of -dokument, of die paspoort en visum of permanente verblyfpermit van die voorgenome lisensiehouer indien die voorgenome lisensiehouer ’n buitelander is, en, in die geval van ’n aansoeker wat nie ’n natuurlike persoon is nie, afskrifte van die tersaaklike registrasiedokumente wat die identiteit en, waar van toepassing, die finansiële belang van alle lede, direkteure, begunstigdes of trustees van die voorgenome lisensiehouer aandui	B
Bewys van betaling van die toepaslike aansoekfooi uiteengesit in Item 10(a) van Aanhangsel 1	C
’n Beëdigde verklaring deur die voorgenome lisensiehouer dat hy of sy nie ingevolge artikel 35 gediskwalifiseer is om ’n dranklisensie te hou nie	D
Bewys dat die aansoeker ’n afskrif van hierdie aansoek by die aangewese drankbeampte ingedien het	E

'n Geldige, oorspronklike belastingklaringsertifikaat ten opsigte van die voorgenome lisensiehouer wat deur die Suid-Afrikaanse Inkomstediens uitgereik is nie meer as drie maande voor die datum van indiening van die aansoek nie	F
Bewys dat die voorgenome lisensiehouer die reg het om die gelisensieerde te perseel te okkupeer	G
Bewys van eienaarskap van die gelisensieerde perseel of, indien die voorgenome lisensiehouer nie die eienaar van die perseel is nie, skriftelike toestemming van die eienaar dat die voorgenome lisensiehouer die gelisensieerde perseel mag gebruik vir die doel van die lisensie ten opsigte waarvan die aansoek om oordrag ingedien word	H
Gedokumenteerde bewys van die rede vir die oordrag	I

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

_____

Poskode : _____

Fisiese adres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

DEEL A

BESONDERHEDE VAN LISENSIEHOUER

1. Volle naam van lisensiehouer: _____

2. Naam en adres van die gelisensieerde perseel: _____

_____

_____

DEEL B

BESONDERHEDE VAN VOORGENOME LISENSIEHOUER

1. Volle naam: _____

2. Identiteitsnommer van voorgenome lisensiehouer of, indien die voorgenome lisensiehouer nie ’n natuurlike persoon is nie, sy registrasienommer

(Heg afskrif aan van identiteitskaart of -dokument of bewys van registrasie.)

3. Woonadres of adres van geregistreerde kantoor: _____

_____

_____

Poskode: _____

4. Besigheidsadres: _____

_____

_____

Poskode: _____

5. Posadres: _____

_____

_____

Poskode: _____

6. Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

7.	Is die voorgenome lisensiehouer iemand wat—	Merk “ja” of “nee”	
(a)	in die sestig (60) maande voor die indiening van die aansoek gevonnis is tot gevangenisstraf sonder die keuse om ’n boete te betaal?	Ja	Nee
(b)	in die sestig (60) maande voor die indiening van die aansoek onbevoeg verklaar is om ’n registrasie by die Nasionale Drankowerheid of ’n lisensie by enige provinsiale drankowerheid te hou?	Ja	Nee
(c)	’n ongerehabiliteerde insolvent is?	Ja	Nee
(d)	minderjarig is?	Ja	Nee
(e)	in die tydperk van twaalf (12) maande voor die indiening van hierdie aansoek ’n houer was van ’n lisensie wat gekanselleer is ingevolge hierdie Wet of ’n wet wat in enige ander provinsie dranklisensies reguleer?	Ja	Nee
(f)	die gade of lewensmaat is van ’n persoon wat beskryf word in (a), (b) of (e) hierbo?	Ja	Nee
(g)	geestesongesteld is soos omskryf in die “Mental Health Care Act, 2002” (Wet 17 van 2002)?	Ja	Nee
(h)	in die geval waar die voorgenome lisensiehouer nie ’n natuurlike persoon is nie, is een van die lede, aandeelhouers, trustees of begunstigdes ’n persoon wat beskryf word in (a), (b), (d), (e) of (g) hierbo?	Ja	Nee
8.	In die geval waar die voorgenome lisensiehouer nie ’n natuurlike persoon is nie— Is enige lid, aandeelhouer, trustee, begunstigde of vennoot van die voorgenome lisensiehouer ’n persoon wat in paragraaf 7(a), (b), (e) of (h) beskryf word?	Ja	Nee

9. Indien enige van die vrae in paragrawe 7(a) tot (h) of 8 “ja” as antwoord het, verskaf die volle besonderhede:

_____

_____

_____

_____

_____

_____

(Gebruik aanhangsel indien nodig.)

10.	Indien die voorgenome lisensiehouer ’n maatskappy, beslote korporasie, vennootskap of trust is, is ’n persoon beoog in paragraaf 7 hierbo, behalwe ’n persoon in paragraaf 7(f)—	Merk “ja” of “nee”	
(a)	iemand wat ’n belang het in sodanige maatskappy, beslote korporasie of trust?	Ja	Nee
(b)	’n vennoot in sodanige vennootskap?	Ja	Nee
(c)	’n begunstigde onder sodanige trust?	Ja	Nee

11. Indien enige van die antwoorde op die vrae in paragraaf 10(a) tot (c) hierbo “ja” is, verskaf die volle besonderhede:

_____

_____

_____

_____

(Gebruik ’n aanhangsel indien nodig.)

12. Verskaf die naam, identiteitsnommer en adres van elke persoon—

(a) wat, insluitend die houer van die lisensie, enige finansiële belang in die besigheid het waarop die lisensie betrekking het; en

(b) wat, insluitend die voorgenome lisensiehouer, sodanige belang sal hê indien die aansoek toegestaan word,

en vermeld in elke geval die aard en omvang van sodanige finansiële belang.

_____

_____

_____

_____

(Gebruik ’n aanhangsel indien nodig.)

(c) Besit die voorgenome lisensiehouer die perseel? **JA / NEE**

(d) Indien die antwoord in (c) hierbo "nee" is, verskaf die besonderhede van die eienaar en die voorgenome lisensiehouer se reg van okkupasie:

Naam van eienaar _____

Adres van eienaar _____

Voorgenome lisensiehouer se reg van okkupasie _____

Duur van reg van okkupasie _____

Datum: _____ _____

Handtekening van lisensiehouer of persoon gemagtig deur lisensiehouer

_____

Naam in drukskrif

Datum: _____ _____

Handtekening van voorgenome lisensiehouer of persoon gemagtig deur voorgenome lisensiehouer

_____

Naam in drukskrif

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.
'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 24A

KENNISGEWING VAN TOESTAAN OF WEIERING VAN OORDRAG VAN LISENSIE

[Reg. 32(10)]

NAAM VAN AANSOEKER: _____

NAAM VAN PERSEEL: _____

ADRES VAN PERSEEL: _____

_____

OWERHEIDSVERWYSINGSNOMMER: _____

Die aansoek om die oordrag van ’n lisensie het betrekking.

Neem kennis:

1. Die aansoek om die oordrag van die lisensie is op _____ **geweier**.
2. Die aansoek om die oordrag van die lisensie is op _____ **toegestaan**.

   ’n Sertifikaat van oordrag sal uitgereik word by voldoening aan die volgende voorwaardes:

   (a) Die fooi ten bedrae van R _____ moet binne sestig (60) dae vanaf die uitreiking van hierdie kennisgewing, by gebreke waarvan die toestaan van die aansoek sal verval.

   (b) Indien die fooi nie binne die tydperk soos na verwys in (a) hierbo betaal word nie, mag u by die Hoof-Uitvoerende Beampte aansoek doen om die kondonering van die versuim om die fooi te betaal (Sien artikel 65(19)).

   (c) Indien die Hoof-Uitvoerende Beampte die versuim kondoneer, moet die fooi betaal word teen ’n datum bepaal deur die Hoof-Uitvoerende Beampte tesame met ’n boete van 100% van daardie fooi.

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 24B

KENNISGEWING VAN VOORWAARDELIKE TOESTAAN VAN OORDRAG VAN LISENSIE INGEVOLGE REGULASIE 32(11)

[Reg. 32(11)]

NAAM VAN AANSOEKER: _____

NAAM EN ADRES VAN PERSEEL: _____

_____

OWERHEIDSVERWYSINGSNOMMER: _____

DATUM VAN KENNISGEWING: _____

Die aansoek om die oordrag van ’n lisensie het betrekking.

Neem kennis dat ’n oordrag van ’n lisensie voorwaardelik toegestaan is en die lisensie uitgereik sal word by voldoening aan die volgende voorwaardes:

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

Neem kennis van die volgende:

(a) Daar moet aan die voorwaardes voldoen word binne _____ vanaf die datum van hierdie kennisgewing of op of voor die _____ dag van _____ 20_____.

(b) Aansoek kan by die Dranklisensiëringstribunaal gedoen word ingevolge artikel 65(12B) in die vorm van Vorm 24E om die voorwaardes waarop die oordrag van die lisensie voorwaardelik toegestaan is te wysig of in te trek.

(c) Aansoek mag by die Voorsittende Beampte gedoen word ingevolge artikel 65(12C) in die vorm van Vorm 24E om die tydperk van die voorwaardelike toestaan te verleng.

(d) Indien die aansoeker versuim om aan die vermelde voorwaardes te voldoen binne die tydperk soos bepaal by die voorwaardelike toestaan of die verlengde tydperk ingevolge artikel 65(12C), verval die voorwaardelike toestaan van die oordrag van die lisensie en word die oordrag geag geweier te wees.

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

NEEM KENNIS DAT DIE VOORWAARDELIKE TOESTAAN VAN ’N OORDRAG VAN ’N LISENSIE NIE TOESTEMMING IS OM SONDER ’N GELDIGE DRANKLISENSIE INGEVOLGE DIE WES-KAAPSE DRANKWET, 2008, HANDEL TE DRYF NIE.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 24C

KENNISGEWING DAT DAAR VOLDOEN IS AAN DIE VOORWAARDES VAN DIE VOORWAARDELIKE TOESTAAN VAN DIE LISENSIE INGEVOLGE REGULASIE 32(14)

[Reg. 32(14)]

NAAM VAN AANSOEKER: _____

NAAM EN ADRES VAN PERSEEL: _____

OWERHEIDSVERWYSINGSNOMMER: _____

1. Die aansoek om die oordrag van ’n lisensie het betrekking.
2. Neem kennis dat die Voorsittende Beampte tevrede is dat die aansoeker voldoen het aan die voorwaardes opgelê deur die Dranklisensiëringstribunaal op _____ en dat die sertifikaat van oordrag uitgereik sal word by betaling binne sestig (60) dae van die fooi soos na verwys in artikel 65(16), by gebreke waarvan die toestaan van die aansoek sal verval.
3. Indien die fooi nie betaal word binne die tydperk waarna hierbo verwys word nie, mag u ingevolge artikel 65(19) skriftelik by die Hoof-Uitvoerende Beampte aansoek doen ingevolge artikel 65(19) om die kondonering van die versuim om die fooi te betaal.
4. Indien die Hoof-Uitvoerende Beampte die versuim om te betaal kondoneer, moet die fooi tesame met ’n boete van 100% van daardie fooi betaal word teen ’n datum bepaal deur die Hoof-Uitvoerende Beampte.

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

NEEM KENNIS DAT DIE VOORWAARDELIKE TOESTAAN VAN ’N LISENSIE NIE TOESTEMMING IS OM SONDER ’N GELDIGE DRANKLISENSIE INGEVOLGE DIE WES-KAAPSE DRANKWET, 2008, HANDEL TE DRYF NIE.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 24D

AANSOEK OM KONDONERING VAN DIE VERSUIM OM VOORGESKREWE FOOI TE BETAAL INGEVOLGE ARTIKEL 65(19)

[Reg. 32(17)]

OORSPRONKLIKE MOET BY OWERHEID INGEDIEN WORD

OWERHEIDSVERWYSINGSNOMMER: _____

INHOUD

Beskrywing van dokument wat aangeheg moet word	Aanhangsel
Skriftelike vertoë ter ondersteuning van die aansoek	A

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

_____

Poskode : _____

Fisiese adres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

BESONDERHEDE VAN LISENSIEHOUER

Volle naam van lisensiehouer: _____

_____ _____

Datum **Handtekening van aansoeker of persoon gemagtig deur aansoeker**

_____

Naam in drukskrif

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.

'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 24E

AANSOEK—

A – INGEVOLGE ARTIKEL 65(12B) OM VOORWAARDES OPGELÊ INGEVOLGE ARTIKEL 65(12) TE WYSIG OF IN TE TREK; OF

B – INGEVOLGE ARTIKEL 65(12C) OM DIE TYDPERK GESTIPULEER INGEVOLGE ARTIKEL 65(12A) TE VERLENG

[Reg. 32(35) EN (46)]

OORSPRONKLIKE MOET BY OWERHEID INGEDIEN WORD EN, IN DIE GEVAL VAN AANSOEK A, OOK EEN AFSKRIF BY DIE TERSAAKLIKE AANGEWESE DRANKBEAMPTE

Datumstempel van aangewese drankbeampte by ontvangs van aansoek	Datumstempel van Owerheid by ontvangs van aansoek

OWERHEIDSVERWYSINGSNOMMER: _____

NAAM VAN AANSOEKER: _____

NAAM VAN PERSEEL: _____

AANSOEK:

A	**B**

(Dui aan watter aansoek gedoen word.)

INHOUD

Beskrywing van dokumente wat aangeheg moet word	**Aanhangsel**
Bewys van betaling	A
Skriftelike vertoë ter ondersteuning van die aansoek	B

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

_____

Poskode : _____

Fisiese adres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

_____ _____

Datum **Handtekening van aansoeker of persoon gemagtig deur aansoeker**

_____

Naam in drukskrif

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.
'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 24F

KENNISGEWING VAN BESLUIT INGEVOLGE REGULASIE 32(45) OF (49)

[Reg. 32(45) of (49)]

NAAM VAN AANSOEKER: _____

NAAM VAN PERSEEL: _____

ADRES VAN PERSEEL: _____

_____

OWERHEIDSVERWYSINGSNOMMER: _____

Neem kennis dat die aansoek ingevolge—

A artikel 65(12B) om die voorwaardes te wysig of in te trek; of

B artikel 65(12C) om die tydperk te verleng,

(a) **toegestaan** is, onderhewig aan die aangehegde voorwaardes.

(b) **geweier** is**.**

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 25

SERTIFIKAAT VAN OORDRAG VAN DRANKLISENSIE INGEVOLGE ARTIKEL 65(17)

[Reg. 32(12) en (16)]

OWERHEIDSVERWYSINGSNOMMER: _____

Die lisensie gehou deur _____ ten opsigte van

die perseel geleë te _____

in die munisipaliteit van _____,

waarkragtens die gelisensieerde besigheid bedryf word onder die naam van:

_____

word hiermee oorgedra aan

_____,

onderhewig aan die voorwaardes en die planne hierby aangeheg.

Die gelisensieerde besigheid sal in die toekoms bedryf word onder die naam:

_____.

Hierdie sertifikaat moet te alle tye by die betrokke lisensie aangeheg wees.

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 26

AANSOEK OM TOESTEMMING OM DIE GELISENSIEERDE BESIGHEID TE BEDRYF HANGENDE DIE OORDRAG VAN DIE LISENSIE INGEVOLGE ARTIKEL 65(3)

[Reg. 32(21)]

OORSPRONKLIKE MOET BY OWERHEID EN 'N AFSKRIF BY DIE AANGEWESE DRANKBEAMPTE INGEDIEN WORD

Datumstempel van aangewese drankbeampte by ontvangs van aansoek	Datumstempel van Owerheid by ontvangs van aansoek

OWERHEIDSVERWYSINGSNOMMER _____

INHOUD

Beskrywing van dokumente wat aangeheg moet word	**Aanhangsel**
Skriftelike vertoë ter ondersteuning van die aansoek	A
Bewys van betaling van die toepaslike aansoekfooi	B

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

_____

Poskode : _____

Fisiese adres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

DEEL A

BESONDERHEDE VAN LISENSIE

1. Volle naam van lisensiehouer: _____

2. Naam en adres van gelisensieerde besigheid: _____

_____

_____

3. Naam waaronder die voorgenome lisensiehouer die gelisensieerde besigheid sal bedryf:

_____

4. Deur hierdie aansoek te onderteken, erken die lisensiehouer dat hy of sy bewus is van die voorwaardes vervat in artikel 65(8) van die Wet.

_____ _____

Datum **Handtekening van lisensiehouer of persoon gemagtig deur lisensiehouer**

_____

Naam in drukskrif

DEEL B

BESONDERHEDE VAN VOORGENOME LISENSIEHOUER

5. Volle naam: _____

6. Identiteitsnommer of, in die geval van ’n maatskappy of beslote korporasie, die registrasienommer:

(Heg afskrif aan van identiteitskaart of -dokument of bewys van registrasie)

7. Woonadres of adres van geregistreerde kantoor: _____
_____
_____
Poskode: _____

8. Besigheidsadres: _____
_____
Poskode: _____

9. Posadres: _____
_____
_____
Poskode: _____

10. Telefoonnommers:

Kantoor: _____

Selfoon: _____

Tuis of ander: _____

11. Faks: _____

12. E-posadres: _____

Datum	**Handtekening van voorgenome lisensiehouer of persoon gemagtig deur voorgenome lisensiehouer**
	Naam in drukskrif

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.

'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 26A

AANSOEK INGEVOLGE ARTIKEL 65(6)
OM DIE TOESTEMMING VERLEEN INGEVOLGE ARTIKEL 65(5) TE VERLENG

[Reg. 32(31)]

OORSPRONKLIKE MOET BY OWERHEID EN EEN AFSKRIF BY DIE AANGEWESE DRANKBEAMPTE INGEDIEN WORD

Datumstempel van aangewese drankbeampte by ontvangs van aansoek	Datumstempel van Owerheid by ontvangs van aansoek

OWERHEIDSVERWYSINGSNOMMER: _____

INHOUD

Beskrywing van dokumente wat aangeheg moet word	**Aanhangsel**
Skriftelike vertoë ter ondersteuning van die aansoek	A
Bewys van betaling van die aansoekfooi	B

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

_____

Poskode : _____

Fisiese adres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

BESONDERHEDE VAN VOORGENOME LISENSIEHOUER

1. Dranklisensienommer: _____

2. Volle naam van lisensiehouer: _____

3. Indien die lisensiehouer nie ’n natuurlike persoon is nie, verskaf die naam, identiteitsnommer en adres en omvang van finansiële belang van elke aandeelhouer, lid, vennoot, begunstigde of trustee:

   _____

   _____

   _____

   _____

   (Gebruik ’n aanhangsel indien nodig.)

4. (a) Naam en adres van gelisensieerde perseel: _____

   _____

   _____

(b) Beskryf die situasie van die perseel waar die gelisensieerde besigheid bedryf word, met verwysing na die nommer van die erf, straat/strate, winkel(s) of plaas, na gelang van die geval:

_____

_____

_____

(Gebruik 'n aanhangsel indien nodig.)

(c) In watter munisipale gebied is die perseel waarna verwys word in subparagraaf (a) geleë?

_____

5. Naam en telefoonnommer bedags: _____

6. Verskaf die redes vir die aansoek om verlenging van die toestemming verleen ingevolge artikel 65(5):

_____

_____

_____

_____

_____

_____

(Gebruik 'n aanhangsel indien nodig.)

_____ _____

Datum **Handtekening van voorgenome lisensiehouer of persoon gemagtig deur voorgenome lisensiehouer**

_____

Naam in drukskrif

Hiermee stem ek in tot die verlenging van die toestemming ingevolge artikel 65(6) van die Wet tot die _____ dag van _____ 20 _____.

_____ _____

Datum **Handtekening van lisensiehouer of persoon gemagtig deur lisensiehouer**

_____

Naam in drukskrif

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.
'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

VORM 26B

TOESTEMMING VIR DIE VERLENGING VAN DIE TYDPERK TOEGESTAAN INGEVOLGE ARTIKEL 65(5)

[Reg. 32(34)]

OWERHEIDSVERWYSINGSNOMMER: _____

Toestemming verleen aan _____

om die gelisensieerde besigheid te bedryf hangende die oordrag van die lisensie, ten opsigte van die perseel geleë te _____

in die munisipaliteit van _____, waarkragtens besigheid bedryf word onder die naam van

_____, is hiermee verleng vir die volgende tydperk _____.

_____

Hierdie kennisgewing moet te alle tye gedurende die werking daarvan by die betrokke lisensie aangeheg wees.

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

_____

NB: Een afskrif elk aan die lisensiehouer, die voorgenome lisensiehouer en die aangewese drankbeampte

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 27

AANSOEK OM DIE VERWYDERING VAN ’N LISENSIE INGEVOLGE ARTIKEL 66(2)

[Reg. 33(6)]

OORSPRONKLIKE MOET BY OWERHEID EN ’N AFSKRIF BY AANGEWESE DRANKBEAMPTE(S) INGEDIEN WORD

OWERHEIDSVERWYSINGSNOMMER: _____

Datumstempel van Owerheid by ontvangs van aansoek	Datumstempel van aangewese drankbeampte by ontvangs van aansoek

INHOUD

Beskrywing van dokumente wat aangeheg moet word	Aanhangsel
’n Leesbare, omvattende vloerplan van die voorgenome gelisensieerde perseel soos beoog in regulasie 33(7)(a)	A
’n Leesbare terreinplan van die perseel soos beoog in regulasie 33(7)(b)	B
’n Lugbeeldkaart wat die verhouding van die voorgenome gelisensieerde perseel tot ’n woongebied aandui soos beoog in regulasie 33(7)(c)	C
Beskrywing van die perseel soos beoog in regulasie 33(7)(d)	D
Geïndekseerde kleurfoto’s wat die voltooide interne en eksterne kenmerke van die voorgenome gelisensieerde perseel aantoon of, waar die aansoek betrekking het op ’n onvoltooide perseel, die stadium van voltooiing van die perseel soos beoog in regulasie 33(7)(e)	E

Beskrywing van dokumente wat aangeheg moet word	Aanhangsel
’n Gesertifiseerde afskrif van die— (i) identiteitskaart of -dokument van die aansoeker; (ii) paspoort en visum of, waar van toepassing, die permanente verblyfpermit van die aansoeker, indien die aansoeker ’n buitelander is; of (iii) toepaslike registrasiedokumente wat die identiteit en, waar van toepassing, die finansiële belang van al die lede, direkteure, vennote, begunstigdes of trustees van die aansoeker aandui, indien die aansoeker nie ’n natuurlike persoon is nie	F
’n Beëdigde verklaring dat hy of sy nie ingevolge artikel 35 gediskwalifiseer is om ’n dranklisensie te hou nie	G
’n Geldige, oorspronklike belastingklaringsertifikaat ten opsigte van die aansoeker, wat nie meer as drie maande voor die datum van indiening van die aansoek deur die Suid-Afrikaanse Inkomstediens uitgereik is nie	H
Bewys dat die aansoeker die reg het om die voorgenome gelisensieerde perseel te okkupeer	I
Bewys van eienaarskap van die voorgenome gelisensieerde perseel of, indien die aansoeker nie die eienaar van die perseel is nie, die skriftelike toestemming van die eienaar dat die aansoeker die voorgenome gelisensieerde perseel mag gebruik vir die doel van die lisensie ten opsigte waarvan ’n aansoek om verwydering gedoen word	J
Skriftelike vertoë ter ondersteuning van die aansoek	K
Bewys van betaling van die toepaslike aansoekfooi	L
Bewys van kennisgewing ingevolge regulasie 33(4)	M
Soneringsertifikaat	N
Bewys dat ’n afskrif van die aansoek ingedien is by die aangewese drankbeampte in wie se regsgebied die gelisensieerde perseel tans geleë is en, waar die toestaan van die aansoek die verwydering van die lisensie na die regsgebied van ’n ander aangewese drankbeampte tot gevolg sal hê, ook by die aangewese drankbeampte van daardie gebied ingedien is	O

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Woonadres : _____
_____

Poskode : _____

Posadres : _____
_____

Poskode : _____

Telefoonnommers:
Kantoor : _____
Selfoon : _____
Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

1. BESONDERHEDE VAN AANSOEKER

1.1 Volle naam: _____

1.2 Woonadres : _____
_____

Poskode : _____

1.3 Posadres : _____
_____

Poskode : _____

1.4 Telefoonnommers:
Kantoor : _____
Selfoon : _____
Tuis of ander : _____

1.5 Faksnommer : _____
1.6 E-posadres : _____

1.7 Adres vir betekening van alle kennisgewings en dokumente:
_____
_____
_____

Poskode : _____

1.8 Kontakbesonderhede van lisensiehouer of, indien die aansoeker nie ’n natuurlike persoon is nie, die volle besonderhede van die skakelpersoon:

_____

_____

1.9 Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander: _____

1.10 Geboortedatum *(indien aansoeker ’n indiwidu is)* _____ / _____/ _____

2. BESONDERHEDE VAN DIE VERWYDERING

2.1 Onder watter naam word die gelisensieerde besigheid bedryf?

_____

2.2 Sal die naam verander by goedkeuring van die aansoek om verwydering? **JA / NEE**

2.3 Indien wel, vermeld die nuwe naam: _____

2.4 Beskryf die situasie van die perseel waar die besigheid bedryf sal word, met verwysing na die nommer van die erf, straat/strate, woonstel(le), winkel(s) of plaas:

_____

_____

_____

_____

2.5 Is die perseel waarna verwys word in paragraaf 2.4 in dieselfde polisiedistrik as die huidige gelisensieerde perseel?

JA / NEE

2.6 Is die perseel waarna verwys word in paragraaf 2.4 in dieselfde munisipale gebied as die huidige gelisensieerde perseel?

JA / NEE

2.7 Is die aansoeker die eienaar van die perseel waarheen die lisensie verwyder sal word?

JA / NEE

2.8 Indien nie, verskaf die besonderhede van die eienaar en van die aansoeker se reg van okkupasie:

Naam van eienaar: _____

Adres van eienaar: _____

_____

_____

_____

Aansoeker se reg van okkupasie: _____

_____

_____

Duur van reg van okkupasie: _____

_____

2.9 In die geval van ’n aansoek om ’n lisensie wat die verbruik van drank op die perseel toelaat, vermeld in watter gedeelte van die perseel drank bedien en verbruik sal word:

_____

_____

_____

2.10 Word die aansoek gemaak ten opsigte van ’n perseel wat—

(a) nog nie opgerig is nie? **JA / NEE**

(b) reeds opgerig is maar wat aanbouings of veranderings benodig om die perseel geskik te maak vir die doel van die besigheid? **JA / NEE**

(c) reeds opgerig is en nie aanbouings of veranderings benodig om die perseel geskik te maak vir die doel van die besigheid nie? **JA / NEE**

2.11 Indien die antwoord op paragraaf 2.10(a) of (b) “ja” is, vermeld—

(a) die datum waarop sodanige oprigting, aanbouings of veranderings sal begin: _____; en

(b) die tydperk wat benodig sal word vir die oprigting, aanbouings of veranderings:

_____

2.12 In die geval van ’n aansoek om die tydelike verwydering van die lisensie, vermeld vir watter tydperk sodanige verwydering benodig word:

_____

_____

_____

_____

_____

_____ _____

Datum **Handtekening van aansoeker of persoon gemagtig deur aansoeker**

_____

Naam in drukskrif

’n Persoon wat met betrekking tot ’n aansoek, ’n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of ’n vervalste dokument of een wat voorgee ’n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan ’n misdryf ingevolge artikel 77(a) van die Wet.

’n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met ’n boete van hoogstens R50 000,00 of met gevangenisstraf vir ’n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 27A

NOTICE OF LODGEMENT OF APPLICATION FOR REMOVAL OF LIQUOR LICENCE IN TERMS OF SECTION 66(2) OF THE WESTERN CAPE LIQUOR ACT, 2008

[Reg. 33(2)]

Notice is hereby given that an application for the removal of a liquor licence has been lodged with the Western Cape Liquor Authority (the Authority) and with the designated liquor officer in whose area of jurisdiction the licenced premises are currently located and, where the granting of the application will have the effect of removing the license to the area of jurisdiction of another designated liquor officer, also with the designated liquor officer of that area.

The application concerned may, up to and including the 28th day from date of this notice, upon request and free of charge, be inspected by any person, at the offices of the Authority or the relevant designated liquor officer(s). Copies of the application can be obtained from the Authority after payment of the prescribed fee.

Objections and representations may be lodged in writing with the Authority and the relevant designated liquor officer(s) in accordance with regulation 33(12) of the Regulations.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 27A

KENNISGEWING VAN INDIENING VAN AANSOEK OM VERWYDERING VAN DRANKLISENSIE INGEVOLGE ARTIKEL 66(2) VAN DIE WES-KAAPSE DRANKWET, 2008

[Reg. 33(2)]

Hiermee word kennis gegee dat ’n aansoek om die verwydering van ’n dranklisensie ingedien is by die Wes-Kaapse Drankowerheid (die Owerheid) en by die aangewese drankbeampte in wie se regsgebied die gelisensieerde perseel tans geleë is en, waar die toestaan van die aansoek die verwydering van die lisensie na die regsgebied van ’n ander aangewese drankbeampte tot gevolg sal hê, ook by die aangewese drankbeampte van daardie gebied.

Die betrokke aansoek kan tot en met die 28ste dag vanaf die datum van hierdie kennisgewing op versoek en gratis deur enige persoon by die kantore van die Owerheid of die tersaaklike aangewese drankbeampte besigtig word. Afskrifte van die aansoek kan by die Owerheid verkry word na betaling van die voorgeskrewe fooi.

Besware en vertoë mag ooreenkomstig regulasie 33(12) van die Regulasies by die Owerheid en die tersaaklike aangewese drankbeampte(s) ingedien word.

UMTHETHO WOTYWALA WENTSHONA KOLONI 4 KA-2008

IFOMU 27A

ISAZISO SOKUFAKWA KWESICELO SOKUSUSWA KWEPHEPHA-MVUME LOTYWALA NGOKWECANDELO 66(2) LOMTHETHO WEZOTYWALA WENTSHONA KOLONI, 2008

[Reg. 33(2)]

Isaziso siyanikezelwa ukuba isicelo sokususwa kwephepha-mvume lotywala sifakiwe kwabasemaGunyeni ezoTywala eNtshona Koloni (abasemaGunyeni) nakwigosa elijongene nemiba engotywala elijongene nolawulo lweendawo ezinempapha-mvume kwaye, apho ukunikezelwa kwesicelo kuza kuchaphazela ukususwa kwephepha-mvume phantsi kolawulo lwelinye igosa elijongene nemiba engotywala kuloo ngingqi.

Isicelo ekubhekiswa kuso singakwazi, ukuya kwiintsuku eziquka usuku lwama-28 ukusukela ngokusuku lwesi saziso, xa siceliwe kwaye simahla, sihlolwe nguye nawuphi na umntu okwiofisi yabasemaGunyeni okanye i(ama)gosa eli(a)jongene nemiba engotywala. Iikopi zesicelo singafumaneka kwabasemaGunyeni emva kwentlawulo emisiweyo.

Uchaso neengxelo ezixhasayo ezibhaliweyo zingafakwa kwabasemaGunyeni nakwigosa elijongene nemiba engotywala ngokwecandelo 39 loMthetho.

No.	**Full name of applicant** **Volle naam van aansoeker** **Igama elipheleleyo lomfaki-sicelo**	**Name under which business will be conducted** **Naam waaronder die besigheid bedryf sal word** **Igama ishishini eza kushishina phantsi kwalo**	**Address of the proposed premises** **Adres van voorgenome perseel** **Idilesi yesakhiwo**	**Category of licence** **Kategorie lisensie waarom aansoek gedoen word** **Uhlobo lwephepha mvume olucelayo**	**South African Police Services designated liquor officer's offices where the application has been lodged** **Suid-Afrikaanse Polisiediens-kantoor van die aangewese drankbeampte waar die aansoek ingedien is** **i-Ofisi yeGosa elijongene nemiba engotywala yeeNkonzo zamaPolisa eMzantsi Afrika apho isicelo sifakwe khona**

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 27B
KENNISGEWING VAN INDIENING VAN AANSOEK OM VERWYDERING VAN DRANKLISENSIE

[Reg. 33(4)]

Kennis word hiermee gegee dat ’n aansoek om die verwydering van ’n dranklisensie na hierdie perseel, waarvan die besonderhede hier verskaf word, ingedien is by die Wes-Kaapse Drankowerheid (die Owerheid) en die kantore van die tersaaklike aangewese drankbeampte(s) by die Suid-Afrikaanse Polisiediens.

Die betrokke aansoek kan tot en met die ag-en-twintigste (28ste) dag vanaf die datum van publikasie deur die Owerheid van die indiening van die aansoek ingevolge regulasie 33(3) op versoek en gratis deur enigiemand besigtig word by die kantore van die Owerheid of die aangewese drankbeampte(s). Afskrifte van die aansoek kan by die Owerheid bekom word na betaling van die voorgeskrewe fooi.

Ingevolge regulasie 33(12) van die Regulasies mag u vertoë indien ten gunste van of teen die genoemde aansoek. Sou u dit wil doen, moet vertoë skriftelik ingedien word by die Owerheid én die kantoor van die tersaaklike aangewese drankbeampte(s).

Datum van kennisgewing: _____

(Hierdie datum moet ooreenstem met die datum van indiening van die aansoek.)

Volle naam van aansoeker: _____

Identiteitsnommer of registrasienommer van aansoeker: _____

Straatadres van aansoeker: _____

_____

Posadres van aansoeker: _____

_____

Poskode: _____

Tipe lisensie waarvoor aansoek gedoen word: _____

Soort(e) drank wat mikrovervaardig en/of verkoop sal word: _____

_____

Naam waaronder besigheid bedryf sal word: _____

_____

Adres van die perseel wat voorgestel word gelisensieer te word, met verwysing na die nommer van die erf, straat/strate, woonstel(le), winkel(s) of plaas, na gelang van die geval:

_____

_____

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

Fisiese adres : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Faksnommer : _____

E-posadres : _____

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.

'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 27C

KENNISGEWING VAN TOESTAAN OF WEIERING VAN VERWYDERING VAN LISENSIE

[Reg. 33(20)]

NAAM VAN PERSEEL: _____

ADRES VAN PERSEEL: _____

_____

OWERHEIDSVERWYSINGSNOMMER: _____

Die aansoek om die verwydering van ’n lisensie het betrekking.

Neem kennis:

1. Die aansoek om die verwydering van die lisensie is op _____ **geweier**.
2. Die aansoek om die verwydering van die lisensie is op _____ **toegestaan**. ’n Sertifikaat van verwydering sal by voldoening aan die volgende voorwaardes uitgereik word:
   (a) Die fooi ten bedrae van R _____ moet binne sestig (60) dae vanaf die datum van hierdie kennisgewing betaal word, by gebreke waarvan die toestaan van die aansoek sal verval.
   (b) Indien die fooi nie binne die tydperk soos na verwys in (a) hierbo betaal is nie, mag u skriftelik by die Hoof-Uitvoerende Beampte aansoek doen om die kondonering van die versuim om die fooi te betaal. (Sien artikel 66(8).)
   (c) Indien die Hoof-Uitvoerende Beampte die versuim kondoneer, moet die fooi teen ’n datum bepaal deur die Hoof-Uitvoerende Beampte betaal word tesame met ’n boete van 100% van daardie fooi.

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 27D

KENNISGEWING VAN VOORWAARDELIKE TOESTAAN VAN VERWYDERING VAN LISENSIE INGEVOLGE REGULASIE 33(21)

[Reg. 33(21)]

NAAM VAN AANSOEKER: _____

NAAM EN ADRES VAN PERSEEL: _____

OWERHEIDSVERWYSINGSNOMMER: _____

Die aansoek om die verwydering van die lisensie het betrekking.

Neem kennis dat die verwydering van ’n lisensie voorwaardelik toegestaan is en dat ’n sertifikaat van verwydering uitgereik sal word by voldoening aan die volgende voorwaardes en vereistes:

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

Neem kennis van die volgende:

1. Daar moet aan die vermelde voorwaardes en vereistes voldoen word—
   (a) binne _____ vanaf die uitreiking van hierdie kennisgewing; of
   (b) op of voor die _____ dag van _____ 20 ____.

2. Aansoek mag gedoen word by—
   (a) die Dranklisensiëringstribunaal om die wysiging of intrekking van die voorwaardes ingevolge artikel 66(4B); of
   (b) die Voorsittende Beampte om enige voorwaarde of vereiste bepaal kragtens artikel 66(14)(a) in te trek of te wysig;
   (c) die Voorsittende Beampte om 'n gewysigde plan soos na verwys in artikel 66(14)(d) goed te keur; of
   (d) die Voorsittende Beampte ingevolge artikel 66(14)(b) om die verlenging van die tydperk—
      (i) vermeld deur die Dranklisensiëringstribunaal ingevolge artikel 66(4A); of
      (ii) bepaal deur die Voorsittende Beampte ingevolge artikel 66(13) of (14)(b).

3. Indien die aansoeker versuim om aan die vermelde voorwaardes of vereistes te voldoen binne die tydperk soos bepaal deur die Dranklisensiëringstribunaal of die Voorsittende Beampte, na gelang van die geval, of binne enige verlengde tydperk, verval die voorwaardelike toestaan van die verwydering van die lisensie en word die aansoek om die verwydering van die lisensie geag nie toegestaan te wees nie.

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

NEEM KENNIS DAT DIE VOORWAARDELIKE TOESTAAN VAN 'N LISENSIE NIE TOESTEMMING IS OM SONDER 'N GELDIGE LISENSIE INGEVOLGE DIE WES-KAAPSE DRANKWET, 2008, HANDEL TE DRYF NIE.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 27E

KENNISGEWING DAT DAAR VOLDOEN IS AAN DIE VOORWAARDES VAN DIE VOORWAARDELIKE TOESTAAN INGEVOLGE REGULASIE 33(24)

[(Reg. 33(24)]

NAAM VAN AANSOEKER: _____

NAAM VAN PERSEEL: _____

ADRES VAN PERSEEL: _____

_____

OWERHEIDSVERWYSINGSNOMMER: _____

Die aansoek om die verwydering van ’n lisensie het betrekking.

Neem kennis dat die Voorsittende Beampte tevrede is dat die aansoeker voldoen het aan die voorwaardes opgelê deur die Dranklisensiëringstribunaal op _____ en dat die toepaslike lisensie uitgereik sal word by voldoening aan die volgende:

(a) Die fooi soos na verwys in artikel 66(6) moet binne sestig (60) dae vanaf die uitreiking van hierdie kennisgewing betaal word, by gebreke waarvan die toestaan van die aansoek sal verval.

(b) Indien die fooi nie betaal word binne die tydperk vermeld in (a) nie, mag u binne sestig (60) dae vanaf die verstryking van die tydperk soos na verwys in paragraaf (a) skriftelik by die Hoof-Uitvoerende Beampte aansoek doen ingevolge artikel 66(8) om die kondonering van die versuim om te betaal.

(c) Indien die Hoof-Uitvoerende Beampte die versuim kondoneer, moet die fooi tesame met ’n boete van 100% van daardie fooi betaal word teen ’n datum bepaal deur die Voorsittende Beampte.

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 27F

AANSOEK OM KONDONERING VAN DIE VERSUIM OM VOORGESKREWE FOOI TE BETAAL INGEVOLGE ARTIKEL 66(8)

[Reg. 33(27)]

OORSPRONKLIKE MOET BY OWERHEID INGEDIEN WORD

OWERHEIDSVERWYSINGSNOMMER _____

INHOUD

Beskrywing van dokument wat aangeheg moet word	Aanhangsel
Skriftelike vertoë ter ondersteuning van die aansoek	A

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

_____

Poskode : _____

Fisiese adres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

BESONDERHEDE VAN LISENSIEHOUER

1. Volle naam van lisensiehouer _____

_____ _____

Datum **Handtekening van aansoeker of persoon gemagtig deur aansoeker**

_____

Naam in drukskrif

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.
'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 27G

AANSOEK—

A – INGEVOLGE ARTIKEL 66(4B) OM DIE WYSIGING OF INTREKKING VAN VOORWAARDES; OF

B – INGEVOLGE ARTIKEL 66(14)(a) OM 'N VOORWAARDE OF VEREISTE IN TE TREK OF TE WYSIG; OF

C – INGEVOLGE ARTIKEL 66(14)(d) OM DIE GOEDKEURING VAN 'N GEWYSIGDE PLAN; OF

D – OM DIE TYDPERK TE VERLENG—

(a) WAT DIE DRANKLISENSIËRINGSTRIBUNAAL INGEVOLGE ARTIKEL 66(4C) GESTIPULEER HET; OF

(b) WAT DIE VOORSITTENDE BEAMPTE INGEVOLGE ARTIKEL 66(14)(b) OF (c) BEPAAL HET

[Reg. 33(31) en (40)]

OORSPRONKLIKE MOET BY OWERHEID EN 'N AFSKRIF BY DIE TERSAAKLIKE AANGEWESE DRANKBEAMPTE INGEDIEN WORD

Datumstempel van aangewese drankbeampte by ontvangs van aansoek	Datumstempel van Owerheid by ontvangs van aansoek

OWERHEIDSVERWYSINGSNOMMER: _____

NAAM VAN AANSOEKER: _____

NAAM VAN PERSEEL: _____

AANSOEK:

A	B	C	D(a)	D(b)

(Dui aan waarvoor aansoek gedoen word)

INHOUD

Beskrywing van dokumente wat aangeheg moet word	Aanhangsel
Bewys van betaling van die voorgeskrewe fooi	A
Skriftelike vertoë ter ondersteuning van die aansoek	B

Naam, handtekening en kontakbesonderhede van persoon wat hierdie aansoek voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____
_____

Poskode : _____

Fisiese adres : _____
_____

Poskode : _____

Telefoonnommers:
Kantoor : _____
Selfoon : _____
Tuis of ander : _____
Faksnommer : _____
E-posadres : _____

_____ _____

Datum

Handtekening van aansoeker of persoon gemagtig deur aansoeker

_____

Naam in drukskrif

'n Persoon wat met betrekking tot 'n aansoek, 'n beswaar of vertoë ingevolge die Wes-Kaapse Drankwet, 2008, inligting indien of verstrek wat hy of sy weet vals of misleidend is of waarvan hy of sy nie weet dat dit waar is nie of 'n vervalste dokument of een wat voorgee 'n ware afskrif van die oorspronklike te wees maar nie is nie, indien, is skuldig aan 'n misdryf ingevolge artikel 77(a) van die Wet.
'n Persoon wat aldus skuldig bevind word is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 000,00 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met beide sodanige boete en sodanige tydperk van gevangenisstraf.

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 27H

KENNISGEWING VAN BESLUIT INGEVOLGE REGULASIE 33(39) OF (43)

[Reg. 33(39) of (43)]

NAAM VAN AANSOEKER: _____

NAAM VAN PERSEEL: _____

ADRES VAN PERSEEL: _____

_____

OWERHEIDSVERWYSINGSNOMMER: _____

Neem kennis dat die aansoek—

A – om die wysiging of intrekking van voorwaardes ingevolge artikel 66(4B); of

B – om enige voorwaarde of vereiste in te trek of te wysig ingevolge artikel 66(14)(a); of

C – om ’n gewysigde plan goed te keur ingevolge artikel 66(14)(d); of

D – om die tydperk te verleng—

(a) wat die Dranklisensiëringstribunaal ingevolge artikel 66(4C) gestipuleer het; of

(b) wat die Voorsittende Beampte ingevolge artikel 14(b) of (c) gestipuleer het,

(i) **toegestaan is**, onderhewig aan die aangehegde voorwaardes; of

(ii) **geweier is**.

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 28

SERTIFIKAAT VAN VERWYDERING VAN LISENSIE INGEVOLGE ARTIKEL 65(17)

[Reg. 33(22) en (26)]

OWERHEIDSVERWYSINGSNOMMER: _____

Die lisensie toegestaan ten opsigte van die perseel geleë te: _____

_____,

op welke perseel die gelisensieerde besigheid bedryf word onder die naam:

_____,

word hiermee permanent/tydelik verwyder na die perseel geleë te: _____

_____

in die munisipaliteit van _____, waarkragtens die gelisensieerde besigheid bedryf sal word onderhewig aan die voorwaardes en planne hierby aangeheg.

Die gelisensieerde besigheid sal in die toekoms bedryf word onder die naam:

_____

Hierdie sertifikaat moet te alle tye gedurende die werking daarvan by die betrokke lisensie aangeheg wees.

_____

Hoof-Uitvoerende Beampte van die Wes-Kaapse Drankowerheid of persoon wat handel kragtens bevoegdheid gedelegeer deur die Hoof-Uitvoerende Beampte

Datum: _____

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 29

KENNISGEWING VAN APPÈL OF HERSIENINGSAANSOEK

INGEVOLGE ARTIKEL 68(3)

[Reg. 34(6)]

OORSPRONKLIKE MOET BY OWERHEID INGEDIEN WORD

OWERHEIDSVERWYSINGSNOMMER: _____

INHOUD

Beskrywing van dokumente wat aangeheg moet word	Aanhangsel
'n Verklaring wat die gronde van die appèl of hersieningsaansoek uiteensit	A
'n Bondige verklaring van die vernaamste feitelike of regspunte wat die appellant beoog om op appèl of hersiening te beredeneer	B
'n Lys van die gesag, indien enige, wat ter ondersteuning van elk van die hoofpunte aangebied sal word	C
Die bystand wat die appellant verlang	D

NAAM VAN APPELLANT: _____

Naam, handtekening en kontakbesonderhede van persoon wat hierdie kennisgewing voorberei het:

Naam : _____

Handtekening : _____

Posadres : _____

_____

Poskode : _____

Fisiese adres : _____

_____

Poskode : _____

Telefoonnommers:

Kantoor : _____

Selfoon : _____

Tuis of ander : _____

Faksnommer : _____

E-posadres : _____

BESONDERHEDE VAN DIE APPÈL OF HERSIENINGSAANSOEK

1. Teen watter besluit van die Wes-Kaapse Drankowerheid word hierdie appèl of hersieningsaansoek gebring?

   _____

2. Datum van besluit: _____

3. Datum waarop die appellant ingelig is oor die besluit: _____

_____ _____

Datum **Handtekening van aansoeker of persoon gemagtig deur aansoeker**

_____

Naam in drukskrif

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 30

VOLDOENINGSKENNISGEWING INGEVOLGE ARTIKEL 69(1)

[Reg. 35(1)]

OWERHEIDSVERWYSINGSNOMMER: _____

AAN: Naam: _____

Adres: _____

_____

Identiteitsnommer:

Uit hoofde van die bevoegdhede wat vestig in inspekteurs van die Wes-Kaapse Drankowerheid en aangewese drankbeamptes by artikel 69 van die Wes-Kaapse Drankwet, 2008, word u hiermee in kennis gestel dat u nie aan die volgende bepalings van die Wet of voorwaardes van die lisensie voldoen het nie:

_____

_____

_____

_____

U word hiermee versoek om aan die vermelde bepalings van die Wet of voorwaardes van die lisensie te voldoen teen nie later nie as: _____,

deur *(vermeld die stappe wat van die lisensiehouer of bestuurder vereis word)* _____

_____

_____

_____

_____

_____

_____

_____

U word verwys na artikel 69(5) tot (12) van die Wet.

Handtekening van betekende *(indien bekombaar)* _____

_____

SLEGS VIR AMPTELIKE GEBRUIK

Ek bevestig hiermee dat ek hierdie kennisgewing beteken het deur die oorspronklike af te lewer by: _____

_____

soos beoog in regulasie 35(2). Die aard en dringendheid van die kennisgewing is aan die ontvanger verduidelik.

Plek van betekening: _____

_____

Datum en tyd van betekening: _____

Handtekening van inspekteur of aangewese drankbeampte _____

Naam van inspekteur of aangewese drankbeampte _____

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 31

SERTIFIKAAT VAN VOLDOENING INGEVOLGE ARTIKEL 69(6)

[Reg. 35(3)]

OWERHEIDSVERWYSINGSNOMMER: _____

AAN: Naam: _____

Adres: _____

_____

Identiteitsnommer: | | | | | | | | | | | | | |

Uit hoofde van die bevoegdhede wat vestig in inspekteurs van die Drankowerheid en aangewese drankbeamptes by artikel 69 van die Wes-Kaapse Drankwet, 2008, word u hiermee in kennis gestel dat u voldoen het aan ’n kennisgewing wat aan u beteken is op:
_____

_____

Handtekening van persoon wat beteken is (indien bekombaar)

SLEGS VIR AMPTELIKE GEBRUIK

Ek bevestig hiermee dat ek hierdie sertifikaat van voldoening beteken het deur die oorspronklike af te lewer by:

_____

soos beoog in regulasie 35(4).

Plek: _____ Datum en tyd: _____

Handtekening van inspekteur of aangewese drankbeampte: _____

Naam van inspekteur of aangewese drankbeampte: _____

WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

VORM 32

KENNISGEWING INGEVOLGE REGULASIE 37A(1)

[Reg. 37A(1)]

OWERHEIDSVERWYSINGSNOMMER: _____

AAN: Naam van die eienaar of persoon in beheer van die perseel:

_____

Adres van die perseel: _____

_____

_____

Identiteitsnommer: | | | | | | | | | | | | | |

Uit hoofde van die bevoegdhede wat vestig in inspekteurs van die Wes-Kaapse Drankowerheid ingevolge regulasie 37A van die regulasies van die Wes-Kaapse Drankwet, 2008 (die Wet), word u hiermee in kennis gestel dat ek redelike gronde het om te vermoed dat drank strydig met die Wet deur u of op u opdrag of met u kennis verkoop of mikrovervaardig word op die bogenoemde perseel.

Dit is ’n oortreding van die Wet om sonder ’n lisensie wat uitgereik is ingevolge die Wet drank te verkoop of te mikrovervaardig, en u kan in ’n strafhof vervolg word. Indien u skuldig bevind word, kan u gevonnis word om ’n boete van tot R1 000 te betaal of tot ’n tydperk van gevangenisstraf van tot vyf (5) jaar, of tot beide die boete en die tydperk van gevangenisstraf.

U word hiermee aangeraai om onmiddellik stappe te neem om vir ’n lisensie aansoek te doen wat u magtig om drank op hierdie perseel te verkoop of te mikrovervaardig.

Aansoeke om lisensies moet by die Wes-Kaapse Drankowerheid ingedien word:

Fisiese adres: Derde verdieping, Sunbel-gebou, Ou Paarlweg 3, Bellville
Telefoonnommer: 021 204 9700
Kantoorure: 7:30 tot 16:00
Webadres: www.wcla.gov.za

U sal die bystand ontvang wat u met u aansoek benodig.

_____

Handtekening van persoon aan wie kennisgewing beteken is *(indien bekombaar)*

SLEGS VIR AMPTELIKE GEBRUIK

Ek bevestig hiermee dat ek hierdie kennisgewing beteken het deur die oorspronklike af te lewer by: _____

soos beoog in regulasie 37A(1). Die aard en dringendheid van die aangeleentheid is aan die ontvanger verduidelik.

Plek van betekening: _____

Datum en tyd van betekening: _____

Handtekening van inspekteur: _____

Naam van inspekteur: _____

.”.

I.S. 21/2017 19 kweyoMqungu 2017

UMTHETHO WOTYWALA WASENTSHONA KOLONI 2008 (UMTHETHO 4 KA-2008) IMIGAQO YOTYWALA YASENTSHONA KOLONI, 2011: ISILUNGISO 2017

UMphathiswa woKhuseleko loLuntu wePhondo, ngokwemiqathango yecandelo 88(1) loMthetho woTywala weNtshona Koloni, 2008 (uMthetho 4 ka-2008), uceba ukumisela le migaqo ichazwe kule Shedyuli.

ISHEDYULI

Inkcazo-magama

1. Kule migaqo "iMigaqo" ithetha iMigaqo yoTywala yaseNtshona Koloni, 2011, eyapapashwa phantsi kweSaziso sePhondo 366/2011 sangomhla wama-21 kweyoMnga 2011, njengoko silungisiwe siSaziso sePhondo 84/2012 somhla wama-30 kwekaTshazimpuzi 2012, iSaziso sePhondo 371/2012 somhla we-10 kweyoMnga 2012, neSaziso sSazisoePhondo 275/2015 somhla we-14 kweyeThupha 2015

Izilungiso kwindlela emiswe ngayo iMigaqo

2. Indlela emiswe ngayo iMigaqo phambi koMgaqo 1 weMigaqo yenziwa izilungiso—
   (a) ngokuthi endaweni yoko kubhekisele kwisihloko soMgaqo 6 kufakwe lo mhlathana:

"6 **Ukunyulwa kwamalungu namalungu angamalalela kwiSigqeba seeMbambano zeeLayisenisi zoTywala**";

   (b) ngokuthi emva koko kubhekisele kwisihloko soMgaqo 8 kufakwe lo mhlathana ulandelayo:
   "8A Umhla woshicilelo";
   (c) ngokuthi koko kubhekisele kwisihloko soMgaqo 19 kususwe igama elithi "owodwa"; kunye
   (d) ngokuthi emva koko kubhekisele kwisihloko soMgaqo 37 kufakwe eli binzana lilandelayo:
   "37A Iinothisi zolawulo".

Izilungiso kuMgaqo 1 weMigaqo

3. UMgaqo 1 weMigaqo wenziwa izilungiso—
   (a) Ngokuthi emva kwenkcazo "yomfaki-sicelo" kufakwe ezi nkcazo-magama zilandelayo:
   " '**ikopi eqinisekisiweyo**' ithetha ikopi yoxwebhu oluqinisekiswe ngumkhomishinala ongumfungisi ukuba luyikopi enyanisekileyo yoxwebhu lwanqangi";
   " '**iSebe**' lithetha iSebe loKhuseleko loLuntu lephondo;" nangokuthi
   (b) endaweni yenkcazo yeNtloko yeSebe" kufakwe le nkcazo ilandelayo:
   " '**iNtloko yeSebe**' ithetha intloko yeSebe;".

Izilungiso kuMgaqo 2 weMigaqo

4. UMgaqo 2 weMigaqo wenziwa izilungiso—
   (a) Ngokuthi endaweni yomgaqwana (2) yamagama andulela umhlathi *(a)* kufakwe la magama alandelayo:
   "Inothisi eza kushicilelwa kwi*Gazethi yePhondo* ngokwemiqathango yomgaqwana (1) kufuneka ichaze—";
   (b) Ngokuthi emva komhlathi *(b)* womgaqwana (2) kufakwe lo mhlathi ulandelayo:
   "*(bA)* indlela ezinokuthi ezi kopi zale fomu yotyumbo ikhankanywe kumgaqwana (3) zifunyanwe ngayo;"; nangokuthi
   (c) Emva komgaqwana (2) kufakwe le migaqwana ilandelayo:
   "(2A) Inothisi eza kukhutshwa kumaphephandaba ngokwemiqathango yomgaqwana (1) kufuneka—
   (a) izicacise eziya mfuno zikhankanywe kumgaqwana (2)*(a)*, *(bA)*, *(c)* no-*(d)*; kananjalo
   (b) icacise nokuba inothisi eshicilelwe kwiGazethi yePhondo inokujongwa nakwiwebhusayithi yeSebe eli.
   (2B) ISebe kufuneka liqinisekise ukuba inothisi eshicilelwe kwiGazethi yePhondo ifakiwe nakwiwebhusayithi yeSebe.".

Endaweni yoMgaqo 6 weMigaqo kufakwa omnye

5. Endaweni yoMgaqo 6 weMigaqo kufakwa lo mgaqo ulandelayo:

"**Ukunyulwa kwamalungu namalungu angamalalela kwiSigqeba seeMbambano zeeLayisenisi zoTywala**

6. (1) IGosa eliLawulayo eliyiNtloko kufuneka ukuba, ngenothisi ebhalwe ngeelwimi zolawulo zeli Phondo zontathu—
   (a) kwiGazethi yePhondo nakumaphephanda amabini ubuncinane akhoyo kweli phondo, lifake isimemo sotyumbo lwamalungu esi Sigqeba seeMbambano zeeLayisenisi zoTywala zikhankanywe kwicandelo 16(1)*(a)*, *(b)* no-*(e)*; kananjalo
   (b) nakumaphephanda amabini ubuncinane akhoyo kweli phondo, lifake isimemo sotyumbo lwamalungu esi Sigqeba seeMbambano zeeLayisenisi zoTywala angamalalela.

   (2) Le nothisi iza kufakwa kwiGazethi yePhondo ngokwemiqathango yomgaqwana (1)*(a)* kufuneka iyicacise—
   (a) imiqathango efanelekileyo ngokwecandelo16(1) yokunyulwa kwelungu leSigqeba seeMbambano zeeLayisenisi zoTywala;
   (b) inkqubo yotyumbo;
   (c) Umhla wokugqibela ekufuneka abe sengenisiwe amagama abatyunjwa kwiGosa eliLawulayo eliyiNtloko;
   (d) indlela ekufuneka engeniswe ngayo amagama abatyunjwa; kwakunye
   (e) nendlela iikopi zefomu yotyumbo ekubhekiswe kuyo kumgaqwana (6) enokufunyanwa ngayo.

(3) Le nothisi iza kufakwa kumaphephandaba ngokwemiqathango yomgaqwana (1)*(a)* kufuneka—

(a) izicacise eziya mfuneko zikhankanywe kumgaqwana (2)*(a)*, *(c)*, *(d)* no-*(e)*; kananjalo

(b) icacise nokuba inothisi eshicilelwe kwiGazethi yePhondo inokujongwa nakwiwebhusayithi yeSebe eli.

(4) ISebe kufuneka liqinisekise ukuba inothisi eshicilelwe kwiGazethi yePhondo ifakiwe nakwiwebhusayithi yeSebe.

(5) Le nothisi iza kufakwa kumaphephandaba ngokwemiqathango yomgaqwana (1)*(b)* kufuneka—

(a) iyicacise imiqathango yokunyulwa njengelungu elililalela;

(b) inkqubo yotyumbo;

(c) Umhla wokugqibela ekufuneka abe sengenisiwe amagama abatyunjwa kwiGosa eliLawulayo eliyiNtloko;

(d) indlela ekufuneka engeniswe ngayo amagama abatyunjwa; kwakunye

(e) nendlela ezifunyanwa ngayo iikopi zale fomu yotyumbo ikhankanywe kumgaqwana (6).

(6) Umtyunjwa kufuneka angenise iGosa eliLawulayo eliyiNtloko ifomu yotyumbo enguFomu 2 kwiSihlomelelo 3, izaliswe ngokufanelekileyo ngalo mhla ukhankanywe kumgaqwana (2)*(c)* okanye (5)*(c)*, ngokwalowo ufanelekileyo okanye phambi kwawo .

(7) IGosa eliLawulayo eliyiNtloko kufuneka zithi zingadlulanga iintsuku ezingama-21 emva kwalo mhla ukhankanywe kumgaqwana (2)*(c)* okanye (5)*(c)*, liqinisekise ukuba onke la magama abatyunjwa angeniswe kulandelwa umgaqwana (6) ayangeniswa eBhodini, kubonakaliswe futhi nokuba ngawaphi na ayifezekisayo le miqathango ikhankanywe kumgaqwana (2)*(a)* okanye (5)*(a)*, ngokwalowo ufanelekileyo, nokuba asilele njani na lawo asileleyo ekuyifezekiseni imiqathango.

(8) IBhodi mazithi zingadlunga iintsuku ezingama-21 iwafumene amagama aba batyunjwa bakhankanywe kumgaqwana (7), ichonge—

(a) iqela labaza kuqhuba udliwano-ndlebe nabo batyunjelwe kwiSigqeba seeMbambano zeeLayisenisi zoTywala, eliza kuba nala malungu—

(i) Eliya lungu likhankanywe kwicandelo 3(1)*(b)* namanye amalungu eBhodi amathathu ubuncinane; kunye

(ii) neNtloko yeSebe; kuze ke

(b) kwabatyunjelwe ukuba ngamalungu angamalalela ichonge iqela eliza kuqhuba udliwano-ndlebe elineliya lungu likhankanywe kwicandelo 3(1)*(b)* namanye amalungu eBhodi amathathu ubuncinane;

(9) Iqela eliqhuba udliwano-ndlebe kufuneka—

(a) liqwalasele livandlakanye amagama abatyunjwa abangenise iifomu zotyumbo ngokwemiqathango yomgaqwana (6); lize ke

(b) lenzele iBjodi izindululo malunga nabo batyunjwa.

(10) IBhodi kufuneka inyule amalungu eSigqeba seeMbambano zeeLayisenisi zoTywala isakuba iziqwalasele izindululo zeqela eliqhuba udliwano-ndlebe.

(11) IBhodi kufuneka ukuba isakuba ilumene iindlebe noMphathiswa, inyule amalungu angamalalela isakuba iziqwalasele izindululo zeqela eliqhuba udliwano-ndlebe.

(12) Xa kusenziwa utyumbo lwabo baza kuba kwiSigqeba seeMbambano zeeLayisenisi zoTywala kufuneka kuthathelwe ingqalelo iintlanga nesini.".

Ukufakelwa koMgaqo 8A

6. Lo Mgaqo ulandelwayo uyafakelwa kwiMigaqo emva koMgaqo 8:

"**Umhla woshicilelo**

8A. (1) Xa le migaqo ifunisa ukuba kushicilelwe iNothisi *kwiGazethi yePhondo* kunye nakwiphephandaba yaye ezo nothisi azipapashwanga ngomhla omnye, umhla woshicilelo weNothisi —

(a) Ngumhla evela ngawo iNothisi kwelo phephandaba, ukuba ngaba iNothisi ekwiphephandaba ishicilelwe emva kweNothisi ekwi*Gazethi yePhondo*; okanye

(b) Ngumhla evela ngawo iNothisi *kwiGazethi yePhondo* ukuba ngaba iNothisi ekwi*Gazethi yePhondo* ishicilelwe emva kweNothisi ekwiphephandaba.

(2) Xa le migaqo ifunisa ukuba kushicilelwe iNothisi *kwiGazethi yePhondo* kunye nakumaphephandaba aliqela yaye zonke ezo nothisi azishicilelwanga ngomhla omnye, umhla woshicilelo weNothisi —

(a) Ngumhla evela ngawo iNothisi kweloo phephandaba lishicilelwe mva, ukuba eloo phephandaba lishicilelwe emva kweNothisi ekwi*Gazethi yePhondo*; okanye

(b) Umhla evela ngawo iNothisi *kwiGazethi yePhondo,* ukuba iNothisi ekwi*Gazethi yePhondo* ishicilelwe emva kweNothisi ekwiphephandaba elishicilelwe mva.".

Izilungiso kuMgaqo 9 weMigaqo

7. UMgaqo 9 weMigaqo wenziwa izilungiso—

(a) ngokuthi endaweni yomgaqwana mgaqwana (3) kufakwe lo mgaqwana ulandelayo:

"(3) Esi sicelo sikhankanywe ku mgaqwana (2) kufuneka—

(a) senziwe ngeFomu 3 kwiSihlomelelo 3;

(b) ichwethezwe kwiphepha elimhlope elingu-A4 ubukhulu; kananjalo

(c) siqulathe eziya nkcukacha zifunwayo kulaa Fomu.";

(b) ngokuthi endaweni yomgaqwana (4) kufakwe lo mgaqwana ulandelayo:

"(4) Isicelo kufuneka sihambe:

(a) iplani ecacileyo eneenkcukacha ezininzi yomgangatho wala masango anelayisenisi acetywayo kwiphepha elingadlulanga ku-A3 ubukhulu, elichwethezwe cacileyo libonisa ngemibala engafaniyo—

(i) amasango acetywayo anelayisenisi kumasango la ewonke;

(ii) ubungakanani bamasango acetywayo anelayisenisi;

(iii) Ubungakanani begumbi ngalinye kula masango acetywayo anelayisenisi;

(iv) indlela aza kusetyenziswa ngayo onke amagumbi ala masango acetywayo anelayisenisi;

(v) zonke iingcango, iifestile neekhawuntala, apho kufanelekileyo, neendawo zokungena nezokuphuma;

(vi) izitalato neendawo ezikhokelela kuzo ezi ndawo zokuphuma;

(vii) apho buza kugcinwa khona utywala kula masango acetywayo anelayisenisi;

(viii) indawo ebuza kuthengiswa kuzo kula masango acetywayo anelayisenisi apha kumasango ewonke;

(ix) iindawo ebuza kuselelwa kuzo utywala apha kumasango ewonke;

(b) iplani ecacileyo eneenkcukacha ezininzi yomgangatho wala masango anelayisenisi acetywayo kwiphepha elingadlulanga ku-A3 ubukhulu, elichwethezwe cacileyo libonisa ngemibala engafaniyo—

(i) Umzobo womphandle wesakhiwo ngasinye kufuphi nala masango acetywayo anelayisenisi kwesi siza sinxulumene nesi sicelo;

(ii) umgama phakathi kwala masango acetywayo anelayisenisi nendawo ekuhlalwa kuyo;

(iii) umgama phakathi kwala masango acetywayo anelayisenisi nala maziko akhankanywe kwicandelo 34(1)*(e)*(ii) ukuya ku-(v) kufuphi nala masango acetywayo anelayisenisi, umgama lowo omawuboniswe ngeemitha;

(iv) umgama phakathi kwala masango acetywayo anelayisenisi nalo msebenzi ukhankanywe kwicandelo 41(1)*(c)*(i) kufuphi nala masango acetywayo anelayisenisi, umgama lowo omawuboniswe ngeemitha;

(v) amanye amasango anelayisenisi kwesi siza; kananjalo

(vi) neendlela ezisetyenziswa ngazo zonke izakhiwo ezikufuphi nala masango acetywayo anelayisenisi kwesi siza; kunye

(vii) nomhla wokuqulunqwa kweplani negama neadresi yomntu owaqulunqa le plani;

(bA) imephu ethathwe emoyeni ebonisa umgama phakathi kwala masango acetywayo anelayisenisi nendawo ekuhlalwa kuyo;

(c) kwiphepha elilodwa, inkcazo yeli cala lichaphazelekayo lamasango anelayisenisi ngokwendlela elakhiwe ngayo, ukuma

kwalo, ifenitshala izinto ezibethelelweyo nendlela ogqunywe ngayo umgangatho;

(d) iifoto ezinemibala ezinezalathiso ezibonisa umphakathi nomphandle ogqityiweyo masango acetywayo anelayisenisi okanye, apho isicelo simalunga namasango angekagqitywa, umhlaba oseleyo phambi kokuba agqitywe la masango;

(f) iingcaciso ezibhaliweyo ezixhasa esi sicelo kunye naziphi na izibakala ezibekiweyo, imvume, ulwamkelo okanye ugunyaziso ebelufakelwe isicelo;

(g) isingqinisiso sentlawulo kuGunyaziwe yentlawulo yesicelo efanelekileyo echazwe kumhlathana 11 weSihlomelelo 1;

(h) ikopi eqinisekisiweyo—

(i) yesazisi somfaki-sicelo;

(ii) nekopi eqinisekisiweyo yesazisi somfaki-sicelo okanye ipasipoti nevisa okanye iadresi esisigxina yalapho ahlala khona umfaki-sicelo, ukuba umfaki-sicelo ngumntu welinye ilizwe; okanye

(iii) iimpepha zobhaliso ezifanelekileyo ezibonisa izazisi zamalungu onke, nochaphazeleko lwawo ngokwasezima-lini, abalawuli, amahlakani, abaxhamli okanye ootrasti bomfaki-sicelo ukuba umfaki-sicelo akangomntu uthile;

(j) Inkcazo efungelweyo yomfaki-sicelo yokuba akangomntu ungafanelekanga ngokwemiqathango yecandelo 35, ukuba angaba nelayisenisi yotywala;

(k) isingqinisiso sokuba umfaki-sicelo uyingenisile ikopi yesi sicelo kwigosa lotywala eligunyazisiweyo akwingingqi yolawulo yalo amasango anelayisenisi kungoku nje, apho ukwamkelwa kwesicelo nalapho ukwamkelwa kwesicelo kuza kukhokelela ekususweni kwelayisenisi isiwe kwingingqi yolawulo yelinye igosa lotywala eligunyazisiweyo, nesingqinisiso sokuba umfaki-sicelo uyingenisile ikopi yesi sicelo kwigosa lotywala eligunyazisiweyo laloo ngingqi;

(l) Isiqinisekiso sanqangi esisemthethweni, sokuba umfaki-sicelo akatyali kwirhafu, esikhutshwe ziiNkonzo zeRhafu zoMzantsi Afrika (South African Revenue Services) esingadlulanga kwiinyanga ezintathu sikhutshiwe ukususka kulo mhla wokufakwa kwesicelo;

(m) Isingqinisiso sokuba umfaki-sicelo unalo ihe masango acetywayo anelayisenisi;

(n) Isingqinisiso sobunini bala masango okanye, ukuba umfaki-sicelo akanguye umnini wala masango, imvume ebhaliweyo evela kumninini wamasango echaza ukuba umfaki-sicelo angawasebenzisa la masango anelayisenisi ngokwenjongo yale layisenisi yenzelwa esi sicelo sokususwad ngokwemiqathango yomgaqwana (1).kunye

(o) utyumbo lokubekwa kwemanejal ngokwemiqathango yoMgaqo 22, ukuba umfaki-sicelo akangomntu uthile.”.

Izilungiso kuMgaqo 10 weMigaqo

8. UMgaqo 10 weMigaqo wenziwa izilungiso—
(a) ngokuthi endaweni yomgaqwana (1) kufakwe lo mgaqwana ulandelayo:
"(1) UGunyaziwe kufuneka azishicilele ezi nothisi zikhankanywe kwicandelo 37(1) ngeFomu 3A kwiSihlomelelo 3 ngoLwesihlanu wokuqala wenyanga elandela ukungeniswa kwesicelo emva kokufakwa okanye, ukuba loo Lwesihlanu—
(a) yiholideyi karhulumente, ngemini yokusebenza yokuqala emva kwaloo holideyi; okanye
(b) ukwisithuba esiphakathi komhla 1 kaDisemba wawo nawuphi unyaka nomhla we-15 Januwari wonyaka olandelayo, ngoLwesihlanu wokuqala emva komhla we-15 Januwari; kananjalo
(b) ngokuthi endaweni yomgaqwana (2) kufakwe lo mgaqwana ulandelayo:
"(2) Le nothisi ikhankanywe kwicandelo 37(2) kufuneka ibe kwiFomu 3B kwiSihlomelelo 3 kwaye kufuneka—
(a) ibe nesihloko esinala magama,
"**INOTHISI YOKUNGENISWA KWESICELO SELAYISENISI YOTYWALA** ",
abhalwe ngoonobumba abakhulu abamnyama kumphakamo oyi-2 cm ubuncinane abangekho ngaphantsi kwe- 0.5 cm ububanzi kwindawo emhlophe kwiphepha eliyi-A3 ubuncinane ngobukhulu;
(b) ingangenwa ngamanzi; kananjalo
(c) ixhonywe ukusukela kumhla wokufakwa kwesicelo, futhi ihlale kule ndawo iintsuku ezingekho ngaphantsi kwama-28 ukusukela kumhla woshicilelo lwenothisi yokufakwa kwesicelo."

Izilungiso kuMgaqo 15 weMigaqo

9. Umgaqo15 weMigaqo wenziwa izilungiso ngokuthi endaweni yomgaqwana (3) kufakwe lo mgaqwana ulandelayo:
"(3) Ingxelo yegosa lotywala eligunyazisiweyo kufuneka—
(a) Ichaze oku kulandelayo—
(i) iadresi ya masango acetywayo anelayisenisi;
(ii) Umgama phakathi kwendawo akuyo amasango acetywayo anelayisenisi —
(aa) nalaa masango akhankanywe kwicandelo 34(1)*(e)*(ii) ukuya ku-(v);
(bb) nendawo ekuhlalwa kuyo;
(cc) namanye amasango anelayisenisi; kunye
(dd) nala msebenzi ukhankanywe kwicandelo 41(1)*(c)*(i),
kufuphi namasango acetywayo anelayisenisi;
(iii) ukufaneleka kwala masango acetywayo;
(iv) ukufaneleka komfaki-sicelo ngokuphathelele kwire-khodi yolwaphulo-mthetho lomfaki-sicelo nowakwakhe;
(v) uchaphazeleko loluntu;

(vi) amanani-nkcazo olwaphulo-mthetho, ukuba akhona, elicinga ukuba anganefuthe kula masango acetywayo anelayisenisi;
(vii) inkcazo malunga nokuba ngaba umfaki-sicelo wayifezekisa na imiqathango yecandelo 37(2)kunye no- (3);
(viii) inkcazo malunga nokuba ngaba ikopi yesi sicelo wayinikwa na umasipala ochaphazelekayo ngokwemiqathango yecandelo section 37(4); nokuba
(ix) ngaba igosa lotywala eligunyazisiweyo layidlulisa le nothisi yesi sicelo ngokwemiqathango yecandelo 37(5); kananjalo

(b) ibandakanye neisindululo malunga nokwamkelwa okanye nokukhatywa kwesi sicelo;"

Izilungiso kuMgaqo 16 weMigaqo

10. Umgaqo 16 weMigaqo wenziwa izilungiso ngokuthi endaweni yomgaqwana (1) kufakwe lo mgaqwana ulandelayo:

"(1) Inothisi okanye isamani yokubakho entlanganisweni ngokwemiqathango yecandelo 23(2) okanye (5) kufuneka ibe kwiFomu 4A okanye 4B kwiSihlomelelo 3, ngokulandelelana kwazo, futhi ikhutshwe ngunobhala.".

Izilungiso kuMgaqo 17 weMigaqo

11. Lo Mgaqo ulandelayo ufakwa endaweni yoMgaqo 17 weMigaqo:

"**Ukwamkelwa kwelayisenisi phantsi kwemiqathango**

17. (1) UGunyaziwe kufuneka, zingadlulanga iintsuku ezisixhenxe emva kokuba iSigqeba seeMbambano zeeLayisenisi zoTywala ngokwemiqathango yecandelo 42(1) samkele isicelo phantsi kwemiqathango ngokwemiqathango yecandelo 36, abazise ngento ebhaliweyo ngesi sigqibo abaya bantu bakhankanywe kwicandelo 46(1).

(2) Le nothisi ikhankanywe kumgaqwana (1) kufuneka ibe ngeFomu 5A kwiSihlomelelo 3.

(3) UGunyaziwe zingadlulanga iintsuku ezisixhenxe emva kokuba iGosa eloNgameleyo lanelisekile kukuba umfaki-sicelo uyifezekisile imiqathango ebibekwe siSigqeba seeMbambano zeeLayisenisi zoTywala, amazise umfaki-sicelo ngento ebhaliweyo.

(4) Inothisi eya kumfaki-sicelo kufuneka ibe kwimo ekwiSihlomelelo 3. Le nothisi iya kumfaki-sicelo kufuneka ibe ngeFomu 6B kwiSihlomelelo 3.

(5) Umfaki-sicelo kufuneka ahlawule intlawulo efanelekileyo kwiSigaba A seSihlomelelo 2, kuGunyaziwe aze angenise nesingqinisiso sentlawulo.”.

(6) UGunyaziwe kufuneka akhuphe ilayisenisi ngeFomu 7 kwiSihlomelelo 3, zingadlulanga iintsuku ezili-14 emva kokufumana isingqinisiso sale ntlawulo ikhankanywe kumgaqwana (5).

(7) UMgaqo 18(5), ukuya ku-(7) uyasebenza unezo nguqulelo ziyimfunekokwiilayisenisi ezikhutshwe ngokwemiqathango yomgaqwana (6).

(8) Esi sicelo sikhankanywe—
(a) kwicandelo 42(4) sokwenza ilizungiso okanye sokurhoxiswa kwemiqathango ebibekwe siSigqeba seeMbambano zeeLayisenisi zoTywala ngelixa besisamkela isicelo phantsi kwemiqathango; okanye
(b) kwicandelo 2(5)*(b)* sokwenziwa kwezilungiso kwiplani yamasango, kufuneka singeniswe kuGunyaziwe nakwigosa lotywala eligunyazisiweyo akwingingqi yolawulo lwalo amasango ngeFomu 5B kwiSihlomelelo 3.

(9) Isicelo kufuneka—
(a) sihambe nesingqinisiso sentlawulo eyenziwe kuGunyaziwe njengoko ichazwa kumhlathana 17(a), (b) okanye (d) weSihlomelelo 1, ngokwemeko leyo;
(b) sihambe nengcaciso ebhaliweyo exhasa esi sicelo; kunye
(c) nesicelo ngokwemiqathango yecandelo 42(5)*(b)*, kananjalo sihambe nekopi yeplani yamasango eyenziwe izilungiso.

(10) Igosa lotywala eligunyazisiweyo elikwingingqi yolawulo lwalo masango ekuphakanyiswe ukuba abe nelayisenisi kufuneka, zingadlulanga iintsuku ezili-14 emva kokuba singenisiwe isicelo esenziwe ngokwemiqathango yomgaqwana (8), linike umfaki-sicelo ikopi yengxelo yalo, lize le ngxelo liyingenisele uGunyaziwe kunye nesingqinisiso sokuba umfaki-sicelo uyinikiwe le ngxelo.

(11) Ingxelo yegosa lotywala eligunyazisiweyo kufuneka iqulathe oku kulandelayo:
(a) *(a)* inkcazo malunga nefuthe okuya kuba nalo eluntwini oku kwenziwa kwezilungiso kwimiqathango okanye ukurhoxiswa kwayo okanye kweemfuneko; 65
(b) inkcazo malunga nefuthe okuya kuba nalo kulaa maziko akhankanywe kwicandelo 34(1)*(e)*(ii) ukuya ku-(v) kwingingqi yala masango anelayisenisi acetywayo oku kwenziwa kwezilungiso kwimiqathango okanye ukurhoxiswa kwayo okanye kweemfuneko;
(c) naziphi na ezinye iinkcukacha, ukuba zikhona, ezifanele ukuba zithathelwe ingqalelo ngokokubona kwegosa lotywala eligunyazisiweyo, xa kuqwalaselwa esi sicelo; kunye

(d) nesindululo malunga nokwamkelwa okanye ukukhatywa kwesi sicelo.

(12) Ukuba igosa lotywala eligunyazisiweyo liyasilela ukungenisa ingxelo yalo ngokwemiqathango yomgaqwana (10), iGosa eliLawulayo eliyiNtloko iGosa eliLawulayo eliyiNtloko lisenokudlulisela ikopi yesi sicelo kumhloli kunye nomyalelo obhaliweyo wokuba angenise ingxelo equlathe ezi nkcukacha zikhankanywe kumgaqwana (11), malunga nesi sicelo.

(13) Umhloli kufuneka ukuba, lingadlulanga ixesha elibekwe liGosa eliLawulayo eliyiNtloko ngokwemiqathango yalo myalelo ukhankanywe kumgaqwana (12) angenisele uGunyaziwe ingxelo yakhe adlulisele umfaki-sicelo ikopi.

(14) Umfaki-sicelo kufuneka angenise impendulo yakhe kuGunyaziwe, kwingxelo yegosa lotywala eligunyazisiweyo elikhankanywe kumgaqwana (10) okanye kwingxelo yomhloli ekhankanywe kumgaqwana (13)—zingadlulanga iintsuku ezisixhenxe emva kokuba enye yezi kopi.

(15) ISigqeba seeMbambano zeeLayisenisi zoTywala okanye iGosa eloNgameleyo, ngoko kufanelekileyo, kufuneka zithi zingadlulanga iintsuku ezingama-30 emva kokuba sizifumene zonke iimpepha ezifanelekileyo ezikhankanywe kwimigaqwana (8) ukuya ku-(14), sisiqwalasele isicelo esikhankanywe kumgaqwana (8).

(16) UGunyaziwe kufuneka, zingadlulanga iintsuku ezisixhenxe emva kokuba iSigqeba seeMbambano zeeLayisenisi zoTywala okanye iGosa eloNgameleyo, ngoko kufanelekileyo, lisenzile isigqibo ngesicelo esenziwe ngokwemiqathango yomgaqwana (8), limazise umfaki-sicelo nomntu ngamnye obefake isichaso esibhaliweyo okanye iingcaciso kuGunyaziwe malunga nesi sicelo ebesenziwe kuGunyaziwe ngento ebhaliweyo ngesi sigqibo.

(17) Le nothisi ikhankanywe kumgaqwana (16) kufuneka ibe ngeFomu 5C kwiSihlomelelo 3.

(18) Esi sicelo sikhankanywe kwicandelo 42(5)*(a)* sokwandiselwa ixesha ebelibekwe siSigqeba seeMbambano zeeLayisenisi zoTywala xa besisamkela isicelo phantsi kwemiqathango esenziwe ngokwemiqathango yomgaqwana (1) kufuneka senziwe ngokusingenisela uGunyaziwe ngeFomu 5B kwiSihlomelelo 3.

(19) Isicelo kufuneka sihambe—

(a) *(a)* nesingqinisiso sentlawulo yokwenza isicelo enikwe uGunyaziwe njengoko ichazwa kumhlathana 17(c) weSihlomelelo 1 kananjalo

(b) nengcaciso ebhaliweyo exhasa esi sicelo echaza—

(i) izizathu zokuba kutheni na le miqathango ikhankanywe kwicandelo 42(2) ingakwazi ukufezekiseka ngeli xesha belibekiwe siSigqeba seeMbambano zeeLayisenisi zoTywala okanye liGosa eloNgameleyo, ngoko kufanelekileyo

(ii) ukuba umfaki-sicelo uyifezekise kangakanani na imiqathango okanye iimfuneko;

(iii) amanyathelo aphakanyiswa ngumfaki-sicelo ukuba uza kuwathatha ukuze ayifezekise imiqathango okanye iimfuneko; kwakunye

(iv) nexesha aqikelela ukuba liya kufuneka umfaki-sicelo ekuwagqibeni la manyathelo awacebayo(20)

(20) iGosa eloNgameleyo kufuneka zithi zingaphelanga iintsuku ezingama-30 emva kokufumana zonke iimpepha ezikhankanywe kwimigaqwana (18) no-(19), lisiqwalasele isiceloesikhankanywe kumgaqwana (18)

(21) UGunyaziwe kufuneka, zingadlulanga iintsuku ezisixhenxe emva kokuba iGosa eloNgameleyo lisenzile isigqibo ngesicelo esenziwe ngokwemiqathango yomgaqwana (18), limazise umfaki-sicelo obefake isichaso esibhaliweyo okanye ingcaciso kuGunyaziwe malunga nesi sicelo

ngento ebhaliweyo ngesi sigqibo.

(22) Le nothisi mayibe ngeFomu 5C kwiSihlomelelo 3.

(23) Xa esi sicelo sikhankanywe kumgaqwana (8) okanye (18) samkelwe, umfaki-sicelo kufuneka ahlawule intlawulo efanelekileyo echazwe kumhlathana 10, 11 okanye 12 kwiSigaba A seSihlomelelo 2, ngoko kufanelekileyo, kuGunyaziwe.

(24) IGosa eliLawulayo eliyiNtloko kufuneka lidlulisele naziphi na iinkcukacha eziphambili ezichazwe kwicandelo 42(4A) eziye zangeniswa kuGunyaziwe kwiSigqeba seeMbambano zeeLayisenisi zoTywala.

(25) IGosa eliLawulayo eliyiNtloko kufuneka ngaxesha nye nolu dluliselo lukhankanywe kumgaqwana (24), linike umfaki-sicelo naziphi na iimpepha eziqulathe ezi nkcukacha zikhankanywe kwicandelo 42(4A) zingeniswe kuGunyaziwe kunye nenothisi engeFomu 5E echaza:

(a) inyathelo elinokuthathwa siSigqeba seeMbambano zeeLayisenisi zoTywala ngokwemiqathango yecandelo 42(4A);

(b) uhlobo nenjongo yelo nyathelo;

(c) ilungelo lomfaki-sicelo lokwenza ingcaciso lingadlulanga elo xesha libekwe kwinothisi;

(d) ilungelo lomfaki-sicelo lokubhena okanye lokufaka isicelo sovandlakanyo ngaso nasiphi na isigqibo seSigqeba seeMbambano zeeLayisenisi zoTywala.

(26) ISigqeba seeMbambano zeeLayisenisi zoTywala kufuneka, zingadlulanga iintsuku ezingama-30 emva kokufumana olu dluliselo lweGosa eliLawulayo eliyiNtloko's ngokwemiqathango yomgaqwana (24), senze isigqibo sokutshitshisa ulwamkelo phantsi kwemiqathango okanye sokungalutshitshisi ulwamkelo lwelayisenisi phantsi kwemiqathango.

(27) UGunyaziwe kufuneka, zingadlulanga iintsuku ezisixhenxe emva kokuba iSigqeba seeMbambano zeeLayisenisi zoTywala hsisenzile esi sigqibo sikhanywe kumgaqwana (26), abazise aba bantu bakhankanywe kwicandelo 46(1) ngesi sigqibo ngento ebhaliweyo.

(28) Le nothisi ikhankanywe kumgaqwana (27) kufuneka ibe ngeFomu 5D kwiSihlomelelo 3.".

Izilungiso kuMgaqo 18 weMigaqo

12. UMgaqo 18 weMigaqo wenziwa izilungiso—

(a) ngokuthi endaweni yomgaqwana (1) kufakwe lo mgaqwana ulandelayo:
"(1) UGunyaziwe kufuneka, zingadlulanga iintsuku ezisixhenxe emva kokuba iSigqeba seeMbambano zeeLayisenisi zoTywala sisenzile isigqibo ngesicelo esenziwe ngokwemiqathango yecandelo 36, abazise aba bantu bakhankanywe kwicandelo 46(1) ngesi sigqibo ngento ebhaliweyo.";

(b) ngokuthi endaweni yomgaqwana (2) kufakwe lo mgaqwana ulandelayo:
"(2) Ukuba isicelo samkelwe, inothisi eya kumfaki-sicelo kufuneka ibe ngeFomu 6A kwiSihlomelelo 3.";

(c) ngokuthi emva komgaqwana (3) kufakelwe le migaqwana ilandelayo:
"(3A) isicelo soxolelo ngokusilela ukuhlawula intlawulo efanelekileyo ekhankanywe kwicandelo 46(6) kufuneka singeniswe kuGunyaziwe ngeFomu 6C kwiSihlomelelo 3.
(3B) IGosa eliLawulayo eliyiNtloko kufuneka, zingadlulanga iintsuku ezingama-30 emva kokufumana esi sicelo sikhankanywe kumgaqwana (3A), sisiqwalasele isicelo.
(3C) UGunyaziwe kufuneka, zingadlulanga iintsuku ezisixhenxe emva kokuba iGosa eliLawulayo eliyiNtloko lisenzile isigqibo ngesicelo esenziwe ngokwemiqathango yomgaqwana (3A), amazise umfaki-sicelo ngesi sigqibo ngento ebhaliweyo.
(3D) Ukuba iGosa eliLawulayo eliyiNtloko liyasamkela isicelo esenziwe ngokwemiqathango yomgaqwana (3A), umfaki-sicelo kufuneka ahlawule uGunyaziwe intlawulo efanelekileyo kunye nesohlwayo esikhankanywe kwicandelo 46(6) esiyi-100% p."; kananjalo

(d) ngokuthi endaweni yomgaqwana (4) kufakwe lo mgaqwana ulandelayo:
"(4) UGunyaziwe kufuneka akhuphe ilayisenisi ngeFomu 7 kwiSihlomelelo 3, zingadlulanga iintsuku ezili-14 emva kokufumana isingqinisiso sentlawulo ekhankanywe kumgaqwana (3) okanye (3D), ngoko kufanelekileyo.".

Izilungiso kuMgaqo 19 weMigaqo

13. Lo Mgaqo ulandelayo ufakwa endaweni yoMgaqo 19 weMigaqo:

"**Isicelo selayisenisi yotywala yexeshana okanye selayisenisi yesiyunguma**

19. (1) Umfaki-sicelo—
(a) selayisenisi yotywala yexeshana okhankanywe kwicandelo 48(1); okanye
(b) selayisenisi yesiyunguma okhankanywe kwicandelo 48(4),
kufuneka angenise isicelo kuGunyaziwe, igosa lotywala eligunyazisiweyo akwingingqi yolawulo yalo amasango acetywayo anelayisenisi nakumasipala ochaphazelekayo.

(2) Isicelo—
(a) Selayisenisi yotywala yexeshana kufuneka—
(i) senziwe kwisithuba seentsuku ezingama-phambi kosuku lokuqala lesi sithuba sikhankanywe kwicandelo 48(2);
(ii) senziwe ngeFomu 8 kwiSihlomelelo 3;
(iii) sichwethezwe ngephepha elimhlophe eliyi-A4 ubukhulu; kananjalo
(iv) siqulathe iinkcukacha ezifunwa kuloo Fomu;
(b) Ilayisenisi yesiyunguma kufuneka—
(i) senziwe zingadlulanga iintsuku ezingama-50 phambi komhla wesiyunguma;
(ii) senziwe ngeFomu 9 kwiSihlomelelo 3;
(iii) sichwethezwe ngephepha elimhlophe eliyi-A4 ubukhulu; kananjalo
(iv) siqulathe iinkcukacha ezifunwa kuloo Fomu.

(3) Isicelo selayisenisi yotywala yexeshana kufuneka sihambe—
(a) ıplani ecacileyo eneenkcukacha ezininzi yomgangatho wala masango anelayisenisi acetywayo kwiphepha elingadlulanga ku-A3 ubukhulu, elichwethezwe cacileyo libonisa ngemibala engafaniyo—
(i) amasango acetywayo anelayisenisi kumasango la ewonke;
(ii) ubungakanani bamasango acetywayo anelayisenisi;
(iii) Ubungakanani begumbi ngalinye kula masango acetywayo anelayisenisi;
(iv) indlela aza kusetyenziswa ngayo onke amagumbi ala masango acetywayo anelayisenisi;
(v) zonke iingcango, iifestile neekhawuntala, apho kufanelekileyo, neendawo zokungena nezokuphuma;
(vi) izitalato neendawo ezikhokelela kuzo ezi ndawo zokuphuma;
(vii) apho buza kugcinwa khona utywala kula masango acetywayo anelayisenisi;
(viii) indawo ebuza kuthengiswa kuzo kula masango acetywayo anelayisenisi apha kumasango ewonke;

(ix) iindawo ebuza kuselelwa kuzo utywala apha kumasango ewonke;

(b) Iplani ecacileyo eneenkcukacha ezininzi yomgangatho wala masango anelayisenisi acetywayo kwiphepha elingadlulanga ku-A3 ubukhulu, elichwethezwe cacileyo libonisa ngemibala engafaniyo—

(i) umzobo womphandle wesakhiwo ngasinye kufuphi nala masango acetywayo anelayisenisi kwesi siza sinxulumene nesi sicelo;

(ii) umgama phakathi kwala masango acetywayo anelayisenisi nendawo ekuhlalwa kuyo;

(iii) umgama phakathi kwala masango acetywayo anelayisenisi nala maziko akhankanywe kwicandelo 34(1)*(e)*(ii) ukuya ku

(iv) kufuphi nala masango acetywayo anelayisenisi, umgama lowo omawuboniswe ngeemitha;

(v) umgama phakathi kwala masango acetywayo anelayisenisi nalo msebenzi ukhankanywe kwicandelo 41(1)*(c)*(i) kufuphi nala masango acetywayo anelayisenisi, umgama lowo omawuboniswe ngeemitha;

(vi) amanye amasango anelayisenisi kwesi siza; kananjalo

(vii) neendlela ezisetyenziswa ngazo zonke izakhiwo ezikufuphi nala masango acetywayo anelayisenisi kwesi siza;

(b) imephu ethathwe emoyeni ebonisa umgama phakathi kwala masango acetywayo anelayisenisi nendawo ekuhlalwa kuyo;

(c) iifoto ezinemibala ezinezalathiso ezibonisa umphakathi nomphandle ogqityiweyo masango acetywayo anelayisenisi njengoko kuboniswa kwiplani yomgangatho ekhankanywe kumhlathi *(a)*;

(d) kwiphepha elilodwa, inkcazo yeli cala lichaphazelekayo lamasango anelayisenisi ngokwendlela elakhiwe ngayo, ukuma kwalo, ifenitshala izinto ezibethelelweyo nendlela ogqunywe ngayo umgangatho;

(e) Ingcaciso ebhaliweyo exhasa esi sicelo;

(f) isingqinisiso sentlawulo kuGunyaziwe yentlawulo yesicelo efanelekileyo echazwe kumhlathana 2 weSihlomelelo ;

(g) Ikopi eqinisekisiweyo—

(i) yesazisi somfaki-sicelo;

(ii) nekopi eqinisekisiweyo yesazisi somfaki-sicelo okanye ipasipoti nevisa okanye iadresi esisigxina yalapho ahlala khona umfaki-sicelo, ukuba umfaki-sicelo ngumntu welinye ilizwe; okanye;

(iii) iimpepha zobhaliso ezifanelekileyo ezibonisa izazisi zamalungu onke, nochaphazeleko lwawo ngokwasezimalini, abalawuli, amahlakani, abaxhamli okanye ootrasti, ukuba umfaki-sicelo akangomntu uthile;

(c) ezo mpepha zinokuthi zichazwe kwiFomu yesicelo nakulo Mthetho, okanye ezinokuthi zifunwe nguGunyaziwe;

(d) Inkcazo efungelweyo yomfaki-sicelo yokuba akangomntu ungafanelekanga ngokwemiqathango yecandelo 35, ukuba angaba nelayisenisi yotywala;

(e) Isingqinisiso sokuba umfaki-sicelo uyingenisile ikopi yesi sicelo kwigosa lotywala eligunyazisiweyo, kuGunyaziwe, igosa lotywala eligunyazisiweyo akwingingqi yolawulo yalo amasango acetywayo anelayisenisi nakumasipala ochaphazelekayo;

(f) Isiqinisekiso sanqangi esisemthethweni sokuba umfaki-sicelo akatyali kwirhafu esikhutshwe ziiNkonzo zeRhafu zoMzantsi Afrika (South African Revenue Services) esingadlulanga kwiinyanga ezintathu sikhutshiwe ukusuka kulo mhla wokufakwa kwesicelo; ;

(g) Isingqinisiso sokuba umfaki-sicelo unalo ilungelo lokungena kula masango acetywayo anelayisenisi ngesi sithuba sicelelwa le layisenisi;

(h) Isingqinisiso sobunini bala masango okanye, ukuba umfaki-sicelo akanguye umnini wala masango, imvume ebhaliweyo evela kumnini wamasango echaza ukuba umfaki-sicelo angawasebenzisa la masango anelayisenisi ngokwenjongo yale layisenisi yenzelwa esi sicelo sokususwad ngokwemiqathango yomgaqwana ; kunye

(i) Notyumbo lokubekwa kwemanejalo ngokwemiqathango yoMgaqo 22.

(4) Isicelo selayisenisi yotywala yesiyunguma kufuneka sihambe—

(a) neplani eneenkcukacha ezininzi yomgangatho wala masango kucetywa ukuqhuba eli shishini linelayisenisi echwethezwe ephepheni elimhlophe elingu-A3 ubukhulu, libonisa ngokucacileyo ngemibala eyahlukeneyo—

(i) amasango acetywayo anelayisenisi kumasango la ewonke;

(ii) ubungakanani bamasango acetywayo anelayisenisi;

(iii) Ubungakanani begumbi ngalinye kula masango acetywayo anelayisenisi;

(iv) indlela aza kusetyenziswa ngayo onke amagumbi ala masango acetywayo anelayisenisi;

(v) zonke iingcango, iifestile neekhawuntala, apho kufanelekileyo, neendawo zokungena nezokuphuma;

(vi) izitalato neendawo ezikhokelela kuzo ezi ndawo zokuphuma;

(vii) apho buza kugcinwa khona utywala kula masango acetywayo anelayisenisi;

(viii) indawo ebuza kuthengiswa kuzo kula masango acetywayo anelayisenisi apha kumasango ewonke;

(ix) iindawo ebuza kuselelwa kuzo utywala apha kumasango ewonke;

(b) iplani ecacileyo eneenkcukacha ezininzi yomgangatho wala masango anelayisenisi acetywayo kwiphepha elingadlulanga ku-A3 ubukhulu, elichwethezwe cacileyo libonisa ngemibala engafaniyo—

(i) Umzobo womphandle wesakhiwo ngasinye kufuphi nala masango acetywayo anelayisenisi kwesi siza sinxulumene nesi sicelo;

(ii) umgama phakathi kwala masango acetywayo anelayisenisi nendawo ekuhlalwa kuyo;

(iii) umgama phakathi kwala masango acetywayo anelayisenisi nala maziko akhankanywe kwicandelo 34(1)*(e)*(ii) ukuya ku-(v) kufuphi nala masango acetywayo anelayisenisi, umgama lowo omawuboniswe ngeemitha;

(iv) umgama phakathi kwala masango acetywayo anelayisenisi nalo msebenzi ukhankanywe kwicandelo 41(1)*(c)*(i) kufuphi nala masango acetywayo anelayisenisi, umgama lowo omawuboniswe ngeemitha;

(v) amanye amasango anelayisenisi kwesi siza; kananjalo

(vi) neendlela ezisetyenziswa ngazo zonke izakhiwo ezikufuphi nala masango acetywayo anelayisenisi kwesi siza; kunye

(vii) nomhla wokuqulunqwa kweplani negama neadresi yomntu owaqulunqa le plani;

(c) imephu ethathwe emoyeni ebonisa umgama phakathi kwala masango acetywayo anelayisenisi nendawo ekuhlalwa kuyo;

(d) iifoto ezinemibala ezinezalathiso ezibonisa umphakathi nomphandle ogqityiweyo masango acetywayo anelayisenisi njengoko kuboniswa kwiplani yomgangatho ekhankanywe kumhlathi *(a)*;

(e) ikwiphepha elilodwa, inkcazo yeli cala lichaphazelekayo lamasango anelayisenisi ngokwendlela elakhiwe ngayo, ukuma kwalo, ifenitshala izinto ezibethelelweyo nendlela ogqunywe ngayo umgangatho;

(f) Ingcaciso ebhaliweyo exhasa esi sicelo;

(g) isingqinisiso sentlawulo kuGunyaziwe yentlawulo yesicelo efanelekileyo echazwe kumhlathana 3 weSihlomelelo 1;

(h) Ikopi eqinisekisiweyo—

(i) yesazisi somfaki-sicelo;

(ii) nekopi eqinisekisiweyo yesazisi somfaki-sicelo okanye ipasipoti nevisa okanye iadresi esisigxina yalapho ahlala khona umfaki-sicelo, ukuba umfaki-sicelo ngumntu welinye ilizwe; okanye;

(iii) iimpepha zobhaliso ezifanelekileyo ezibonisa izazisi zamalungu onke, nochaphazeleko lwawo ngokwasezimalini, abalawuli, amahlakani, abaxhamli okanye ootrasti, ukuba umfaki-sicelo akangomntu uthile;

(i) ezo mpepha zinokuthi zichazwe kwiFomu yesicelo nakulo Mthetho, okanye ezinokuthi zifunwe nguGunyaziwe;

(j) Inkcazo efungelweyo yomfaki-sicelo yokuba akangomntu ungafanelekanga ngokwemiqathango yecandelo 35, ukuba angaba nelayisenisi yotywala;

(k) Isingqinisiso sokuba umfaki-sicelo uyingenisile ikopi yesi sicelo kwigosa lotywala eligunyazisiweyo, kuGunyaziwe, igosa lotywala eligunyazisiweyo akwingingqi yolawulo yalo amasango acetywayo anelayisenisi nakumasipala ochaphazelekayo;

(l) Isiqinisekiso sanqangi esisemthethweni sokuba umfaki-sicelo akatyali kwirhafu esikhutshwe ziiNkonzo zeRhafu zoMzantsi Afrika (South African Revenue Services) esingadlulanga kwiinyanga ezintathu sikhutshiwe ukusuka kulo mhla wokufakwa kwesicelo;

(m) Isingqinisiso sobunini bala masango okanye, ukuba umfaki-sicelo akanguye umnini wala masango, imvume ebhaliweyo evela kumninini wamasango echaza ukuba umfaki-sicelo angawasebenzisa la masango anelayisenisi ngokwenjongo yale layisenisi yenzelwa esi sicelo sokususwa ngokwemiqathango yomgaqwana ; kunye

(n) notyumbo lokubekwa kwemanejalo ngokwemiqathango yoMgaqo 22.

(5) Igosa lotywala eligunyazisiweyo kufuneka, zithi zingadlulanga iintsuku ezintlanu emva kokuba singenisiwe isicelo ngokwemiqathango yomgaqwana (1)*(a)* okanye *(b)*, ngoko kufanelekileyo, lingenise ingxelo equlathe ezi nkcukacha zikhankanywe kukuMgaqo 15(3)*(a)*(i) ukuya ku-to (vi) nesiya sindululo sikhankanywe kuMgaqo 15(3)*(b)* with the kuGunyaziwe.

(6) Ukuba ingxelo ekhankanywe kumgaqwana (5) iqulathe iinkcukacha okanye isindululo esimchaphazela kakubi umfaki-sicelo, iGosa lotywala eligunyazisiweyo kufuneka zingaphelanga iintsuku ezintlanu emva kkokuba singenisiwe isicelo esenziwe ngokwemiqathango yomgaqwana (1)*(a)* okanye *(b)* linike umfaki-sicelo ikopi yaloo ngxelo.

(7) Umasipala ochaphazelekayo kufuneka, zingadlulanga iintsuku ezisixhenxe emva kokuba singenisiwe isicelo ngokwemiqathango yomgaqwana (1)*(a)* okanye *(b)*, ngoko kufanelekileyo, adlulisele ezi zimvo nezi mpepha zikhankanywe kwicandelo 40(2), ukuba zikhona, kuGunyaziwe nakumfaki-sicelo.

(8) Ukuba igosa lotywala eligunyazisiweyo liyasilela ukungenisa ingxelo yalo ngokwemiqathango yomgaqwana (5), iGosa eliLawulayo eliyiNtloko lisenokudlulisela ikopi yesi sicelo kumhloli kunye nomyalelo obhaliweyo wokuba angenise ingxelo equlathe ezi nkcukacha zikhankanywe kuMgaqo 15(3)*(a)*(i), (ii), (iii), no-(v), nesindululo esikhankanywe kuMgaqo15(3)*(b)* kwaye ukuba zikhona, nezi nkcukacha zikhankanywe kuMgaqo 15(3)*(a)*(iv) no-(vi) malunga nesi sicelo sichaphazelekayo.

(9) Umhloli kufuneka angenise ingxelo yakhe kuGunyaziwe zingadlulanga iintsuku ezintlanu emva kokuba eyalelwe liGosa eliLawulayo eliyiNtloko ngokwemiqathango yomgaqwana (8).

(10) Ukuba ingxelo ekhankanywe kumgaqwana (9) iqulathe iinkcukacha okanye isindululo esimchaphazela kakubi umfaki-sicelo, umhloli kufuneka, zingadlulanga iintsuku ezintlanu emva kokuba eyalelwe liGosa eliLawulayo eliyiNtloko ngokwemiqathango yomgaqwana (8), anike umfaki-sicelo ikopi yaloo ngxelo.

(11) Ukuba loo masipala uchaphazelekayo akazidlulisi izimvo neempepha ngokwemiqathango yomgaqwana (7), iGosa eliLawulayo eliyiNtloko kufuneka limazise loo masipala ukuba eliya xesha libekwe

kumgaqwana (7) lidlule nokuba iGosa eloNgameleyo lisenokuqhuba lisiqwalasele isicelo esenziwe ngokwemiqathango yomgaqwana (1)*(a)* okanye *(b)*, ngoko kufanelekileyo.

(12) UGunyaziwe kufuneka, anike umfaki-sicelo iikopi zazo naziphi na izichaso okanye iingcaciso ezingeniswe kuGunyaziwe malunga nesi sicelo senziwe ngokwemiqathango yomgaqwana (1)*(a)* okanye *(b)*.

(13) Umfaki-sicelo kufuneka, zingadlulanga iintsuku ezili-15 emva kokufakwa kwesicelo esenziwe ngokwemiqathango yomgaqwana (1)*(a)* okanye *(b)*, angenisele uGunyaziwe impendulo yakhe—
(a) ngengxelo *ye*gosa lotywala eligunyazisiweyo ekhankanywe kumgaqwana (6) okanye eyomhloli ekhankanywe kumgaqwana (10);
(b) izimvo neempepha ezidluliselwe ngumasipala, ukuba zikhona;
(c) naziphi na izichaso okanye iingcaciso ezathi zangeniswa kuGunyaziwe, ukuba izichaso neengcaciso ezangeniswa kumfaki-sicelo zangeniswa zingadlulanga iintsuku ezili-10 emva kokungeniswa kwesicelo.

(14) IGosa eloNgameleyo lisenokuthi zingadlulanga iintsuku ezintathu emva kokufumana le mpendulo yomfaki-sicelo ikhankanywe kumgaqwana (13), okanye ukuba akukho mpendulo yafunyanwayo, lungadlulanga usuku emva kosuku ebifanele ukungena ngalo impendulo yomfaki-sicelo ngokwemiqathango yomgaqwana (13), licele iinkcukacha ezikhankanywe kwicandelo 48(9) kumfaki-sicelo.

(15) Umfaki-sicelo kufuneka amnike uGunyaziwe wezi nkcukacha zizezinye lungadlulanga usuku emva kokucelwa ukuba enze njalo.

(16) Isicelo soxolelo ngokwemiqathango yecandelo 48(10) kufuneka singeniswe kuGunyaziwe ngeFomu 12A.

(17) Esi sicelo sikhankanywe kumgaqwana (16) kufuneka sihambe—
(a) nesicelo ngokwemiqathango yomgaqwana (1)*(a)* okanye *(b)*, ngoko kufanelekileyo, esicelelwa uxolelo;
(b) ingcaciso ebhaliweyo exhasa esi sicelo; kunye
(c) nesingqinisio sentlawulo kuGunyaziwe yesi sohlwayo sikhankanywe kwicandelo 48(10).

(18) IGosa eloNgameleyo kufuneka lisamkele okanye lisikhabe isicelo esenziwe ngokwemiqathango yomgaqwana (1)*(a)* okanye *(b)*—
(a) zingadlulanga iintsuku ezingama-21 emva komhla wokungeniswa kwesicelo; okanye
(b) kwisicelo soxolelo ngokwemiqathango yomgaqwana (16), ngalo mhla samkelwe ngawo isicelo soxolelo.

(19) UGunyaziwe kufuneka, ngalo mhla iGosa eloNgameleyo lenza isigqibo sokusamkela okanye sokusikhaba isicelo esenziwe ngokwemiqathango yomgaqwana (1)*(a)* okanye *(b)* amazise umfaki-sicelo nomntu

ngamnye obefake isichaso esibhaliweyo esiye kuGunyaziwe okanye ingcaciso kuGunyaziwe malunga nesi sicelo ngento ebhaliweyo ngesi sigqibo.

(20) Ukuba isicelo esenziwe ngokwemiqathango yomgaqwana (1)*(a)* okanye *(b)* samkelwe—
(a) umfaki-sicelo kufuneka ahlawule intlawulo echazwe kumhlathana 5 okanye 6 kwiSigaba A seSihlomelelo 2, ngoko kufanelekileyo, kuGunyaziwe; kananjalo
(b) UGunyaziwe kufuneka akhuphe ilayisenisi ngeFomu 10 okanye 11 kwiSihlomelelo 3, ngoko kufanelekileyo.

(21) Phambi kokuba iGosa akhuphe inothisi ngokwecandelo 48(13), uGunyaziwe kufuneka anike umnini welayisenisi iikopi zayo nayiphi na ingxelo, isikhalazo, udluliselo okanye ingcaciso ekhankanywe kwicandelo 48(14) kunye nenothisi kwiFomu 12B echaza:
(a) inyathelo elililiceba ukulithatha iGosa eloNgameleyo ngokwemiqathango yecandelo 48(13);
(b) uhlobo nenjongo yelo nyathelo;
(c) ilungelo lomnini welayisenisi lokwenza ingcaciso lingadlulanga eli xesha libekwe kwinothisi;
(d) ilungelo lomnini welayisenisi lokwenza isibheno okanye isicelo sovandlakanyo ngaso nasiphi na isigqibo seGosa eloNgameleyo.

(22) IGosa eloNgameleyo kufuneka, lakudlula eli xesha libekwe kwinothisi, liqwalasele lenze isigqibo ngeli nyathelo licetywayo liza kuthathwa.

(23) UGunyaziwe kufuneka, ngalo mhla iGosa eloNgameleyo lenza isigqibo esikhankanywe kumgaqwana (22)—
(a) amazise umnini welayisenisi, nomntu ngamnyegosa eliLawulayo eliyiNtloko nomntu ngamnye ofake ingxelo, isikhalazo udluliselo okanye le ngcaciso ekhankanywe kwicandelo 48(14) esiwe kuGunyaziwe ngento ebhaliweyo ngesi sigqibo; yaye
(b) ukuba isigqibo sesokuthathwa kwamanyathelo ngokwemiqathango yecandelo 48(13), ahambise okanye angenise le nothisi ikhankanywe kwicandelo 48(13) kumnini welayisenisi.

Izilungiso kuMgaqo 20 weMigaqo

14. UMgaqo 20 weMigaqo wenziwa izilungiso ngokuthi endaweni yomgaqwana (2) kufakwe lo mgaqwana ulandelayo:
"(2) Umnini-layisenisi kufuneka azigcine iikopi zeeinvoyisi ngokwemiqathango yecandelo 50(1)*(a)* kula masango anelayisenisi isithuba seminyaka emihlanu ukusuka kumhla wokukhutshwa, nakubeni kunokubakho nawuphi na umthetho onxamnye noko.".

Izilungiso kuMgaqo 21 weMigaqo

15. Lo Mgaqo ulandelayo ufakwa endaweni yoMgaqo 21 weMigaqo:

“Isicelo sokudluliselwa kochaphazeleko kwezemali kwishishini elinelayisenisi okanye sokuqeshisa amasango anelayisenisi

21. (1) Umnini-layisenisi okanye nawuphi na omnye umntu onochaphazeleko ngokwasezimalini kwishishini elinelayisenisi onqwenela ukudlulisela uchaphazeleko olungadlulanga kwi-5% komnye umntu okhankanywe kwicandelo 51(1) kwaye loo mntu (oza kuthi kulo Mgaqo abizwe ngokuba ngumfaki-sicelo odibene nomnye) kufuneka angenise isicelo esidityanelweyo kuGunyaziwe, ngeFomu 13 kwiSihlomelelo 3, kwaye bobabini kufuneka kwisicelo sabo banike iinkcukacha ezifunwa kuloo Fomu.

(2) Umnini welayisenisi onqwenela ukuqeshisela omnye umntu ilayisenisi, ukuvumela omnye umntu ukuba aqhube ishishini ngokwemiqathango yaloo layisenisi okanye avumele omnye umntu asebenzise amasango anelayisenisi akhankanywe kwicandelo 51(7) kwaye loo mntu (oza kuthi kulo Mgaqo abizwe ngokuba ngumfaki-sicelo odibene nomnye) kufuneka angenisele uGunyaziwe isicelo esidityanelweyo ngeFomu 14 kwiSihlomelelo 3, kwaye bobabini kufuneka kwisicelo sabo banike iinkcukacha ezifunwa kuloo Fomu.

(3) Abafaki-sicelo abadibeneyo kufuneka, xa bengenisa isicelo kuGunyaziwe ngokwemiqathango yomgaqwana (1) okanye (2), ngaxeshanye bangenise ikopi yesi sicelo kwigosa lotywala eligunyazisiweyo akwingingqi yolawulo yalo amasango anelayisenisi.

(4) Isicelo esenziwe ngokwemiqathango yomgaqwana (1) nale kopi ikhankanywe kumgaqwana (3) kufuneka sihambe—
(a) nesingqinisiso sentlawulo yesicelo efanelekileyo echazwe kumhlathana 5 weSihlomelelo 1 eyenziwe kuGunyaziwe ;
(b) isingqinisiso esibhaliweyo senguqu kuchaphazeleko kwezemali;
(c) Ingcaciso ebhaliweyo exhasa esi sicelo;
(d) ikopi eqinisekisiweyo yoku kulandelayo kumntu ekucetywa ukumdlulisela uchaphazeleko ngokwasezimalini—
(i) yesazisi sakhe;
(ii) ipasipoti nevisa okanye, apho kufanelekileyo, iadresi esisigxina yalapho ahlala khona lo mntu utyunjiweyo, ukuba ngumntu welinye ilizwe;
(iii) iimpepha zobhaliso ezifanelekileyo ezibonisa `izazisi zamalungu onke, nochaphazeleko lwawo ngokwasezimalini, abalawuli, amahlakani, abaxhamli okanye ootrasti, ukuba umfaki-sicelo akangomntu uthile;
(e) inkcazo efungelweyo yomfaki-sicelo yokuba akangomntu ungafanelekanga ngokwemiqathango yecandelo 35, ukuba angaba nelayisenisi yotywala; kunye
(f) nesiqinisekiso sanqangi esisemthethweni sokuba umfaki-sicelo akatyali kwirhafu esikhutshwe ziiNkonzo zeRhafu zoMzantsi Afrika (South African Revenue Services) esingadlulanga

kwiinyanga ezintathu sikhutshiwe ukususka kulo mhla wokufakwa kwesicelo;

(5) Isicelo esenziwe ngokwemiqathango yomgaqwana (2) nale kopi ikhankanywe kumgaqwana (3) kufuneka sihambe—

(a) nesingqinisiso sentlawulo efanelekileyo eyenziwe kuGunyaziwe njengoko ichazwa kuMba 18 weSihlomelelo 1;

(b) Isingqinisiso esibhaliweyo sale layisenisi kucetywa ukuyiqeshisa, sokuqhuba ishishini ngokwemiqathango yelayisenisi okanye yokusebenzisa amasango anelayisenisi;

(c) Ikopi yelayisenisi echaphazelekayo;

(d) kumntu oceba ukuqesha ilayisenisi kumnini welayisenisi, ukuqhuba ishishini ngokwemiqathango yaloo layisenisi okanye ukusebenzisa amasango anelayisenisi—

(i) yesazisi sakhe;

(ii) nekopi eqinisekisiweyo yesazisi somfaki-sicelo okanye ipasipoti nevisa okanye iadresi esisigxina yalapho ahlala khona umfaki-sicelo, ukuba umfaki-sicelo ngumntu welinye ilizwe; okanye;

(iii) iimpepha zobhaliso ezifanelekileyo ezibonisa izazisi zamalungu onke, nochaphazeleko lwawo ngokwasezimalini, abalawuli, amahlakani, abaxhamli okanye ootrasti, ukuba umfaki-sicelo akangomntu uthil;

(e) inkcazo efungelweyo yomntu otyunjiweyo yokuba akangomntu ungafanelekanga ngokwemiqathango yecandelo 35, ukuba angaba nelayisenisi yotywala;

(f) Ikopi yelayisenisi yomntu oceba ukuqesha ilayisenisi kumnini-layisenisi, ukuqhuba ishishini ngokwemiqathango yale layisenisi okanye ukusebenzisa amasango anelayisenisi;

(g) nesiqinisekiso sanqangi esisemthethweni sokuba umfaki-sicelo akatyali kwirhafu esikhutshwe ziiNkonzo zeRhafu zoMzantsi Afrika (South African Revenue Services) esingadlulanga kwiinyanga ezintathu sikhutshiwe ukususka kulo mhla wokufakwa kwesicelo;

(h) iplani eneenkcukacha ezininzi yomgangatho wala masango kucetywa ukuqhuba eli shishini linelayisenisi echwethezwe ephepheni elimhlophe elingadlulanga ku-A3 ubukhulu, libonisa ngokucacileyo ngemibala eyahlukeneyo——

(i) Icala lamasango anelayisenisi eliza kuchatshazelwa lolu qeshiso, kukuqhutywa kweshishini phantsi kwale layisenisi okanye ukusetyenziswa kwamasango anelayisenisi ngokwakumasango ewonke;

(ii) Ubungakanani beli cala lichaphazelekayo;

(iii) Ubungakanani begumbi ngalinye kweli cala lichaphazelekayo lamasango anelayisenisi;

(iv) Indlela asetyenziswa ngayo onke amagumbi kweli cala lichaphazelekayo lamasango anelayisenisi;

(v) onke iingcango, iifestile neekhawuntala, apho kufanelekileyo, neendawo zokungena nezokuphuma;

(vi) apho buza kugcinwa khona utywala kweli cala lamasango anelayisenisi lichaphazelekayo ngokwakumasango la ewonke;

(vii) lindawo kweli cala lamasango anelayisenisi lichaphazelekayo apho ebuza kuthengiswa kuzo utywala ngokwakumasango la ewonke;

(viii) lindawo ebuza kuselelwa kuzo utywala kweli cala lamasango anelayisenisi lichaphazelekayo ngokwakumasango la ewonke; kunye

(i) lifoto ezinombala ezinezalathiso ezibonisa—

(i) icala lamasango anelayisenisi elichaphazelekayo;

(ii) amasango anelayisenisi ewonke.

(6) Igosa lotywala eligunyazisiweyo akwingingqi yolawulo yalo amasango anelayisenisi kufuneka, zingadlulanga iintsuku ezili-14 emva kokungeniswa kwesicelo esenziwe ngokwemiqathango yomgaqwana (1) okanye (2), linike abafaki-sicelo abadibeneyo ikopi yengxelo yalo ekhankanywe kwicandelo 51(5) okanye (7A), ngoko kufanelekileyo, lize ke liyingenisele uGunyaziwe nesingqinisiso sokuba abafaki-sicelo abadibeneyo bayinikiwe le ngxelo.

(7) Ukuba igosa lotywala eligunyazisiweyo liyasilela ukungenisa ingxelo yalo ngokwemiqathango yomgaqwana (6) kuGunyaziwe, iGosa eliLawulayo eliyiNtloko kufuneka zingadlulanga iintsuku ezingama-21 ukusuka kumhla wokungeniswa kwesicelo licele igosa lotywala eligunyazisiweyo elichaphazelekayo ngento ebhaliweyo ukuba lingenise ingxelo zingadlulanga iintsuku ezintathu.

(8) Ukuba igosa lotywala eligunyazisiweyo failiyasilela ukungenisa ingxelo yalo ngokwemiqathango yomgaqwana (7), iGosa eliLawulayo eliyiNtloko lingadlulisela ikopi yesi sicelosenziwe ngokwemiqathango yomgaqwana (1) okanye (2), ngoko kufanelekileyo, kumhloli nomyalelo obhaliweyo wokuba angenise ingxelo equlathe ezi nkcukacha zikhankanywe kwicandelo 51(5) okanye 51(7A) malunga nesi sicelo sichaphazelekayo

(9) Umhloli kufuneka angenise ingxelo yakhe kuGunyaziwe aze adlulisele ikopi yayo kubafaki-sicelo abadibeneyo lingadlulanga ixesha elibekwe liGosa eliLawulayo eliyiNtloko ngokwemiqathango yalo myalelo ukhankanywe kumgaqwana (8).

(10) Abafaki-sicelo abadibeneyo kufuneka bangenise kuGunyaziwe impendulo yabo kwingxelo yegosa lotywala eligunyazisiweyo ekhankanywe kumgaqwana (6) okanye (7) okanye ingxelo yomhloli ekhankanywe kumgaqwana (9) zingadlulanga iintsuku ezisixhenxe emva kokungeniselwa ikopi yenye yezi ngxelo.

(11) iGosa eloNgameleyo kufuneka—

(a) kwisicelo esenziwe ngokwemiqathango yomgaqwana (1), lisamkele okanye lisikhabe isicelo zingadlulanga iintsuku ezingama-30 emva kokufumana zonke iimpepha ezikhankanywe kwimigaqwana (1), (4), (6) nowe-(10) nowe-(9) apho kufanelekileyo;

(b) kwisicelo esenziwe ngokwemiqathango yomgaqwana (2), lisamkele okanye lisikhabe zingadlulanga iintsuku ezingama-30 emva kokufumana zonke iimpepha ezikhankanywe kwimigaqwana (1), (4), (6), (10) nowe-(9) apho kufanelekileyo

(12) UGunyaziwe kufuneka, zingadlulanga iintsuku ezisixhenxe emva kokuba iGosa eloNgameleyo lisenzile isigqibo ngesicelo esenziwe ngokwemiqathango yomgaqwana (1) okanye (2), ngoko kufanelekileyo, limazise umfaki-sicelo nomntu ngamnye obefake isichaso esibhaliweyo okanye ingcaciso kuGunyaziwe malunga nesi sicelo ngento ebhaliweyo ngesi sigqibo.

(13) Ukuba isicelo samkelwe uGunyaziwe kufuneka akhuphe imvume ebhaliweyo zingadlulanga iintsuku ezili-14 emva kokunikwa kwemvume.”.

Izilungiso kuMgaqo 22 weMigaqo

16. Lo Mgaqo ulandelayo ufakwa endaweni yoMgaqo 22 weMigaqo:

“**Ukutyunjwa kwemanejala**

22. (1) Umntu kufuneka ukuba xa efuna ulwamkelo lokutyunjwa kwemanejala yeshishini elinelayisenisi elikhankanywe kwicandelo 52(1), (1A) okanye (2) angenise utyumbo ngeFomu 15 kwiSihlomelelo 3 kuGunyaziwe nekopi yalo kwigosa lotywala eligunyazisiweyo akwingingqi yolawulo yalo amasango anelayisenisi futhi kufuneka anike iinkcukacha ezifunwa kule Fomu.

(2) Utyumbo kufuneka luhambe—

(a) nekopi eqinisekisiweyo —

(i) Ikopi eqinisekisiweyo yesazisi somntu otyunjiweyo ; okanye

(ii) ipasipoti ne*visa* okanye, apho kufanelekileyo, iadresi esisigxina yalapho ahlala khona lo mntu utyunjiweyo, ukuba ngumntu welinye ilizwe

(b) ingcaciso ebhaliweyo exhasa olu tyumbo;

(c) isingqinisiso sokuba lo mntu utyunjiwe uhlala kweli Phondo; kunye

(d) inkcazo efungelweyo yomntu otyunjiweyo yokuba akangomntu ungafanelekanga ngokwemiqathango yecandelo 35, ukuba angaba nelayisenisi yotywala;.

(3) Igosa lotywala eligunyazisiweyo kufuneka—

(a) zingadlulanga iintsuku ezili-14 emva kokungeniswa kotyumbo; okanye

(b) kutyumbo olukhankanywe kwicandelo 52(1A)*(a)* okanye *(b)*, zingadlulanga iintsuku ezintlanu emva kokungeniswa kotyumbo,

ngoko kufanelekileyo, lingenise le ngxelo ikhankanywe kwicandelo 52(3) kuloo mntu ubengenise utyumbo ngokwemiqathango yomgaqwana (1) lize liyingenisele noGunyaziwe kunye nesingqinisiso sokuba le ngxelo uyinikiwe umntu obengenise utyumbo.

(4) Ukuba igosa lotywala eligunyazisiweyo liyasilela ukungenisa ingxelo yalo ngokwemiqathango yomgaqwana (3) kuGunyaziwe, iGosa eliLawulayo eliyiNtloko kufuneka—

(a) zingadlulanga iintsuku ezingama-21 ukusuka kumhla wokungeniswa kotyumbo; okanye

(b) kutyumbo olukhankanywe kwicandelo 52(1A)*(a)* okanye *(b)*, zingadlulanga iintsuku ezintandathu ukusuka kumhla wokungeniswa kotyumbo,

ngoko kufanelekileyo, lilicele igosa lotywala eligunyazisiweyo elichaphazelekayo liyingenise ingxelo kuGunyaziwe zingadlulanga iintsuku ezintathu.

(5) Ukuba igosa lotywala eligunyazisiweyo liyasilela ukungenisa ingxelo yalo ngokwemiqathango yomgaqwana (4), iGosa eliLawulayo eliyiNtloko lisenokudlulisela ikopi yolo tyumbo luchaphazelekayo kumhloli kunye nomyalelo obhaliweyo wokuba angenise ingxelo equlathe ezi nkcukacha zikhankanywe kwicandelo 52(3), malunga nolu tyumbo luchaphazelekayo esi sicelo.

(6) Umhloli kufuneka—

(a) lithi lingadlulanga ixesha elibekwe liGosa eliLawulayo eliyiNtloko ngokwemiqathango yomyalelo okhankanywe kumgaqwana (5); okanye

(b) xa iloluya tyumbo lukhankanywe kwicandelo 52(1A)*(a)* okanye *(b)*, zithi zingadlulanga iintsuku ezintathu emva kwalo myalelo ukhankanywe kumgaqwana (5),

angenisele uGunyaziwe adlulisele ikopi yawo kuloo mntu ubengenise utyumbo.

(7) Umntu obengenise utyumbo kufuneka angenise impendulo yakhe, ukuba ikhona, kwingxelo yegosa lotywala eligunyazisiweyo elikhankanywe kumgaqwana (3) okanye kwingxelo yomhloli ekhankanywe kumgaqwana (6)—

(a) zingadlulanga iintsuku ezisixhenxe emva kokuba engeniselwe ikopi yenye yezi ngxelo; okanye

(b) xa iloluya tyumbo lukhankanywe kwicandelo 52(1A)*(a)* okanye *(b)*, zingadlulanga iintsuku ezintathu emva kokuba engeniselwe ikopi yenye yezi ngxelo.

(8) ISigqeba seeMbambano zeeLayisenisi zoTywala okanye iGosa eloNgameleyo, ngoko kufanelekileyo, kufuneka sikwamkele okanye sikukhabe ukutyunjwa kwalo mntu utyunjiweyo zingadlulanga iintsuku ezingama-30 emva kokufumana zonke ezi mpepha zikhankanywe

kwimigaqwana (1), (2), (3), nowe-(7) kwaye apho kufanelekileyo, kumgaqwana (6).

(9) IGosa eloNgameleyo kufuneka, xa iloluya tyumbo lukhankanywe kwicandelo 52(1A)*(a)* okanye *(b*, zithi zingadlulanga iintsuku ezine emva kokufumana zonke ezi mpepha zikhankanywe kwimigaqwana (1), (2), (3), nowe-(7) likwamkele okanye likukhabe ukutyunjwa kwalo mntu utyunjiweyo, kwaye apho kufanelekileyo, kumgaqwana (6).

(10) UGunyaziwe kufuneka athi ngento ebhaliweyo amazise lo mntu ebengenise utyumbo ngesigqibo—
(a) zingadlulanga iintsuku ezisixhenxe emvo kokuba iSigqeba seeMbambano zeeLayisenisi zoTywala okanye iGosa eloNgameleyo, ngoko kufanelekileyo, lisenzile isigqibo ngotyumbo ngokwemiqathango yomgaqwana (8); okanye
(b) lungadlulanga usuku emva kokuba iGosa eloNgameleyo lisenzile isigqibo ngotyumbo ngokwemiqathango yomgaqwana (9).

(11) Ukuba utyumbo lwamkelwe, uGunyaziwe kufuneka—
(a) zingadlulanga iintsuku ezili-14 emva kokwamkelwa azise umntu obetyumbile ngento ebhaliweyo; okanye
(b) xa iloluya tyumbo lukhankanywe kwicandelo 52(1A)*(a)* okanye *(b)*, ngaxesha nye nesi saziso sikhankanywe kumgaqwana (10)*(b)*, azise umntu obetyumbile ngento ebhaliweyo.”.

Izilungiso kuMgaqo 23 weMigaqo

17. UMgaqo 23 weMigaqo wenziwa izilungiso—
(a) ngokuthi endaweni yomgaqwana (1) kufakwe lo mgaqwana ulandelayo:
“(1) Umnini-layisenisi ofuna imvume yokwenza nayiphi na kwezi zinto zikhankanywe kwicandelo 53(1)*(a)* kufuneka angenisele uGunyaziwe negosa lotywala eligunyazisiweyo akwingingqi yalo amasango anelayisenisi isicelo ngeFomu 16 kwiSihlomelelo 3, sihamba—
(a) neplani ecacileyo yomgangatho yeli cala lichaphazelekayo amasango anelayisenisi kucetywa ukulitshintsha, ukulongeza, liza kwakhiwa ngokutsha okanye liza kwandiswa ephepheni elimhlophe elingadlulanga ku-A3 ubukhulu, lichwethezwe libonisa ngokucacileyo ngemibala eyahlukeneyo—
(i) icala elichaphazelekayo lamasango anelayisenisi apha kumasango ewonke;
(ii) ubungakanani beli cala lichaphazelekayo;
(iii) ubungakanani begumbi ngalinye elikweli cala lichaphazelekayo ;
(iv) imisebenzi eza kwenziwa kwigumbi ngalinye kweli cala lichaphazelekayo;
(v) zonke iingcango, iifestile neekhawuntala, apho kufanelekileyo, neendawo zokungena nezokuphuma;

(vi) izitalato neendawo ezikhokelela kuzo ezi ndawo zokuphuma;
(vii) indlela elinxibelelana ngayo eli cala lichaphazelekayo namasango anelayisenisi;
(viii) apho buza kugcinwa khona utywala kweli cala lichaphazelekayo;
(ix) iindawo ebuza kuthengiswa kuzo utywala kweli cala lichaphazelekayo apha kumasango ewonke;
(x) iindawo ebuza kuselelwa kuzo utywala kweli cala lichaphazelekayo apha kumasango ewonke;

(b) inkcazo yolu tshintsho lucetywayo;
(c) kwiphepha elilodwa, inkcazo yeli cala lichaphazelekayo lamasango anelayisenisi ngokwendlela elakhiwe ngayo, ukuma kwalo, ifenitshala izinto ezibethelelweyo nendlela ogqunywe ngayo umgangatho;
(d) isingqinisiso sokuba umfaki-sicelo unalo ilungelo lokwenza utshintsho kula masango anelayisenisi ngale njongo ichazwe kwisicelo;
(e) isingqinisiso sokuba uyihlawulwe uGunyaziwe intlawulo yesicelo echazwe kumhlathana 6 weSihlomelelo 1;
(f) ingcaciso ebhaliweyo exhasa esi sicelo;
(g) kwisicelo sokwandisa amasango anelayisenisi, isingqinisiso sokuba umfaki-sicelo unalo ilungelo lokungena kwicala elichaphazelekayo;
(h) kwisicelo sokwandisa amasango anelayisenisi, isingqinisiso sokuba umfaki-sicelo ungumnini wala masango anelayisenisi, okanye, ukuba umfaki-sicelo akanguye umnini wala masango, imvume ebhaliweyo evela kumnini yokuba umfaki-sicelo angalisebenzisa eli cala lichaphazelekayo ngale njongo yelayisenisi; kananjalo
(i) iifoto ezinombala ezinezalathiso ezibonisa amasango anelayisenisi agqityiweyo ngaphakathi nangaphandle.";

(b) ngokuthi endaweni yomgaqwana (2) kufakwe lo mgaqwana ulandelayo:

"(2) Umnini-layisenisi ofuna imvume yokwenza nayiphi na kwezi zinto zikhankanywe kwicandelo 53(1)*(b)* kufuneka angenisele uGunyaziwe negosa lotywala eligunyazisiweyo akwingingqi yalo amasango anelayisenisi isicelo ngeFomu 17 kwiSihlomelelo 3, sihamba—
(a) nenkcazo yohlobo lotshintsho kuhlobo lweshishini;
(b) isingqinisiso sokuba uyihlawulwe uGunyaziwe intlawulo yesicelo echazwe kumhlathana 6 weSihlomelelo 1;
(c) inkcazo ebhaliweyo exhasa esi sicelo;
(d) isingqinisiso sokuba umfaki-sicelo unalo ilungelo lokwenza utshintsho olukhulu kuhlobo lweshishini elalinikwe; kwakunye
(e) neziya mpepha zichazwe kwifomu yesicelo okanye ezo zinokucelwa nguGunyaziwe.";

(c) ngokuthi endaweni yomgaqwana (3) kufakwe lo mgaqwana ulandelayo:

"(3) Umnini-layisenisi ofuna imvume yokwenza nayiphi na kwezi zinto zikhankanywe kwicandelo 53(1)*(c)* kufuneka angenisele uGunyaziwe

negosa lotywala eligunyazisiweyo akwingingqi yalo amasango anelayisenisi isicelo ngeFomu 18 kwiSihlomelelo 3, sihamba—

(a) inkcazo yalo naliphi na elinye elinye ishishini, urhwebo okanye umsebenzi kuloo masango aphakanyisiweyo apho kuza kwenziwa ushishino olunikezwe ilayisenisi;

(b) isingqinisiso sokuba uyihlawulwe uGunyaziwe intlawulo yesicelo echazwe kumhlathana 6 weSihlomelelo 1;

(c) inkcazo ebhaliweyo exhasa esi sicelo;

(d) iplani eneenkcukacha ezininzi yenxalenye echaphazelekayo yomgangatho wala masango kucetywa ukuqhuba eli shishini linelayisenisi echwethezwe ephepheni elimhlophe elingu-A3 ubukhulu, libonisa ngokucacileyo ngemibala eyahlukeneyo—

(i) inxalenye echaphazelekayo yala masango acetywayo kumasango ewonke;

(ii) ubungakanani benxalenye echaphazelekayo ;

(iii) ubungakanani benxalenye echaphazelekayo kula masango acetywayo;

(iv) Imisebenzi eza kwenziwa kwinxalenye echaphazelekayo kula masango acetywayo;

(v) zonke iingcango, iifestile neekhawuntala, apho kufanelekileyo, neendawo zokungena nezokuphuma;

(vi) Izitalato neendawo ezikhokelela kuzo ezi ndawo zokuphuma;

(vii) apho buza kugcinwa khona utywala kwinxalenye echaphazelekayo kula masango acetywayo;

(viii) iindawo ebuza kuthengiswa kuzo utywala kwinxalenye echaphazelekayo yamasango acetywayo kumasango ewonke;

(ix) Iindawo ebuza kuselelwa kuzo utywala kwinxalenye echaphazelekayo kula masango acetywayo kumasango ewonke;

(e) kwiphepha elilodwa, inkcazo yeli cala lichaphazelekayo lamasango acetywayo ngokwendlela elakhiwe ngayo, ukuma kwalo, ifenitshala izinto ezibethelelweyo nendlela ogqunywe ngayo umgangatho;

(f) isingqinisiso sokuba umfaki-sicelo unalo ilungelo lokwenza utshintsho kwinxalenye echaphazelekayo yala masango acetywayo;

(g) isingqinisiso sobunini bala masango acetywayo okanye, ukuba umfaki-sicelo akanguye umnini wala masango, imvume ebhaliweyo evela kumnini yokuba umfaki-sicelo angayisebenzisa inxalenye echaphazelekayo yala masango acetywayo ngale njongo yelayisenisi; kunye

(h) neefoto ezinombala ezinezalathiso ezibonisa la masango acetywayo ngaphakathi nangaphandle.";

(d) ngokuthi endaweni yegama elithi "umnini-layisenisi" kumgaqwana (4) kufakwe igama elithi "umfaki-sicelo";

(e) ngokuthi endaweni yegama elithi "umnini-layisenisi" kumgaqwana (7) kufakwe igama elithi "umfaki-sicelo"

(f) ngokuthi endaweni yegama elithi “umnini-layisenisi” kumgaqwana (8) kufakwe igama elithi “umfaki-sicelo”;

(g) ngokuthi endaweni yomgaqwana (10) kufakwe lo mgaqwana ulandelayo:

“(10) UGunyaziwe kufuneka athi zingadlulanga iintsuku ezisixhenxe emva kokuba iGosa eloNgameleyo lisenzile isigqibo ngesicelo esenziwe ngokwemiqathango yomgaqwana (1), (2) okanye (3), amazise umfaki-sicelo nomntu ngamnye obefake isichaso esibhaliweyo okanye ingcaciso kuGunyaziwe malunga nesi sicelo ngento ebhaliweyo ngesi sigqibo.”;

(h) ngokuthi endaweni kumgaqwana (11) endaweni yegama elithi “-sixhenxe” kufakwe inani elingu-“14”; kananjalo

(i) ngokuthi endaweni yomgaqwana (12) kufakwe lo mgaqwana ulandelayo:

“(12) Xa isicelo samkelwe ngokwemiqathango yalo Mgaqo, umfaki-sicelo kufuneka ahlawule intlawulo echazwe kumhlathana 7, 8 okanye 9 kwiSigaba A seSihlomelelo 2, ngoko kufanelekileyo, kuGunyaziwe.”.

Izilungiso kuMgaqo 24 weMigaqo

18. Lo Mgaqo ulandelayo ufakwa endaweni yoMgaqo 24 weMigaqo:

“**Ufikelelo kumasango anelayisenisi nakwiindawo ezinonyino**

24. Umnini-layisenisi kufuneka aqinisekise ukuba yonke indawo enonyino ekhankanywe kwicandelo 56(4) ibonakaliswe ngenothisi ebekwe kwisango lendawo enonyino inala magama,
“**INDAWO ENONYINO – ABAVUMELEKANGA ABANGAPHANTSI KWEMINYAKA ELI-18 UBUDALA**”,
Abhalwe ngoonobumba abakhulu abamnyama kumphakamo oyi-5 cm ubuncinane abangekho ngaphantsi kwe- 0.5 cm ububanzi kwindawo emhlophe.”.

Izilungiso kuMgaqo 25 weMigaqo

19. UMgaqo 25 weMigaqo wenziwa izilungiso —

(a) ngokuthi endaweni yomgaqwana (3) kufakwe lo mgaqwana ulandelayo:

“(3) Igosa lotywala eligunyazisiweyo kufuneka zithi zingadlulanga iintsuku ezili-14 emva kokungeniswa kwesicelo lingenise ikopi yale ngxelo yalo ikhankanywe kwicandelo 73(7)*(a)* equlathe eziya nkcukacha zikhankanywe kuMgaqo 15(3)*(a)*(i) ukuya ku-(vi) nesiya sindululo sikhankanywe kuMgaqo 15(3)*(b)* kumfaki-sicelo lize lingenise ingxelo kuGunyaziwe ihamba nesingqinisiso sokuba umnini-layisenisi uyyinikiwe le ngxelo.”;

(b) ngokuthi endaweni yegama elithi “umnini-layisenisi” kumgaqwana (6) kufakwe igama elithi “umfaki-sicelo”;

(c) ngokuthi endaweni yegama elithi “umnini-layisenisi” kumgaqwana (7) kufakwe igama elithi “umfaki-sicelo””;

(d) ngokuthi endaweni yomgaqwana (9) kufakwe lo mgaqwana ulandelayo:

“(9) UGunyaziwe kufuneka athi zingadlulanga iintsuku ezisixhenxe emva kokuba iGosa eloNgameleyo lisenzile isigqibo ngesicelo esenziwe ngokwemiqathango yomgaqwana (1), amazise umfaki-sicelo nomntu

ngamnye obefake isichaso esibhaliweyo okanye ingcaciso kuGunyaziwe malunga nesi sicelo ngento ebhaliweyo ngesi sigqibo."; kananjalo

(e) ngokuthi endaweni yegama elithi "-sixhenxe" kumgaqwana (11) kufakwe inani elingu-"14".

Izilungiso kuMgaqo 26 weMigaqo

20. UMgaqo 26 weMigaqo wenziwa izilungiso—

(a) ngokuthi endaweni yebinzana elithi "iSigqeba seeMbambano zeeLayisenisi zoTywala", naphi na apho livela khona, kufakwe ibinzana elithi "iGosa eloNgameleyo";

(b) ngokuthi endaweni yenani elingu- "21" kumgaqwana (1) kufakwe inani elingu-"19";

(c) ngokuthi endaweni fyomhlathi *(a)* womgaqwana (3) kufakwe lo mhlathi ulandelayo:

"*(a)* imanejala yaloo masipala uchaphazelekayo ukuze umasipala lowo—

(i) aluvumele uluntu ukuba lusijonge isicelo eso;

(ii) afumane izimvo zikaceba wewadi yengingqi kamasipala apho akhoyo amasango anelayisenisi ; kananjalo

(iii) Avakalise izimvo ngesicelo eso;";

(d) ngokuthi endaweni yenani elingu-"14" kumgaqwana (4) kufakwe inani elingu-"21";

(e) ngokuthi endaweni yomgaqwana (8) kufakwe lo mgaqwana ulandelayo:

"(8) Igosa lotywala eligunyazisiweyo kufuneka zithi zingadlulanga iintsuku ezingama-21 emva kokungeniswa kwesicelo lingenise ikopi yengxelo yalo ekhankanywe kwicandelo 73(7)*(a)* equlathe eziya nkcukacha zikhankanywe kuMgaqo 15(3)*(a)*(i) ukuya ku-(vi) kunye nesiya sindululo sikhankanywe kuMgaqo 15(3)*(b)* kumfaki-sicelo lingenisele uGunyaziwe ingxelo le ihamba nesingqinisiso sokuba umfaki-sicelo uyinikiwe le ngxelo nesokuba inothisi yesicelo bayinikwa abaya bantu nalaa maziko akhankanywe kumgaqwana (3)."; kananjalo

(f) ngokuthi endaweni yomgaqwana (11) kufakwe lo mgaqwana ulandelayo:

"(11) UGunyaziwe kufuneka athi zingadlulanga iintsuku ezisixhenxe emva kokuba iGosa eloNgameleyo lisenzile isigqibo sokwamkela okanye sokukhaba isicelo, azise—

(a) umfaki-sicelo;

(b) imanejala kamasipala ochaphazelekayo;

(bA) uceba wewadi yengingqi kamasipala apho akhoyo amasango anelayisenisi;

(bB) nomntu ngamnye obefake isichaso esibhaliweyo okanye ingcaciso kuGunyaziwe malunga nesi sicelo;

(c) abantu abahlala kufutshane nabantu abanokuthi ngokokubona kwakhe bachatshazelwe okanye babe nomdla ekwamkelweni okanye ekukhatyweni kwesi sicelo; kunye

(d) neqonga lezobupolisa lasekuhlaleni, ukuba likhona, lale ngingqi akuyo la masango,

ngento ebhaliweyo ngesigqibo seGosa eloNgameleyo.".

Izilungiso kuMgaqo 29 weMigaqo

21. UMgaqo 29 weMigaqo wenziwa izilungiso ngokuthi endaweni yenani elingu-“22” kufakwa inani elingu-“20”.

Ukutshintshwa koMgaqo 30 weMigaqo

22. Lo Mgaqo ulandelayo ufakwa endaweni yoMgaqo 30 weMigaqo:

“**Ukuvuselelwa kweelayisenisi noxolelo ngokusilela ukuhlawula intlawulo yokuvuselela ngomhla ekufanele kuhlawulwa ngawo**

30. (1) Inothisi yentlawulo yovuselelo lonyaka nolweminyaka emibini ekhankanywe kwicandelo 63(1) naku(2A) ngokokulandelelana kwawo kufuneka yenziwe ngeFomu 21A kwiSihlomelelo 3.
(2) Umnini-layisenisi kufuneka ahlawule le ntlawulo ifanelekileyo ikhankanywe kwiSigaba C seSihlomelelo 2 kuGunyaziwe.
(3) Umnini-layisenisi onenjongo yokuhlawula ngale ndlela yeminyaka emibini ikhankanywe kwicandelo 63(2A) kufuneka angenisele uGunyaziwe inothisi ngeFomu 21B kwiSihlomelelo 3 ungadlulanga umhla wama-31 Novemba ngalo ayikhuphe ngawo uGunyaziwe le nothisi yovuselelo lonyaka ikhankanywe kwicandelo 63(1).
(4) Isicelo soxolelo sokusilela ukuhlawula intlawulo yovuselelo efanelekileyo ungadlulanga umhla wokugqibela kuFebhuwari weli xesha lifanelekileyo likhankanywe kwicandelo 63(4) kufuneka asingenise kuGunyaziwe ngeFomu 21C kwiSihlomelelo 3.
(5) IGosa eliLawulayo eliyiNtloko kufuneka zithi zingaphelanga iintsuku ezingama-30 emva kokufumana esi sicelo sikhankanywe kumgaqwana (4), lisiqwalasele isicelo.
(6) UGunyaziwe kufuneka zithi zingaphelanga iintsuku ezisixhenxe emva kokuba iGosa eliLawulayo eliyiNtloko lisenzile isigqibo ngesicelo esenziwe ngokwemiqathango yomgaqwana (4), amazise umfaki-sicelo ngento ebhaliweyo.
(7) Ukuba iGosa eliLawulayo eliyiNtloko liyasamkela isicelo esenziwe ngokwemiqathango yomgaqwana (4), umnini-layisenisi kufuneka ahlawule uGunyaziwe intlawulo efanelekileyo kunye nesiya sohlwayo sikhankanywe kwicandelo 63(4).”.

Izilungiso kuMgaqo 31 weMigaqo

23. UMgaqo 31 weMigaqo wenziwa izilungiso—
(a) ngokuthi endaweni yenani elingu-“25” kumgaqwana (1) kufakwe inani elingu-“22”;
(b) ngokuthi endaweni yenani elingu- “26” kumgaqwana (4) kufakwe inani elingu-“23”;
(c) ngokuthi emva komgaqwana (4) kufakelwe le migaqwana ilandelayo:
“(4A) ISigqeba seeMbambano zeeLayisenisi zoTywala kufuneka zithi zingadlulanga iintsuku ezingama-30 emva kokufumana esi sicelo sikhankanywe kumgaqwana (4), sisiqwalasele isicelo.

(4B) UGunyaziwe kufuneka zithi zingaphelanga iintsuku ezisixhenxe emva kokuba iSigqeba seeMbambano zeeLayisenisi zoTywala sisenzile isigqibo ngesicelo esenziwe ngokwemiqathango yomgaqwana (4), amazise umfaki-sicelo ngento ebhaliweyo..

(4C) Ukuba iSigqeba seeMbambano zeeLayisenisi zoTywala siyasamkela isicelo esikhankanywe kumgaqwana (4), umfaki-sicelo kufuneka ahlawule uGunyaziwe intlawulo efanelekileyo kunye nesiya sohlwayo sikhankanywe kwicandelo 64(4).".

(d) ngokuthi endaweni yomgaqwana (6) kufakwe lo mgaqwana ulandelayo:

"(6) Icandelo labahloli negosa lotywala eligunyazisiweyo kufuneka icala ngalinye kubo—

(a) Zingadlulanga iintsuku ezili-14 emva komhla wokungeniswa kwesicelo lingenisele uGunyaziwe ingxelo ephanda la manqaku akhankanywe kwicandelo 64(1)*(a)* ukuya ku-*(e)*; lize ke

(b) Linike umfaki-sicelo ikopi yaloo ngxelo."; kananjalo

(e) ngokuthi endaweni yomgaqwana (9) kufakwe lo mgaqwana ulandelayo:

"(9) UGunyaziwe kufuneka zithi zingaphelanga iintsuku ezisixhenxe emva kokuba iSigqeba seeMbambano zeeLayisenisi zoTywala sisenzile isigqibo ngesicelo esenziwe ngokwemiqathango yecandelo 64, amazise umfaki-sicelo, igosa lotywala eligunyazisiweyo, imanejala kamasipala ochaphazelekayo nomntu ngamnye obefake isichaso esibhaliweyo okanye ingcaciso kuGunyaziwe malunga nesi sicelo ngento ebhaliweyo ngesi sigqibo.".

Izilungiso kuMgaqo 32 weMigaqo

Lo mgaqo ulandelayo ufakwa endaweni yoMgaqo 32 weMigaqo:

"**Udluliselo lwelayisenisi**

32. (1) Umnini-layisenisi onenjongo yokudlulisela ilayisenisi komnye umntu ngokwemiqathango yecandelo 65(1) kufuneka angenisele uGunyaziwe negosa lotywala eligunyazisiweyo akwingingqi yolawulo amasango anelayisenisi isicelo sokudlulisela ilayisenisi yakhe nekopi.

(2) Isicelo ngokwemiqathango yecandelo 65(1) kufuneka—

(a) senziwe ngeFomu 24 kwiSihlomelelo 3;

(b) sichwethezwe kwiiphepha elimhlophe elingu-A4 ubukhulu;

(c) siqulathe iinkcukacha ezifunwa kuloo Fomu;

(d) sihambe nesingqinisiso sentlawulo efanelekileyo eyenziwe kuGunyaziwe njengoko ichazwa kumhlathana 10(a) weSihlomelelo 1;

(e) sihambe nekopi eqinisekisiweyo—

(i) yesazisi salo mnini-layisenisi ucetywayo;

(ii) yepasipoti ne*visa* okanye iadresi esisigxina yalapho ahlala khona umfaki-sicelo,ukuba lo mnini-layisenisi ucetywayo ngumntu welinye ilizwe; okanye

(iii) ukuba umfaki-sicelo akangomntu uthile, yeempepha zobhaliso ezifanelekileyo ezibonisa izazisi zamalungu

onke, nochaphazeleko lwawo ngokwasezimalini, abalawuli, amahlakani, abaxhamli okanye ootrasti

(f) inkcazo efungelweyo yomfaki-sicelo yokuba akangomntu ungafanelekanga ngokwemiqathango yecandelo 35, ukuba angaba nelayisenisi yotywala;

(g) ihamba nesingqinisiso sokuba umfaki-sicelo uyingenisile ikopi yesicelo kwigosa lotywala eligunyazisiweyo akwingingqi yolawulo yalo amasango anelayisenisi;

(h) sihamba nesiqinisekiso sanqangi esisemthethweni sokuba umfaki-sicelo akatyali kwirhafu esikhutshwe ziiNkonzo zeRhafu zoMzantsi Afrika (South African Revenue Services) esingadlulanga kwiinyanga ezintathu sikhutshiwe ukusuka kulo mhla wokufakwa kwesicelo;

(i) sihamba nesingqinisiso sokuba umnini-layisenisi ocetywayo unelungelo lokungena kula masango anelayisenisi ;

(j) sihamba nesingqinisiso sobunini bala masango okanye, ukuba umnini-layisenisi ocetywayo akanguye umnini wala masango, imvume ebhaliweyo evela kumninini wamasango echaza ukuba umfnini-layisenisi ocetywayo angawasebenzisa la masango anelayisenisi ngokwenjongo yale layisenisi yenzelwa esi sicelo sodluliselo ngokwemiqathango yomgaqwana (1);

(k) sihamba nengcaciso ebhaliweyo exhasa esi sicelo; kananjalo

(l) sihambe nesingqinisiso esibhaliweyo sesizathu solu dluliselo.

(3) Igosa lotywala eligunyazisiweyo kufuneka zithi zingadlulanga iintsuku ezili-14 emva kokuba singenisiwe isicelo sodluliselo lwelayisenisi sinike umfaki-sicelo ikopi yengxelo yakhe ekhankanywe kwicandelo 65(11), lize lingenisele uGunyaziwe le ngxelo kunye nesingqinisiso sokuba umfaki-sicelo uyinikiwe le ngxelo.

(4) Ukuba ngaba le ngxelo ikhankanywe kumgaqwana (3) iqulathe naziphi na iinkcukacha okanye isindululo esimchaphazela kakubi umnini-layisenisi ocetywayolo, igosa lotywala eligunyazisiweyo kufuneka zingadlulanga iintsuku ezili-14 emva kokuba senziwe isicelo ngokwemiqathango yomgaqwana (1) limazise umnini-layisenisi ocetywayo ngento ebhaliweyo lize limcele ukuba aphendule zingadlulanga iintsuku ezisixhenxe emva komhla waloo nothisi.

(5) Ukuba igosa lotywala eligunyazisiweyo liyasilela ukungenisa ingxelo yalo ngokwemiqathango yomgaqwana (3), iGosa eliLawulayo eliyiNtloko iGosa eliLawulayo eliyiNtloko lisenokudlulisela ikopi yesi sicelo kumhloli kunye nomyalelo obhaliweyo wokuba angenise ingxelo equlathe ezi nkcukacha zikhankanywe kwicandelo 65(11), malunga nesi sicelo.

(6) Umhloli kufuneka angenisele uGunyaziwe ingxelo yakhe aze adlulisele ikopi kumfaki-sicelo lingadlulanga ixesha elibekwe liGosa eliLawulayo eliyiNtloko ngokwemiqathango yyomyalelo onikwe kumgaqwana (5).

(7) Ukuba ngaba le ngxelo ikhankanywe kumgaqwana (6) iqulathe naziphi na iinkcukacha okanye isindululo esimchaphazela kakubi umnini-layisenisi ocetywayol umhloli kufuneka amazise umnini-layisenisi ocetywayo ngento ebhaliweyo lingadlulanga ixesha elibekiweyo aze limcele ukuba aphendule zingadlulanga iintsuku ezisixhenxe emva komhla waloo nothisi.

(8) Umfaki-sicelo kufuneka angenise impendulo yakhe kuGunyaziwe ngengxelo yegosa lotywala eligunyazisiweyo ekhankanywe kumgaqwana (3) okanye kule ngxelo yomhloli ikhankanywe kumgaqwana (6) zingadlulanga iintsuku ezisixhenxe emva kokuba eyinikiwe enye yezi ngxelo.

(9) ISigqeba seeMbambano zeeLayisenisi zoTywala kufuneka sisiqwalasele isicelo esenziwe ngokwemiqathango yomgaqwana (1) zingadlulanga iintsuku ezingama-30 emva kokufumana zonke iimpepha ezifanelekileyo ezikhankanywe kwimigaqwana (1), (2), (3), (4), (6), (7) nowe-(8).

(10) UGunyaziwe kufuneka zithi zingadlulanga iintsuku ezisixhenxe emva kokuba iSigqeba seeMbambano zeeLayisenisi zoTywala sisenzile isigqibo ngesicelo esenziwe ngokwemiqathango yomgaqwana (1), amazise umfaki-sicelo, umnini-layisenisi ocetywayo nomntu ngamnye obefake isichaso esibhaliweyo okanye ingcaciso kuGunyaziwe malunga nesi sicelo ngento ebhaliweyo ngesi sigqibo ngeFomu 24A kwiSihlomelelo 3.

(11) Xa iSigqeba seeMbambano zeeLayisenisi zoTywala sisamkela isicelo esenziwe ngokwemiqathango yomgaqwana (1) phantsi kwemiqathango, uGunyaziwe kufuneka zingadlulanga iintsuku ezisixhenxe amazise umfaki-sicelo, umnini-layisenisi ocetywayo nomntu ngamnye obefake isichaso esibhaliweyo okanye ingcaciso kuGunyaziwe malunga nesi sicelo ngento ebhaliweyo ngesi sigqibo ngeFomu 24B kwiSihlomelelo 3.

(12) Xa isicelo esenziwe ngokwemiqathango yomgaqwana (1) samkelwe, UGunyaziwe kufuneka zithi zingadlulanga iintsuku ezili-14 emva kokuba umnini-layisenisi ocetywayo eyenzile intlawulo efanelekileyo echazwe kwiSigaba B seSihlomelelo 2 kuGunyaziwe akhuphe isiqinisekiso sodluliselo kumnini-layisenisi ocetywayo ngeFomu25 kwiSihlomelelo 3.

(13) Xa isicelo esenziwe ngokwemiqathango yomgaqwana (1) samkelwe phantsi kwemiqathango, uGunyaziwe kufuneka zithi zingadlulanga iintsuku ezisixhenxe emva kokuba iGosa eloNgameleyo lanelisekile kukuba umnini-layisenisi ocetywayo uyifezekisile imiqathango ebibekwe siSigqeba seeMbambano zeeLayisenisi zoTywala , amazise umnini-layisenisi ocetywayo ngento ebhaliweyo

(14) Inothisi eya kumnini-layisenisi kufuneka yenziwe ngeFomu 24C kwiSihlomelelo 3.

(15) Umnini-layisenisi ocetywayo kufuneka ahlawule intlawulo efanelekileyo echazwe kwiSigaba B seSihlomelelo 2 kuGunyaziwe aze angenisele uGunyaziwe isingqinisiso saloo ntlawulo.

(16) UGunyaziwe kufuneka athi zingadlulanga iintsuku ezili-14 emva kokufumana isingqinisiso sentlawulo ekhankanywe ku mgaqwana (15), akhuphele umnini-layisenisi ocetywayo isiqinisekiso ngeFomu 25 kwiSihlomelelo 3.

(17) Isicelo soxolelo ngokwemiqathango yecandelo 65(19) kufuneka singeniswe kuGunyaziwe ngeFomu 24D kwiSihlomelelo 3.

(18) IGosa eliLawulayo eliyiNtloko kufuneka zithi zingadlulanga iintsuku ezingama-30 emva kokufumana esi sicelo sikhankanywe kumgaqwana mgaqwana (17), sisiqwalasele isicelo.

(19) UGunyaziwe kufuneka zithi zingadlulanga iintsuku ezisixhenxe emva kokuba iGosa eliLawulayo eliyiNtloko lisenzile isigqibo ngesicelo esenziwe ngokwemiqathango yomgaqwana (17), amazise umfaki-sicelo ngesi sigqibo ngento ebhaliweyo.

(20) Ukuba iGosa eliLawulayo eliyiNtloko liyasamkela esi sicelo sikhankanywe kumgaqwana (17), umfaki-sicelo kufuneka ahlawule uGunyaziwe intlawulo efanelekileyo kunye nesiya sohlwayo sikhankanywe kwicandelo 65(19).

(21) Esi sicelo sikhankanywe kwicandelo 65(3) semvume yokuqhutywa kweshishini elinelayisenisi logama kusalindwe isigqibo ngesicelo sodluliselo lwelayisenisi kufuneka senziwe ngokusingenisela uGunyaziwe ngeFomu 26 ekwiSihlomelelo 3 kunye nekopi emayinikwe igosa lotywala eligunyazisiweyo elikwingingqi yaloo masango anelayisenisi.

(22) Isicelo kufuneka sihambe—
(a) isingqinisiso sentlawulo yesicelo kuGunyaziwe yomfaki-sicelo echazwe kumhlathana 10(b) weSihlomelelo 1; kunye
(b) nenkcazo ebhaliweyo exhasa esi sicelo.

(23) Igosa lotywala eligunyazisiweyo kufuneka zithi zingadlulanga iintsuku ezili-14 emva kokuba singenisiwe isicelo semvume lingenisele umfaki-sicelo ikopi yengxelo yalo ekhankanywe kwicandelo 65(11), lize ke liyingenisele uGunyaziwe kunye nesingqinisio sokuba umfaki-sicelo uyingeniselwe le ngxelo;

(24) Ukuba ngaba le ngxelo ikhankanywe kumgaqwana (23) iqulathe naziphi na iinkcukacha okanye isindululo esimchaphazela kakubi umnini-layisenisi, igosa lotywala eligunyazisiweyo kufuneka kufuneka

zingadlulanga iintsuku ezisixhenxe emva kokuba sifakiwe isicelo semvume limazise umnini-layisenisi ocetywayo ngento ebhaliweyo lize limcele ukuba aphendule zingadlulanga iintsuku ezisixhenxe emva komhla waloo nothisi;

(25) Ukuba igosa lotywala eligunyazisiweyo liyasilela ukungenisa ingxelo yalo ngokwemiqathango yomgaqwana (23), iGosa eliLawulayo eliyiNtloko lisenokudlulisela ikopi yesi sicelo kumhloli kunye nomyalelo obhaliweyo lokuba angenise ingxelo equlathe ezi nkcukacha zikhankanywe kwicandelo 65(11) umgaqwana (33), malunga nesicelo eso.

(26) Umhloli kufuneka angenise ingxelo yakhe kuGunyaziwe adlulisele ikopi kumfaki-sicelo lingadlulanga elo xesha liye labekwa liGosa eliLawulayo eliyiNtloko ngokwemiqathango yomgaqwana yomgaqwana (25).

(27) Ukuba le ngxelo ikhankanywe kumgaqwana (26) iqulathe naziphi na iinkcukacha okanye isindululo esimchaphazela kakubi umnini-layisenisi, umhloli kufuneka amazise umnini-layisenisi ngento ebhaliweyo amcele ukuba aphendule zingadlulanga iintsuku ezisixhenxe emva komhla wokufumana loo nothisi.

(28) Umfaki-sicelo kufuneka angenise impendulo yakhe kuGunyaziwe ngale ngxelo yegosa lotywala eligunyazisiweyo ikhankanywe kumgaqwana (23) okanye le ngxelo yomhloli ikhankanywe kumgaqwana (26) zingadlulanga iintsuku ezisixhenxe emva kokuba eyifumene enye yezi ngxelo.

(29) IGosa eloNgameleyo kufuneka lisiqwalasele isicelo esenziwe ngokwemiqathango yomgaqwana (21) zingadlulanga iintsuku ezingama-30 emva kokufumana zonke iimpepha ezifanelekileyo ezikhankanywe kwimihlathan (21) ukuya kowe-(28).

(30) UGunyaziwe kufuneka athi zingadlulanga iintsuku ezisixhenxe emva kokuba iGosa eloNgameleyo, lisenzile isigqibo ngesicelo semvume senziwe ngokwemiqathango yomgaqwana 21 amazise umfaki-sicelo; umnini-layisenisi igosa lotywala eligunyazisiweyo akwingingqi yolawulo lwayo amasango anelayisenisi nomntu ngamnye obefake isichaso esibhaliweyo okanye ingcaciso kuGunyaziwe malunga nesi sicelo ngento ebhaliweyo ngesi sigqibo

(31) Esi sicelo sikhankanywe kwicandelo 65(6) sokwandisa ixesha lemvume enikwe liGosa eloNgameleyo ngesi sicelo senziwe ngokwemiqathango yomgaqwana (21) kufuneka senziwe ngokungenisela uGunyaziwe isicelo ngeFomu 26A kwiSihlomelelo 3.

(32) Isicelo kufuneka sihambe—
(a) sihambe nesingqinisiso sentlawulo efanelekileyo eyenziwe kuGunyaziwe njengoko ichazwa kumhlathana 10(c) weSihlomelelo 1; kunye

(b) nengcaciso ebhaliweyo exhasa esi sicelo.

(33) IGosa eloNgameleyo kufuneka lisiqwalasele isicelo esenziwe ngokwemiqathango yomgaqwana (31) zingadlulanga iintsuku ezingama-30 emva kokufumana zonke iimpepha ezifanelekileyo ezikhankanywe kwimigaqwana (31) nowama-(32).

(34) UGunyaziwe kufuneka, zingadlulanga iintsuku ezisixhenxe emva kokuba iGosa eloNgameleyo lisenzile isigqibo ngesicelo esenziwe ngokwemiqathango yomgaqwana (31), amazise umfaki-sicelo, umnini-layisenisi negosa lotywala eligunyazisiweyo akwingingqi yalo amasango anelayisenisi nomntu ngamnye obefake isichaso esibhaliweyo okanye ingcaciso kuGunyaziwe malunga nesi sicelo ngento ebhaliweyo ngesi sigqibo ngeFomu 26B kwiSihlomelelo 3.

(35) Esi sicelo sikhankanywe kwicandelo 65(12B) sokwenza ilizungiso okanye sokurhoxiswa kwemiqathango ebibekwe siSigqeba seeMbambano zeeLayisenisi zoTywala ngelixa besisamkela isicelo esenziwe ngokwemiqathango yomgaqwana (1) phantsi kwemiqathango, kufuneka singeniswe kuGunyaziwe negosa lotywala eligunyazisiweyo akwingingqi yolawulo lwalo amasango anelayisenisi ngeFomu 24E kwiSihlomelelo 3.

(36) Isicelo kufuneka sihambe—
(a) sihambe nesingqinisiso sentlawulo efanelekileyo eyenziwe kuGunyaziwe njengoko ichazwa kumhlathana 17(a) weSihlomelelo 1; kunye
(b) nengcaciso ebhaliweyo exhasa esi sicelo.
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(37) Igosa lotywala eligunyazisiweyo zithi zingadlulanga iintsuku ezili-14 emva kokuba singenisiwe isicelo esenziwe ngokwemiqathango yomgaqwana (35), anike umfaki-sicelo ikopi yengxelo yakhe lize lingenisele uGunyaziwe kunye nesingqinisiso sokuba umfaki-sicelo uyinikiwe le ngxelo.

(38) Ingxelo yegosa lotywala eligunyazisiweyo kufuneka iqulathe oku kulandelayo:
(e) inkcazo malunga nefuthe okuya kuba nalo eluntwini oku kwenziwa kwezilungiso kwimiqathango okanye ukurhoxiswa kwayo okanye kweemfuneko; 65
(f) inkcazo malunga nefuthe okuya kuba nalo kulaa maziko akhankanywe kwicandelo 34(1)*(e)*(ii) ukuya ku-(v) kwingingqi yala masango anelayisenisi acetywayo oku kwenziwa kwezilungiso kwimiqathango okanye ukurhoxiswa kwayo okanye kweemfuneko;
(g) naziphi na ezinye iinkcukacha, ukuba zikhona, ezifanele ukuba zithathelwe ingqalelo ngokokubona kwegosa lotywala eligunyazisiweyo, xa kuqwalaselwa esi sicelo; kunye
(h) nesindululo malunga nokwamkelwa okanye ukukhatywa kwesi sicelo.

(39) Ukuba le ngxelo ikhankanywe kumgaqwana (38) iqulathe naziphi na iinkcukacha okanye isindululo esinokuba nefuthe elibi kumnini-layisenisi, igosa lotywala eligunyazisiweyo kufuneka, zingadlulanga iintsuku ezili-14 emva kokuba singenisiwe isicelo esenziwe ngokwemiqathango yomgaqwana (35), limazise umnini-layisenisi ngoko ngento ebhaliweyo lize limcele ukuba aphendule zingadlulanga iintsuku ezisixhenxe emva komhla waloo nothisi.

(40) Ukuba igosa lotywala eligunyazisiweyo liye lasilela ukungenisa ingxelo yalo ngokwemiqathango yomgaqwana (37), iGosa eliLawulayo eliyiNtloko nomyalelo obhaliweyo lokuba angenise ingxelo equlathe ezi nkcukacha zikhankanywe kumgaqwana kumgaqwana (38) malunga nesi sicelo.

(41) Umhloli kufuneka angenise ingxelo yakhe kuGunyaziwe adlulisele ikopi kumfaki-sicelo lingadlulanga elo xesha liye labekwa liGosa eliLawulayo eliyiNtloko ngokwemiqathango yalo myalelo ukhankanywe kumgaqwana (40).

(42) Ukuba le ngxelo ikhankanywe kumgaqwana (41) iqulathe naziphi na iinkcukacha okanye isindululo esimchaphazela kakubi umnini-layisenisi ocetywayolo, igosa lotywala eligunyazisiweyo kufuneka zingadlulanga iintsuku ezili-14 emva kokuba senziwe isicelo ngokwemiqathango yomgaqwana (1) limazise umnini-layisenisi ocetywayo ngento ebhaliweyo lize limcele ukuba aphendule zingadlulanga iintsuku ezisixhenxe emva komhla waloo nothisi

(43) Umfaki-sicelo kufuneka angenise impendulo yakhe ngale ngxelo yegosa lotywala eligunyazisiweyo ikhankanywe kumgaqwana (37) okanye ngale ngxelo yomhloli ikhankanywe kumgaqwana (41) zingadlulanga iintsuku ezisixhenxe emva kokuba eyinikiwe enye yezi ngxelo.

(44) lSigqeba seeMbambano zeeLayisenisi zoTywala kufuneka zithi zingadlulanga iintsuku ezingama-30 emva kokuba sizifumene zonke iimpepha ezifanelekileyo ezikhankanywe kwimigaqwana 35 ukuya ku-43, sisiqwalasele isicelo esenziwe ngokomqathango yomgaqwana (35).

(45) UGunyaziwe kufuneka athi zingadlulanga iintsuku ezisixhenxe emva kokuba iSigqeba seeMbambano zeeLayisenisi zoTywala lisenzile isigqibo ngesicelo senziwe ngokwemiqathango yomgaqwana (35, limazise ngento ebhaliweyo ngesi sigqibo umfaki-sicelo nomntu ngamnye obefake isichaso okanye ingcaciso ebhaliweyo ngesi sicelo ngeFomu 24F kwiSihlomelelo 3.

(46) Esi sicelo sikhankanywe kwicandelo 65(12C) sokwandiselwa ixesha ebelibekwe siSigqeba seeMbambano zeeLayisenisi zoTywala xa besisamkela isicelo phantsi kwemiqathango esenziwe ngokwemiqathango yomgaqwana (1) kufuneka

kufuneka senziwe ngokusingenisela uGunyaziwe ngeFomu 24E kwiSihlomelelo 3.

(47) Isicelo kufuneka sihambe—

(c) nesingqinisiso sentlawulo yokwenza isicelo enikwe uGunyaziwe njengoko ichazwa kumhlathana 17(c) weSihlomelelo 1 kananjalo

(d) nengcaciso ebhaliweyo exhasa esi sicelo echaza—

(i) izizathu zokuba kutheni na le miqathango ikhankanywe kwicandelo 66(4C) okanye imiqathango nemfuneko ezikhankanywe kwicandelo 66(13) ingakwazi ukufezekiseka ingafezekiswanga ngeli xesha belibekiwe siSigqeba seeMbambano zeeLayisenisi zoTywala okanye liGosa eloNgameleyo, ngoko kufanelekileyo;

(ii) ukuba umfaki-sicelo uyifezekise kangakanani na imiqathango okanye iimfuneko;

(iii) amanyathelo aphakanyiswa ngumfaki-sicelo ukuba uza kuwathatha ukuze ayifezekise imiqathango okanye iimfuneko; kwakunye

(iv) nexesha aqikelela ukuba liya kufuneka umfaki-sicelo ekuwagqibeni la manyathelo awacebayo.

(48) IGosa eloNgameleyo lisiqwalasele isicelo esenziwe ngokwemiqathango yomgaqwana (46) zingadlulanga iintsuku ezingama-30 emva kokuzifumana zonke ezi mpepha zikhankanywe kwimigaqwana (46) nowama-(47).

(49) UGunyaziwe kufuneka zithi, zingadlulanga iintsuku ezisixhenxe emva kokuba iGosa eloNgameleyo lisenzile isigqibo ngesicelo esenziwe ngokwemiqathango yomgaqwana (46) amazise umfaki-sicelo, umnini-layisenisi nomntu ngamnye obefake isichaso esibhaliweyo okanye ingcaciso kuGunyaziwe malunga nesi sicelo ngento ebhaliweyo ngesi sigqibo.

(50) Xa isicelo samkelwe ngokwemiqathango yalo Mgaqo, umfaki-sicelo kufuneka ahlawule intlawulo efanelekileyo echazwe kwiSigaba B seSihlomelelo 2 kuGunyaziwe, ngaphandle kwaxa isisicelo esenziwe ngokwemiqathango yomgaqwana (17), .".

Izilungiso kuMgaqo 33 weMigaqo

25. Lo Mgaqo ulandelayo ufakwa endaweni yoMgaqo UMGAQO 33 weMigaqo:

"**Isicelo sokususwa kwelayisenisi**

33. (1) Umnini-layisenisi onenjongo yokususa ilayisenisi ngokwemiqathango yecandelo 66(2) kufuneka angenise isicelo sakhe nekopi sokususa kuGunyaziwe nakwigosa lotywala eligunyazisiweyo akwingingqi yolawulo yalo amasango anelayisenisi kwaye, apho ukunikezelwa kwesicelo kuza kuchaphazela ukususwa kwelayisenisi kwingingqi yolawulo yelinye igosa lotywala eligunyazisiweyo kuloo ngingqi,

nakwigosa lotywala eligunyazisiweyo laloo ngingqi, ngaye nawuphi na uLwesihlanu wayo nayiphi na inyanga, okanye, ukuba loo Lwesihlanu yiholideyi karhulumente, ngomhla wookusebenza wokugqibela phambi kwaloo holideyi karhulumente.

(2) UGunyaziwe kufuneka ashicilele inothisi ngeFomu 27A kwiSihlomelelo 3 *kwiGazethi yePhondo*, ngazo zontathu iilwimi zaseburhulumenteni zeli Phondo ngoLwesihlanu olandela ukufakwa kwesicelo okanye ukuba loo Lwesihlanu—

(b) yiholideyi karhulumente, ngemini yokusebenza yokuqala emva kwaloo holideyi; okanye

(c) ukwisithuba esiphakathi komhla 1 kaDisemba wawo nawuphi unyaka nomhla we-15 Januwari wonyaka olandelayo, ngoLwesihlanu wokuqala emva komhla we-15 Januwari.

(3) UGunyaziwe kufuneka ukuba aqinisekise ukuba le nothisi ikhankanywe kumgaqwana (2) ishicilelwa ngazo zontathu iilwimi zaseburhulumenteni zeli Phondo kwiphepha lengingqi eliphuma kuloo ngingqi isiwa kuyo ilayisenisi, okanye apho kungekho phephandaba lengingqi liphumayo, ubuncinane kwelinye iphephandaba elikhoyo kuloo ngingqi ngolu suku luchazwe kumgaqwana (2), okanye kumhla olandelayo eliphuma ngawo elo phephandaba.

(4) Umfaki-sicelo kufuneka ayixhome le nothisi ngeFomu 27B, ngazo zontathu iilwimi zaseburhulumenteni zeli Phondo, kwindawo ebonakala lula apha kula masango acetywayo anelayisenisi, khona ukuze ibonakale kubantu abadlulayo.

(5) Le nothisi ikhankanywe kumgaqwana (4) kufuneka—

(a) ibe nesihloko esinala magama,
"**INOTHISI YOKUFAKWA KWESICELO SOKUSUSWA KWELAYISENISI**",
abhalwe ngoonobumba abakhulu abamnyama kumphakamo oyi-2 cm ubuncinane abangekho ngaphantsi kwe- 0.5 cm ububanzi kwindawo emhlophe kwiphepha eliyi-A3 ubuncinane ngobukhulu;

(b) ingangenwa ngamanzi; kananjalo

(c) ixhonywe ukusukela kumhla wokufakwa kwesicelo, futhi ihlale kule ndawo iintsuku ezingekho ngaphantsi kwama-28 ukusukela kumhla woshicilelo lwenothisi yokufakwa kwesicelo.

(6) Esi sicelo sikhankanywe kumgaqwana (1) kufuneka—

(a) senziwe ngeFomu 27 kwiSihlomelelo 3;

(b) sichwethezwe kwiphepha elimhlophe eliyi-A4 ubukhulu; futhi

(c) siqulathe ezi nkcukacha zifunwa kuloo Fomu.

(7) Esi sicelo kufuneka sihambe:

(a) iplani ecacileyo eneenkcukacha ezininzi yomgangatho wala masango anelayisenisi acetywayo kwiphepha elingadlulanga ku-A3 ubukhulu, elichwethezwe cacileyo libonisa ngemibala engafaniyo—

(v) amasango acetywayo anelayisenisi kumasango la ewonke;
(vi) ubungakanani bamasango acetywayo anelayisenisi;
(vii) Ubungakanani begumbi ngalinye kula masango acetywayo anelayisenisi;
(viii) indlela aza kusetyenziswa ngayo onke amagumbi ala masango acetywayo anelayisenisi;
(v) zonke iingcango, iifestile neekhawuntala, apho kufanelekileyo, neendawo zokungena nezokuphuma;
(vi) izitalato neendawo ezikhokelela kuzo ezi ndawo zokuphuma;
(vii) apho buza kugcinwa khona utywala kula masango acetywayo anelayisenisi;
(viii) indawo ebuza kuthengiswa kuzo kula masango acetywayo anelayisenisi apha kumasango ewonke;
(ix) iindawo ebuza kuselelwa kuzo utywala apha kumasango ewonke;

(b) Iplani ecacileyo eneenkcukacha ezininzi yomgangatho wala masango anelayisenisi acetywayo kwiphepha elingadlulanga ku-A3 ubukhulu, elichwethezwe cacileyo libonisa ngemibala engafaniyo—
(i) umzobo womphandle wesakhiwo ngasinye kufuphi nala masango acetywayo anelayisenisi kwesi siza sinxulumene nesi sicelo;
(ii umgama phakathi kwala masango acetywayo anelayisenisi nendawo ekuhlalwa kuyo;
(vii) umgama phakathi kwala masango acetywayo anelayisenisi nala maziko akhankanywe kwicandelo 34(1)*(e)*(ii) ukuya ku-(v) kufuphi nala masango acetywayo anelayisenisi, umgama lowo omawuboniswe ngeemitha;
(viii) umgama phakathi kwala masango acetywayo anelayisenisi nalo msebenzi ukhankanywe kwicandelo 41(1)*(c)*(i) kufuphi nala masango acetywayo anelayisenisi, umgama lowo omawuboniswe ngeemitha;
(ix) amanye amasango anelayisenisi kwesi siza; kananjalo
(x) neendlela ezisetyenziswa ngazo zonke izakhiwo ezikufuphi nala masango acetywayo anelayisenisi kwesi siza;

(c) imephu ethathwe emoyeni ebonisa umgama phakathi kwala masango acetywayo anelayisenisi nendawo ekuhlalwa kuyo;
(d) kwiphepha elilodwa, inkcazo yeli cala lichaphazelekayo lamasango anelayisenisi ngokwendlela elakhiwe ngayo, ukuma kwalo, ifenitshala izinto ezibethelelweyo nendlela ogqunywe ngayo umgangatho;
(e) iifoto ezinemibala ezinezalathiso ezibonisa umphakathi nomphandle ogqityiweyo masango acetywayo anelayisenisi okanye, apho isicelo simalunga namasango angekagqitywa, umhlaba oseleyo phambi kokuba agqitywe la masango;

(f) iingcaciso ezibhaliweyo ezixhasa esi sicelo kunye naziphi na izibakala ezibekiweyo, imvume, ulwamkelo okanye ugunyaziso ebelufakelwe isicelo;

(g) isingqinisiso sentlawulo kuGunyaziwe yentlawulo yesicelo efanelekileyo echazwe kumhlathana 11 weSihlomelelo 1;

(h) ikopi eqinisekisiweyo—

(i) yesazisi somfaki-sicelo;

(iii) nekopi eqinisekisiweyo yesazisi somfaki-sicelo okanye ipasipoti nevisa okanye iadresi esisigxina yalapho ahlala khona umfaki-sicelo, ukuba umfaki-sicelo ngumntu welinye ilizwe; okanye

(iv) iimpepha zobhaliso ezifanelekileyo ezibonisa izazisi zamalungu onke, nochaphazeleko lwawo ngokwasezimalini, abalawuli, amahlakani, abaxhamli okanye ootrasti, ukuba umfaki-sicelo akangomntu uthile;

(i) ezo mpepha zinokuthi zichazwe kwiFomu 27 kwiSihlomelelo 3 nakuMthetho lo, okanye ezinokuthi zifunwe siSigqeba seeMbambano zeeLayisenisi zoTywala;

(j) Inkcazo efungelweyo yomfaki-sicelo yokuba akangomntu ungafanelekanga ngokwemiqathango yecandelo 35, ukuba angaba nelayisenisi yotywala;

(k) isingqinisiso sokuba umfaki-sicelo uyingenisile ikopi yesi sicelo kwigosa lotywala eligunyazisiweyo akwingingqi yolawulo yalo amasango anelayisenisi kungoku nje, apho ukwamkelwa kwesicelo nalapho ukwamkelwa kwesicelo kuza kukhokelela ekususweni kwelayisenisi isiwe kwingingqi yolawulo yelinye igosa lotywala eligunyazisiweyo, nesingqinisiso sokuba umfaki-sicelo uyingenisile ikopi yesi sicelo kwigosa lotywala eligunyazisiweyo laloo ngingqi;

(l) Isiqinisekiso sanqangi esisemthethweni sokuba umfaki-sicelo akatyali kwirhafu esikhutshwe ziiNkonzo zeRhafu zoMzantsi Afrika (South African Revenue Services) esingadlulanga kwiinyanga ezintathu sikhutshiwe ukususka kulo mhla wokufakwa kwesicelo;

(m) Isingqinisiso sokuba umfaki-sicelo unalo ilungelo lokungena kula masango acetywayo anelayisenisi;

(n) Isingqinisiso sobunini bala masango okanye, ukuba umfaki-sicelo akanguye umnini wala masango, imvume ebhaliweyo evela kumninini wamasango echaza ukuba umfaki-sicelo angawasebenzisa la masango anelayisenisi ngokwenjongo yale layisenisi yenzelwa esi sicelo sokususwad ngokwemiqathango yomgaqwana (1).

(8) Zonke iiplani eziqhotyoshelwe kwesi sicelo kufuneka zibonakalise umhla woqulunqo lwazo negama neadresi yomntu owaqulunqa ezo plani.

(9) UGunyaziwe negosa lotywala eligunyazisiweyo okanye amagosa achaphazelekayo kufuneka anike uluntu ithuba lokusihlola esi sicelo nazo naziphi iimpepha ezingenisiweyo kuGunyaziwe malunga nesi

sicelo isithuba seentsuku ezingama-28 emva komhla woshicilelo lwenothisi yokungeniswa kwesicelo.

(10) Igosa lotywala eligunyazisiweyo eza kusiwa kwingingqi yolawulo yalo ilayisenisi—

(a) linike imanejala kamasipala ochaphazelekayo ikopi yesicelo zingadlulanga iintsuku ezisixhenxe ukususka kumhla wokungeniswa kwesicelo khona ukuze umasipala lowo—

(i) anike uluntu ithuba lokusijonga isicelo;

(ii) afumane izimvo zikaceba wewadi yengingqi kamasipala apho akhoyo amasango anelayisenisi acetywayo anelayisenisi ; aze

(iii) avakalise izimvo zakhe ngesi sicelo;

(b) le nothisi liyinike—

(i) abahlali abakufutshane okanye abo bantu libona ukuba bangaba nochaphazeleka kukwamkelwa okanye kukukhatywa kwesi sicelo; kunye

(ii) Neqonga lezobupolisa lasekuhlaleni, ukuba likhona, laloo ngingqi akuyo la masango acetywayo anelayisenisi

(11) Ukuba lo masipala ukhankanywe kumgaqwana (10) unenjongo yokuvakalisa izimvo okanye izindululo kufuneka azingenise zingadlulanga iintsuku ezingama-28 emva kokuba eyinikiwe ikopi yesicelo.

(12) *(a)* Ukuba umntu onochaphazeleko ekunikezweni nasekukhatyweni kwesicelo esingeniswe kulandelwa umgaqwana (1) uzimisele ukufaka izimvo zakhe zokuxhasa okanye zokuchasa isicelo, angakwenza oko kwiintsuku ezingama-28 ukususela kumhla wopapasho lwenothisi yesaziso.

(b) Umntu ekubhekiswe kuye kumhlathi *(a)* kufuneka—

(i) ahambise ikopi yezimvo zakhe ezibhaliweyo kumfaki-sicelo okanye kummeli wakhe nakwigosa lezotywala eligunyazisiweyo elisebenza kuloo mmandla waloo layisenisi emayisuswe kwisithuba esichazwe kumhlathi *(a)*; yaye

(ii) afake izimvo ezibhaliweyo zanqangi kuGunyaziwe kwisithuba esixelwe kumhlathi *(a).*

(13) Ingxelo yegosa lotywala eligunyazisiweyo akwingingqi yolawulo yalo amasango ngoku kufuneka ibandakanye oku kulandelayo—

(a) iadresi yamasango anelayisenisi;

(b) isishwankathelo sendlela awaliqhuba ngayo ishishini lakhe umnini-layisenisi kula masango anelayisenisi; kunye

(c) nesindululo malunga nokwamkelwa okanye nokukhatywa kwesi sicelo.

(14) Igosa lotywala eligunyazisiweyo akwingingqi yolawulo yalo amasango la kungoku nje nalapho ukwamkelwa kwesicelo kuya kukhokelela ekususweni kwelayisenisi iye kwingingqi yolawulo yelinye igosa lotywala eligunyazisiweyo kufuneka zingadlulanga iintsuku ezingama-

35 emva komhla woshicilelo lokungeniswa kwenothisi, anike umfaki-sicelo ikopi yesi sicelo lize lingenisele uGunyaziwe nesingqinisiso sokuba umfaki-sicelo uyinikiwe le ngxelo.

(15) Ingxelo yegosa lotywala eligunyazisiweyo iza kusiwa kwingingqi yolawulo yalo ilayisenisi kufuneka ibandakanye oku kulandelayo—
(a) iadresi yamasango acetywayo anelayisenisi;
(b) umgama phakathi kwendawo akuyo amasango acetywayo—
(i) Nala maziko akhankanywe kwicandelo 34(1)*(e)*(ii) ukuya ku- (v);
(ii) nendawo ekuhlalwa kuyo;
(iii) namanye amasango anelayisenisi; kananjalo
(iv) nalo msebenzi ukhankanywe kwicandelo 41(1)*(c)*(i),
kufuphi nala masango acetywayo anelayisenisi;
(c) ukufaneleka kwala masango acetywayo anelayisenisi;
(d) uchaphazeleko loluntu;
(e) amanani-nkcazo olwaphulo-mthetho, ukuba akhona, elicinga ukuba anganefuthe kula masango acetywayo anelayisenisi;
(f) isindululo malunga nokwamkelwa okanye nokukhatywa kwesi sicelo;
(g) inkcazo malunga nokuba ngaba umfaki-sicelo wayifezekisa na imiqathango yomgaqwana (4);
(h) inkcazo malunga nokuba ngaba ikopi yesi sicelo wayinikwa na umasipala ochaphazelekayo;
(i) inkcazo malunga nokuba ngaba inothisi yesicelo yanikwa ngokwemiqathango yo mgaqwana (10).

(16) Ukuba naliphi na igosa lotywala eligunyazisiweyo elikhankanywe kumgaqwana (1) liyasilela ukungenisa ingxelo ngokwemiqathango yomgaqwana (13) iGosa eliLawulayo eliyiNtloko lisenokudlulisela ikopi yesi sicelo kumhloli kunye nomyalelo obhaliweyo wokuba angenise ingxelo equlathe ezi nkcukacha zikhankanywe kumgaqwana (14 okanye (15), ngoko kufanelekileyo, imalunga nesi sicelo.

(17) Umhloli kufuneka ukuba, zithi zingadlulanga iintsuku ezingama-21 emva kokuba ecelwe ukuba enze njalo angenisele uGunyaziwe ingxelo yakhe adlulisele umfaki-sicelo ikopi.

(18) Ukuba ngaba le ngxelo yegosa lotywala eligunyazisiweyo ikhankanywe kumgaqwana (13) okanye le ngxelo yomhloli ikhankanywe kumgaqwana (17) imalunga nesi sicelo iqulathe naziphi na iinkcukacha okanye isindululo esisichaphazela kakubi esi sicelo, umfaki-sicelo kufuneka angenise impendulo yakhe kuGunyaziwe ngale ngxelo zingadlulanga iintsuku ezisixhenxe emva kokuba eyinikiwe.

(19) ISigqeba seeMbambano zeeLayisenisi zoTywala kufuneka zithi zingadlulanga iintsuku ezingama-30 emva kokuba sizifumene zonke iimpepha ezifanelekileyo ezikhankanywe kwimigaqwana (1), (6), (7), (11), (12), 13, (17) naku-(18), sisiqwalasele isicelo esenziwe ngokwemiqathango yomgaqwana (1).

(20) UGunyaziwe kufuneka athi zingadlulanga iintsuku ezisixhenxe emva kokuba iSigqeba seeMbambano zeeLayisenisi zoTywala sisithathile isigqibo ngesicelo esenziwe ngokwemiqathango yomgaqwana (1), amazise umfaki-sicelo nomntu ngamnye obefake isichaso esibhaliweyo okanye ingcaciso kuGunyaziwe malunga nesi sicelo ngento ebhaliweyo ngesi sigqibo ngeFomu 27C kwiSihlomelelo 3.

(21) Xa iSigqeba seeMbambano zeeLayisenisi zoTywala sisamkela isicelo phantsi kwemiqathango, esenziwe ngokwemiqathango yomgaqwana (1) okanye nesamkela isicelo ngokwalaa ndlela ikhankanywe kwicandelo 66(13), ngoko kufanelekileyo, uGunyaziwe kufuneka zithi zingaphelanga iintsuku ezisixhenxe amazise umfaki-sicelo nomntu ngamnye obefake isichaso esibhaliweyo okanye ingcaciso kuGunyaziwe malunga nesi sicelo ngento ebhaliweyo ngesi sigqibo ngeFomu 27D kwiSihlomelelo 3.

(22) Xa isicelo esenziwe ngokwemiqathango yomgaqwana (1) samkelwe uGunyaziwe kufuneka ukuba zingadlulanga iintsuku ezili-14 kwentlawulo yomfaki-sicelo echazwe kwiSigaba B, kambe ethathele ingqalelo umgaqwana (22), seSihlomelelo 2, akhuphe isiqinisekiso sokukhutshwa ngokwemiqathango yecandelo 66(6) ngeFomu 28 kwiSihlomelelo 3.

(23) Xa isicelo esenziwe ngokwemiqathango yomgaqwana (1) samkelwe phantsi kwemiqathango okanye isicelo samkelwe ngokwalaa ndlela ikhankanywe kwicandelo 66(13), uGunyaziwe kufuneka zithi zingaphelanga iintsuku ezisixhenxe emva kokuba iGosa eloNgameleyo lanelisekile kukuba umfaki-sicelo uyifezekisile imiqathango ebibekwe siSigqeba seeMbambano zeeLayisenisi zoTywala okanye imiqathango ebibekwe liGosa eloNgameleyo, ngoko kufanelekileyo, amazise umfaki-sicelo ngento ebhaliweyo.

(24) Inothisi eya kumfaki-sicelo kufuneka ibe kwiFomu 27E kwiSihlomelelo 3.

(25) Umfaki-sicelo kufuneka ayihlawule intlawulo efanelekileyo echazwe kwiSigaba B seSihlomelelo 2 kuGunyaziwe angenise nesingqinisiso sentlawulo kuGunyaziwe.

(25) UGunyaziwe kufuneka ukuba zithi zingadlulanga iintsuku ezili-14 singenisiwe isingqinisiso sale ntlawulo ikhankanywe kumgaqwana (25), akhuphele umfaki-sicelo nesiqinisekiso sokusiwa kumfaki-sicelo ngeFomu 28 kwiSihlomelelo 3.

(27) Isicelo soxolelo ngokwemiqathango yecandelo 66(8) kufuneka singeniswe kuGunyaziwe ngeFomu 27F kwiSihlomelelo 3.

(28) IGosa eliLawulayo eliyiNtloko kufuneka zithi zingadlulanga iintsuku ezingama-30 emva kokufumana esi sicelo sikhankanywe kumgaqwana (27), lisiqwalasele eso sicelo.

(29) UGunyaziwe zithi zingadlulanga iintsuku ezisixhenxe emva kokuba iGosa eliLawulayo eliyiNtloko lisithathile isigqibo ngesicelo esenziwe ngokwemiqathango yomgaqwana (26), amazise umfaki-sicelo ngeso sigqibo ngento ebhaliweyo.

(30) Ukuba iGosa eliLawulayo eliyiNtloko liyasamkela esi sicelo sikhankanywe kumgaqwana (26), umfaki-sicelo kufuneka ahlawule uGunyaziwe intlawulo efanelekileyo kunye nesiya sohlwayo sikhankanywe kwicandelo 66(8).

(31) Isicelo—
(a) sokwenziwa kwezilungiso kwimiqathango ebibekwe siSigqeba seeMbambano zeeLayisenisi zoTywala xa besisamkela isicelo phantsi kwemiqathango esenziwe ngokwemiqathango yomgaqwana (1) okanye sokurhoxiswa kwayo;
(b) sokutshitshisa okanye ukwenziwa kwezilungiso kuwo nawuphi na umqathango okanye imfuneko ebibekwe phantsi kwecandelo 66(13); okanye
(c) ukwamkela iplani eyenziwe izilungiso ekhankanywe kwicandelo 66(14),
kufuneka singeniswe kuGunyaziwe negosa lotywala eligunyazisiweyo eza kusiwa kwingingqi yolawulo yalo ilayisenisi ngeFomu 27G kwiSihlomelelo 3.

(32) Isicelo kufuneka—
(a) sihambe nesingqinisiso sentlawulo yokwenza isicelo enikwe uGunyaziwe njengoko ichazwa kumhlathana 17(a), (b) okanye (d) weSihlomelelo 1, ngoko kufanelekileyo;
(b) sihambe nengcaciso ebhaliweyo exhasa esi sicelo; kunye
(c) nekopi yeplani yamasango eyenziwe izilungiso ukuba sisicelo esenziwe ngokwemiqathango yomgaqwana (31)*(c)*.

(33) Igosa lotywala eligunyazisiweyo eza kusiwa kwingingqi yolawulo yalo ilayisenisi kufuneka zithi zingadlulanga iintsuku ezili-14 emva kokuba singenisiwe isicelo ngokwemiqathango yomgaqwana (31)*(a)*, *(b)* okanye *(c)*, ngoko kufanelekileyo, lingenisele umfaki-sicelo ikopi yengxelo yalo, lize ke liyingenisele uGunyaziwe kunye nesingqinisio sokuba umfaki-sicelo uyingeniselwe le ngxelo.

(34) Ingxelo yegosa lotywala eligunyazisiweyo kufuneka ibandakanye oku kulandelayo:
(a) inkcazo malunga nefuthe okuya kuba nalo eluntwini oku kwenziwa kwezilungiso kwimiqathango okanye ukurhoxiswa kwayo okanye ukucinywa kwayo okanye kweemfuneko;

(b) inkcazo malunga nefuthe okuya kuba nalo kulaa maziko akhankanywe kwicandelo 34(1)*(e)*(ii) ukuya ku-(v) kwingingqi yala masango anelayisenisi acetywayo oku kwenziwa kwezilungiso kwimiqathango okanye ukurhoxiswa kwayo okanye ukucinywa kwayo okanye kweemfuneko;

(c) naziphi na ezinye iinkcukacha, ukuba zikhona, ezifanele ukuba zithathelwe ingqalelo ngokokubona kwegosa lotywala eligunyazisiweyo, xa kuqwalaselwa esi sicelo; kunye

(d) nesindululo malunga nokwamkelwa okanye ukukhatywa kwesi sicelo.

(35) Ukuba igosa lotywala eligunyazisiweyo liyasilela ukungenisa ingxelo yalo ngokwemiqathango yomgaqwana (33), iGosa eliLawulayo eliyiNtloko lisenokudlulisela ikopi yesi sicelo kumhloli kunye nomyalelo obhaliweyo wokuba angenise ingxelo equlathe ezi nkcukacha zikhankanywe kumgaqwana (33), malunga nesicelo eso.

(36) Umhloli kufuneka angenise ingxelo yakhe kuGunyaziwe adlulisele ikopi kumfaki-sicelo lingadlulanga elo xesha liye labekwa liGosa eliLawulayo eliyiNtloko ngokwemiqathango yomgaqwana (35).

(37) Umfaki-sicelo kufuneka angenise impendulo yakhe kuGunyaziwe ngale ngxelo yegosa lotywala eligunyazisiweyo ikhankanywe kumgaqwana (33) okanye ngale ngxelo yomhloli ikhankanywe kumgaqwana (36) zingadlulanga iintsuku ezisixhenxe emva kokuba eyinikiwe enye yezi ngxelo.

(38) ISigqeba seeMbambano zeeLayisenisi zoTywala okanye iGosa eloNgameleyo, ngoko kufanelekileyo, kufuneka lisiqwalasele isicelo esenziwe ngokwemiqathango yomgaqwana (31)*(a)*, *(b)* okanye (c zingadlulanga iintsuku ezingama-30 emva kokufumana zonke iimpepha ezifanelekileyo ezikhankanywe kwimigaqwana (31) ukuya ku-(37).

(39) UGunyaziwe kufuneka athi zingadlulanga iintsuku ezisixhenxe emva kokuba iSigqeba seeMbambano zeeLayisenisi zoTywala okanye iGosa eloNgameleyo, ngoko kufanelekileyo, lisenzile isigqibo ngesicelo senziwe ngokwemiqathango yomgaqwana (31)*(a)*, *(b)* okanye *(c)*, limazise ngento ebhaliweyo ngesi sigqibo umfaki-sicelo nomntu ngamnye obefake isichaso okanye ingcaciso ebhaliweyo ngesi sicelo ngeFomu 27H kwiSihlomelelo 3.

(40) Isicelo sokwandiselwa ixesha—

(a) ebelibekwe siSigqeba seeMbambano zeeLayisenisi zoTywala ngokwemiqathango yecandelo 66(4A); okanye

(b) ebelibekwe liGosa eloNgameleyo ngokwemiqathango yecandelo 66(13) okanye (14)*(b)*,

kufuneka senziwe ngokusingenisela uGunyaziwe ngeFomu 27G kwiSihlomelelo 3.

(41) Isicelo kufuneka—

(a) sihambe nesingqinisiso sentlawulo yokwenza isicelo enikwe uGunyaziwe njengoko ichazwa kumhlathana 17(c) weSihlomelelo 1; kananjalo

(b) sihambe nengcaciso ebhaliweyo exhasa esi sicelo echaza—

(v) izizathu zokuba kutheni na le miqathango ikhankanywe kwicandelo 66(4C) okanye imiqathango nemfuneko ezikhankanywe kwicandelo 66(13) ingakwazi ukufezekiseka ingafezekiswanga ngeli xesha belibekiwe siSigqeba seeMbambano zeeLayisenisi zoTywala okanye liGosa eloNgameleyo, ngoko kufanelekileyo;

(vi) ukuba umfaki-sicelo uyifezekise kangakanani na imiqathango okanye iimfuneko;

(vii) amanyathelo aphakanyiswa ngumfaki-sicelo ukuba uza kuwathatha ukuze ayifezekise imiqathango okanye iimfuneko; kwakunye

(viii) nexesha aqikelela ukuba liya kufuneka umfaki-sicelo ekuwagqibeni la manyathelo awacebayo.

(42) IGosa eloNgameleyo kufuneka lisiqwalasele isicelo esenziwe ngokwemiqathango yomgaqwana (40)*(a)* okanye *(b)* zingadlulanga iintsuku ezingama-30 emva kokufumana zonke iimpepha ezifanelekileyo ezikhankanywe kwimigaqwana (40) no-(41).

(43) UGunyaziwe kufuneka athi zingadlulanga iintsuku ezisixhenxe emva kokuba iGosa eloNgameleyo lisenzile isigqibo ngesicelo esenziwe ngokwemiqathango yomgaqwana (40)*(a)* okanye *(b)*, amazise ngento ebhaliweyo ngesi sigqibo umfaki-sicelo nomntu ngamnye obefake isichaso okanye ingcaciso ebhaliweyo ngesi sicelo kuGunyaziwe ngeFomu 27H kwiSihlomelelo 3.

(44) Xa isicelo samkelwe ngokwemiqathango yalo mgaqo umfaki-sicelo kufuneka ayihlawule intlawulo efanelekileyo echazwe kwiSigaba B seSihlomelelo 2 kuGunyaziwe, ngaphandle kwaxa isisicelo esenziwe ngokwemiqathango yomgaqwana (27).”.

Izilungiso kuMgaqo 34 weMigaqo

26. Lo mgaqo ulandelayo ufakwa endaweni yoMgaqo 34 weMigaqo:

“**Izibheno novandlakanyo**

34. (1) Umntu ongenise —

(a) isicelo;

(b) isichaso; okanye

(c) ingcaciso,

ngokwemiqathango yalo Mthetho noziva echaphazeleke kakubi sisigqibo esenziwe siSigqeba seeMbambano zeeLayisenisi zoTywala, iGosa eloNgameleyo okanye uSekela-Gosa eloNgameleyo, ngoko kufanelekileyo, malunga nesicelo, nesichaso okanye nengcaciso

nonenjongo zokungenisa kuGunyaziwe inothisi yesibheno okanye isicelo sovandlakanyo (umntu lowo ekuthiwa kulo mgaqo ngumbheni), usenokucela iSigqeba seeMbambano zeeLayisenisi zoTywala, iGosa eloNgameleyo ookanye uSekela-Gosa eloNgameleyo, ngoko kufanelekileyo, amnike izizathu zeso sigqibo.

(2)*(a)* Umbheni oneenjongo zokucela izizathu zesigqibo kufuneka asingenise isicelo sezizathu kuGunyaziwe—

(i) zingadlulanga iintsuku ezili-14 emva komhla awaziswa ngawo ngesigqibo; okanye

(ii) lungadlulanga usuku emva komhla awaziswa ngawo ngesigqibo, ukuba inothisi yesibheno okanye yesicelo sovandlakanyo imalunga nesicelo esenziwe ngokwemiqathango yoMgaqo19(1)*(a)* okanye *(b)*.

(b) Umbheni ongenazinjongo zokucela izizathu zesigqibo kufuneka athi zingadlulanga—

(i) iintsuku ezingama-40 emva komhla awaziswa ngawo ngesigqibo; okanye

(ii) iintsuku ezine emva komhla awaziswa ngawo ngesigqibo, ukuba inothisi yesibheno okanye yesicelo sovandlakanyo imalunga nesicelo esenziwe ngokwemiqathango yoMgaqo19(1)*(a)* okanye *(b)*,

acele kuGunyaziwe uluhlu lwamagama neeadresi zawo onke amaqela achaphazelekayo, ukuba akhona, anokuthi achatshazelwe yile nothisi yesibheno okanye sesi sicelo sovandlakanyo.

(3) ISigqeba seeMbambano zeeLayisenisi zoTywala, iGosa eloNgameleyo okanye uSekela-Gosa eloNgameleyo, ngoko kufanelekileyo, kufuneka—

(a) kwisicelo esenziwe ngokwemiqathango yomgaqwana (2)*(a)*(i), zingadlulanga iintsuku ezingama-21; okanye

(b) kwisicelo esenziwe ngokwemiqathango yomgaqwana (2)*(a)*(ii), zingadlulanga iintsuku ezimbini,

Emva kokufumana isicelo sezizathu, azivelise izizathu zesigqibo ngento ebhaliweyo.

(4) Lo mbheni ukhankanywe kumgaqwana (2)*(a)* kufuneka acele kuGunyaziwe uluhlu lwamagama neeadresi zawo onke amaqela achaphazelekayo, ukuba akhona, anokuthi achatshazelwe yile nothisi yesibheno okanye sesi sicelo sovandlakanyo zingadlulanga—

(a) iintsuku ezintlanu emva kokuba ezifumene izizathu zesigqibo; okanye

(b) lungadlulanga usuku emva komhla awazifumana ngawo izizathu zesigqibo, ukuba inothisi yesibheno okanye yesicelo sovandlakanyo imalunga nesicelo esenziwe ngokwemiqathango yoMgaqo19(1)*(a)* okanye *(b)*.

(5) UGunyaziwe kufuneka amnike umbheni olu luhlu—
(a) zingaphelanga iintsuku ezintlanu emva kokufumana isicelo esenziwe ngokwemiqathango yomgaqwana (2)*(b)*(i) okanye (4)*(a)*, ngoko kufanelekileyo; okanye
(b) lungadlulanga usuku emva kokufumana isicelo esenziwe ngokwemiqathango yomgaqwana (2)*(b)*(ii) okanye (4)*(b)*, ngoko kufanelekileyo.

(6)*(a)* Umbheni kufuneka angenisele uGunyaziwe inothisi yesibheno okanye yesicelo sovandlakanyo, ngoko kufanelekileyo, ngeFomu 29 kwiSihlomelelo 3—
(i) zingadlulanga iintsuku ezingama-20 emva kweli xesha likhankanywe kumgaqwana 5*(a)*; okanye
(ii) zingaphelanga iintsuku zintlanu emva kweli xesha likhankanywe kumgaqwana 5*(b).*
(b) Umbheni kufuneka lingadlulanga eli xesha likhankanywe kumhlathi *(a)*(i) okanye (ii), ngoko kufanelekileyo—
(i) anike umntu ngamnye ochaphazelekayo, ukuba ukhona. Ikopi yale nothisi okanye yesi sicelo sikhankanywe kumhlathi *(a)* onkcukacha zakhe zivelayo koluya luhlu lukhankanywe kumgaqwana (5); aze
(ii) Anike uGunyaziwe isingqinisiso sokuba inothisi okanye isicelo basidluliselwe.

(7) Inothisi yesibheno okanye isicelo sovandlakanyo kufuneka—
(a) sichwethezwe ephepheni elimhlophe elingu-A4 izithuba zibe zibini phakathi kwemigca;
(b) sihambe nenkcazo enika imihlaba esisekelwe phezu kwayo esi sibheno okanye esi sicelo sovandlakanyo;
(c) sihambe nenkcazo emfutshane yamanqaku aphambili okanye iingongoma zomthetho aceba ukuyisekela kuzo ingxoxo yakhe umbheni xa kuxoxwa ngesi sibheno okanye esi sicelo sovandlakanyo;
(d) Uluhlu lweengcali eziya kusetyenziswa ekuxhaseni inqaku eliphambili ngalinye; kananjalo
(e) nokona afuna kwenzeke umbheni.

(8)*(a)* ISigqeba seeMbambano zeeLayisenisi zoTywala, iGosa eloNgameleyo okanye uSekela-Gosa eloNgameleyo, ngoko kufanelekileyo, nawuphi na ochaphazelekileyo njengoko kukhankanywa kumgaqwana (6)*(b)*(i) bangangenisela iSigqeba seZibheno inkcazo ephendula inothisi yesibheno okanye isicelo sovandlakanyo esikhankanywe kumgaqwana (7) zingadlulanga—
(i) Iintsuku ezili-14 emva kokufumana inothisi yesibheno okanye isicelo sovandlakanyo; okanye
(ii) Iintsuku ezintlanu emva kokufumana inothisi yesibheno okanye isicelo sovandlakanyo ukuba inothisi yesibheno okanye isicelo sovandlakanyo sasingeniswe malunga nesicelo esenziwe ngokwemiqathango yoMgaqo 19(1)*(a)* okanye *(b)*;

(b) ISigqeba seeMbambano zeeLayisenisi zoTywala, iGosa eloNgameleyo okanye uSekela-Gosa eloNgameleyo, ngoko kufanelekileyo, nawuphi na ochaphazelekileyo njengoko kukhankanywa kumgaqwana (6)*(b)*(i), kufuneka lithi lingadlulanga eli xesha likhankanywe kumhlathi *(a)*(i) okanye (ii), ngoko kufanelekileyo—

(i) banike umbheni ikopi yale nkcazo ikhankanywe kumhlathi *(a)*; kananjalo

(ii) banike uGunyaziwe isingqinisiso sokuba inkcazo ephendulayo ingenisiwe.

(9) Inkcazo ephendulayo kufuneka—

(a) isichwethezwe ephepheni elimhlophe elingu-A4 izithuba zibe zibini phakathi kwemigca;

(b) Inike impendulo ngenothisi yesibheno okanye ngesicelo sovandlakanyo esingeniswe ngokwemiqathango yomgaqwana (6)*(a)*; kananjalo

(c) Uluhlu lweengcali, ukuba zikhona eziya kusetyenziswa ekuxhaseni le nkcazo.

(10) IGosa eliLawulayo eliyiNtloko kufuneka zithi zingadlulanga iintsuku ezisixhenxe emva kokufumana inothisi yesibheno okanye isicelo sovandlakanyo, okanye zingadlulanga kwiintsuku ezimbini emva kokufumana inothisi yesibheno okanye isicelo sovandlakanyo ukuba inothisi okanye sangeniswa malunga nesicelo esenziwe ngokwemiqathango yoMgaqo 19(1)*(a)* okanye *(b)*—

(a) likhuphele iSigqeba seeMbambano zeeLayisenisi zoTywala, iGosa eloNgameleyo okanye uSekela-Gosa eloNgameleyo, ngoko kufanelekileyo, umbheni nawuphi na ochaphazelekileyo njengoko kukhankanywa kumgaqwana (6)*(b)*(i) inothisi ebhaliweyo yomhla wokuqwalaselwa kwenothisi yesibheno okanye kwesicelo sovandlakanyo, umhla lowo ekufuneka ukuba—

(i) ungabi sezidlulile iintsuku ezingama-50 emva kokufumana inothisi yesibheno okanye isicelo sovandlakanyo; okanye

(ii) Iintsuku ezili-10 emva kokufumana inothisi yesibheno okanye isicelo sovandlakanyo ukuba inothisi yesibheno okanye isicelo sovandlakanyo yangeniswa malunga nesicelo esenziwa ngokwemiqathango yoMgaqo 19(1)*(a)* okanye *(b)*;

(b) lingenisele iSigqeba seZibheno irekhodi yesigqibo seSigqeba seeMbambano zeeLayisenisi zoTywala, iGosa eloNgameleyo okanye uSekela-Gosa eloNgameleyo, ngoko kufanelekileyo, emalunga nenothisi yesibheno okanye nesicelo sovandlakanyo;

(c) lingenisele iSigqeba seZibheno, apho sikhoyo, umkhuphelo weengxoxo zentlanganiso yeSigqeba seeMbambano zeeLayisenisi zoTywala ebezikwisichiceleli selizwi malunga nenothisi yesibheno okanye nesicelo sovandlakanyo; kananjalo

(d) lingenisele iSigqeba seZibheno inothisi yesibheno okanye isicelo sovandlakanyo.

(11) Umbheni angathi nanini na phambi kokuba iSigqeba seZibheno sithathe isigqibo ngenothisi yesibheno okanye ngesicelo sovandlakanyo ebesingeniswe ngumbheni, ayirhoxise inothisi yesibheno okanye isicelo sovandlakanyo ngokuthi anike iGosa eliLawulayo eliyiNtloko inothisi ebhaliweyo yokurhoxisa.

(12) ISigqeba seZibheno kufuneka siqwalasele inothisi yezibheno okanye isicelo sovandlakanyo kumhla oxelwe kumgaqwana (10) okanye (28), ngokokufanelekileyo.

(13) ISigqeba seZibheno sisenokuthi sicele ezinye iinkcukacha esizibona zifanelekile ekucaciseni imiba evelisiweyo kwinothisi yesibheno okanye kwisicelo sovandlakanyo kwiSigqeba seeMbambano zeeLayisenisi zoTywala, iGosa eloNgameleyo okanye kuSekela-Gosa eloNgameleyo, ngoko kufanelekileyo, kumbheni okanye nakubani na ochaphazelekayo njengoko kukhankanywa kumgaqwana (6)*(b)*(i).

(14) ISigqeba seZibheno kufuneka, zithi zingadlulanga iintsuku ezintlanu emva kokuzifumana zonke ezi mpepha zifanelekileyo nezi nkcukacha zikhankanywe kwimigaqwana (8) no-(10) okanye lungadlulanga usuku emva kokuzifumana zonke ezi mpepha zifanelekileyo nezi nkcukacha zikhankanywe kwimigaqwana (8) no-(10) ukuba inothisi yesibheno okanye isicelo sovandlakanyo sasingeniswe malunga nesicelo esenziwe ngokwemiqathango yoMgaqo 19(1)*(a)* okanye *(b)*, siqwalasele ukuba ngaba iSigqeba seZibheno sisenezinye iinkcukacha esisazifunayo na.

(15) Ukuba iSigqeba seZibheno sifumanisa ukuba zisekhona ezinye iinkcukacha ezifunekayo, iGosa eliLawulayo eliyiNtloko kufuneka zithi zingadlulanga iintsuku ezintlanu emva kolu qwalaselo lukhankanywe kumgaqwana (14) okanye lungadlulanga usuku emva kolu qwalaselo lukhankanywe kumgaqwana (14) ukuba inothisi yesibheno okanye isicelo sovandlakanyo sasingeniswe malunga nesicelo esenziwe ngokwemiqathango yoMgaqo 19(1)*(a)* okanye *(b)*, sazise umntu ofanelekileyo ukuba kufuneka ezinye iinkcukacha nokuba zeziphi na ezo nkcukacha zisafunekayo.

(16) Lo mntu kucelwa kuye ezinye iinkcukacha kufuneka zithi zingadlulanga iintsuku ezintlanu emva kokufumana le nothisi ikankanywe kumgaqwana (15) okanye lungadlulanga usuku emva kokufumana le nothisi ikankanywe kumgaqwana (15) ukuba inothisi yesibheno okanye isicelo sovandlakanyo sasingeniswe malunga nesicelo esenziwe ngokwemiqathango yoMgaqo 19(1)*(a)* okanye *(b)*—

(a) adlulisele iikopi zezi nkcukacha zizezinye zifunekayo—

(i) kuye wonke umntu ochaphazelekayo okhankanywe kumgaqwana (6)*(b)*(i) nakwiSigqeba seeMbambano zeeLayisenisi zoTywala, iGosa eloNgameleyo okanye uSekela-Gosa eloNgameleyo, ngoko kufanelekileyo, ukuba loo mntu ungumbheni;

(ii) kumbheni, iSigqeba seeMbambano zeeLayisenisi zoTywala, iGosa eloNgameleyo okanye uSekela-Gosa eloNgameleyo, ngoko kufanelekileyo, naye wonke umntu ochaphazelekayo ochazwe kumgaqwana (6)*(b)*(i), ukuba loo mntu ungumntu ochaphazelekayo; okanye

(iii) kumbheni naye wonke umntu ochaphazelekayo ochazwe kumgaqwana (6)*(b)*(i), ukuba umntu lowo siSigqeba seeMbambano zeeLayisenisi zoTywala, iGosa eloNgameleyo okanye uSekela-Gosa eloNgameleyo, ngoko kufanelekileyo; kananjalo

(b) angenisele iGosa eliLawulayo eliyiNtloko ezi nkcukacha zizezinye.

(17) IGosa eliLawulayo eliyiNtloko kufuneka ngale mini lifumana ezi nkcukacha, lidlulisele iSigqeba seZibheno ezi n kcukacha`.

(18) Xa ezi nkcukacha zizezinye zikhankanywe kumgaqwana (16), abantu abachaphazelekayo abakhankanywe kumgaqwana (16)*(a)* basenokuthi—

(a) zingadlulanga iintsuku ezintlanu okanye

(b) lungadlulanga usuku emva kokufumana ezi nkcukacha zizezinye ukuba inothisi yesibheno okanye isicelo sovandlakanyo sasingeniswe malunga nesicelo esenziwe ngokwemiqathango yoMgaqo 19(1)*(a)* okanye *(b)*,

bangenisele iSigqeba seZibheno izimvo zabo ngezi nkcukacha zizezinye zingenisiweyo.

(19) ISigqeba seZibheno lingayiqwalasela inothisi yesibheno okanye isicelo sovandlakanyo—

(a) ngokuqwalasela ezi mpapha zifanelekileyo nezinkcukacha zikhankanywe kwimigaqwana (7), (9), (10)*(b)*, (10)*(c)*, (17) nowe-(18); okanye

(b) ngengxoxo yomlomo.

(20) Inothisi yezibheno okanye isicelo sovandlakanyo singathi, kuthathelwe ingqalelo imigaqwana (25) no-(26), siqwalaselwe ngokwemiqathango yomgaqwana (19)*(a)* ukuba ngokokubona kweSigqeba seZibheno ngathi imiba efuna uqwalaselo kwinothisi yezibheno okanye kwisicelo sovandlakanyo ingaqwalaseleka ngokwaneleyo engekho amaqela achaphazelekayo ngokuqwalasela iimpepha nezinye izinto ezingenisiweyo.

(21) Inothisi yezibheno okanye isicelo sovandlakanyo singaqwalaselwa ngokwemiqathango yomgaqwana (19)*(b)*—

(a) ukuba ngokokubona kweSigqeba seZibheno ngathi imiba efuna uqwalaselo kwinothisi yezibheno okanye kwisicelo sovandlakanyo ayinakuqwalaselwa ngokwaneleyo engekho amaqela achaphazelekayo ngokuqwalasela iimpepha nezinye izinto ezingenisiweyo; okanye

(b) iukuba iingxoxo zomlomo zinganceda ekukhawuleziseni nasekuyiqukumbeleni ngobulali inothisi yezibheno okanye isicelo sovandlakanyo.

(22)*(a)* Apho kuthe kwangabikho zinkcukacha zizezinye zifunekayo iSigqeba seZibheno kufuneka lungadlulanga usuku emva kolu qwalaselo lwaso sikhankanywe kumgaqwana (14), siqwalasele ukuba ngaba inothisi yezibheno okanye isicelo sovandlakanyo esingeniswe ngumbheni singaqwalaselwa na ngokwemiqathango yomgaqwana (19)*(a)* okanye *(b)* size ke kwangaxesha nye sazise iGosa eliLawulayo eliyiNtloko ngoqwalaselo lwaso.

(b) Apho zifunekayo iinkcukacha ezizezinye iSigqeba seZibheno kufuneka zithi zingadlulanga—

(i) intsuku ezintathu emva kokufumana eziya zimvo zikhankanywe mgaqwana (18)*(a)*, ukuba zikhona; okanye

(ii) lungadlulanga usuku emva kokufumana eziya zimvo zikhankanywe kumgaqwana (18)*(b)*, ukuba zikhona,

siqwalasele ukuba ngaba inothisi yezibheno okanye isicelo sovandlakanyo esingeniswe ngumbheni singaqwalaselwa na ngokwemiqathango yomgaqwana (19)*(a)* okanye *(b)* size ke kwangaxesha nye sazise iGosa eliLawulayo eliyiNtloko ngoqwalaselo lwaso.

(23) IGosa eliLawulayo eliyiNtloko kufuneka zithi zingadlulanga—

(a) intsuku ezintathu emva kokufumana laa nothisi ikhankanywe kumgaqwana (22)*(a)* okanye (22)*(b)*(i); okanye

(b) lungadlulanga usuku emva kokufumana laa nothisi ikhankanywe kumgaqwana (22)*(a)*, ukuba inothisi yezibheno okanye isicelo sovandlakanyo sangeniswa malunga nesicelo esenziwe ngokwemiqathango yoMgaqo 19(1)*(a)* okanye *(b)*, okanye (22)*(b)*(ii),

lazise iSigqeba seeMbambano zeeLayisenisi zoTywala, iGosa eloNgameleyo okanye uSekela-Gosa eloNgameleyo, ngoko kufanelekileyo, umbheni naye wonke umntu ochaphazelekayo ochazwe kumgaqwana (6)*(b)*(i), ukuba inothisi yezibheno okanye isicelo sovandlakanyo esingeniswe ngumbheni siza kuqwalaselwa ngokwemiqathango yomgaqwana (19)*(a)* okanye *(b)*.

(24) Apho le nothisi ikhankanywe kumgaqwana (23) icacisa ukuba inothisi yezibheno okanye isicelo sovandlakanyo siza kuqwalaselwa ngokwemiqathango yomgaqwana (19)*(a)*, umbheni naye wonke umntu ochaphazelekayo ochazwe kumgaqwana (6)*(b)*(i) kufuneka zithi zingadlulanga—

(a) iintsuku ezintlanu emva kokufumana le nothisi ikhankanywe kumgaqwana (23)*(a)*; okanye

(b) lungadlulanga usuku emva kokufumana laa nothisi ikhankanywe kumgaqwana (23)*(b)*,

azise iGosa eliLawulayo eliyiNtloko ngento ebhaliweyo ukuba ngaba uyavumelana na okanye akavumelani na nokuqwalaselwa kwenothisi

yezibheno okanye isicelo sovandlakanyo ngokwemiqathango yomgaqwana (19)*(a).*

(25) Ukuba iGosa eliLawulayo eliyiNtloko alifumani nothisi ivela kumbheni okanye kumntu ochaphazelekanga lingadlulanga ixesha elifanelekileyo elikhankanywe kumgaqwana (24) exela ukuba ngaba uyavumelana na okanye akavumelani na nokuqwalaselwa kwenothisi yezibheno okanye isicelo sovandlakanyo ngokwemiqathango yomgaqwana (19)*(a)*, kufuneka ukuba umbheni okanye umntu ochaphazelekayo, ngoko kufanelekileyo, uyavumelana.

(26) Ukuba umbheni okanye umntu ochaphazelekayo okhankanywe kumgaqwana (6)*(b)*(i) wazisa iGosa eliLawulayo eliyiNtloko ngokwemiqathango yomgaqwana (25) ukuba akavumelani nokuqwalaselwa kwenothisi yezibheno okanye isicelo sovandlakanyo ngokwemiqathango yomgaqwana (19)*(a)*, inothisi yezibheno okanye isicelo sovandlakanyo kufuneka siqwalaselwe ngokwemiqathango yomgaqwana (19)*(b).*

(27) IGosa eliLawulayo eliyiNtloko kufuneka ngalo mhla lifumana le nothisi ikhankanywe kumgaqwana (24) ifunyenwe kumbheni okanye kumntu ochaphazelekayo okanye nggomhla eliphelelwa ngawo ixesha elikhankanywe kumgaqwana (24), lazise iSigqeba seZibheno ngaba umbheni okanye umntu ochaphazelekayo uyavumelana okanye akavumelani nokuqwalaselwa kwenothisi yezibheno okanye kwesicelo sovandlakanyo ngokwemiqathango yomgaqwana (19)*(a),* okanye akukho mpendulo ifumanekileyo ivela kumbheni okanye kumntu ochaphazelekayo, ngoko kufanelekileyo.

(28) Apho le nothisi ikhankanywe kumgaqwana (27) icacisa ukuba umbheni naye wonke umntu ochaphazelekayo ochazwe kumgaqwana (6)*(b)*(i) uyavumelana nokuba inothisi yezibheno okanye isicelo sovandlakanyo siqwalaselwe ngokwemiqathango yomgaqwana (19)*(a)* okanye akukho mpendulo ifunyenweyo ivela kumbheni okanye kuye nawuphi na umntu ochaphazelekayo okhankanywe kumgaqwana (6)*(b)*(i), iSigqeba seZibheno kufuneka siqwalasele inothisi yezibheno okanye isicelo sovandlakanyo ngokwemiqathango yomgaqwana (19)*(a)* kusuku olulandela usuku efunyenwe ngalo le nothisi ikhankanywe kumgaqwana (27).

(29) Xa isibheno okanye uvandlakanyo luza kuqhutywa ngeengxoxo zomlomo, iSigqeba seZibheno kufuneka kwiingxoxo zesibheno okanye zovandlakanyo silandele le nkqubo ilandelayo:

(a) iSigqeba seZibheno simazise umbheni naye wonke umntu ochaphazelekayo okhankanywe kumgaqwana (6)*(b)*(i) okhoyo ukuba uza kulinikwa ithuba lokucacisa nokuxoxa ngenothisi yezibheno yakhe, isicelo sovandlakanyo sakhe okanye inkcazelo yokuphendula, kuxhomekeke kwimeko leyo;

(b) iSigqeba seZibheno sisenokunokuzimisa iingxoxo okwexeshana xa kukho isicelo esenziwe ngezizathu ezivakalayo;

(c) umbheni kufuneka acacise axoxe ngenothisi yezibheno yakhe okanye ngesicelo sovandlakanyo sakhe kuqala;

(d) ummeli weSigqeba seeMbambano zeeLayisenisi zoTywala, iGosa eloNgameleyo okanye uSekela-Gosa eloNgameleyo, ngoko kufanelekileyo, angayinika impendulo yakhe,ukuba ikhona, emva kommbheni akucelwa siSigqeba seZibheno;

(e) wonke umntu ochaphazelekayo okhankanywe kumgaqwana (6)*(b)*(i) okhoyo ukuba anganika ingcaciso axoxe ngenkcazo yakhe ephendulayo ukuba ikhona emva kommeli weSigqeba seeMbambano zeeLayisenisi zoTywala, iGosa eloNgameleyo okanye uSekela-Gosa eloNgameleyo, ngoko kufanelekileyo;

(f) iSigqeba seZibheno sisenokubuza imibuzo yokufuna ingcaciso kwiingxoxo zomlomo;

(g) UGunyaziwe kufuneka aqinisekise ukuba zonke iingcaciso ezenziwe kwiingxoxo zomlomo ziyashicilelwa kwisishicileli-lizwi.

(30)*(a)* ISigqeba seZibheno kufuneka sigcine irekhodi elibhaliweyo lezigqibo zaso nezizathu zezo zigqibo.

(b) IGosa eliLawulayo eliyiNtloko kufuneka ligcine irekhodi elibhaliweyo lazo zonke izibheno nezicelo zovandlakanyo eziye zangeniswa kuGunyaziwe.

(31) Ukuba inothisi yezibheno okanye isicelo sovandlakanyo, iimpepha ezihamba naso, le ngcaciso ikhankanywe kumgaqwana (9) okanye inothisi inobugwenxa enabo nokuba njani na okanye ukuba nawuphi na umntu uyasilela ukungenisa naziphi na iimpepha okanye ukuligcina ixesha alibekelweyo, iSigqeba seZibheno sisenokubuxoleli obo bugwenxa okanye oko kusilela ukuba ngaba olo xolelo alizi kuba nafuthe libi kuye nawuphi na umntu.

(32) ISigqeba seZibheno kufuneka senze isigqibo ngenothisi yezibheno okanye isicelo sovandlakanyo—

(a) kwiingxoxo zomlomo—

(i) zingaphelanga iintsuku ezili-14 emva komhla weengxoxo zomlomo; okanye

(ii) zingaphelanga iintsuku ezimbini emva komhla weengxoxo ukuba inothisi yezibheno okanye isicelo sovandlakanyo sasingeniswe malunga nesicelo esenziwe ngokwemiqathango yoMgaqo 19(1)*(a)* okanye *(b)*;

(b) kuqwalaselo lwenothisi yezibheno okanye isicelo sovandlakanyo ngokwemiqathango yomgaqwana (19)*(a)*—

(i) zingaphelanga iintsuku ezili-14 emva kokufunyanwa kwenothisi ngokwemiqathango yomgaqwana (27); okanye

(ii) zingaphelanga iintsuku ezimbini emva kokufunyanwa kwenothisi ngokwemiqathango yomgaqwana (27) ukuba inothisi yezibheno okanye isicelo sovandlakanyo senziwa ngokwemiqathango yoMgaqo 19(1)*(a)* okanye *(b)*; okanye

(c) kwixesha elandisiweyo elikhankanywe kumgaqwana (33).

(33) ISigqeba seZibheno singalandisa eliya xesha likhankanywe kumgaqwana (32)*(a)*(i) kwiimeko ezizodwa.

(34) ISigqeba seZibheno kufuneka simazise uGunyaziwe ngesigqibo saso nezizathu zeso sigqibo zingadlulanga iintsuku—
(a) ezimbini emva kokwenza esi sigqibo sikhankanywe kumgaqwana (32)*(a)*(i) okanye *(b)*(i), ngoko kufanelekileyo; okanye
(b) lungadlulanga usuku emva kokwenza esi sigqibo sikhankanywe kumgaqwana (32)*(a)*(ii) okanye *(b)*(ii), ngoko kufanelekileyo.

(35) IGosa eliLawulayo eliyiNtloko kufuneka zithi zingadlulanga—
(a) iintsuku ezisixhenxe emva kokuba iSigqeba seZibheno simazisile uGunyaziwe ngesigqibo saso ngokwemiqathango yomgaqwana ngokwemiqathango yomgaqwana (34)*(a)*; okanye
(b) lungadlulanga usuku emva kokuba iSigqeba seZibheno simazisile uGunyaziwe ngesigqibo saso ngokwemiqathango yomgaqwana (34)*(b)*,

lazise iSigqeba seeMbambano zeeLayisenisi zoTywala, iGosa eloNgameleyo okanye uSekela-Gosa eloNgameleyo, ngoko kufanelekileyo, umbheni naye wonke umntu ochaphazelekayo okhankanywe kumgaqwana (6)*(b)*(i) ngento ebhaliweyo ngesisigqibo seSigqeba seZibheno, izizathu zaso nokuba isigqibo seSigqeba seeMbambano zeeLayisenisi zoTywala, iGosa eloNgameleyo okanye uSekela-Gosa eloNgameleyo, ngoko kufanelekileyo, siqinisekiswe, senziwa izilungiso okanye sakhatywa kangakanani na.”.

Izilungiso kuMgaqo 35 weMigaqo

27. UMgaqo 35 weMigaqo wenziwe izilungiso—
(a) ngokuthi kumgaqwana (1) endaweni yenani elingu-“34” kufakwe inani elingu- “30”; kananjalo
(b) Ngokuthi kumgaqwana (3) endaweni yenani elingu-“35” kufakwe inani elingu- “31”.

Izilungiso kuMgaqo 36 weMigaqo

28. UMgaqo 36 weMigaqo wenziwa izilungiso—
(a) ngokuthi endaweni yomgaqwana (6) kufakwe lo mgaqwana ulandelayo:
“(6) “UGunyaziwe kufuneka athi zingadlulanga iintsuku ezisixhenxe emva kokuba iSigqeba seeMbambano zeeLayisenisi zoTywala sisithathile isigqibo ngesicelo esenziwe ngokwemiqathango yomgaqwana (1), amazise umfaki-sicelo nomntu ngamnye obefake isichaso esibhaliweyo okanye ingcaciso kuGunyaziwe malunga nesi sicelo ngento ebhaliweyo ngesi sigqibo;” .kananjalo
(b) ngokuthi kumhlathi *(b)* womgaqwana (7) endaweni yegama elithi “-sixhenxe” kufakwe inani elingu-“14”.

Izilungiso kuMgaqo 37 weMigaqo

29. UMgaqo 37 weMigaqo wenziwe izilungiso—
(a) ngokuthi endaweni yomgaqwana (2) kufakwe lo mgaqwana ulandelayo:
"(2) Umnini-layisenisi kufuneka kwindawo ecacileyo kumasango anelayisenisi axhome—
(a) ilayisenisi;
(b) inothisi yovuselelo yaloo nyaka ufanelekileyo;
(c) Isingqinisiso sentlawulo yovuselelo kuGunyaziwe yaloo nyaka ufanelekileyo okanye minyaka mibini ifanelekileyo; kananjalo
(d) Apho kufanelekileyo ikopi yeFomu 23A ezalisiweyo kwiSihlomelelo 3 enze ngayo isicelo sokuhlawulela iminyaka emibini umnini-layisenisi ngokwemiqathango yoMgaqo 30(2A)"; kunye
(b) nangokongeza lo mgaqwana ulandelayo:
"(3) Isingqinisiso sentlawulo ekhankanywe kumgaqwana (2)*(c)* kufuneka siqulathe inani lelayisenisi esisayinwe nguGunyaziwe ngokwemiqathango yoMgaqo 18(2).".

Ukufakelwa koMgaqo 37A

30. Kufakelwa lo Mgaqo ulandelayo eMigaqweni emva koMgaqo 37:

"**linothisi zolawulo**

37A. (1) Xa umhloli enemihlaba evakalayo yokukrokrela ukuba kuba kuthengiswa okanye kwenziwa utywala ngendlela echaseneyo nalo Mthetho, umhloli kufuneka angenisele umnini-layisenisi okanye umntu owongamele laa masango akhankanywe kwicandelo 74(1)*(a)*(iii) inothisi ngeFomu 32 kwiSihlomelelo 3 ecacisa oku kulandelayo:
(a) igama lomnini okanye lomntu ophethe la masango;
(b) *i*adresi yamasango;
(c) iinkcukacha zamanyathelo anokuwathatha umnini okanye umntu ophethe la masango ukuze afumane ilayisenisi ngokwemiqathango yalo Mthetho.

(2) Umhloli kufuneka—
(a) afune ezi nkcukacha zikhankanywe kumgaqwana (1)*(a)* no-*(b)* kumnini okanye kumntu ophethe la masango;
(b) azalise ifomu; kananjalo
(c) acele umnini okanye umntu ophethe la masango ukuba asayine inothisi yolawulo.

(3) Umhloli kufuneka akhawuleze anike umnini okanye umntu ophethe la masango ikopi yenothisi yolawulo esayiniweyo aze ngenisele uGunyaziwe iikopi.

(4) IGosa eliLawulayo eliyiNtloko kufuneka lingenisele uMphathiswa ingxelo qho kwisithuba seenyanga ezintathu ngasinye okanye lisakuba liceliwe nguMphathiswa, malunga neenothisi zolawulo ezikhutshiweyo

ngeli xesha lokwenziwa kwengxelo okanye nangeliphi na ixesha xa lithe lacelwa nguMphathiswa.

(5) Le ngxelo kufuneka ibandakanye—
a) inani leenothisi zolawulo ezikhutshiweyo;
(b) iinkcukacha zeengingqi ezikhutshwe kuzo iinothisi zolawulo; kwakunye
(c) naziphi na ezinye iinkcukacha anokuzicela uMphathiswa.”.

Izicwangciso zexeshana

31. (1) Nasiphi na isicelo sotyumbo, sesibheno okanye sovandlakanyo esingeniswe phambi kokuba iqalise ukusebenza le migaqo kufuneka ziqwalaselwe ngokungathi imigaqo le ayikho.

(2) Ingxelo engeniswe ligosa lotywala eligunyazisiweyo ngokwemiqathango yoMgaqo 21(12) weMigaqo njengoko ibifundeka phambi kokususwa koMgaqo 21 yile migaqo kufuneka zirekhodishwe ibekwe elugcinweni nguGunyaziwe.

Ukwenziwa kwesilungiso kwiSihlomelelo 1 seMigaqo

32. Endaweni yeSihlomelelo 1 seMigaqo kufakwa esi Sihlomelelo silandelayo:

“**ISIHLOMELELO 1**

Iintlawulo ezihlawulwa kwizicelo ezithile

Inomb.	Uhlobo lwesicelo	Intlawulo (R)
1.	Isicelo selayisenisi ngokwemiqathango yecandelo 36(1)(e)	1 600
2.	Isicelo selayisenisi yotywala yexeshana ngokwemiqathango yecandelo 48(1)	350
3.	Isicelo selayiseni yotywala yesiyunguma ngokwemiqathango yecandelo 48(4)	350
4.	Isicelo sokwenziwa kwezilungiso kwimiqathango yelayisenisi ngokwemiqathango yecandelo 49(6)	650
5.	Isicelo sodluliselo lochaphazeleko ezimalini zeshishini elinelayisenisi ngokwemiqathango yecandelo 51(2) nesicelo sokuqeshisa amasango anelayisenisi	650
6.	Isicelo semvume yokwenza utshintsho kumasango anelayisenisi, ukutshintsha uhlobo loshishino okanye ukuqhuba ishishini ngelayisenisi ekumasango ekuqhutywa kuwo naliphi na elinye ishishini, urhwebo okanye umsebenzi ngokwemiqathango yecandelo 53(1)(a), (b) okanye (c) ngokulandelelana.	650 (ngesicelo ngasinye)
7.	(a) Isicelo sokugcina utywala ngokwemiqathango yecandelo 57(1) (b) Ukwamkelwa kwesicelo sokugcina utywala ngokwemiqathango yecandelo 57(1)	350 350

Inomb.	Uhlobo lwesicelo	Intlawulo (R)
8.	(a) Isicelo sokwandiselwa amaxesha okuvula ngokwemiqathango yecandelo 59(4) (b) Ukwamkelwa kwesicelo sokwandiselwa ixesha ngokwemiqathango yecandelo 59(4)	350 1 000
9.	Isicelo sovuselelo ngokwemiqathango yecandelo 64(1)	350
10.	(a) Isicelo sodluliselo lwelayisenisi ngokwemiqathango yecandelo 65(1) (b) Isicelo semvume ngokwemiqathango yecandelo 65(3) yokuqhutywa kweshishini elinelayisenisi logama kusalindwe isigqibo ngesicelo sodluliselo lwelayisenisi ngokwemiqathango yecandelo 65(1) (c) Isicelo sokwandiselwa ixesha malunga nemvume enikiweyo ngokwemiqathango yecandelo 65(3)	350 350 350
11.	Isicelo sokususwa kwelayisenisi ngokwemiqathango yecandelo 66(2)	650
12.	(a) Isicelo sokwandiselwa ixesha ngokwemiqathango yecandelo 84(2) (b) Ukwamkelwa kwesicelo sokwandiselwa ixesha ngokwemiqathango yecandelo 84(2)	650 650
14.	Isicelo sekopi yelayisenisi nemiqathango ehamba nayo okanye yesiphi na isicelo	100
15.	Iikopi zemizuzu yeentlanganiso zikaGunyaziwe, iSigqeba seeMbambano zeeLayisenisi zoTywala okanye zeSigqeba seZibheno	100
16.	Esona sixa-mali sefayini kungenakudlulwa kuso siSigqeba seeMbambano zeeLayisenisi zoTywala ngokwemiqathango yecandelo 20(3)(b)(v)	100 000
17.	Isicelo— (a) sokurhoxisa okanye sokwenziwa kwezilungiso kwimiqathango yolwamkelo olunemiqathango: uMgaqo 17(9), 32(36), 33(32); (b) sokwenziwa kwezilungiso kwiplani yamasango anxulumene nolwamkelo olunemiqathango: imigaqo 17(9), 33(32); (c) sokwandiselwa ixesha ebelinikwe kulwamkelo olunemiqathango: uMgaqo 17(19), 32(47), 33(41) (d) ukurhoxiswa okanye ukulungiswa kwemimiselo okanye okufunwayo okuchazwe phantsi kwecandelo 66(13)	350 350 350 350
18.	ngokwemiqathango yecandelo 51(7) sokuqeshisela amasango anelayisenisi — (a) komnye umntu; (b) sokuvumela omnye umntu aqhube ishishini ngokwemiqathango yelayisenisi yalo; (c) sokuvumela omnye umntu ukuba asebenzise amasango anelayisenisi	650 650 650

.”.

Ukwenziwa kwesilungiso kwiSihlomelelo 2 seMigaqo

33. Esi sihlomelelo silandelayo sifakwa endaweni yesihlomelelo 2 seMigaqo:

"**ISIHLOMELELO 2**

Iintlawulo zeelayisenisi, zodluliselo, zokususwa nezolwamkelo lwezicelo ezithile

	Isigaba A	**Isigaba B**	**Isigaba C**	
Ilayisenisi	Iintlawulo zelayisenisi entsha nezaxa zamkelwe izicelo ezithile(R)	Iintlawulo zokudlulisela okanye zokususa ilayisenisi(R)	Iintlawulo zovuselelo (R)	
			Lonyaka omnye	Lweminyaka emibini
1. Eyokuselela ngaphakathi kwamasango	2 000	1 250	4 000	8 000
2. Eyokuselela ngaphandle kwamasango	2 000	1 250	4 000	8 000
3. Eyokuselela ngaphandle nangaphakathi	2 000	1 900	6 500	13 000
4. Eyokwenza utywala	2 000	1 250	4 000	8 000
5. Ilayisenisi yotywala yexeshana	350 ngosuku	-	-	-
6. Ilayisenisi yotywala yesiyunguma	200 per day	-	-	-
7. Eyotshintsho lwamasango anelayisenisi	200	-	-	-
8. Eyotshintsho lohlobo lweshushunu elinelayisenisi	200	-	-	-
9. Eyokuqhuba ishishini elinelayiseni kumasango anamanye amashishini aqhutyelwa kuwo	200	-	-	-

10. Eyokwenza izilungiso kwimiqathango yolwamkelo olunemiqathango okanye yokuyirhoxisa	650	-	-	-
11. Eyokwenza utshintsho kwiplani ehamba nolwamkelo olunemiqathango	650	-	-	-
12. Eyokwandiselwa ixesha elihamba nolwamkelo olunemiqathango	650	-	-	-
13. Eyokuqhuba ishishini elinelayisenisi logama kulindwe isigqibo ngesicelo sodluliselo lwelayisenisi	650	-	-	-
14. Eyokwandiselwa ixesha lemvume enikiweyo lokuqhuba ishishini logama kulindwe isigqibo ngesicelo sodluliselo lwelayisenisi	650	-	-	-
15. Ukurhoxiswa okanye ukwenziwa kwezilungiso kwimiqathango okanye kwiimfuneko ezibekwe kwicandelo 66(13)	650	-	-	-

.”.

Ukwenziwa kwesilungiso kwiSihlomelelo 3 seMigaqo

34. Esi sihlomelelo silandelayo sifakwa endaweni yesihlomelelo 3 seMigaqo:

"**ISIHLOMELELO 3**

Isalathiso seefomu

UMGAQO	INOMB. YEFOMU.	INKCAZO
UKUNYULWA KWAMALUNGU EBHODI NAWESIGQEBA SEEMBAMBANO ZEELAYISENISI ZOTYWALA		
2(3)	1	IFomu yotyumbo njengelungu leBhodi
6(5)	2	IFomu yotyumbo njengelungo okanye ilungu lililalela leSigqeba seeMbambano zeeLayisenisi zoTywala
INKQUBO YOKUFAKWA KWESICELO SELAYISENISI ENTSHA		
9(3)	3	ISicelo selayisenisi ngokwemiqathango yecandelo 36
10(1)	3A	Inothisi yezicelo zeelayisenisi zotywala ngokwemiqathango yecandelo 37(1) loMthetho woTywala weNtshona Koloni, 2008
10(2)	3B	Inothisi yokungeniswa kwesicelo selayisenisi yotywala
IINOTHISI NEESAMANI		
16(1)	4A	Inothisi yokubakho entlanganisweni yeSigqeba seeMbambano zeeLayisenisi zoTywala ngokwemiqathango yecandelo 23(2)
16(1)	4B	Isamani ngokwemiqathango yecandelo 23(5)
UKUNIKWA KWELAYISENISI OKUNEMIQATHANGO		
17(2)	5A	Inothisi) yokunikwa kwelayisenisi enemiqathango ngokwemiqathango yoMgaqo 17(2
17(8) & (18)	5B	ISICELO— A – ngokwemiqathango yecandelo 42(4) sokwenziwa kwezilungiso kwimiqathango yelayisenisi enikiweyo okanye sokurhoxiswa ngokwemiqathango yecandelo 42(1) B – ngokwemiqathango yecandelo 42(5)(b) sokwenziwa kwezilungiso kwiplani yamasango C – ngokwemiqathango yecandelo 42(5)(a) sokongezwa kwexesha

UMGAQO	INOMB. YEFOMU.	INKCAZO
17(17) & (22)	5C	Inothisi yesigqibo ngokwemiqathango yoMgaqo 17(17) okanye (22)
17(28)	5D	Inothisi ngokwemiqathango yecandelo 42(4A) yokutshitshiswa kwelayisenisi ebinikwe phantsi kwemiqathango
17(25)	5E	Inothisi ngokwemiqathango yoMgaqo 17(25)
UKUKHUTSHWA KWELAYISENISI		
18(2)	6A	Inothisi yokunikwa kwelayisenisi
17(4)	6B	Inothisi ngokwemiqathango yoMgaqo 17(4) yokuba imiqathango yolwamkelo lwelayisenisi olunemiqathango ifezekisiwe
18(3A)	6C	Isicelo soxolelo ngokusilela ekuhlawuleni intlawulo ebekiweyo ngokwemiqathango yecandelo 46(6)
17(6) & 18(4)	7	Ilayisenisi yotywala
ISICELO SELAYISENISI YEXESHANA YOKUTHENGISA UTYWALA OKANYE YOKUTHENGISA KWISIYUNGUMA		
19(2)(a)(ii)	8	Isicelo selayisenisi yotywala yexeshana ngokwemiqathango yecandelo 48(1)
19(2)(b)(ii)	9	Isicelo selayisenisi yotywala yesiyunguma ngokwemiqathango yecandelo48(4)
19(20)(b)	10	Ilayisenisi yotywala yexeshana
19(20)(b)	11	Ilayisenisi yotywala yesiyunguma
19(16)	12A	Isicelo soxolelo ngokusingenisa emva kwexesha isicelo selayisenisi yotywala yexeshana okanye yesiyunguma ngokwemiqathango yecandelo 48(10)
19(21)	12B	Inothisi ngokwemiqathango yomgaqo 19(19)
ISICELO SODLULISELO SOCHAPHAZELEKO KWEZEMALI KWISHISHINI ELINELAYISENISI OKANYE SOKUQESHISA NGESHISHINI ELINELAYISENISI		
21(1)	13	Isicelo sokudluliselwa kochaphazeleko emalini kwishishini elinelayisenisi ngokwemiqathango yecandelo 51(1)
21(2)	14	Isicelo) sokuqeshisa amasango komnye umntu, sokuvumela omnye umntu ukuba aqhube ishishini ngokwale layisenisi okanye sokuvumela omnye umntu ukuba asebenzise amasango anelayisenisi

UMGAQO	INOMB. YEFOMU.	INKCAZO
		ngokwemiqathango yecandelo 51(7)
UKUTYUNJWA KWEMANEJALA		
22(1)	15	Ukutyunjwa koza kubekwa njengemanejala ngokwemiqathango yecandelo 52
UTSHINTSHO KWISAKHIWO SOSHISHINO OLUNELAYISENISI OKANYE KUHLOBO LOSHISHINO		
23(1)	16	Isicelo semvume sokwenza utshintsho kwisakhiwo samasango anelayisenisi ngokwemiqathango yecandelo 53(1)*(a)*
23(2)	17	Isicelo semvume yokwenza utshintsho olukhulu kuhlobo lweshishini elinelayisenisi ngokwemiqathango yecandelo 53(1)*(b)*
23(3)	18	Isicelo semvume yokuqhuba ishishiishishini ngelayisenisi ekumasango apho naliphi na elinye ishishini, kubandakanya neshishini eliqhuba ngayo nayiphi na ilayisenisi, okanye naluphi na urhwebo okanye umsebenzi ngokwemiqathango yecandelo 53(1)(c)
AMAXESHA OKUVULA		
26(1)	19	Isicelo sokwandiswa amaxesha okuvula ngokwemiqathango yecandelo 59(4)
UKUYEKWA KWELAYISENISI		
29	20	Inothisi yokushiywa kwelayisenisi
UVUSELELO LWELAYISENISI NOXOLELO NGOKUSILELA UKUHLAWULA INTLAWULO YOVUSELELO NGOMHLA OBEKELWE OKO		
30(1)	21A	Inothisi yovuselelo lonyaka okanye lweminyaka emibini
30(3)	21B	Inothisi yovuselelo lweminyaka emibini: Inothisi yokungena kuvuselelo lweminyaka emibini
30(4)	21C	Isicelo soxolelo ngokusilela ukuhlawula intlawulo yovuselelo ngokwemiqathango yecandelo 63(4)
ISICELO SOKUVUSELELWA KWELAYISENISI		
31(1)	22	Isicelo ngokwemiqathango yecandelo 64(1) sovuselelo lwelayisenisi
31(4)	23	Isicelo soxolelo ngokusilela ukufaka isicelo sovuselelo lwelayisenisi ngokwemiqathango yecandelo 64(4)

UMGAQO	INOMB. YEFOMU.	INKCAZO
UDLULISELO LWELAYISENISI		
32(2)(a)	24	Isicelo sodluliselo lwelayisenisi ngokwemiqathango yecandelo 65(1)
32(10)	24A	Inothisi yokwamkelwa okanye yokukhatywa kodluliselo lwelayisenisi
32(11)	24B	Inothisi yokwamkelwa kodluliselo lwelayisenisi olunemiqathango ngokwemiqathango yoMgaqo 32(11)
32(14)	24C	Inothisi yokuba imiqathango yolwamkelo lodluliselo lwelayisenisi ifezekisiwe ngokwemiqathango yoMgaqo 32(14)
32(17)	24D	Isicelo soxolelo ngokusilela ukuhlawula intlawulo ebekiweyo ngokwemiqathango yecandelo 65(19)
32(35) & (46)	24E	ISICELO— A – ngokwemiqathango yecandelo 65(12B) sokwenziwa kwezilungiso kwimiqathango ebibekwe ngokwemiqathango yecandelo 65(12) B – ngokwemiqathango yecandelo 65(12C) sokwandiselwa ixesha ebelibekiwe 65(12A)
32(45) & 32(49)	24F	Inothisi yesigqibo ngokwemiqathango yoMgaqo 32(45) okanye 32(49)
32(12) & (16)	25	Isiqinisekiso sodluliselo lwelayisenisi yotywala ngokwemiqathango yecandelo 65(17)
32(21)	26	Isicelo semvume yokuqhuba ishishini elinelayisenisi logama kusalindwe isigqibo ngodluliselo lwelayisenisi ngokwemiqathango yecandelo 65(3)
32(31)	26A	Isicelo ngokwemiqathango yecandelo 65(6) sokwandiselwa ixesha lemvume ebinikiwe ngokwemiqathango yecandelo 65(5)
32(34)	26B	Imvume yokwandiselwa ixesha ebelinikiwe ngokwemiqathango yecandelo 65(5)
ISICELO SOKUSUSWA KWELAYISENISI		
33(6)	27	Isicelo sokususwa kwelayisenisi ngokwemiqathango yecandelo 66(2)
33(2)	27A	Inothisi yokufakwa kwesicelo sokususwa kwelayisenisi yotywala ngokwemiqathango yecandelo 66(2) loMthetho woTywala weNtshona Koloni, ka-2008

UMGAQO	INOMB. YEFOMU.	INKCAZO
33(4)	27B	Inothisi yokufakwa kwesicelo sokususwa kwelayisenisi yotywala
33(19)	27C	Inothisi yokwamkelwa okanye yokukhatywa kwesicelo sokususwa kwelayisenisi
33(21)	27D	Inothisi yokwamkelwa okunemiqathango kwesicelo sokususwa kwelayisenisi ngokwemiqathango yoMgaqo 33(21)
33(24)	27E	Inothisi yokuba imiqathango yolwamkelo olunemiqathango ifezekisiwe ngokwemiqathango yoMgaqo 33(24)
33(26)	27F	Isicelo soxolelo ngokusilela ukuhlawula intlawulo ebekiweyo ngokwemiqathango yecandelo 66(8)
33(31) & (40)	27G	ISICELO— A – ngokwemiqathango yecandelo 66(4B)sokwenziwa kwezilungiso kwimiqathango okanye sokuyirhoxisa; okanye B – ngokwemiqathango yecandelo 66(14)(a) sokutshitshis imiqathango okanye iimfuneko okanye sokuzenza izilungisooke; okanye C – ngokwemiqathango yecandelo 66(14)(d) ukwamkela iplani eyenziwe izilungiso; okanye D – sokwandiselwa ixesha— (a) ebelibekwe siSigqeba seeMbambano zeeLayisenisi soTywala ngokwemiqathango yecandelo 66(4C) (b) ebelibekwe liGosa eloNgamele ngokwemiqathango yecandelo 66 (14)(b) okanye (c)
33(39) & (43)	27H	Inothisi yesigqibo ngokwemiqathango yeMigaqo 33(39) okanye (43)
33(22) & (26)	28	Isiqinisekiso sokususwa kwelayisenisi ngokwemiqathango yecandelo 65(17)
IZIBHENO NOVANDLAKANYO		
34(6)	29	Inothisi yesibheno okanye yesicelo sovandlakanyo ngokwemiqathango yecandelo 68(3)
UTHOTYELO		
35(1)	30	Inothisi yothotyelo ngokwemiqathango yecandelo 69(1)

UMGAQO	INOMB. YEFOMU.	INKCAZO
35(3)	31	Isiqinisekiso sothotyelo ngokwemiqathango yecandelo 69(6)
INOTHISI YOLAWULO		
37A(1)	32	Inothisi ngokwemiqathango yoMgaqo 37A(1)

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 1

IFOMU YOKUTYUNJWA KWELUNGU LEBHODI

[Umgaqo 2(3)]

ISIGABA A: SIZALISWA NGULOWO UTYUMBAYO:

1. IINKCUKACHA

1.1 Igama eliphelelelyo: _____

1.2 Inombolo yesazisi : _____

1.3 Umhla wokuzalwa : _____/_____/ _____

1.4 Iadresi yasekhaya : _____

_____Iseli

Ikhowudi yeposi : _____

1.5 Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

1.6 Iinombolo zefowuni:

Eofisini :_____

Iseli :_____

Eyasekhaya okanye enye nje :_____

1.7 Inombolo yefekisi : _____

I-imeyili : _____

2. ULWALAMANO NOMTYUNJWA

Umtyumbi kufuneka aluxele ulwalamano olukhoyo phakathi kwakhe nomtyunjwa (owakwakhe, isizalwane okanye likholwane kwezoshishino).

_____

3. IZIZATHU ZOKUTYUMBA LO MTYUNJWA

Umtyumbi ubeka izizathu zokuba kungani na kufanelekile ukuba umtyunjwa abekwe njengelungu leBhodi.

_____

_____

ISAYINWE e _____ ngalo mhla we _____ ka _____ 20___.

_____
LOO MNTU UTYUMBAYO

ISIGABA B: KUZALISA UMTYUNJWA

1. IINKCUKACHA

1.1 Igama eliphele leyo : _____

1.2 Inombolo yesazisi : _____

1.3 Umhla wokuzalwa : _____/_____/ _____

1.4 Iadresi yasekhaya : _____

_____

Ikhowudi yeposi : _____

1.5 Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

1.6 Iinombolo zefowuni :

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

1.7 Inombolo yefekisi : _____

1.8 I-imeyili : _____

2. UKUFANELEKA KOMTYUNJWA

2.1(a)	Ungummi weRiphablikhi yoMzantsi Afrika ohlala isigxina kweli Phondo?	Ewe	Hayi
(b)	Ungaphantsi kweminyaka engamashumi amabini anesihlanu (25) ubudala?	Ewe	Hayi
(c)	Kule minyaka ilishumi (10) idlulileyo ubukhe wafunyaniswa unetyala ngokwemiqathango yalo Mthetho okanye yawo nawuphi na umthetho?	Ewe	Hayi
(d)	Kule minyaka ilishumi (10) idlulileyo, ubukhe wafunyaniswa unetyala lobusela, lobuqhetseba, inkohliso, ukusebenzisa iimpepha ezibubuxoki, ukuxokisa inkundla okanye nasiphi na isityholo phantsi koMthetho oyi Corruption Act, 1992 (uMthetho 94 ka-1992), okanye oyiPrevention and Combating of Corrupt Activities Act, 2004 (uMthetho 12 ka-2004), okanye nasiphi na isityholo esinxulumene nokunganyaniseki, apha kweli okanye ngaphandle?	Ewe	Hayi
(e)	Ngaba utshone ematyaleni akwavela nangonwele okanye okanye uphantsi kwalo naluphi na uthintelo ngokwasemthethweni?	Ewe	Hayi
(f)	Kule minyaka ilishumi (10) idlulileyo ukhe wasuswa esikhundleni esifuna intembeko ngenxa yokuziphatha kakubi okanye ukungathembeki?		
(g)	Ungumntu onesikhundla kwezopolitiko?	Ewe	Hayi
(h)	Wena ubuqu okanye ngowakwakho, isizalwane, ihlakani, ikholwane kwezoshishino— (i) unalo uchaphazeleko oluthe ngqo okanye olungathanga ngqo ezimalini kulo naliphi na ishishini lotywala?; okanye (ii) unalo uchaphazeleko oluthe ngqo okanye olungathanga ngqo ezimalini kulo naliphi na ishishini lotywala?; okanye (iii) unalo kwakho umsebenzi ngendlela efanelekileyo njengelungu leBhodi okanye kuyo nayiphi na ilayisenisi ekhutshwe phantsi kwalo Mthetho?uchaphazeleko kulo naliphi na ishishini okanye olunokwenza ukuba ungquzulwano lweenjongo okanye luphazamisane nokwenza kwakho umsebenzi ngendlela efanelekileyo njengelungu leBhodi okanye kuyo nayiphi na ilayisenisi ekhutshwe phantsi kwalo Mthetho?	Ewe	Hayi

Nceda uqaphele: *(Ngokwalapha kulo mhlathi, uchaphazeleko olungathanga ngqo ezimalini alubandakanyi uchaphazeleko olungathanga ngqo olungenxa yengxowa-mali okanye yotyalo-mali, ukuba ngaba umntu akanalulawulo kwizigqibo zotyalo-mali ezithathwa kuloo ngxowa-mali okanye kolo tyalo-mali)*

2.2 Ukuba impendulo yawo nawuphi kule mibuzo ikumhlathi 2.1(b) ukuya (h) ithi “ewe”, nceda unike iinkcukacha ezipheleleyo:

_____

_____

_____.

(Sebenzisa iSihlomelelo, ukuba kukho imfuneko)

2.3 Ukuba utyunjelwe ukubekwa ngokwemiqathango yecandelo 3(1)*(a)* lalo Mthetho: Ngaba unalo ulwazi namava afanelekileyo ngeenkqubo zokuqinisekisa ngoxanduva lokuphendula, ukunyaniseka nokwenza izinto elubala ekuqhubeni kwakho imicimbi kaGunyaziwe, njengombutho? **EWE / HAYI**

Ukuba impendulo ithi EWE, nceda ucacise olo lwazi naloo mava akho.

_____

_____

_____

2.4 Ukuba utyunjelwe ukubekwa ngokwemiqathango yecandelo 3(1)*(b)* lalo Mthetho: Ngaba unalo ulwazi namava afanelekileyo okukhawulelana neziphumo ezibi ngokwasentlalweni zokusetyenziswa kotywala kakubi? **EWE / HAYI**

Ukuba uthi ewe, nceda ucacise olo lwazi okanye loo mava:

_____

_____

_____

3. AMABANGA EMFUNDO APHUNYELELWEYO

Nceda unike zonke iinkcukacha ngezifundo oziphumeleleyo, ubandakanye nezifundwana ezifutshane ozenzileyo, ukuba zikhona:

_____

_____

_____

4. INXAXHEBA EKUHLALENI

Nceda unike iinkcukacha ngenxaxheba yakho ekuhlaleni.

5. amazwi enkxaso yolu nyulo

Nceda wenze amazwi enkxaso epheleleyo yokuba kungazizathu zini na ukholelwa nje ekubeni ukufanele ukunyulwa njengelungu lale Bhodi:
_____
_____
_____

ISAYINWE e_____ ngalo mhla we _____ ka _____ 20_____.

_____
UMTYUNJWA

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 2

IFOMU YOKUTYUNJWA KWELUNGU OKANYE KWELALELA LESIGQEBA SEEMBAMBANO ZEELAYISENISI ZOTYWALA

[Umgaqo 6(5)]

ISIGABA A: KUZALISA UMTYUMBI

1. IINKCUKACHA

1.1 Igama eliphelelelyo :

_____

1.2 Inombolo yesazisi : _____

1.3 Umhla wokuzalwa : _____/_____/_____

1.4 Iadresi yasekhaya : _____

_____

Ikhowudi yeposi : _____

1.5 Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

1.6 Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

1.7 Inombolo yefekisi : _____

1.8 I-imeyili : _____

2. ULWALAMANO NOMTYUNJWA

Umtyumbi makachaze ulwalamano analo nomtyunjwa (owakwakhe, ilungu lefemeli, ihlakani okanye ikholwane).

_____

3. IZIZATHU ZOKUTYUMBA LO MTYUNJWA

Umtyumbi ubeka izizathu zokuba kungani na kufanelekile ukuba umtyunjwa abekwe njengelungu okanye ilalela leSigqeba seeMbambano zeeLayisenisi zoTywala.

_____

_____.

_____

ISAYINWE e _____ ngalo mhla we _____ ka _____ 20_____.

_____

LOO MNTU UTYUMBAYO

ISIGABA B: KUZALISA UMTYUNJWA

1. IINKCUKACHA

1.1 Igama eliphelelelyo :

_____

1.2 Inombolo yesazisi : _____

1.3 Umhla wokuzalwa : _____/_____/ _____

1.4 Iadresi yasekhaya : _____

_____

Ikhowudi yeposi : _____

1.5 Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

1.5 Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

1.7 Inombolo yefekisi : _____

1.8 I-imeyili : _____

2. UKUFANELEKA KOMTYUNJWA

2.1

2.1(a)	Kule minyaka ilishumi (10) idlulileyo, ingaba ubukhe wafunyaniswa unetyala waze wagwetywa unganikwanga thuba lokuba ubhatale ifayini?	Ewe	Hayi
(b)	Kule minyaka ilishumi (10) idlulileyo, ingaba ubukhe wafunyaniswa unetyala ngokwemiqathango yalo Mthetho, yoMthetho oyiLiquor Act, 2003 (uMthetho 59 ka-2003), oyiLiquor Act, 1989 (uMthetho 27 ka-1989), okanye yawo nawuphi na omnye?	Ewe	Hayi
(c)	Ngaba utshone ematyaleni akwavela nangonwele okanye uphantsi kwalo naluphi na uthintelo ngokwasemthethweni?	Ewe	Hayi
(d)	Ungaphantsi kweminyaka engamashumi amabini anesihlanu (25) ubudala?	Ewe	Hayi
(e)	Ingaba unalo uchaphazeleko oluthe ngqo kulo naliphi na ishishini lotywala?	Ewe	Hayi
(f)	Wena ubuqu okanye ngowakwakho, isizalwane, ihlakani, ikholwane kwezoshishino unalo uchaphazeleko oluthe ngqo kulo naliphi na ishishini lotywala?		
(g)	Ingaba awuvumelekanga ngokwemiqathango yeCandelo 35 loMthetho ukuba ube nelayisenisi yotywala?	Ewe	Hayi
(h)	Ingaba uhlala isigxina kweli Phondo ngoku?	Ewe	Hayi

2.2 Ukuba ngaba nayiphi imibuzo ekumhlathi 2.1(a) ukuya ku-(g) inempendulo engu“EWE” nceda unike iinkcukacha ezipheleleyo.

_____

_____

_____.

(Qhoboshela iSihlomelelo ukuba kukho imfuneko)

3. AMABANGA EMFUNDO APHUNYELELWEYO

Nika iinkcukacha ezipheleleyo zazo zonke izifundo oziphumeleleyo.

---

4. AMAZWI ENKXASO YOLU NYULO

Nceda unike inkcazelo kunye nesizathu sokuba kutheni ukholelwa ukuba kufuneka utyunjwe ube lilungu ilalela lelungu leSigqeba seeMbambano zeeLayisenisi zoTywala.

ISAYINWE e_____ ngalo mhla we _____ ka _____ 20_____.

_____

UMTYUNJWA

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

WESTERN CAPE LIQUOR ACT 4, KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 3

ISICELO SELAYISENISI NGOKWEMIQATHANGO YECANDELO 36

[Umgaqo 9(3)]

IKOPI YANQANGI KUFUNEKA IFAKWE KWISIPHATHAMANDLA, EZINYE EZIMBINI ZIFAKWE KWIGOSA LOTYWALA ELIGUNYAZISIWEYO

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Isitampu somhla seSiphathamandla somhla wokufunyanwa kwesi sicelo	Isitampu somhla seSiphathamandla somhla wokufunyanwa kwesi sicelo

ISALATHISO

Inkcazo yeempepha emazingeniswe	**ISIHLOMELELO**
Iplani eneenkcukacha ezininzi yomganatho wala masango anelayisenisi acetywayo	A
Iplani yesiza	B
Imephu ethathwe emoyeni	C
Inkcazo yamasango	D
Iifoto ezinombala ezinezalathiso	E
Ingcaciso ebhaliweyo exhasa esi sicelo	F
Inkcazo efungelweyo yomfaki-sicelo yokuba akangomntu ungafanelekanga ngokwemiqathango yecandelo 35, ukuba angaba nelayisenisi yotywala	G
Isingqinisio senothisi ngokwemiqathango yecandelo 37(2)	H

Inkcazo yeempepha emazingeniswe	ISIHLOMELELO
Isingqinisiso selungelo lokungena kula masango anelayisenisi acetywayo	I
Utyumbo lokuqeshwa kwemanejala ngokwemiqathango yoMgaqo 22 Isingqinisiso sobunini bala masango okanye, ukuba umfaki-sicelo akanguye umnini wala masango, imvume ebhaliweyo evela kumninini wamasango echaza ukuba umfaki-sicelo angawasebenzisa la masango anelayisenisi ngokwenjongo yale layisenisi yenzelwa esi sicelo	J
Ikopi eqinisekisiweyo yesazisi somfaki-sicelo okanye ipasipoti nevisa okanye iadresi esisigxina yalapho ahlala khona umfaki-sicelo, ukuba umfaki-sicelo akangomntu uthile, iikopi zeempepha zobhaliso ezifanelekileyo ezibonisa izazisi zamalungu onke, nochaphazeleko lwawo ngokwasezimalini, abalawuli, amahlakani, abaxhamli okanye ootrasti	K
Isiqinisekiso sanqangi esisemthethweni sokuba umfaki-sicelo akatyali kwirhafu esikhutshwe ziiNkonzo zeRhafu zoMzantsi Afrika (South African Revenue Services) esingadlulanga kwiinyanga ezintathu sikhutshiwe ukusuka kulo mhla wokufakwa kwesicelo	L
Isingqinisio sentlawulo yesicelo efanelekileyo	M
Isiqinisekiso solwahlulo-mhlaba okanye ikopi yesicelo socwangciso engeniswe kumasipala ochaphazelekayo ngokwemiqathango yemithetho yocwangciso	N
Ezinye iimpepha ezifunwayo kulo Mthetho okanye zifunwa nguGunyaziwe	O
Utyumbo lokuqeshwa kwemanejala ngokwemiqathango yoMgaqo 22	P

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Iadresi yendawo : _____

_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

Inombolo yefekisi : _____

I-imeyili : _____

---

1. IINKCUKACHA ZOMFAKI-SICELO

1.1 Igama elipheleleyo :

_____

1.2 Inombolo yesazisi : _____

1.3 Umhla wokuzalwa : _____/ _____/ _____

(Ukuba UMFAKI-SICELO ngumntu)

Inombolo yobhaliso : _____

(Ukuba umfaki-sicelo akangomntu uthile)

1.4 Iadresi yasekhaya : _____

_____

Ikhowudi yeposi : _____

1.5 Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

1.6 Iadresi yalapho zisiwa khona zonke iinothisi neempepha: _____

_____

_____ Ikhowudi yeposi: _____

1.7 Iadresi yalapho zisiwa khona zonke iinothisi neempepha sisakuba siqwalaselwe isiceloafter ISICELO:

_____

_____

Ikhowudi yeposi: _____

1.8 Iinkcukacha zoqhagamshelwano zomfaki-sicelo okanye ukuba umfaki-sicelo akangomntu uthile, iinkcukacha eziphele leyo zomntu ekuqhagamshelwana naye:

_____

_____

_____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

1.9 Inombolo yefekisi : _____

1.10 I-imeyili: _____

2. UKUFANELEKA KOMFAKI-SICELO

2.1 Ngaba umfaki-sicelo ungumntu—

(a) owakhe, kwesi sithuba seminyaka emihlanu (5) phambi kokufakwa kwesi sicelo, wagwetywa ukuvalelwa entolongweni ngaphandle kwefayini?

Ewe / Hayi

(b) owakhe, kwesi sithuba seminyaka emihlanu (5) phambi kokufakwa kwesi sicelo, wafunyaniswa engakufanelanga ukuba angabhaliswa nguGunyaziwe woTywala weSizwe (National Liquor UGunyaziwe) okanye ukuba abe nelayisenisi nguye nawuphi na ugunyaziwe wotywala wephondo?	Ewe / Hayi
(c) otshone ematyaleni akavela nangonwele?	Ewe / Hayi
(d) ongaphantsi kweminyaka yobudala?	Ewe / Hayi
(e) owakhe wanelayisenisi eyathi yatshitshiswa ngokwalo Mthetho okanye uMthetho olawula iilayisenisi zotywala kulo naliphi na iphondo kwesi sithuba seenyanga ezilishumi elinesibini (12) phambi kokungeniswa kwesi sicelo?	Ewe / Hayi
(f) onowakwakhe ololu hlobo lomntu luchazwe ku-(a), (b) okanye (e) ngentla apha?	Ewe / Hayi
(g) ongaphilanga ngokwasengqondweni njengoko echazwa kuMthetho oyiMental Health Care Act, 2002 (uMthetho 17 ka-2002)?	Ewe / Hayi

2.2 Ukuba umfaki-sicelo akangomntu uthile:

Ngaba likhona ilungu, umnini-sabelo, umlingane, umxhamli, utrasti, womfaki-sicelo ongulo mntu uchazwe kumhlathi 2.1 (a), (b), (c), (d) okanye (e)?	Ewe / Hayi

2.3 Ukuba impendulo kuwo nawuphi na kule mibuzo ikumhlathi 2.1 okanye 2.2 ngentla pha ithi "ewe" nika iinkcukacha ezipheleleyo

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

_____

_____

_____

_____

3. UCHAPHAZELEKO EZIMALINI

3.1 Xela igama, inombolo yesazisi neadresi yomntu ngamnye, kubandakanya nomfaki-sicelo, onochaphazeko ngokwasezimalini kweli shishini liza kuqhutywa ngokwesi sicelo nobungakanani bolo chaphazeleko

[Ukuba umfaki-sicelo yinkampani karhulumente, iziko likarhulumente okanye umfela, njengoko kuchazwa kuMthetho oyiCo-operatives Act, 2005 (uMthetho 14 ka-1981), kwanele ukuba kunikwe nje igama neadresi yaseposini yaloo nkampani karhulumente*, ziko likarhulumente okanye mfela, ngokwaleyo ifanelekileyo, igama lomlawuli wayo ngamnye (ukuba bakhona) uhlobo nobungakanani bochaphazeleko ezimalini baloo* nkampani karhulumente*, ziko likarhulumente okanye mfela nochaphazeleko lwelungu ngalinye laloo* nkampani karhulumente*, ziko likarhulumente okanye mfela*.]

_____

_____

_____

_____

_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

3.2	Ukuba umfaki-sicelo yinkampani, inkampani encinane, ubuhlakani okanye itrasti, xela ukuba ngaba umntu okhankanywe kumhlathi 3.1 ngentla apha —	Makisha “ewe” okanye “hayi”	
(a)	unochaphazeleko kulawulo lwale nkampani, nkampani incinane okanye le trasti?	Ewe	Hayi
(b)	ulihlakani kobu buhlakani?	Ewe	Hayi
(c)	ungumxhamli ophambili kule trasti?	Ewe	Hayi

3.3 Ukuba impendulo kuwo nawuphi na kule mibuzo ikumhlathi 3.2 (a) (b) okanye-(c) ngentla pha ithi “EWE” nika iinkcukacha ezipheleleyo *(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)*

_____

_____

_____

_____

4. IINKCUKACHA ZESICELO

4.1 Xela uhlobo lwelayisenisi eyenzelwa isicelo _____

4.2 Xela iintlobo zotywala obuza kwenziwa okanye nobuza kuthengiswa_____

_____

4.3 Lithini igama eliza kuqhutywa ngalo eli shishini? _____

_____

4.4 Iadresi yamasango aza kuba nelayisenisi, ngokwenombolo yesiza, isi(zi)talato, isa(za)khiwo, iivenkile okanye ifama, ngokwemeko leyo, apho liza kuqhutyelwa khona eli shishini :

_____

_____

_____

4.5 Ngaba umfaki-sicelo ngawakhe la masango anelayisenisi acetywayo? **EWE / HAYI**

Ukuba akunjalo, nika iinkcukacha zomnini nezelungelo lomfaki-sicelo lokungena kuwo:

Igama lomnini : _____

Iadresi yomnini : _____

_____

Ilungelo lomfaki-sicelo lokuqhubela kuwo: _____

Ubungakanani bexesha lelungelo lokuqhubela kuwo: _____

4.6	Ingaba esi sicelwe senzelwe isakhiwo—	Makisha “ewe” okanye “hayi”	
(a)	angekakhiwa?	Ewe	Hayi
(b)	asele akhiwe kodwa afuna longezo okanye utshintsho oluza kuwenza ahambelane nenjongo yeli shishini?	Ewe	Hayi
(c)	asele akhiwe, kwaye ngokoluvo lomfaki-sicelo, akafuni longezo okanye lutshintsho lokuwenza ahambelane nenjongo yeli shishini?	Ewe	Hayi

4.7 Ukuba impendulo kumbuzo 4.6(a) okanye (b) ithi “EWE”, nceda uxele —

(a) umhla oluza kuqala ngawo olo lwakhiwo, longezo okanye tshintsho:

_____/ _____/ 20_____, kwakunye

(b) nexesha eliza kudingeka lolo lwakhiwo, longezo okanye tshintsho.

_____.

4.8 Amaxesha okuvula afunwayo ekucetywa ukuthengiswa okanye ukuselwa utywala ngawo kula masango anelayisenisi:

_____

4.9 Xa sinokuthi samkelwe isicelo esi, bonisa ukuba ilayisenisi iza kuvuselelwa ngonyaka **omnye** okanye **emibini**. (Faka oko kufanelekileyo.)

4.10 Imisebenzi eza kudalwa:

(a) Bangaphi abantu abaza kuqeshwa kweli shishini?

_____

(b) Bangaphi abantu abaza kuqeshwa njengeemanejala?

_____

(c) Bangaphi abantu abaza kuqeshelwa ukuthengisa utywala nje kuphela?

_____

5. IINKCUKACHA ZOMFAKI-SICELO UKUBA AKANGOMNTU

(Kuzaliswa xa umfaki-sicelo iyinkampani, inkampanana encinane, itrasti okanye ubuhlakani.)

5.1 Igama elibhalisiweyo: _____

5.2 Inombolo yobhaliso: _____

5.3 Umhla wobhaliso: _____

(Isingqinisiso sobhaliso masiqhotyoshelwe ngeSihlomelelo.)

5.4 Iinkcukacha zamalungu, abalawuli, amahlakani okanye ootrasti:

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

(Umntu wokuqala)

Igama elipheleleyo : _____

Iadresi yendawo : _____

_____

Ikhowudi yeposi : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Inombolo yesazisi : _____

(Umntu wesibini)

Igama eliphele leyo : _____

Iadresi yendawo : _____

_____

Ikhowudi yeposi : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Inombolo yesazisi : _____

6. EZINYE IILAYISENISI

6.1 Nika iinkcukacha zezinye iilayisenisi ezikhoyo kula masango acetywayo:

Umnini-layisenisi:

_____

_____

Uhlobo lwelayisenisi:

_____

_____

INOMBOLO YESALATHISO SESIPHATHAMANDLA:

_____

(Apho zikhoyo ezinye iilayisenisi kula masango acetywayo mazibonakaliswe kwiplani yesiza.)

6.2 Nika iinkcukacha ezipheleleyo zazo zonke iilayisenisi anazo umfaki-sicelo eNtshona Koloni kwakunye neenkcukacha ezipheleleyo zalo naluphi na ubhaliso analo kuGunyaziwe woTywala weSizwe ngokwemiqathango yoMthetho oyiLiquor Act, 2003 (uMthetho 59 ka-2003).

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 3A

INOTHISI YEZICELO ZEELAYISENISI ZOTYWALA NGOKWEMIQATHANGO YECANDELO 37(1) LOMTHETHO OYIWESTERN CAPE LIQUOR ACT, 2008

[Umgaqo 10(1)] UMTHETHO WOTYWALA WENTSHONA KOLONI

Isaziso siyanikezelwa ukuba ezi zicelo zilandelayo zamaphepha mvume otywala zifakiwe kwabasemaGunyeni ezoTywala eNtshona Koloni (abasemaGunyeni) nakumagosa ajongene nemiba engotywala kwii-ofisi ezixeliweyo zeeNkonzo zamaPolisa aseMzantsi Afrika.

Izicelo ekubhekiselelwa kuzo zingakwazi kwiintsuku ezingamashumi amabini anesibhozo (28) ukususela ngomhla wesi saziso, xa eceliwe kwaye simahla, ziye kuhlolwa nguye nawuphi umntu okwi-Ofisi esemaGunyeni okanye yegosa elijongene nemiba engotywala elixelwe apha ngezantsi. Iikopi zesicelo zingafumaneka kwabasemaGunyeni emva kwentlawulo emiselweyo.

Uchaso neengxelo ezixhasayo ezibhaliweyo zingafakwa kwabasemaGunyeni nakwigosa elijongene nemiba engotywala ngokwecandelo 39 loMthetho.

Nomb.	**Igama elipheleleyo lomfaki-sicelo**	**Igama ishishini eza kushishina phantsi kwalo**	**Idilesi yesakhiwo**	**Uhlobo lwephepha mvume olucelayo**	**i-Ofisi yeGosa elijongene nemiba engotywala yeeNkonzo zamaPolisa eMzantsi Afrika apho isicelo sifakwe khona**

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 3B

INOTHISI YOKUNGENISWA KWESICELO SELAYISENISI YOTYWALA

[Umgaqo 10(2)]

Apha kunikwa inothisi yokuba isicelo selayisenisi yotywala enkcukacha zayo zinikiweyo apha, singenisiwe kuGunyaziwe woTywala weNtshona Koloni nakwiiofisi zamagosa otywala agunyazisiweyo kwiiNkonzo zaMapolisa oMzantsi Afrika.

Esi sicelo sisenokuthi, ukuya kutsho kumhla wamashumi amabini anesibhozo (28) ukusuka kumhla wokushicilelwa kokungeniswa kwesicelo nguGunyaziwe, ngokwemiqathango lomgaqo 10(1), siye kuhlolwa nguye nawuphi na umntu othe wacela ngaphandle kwentlawulo, kwiiofisi zikaGunyaziwe nezamagosa otywala agunyazisiweyo. Iikopi zesi sicelo zingafumaneka phaya kuGunyaziwe emva kokuhlawula loo ntlawulo ibekiweyo.

Ngokwemiqathango yecandelo 39 uyakwazi ukungenisa isichaso okanye ingcaciso yakho yokuba usixhase okanye usichase esi sicelo. Xa unqwenela ukuyenza loo nto, eso sichaso sakho okanye loo ngcaciso kufuneka ingeniswe ngento ebhaliweyo kuGunyaziwe naseofisini yegosa lotywala eligunyazisiweyo.

Umhla wenothisi:

_____

(Lo mhla kufuneka uhambelane nomhla wokungeniswa kwesicelo.)

Igama elipheleleyo yomfaki-sicelo:

_____

Inombolo yesazisi okanye inombolo yobhaliso yomfaki-sicelo:

_____

Iadresi yesitalato yomfaki-sicelo:

_____

_____

Iadresi yaseposini yomfaki-sicelo:

_____

_____

Ikhowudi yeposi: _____

Uhlobo lwelayisenisi eyenzelwa isicelo:

_____

Uhlobo (Iintlobo) zotywala obuza kwenziwa okanye nobuza kuthengiswa:

_____

_____

Igama eliza kuqhutywa ngalo eli shishini: _____

_____

Iadresi yala masango acelelwa ilayisenisi ngokuphathelele kwinombolo yesiza, isi(zi)talato, isa(za)khiwo, ivenkile okanye ifama, apho liza kuqhutyelwa kuwo ishishini, ngokwemeko leyo:

_____

_____

Igama nomsayino womntu oqulunqe esi sicelo:

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____

Iadresi yendawo : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Inombolo yefekisi : _____

Imeyili : _____

_____

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:

Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.

Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

_____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 4A

INOTHISI YOKUBAKHONA KWINTLANGANISO YESIGQEBA SEEMBAMBANO ZEELAYISENISI ZOTYWALA NGOKWEMIQATHANGO YECANDELO 23(2)

[Umgaqo 16(1)]

IYA KU:

Igama: _____

Iadresi: _____

Ngamagunya anikwe iGosa eloNgameleyo licandelo 23(2) lalo Mthetho nangenxa yokuba ungachaphazeleka kakubi kuqwalaselo lomcimbi siSigqeba seeMbambano zeeLayisenisi zoTywala, apha ke uyacelwa ukuba ubekhona kwintlanganiso yeSigqeba seeMbambano zeeLayisenisi zoTywala emalunga nesicelo okanye nelayisenisi nezi nkcukacha zilandelayo:

Igama neadresi yamasango: _____

Igama lomfaki-sicelo/lomnini-layisenisi:

_____

INOMBOLO YESALATHISO SESIPHATHAMANDLA:

_____

Le ntlanganiso iya kuhlalwa ngalo mhla, neli xesha kule ndawo ixelwe ngezantsi apha:

Umhla: _____/ _____/ 20 _____

Ixesha: _____

Indawo: _____

Nceda uqaphele oku kulandelayo:

(i) Kubalulekile ukuba ubekhona buqu. Unganyula igqwetha lejaji, igqwetha okanye nawuphi na omnye umntu wokukumela.

(ii) IGosa eloNgameleyo lisenokufuna ukuba unike ubungqina okanye ukhuphe naziphi na iimpepha okanye nayiphi na enye into onayo okanye eselugcinweni okanye elulawulweni lwakho.

Ikhutshwe e _____ ngalo mhla _____ka _____ /
20 __.

_____
Unobhala

KUZALISA IZIPHATHAMANDLA KUPHELA

Ndiyaqinisekisa ukuba ndyihambisile le nothisi kulo mntu ukhankanywe kwinothisi—

(a) ngokuthi ndidlulisele ikopi echanekileyo
ku_____UBUQU
OKANYE
(b) ngokuthi ndidlulisele ikopi echanekileyo ku _____
obonakala engaphaya kweshumi elinesithandathu (16) yobudala nobonakala ehlala okanye esebenza kule ndawo AHLALA/ASEBENZA/ASHISHINELA kuyo lo _____ njengoko wayengafumaneki e
_____
_____.

Uhlobo nongxamiseko lwale nothisi wacaciselwa ngazo lo yanikwa yena.

Ixesha lodluliselo:

Ixesha: _____ Umhla: _____ Inyanga: _____ 20_____

_____

Umsayino wepolisa okanye womhloli

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 4B

ISAMANI NGOKWEMIQATHANGO YECANDELO 23(5)

[Umgaqo 16(1)]

KU:

Igama: _____

Iadresi: _____

_____

_____

Ngamagunya anikwe iGosa eloNgameleyo licandelo 23(5) lalo Mthetho, apha ke uyalelwa ukuba ubekhona kwintlanganiso yeSigqeba seeMbambano zeeLayisenisi zoTywala uze kunika ubungqina okanye ungenise iimpepha okanye nantoni na exelwayo kwiSihlomelelo _____ esiqhotyoshelwe apha, malunga nesicelo okanye nelayisenisi, nezi nkcukacha zilandelayo:

Igama lamasango : _____

Iadresi yamasango : _____

_____

Igama lomfaki-sicelo/lomnini-layisenisi:

_____

Isalathiso sesiphathamandlae :

_____

Le ntlanganiso iya kuhlalwa ngalo mhla, neli xesha kule ndawo ixelwe ngezantsi apha:

Umhla: _____/ _____/ 20 _____

Ixesha: _____

Indawo: _____

(i) **Nceda uqaphele ke ukuba, ngokwemiqathango yecandelo 23(13) lalo Mthetho kulityala ukungayi kwintlanganiso yeSigqeba seeMbambano zeeLayisenisi emva kokuba ukhutshelwe isamani yokwenza njalo**.

(ii) IGosa eloNgameleyo lisenokufuna ukuba unike ubungqina okanye ungenise naziphi na iimpepha okanye nayiphi na into onayo okanye eselulondolozweni lwakho okanye 80 kolawulo lwakho.

(iii) Amangqina anelungelo lokuba eze nabameli entlanganisweni abaza kuwamela .

Ikhutshwe e _____ ngalo mhla we _____ ka _____ 20_____.

_____
Unobhala

_____

KUZALISA IZIPHATHAMANDLA KUPHELA

Ndiyaqinisekisa ukuba ndyihambisile le samani kulo mntu ukhankanywe kwisamani—

(a) ngokuthi ndidlulisele ikopi echanekileyo ku_____UBUQU OKANYE

(b) ngokuthi ndidlulisele ikopi echanekileyo ku _____ obonakala engaphaya kweshumi elinesithandathu (16) yobudala nobonakala ehlala okanye esebenza kule ndawo AHLALA/ASEBENZA/ASHISHINELA kuyo lo _____ njengoko wayengafumaneki e _____

Uhlobo nongxamiseko lwale nothisi wacaciselwa ngazo lo yanikwa yena.

.

Ixesha: _____ Umhla: _____ Inyanga: _____ 20 ____.

_____
Umsayino wePolisa okanye woMhloli

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 5A

INOTHISI YOKUNIKWA KWELAYISENISI ENEMIQATHANGO NGOKWEMIQATHANGO YOMGAQO 17(2)

[Umgaqo 17(2)]

Igama lomfaki-sicelo: _____

IGAMA LESHISHINI ELINELAYISENISI ELICETYWAYO:

_____

_____

IADRESI YESHISHINI ELINELAYISENISI ELICETYWAYO: _____

_____

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Malunga nesicelo selayisenisi ye _____ .

Nceda uqaphele ukuba ilayisenisi ye _____ inikezelwe phantsi kwemiqathango, futhi iya kuthi ikhutshwe kusakuba kuthotyelwe le miqathango ilandelayo:

_____
_____
_____
_____
_____
_____
_____

Nceda uqaphele oku kulandelayo:

(a) Le miqathango ingentla apha kufuneka ithotyelwe zingadlulanga _____ ukusuka kumhla wale nothisi okanye ngomhla we _____ka _____ 20 ____ okanye phambi kwawo.

(b) Isicelo singangeniswa kwiSigqeba seeMbambano zeeLayisenisi ngokwemiqathango yecandelo 42(4) ngeFomu 5B yokwenziwa kwezilungiso kwimiqathango okanye yokuyirhoxisa imiqathango ibiyamkelwe phantsi kwayo ilayisenisi.

(c) Isicelo singangeniswa kwiGosa eloNgameleyo leSigqeba seeMbambano zeeLayisenisi ngeFomu 5B yokwandiselwa ixesha lokwamkelwa okunemiqathango ngokwemiqathango yecandelo 42(5)(a) okanye ukwamkelwa kokwenziwa kwezilungiso kwiplani yamasango ngokwemiqathango yecandelo 42(5)(b).

(d) Ukuba umfaki-sicelo uyasilela ukuthobela le miqathango ikhankanywe ngentla apha lada ladlulla eli xesha lokwamkela okunemiqathango okanye elo belandisiwe, ngokwemiqathango yecandelo 42(5)(a), ukwamkelwa kwelayisenisi kuya kuphelelwa ize nelayisenisi leyo ithathwe ngokuba ayikhange inikwe.

_____

IGosa eliLawulayo eliyiNtloko likaGunyaziwe woTywala weNtshona Koloni okanye umntu ogunyaziswe liGosa eliLawulayo eliyiNtloko

Umhla: _____

NCEDA UQAPHELE OKU KUNIKWA ILAYISENISI ENEMIQATHANGO AKUYIYO IMVUME YOKUBA URHWEBE NGAPHANDLE KWELAYISENISI ESEMTHETHWENI EKHUTSHWE NGOKWEMIQATHANGO YOMTHETHO WOTYWALA WENTSHONA KOLONI, 2008 (UMTHETHO 4 KA-2008).

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 5B

ISICELO—

A – NGOKWEMIQATHANGO YECANDELO 42(4) SOKWENZIWA KWEZILUNGISO OKANYE SOKURHOXISWA KWEMIQATHANGO EBIBEKWE NGOKWEMIQATHANGO YECANDELO 42(14); okanye

B – NGOKWEMIQATHANGO YECANDELO 42(5)(b) SOKWENZIWA KWEZILUNGISO KWIPLANI YAMASANGO; OKANYE

C – NGOKWEMIQATHANGO YECANDELO 42(5)(a) SOKWANDISELWA IXESHA

[Umgaqo 17(8)kunye no- (18)]

IKOPI YANQANGI KUFUNEKA INGENISWE KWISIPHATHAMANDLA ENYE **KWIGOSA LOTYWALA ELIGUNYAZISIWEYO ELIFANELEKILEYO**

INOMBOLO YESALATHISO SESIPHATHAMANDLA _____

UMFAKI-SICELO: _____

AMASANGO: _____

ISICELO:

A	B	C

(Bonisa ukuba sesiphi na.)

ISALATHISO

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	ISIHLOMELELO
Iplani yamasango eyenziwe izilungiso (ukuba kufanelekile)	A
Ingcaciso ebhaliweyo exhasa esi sicelo	B
Isingqinisiso sentlawulo	C

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____
_____

Ikhowudi yeposi : _____

Iadresi yendawo : _____
_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:
Eofisini : _____
Iseli : _____
Eyasekhaya okanye enye nje : _____
Inombolo yefekisi : _____
I-imeyili : _____

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu oqulunqe esi sicelo**

_____

Liprinte Igama

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 5C

INOTHISI YESIGQIBO NGOKWEMIQATHANGO YOMGAQO 17(17) OKANYE (22)

[Umgaqo 17(17) okanye 17(22)]

IGAMA LOMFAKI-SICELO: _____

IGAMA LESHISHINI ELICETYWAYO: _____

IADRESI YAMASANGO: _____

_____

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Nceda uqaphele ukuba isicelo ngokwemiqathango—

A yecandelo 42(4) sokwenza izilungiso kwimiqathango okanye sokuyirhoxisa;

B yecandelo 42(5)(b) sokwenza izilungiso kwiplani yamasango; okanye

C yecandelo 42(5)(a) sokwandiselwa ixesha,

(a) **siye samkelwa phantsi kwale miqathango iqhotyoshelweyo**.

(b) **siye sakhatywa**.

_____

iGosa eliLawulayo eliyiNtloko likaGunyaziwe woTywala weNtshona Koloni okanye umntu ogunyaziswe liGosa eliLawulayo eliyiNtloko

Umhla: _____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 5D

INOTHISI NGOKWEMIQATHANGO YECANDELO 42(4A) YOKUTSHITSHISWA KWELAYISENISI ENEMIQATHANGO EBINIKIWE

[Umgaqo 17(28)]

IGAMA LOMFAKI-SICELO: _____

IGAMA LESHISHINI ELINELAYISENISI ELICETYWAYO: _____

IADRESI YAMASANGO: _____

_____

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Nceda uqaphele ukuba iSigqeba seeMbambano zeeLayisenisi zoTywala, ngokwemiqathango yecandelo 42(4A), siye sagqiba ekubeni sikutshitshise ukunikwa kwelayisenisi enemiqathango ebinikwe ngokwemiqathango yecandelo 42(1).

Ngokwemiqathango yecandelo 68 loMthetho lo unelungelo lokubhena okanye lokucela ukuba kuvavanywe nasiphi na isigqibo seSigqeba seeMbambano zeeLayisenisi zoTywala.

_____

iGosa eliLawulayo eliyiNtloko likaGunyaziwe woTywala weNtshona Koloni okanye umntu ogunyaziswe liGosa eliLawulayo eliyiNtloko

Umhla: _____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 5E

INOTIHISI NGOKWEMIQATHANGO YOMGAQO 17(25)

[Umgaqo 17(25)]

IGAMA LOMFAKI-SICELO: _____

IGAMA LESHISHINI ELINELAYISENISI ELICETYWAYO: _____

IADRESI YAMASANGO: _____

_____

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Malunga nesicelo esamkelwa phantsi kwemiqathago ngomhla we _____

Iingcombolo esasingenamanakani azo iSigqeba seeMbambano zeeLayisenisi zoTywala ngeliya xesha lokunikwa kwelayisenisi enemiqathango ziye zangeniswa kuGunyaziwe ngomhla we_____. IGosa eliLawulayo eliyiNtloko lizidlulisele kwisigqeba seeMbambano zeeLayisenisi zoTywala ezi ngcombolo ngokwemiqathango yoMgaqo 17(24).

ISigqeba seeMbambano zeeLayisenisi zoTywala siza kuziqwalasela ezi ngcombolo, kwaye ke ukuba sithe saneliseka ukuba, ukuba sasizazi ezi ngcombolo ngexesha lokwamkelwa kwesicelo, ngesasingazange siyinike le layisenisi inemiqathango, singangakutshitshisa oku kunikwa kwelayisenisi enemiqathango ngokwemiqathango yecandelo 42(4A) lalo Mthetho.

Unalo ilungelo lokuba wenze ingcaciso ungadlulanga umhla we _____.

Ezi ngcombolo zikhankanywe ngentla apha ziqhotyoshelwe apha.

Ukuba iSigqeba seeMbambano zeeLayisenisi zoTywala sithe emva kokuziqwalasela ezi ngcombolo ziqhotyoshelwe apha sagqiba kwelokuba sikutshitshise oku kunikwa kwelayisenisi enemiqathango ngokwemiqathango yecandelo 42(4A), unalo ilungelo ngokwemiqathango yecandelo 68 lokuba ubhene okanye lokufaka isicelo sokuba sivandlakanywe eso sigqibo.

_____

IGosa eliLawulayo eliyiNtloko likaGunyaziwe woTywala weNtshona Koloni okanye umntu ogunyaziswe liGosa eliLawulayo eliyiNtloko

Umhla: _____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 6A

INOTHISI YOKUNIKWA KWELAYISENISI

[Umgaqo 18(2)]

IGAMA LOMFAKI-SICELO: _____

IGAMA LESHISHINI ELINELAYISENISI ELICETYWAYO: _____

IADRESI YAMASANGO: _____

_____

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Malunga nesicelo selayisenisi ye _____ .

Nceda uqaphele ukuba ilayisenisi ye_____iya kuthi ikhutshwe kusakuhlawulwa le ntlawulo ikhankanywe kwicandelo 46(2) zingadlulanga iintsuku ezingamashumi amathandathu (60) emva kokukhutshwa kwale nothisi, kungenjalo ke, kuhanjwa ngokwecandelo 46(6), ukwamkelwa kwesi sicelo kuya kuphelelwa.

Ukuba intlawulo ayikhutshwanga lade ladlula eli xesha lixelwe ngentla apha, usenokuthi ubhalele iGosa eliLawulayo eliyiNtloko ucele uxolelo ngolu silelo ekuhlawuleni ngokwemiqathango yecandelo 46(6).

Ukuba iGosa eliLawulayo eliyiNtloko liyakuxolela oku kusilela ekuhlawuleni intlawulo, kufuneka le ntlawulo yenziwe ngaloo mhla uthe wabekwa liGosa eliLawulayo eliyiNtloko kunye nesohlwayo esiyi-100% yaloo ntlawulo.

_____

iGosa eliLawulayo eliyiNtloko likaGunyaziwe woTywala weNtshona Koloni okanye umntu ogunyaziswe liGosa eliLawulayo eliyiNtloko

Umhla: _____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 6B

INOTHISI NGOKWEMIQATHANGO YOMGAQO 17(4) YOKUBA IMIQATHANGO YELAYISENISI ENIKIWEYO IFEZEKISIWE

[Umgaqo 17(4)]

IGAMA LOMFAKI-SICELO: _____

IGAMA LESHISHINI ELINELAYISENISI ELICETYWAYO: _____

IADRESI YAMASANGO: _____

_____

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Malunga nesicelo selayisenisi ye _____ .

2. Nceda uqaphele ukuba iGosa eloNgameleyo lanelisekile ukuba umfaki-sicelo uyifezekisile imiqathango ebibekwe siSigqeba seeMbambano zeeLayisenisi zoTywala ngomhla_____ nokuba ilayisenisi leyo iya kukhutshwa kusakuba kukhutshwe laa ntlawulo ikhankanywe kwicandelo 46(2) zingadlulanga iintsuku ezingamashumi amathandathu (60) komhla wale nothisi, kungenjalo kuya kuphelelwa ukwamkelwa kwesi sicelo:
3. Ukuba le ntlawulo ithe ayenziwa ngeli xesha libekwe ngentla apha, usenokuthi ubhalele iGosa eliLawulayo eliyiNtloko ucele uxolelo ngolu silelo ekuhlawuleni ngokwemiqathango yecandelo 46(6).
4. Ukuba iGosa eliLawulayo eliyiNtloko liyakuxolela ngoku kusilela ekuhlawuleni, kufuneka ikhutshwe le ntlawulo ihamba nesohlwayo se-100% yayo ngaloo mhla uthe wabekwa liGosa eliLawulayo eliyiNtloko

_____

iGosa eliLawulayo eliyiNtloko likaGunyaziwe woTywala weNtshona Koloni okanye umntu ogunyaziswe liGosa eliLawulayo eliyiNtloko

Umhla: _____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 6C

ISICELO SOXOLELO NGOKUSILELA UKUHLAWULA INTLAWULO EBEKIWEYO NGOKWEMIQATHANGO YECANDELO 46(6)

[Umgaqo 18(3A)]

IKOPI YANQANGI KUFUNEKA IFAKWE KWISIPHATHAMANDLA

INOMBOLO YESALATHISO SESIPHATHAMANDLA _____

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Iadresi yendawo : _____

_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

Inombolo yefekisi : _____

I-imeyili : _____

IINKCUKACHA ZOMFAKI-SICELO

1. Igama eliphele leyo lomfaki-sicelo: _____

2. Ingcaciso ebhaliweyo exhasa esi sicelo: _____

_____

_____

_____

_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

_____ _____

Umhla **Umsayino womfaki-sicelo okanye umntu ogunyaziswe ngumfaki-sicelo**

_____

Liprinte Igama

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 7

_____ ILAYISENISI YOTYWALA

[Umgaqo 17(6) okanye 18(4)]

INOMBOLO YESALATHISO SESIPHATHAMANDLA _____

_____ (oza kubizwa umnini-layisenisi ngezantsi apha)

Apha ilayisenisi yokwenza okanye nokuthengisa: _____

_____

_____ *(Faka iintlobo zotywala.)* nokuqhuba ishishini lakhe elinelayisenisi ngegama elithi:

_____ *(Faka igama lorhwebo.)*

kumasango anelayisenisi (aplani yawo iye yangeniswa kunye nesi sicelo okanye nayiphi na enye iplani yawo ethe yamkelwa siSigqeba seeMbambano zeeLayisenisi zoTywala, nekopi yayo eqhotyoshelwe apha njengeSihlomelelo “A”), ame kwa:

_____ *(Faka iadresi yendawo akuyo amasango anelayisenisi.)*

kumasipala wase _____ ishishini elo eliqhutywa phantsi kwemiqathango yalo Mthetho nemiqathango yawo ngeemvume ulwamkelo nangogunyaziso olukhutshwe nale layisenisi, izinto ezo eziqhotyoshelweyo apha.

_____

iGosa eliLawulayo eliyiNtloko likaGunyaziwe woTywala weNtshona Koloni okanye umntu ogunyaziswe liGosa eliLawulayo eliyiNtloko

Umhla: _____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 8

ISICELO SELAYISENISI YOTYWALA YEXESHANA NGOKWEMIQATHANGO YECANDELO 48(1)

[Umgaqo 19(2)(a)(ii)]

IKOPI YANQANGI KUFUNEKA IFAKWE KWISIPHATHAMANDLA, ENYE IFAKWE KWIGOSA LOTYWALA ELIGUNYAZISIWEYO,
IZE ENYE INGENISWE KUMASIPALA AKWINGINGQI YOLAWULO YAKHE LA MASANGO

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Isitampu somhla seSiphathamandla ngomhla ngomhla wokufunyanwa kwesi sicelo	Isitampu somhla segosa lotywala eligunyazisiweyo ngomhla ngomhla wokufunyanwa kwesi sicelo
Isitampu somhla sikamasipala ofanelekileyo ngomhla ngomhla wokufunyanwa kwesi sicelo	

ISALATHISO

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	**ISIHLOMELELO**
Iplani eneenkcukacha ezininzi yomgangatho wala masango anelayisenisi	A
Iplani yesiza	B
Imephu ethathwe emoyeni	C
Iifoto ezinombala ezinezalathiso	D
Inkcazo yamasango	E
Ingcaciso ebhaliweyo exhasa esi sicelo	F
Isingqinisiso sentlawulo efanelekileyo	G
Ikopi eqinisekisiweyo yesazisi somfaki-sicelo okanye ipasipoti nevisa okanye iadresi esisigxina yalapho ahlala khona umfaki-sicelo, kuze ke Iplani eneenkcukacha ezininzi yomgangatho wala masangoukuba	H

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	ISIHLOMELELO
umfaki-sicelo akangomntu uthile, iikopi zeempepha zobhaliso ezifanelekileyo ezibonisa izazisi zamalungu onke, nochaphazeleko lwawo ngokwasezimalini, abalawuli, amahlakani, abaxhamli okanye ootrasti	
Ezinye iimpepha ezifunwayo kulo Mthetho okanye zifunwa nguGunyaziwe	I
Inkcazo efungelweyo yomfaki-sicelo yokuba akangomntu ungafanelekanga ngokwemiqathango yecandelo 35, ukuba angaba nelayisenisi yotywala	J
Isiqinisekiso sanqangi esisemthethweni sokuba umfaki-sicelo akatyali kwirhafu esikhutshwe ziiNkonzo zeRhafu zoMzantsi Afrika (South African Revenue Services) esingadlulanga kwiinyanga ezintathu sikhutshiwe ukususka kulo mhla wokufakwa kwesicelo	K
Isingqinisiso selungelo lokuhlala ngeli xesha lenzelwe isicelo	L
Isingqinisiso sobunini bala masango okanye, ukuba umfaki-sicelo akanguye umnini wala masango, imvume ebhaliweyo evela kumninini wamasango echaza ukuba umfaki-sicelo angawasebenzisa la masango anelayisenisi ngokwenjongo yale layisenisi yenzelwa esi sicelo	M
Utyumbo lokuqeshwa kwemanejala ngokwemiqathango yoMgaqo 22	N

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____
_____

Ikhowudi yeposi : _____

Iadresi yendawo : _____
_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:
Eofisini : _____
Iseli : _____
Eyasekhaya okanye enye nje : _____
Inombolo yefekisi : _____
I-imeyili : _____

1. IINKCUKACHA ZOMFAKI-SICELO

1.1 Igama elipheleleyo :
_____

1.2 Iadresi yasekhaya : _____
_____
Ikhowudi yeposi : _____

1.3 Iadresi yaseposini : _____
_____
Ikhowudi yeposi : _____

1.4 Iinombolo zefowuni:
Eofisini : _____
Iseli : _____
Eyasekhaya okanye enye nje : _____

1.5 Inombolo yefekisi : _____

1.6 I-imeyili : _____

1.7 Iadresi ezisiwa kuwo zonke iinothisi neempepha:
_____
_____
Ikhowudi yeposi: _____

1.8 Iadresi ezisiwa kuwo zonke iinothisi neempepha emva kokuba sithe saqwalaselwa isicelo :
_____
_____
Ikhowudi yeposi: _____

1.9 Iinkcukacha zoqhagamshelwano zomfaki-sicelo okanye ukuba umfaki-sicelo yinkampani okanye umbutho, iinkcukacha ezipheleleyo zomntu ekuqhagamshelwana naye:
_____
_____

1.10 Iinombolo zefowuni:
Eofisini : _____
Iseli : _____
Eyasekhaya okanye enye nje : _____

2. IINKCUKACHA ZESHISHINI ELINELAYISENISI

2.1 Iintlobo zelayisenisi: (Faka "EWE" okanye "HAYI".)

Ilayisenisi ngokwemiqathango yecandelo 33(1)(a) **– EWE / HAYI**

Ilayisenisi ngokwemiqathango yecandelo 33(1)(b) – **EWE / HAYI**

Ilayisenisi ngokwemiqathango yecandelo 33(1)(c) – **EWE / HAYI**

Ilayisenisi ngokwemiqathango yecandelo 33(1)(d) – **EWE / HAYI**

2.2 Iintlobo zotywala obunokuthengiswa ngale layisenisi: _____

2.3 Igama eliza kuqhutywa ngalo eli shishini: _____

2.4 Inombolo yesiza neadresi yamasango anelayisenisi: _____

2.5 Ingingqi kamasipala akuyo amasango anelayisenisi: _____

2.6 Inombolo yelayisenisi: _____

3. IINKCUKACHA ZESICELO

3.1 Nika izizathu zesi sicelo nohlobo lweemeko (ukuba kufanelekile) efunwa phantsi kwazo ilayisenisi yotywala yexeshana: _____

_____

_____

_____

_____

3.2 Iinkcukacha zamasango eliza kuqhutyelwa kuwo ishishini:
Inombolo yesiza : _____
Iadresi : _____

_____

_____

3.3 Ingiqi kamasipala eliza kuqhutyelwa kuyo ishishini: _____

3.4 Igama eliza kuqhutywa ngalo eli shishini: _____

_____

3.5 Chaza indawo obuza kuthengiselwa kuyo utywala kula masango:

_____

_____

_____

3.6 Amaxesha okuvula nemihla efunwayo ebunokuthengiswa okanye buselwe ngayo utywala kula masangoanelayisenisi:

_____

_____

_____

3.7 UMfaki-sicelo uza kuba nalo ilungelo lokungena kula masango acetywayo? **EWE / HAYI**

(Faka apho kufanelekileyo.)

Ukuba impendulo ithi EWE, nika inkcazo zomnini nezelungelo lomfaki-sicelo lokungena:

(a) Igama lomnini: _____

(b) Iadresi yomnini: _____

(c) Inkcazo yelungelo lomfaki-sicelo lokungena: _____

_____

_____

(d) Ubude bexesha lelungelo lokungena:

_____

_____

(e) Umfaki-sicelo unalo ilungelo lokuthengisa utywala kula masango kuthethwa ngawo?

_____

3.8 Kulo nyaka sikuwo ngaba ikhona ilayisenisi yokuthengisa utywala yexeshana ebekhe wayinikwa umfaki-sicelo? (Faka "ewe" okanye "hayi".) **EWE / HAYI**

Ukuba impendulo ithi ewe, chaza—

(a) Inani leelayisenisi zexeshana athe wazinikwa ukusuka kulo nyaka siwuphetheyo:

_____

(b) inani leentsuku zizonke ezanikelwa ilayisenisi yexeshana kulo nyaka siwuphetheyo:

_____

4. EZINYE IILAYISENISI

Nika iinkcukacha zezinye iilayisenisi ezikhoyo kula masango acetywayo:

Umnini-layisenisi:

_____

_____

Uhlobo lwelayisenisi:

_____

_____

INOMBOLO YESALATHISO SESIPHATHAMANDLA:

_____

(Apho zikhoyo ezinye iilayisenisi kula masango acetywayo mazibonakaliswe kwiplani yesiza.)

5. UCHAPHAZELEKO EZIMALINI

Xela igama, inombolo yesazisi neadresi yomntu ngamnye, kubandakanya nomfaki-sicelo, onochaphazeleko ngokwasezimalini kweli shishini liza kuqhutywa ngokwesi sicelo yaye kwimeko nganye chaza ubunjani nobungakanani bolo chaphazeleko.

_____

_____

_____

_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

_____

Liprinte Igama

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 9

ISICELO SELAYISENISI YOTYWALA YESIYUNGUMA NGOKWEMIQATHANGO YECANDELO 48(4)

[Umgaqo 19(2)(b)(ii)]

IKOPI YANQANGI KUFUNEKA IFAKWE KWISIPHATHAMANDLA, ENYE IFAKWE KWIGOSA LOTYWALA ELIGUNYAZISIWEYO,
IZE ENYE INGENISWE KUMASIPALA AKWINGINGQI YOLAWULO YAKHE LA MASANGO

Isitampu somhla seSiphathamandla ngomhla wokufunyanwa kwesicelo	Isitampu somhla segosa lezotywala eligunyazisiweyo ngomhla wokufunyanwa kwesicelo
Umhla wesitampu womasipala ochaphazelekayo ngomhla wokufunyanwa kwesicelo	

INOMBOLO YESALATHISO SESIPHATHAMANDLA:

_____

ISALATHISO

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	**ISIHLOMELELO**
Iplani eneenkcukacha ezininzi yomgangatho wala masango	A
Iplani yesiza	B
Imephu ethathwe emoyeni	C
Iifoto ezinombala ezinesalathiso	D
Inkcazo yala masango	E

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	**ISIHLOMELELO**
Ingcaciso ebhaliweyo exhasa esi sicelo	F
Isingqinisiso sentlawulo efanelekileyo yesi sicelo	G
Ikopi eqinisekisiweyo yesazisi somfaki-sicelo okanye ipasipoti nevisa okanye iadresi esisigxina yalapho ahlala khona umfaki-sicelo, kuze ke ukuba umfaki-sicelo akangomntu uthile, iikopi zeempepha zobhaliso ezifanelekileyo ezibonisa izazisi zamalungu onke, nochaphazeleko lwawo ngokwasezimalini, abalawuli, amahlakani, abaxhamli okanye ootrasti	H
Ezinye iimpepha ezifunwayo kulo Mthetho okanye ezifunwa nguGunyaziwe	I
Inkcazo efungelweyo yomfaki-sicelo yokuba akangomntu ungafanelekanga ngokwemiqathango yecandelo 35, ukuba angaba nelayisenisi yotywala	J
Isiqinisekiso sanqangi esisemthethweni sokuba umfaki-sicelo akatyali kwirhafu esikhutshwe ziiNkonzo zeRhafu zoMzantsi Afrika (South African Revenue Services) esingadlulanga kwiinyanga ezintathu sikhutshiwe ukusuka kulo mhla wokufakwa kwesicelo	K
Isingqinisiso sobunini bala masango okanye, ukuba umfaki-siceloi akanguye umnini wala masango, imvume ebhaliweyo evela kumninini wamasango echaza ukuba umfaki-sicelo angawasebenzisa la masango anelayisenisi ngokwenjongo yale layisenisi yenzelwa esi sicelo	L
Utyumbo lokuqeshwa kwemanejala ngokwemiqathango yoMgaqo 22	M

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:

Igama : _____

Umsayino : _____

Iadresi yasekhaya : _____

_____

Ikhowudi yeposi : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje: _____

Inombolo yefekisi : _____

I-imeyili : _____

1. IINKCUKACHA ZOMFAKI-SICELO

1.1 Igama elipheleleyo : _____

1.2 Iadresi yasekhaya : _____

_____

Ikhowudi yeposi : _____

1.3 Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

1.4 Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje: _____

1.5 Inombolo yefekisi : _____

1.6 I-imeyili : _____

1.7 Iadresi yalapho zisiwa khona zonke iinothisi neempepha: _____

_____

Ikhowudi yeposi: _____

1.8 Iadresi yalapho zisiwa khona zonke iinothisi neempepha sisakuba siqwalaselwe isicelo:

_____

_____

Ikhowudi yeposi: _____

1.9 Iinkcukacha zomfakii-sicelo okanye, ukuba umfaki-sicelo sisigqeba, inombolo yaso yobhaliso:

_____

_____

1.10 Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje: _____

1.11 Inombolo yobhaliso (ukuba umfaki-sicelo sisigqeba): _____

1.12	Ngaba umfaki-sicelo ungumntu—	Faka u "ewe" okanye "hayi"	
(a)	owakhe, kwesi sithuba seminyaka emihlanu (5) phambi kokufakwa kwesi sicelo, wagwetywa ukuvalelwa entolongweni ngaphandle kwefayini?	Ewe	Hayi
(b)	owakhe, kwesi sithuba seminyaka emihlanu (5) phambi kokufakwa kwesi sicelo, b wafunyaniswa engakufanelanga ukuba angabhaliswa nguGunyaziwe woTywala weSizwe (National Liquor UGunyaziwe) okanye ukuba abe nelayisenisi nguye nawuphi na ugunyaziwe wotywala wephondo?	Ewe	Hayi
(c)	otshone ematyaleni akavela nangonwele?	Ewe	Hayi
(d)	ongaphantsi kweminyaka yobudala?	Ewe	Hayi
(e)	owakhe wanelayisenisi eyathi yatshitshiswa ngokwemiqathango yalo Mthetho okanye yoMthetho olawula iilayisenisi zotywala kulo naliphi na iphondo kwesi sithuba seenyanga ezilishumi elinesibini (12) phambi kokungeniswa kwesi sicelo?	Ewe	Hayi
(f)	onowakwakhe ololu hlobo lomntu luchazwe ku-(a), (b) okanye (e) ngentla apha?	Ewe	Hayi
(g)	ongaphilanga ngokwasengqondweni njengoko echazwa kuMthetho oyiMental Health Care Act, 2002 (uMthetho 17 ka-2002)?	Ewe	Hayi

1.13 Ukuba impendulo kuwo nawuphi na kule mibuzo iku-1.12 ngentla pha ithi “EWE” nika iinkcukacha ezipheleleyo.

_____

_____

_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

2. IINKCUKACHA ZESIYUNGUMA NAMASANGO ACETYWAYO

2.1 Chaza uhlobo lwesiyunguma esicelelwa ilayisenisi yotywala:

_____

_____

2.2 Inombolo yesiza neadresi yamasango eliza kuqhutyelwa kuwo ishishini:
Inombolo yesiza: _____
Iadresi: _____

_____

2.3 Ingingqi kamasipala eliza kuqhutyelwa kuyo ishishini: _____

2.4 Liza kuqhutywa ngegama elithini ishishini: _____

_____

_____

2.5 Chaza iindawo okanye iindawo ebuza kuthengiselwa kuzo utywala:

_____

_____

_____

2.6 Utywalwa buza kuthengiselwa ukuselelwa apha ngaphakathi emasangweni okanye ngaphandle okanye ngaphakathi nangaphandle kwamasango anelayisenisi?

_____

2.7 Xela imihla neeyure ekuza kuthengiswa ngazo.

_____

_____

_____

2.8 Umfaki-sicelo uza kuba nalo ilungelo lokuthengisa utywala kula masango acetywayo? **EWE / HAYI**

2.9 Ukuba impendulo ithi EWE, nika iinkcukacha zomnini nelungelo lomfaki-sicelo lokuthengisela kula masango acetywayo:

(a) Igama lomnini: _____

(b) Iadresi yomnini: _____

(c) Inkcazo yelungelo lomfaki-sicelo lokuthengisa utywala:

_____

_____

_____

_____

(d) Ubude bexesha lelungelo lokuthengisa utywala:

_____

2.10 Kulo nyaka sikuwo ngaba ikhona ilayisenisi yokuthengisa utywala yexeshana ebekhe wayinikwa umfaki-sicelo? **EWE / HAYI**

(Faka "EWE" okanye "HAYI".)

3. EZINYE IILAYISENISI

Nika iinkcukacha zezinye iilayisenisi ezikhoyo kula masango acetywayo:

Umnini-layisenisi : _____

Uhlobo lwelayisenisi: _____

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

(Apho zikhoyo ezinye iilayisenisi kula masango acetywayo mazibonakaliswe kwiplani yesiza.)

4. UCHAPHAZELEKO EZIMALINI

4.1 Ngoobani abaza kuba nochaphazeleko ezimalini kweli shishini liza kuqhutyelwa kula masango acetywayo?

_____

4.2 Chaza uhlobo nobungakanani bolo chaphazeleko: _____

_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

_____

Liprinte Igama

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 10

ILAYISENISI YOTYWALA YEXESHANA

[Umgaqo 19(20)(b)]

ISALATHISO SESIPHATHAMANDLA _____

_____,

ongumnini welayisenisi yotywala esemthethweni (umnini-layisenisi) ngokwemiqathango yecandelo 33(.....) apha unikwa ilayisenisi yokuthengisa

_____ *(dwelisa uhlobo okanye iintlobo zotywala)*

nokuba aqhube ishishini lakhe ngegama elithi-

lgama:

_____

apho akhoyo amasango anelayisenisi: _____

_____

_____

(Iadresi yendawo yamasango anelayisenisi.)

ngezi ntsuku nezi yure zilandelayo: _____

_____

Umnini-layisenisi unikwe ilayisenisi yokuqhuba ishishini lakhe ngokwemiqathango neemeko neeplani zalo Mthetho njengoko zichazwa kwesi Sihlomelelo siqhotyoshelwe apha.

_____

IGosa eliLawulayo eliyiNtloko likaGunyaziwe woTywala wePhondo leNtshona Koloni okanye umntu ogunyaziswe liGosa eliLawulayo eliyiNtloko

Umhla: _____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 11

ILAYISENISI YOTYWALA YESIYUNGUMA

[Umgaqo 19(20)(b)]

_____ (umnini-layisenisi)

Apha unikwa ilayisenisi yokuthengisa

_____

_____ *(Dwelisa iintlobo zotywala.)*

nokuba aqhube ishishini ngegama elithi_____

_____

apho akhoyo amasango anelayisenisi: _____

_____

(Iadresi yendawo yamasango anelayisenisi)

ngezi ntsuku nezi yure zilandelayo:

_____ obuza kuselelwa apha ngaphakathi okanye ngaphandle kwamasango okanye ngaphakathi nangaphandle kwamasango.

Umnini-layisenisi unikwe ilayisenisi yokuqhuba ishishini lakhe ngokwemiqathango neemeko neeplani zalo Mthetho njengoko zichazwa kwesi Sihlomelelo siqhotyoshelwe apha..

_____

IGosa eliLawulayo eliyiNtloko likaGunyaziwe woTywala wePhondo leNtshona Koloni okanye umntu ogunyaziswe liGosa eliLawulayo eliyiNtloko

Umhla: _____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 12A

ISICELO) SOXOLELO NGOKUNGENISWA EMVA KWEXESHA KWESICELO SELAYISENISI YOTYWALA YEXESHANA OKANYE YESIYUNGUMA NGOKWEMIQATHANGO YECANDELO 48(10

[Umgaqo 19(16)]

IKOPI YANQANGI KUFUNEKA IFAKWE KWISIPHATHAMANDLA6

INOMBOLO YESALATHISO SESIPHATHAMANDLA _____.

Umhla wesitampu soGunyaziwe xa kufunyanwa isicelo

ISALATHISO

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	**ISIHLOMELELO**
Isingqinisiso sentlawulo yesohlwayo	A
ISICELO ngokwemiqathango y UMGAQO 19(1)(a) okanye (b)	B
Isingqinisiso sentlawulo yesicelo ngokuphathelele kwisicelo esenziwe ngokwemiqathango yoMgaqo 19(1)(a) okanye (b)	C

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Iadresi yendawo : _____

_____

Ikhowudi yeposi : _____

Inombolo zefowuni:
Eofisini : _____
Iseli : _____
Eyasekhaya okanye enye nje : _____
Inombolo yefekisi : _____
Imeyili : _____

IINKCUKACHA ZOMFAKI-SICELO

1. Igama elipheleleyo lomfaki-sicelo:
_____

2. Ingcaciso ebhaliweryo exhasa esi sicelo soxolelo:
_____
_____
_____
_____
_____
(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

_____ _____
Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

_____
Liprinte Igama

_____

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

_____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 12B

INOTHISI NGOKWEMIQATHANGO YOMGAQO 19(19)

[Umgaqo 19(21)]

IGAMA LOMNINI WELAYISENISI YOTYWALA YEXESHANA OKANYE YESIYUNGUMA: _____

IGAMA LESHISHINI ELINELAYISENISI: _____

IADRESI YAMASANGO: _____

_____

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Malunga nelayisenisi yotywala yexeshana okanye yesiyunguma ekhutshwe ngomhla we: _____
_____.

Iikopi zayo nayiphi na ingxelo, isikhalazo, ugqithiselo okanye iingcaciso ezikhankanywe kwicandelo 48(14) zinikezelwa kuwe apha.

Emva kokuqwalasela le ngxelo, esi sikhalazo, elugqithiselo okanye ezingcaciso, iGosa eLongameleyo leSigqeba seeMbambano zeeLayisenisi zoTywala sisenokuthi, ngokwemiqathango yecandelo 48(13)—

(a) le layisenisi liyibekele imiqathango okanye unyino okanye eminye imiqathango nolunye unyino olucaciswe kule nothisi okanye nolo libona lufanelekile ukuyibeka;

(b) liyimise sokwexeshana, liyitshitshise okanye liyenze izilungiso nayiphi na imiqathango okanye unyino ebilubekelwe le layisenisi; okanye

(c) liyimise okanye liyitshitshise le layisenisi.

Unelungelo lokwenza ingcaciso ungadlulanga umhla we_____.

Ukuba iGosa eloNgameleyo ligqiba ekubeni lithathe amanyathelo ngokwemiqathango yecandelo 48(13), unalo ilungelo ngokwemiqathango yecandelo 68 lokuba ubhene okanye lokufaka isicelo sovandlakanyo lweso sigqibo.

_____

IGosa eliLawulayo eliyiNtloko likaGunyaziwe woTywala weNtshona Koloni okanye umntu ogunyaziswe liGosa eliLawulayo eliyiNtloko

Umhla: _____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 13

ISICELO SODLULISELO LOCHAPHAZELEKO EZIMALINI KWISHISHINI ELINELAYISENISI NGOKWEMIQATHANGO YECANDELO 51(1)

[UMGAQO 21(1)]

IKOPI YANQANGI KUFUNEKA IFAKWE KWISIPHATHAMANDLA, ENYE IFAKWE KWIGOSA LOTYWALA ELIGUNYAZISIWEYO, AKWINGINGQI YOLAWULO YALO MASANGO

Isitampu somhla seSiphathamandla xa kufunyanwa isicelo	Isitampu somhla segosa lezotywala eligunyazisiweyo xa kufunyanwa isicelo

Isitampu somhla seSiphathamandla ngomhla wokufunyanwa kwesicelo	Isitampu somhla segosa lotywala ngomhla wokufunyanwa kwesicelo

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____.

ISALATHISO

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	ISIHLOMELELO
Isingqinisiso sentlawulo	A
Isingqinisiso sotshintsho kuchaphazeleko ezimalini kwisicelo esifakwe ngokwemiqathango yoMgaqo 21(1)(a)	B
Ingcaciso ebhaliweyo exhasa esi sicelo	C
Ikopi eqinisekisiweyo yesazisi okanye yepasipoti nevisa okanye ipemethi yokuhlala isigxina yalo mntu lucetywa ukudluliselwa kuye uchaphazeleko ezimalini, ukuba ngaba ungumntu welinye ilizwe, kuze ke ukuba akangomntu uthile, iikopi zeempepha zobhaliso ezifanelekileyo ezibonisa izazisi zamalungu onke, nochaphazeleko lwawo ngokwasezimalini, abalawuli, amahlakani, abaxhamli okanye ootrasti kule layisenisi icelwayo	D
Inkcazo efungelweyo yalo mntu lucetywa ukudluliselwa kuye uchaphazeleko ezimalini ecacisa ukuba akangomntu ungafanelekanga ekubeni abe nealayisenisi, ngokwemiqathango yecandelo 35	E
Isiqinisekiso sanqangi esisemthethweni sokuba lo uza kudluliselwa uchaphazeleko ezimalini akatyali kwirhafu esikhutshwe ziiNkonzo zeRhafu zoMzantsi Afrika (South African Revenue Services) esingadlulanga kwiinyanga ezintathu sikhutshiwe ukusuka kulo mhla wokufakwa kwesicelo	F

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:

Igama : _____

Umsayino : _____

Iadresi yasekhaya : _____
_____

Ikhowudi yeposi : _____

Iadresi yaseposini : _____
_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:
Eofisini : _____
Iseli : _____
Eyasekhaya okanye enye nje: _____

Inombolo yefekisi : _____

I-imeyili : _____

Isigaba A

IINKCUKACHA ZOMNINI-SICELO

1. Inombolo yelayisenisi: _____

2. Igama eliphele leyo lomnini-layisenisi: _____

3. Nika igama, inombolo yesazisi neadresi nobungakanani bochaphazeleko emalini lomnini-sabelo ngamnye, ilungu, ihlakani, umxhamli okanye utrasti ngamnye oceba ukudlulisela uchaphazeleko ezimalini

_____

_____

_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

4. (a) Igama neadresi yamasango anelayisenisi: _____

_____

_____

(b) Chaza indawo akuyo amasango eliza kuqhutyelwa kuyo eli shishini linelayisenisi ngokwenombolo yesiza, isitalato, isakhiwo, iivenkile okanye ifama, oko kufanelekileyo _____

_____

_____

_____

(c) La masango akhankanywe kumhlatana i(a) akweyiphi ingingqi kamasipala?

_____

5. Igama nenombolo yefowuni yomntu ekuqhagamshelwana naye emini _____

Isigaba B

IINKCUKACHA ZOMNTU OLUZA KUDLULISELWA KUYE UCHAPHAZELEKO EZIMALINI

1. Igama eliphele leyo: _____

2. Inombolo yesazisi okanye ukuba yinkampani okanye inkampani encinane, inombolo yobhaliso yayo: _____
(Qhoboshela ikopi yesazisi okanye uxwebhu okanye ubungqina bobhaliso.)

3. Iadresi yasekhaya okanye yeofisi ebhalisiweyo: _____
_____
_____
_____

4. Iadresi yeshishini: _____
_____
_____
_____

5. Iadresi yaseposini: _____

6. Inombolo yefowuni: _____.

7.1	Lo mntu luza kudluliselwa kuye uchaphazeleko ezimalini ngumntu—	Makisha u “ewe” okanye u “hayi”	
(a)	owakhe, kwesi sithuba seminyaka emihlanu (5) edlulileyo phambi kokufakwa kwesi sicelo, wanikwa isigwebo sokuvalelwa entolongweni kungekho fayini	Ewe	Hayi
(b)	owakhe, kwesi sithuba seminyaka emihlanu (5) phambi kokufakwa kwesi sicelo, wafunyaniswa engakufanelanga ukuba angabhaliswa nguGunyaziwe woTywala weSizwe (National Liquor UGunyaziwe) okanye ukuba abe nelayisenisi nguye nawuphi na ugunyaziwe wotywala wephondo?	Ewe	Hayi
(c)	utshone ematyaleni akavela nangonwele?	Ewe	Hayi
(d)	ungaphantsi kweminyaka yomntu omdala?	Ewe	Hayi

(e)	owakhe wanelayisenisi eyathi yatshitshiswa ngokwemiqathango yalo Mthetho okanye yoMthetho olawula iilayisenisi zotywala kulo naliphi na iphondo kwesi sithuba seenyanga ezilishumi elinesibini (12) phambi kokungeniswa kwesi sicelo?	Ewe	Hayi
(f)	onowakwakhe ololu hlobo lomntu luchazwe ku-(a), (b) okanye (c) ngentla apha?	Ewe	Hayi
(g)	ongaphilanga ngokwasengqondweni njengoko echazwa kuMthetho oyiMental Health Care Act, 2002 (uMthetho 17 ka-2002)?	Ewe	Hayi
7.2	Ukuba ngaba lo mntu luza kudluliselwa kuye uchaphazeleko ezimalini akayonkampani— Ngaba likhona naliphi na ilungu, umnini-sabelo, utrasti, umxhamli okanye ihlakani lomfaki-sicelo elilolu hlobo lomntu luchazwe kumhlathi 7.1 (a), (b) okanye (e)?	Ewe	Hayi

7.3 Ukuba impendulo yawo nawuphi na kule mibuzo ikwimihlathi 7.1 okanye 7.2 ithi “ewe”, nika iinkcukacha ezipheleleyo:

_____

_____

_____

_____

_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

7.4.	Ukuba ngaba lo mntu luza kudluliselwa kuye uchaphazeleko ngokwasezimalini yinkampani, inkampani encinane, ubuhlakani okanye itrasti, xela ukuba ngaba lo mntu ukhankanywe kumhlathi 7.1 ngentla apha—	Makisha u“ewe” okanye u “hayi”	
(a)	unochaphazeleko kulawulo lwale nkampani, nkampani incinane okanye le trasti?	Ewe	Hayi
(b)	ulihlakani kobu buhlakani?	Ewe	Hayi
(c)	ungumxhamli ophambili kule trasti?	Ewe	Hayi

7.5 Ukuba impendulo kuwo nawuphi na kule mibuzo ikumhlathi 7.4 (a) ukuya ku-(c) ngentla pha ithi “ewe” nika iinkcukacha ezipheleleyo:

_____

_____

_____

_____

_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

7.6 Nika igama, inombolo yesazisi neadresi yomntu ngamnye—

(a) Onalo naluphi na uchaphazeleko ezimalini kweli shishini lale layisenisi, kubandakanya nomnini-layisenisi; kunye

(b) Nalowo uya kuthi abe nalo olo chaphazeleko ukuba sithe samkelwa esi sicelo, uhlobo nobungakanani bolo chaphazeleko ezimalini, kubandakanya nalo mntu luza kudluliselwa kuye olo chaphazeleko ezimalini.

_____

_____

_____

_____

_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

Umhla: _____

_____

Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo

_____

Bhala igama

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 14

ISICELO SOKUQESHISELA AMASANGO KOMNYE UMNTU, SOKUVUMELA OMNYE UMNTU UKUBA AQHUBE ISHISHINI NGOKWEMIQATHANGO YALE LAYISENISI OKANYE SOKUVUMELA OMNYE UMNTU ASEBENZISE AMASANGO ANELAYISENISI NGOKWEMIQATHANGO YECANDELO 51(7)

[UMGAQO 21(2)]

IKOPI YANQANGI KUFUNEKA IFAKWE KWISIPHATHAMANDLA, ENYE IFAKWE KWIGOSA LOTYWALA ELIGUNYAZISIWEYO AKWINGINGQI YOLAWULO LWAYO LA MASANGO ANELAYISENISI

Isitampu somhla seSiphathamandla ngomhla wokufunyanwa kwesicelo	Isitampu somhla segosa lotywala eligunyazisiweyo ngomhla wokufunyanwa kwesicelo

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

ISALATHISO

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	**ISIHLOMELELO**
Isingqinisiso sentlawulo yesicelo efanelekileyo	A
Isingqinisiso sokuqeshiswa kwamasango anelayisenisi, sokuqhutywa kweshishini ngokwemiqathango yale layisenisi okanye sokusetyenziswa kwamasango anelayisenisi , njengoko kufanelekile	B
Ingcaciso ebhaliweyo exhasa esi sicelo	C
Ikopi eqinisekisiweyo yesazisi salo mntu uceba ukuqesha ilayisenisi kumnini-layisenisi, aqhube ishishini ngokwemiqathango yaloo layisenisi okanye asebenzise amasango anelayisenisi, okanye, ukuba loo mntu ungowelinye ilizwe ipasipoti nevisaokanye imvume esisgxina yokuhlala, xa ingengomntu uthile, isisigqeba iikopi zeempepha zobhaliso ezifanelekileyo ezibonakalisa izazisi zawo onke amalungu, abalawuli, amahlakani abaxhamli okanye ootrasti, kunye nochaphazeleko ezimalini lwamalungu onke, apho kufanelekileyo	D
Inkcazo efungelweyo yalo mntu kucetywa ukumvumela aqeshe ilayisenisi, aqhube ishishini okanye asebenzise amasango anelayisenisi ecacisa ukuba akangomntu ungafanelekanga ekubeni	E

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	ISIHLOMELELO
abe nealayisenisi, ngokwemiqathango yecandelo 35	
Isiqinisekiso sanqangi esisemthethweni sokuba lo ucela ilayisenisi akatyali kwirhafu esikhutshwe ziiNkonzo zeRhafu zoMzantsi Afrika (South African Revenue Services) esingadlulanga kwiinyanga ezintathu sikhutshiwe ukusuka kulo mhla wokufakwa kwesicelo	F
Ikopi yelayisenisi yotywala yalo mntu uceba ukuqesha ilayisenisi, ukuqhuba ishishini okanye ukusebenzisa amasango anelayisenisi	G
Ikopi yelayisenisi yotywala yalo mntu uceba ukuqeshisa amasango komnye umntu ukuze enze ushishino ngokwemiqathango yelayisenisi okanye ovumela omnye umntu ukuba asebenzise amasango anelayisenisi	H
Iplani yomgangatho eneenkcukacha ezininzi ngokoMgaqo 21(5)(h)	I
Iifoto ezinombala ezinezalathiso ngokoMgaqo 21(5)(i)	J

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:

Igama : _____

Umsayino : _____

Iadresi yasekhaya : _____

_____

Ikhowudi yeposi : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

Inombolo yefekisi : _____

I-imeyili: _____

ISIGABA A

IINKCUKACHA ZOMNINI WAMASANGO ANELAYISENISI (UMQESHISI)

1.1 Inombolo yelayisenisi: _____

1.2 Igama eliphele leyo lomnini-layisenisi: _____

1.3 Ukuba umnini-layisenisi akangomntu uthile, nika igama, inombolo yesazisi ubungakanani bochaphazeleko kwezemali lonesabelo ngamnye, ilungu, ihlakani, umxhamli okanye itrasti _____

_____

_____

_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko)

4. (a) Igama neadresi yamasango anelayisenisi _____

_____

_____

(d) Chaza indawo akuyo amasango eliza kuqhutyelwa kuyo eli shishini ngokwenombolo yesiza, isitalato, iivenkile okanye ifama, oko kufanelekileyo:

_____

_____

_____

_____

(e) La masango akhankanywe kumhlathana (a) akweyiphi ingingqi kamasipala?

_____

5. Igama nenombolo yefowuni yomntu ekuqhagamshelwana naye emini

_____

_____

ISIGABA B

IINKCUKACHA ZOMNINI-LAYISENISI ELIZA KUQESHISELWA YENA (UMQESHI) ICALA LALA MASANGO ANELAYISENISI

2.1 Igama eliphelelelyo: _____

2.2 Inombolo yesazisi, okanye ukuba yinkampani okanye inkampani encinane, inombolo yobhaliso yayo: _____ *(Qhoboshela ikopi yesazisi, uxwebhu okanye yobungqina bobhaliso.)*

2.3 Iadresi yasekhaya okanye iadresi yeofisi ebhalisiweyo: _____

_____

_____

_____

2.4 Iadresi yeshishini: _____

_____

_____

_____

2.5 Iadresi yaseposini: _____

2.6 Inombolo yefowuni: _____

2.7	Ngaba umnini-layisenisi ngumntu—	Makisha u“ewe” okanye u “hayi”	
(a)	owakhe, kwesi sithuba seenyanga ezingamashumi amathandathu (60) phambi kokufakwa kwesi sicelo, wagwetywa ukuvalelwa entolongweni ngaphandle kwefayini?	Ewe	Hayi
(b)	owakhe, kwesi sithuba seenyanga ezingamashumi amathandathu (60) phambi kokufakwa kwesi sicelo, wafunyaniswa engakufanelanga ukuba angabhaliswa nguGunyaziwe woTywala weSizwe (National Liquor Authority) okanye ukuba abe nelayisenisi nguye nawuphi na ugunyaziwe wotywala wephondo?	Ewe	Hayi

(c)	otshone ematyaleni akavela nangonwele?	Ewe	Hayi
(d)	osengaphantsi kobudala bomntu omdala?	Ewe	Hayi
(e)	owakhe wanelayisenisi eyathi yatshitshiswa ngokwemiqathango yalo Mthetho okanye yoMthetho olawula iilayisenisi zotywala kulo naliphi na iphondo kwesi sithuba seenyanga ezilishumi elinesibini (12) phambi kokungeniswa kwesi sicelo?	Ewe	Hayi
(f)	onowakwakhe ololu hlobo lomntu luchazwe ku-(a), (b) okanye (c) ngentla apha?	Ewe	Hayi
(g)	ongaphilanga ngokwasengqondweni njengoko echazwa kuMthetho oyiMental Health Care Act, 2002 (uMthetho 17 ka-2002)	Ewe	Hayi
(h)	oye wahlala eMzantsi Afrika isithuba seminya emihlanu (5)phambi kokufakwa kwesi sicelo?	Ewe	Hayi
(i)	ongafanelekanga ngokwemiqathango yoMthetho oyi-Immigration Act, 2007 (uMthetho 13 ka-2007)?	Ewe	Hayi
2.8	Ukuba umqeshi akangomntu uthile:— Ngaba kukho naliphi na ilungu, onesabelo, utrasti, umxhamli okanye ihlakani lomfaki-sicelo ololu hlobo lomntu luchazwe kumhlathi 7.1 (a), (b) okanye (e)?	Ewe	Hayi

2.9. Ukuba nayiphi na kule mibuzo ikwimihlathana 7.1 okanye 7.2 inempendulo evumayo, nika iinkcukacha ezipheleleyo.

_____

_____

_____

_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

2.10	Ukuba ngaba umqeshi yinkampani, inkampani encinane, ubuhlakani okanye itrasti, chaza ukuba ngaba umntu okhankanywe kumhlathi 7.1 —	Makisha u“ewe” okanye u “hayi”	
(a)	unochaphazeleko lolawulo na kule nkampani, kule nkampani incinane okanye kule trasti.	Ewe	Hayi
(b)	ulihlakani kobu buhlakani.	Ewe	Hayi
(c)	ungumxhamli ophambili kule trasti.	Ewe	Hayi

2.11 Ukuba nayiphi na kule mibuzo ikumhlathi 2.10 (a) ukuya ku-c) ngentla apha inempendulo engu"ewe", nika iinkcukacha ezipheleleyo:

_____
_____
_____
_____
_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

10. Nika igama, inombolo yesazisi neadresi yomntu ngamnye—
    (c) Kubandakanywa umnini welayisenisi, onochaphazeleko lwezimali kwishishini elinelayisenisi ekubhekiswa kuyo; kananjalo
    (d) Kubandakanywa uMntu oyiRentayo, oya kuthi abe nolo chaphazeleko ukuba isicelo siphumelele.

    Kwimeko nganye, chaza imeko nobungakanani bolo chaphazeleko lwezimali.

_____
_____
_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

_____

Bhala igama

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 15

UTYUMBO LOKUNYULWA KWEMANEJALA NGOKWEMIQATHANGO YECANDELO 52

[Umgaqo 22(1)]

IKOPI YANQANGI KUFUNEKA IFAKWE KWISIPHATHAMANDLA IZE ENYE IKOPI IFAKWE KWIGOSA LOTYWALA ELIGUNYAZISIWEYO

Umhla wesitampu seSiphathamandla somhla wokufunyanwa kwesicelo	Umhla wesitampu wegosa lotywala somhla wokufunyanwa kwesicelo

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

ISALATHISO

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	**ISIHLOMELELO**
Ikopi eqinisekisiweyo yesazisi somntu otyunjiweyo okanye ipasipoti nevisa okanye iadresi esisigxina yalapho ahlala khona lo mntu utyunjiweyo, ukuba ngumntu welinye ilizwe	A
Ingcaciso ebhaliweyo exhasa olu tyumbo	B
Isingqinisiso seadresi yalo mtyunjwa apha eNtshona Koloni	C
Inkcazo efungelweyo yomtyunjwa yokuba akangomntu ungafanelekanga ngokwemiqathango yecandelo 35, ukuba angaba nelayisenisi yotywala	D

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:

Igama : _____

Umsayino : _____

Iadresi yasekhaya : _____

_____

Ikhowudi yeposi : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje: _____

Inombolo yefekisi : _____

I-imeyili : _____

ISIGABA A

UKUTYUNJWA KWEMANEJALA

1. Igama leshishini elinelayisenisi: _____

2. Nika iinkcukacha ezipheleleyo zomntu oye waphelelwa, ukuba ukhona:
   (a) Igama elipheleleyo: _____
   (b) Inombolo yesazisi: _____
   (c) Umhla wokuyeka: _____

3. Nika iinkcukacha ezipheleleyo zomntu utyunjwayo:
   (a) Igama elipheleleyo: _____

   (b) Inombolo yesazisi: _____

   (Qhoboshela ikopi yesazisi.)

   (c) Iadresi yendawo yomntu otyunjwayo: _____

   _____

   _____

(d) Iadresi yaseposini yomntu otyunjwayo: _____

_____

_____

_____

(e) Inombolo yefowuni yomntu otyunjwayo: _____

(f) Ulwalamano phakathi komntu otyunjwayo nalo mntu ungumnini welayisenisi:

_____

(g)	Ngaba lo mntu utyunjwayo ngumntu—	Makisha u“ewe” okanye u “hayi”	
(i)	owakhe, kwesi sithuba seenyanga ezingamashumi amathandathu (60) phambi koku kutyunjwa, wagwetywa ukuvalelwa entolongweni ngaphandle kwefayini?	Ewe	Hayi
(ii)	owakhe, kwesi sithuba seenyanga ezingamashumi amathandathu (60) phambi koku kutyunjwa, wafunyaniswa engakufanelanga ukuba angabhaliswa nguGunyaziwe woTywala weSizwe (National Liquor UGunyaziwe) okanye ukuba abe nelayisenisi nguye nawuphi na ugunyaziwe wotywala wephondo?	Ewe	Hayi
(iii)	otshone ematyaleni akavela nangonwele?	Ewe	Hayi
(iv)	Ongekafiki kubudala bomntu omdala?	Ewe	Hayi
(v)	owakhe wanelayisenisi eyathi yatshitshiswa ngokwemiqathango yalo Mthetho okanye yoMthetho olawula iilayisenisi zotywala kulo naliphi na iphondo kwesi sithuba seenyanga ezilishumi elinesibini (12) phambi kokungeniswa kwesi sicelo?	Ewe	Hayi
(vi)	onowakwakhe ololu hlobo lomntu luchazwe ku-(i), (ii) okanye (v) ngentla apha?	Ewe	Hayi
(vii)	ongaphilanga ngokwasengqondweni njengoko echazwa kuMthetho oyiMental Health Care Act, 2002 (uMthetho 17 ka-2002)?	Ewe	Hayi
(viii)	uhleli eMzantsi Afrika iminyaka emihlanu (5) phambi kokufaka esi sicelo?	Ewe	Hayi
(iv)	akavumelekanga ngokweImmigration Act, 2007 (Umthetho 13 ka-2007)?	Ewe	Hayi

(g) Ukuba impendulo yawo nawuphi na kule mibuzo ikumhlathana (g) ithi “ewe”, nika iinkcukacha ezipheleleyo:

_____
_____
_____
_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

(h) Umhla wolu nyulo lucetywayo: _____

4. Ukuba lo mntu utyunjwayo unochaphazeleko lwezemali kweli shishini linelayisenisi, nika iinkcukacha ezizeleyo:

_____
_____
_____

Umhla: _____ _____

Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo

_____

Bhala igama

ISIGABA B

ULWAMKELO LWEMANEJALA ETYUNJIWEYO

Mna, _____, usayine ngezantsi apha ndiyalwamkela olu tyumbo lungentla apha, kwaye ndiyalwamkela uxanduva lokulawula eli shishini, futhi ndiyakuqonda ukuba ndibotshelelwa yimisebenzi noxanduva ngokufanayo nomnini-layisenisi.

_____

Umsayino wemanejala etyunjiweyo

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 16

ISICELO SEMVUME YOKWENZA UTSHINTSHO KUMASANGO ANELAYISENISI NGOKWEMIQATHANGO YECANDELO 53(1)*(a)*

[Umgaqo 23(1)]

IKOPI YANQANGI KUFUNEKA IFAKWE KWISIPHATHAMANDLA IZE ENYE IKOPI IFAKWE KWIGOSA LOTYWALA ELIGUNYAZISIWEYO

Isitampu somhla seSiphathamandla somhla wokufunyanwa kwaso	Isitampu somhla segosa lezotywala eligunyazisiweyo somhla wokufunyanwa kwaso

INOMBOLO YESALATHISO SESIPHATHAMANDLA:

ISALATHISO

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	ISIHLOMELELO
Iplani efundeka cacileyo neneenkcukacha eziphele leyo yomgangatho wala masango, njengoko kuchazwa kuMgaqo 23(1)(a)	A
Inkcazo yolu tshintsho lucetywayo ngokwemiqathango yoMgaqo 23(1)(b)	B
Inkcazo yeli cala lamasango anelayisenisi lichaphazelekayo ngokwemiqathango yoMgaqo 23(1)(c)	C
Isingqinisiso sobunini bala masango anelayisenisi okanye, ukuba umfaki-sicelo akangnuye umnini, imvume ebhaliweyo evela kumnini yokuba umfaki-sicelo angawasebenzisa la masango ngale njongo yale layisenisi, ukuba kufanelekile	D
Isingqinisiso sentlawulo yesicelo efanelekileyo	E
Ingcaciso ebhaliweyo exhasa esi sicelo	F
Iifoto ezinombala ezinezalathiso ezibonakalisa umphakathi osele ugqityiwe kunye nomphandle wala masango anelayisenisi	G
Isingqinisiso sokuba umfaki-sicelo unalo ilungelo lokungena kula masango, ukuba kufanelekile	
Isingqinisiso sokuba umfaki-sicelo unalo ilungelo lokwenza utshintsho kula masango anelayisenisi, ukuba kufanelekile	H
Imvume yomnini wamasango yokuba umfaki-sicelo angalisebenzisa eli cala lala masango lenziwe utshintsho ngale njongo yale layisenisi	I

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:

Igama : _____
Umsayino : _____
Iadresi yasekhaya : _____
_____
Ikhowudi yeposi : _____
Iadresi yaseposini : _____
_____
Ikhowudi yeposi : _____
Iinombolo zefowuni: _____
Eofisini : _____
Iseli : _____
Eyasekhaya okanye enye nje: _____
Inombolo yefekisi : _____
I-imeyili : _____

6. IINKCUKACHA ZOMFAKI-SICELO

1.1 Igama eliphele leyo: _____

1.2 Iadresi: _____
_____
Ikhowudi yeposi: _____

1.3 Iadresi yalapho zisiwa khona iimpepha: _____
_____
Ikhowudi yeposi: _____

1.4 Iinkcukacha zomfaki-sicelo okanye, ukuba umfaki-sicelo sisigqeba, iinkcukacha eziphele leyo zomntu ekuqhagamshelwana naye:
_____
_____

1.5 Iinombolo zefowuni:
Eofisini : _____
Iseli : _____
Eyasekhaya okanye enye nje: _____

2. IINKCUKACHA ZESHISHINI ELINELAYISENISI

2.1 Iintlobo zelayisenisi: *(Faka "EWE" okanye "HAYI".)*

Ilayisenisi ngokwemiqathango yecandelo 33(1)(a) – **EWE / HAYI**

Ilayisenisi ngokwemiqathango yecandelo 33(1)(b) – **EWE / HAYI**

Ilayisenisi ngokwemiqathango yecandelo 33(1)(c) – **EWE / HAYI**

Ilayisenisi ngokwemiqathango yecandelo 33(1)(d) – **EWE / HAYI**

2.2 Iintlobo zotywala ezinokuthengiswa ngale layisenisi:
_____
_____

2.3 Igama eliza kuqhutywa ngalo ishishini elinelayisenisi: _____
_____

2.4 Inombolo yesiza neadresi yamasango anelayisenisi: _____
_____
_____

2.5 Ingingqi kamasipala akuyo amasango anelayisenisi: _____

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

_____

Bhala igama

_____

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

_____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 17

ISICELO SEMVUME YOKUTSHINTSHWA KOHLOBO LWESHISHINI ELINELAYISENISI NGOKWEMIQATHANGO YECANDELO 53(1)(b)

[Umgaqo 23(2)]

IKOPI YANQANGI KUFUNEKA IFAKWE KWISIPHATHAMANDLA IZE ENYE IKOPI IFAKWE KWIGOSA LOTYWALA ELIGUNYAZISIWEYO

Isitampu somhla seSiphathamandla somhla wokufunyanwa kwaso	Isitampu somhla segosa lezotywala eligunyazisiweyo somhla wokufunyanwa kwaso

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____.

ISALATHISO

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	**ISIHLOMELELO**
Inkcazo yotshintsho olucetywayo kuhlobo lweshishini, kubandakanywe, ukuba kuyimfuneko: Iifoto ezinombala zamasango	A
Ingcaciso ebhaliweyo exhasa esi sicelo	B
Isingqinisiso sentlawulo yesicelo efanelekileyo	C
Isingqinisiso sokuba umfaki-sicelo unalo ilungelo lokutshintsha uhlobo lwamasango ngokwemiqathangoo yoMgaqo 23(2)(d), ukuba kufanelekile	D

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:

Igama : _____

Umsayino : _____

Iadresi yasekhaya : _____

_____

Ikhowudi yeposi : _____

Iadresi yaseposini : _____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje: _____

Inombolo yefekisi : _____

I-imeyili : _____

7. IINKCUKACHA ZOMFAKI-SICELO

1.1 Igama eliphele leyo: _____

1.2 Iadresi: _____

_____

Ikhowudi yeposi: _____

1.3 Iadresi yalapho zisiwa khona iimpepha: _____

_____

Ikhowudi yeposi: _____

1.4 Iinkcukacha zomfaki-sicelo okanye, ukuba umfaki-sicelo sisigqeba, iinkcukacha ezipheleleyo zomntu ekuqhagamshelwana naye:

_____

_____

1.5 Iinombolo zefowuni:

Eofisini: _____

Iseli : _____

Eyasekhaya okanye enye nje: _____

2. IINKCUKACHA ZESHISHINI ELINELAYISENISI

2.1 Iintlobo zelayisenisi: *(Makisha ilayisenisi esebenzayo ngonxi (X).)*

Ilayisenisi ngokwemiqathango yecandelo 33(1)(a)	
Ilayisenisi ngokwemiqathango yecandelo (1)(b)	
Ilayisenisi ngokwemiqathango yecandelo 33(1)(c)	
Ilayisenisi ngokwemiqathango yecandelo 33(1)(d)	

2.2 Iintlobo zotywala ezinokuthengiswa ngale layisenisi: _____
_____

2.6 Igama eliza kuqhutywa ngalo ishishini elinelayisenisi: _____
_____

2.7 Inombolo yesiza neadresi yamasango anelayisenisi: _____
_____
_____

2.8 Ingingqi kamasipala akuyo amasango anelayisenisi: _____

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

_____

Bhala igama

_____

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

IFOMU 18

ISICELO SEMVUME YOKUQHUBA ISHISHINI NGELAYISENISI EKUMASANGO APHO NALIPHI NA ELINYE ISHISHINI, KUBANDAKANYA NESHISHINI ELIQHUBA NGAYO NAYIPHI NA ILAYISENISI, OKANYE NALUPHI NA URHWEBO OKANYE UMSEBENZI NGOKWEMIQATHANGO YECANDELO 53(1)(c)

[Umgaqo 23(3)]

IKOPI YANQANGI KUFUNEKA IFAKWE KWISIPHATHAMANDLA IZE ENYE IKOPI IFAKWE KWIGOSA LOTYWALA ELIGUNYAZISIWEYO

Isitampu somhla seSiphathamandla saxa kufunyanwa isicelo	Isitampu somhla segosa lezotywala eligunyazisiweyo saxa kufunyanwa isicelo

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	**ISIHLOMELELO**
Inkcazo yayo naliphi na elinye ishishini, urhwebo okanye umsebenzi oqhutyelwa kula masango	A
Isingqinisiso sentlawulo yesicelo efanelekileyo	B
Ingcaciso ebhaliweyo exhasa esi sicelo	C
Iplani efundeka cacileyo neneenkcukacha ezipheleleyo yomgangatho wala masango kucetywa ukuqhubela kuwo eli shishini lale layisenisi	D
Inkcazo yecala lala masango elichaphazelekayo ngokuphathelele kulwakhiwo, ukuma kwalo, ifenitshala, izinto ezibethelelweyo nezifakiweyo nokuba umgangatho ngowantoni na	E
Isingqinisiso sokuba lo ucela ilayisenisi unalo ilungelo lokungena kula masango anelayisenisi	F
Isingqinisiso sobunini bala masango okanye, ukuba lo ucela ilayisenisi akanguye umnini wala masango, imvume ebhaliweyo evela kumninini wamasango echaza ukuba umfaki-sicelo angawasebenzisa la masango anelayisenisi ngokwenjongo yale layisenisi icelelwa udluliselo	G
Iifoto ezinombala ezinezalathiso ezibonakalisa umphakathi nomphandle wala masango acetywayo	H

Igama, Umsayino neenkcukacha zoqhagamshelwano zomntu owenze isicelo:

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Iadresi yendawo : _____

_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

Inombolo yefekisi : _____

I-imeyili : _____

1. IINKCUKACHA ZOMFAKI-SICELO

1.1 Igama eliphelelelyo: _____

1.2 Iadresi: _____

_____

Ikhowudi yeposi: _____

1.3 Iadresi yendawo ekuza kusiwa kuyo amaxwebhu: _____

_____

Ikhowudi yeposi: _____

1.4 Nika iinkcukacha zomnini-sicelo okanye zomfaki-sicelo ukuba yinkampani, ubhale iinkcukacha ezipheleleyo zomntu emakuqhagamshelwane naye:

_____

_____

1.5 Inombolo yefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje: _____

1.6 Umhla wokuzalwa *(ukuba umfaki-sicelo ngumntu othile* _____ / _____/ _____

2. IINKCUKACHA ZESHISHINI ELINELAYISENISI

2.1 Uhlobo lwelayisenisi yotywala: *(Faka "EWE" okanye "HAYI".)*

Ilayisenisi yotywala ngokwecandelo 33(1)(a) **EWE / HAYI**

Ilayisenisi yotywala ngokwecandelo 33(1)(c) **EWE / HAYI**

2.2 Iintlobo zotywala ezinokuthengiswa ngale layisenisi: _____

_____

2.3 Igama eliza kuqhutywa ngalo ishishini elinelayisenisi: _____

_____

2.4 Inombolo yesiza neadresi yamasango anelayisenisi: _____

_____

_____

2.5 Ingingqi kamasipala akuyo amasango anelayisenisi: _____

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

_____

Bhala igama

_____

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

_____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 19

ISICELO SOKWANDISELWA AMAXESHA OKUVULA NGOKWEMIQATHANGO YECANDELO 59(4)

[Umgaqo 26(1)]

IKOPI YANQANGI KUFUNEKA IFAKWE KWISIPHATHAMANDLA ZE IIKOPI EZIMBINI ZIFAKWE KWIGOSA LOTYWALA ELIGUNYAZISIWEYO

Isitampu somhla seSiphathamandla saxa kufunyanwa isicelo	Isitampu somhla segosa lezotywala eligunyazisiweyo saxa kufunyanwa isicelo

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

ISALATHISO

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	**ISIHLOMELELO**
Ingcaciso ebhaliweyo exhasa esi sicelo	A
Isingqinisiso sentlawulo yesicelo efanelekileyo	B

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____

: _____

Ikhowudi yeposi : _____

Iadresi yendawo : _____

_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

Inombolo yefekisi : _____

I-imeyili : _____

IINKCUKACHA ZOMNINI-LAYISENISI

1. Igama eliphele leyo lomnini-layisenisi:

_____

2. Ukuba umfaki-sicelo akangomntu uthile, nika igama, inombolo yesazisi ubungakanani bochaphazeleko kwezemali lonesabelo ngamnye, ilungu, ihlakani okanye umxhamli

_____

_____

_____

_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

3. (a) Igama neadresi yamasango: _____

_____

_____

(b) Chaza indawo akuyo amasango eliza kuqhutyelwa kuyo eli shishini ngokwenombolo yesiza, isitalato, iivenkile okanye ifama, oko kufanelekileyo:

_____

_____

_____

_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

(c) La masango akhankanywe kumhlathana (a) akweyiphi ingingqi kamasipala?

_____

_____

4. Igama nenombolo yefowuni yomntu ekuqhagamshelwana naye emini:

_____

5. Nika izizathu zesi sicelo sokwandiselwa amaxesha okuvula: _____

_____

_____

_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

_____

Bhala igama

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 20

INOTHISI YOKUSHIYWA KWELAYISENISI

[Umgaqo 29]

IKOPI YANQANGI KUFUNEKA IFAKWE KWISIPHATHAMANDLA IZE ENYE IKOPI IFAKWE KWIGOSA LOTYWALA ELIGUNYAZISIWEYO

Isitampu somhla segosa lezotywala eligunyazisiweyo saxa kufunyanwa isicelo	Isitampu somhla seSiphathamandla saxa kufunyanwa isicelo

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

ISALATHISO

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	**ISIHLOMELELO**
Inkcazo efungelweyo malunga noku kuyekwa	A

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Iadresi yendawo : _____

_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

Inombolo yefekisi : _____

I-imeyili : _____

1. IINKCUKACHA ZOMNINI-LAYISENISI

Igama eliphele leyo lomnini-layisenisi: _____

2. IZIZATHU ZOKUYEKWA

2.1 Ishishini elinelayisenisi lishiyiwe ngumnini-layisenisi: **EWE / HAYI**

2.2 Umnini-layisenisi uloluya hlobo lomntu ochazwe kwicandelo 67(3) kwaye umntu okhankanywe kwicandelwana (1)(b) uye wabekwa njengomnini-layisenisi.
EWE / HAYI

2.3 Qhoboshela inkcazo efungelweyo ecacisa le meko.

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

_____

Liprinte Igama

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 21A

ISAZISO SENTLAWULO YELAYISENISI YONYAKA EHLAWULELWA ILAYISENISI YOTYWALA YONYAKA KA-20_____; OKANYE YALE MINYAKA MIBINI ENGU-20_____ NO-20 _____

[UMGAQO 30(1)]

INOMBOLO YESALATHISO SESIPHATHAMANDLA:
_____

Igama lomnini-layisenisi: _____

Iadresi yamasango anelayisenisi: _____

_____

_____

(Ukuba iadresi yasekhaya neyaseposini itshintshile, nceda nika nale intsha ngale adresi yeimeyili ilandelayo: liquor.enquiries@wcla.gov.za.)

Uhlobo lwelayisenisi:
_____

Apha uyaziswa ukkuba iyonke intlawulo yovuselelwa ehlawulwa kuGunyaziwe weNtshona Koloni ime ngolu hlobo:

Eyonyaka: yi-R _____, ehlawulwa ngomhla: _____ okanye phambi kwawo

Eyeminyaka emibini: yi-R _____, ehlawula ngomhla we: _____okanye phambi kwawo

Nceda uqaphele:

1. Intlawulo kufuneka iye kufakwa ngqo kule akhawunti kaGunyaziwe ilandelayo:

IBhanki: Nedbank
Umnini-akhawunti: – Western Cape Liquor Authority
Inombolo yeakhawunti: 145 206 9883
Ikhowudi yeSebe – 198 765
Sebenzisa inombolo yelayisenisi yakho njengesalathiso (le nombolo ye-WCP/DTI iboniswe ezantsi kwesihlokko sale Fomu)

2. Ilayisenisi iyaphelelwa ngomhla we-1 Januwari walo nyaka ungayihlawulelwanga intlawulo efanelekileyo ngomhla wama-31 Disemba wonyaka owandulelayo okanye phambi kwawo. Jonga icandelo 62(2)(b).

3. Ilayisenisi ethe yaphelelwa ngolu hlobo iphinda isebenze kuphela xa intlawulo yovuselelo efanelekileyo ithe yahlawulwa inesohlwayo esiyi-50% yayo ngomhla wama-31 Januwari okanye phambi kwawo, okanye nesohlwayo esiyi-100% yayo ngomhla wokugqibela kaFebhuwari waloo nyaka ibifanele kuhlawulwa intlawulo yovuselelo okanye phambi kwawo. Jonga icandelo 62(3)(a)(i) no-(ii).

4. Umntu onelayisenisi othe wasilela ukuhlawula intlawulo yovuselelo efanelekileyo ngomhla wokugqibela kaFebhuwari waloo nyaka ibifanele kuhlawulwa intlawulo yovuselelo okanye phambi kwawo, usenokuthi ngomhla wama-31 Matshi waloo nyaka, enze isicelo esibhaliweyo (ngeFomu 23) kwiGosa eliLawulayo eliyiNtloko sokuba axolelwe ngoko kusilela nokuba ayihlawule emva kwexesha loo ntlawulo yovuselelo ifanelekileyo ungadlulanga umhla obekwe nguGunyaziwe, kambe ke asakuba eyihlawule kunye nesohlwayo se-150% yayo. Jonga icandelo 63(4).

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 21B

INOTHISI YOVUSELELO LWEMINYAKA EMIBINI:
INOTHISI YOKWENZA INTLAWULO YOVUSELELO YEMINYAKA EMIBINI
KUNYAKA KA-20_____ NOKA-20 _____

[UMGAQO 30(3)]

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Igama lomnini-layisenisi: _____

Iadresi yamasango anelayisenisi: _____

_____

UHLOBO LWELAYISENISI EZA KUVUSELELWA

(Makisha ilayisenisi esebenzayo ngonxi (X).)

Ilayisenisi ngokwemiqathango yecandelo 33(1)(a)	
Ilayisenisi ngokwemiqathango yecandelo (1)(b)	
Ilayisenisi ngokwemiqathango yecandelo 33(1)(c)	
Ilayisenisi ngokwemiqathango yecandelo 33(1)(d)	

Inombolo yelayisenisi: _____

A. Mna, _____ (umnini-layisenisi), ndiyaqinisekisa apha ukuba ndingena kwintlawulo yovuselelo yeminyaka emibin; okanye
B. Mna, _____, (umntu ogunyaziswe ngumnini-layisenisi) ndiyaqinisekisa apha ukuba lo mnini-layisenisi usebenzisa indlela yovuselelo yeminyaka emibini.

_____ _____

Umhla Umsayino womnini-layisenisi okanye

womntu ogunyaziswe ngumnini-layisenisi

_____

Liprinte Igama

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 21C

ISICELO SOXOLELO NGOKUSILELA UKUHLAWULA INTLAWULO YOVUSELELO NGOKWEMIQATHANGO YECANDELO 63(4)

[Umgaqo 30(4)]

IKOPI YANQANGI KUFUNEKA INGENISWE KWISIPHATHAMANDLA

INOMBOLO YESALATHISO SESIPHATHAMANDLA _____

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:
:

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____
_____

Ikhowudi yeposi : _____

Iadresi yendawo : _____
_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

Inombolo yefekisi : _____

I-imeyili : _____

IINKCUKACHA ZOMNINI-LAYISENISI

1. Inombolo yelayisenisi: _____

2. Igama elipheleleyo lomnini-layisenisi:

   _____

3. Ingcaciso ebhaliweyo exhasa esi sicelo:

   _____

   _____

   _____

   _____

   _____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

_____

Liprinte Igama

_____

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:

Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.

Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

_____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 22

ISICELO SOXOLELO NGOKUSILELA EKUFAKENI ISICELO SOKUVUSELELA ILAYISENISI NGOKWECANDELO 64(1)

[Umgaqo 31(1)]

IKOPI YANQANGI KUFUNEKA IFAKWE KWISIPHATHAMANDLA IZE ENYE IKOPI IFAKWE KWIGOSA LOTYWALA ELIGUNYAZISIWEYO

Isitampu somhla segosa lezotywala eligunyazisiweyo somhla esifunyenwe ngawo	Isitampu somhla seSiphathamandla somhla esifunyenwe ngawo

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

ISALATHISO

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	**ISIHLOMELELO**
Iingcaciso ezibhaliweyo ezixhasa esi sicelo	A
Isingqinisiso sentlawulo yesicelo efanelekileyo	B

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Iadresi yendawo : _____

_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

Inombolo yefekisi : _____

I-imeyili : _____

IINKCUKACHA ZOMNINI-LAYISENISI

1. Inombolo yelayisenisi: _____

2. Igama eliphele leyo lomnini-layisenisi: _____

3. Akwesiphi isithili sikamasipala amasasango la? _____

4. Nika izizathu zokuba umnini-sicelo avunyelwe ukuba avuselele ilayisenisi noxa kukho la meko (iimeko) exelwe kwicandelo kwicandelo 64 (1)(a) ukuya ku-(e):

_____

_____

_____

_____

_____

_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

_____ _____

Umhla	Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo

Liprinte Igama

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:

Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.

Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 23

ISICELO SOXOLELO NGOKUSILELA EKUFAKENI ISICELO SOKUVUSELELA ILAYISENISI NGOKWECANDELO 64(4)

[Umgaqo 31(4)]

IKOPI YANQANGI KUFUNEKA IFAKWE KWISIPHATHAMANDLA IZE ENYE IKOPI IFAKWE KWIGOSA LOTYWALA ELIGUNYAZISIWEYO

Isitampu somhla segosa lezotywala eligunyazisiweyo somhla esifunyenwe ngawo	Isitampu somhla seSiphathamandla somhla esifunyenwe ngawo

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Iadresi yendawo : _____

_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

Inombolo yefekisi : _____

I-imeyili : _____

IINKCUKACHA ZOMNINI-LAYISENISI

1. Inombolo yelayisenisi: _____

4. Igama eliphele leyo lomnini-layisenisi: _____

5. Akwesiphi isithili sikamasipala amasasango la? _____

4. Nika izizathu zokuba umnini-sicelo avunyelwe ukuba avuselele ilayisenisi noxa kukho la meko (iimeko) exelwe kwicandelo kwicandelo 64 (1)(a) ukuya ku-(e):

_____

_____

_____

_____

_____

_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

_____

Liprinte Igama

_____

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:

Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.

Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

_____

IFOMU 24

ISICELO SOKUDLULISELWA KWELAYISENISI NGOKWEMIQATHANGO YECANDELO 65(1)

[Umgaqo 32(2)(a)]

IKOPI YANQANGI KUFUNEKA IFAKWE KWISIPHATHAMANDLA IZE ENYE IKOPI IFAKWE KWIGOSA LOTYWALA ELIGUNYAZISIWEYO

Isitampu somhla segosa lezotywala eligunyazisiweyo somhla esifunyenwe ngawo isicelo	Isitampu somhla seSiphathamandla esifunyenwe ngawo isicelo

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

ISALATHISO

Inkcazo yeempepha ezifanele kuqhotyoshelwa	**ISIHLOMELELO**
Ingcaciso ebhaliweyo exhasa esi sicelo	A
Ikopi eqinisekisiweyo yesazisi okanye yepasipoti nevisa okanye ipemethi yokuhlala isigxina yalo mntu ucela ilayisenisi, ukuba ngaba ungumntu welinye ilizwe, kuze ke ukuba umfaki-sicelo akangomntu uthile, iikopi zeempepha zobhaliso ezifanelekileyo ezibonisa izazisi zamalungu onke, nochaphazeleko lwawo ngokwasezimalini, abalawuli, amahlakani, abaxhamli okanye ootrasti kule layisenisi icelwayo	B
Isingqinisiso sokuba yenziwa intlawulo ebekiweyo yesicelo njengoko ichazwa kumhlathana 10(a) weSihlomelelo 1	C
Inkcazo efungelweyo yomfaki-sicelo ecacisa ukuba akangomntu ungafanelekanga ekubeni abe nealayisenisi, ngokwemiqathango yecandelo 35	D
Isingqinisiso sokuba umfaki-sicelo uyingenisile ikopi yesi sicelo kwigosa lotywala elifanelekileyo	E
Isiqinisekiso sanqangi sokuba lo ucela ilayisenisi akatyali kwirhafu esikhutshwe ziiNkonzo zeRhafu zoMzantsi Afrika (South African Revenue Services) esingadlulanga kwiinyanga ezintathu sikhutshiwe ukusuka kulo mhla wokufakwa kwesicelo	F
Isingqinisio sokuba lo ucela ilayisenisi unalo ilungelo lokungena kula masango anelayisenisi	G
Isingqinisiso sobunini bala masango okanye, ukuba lo ucela ilayisenisi akanguye	H

Inkcazo yeempepha ezifanele kuqhotyoshelwa	ISIHLOMELELO
umnini wala masango, imvume ebhaliweyo evela kumninini wamasango echaza ukuba umfaki-sicelo angawasebenzisa la masango anelayisenisi ngokwenjongo yale layisenisi icelelwa udluliselo	
limpepha ezizizingqinisiso zesizathu zolu dluliselo	I

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Iadresi yendawo : _____

_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

Inombolo yefekisi : _____

I-imeyili : _____

Isigaba A

IINKCUKACHA ZOMNINI-LAYISENISI

1. Igama elipheleleyo lomnini-layisenisi:

_____

2. Igama neadresi yamasango: _____

_____

_____

Isigaba B

IINKCUKACHA ZALO MNINI-LAYISENISI UCETYWAYO

1. Igama elipheleleyo:

   _____

2. Inombolo yesazisi:

(okanye ukuba umfaki-sicelo sisigqeba, inombolo yaso yobhaliso)

3. Iadresi yasekhaya okanye iadresi yeofisi ebhalisiweyo: _____

   _____

   _____

   Ikhowudi yeposi: _____

4. Iadresi yeshishini: _____

   _____

   _____.

   Ikhowudi yeposi: _____

5. Iadresi yaseposini: _____

   _____

   _____

   Ikhowudi yeposi: _____

6. Iinombolo zefowuni:

   Eofisini: _____

   Iseli: _____

   Eyasekhaya okanye enye nje: _____

   Inombolo yefekisi: _____

7	Ngaba lo mntu ufaka isicelo ngumntu—	Makisha u“ewe” okanye u “hayi”

(a)	owakhe, kwesi sithuba seenyanga ezingamashumi amathandathu (60) phambi kokufakwa kwesi sicelo, wagwetywa ukuvalelwa entolongweni ngaphandle kwefayini?	Ewe	Hayi
(b)	owakhe, kwesi sithuba seenyanga ezingamashumi amathandathu (60) phambi kokufakwa kwesi sicelo, wafunyaniswa engakufanelanga ukuba angabhaliswa nguGunyaziwe woTywala weSizwe (National Liquor Authority) okanye ukuba abe nelayisenisi nguye nawuphi na ugunyaziwe wotywala wephondo?	Ewe	Hayi
(c)	otshone ematyaleni akavela nangonwele?	Ewe	Hayi
(d)	osengaphantsi kobudala bomntu omdala?	Ewe	Hayi
(e)	owakhe wanelayisenisi eyathi yatshitshiswa ngokwemiqathango yalo Mthetho okanye yoMthetho olawula iilayisenisi zotywala kulo naliphi na iphondo kwesi sithuba seenyanga ezilishumi elinesibini (12) phambi kokungeniswa kwesi sicelo?	Ewe	Hayi
(f)	onowakwakhe ololu hlobo lomntu luchazwe ku-(a), (b) okanye (c) ngentla apha?	Ewe	Hayi
(g)	ongaphilanga ngokwasengqondweni njengoko echazwa kuMthetho oyiMental Health Care Act, 2002 (uMthetho 17 ka-2002)	Ewe	Hayi
(h)	ukuba sisigqeba, ngaba omnye wamalungu aso, wabanezabelo, wootrasti okanye wabaxhamli, ululu hlobo lomntu luchazwe ku-(a), (b), (d), (e) okanye (g) ngentla apha?	Ewe	Hayi
8.	Ukuba mfaki-sicelo selayisenisi sisigqeba: Ngaba kukho naliphi na ilungu,onesabelo, utrasti, umxhamli okanye ihlakani lomfaki-sicelo ululu hlobo lomntu luchazwe kumhlathi 7.1 (a), (b), (e), (h) okanye (i)?	Ewe	Hayi
		Ewe	Hayi

9. Ukuba nayiphi na kule mibuzo ikwimihlathana 7 (a) ukuya ku-(i) no-8 inempendulo evumayo, nika iinkcukacha eziphele leyo.

_____

_____

_____

_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

10.	Ukuba ngaba umfaki-sicelo yinkampani, inkampani encinane, ubuhlakani okanye itrasti, chaza ukuba ngaba umntu okhankanywe kumhlathi 7 ngentla apha, ngaphandle kwalo ukhankanywe kumhlathi 7(f)—	Makisha u“ewe” okanye u“hayi”	
(a)	unochaphazeleko na kule nkamapni, kule nkampani incinane okanye kule trasti?	Ewe	Hayi
(b)	ulihlakani na kobu buhlakani?	Ewe	Hayi
(c)	ungumxhamli na kule trasti?	Ewe	Hayi

11. Ukuba nayiphi na kule mibuzo ikwimihlathana 10 (a) ukuya ku-(c) ngentla apha inempendulo evumayo, nika iinkcukacha ezipheleleyo_____
_____
_____
_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

12. Xela igama, inombolo yesazisi neadresi yomntu ngamnye—
    (a) onochaphazeleko kwezemali kweli shishini lifunelwa le layisenisi, kubandakanya nomnini welayisenisi; nokuba
    (b) ngubani oya kuba nolo chaphazeleko ukuba siye samkelwa esi sicelo, kubandakanya nalowo ucela ilayisenisi,
    (c) yaye kumntu ngamnye, chaza uhlobo nobungakanani bolo chaphazeleko.

_____
_____
_____
_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

(c) Umfaki-sicelo ngawakhe la masango? **EWE / HAYI**

(d) Ukuba impendulo ku(c) apha ngentla ithi “hayi”, nika iinkcukacha zomnini nezelungelo lomfaki-sicela lokuqhubela kuwo:—

Igama lomnini: _____

Iadresi yomnini: _____

_____

_____

_____

Ilungelo lomfaki-sicelo lokuqhubela kuwo:_____

_____

_____

Ubude bexesha lelo lungelo : _____

Umhla: _____

_____

Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo

_____

Liprinte Igama

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

_____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 24A

INOTHISI YOKWAMKELWA OKANYE YOKUKHATYWA KWESICELO SODLULISELO LWELAYISENISI

[Umgaqo 32(10)]

IGAMA LOMFAKI-SICELO:

_____

IGAMA LAMASANGO: _____

IADRESI YAMASANGO: _____

_____

INOMBOLO YESALATHISO SESIPHATHAMANDLA:

_____

Malunga nesicelo sodluliselo lwelayisenisi.
Nceda uqaphele ukuba—

1. Isicelo sodluliselo lwelayisenisi **sikhatyiwe ngomhla** we _____;
2. Isicelo sodluliselo lwelayisenisi **grsamkelwe ngomhla** we _____.
   Isiqinisekiso sodluliselo siya kuthi sikhutshwe kusakuba kuthotyelwe le miqathango ilandelayo:
   (a) Intlawulo eyi-R _____ kufuneka ihlawulwe zingadlulanga iintsuku ezingamashumi amathandathu (60) ukusuka kumhla wokukhutshwa kwale nothisi, kungenjaloukwamkelwa kwesicelo kuya kuphelelwa.
   (b) Ukuba intlawulo ayikhutshwanga lade ladlula eli xesha lixelwe ngentla apha, usenokuthi ubhalele iGosa eliLawulayo eliyiNtloko ucele uxolelo ngolu silelo ekuhlawuleni. (Jonga icandelo 65(19)).
   (c) Ukuba iGosa eliLawulayo eliyiNtloko liyakuxolela ngoku kusilela ekuhlawuleni, kufuneka ikhutshwe le ntlawulo ihamba nesohlwayo se-100% yayo ngaloo mhla uthe wabekwa liGosa eliLawulayo eliyiNtloko

_____

iGosa eliLawulayo eliyiNtloko likaGunyaziwe woTywala weNtshona Koloni okanye umntu ogunyaziswe liGosa eliLawulayo eliyiNtloko

Umhla: _____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 24B

INOTHISI YOKWAMKELWA OKUNEMIQATHANGO KODLULISELO LWELAYISENISI NGOKWEMIQATHANGO YOMGAQO 32(11)

[Umgaqo 32(11)]

Igama lomfaki-sicelo: _____

Igama neadresi yamasango: _____

_____

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Malunga nesicelo sodluliselo lwelayisenisi.

Nceda uqaphele ukuba udluliselo lwelayisenisi lwamkelwe phantsi kwemiqathango kwaye ilayisenisi iya kuthi ikhutshwe yakuba ifezekisiwe le miqathango ilandelayo:

_____

_____

_____

_____

_____

_____

_____

_____

_____

Nceda uqaphele oku kulandelayo:

(a) Le miqathango ingentla apha kufuneka ithotyelwe zingadlulanga _____ ukusuka kumhla wale nothisi okanye ngomhla we _____ka _____ 20 ____ okanye phambi kwawo.

(b) Isicelo singangeniswa kwiSigqeba seeMbambano zeeLayisenisi ngokwemiqathango yecandelo 65(12B) ngeFomu 24E yokwenziwa kwezilungiso kwimiqathango okanye yokuyirhoxisa imiqathango yayamkelwe phantsi kwayo ilayisenisi yodluliselo.

(c) Isicelo singangeniswa kwiGosa eloNgameleyo ngokwemiqathango yecandelo 32(12C) ngeFomu 24E yokwandiselwa ixesha lokwamkelwa okunemiqathango.

(d) Ukuba umfaki-sicelo uyasilela ukuthobela le miqathango ingentla apha ngeli xesha alibekelweyo ngokwecandelo 65(12C), oku kwamkelwa kunemiqathango kodluliselo lwelayisenisi kuyaphelelwa kwaye nodluliselo olo luya kuthathwa njengolukhatyiweyo

_____

iGosa eliLawulayo eliyiNtloko likaGunyaziwe woTywala weNtshona Koloni okanye umntu ogunyaziswe liGosa eliLawulayo eliyiNtloko

Umhla: _____

NCEDA UQAPHELE OKU KUNIKWA ILAYISENISI YODLULISELO AKUYIYO IMVUME YOKUBA URHWEBE NGAPHANDLE KWELAYISENISI ESEMTHETHWENI EKHUTSHWE NGOKWEMIQATHANGO YOMTHETHO WOTYWALA WENTSHONA KOLONI, 2008 (UMTHETHO 4 KA-2008).

IFOMU 24C

INOTHISI YOKUBA IMIQATHANGO YOKWAMKELWA OKUNEMIQATHANGO KWELAYISENISI YODLULISELO IFEZEKISIWE NGOKWEMIQATHANGO YOMGAQO 32(14)

[Umgaqo 32(14)]

IGAMA LOMFAKI-SICELO: _____

IGAMA NEADRESI YAMASANGO:_____

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

5. Malunga nesicelo selayisenisi yodluliselo.
6. Nceda uqaphele ukuba iGosa eloNgameleyo lanelisekile ukuba umfaki-sicelo uyifezekisile imiqathango ebibekwe siSigqeba seeMbambano zeeLayisenisi zoTywala ngomhla_____ nokuba ilayisenisi leyo iya kukhutshwa kusakuba kukhutshwe laa ntlawulo ikhankanywe kwicandelo 65(16) zingadlulanga iintsuku ezingamashumi amathandathu (60) komhal wale nothisi, kungenjalo kuya kuphelelwa ukwamkelwa kwesi sicelo:
7. Ukuba le ntlawulo ithe ayenziwa ngeli xesha libekwe ngentla apha, usenokuthi ubhalele iGosa eliLawulayo eliyiNtloko ucele uxolelo ngolu silelo ekuhlawuleni ngokwemiqathango yecandelo 65(19)
8. Ukuba iGosa eliLawulayo eliyiNtloko liyakuxolela ngoku kusilela ekuhlawuleni, kufuneka ikhutshwe le ntlawulo ihamba nesohlwayo se-100% yayo ngaloo mhla uthe wabekwa liGosa eliLawulayo eliyiNtloko

_____

iGosa eliLawulayo eliyiNtloko likaGunyaziwe woTywala weNtshona Koloni okanye umntu ogunyaziswe liGosa eliLawulayo eliyiNtloko

Umhla: _____

NCEDA UQAPHELE OKU KUNIKWA ILAYISENISI ENEMIQATHANGO AKUYIYO IMVUME YOKUBA URHWEBE NGAPHANDLE KWELAYISENISI ESEMTHETHWENI EKHUTSHWE NGOKWEMIQATHANGO YOMTHETHO WOTYWALA WENTSHONA KOLONI, 2008 (UMTHETHO 4 KA-2008)

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 24D

ISICELO SOXOLELO NGOKUSILELA UKUHLAWULA INTLAWULO EBEKIWEYO NGOKWEMIQATHANGO YECANDELO 65(19)

[Umgaqo 32(17)]

IKOPI YANQANGI KUFUNEKA INGENISWE KWISIPHATHAMANDLA

INOMBOLO YESALATHISO SESIPHATHAMANDLA _____

ISALATHISO

Inkcazo yeeempepha ezifanele kuqhotyoshelwa	**ISIHLOMELELO**
Ingcaciso ebhaliweyo exhasa esi sicelo	A

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Iadresi yendawo : _____

_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

Inombolo yefekisi : _____

I-imeyili : _____

IINKCUKACHA ZOMNINI-LAYISENISI

Igama elipheleleyo lomnini-layisenisi:

_____

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

_____

Liprinte Igama

_____

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:

Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.

Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 24E

ISICELO—

A – NGOKWEMIQATHANGO YECANDELO 65(12B) SOKWENZIWA KWEZILUNGISO KWIMIQATHANGO YECANDELO 65(12) OKANYE SOKURHOXISWA KWAYO; OKANYE
B – NGOKWEMIQATHANGO YECANDELO 65(12C) SOKWANDISELWA KWEXESHA ELIBEKWE NGOKWEMIQATHANGO YECANDELO 65(12A)

[Umgaqo 32(35)kunye no- (46)]

IKOPI YANQANGI KUFUNEKA INGENISWE KWISIPHATHAMANDLA IZE ENYE IKOPI INGENISWE KWIGOSA LOTYWALA ELIGUNYAZISIWEYO ELIFANELEKILEYO MALUNGA NESICELO “A”

Isitampu segosa lezotywala eligunyazisiweyo elamkele isicelo somhla esifunyenwe ngawo isicelo	Isitampu seSiphathamandla somhla esifunyenwe ngawo isicelo

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

IGAMA LOMFAKI-SICELO: _____

IGAMA LESAKHIWO: _____

ISICELO: | **A** | **B** | *(Chaza ukuba sesiphi isicelo.)*

ISALATHISO

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	ISIHLOMELELO
Isingqinisiso sentlawulo	A
Ingcaciso ebhaliweyo exhasa esi sicelo	B

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Iadresi yendawo : _____

_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

Inombolo yefekisi : _____

I-imeyili : _____

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

_____

Liprinte Igama

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:

Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.

Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 24F

INOTHISI YESIGQIBO NGOKWEMIQATHANGO YOMGAQO 32(45) OKANYE 32(49)

[Umgaqo 32(45) okanye (49)]

IGAMA LOMFAKI-SICELO:

_____

IGAMA LAMASANGO: _____

IADRESI YAMASANGO: _____

_____

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Nceda uqaphele ukuba isicelo, ngokwemiqathango—-

A yecandelo 65(12B) sokwenza izilungiso kwimiqathango okanye sokuyirhoxisa; okanye

B yecandelo 65(12C) sokwandiselwa ixesha,

(a) **siye samkelwa phantsi kwale miqathango iqhotyoshelweyo**.

(b) **siye sakhatywa**.

_____

iGosa eliLawulayo eliyiNtloko likaGunyaziwe woTywala weNtshona Koloni okanye umntu ogunyaziswe liGosa eliLawulayo eliyiNtloko

Umhla: _____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 25

ISIQINISEKISO SODLULISELO LWELAYISENISI YOTYWALA NGOKWEMIQATHANGO YECANDELO 65(17)

[Umgaqo 32(12) no-(16)]

_____

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Ilayisenisi ka _____ yamasango ase

_____kumasipala wase

_____, eliqhutyelwa kuye eli shishini ngegama elithi

_____

_____

Apha idluliselwa ku _____,

phantsi kwale miqathango nezi plani ziqhotyoshelwe apha.

Eli shishini linelayisenisi liya kuthi kwixa elizayo liqhutywe ngegama elithi: _____

_____.

Esi siqinisekiso kufuneka ngalo lonke ixesha sisasebenza, siqhotyoshelwe kwilayisenisi esihamba nayo.

_____

IGosa eliLawulayo eliyiNtloko likaGunyaziwe woTywala weNtshona Koloni okanye umntu ogunyaziswe liGosa eliLawulayo eliyiNtloko

Umhla: _____

IFOMU 26

ISICELO SOKUVUNYELWA UKUQHUBA ISHISHINI ELINELAYISENISI NGOKU KUSALINDWE ISIGQIBO NGODLULISELO LWELAYISENISI NGOKWEMIQATHANGO YECANDELO 65(3)

[Umgaqo 32(21)]

IKOPI YANQANGI KUFUNEKA INGENISWE KWISIPHATHAMANDLA IZE ENYE IKOPI INGENISWE KWIGOSA LOTYWALA ELIGUNYAZISIWEYO

Isitampu somhla segosa lezotywala eligunyazisiweyo elamkele isicelo sangomhla ekufunyenwe ngawo isicelo	Isitampu somhla seSiphathamandla sangomhla ekufunyenwe ngawo isicelo

INOMBOLO YESALATHISO SESIPHATHAMANDLA:

_____

ISALATHISO

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	**ISIHLOMELELO**
Ingcaciso ebhaliweyo exhasa esi sicelo	A
Isingqinisiso sentlawulo efanelekileyo	B

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Iadresi yendawo : _____

_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

Inombolo yefekisi : _____

I-imeyili : _____

Isigaba A

IINKCUKACHA ZOMNINI-SICELO

1. Igama elipheleleyo lomnini-layisenisi:

_____

2. Igama neadresi yeshishini elinelayisenisi: _____

_____

_____

3. Igama eliya kuqhutywa ngalo eli shishini licelelwa ilayisenisi ngumnini-layisenisi:

_____

4. Ngokusayina esi sicelo umnini-layisenisi uyavuma ukuba uyayiqonda imiqathango equlathwe licandelo 65(8) lalo Mthetho.

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

_____

Liprinte Igama

Isigaba B

IINKCUKACHA ZALOWO UCELA ILAYISENISI

5. Igama elipheleleyo: _____

6. Inombolo yesazisi okanye | | | | | | | | | | | | | | yobhaliso, ukuba yinkampani okanye inkampanana encinane:

(Qhoboshela isazisi okanye isingqinisiso sobhaliso.)

7. Iadresi yasekhaya okanye iadresi yeofisi ebhalisiweyo: _____
_____
_____
Ikhowudi yeposi: _____

8. Iadresi yeshishini: _____
_____
Ikhowudi yeposi: _____

9. Iadresi yaseposini: _____
_____
_____
Ikhowudi yeposi: _____

10. Iinombolo zefowuni:
Eofisini: _____
Iseli: _____
Eyasekhaya okanye enye nje: _____

11. Ifekisi: _____

12. I-imeyili: _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

Liprinte Igama

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 26A

ISICELO NGOKWEMIQATHANGO YECANDELO 65(6) SOKWANDISELWA IXESHA LEMVUME ENIKWE NGOKWEMIQATHANGO YECANDELO 65(5)

[Umgaqo 32(31)]

IKOPI YANQANGI KUFUNEKA INGENISWE KWISIPHATHAMANDLA IZE ENYE IKOPI INGENISWE KWIGOSA LOTYWALA ELIGUNYAZISIWEYO

Isitampu somhla segosa lezotywala eligunyazisiweyo elamkele isicelo somhla ekufunyenwe ngawo isicelo	Isitampu somhla seSiphathamandla somhla ekufunyenwe ngawo isicelo

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

ISALATHISO

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	**ISIHLOM ELELO**
Ingcaciso ebhaliweyo exhasa esi sicelo	A
Isingqinisiso sentlawulo yesicelo	B

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Iadresi yendawo : _____

_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

Inombolo yefekisi : _____

E-mail Iadresi : _____

IINKCUKACHA ZALOWO UCELA ILAYISENISI

1. Inombolo yelayisenisi yotywala: _____

2. Igama eliphele leyo yomnini-layisenisi: _____

3. Ukuba umnini-layisenisi asingomntu uthile, nika igama, inombolo yesazisi neadresi nobungakanani bochaphazeleko lwezemali yomntu onesabelo ngamnye, olilungu, ihlakani okanye umxhamli—

_____

_____

_____

_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

4. (a) Igama neadresi yamasango anelayisenisi: _____

_____

_____

(b) Chaza indawo akuyo amasango eliza kuqhutyelwa kuyo eli shishini ngokwenombolo yesiza, isitalato, iivenkile okanye ifama, oko kufanelekileyo:_____

_____

_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

(c) La masango akhankanywe kumhlathana (a) akweyiphi ingingqi kamasipala?_____

5. Igama nenombolo yefowuni yomntu ekuqhagamshelwana naye emini:

_____

6. Nika izizathu zesi sicelo sokwandiselwa ixesha solwamkelo olunikwe ngokwemiqathango yecandelo 65(5):

_____
_____
_____
_____
_____
_____

(Sebenzisa iSihlomelelo ukuba kukho imfuneko.)

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

_____

Liprinte Igama

Apha ndiyasamkela isicelo sokwandiselwa ixesha lemvume enikwe ngokwemiqathango yecandelo 65(6) lalo Mthetho de kuye kutsho kumhla we _____ ka _____ 20 _____.

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

Liprinte Igama

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:

Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.

Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 26B

IMVUME YESICELO SOKWANDISELWA IXESHA EBINIKWE NGOKWEMIQATHANGO YECANDELO 65(5)

[Umgaqo 32(34)]

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Imvume inikwe _____yokuba

aqhube ishishini elinelayisenisi, ngoku asalindele isigqibo ngodluliselo lwalayisenisi,

ngokuphathelelo kumasango ase_____

kumasipala wase _____, apho ishishini liqhutyelwa

khona ngegama elithi _____,

yandiselwe ixesha lesi sithuba silandelayo _____.

_____

Le nothisi kufuneka ngalo lonke ixesha isasebenza, iqhotyoshelwe kwilayisenisi esihamba naso

_____

IGosa eliLawulayo eliyiNtloko likaGunyaziwe woTywala weNtshona Koloni okanye umntu ogunyaziswe liGosa eliLawulayo eliyiNtloko

Umhla: _____

_____

NB: Enye ikopi iya kumnini-layisenisi, enye kulowo ucela ilayisenisi, enye kwigosa lotywala eligunyazisiweyo

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 27

ISICELO SOKUSUSWA KWELAYISENISI NGOKWEMIQATHANGO YECANDELO 66(2)

[Reg 33(6)]

IKOPI YANQANGI KUFUNEKA INGENISWE KWISIPHATHAMANDLA ZE ENYE IKOPI IYE KWIGOSA LOTYWALA ELIGUNYAZISIWEYO ELIFANELEKILEYO

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Isitampu somhla seSiphathamandla somhla ekufunyenwe ngawo isicelo	Isitampu somhla segosa lezotywala eligunyazisiweyo somhla ekufunyenwe ngawo isicelo

ISALATHISO

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	**ISIHLOMELELO**
Iplani efundeka cacileyo neneenkcukacha eziphele leyo yomgangatho wala masango acelelwa ilayisenisi, njengoko kuchazwa kuMgaqo 33(7)(a)	A
Iplani efundeka cacileyo yesiza akuso la masango njengoko kuchazwa kuMgaqo 33(7)(b)	B
Imephu ethathwe emoyeni ebonisa ukumelana kwala masango nengingqi ekuhlalwa kuyo njengoko kuchazwa kuMgaqo 33(7)(c)	C
Inkcazo yala masango njengoko kuchazwa kuMgaqo 33(7)(d)	D
Iifoto ezinombala ezinezalathiso ezibonakalisa umphakathi osele ugqityiwe nezinto ezifakelweyo kula masango anelayisenisi acetywayo okanye apho isicelo isesamasango angekagqitywa ukuba sekushiyeke kangakanani na phambi kokuba agqitywe la masango njengoko kuchazwa kuMgaqo 33(7)(e)	E

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	ISIHLOMELELO
Ikopi eqinisekisiweyo— (i) yesazisi somfaki-sicelo; (ii) Ikopi eqinisekisiweyo yesazisi okanye yepasipoti nevisa okanye ipemethi yokuhlala isigxina yalo mntu ucela ilayisenisi, ukuba ngaba ungumntu welinye ilizwe; okanye (iii) ukuba umfaki-sicelo akangomntu uthile, iikopi zeempepha zobhaliso ezifanelekileyo ezibonisa izazisi zamalungu onke, nochaphazeleko lwawo ngokwasezimalini, abalawuli, amahlakani, abaxhamli okanye ootrasti kule layisenisi icelwayo	F
Inkcazo efungelweyo yomfaki-sicelo ecacisa ukuba akangomntu ungafanelekanga ekubeni abe nealayisenisi, ngokwemiqathango yecandelo 35	G
Isiqinisekiso sanqangi sokuba lo ucela ilayisenisi akatyali kwirhafu esikhutshwe ziiNkonzo zeRhafu zoMzantsi Afrika (South African Revenue Services) esingadlulanga kwiinyanga ezintathu sikhutshiwe ukusuka kulo mhla wokufakwa kwesicelo	H
Isingqinisiso sokuba umfaki-sicelo unalo ilungelo lokungena kula masango acelelwa ilayisenisi	I
Isingqinisiso sobunini bala masango okanye, ukuba lo ucela ilayisenisi akanguye umnini wala masango, imvume ebhaliweyo evela kumninini wamasango echaza ukuba umfaki-sicelo angawasebenzisa la masango anelayisenisi ngokwenjongo yale layisenisi icelelwa ukususwa	J
Ingcaciso ebhaliweyo exhasa esi sicelo	K
Isingqinisiso sentlawulo yesicelo efanelekileyo	L
Isingqinisiso seenothisi ngokwemiqathango yoMgaqo 33(4)	M
Isiqinisekiso solwahlulo-mhlaba (Zoning certificate)	N
Isingqinisiso sokuba umfaki-sicelo uyingenisile ikopi yesi sicelo kwigosa lotywala elifanelekileyo lengingqi yolawulo akuyo ngoku la masango anelayisenisi, kuze ke apho ukwamkelwa kwesicelo kuza kufuna ukuba isuswe ilayisenisi isiwe kwingngqi yolawulo yelinye igosa lotywala eligunyazisiweyo, isingqinisiso sokuba umfaki-sicelo uyingenisile ikopi yesi sicelo kwelo gosa lotywala ligunyazisiweyo lalo ngingqi	O

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:

Igama : _____

Umsayino : _____

Iadresi yasekhaya : _____

_____

Ikhowudi yeposi : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje: _____

Inombolo yefekisi : _____

I-imeyili : _____

1. IINKCUKACHA ZOMFAKI-SICELO

1.1 Igama eliphelelelyo: _____

1.2 Iadresi yasekhaya : _____

_____

Ikhowudi yeposi : _____

1.3 Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

1.4 Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje: _____

1.5 Inombolo yefekisi : _____

1.6 I-imeyili : _____

1.7 Iadresi yalapho zisiwa khona iinothisi neempepha:

_____

_____

_____

Ikhowudi yeposi : _____

1.8 IInkcukacha zoqhagamshelwano zomninini-layisenisi okanye, ukuba umfaki-sicelo asingomntu uthile, iinkcukacha zomntu ekuqhagamshelwana naye:

_____

_____

1.9 Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje: _____

1.10 Umhla wokuzalwa *(ukuba umfaki-sicelo ngumntu)* _____ / _____/ _____

2. IINKCUKACHA ZOKUSUSWA

2.1 Liza kuqhutywa ngegama elithini eli shishini licelelwa ilayisenisi? _____

_____

2.2 Liza kutshintsha igama sakuba samkelwe isicelo sokususwa? **EWE / HAYI**

2.3 Ukuba kunjalo xela igama elitsha: _____

2.4 Chaza indawo akuyo amasango eliza kuqhutyelwa kuyo eli shishini ngokwenombolo yesiza, isitalato okanye ifama: _____

_____

_____

_____

2.5 La masango akhankanywe kumhlathi 2.4 akwisithili samapolisa esikwasesi akuwo la anelayisenisi? **EWE / HAYI**

2.6 La masango akhankanywe kumhlathi 2.4 akwingingqi kamasipala ekwayile akuyo ngoku la anelayisenisi? **EWE / HAYI**

2.7 Umfaki-sicelo ngawakhe la masango iza kusiwa kuwo le layisenisi?

EWE / HAYI

2.8 Ukuba akunjalo, nika iinkcukacha zomnini nezelungelo lomfaki-sicela lokuqhubela kuwo:

Igama lomnini: _____

Iadresi yomnini: _____

_____

_____

_____

Ilungelo lomfaki-sicelo lokuqhubela kuwo:_____

_____

_____

Ubude bexesha lelo lungelo : _____

_____

2.9 Ukuba esi isicelo seselayisenisi evumela ukuba kuselelwe utywala kwalapha kula masango, chaza icala ebuza kuthengiswa buselelwe utywala kula amasango :

_____

_____

_____

2.10 Ngaba esi sicelo sesamasango—

(a) angekakhiwa? **EWE / HAYI**

(b) asele akhiwe kodwa afuna longezo okanye utshintsho oluza kuwenza ahambelane nenjongo yeli shishini? **EWE / HAYI**

(c) sele akhiwe, kwaye akafuni longezo okanye lutshintsho lokuwenza ahambelane nenjongo yeli shishini? **EWE / HAYI**

2.11 Ukuba impendulo kumbuzo 2.10(a) okanye (b) ithi “ewe”, nceda uxele —

(a) umhla wokuqala kolo lwakhiwo, longezo okanye lutshintsho: _____; kwakunye

(b) nexesha eliya kufuneka lokwakha, lokongeza okanye lokutshintsha

_____.

2.12 Ukuba isicelo sesokususwa kwelayisenisi okwexeshana, xela ukuba kufunelwa ixesha elingakanani na oku kususwa: _____

_____

_____

_____

_____

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

_____

Liprinte Igama

_____

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

_____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 27A

INOTHISI YOKUFAKWA KWESICELO SOKUSUSWA KWELAYISENISI YOTYWALA NGOKWECANDELO 66(2) LOMTHETHO WOTYWALA WENTSHONA KOLONI, 2008

[Umgaqo 33(2)]

Kunikezelwa inothisi yokuba isicelo sokususwa kwelayisenisi yotywala sifakiwe kuGunyaziwe woTywala weNtshona Koloni (abasemaGunyeni) nakwiiofisi zamagosa otywala agunyazisiweyo kwaye, apho ukunikezelwa kwesicelo kuza kuchaphazela ukususwa kwelayisenisi phantsi kolawulo lwelinye igosa lotywala eligunyazisiweyo kuloo ngingqi.

Isicelo ekubhekiswa kuso singakwazi, ukuya kwiintsuku eziquka usuku lwama-28 ukusukela ngosuku lwesi saziso, xa siceliwe kwaye simahla, sihlolwe nguye nawuphi na umntu okwiofisi yabasemaGunyeni okanye i(ama)gosa eli(a)jongene nemiba engotywala. Iikopi zesicelo singafumaneka kwabasemaGunyeni emva kwentlawulo emisiweyo.

Uchaso neengxelo ezixhasayo ezibhaliweyo zingafakwa kwabasemaGunyeni nakwigosa lotywala eligunyazisiweyo ngokwecandelo 33(12) leMigaqo.

NOMB.	**Igama eliphele leyo lomfaki-sicelo** **Igama eliphele leyo lomfaki-sicelo**	**Igama eliza kuqhutywa ngalo ishishini**	**Iadresi lala masango acetywayo**	**Uhlobo lwelayisenisi ecetywayo**	**i-Ofisi yeGosa eligunyazisiweyo lotywala leeNkonzo zamaPolisa eMzantsi Afrika apho isicelo sifakwe khona**

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 27B
INOTHISI YOKUFAKWA KWESICELO SOKUSUSWA KWELAYISENISI YOTYWALA

[Umgaqo 33(4)]

Apha kunikwa inothisi yokuba isicelo sokususwa kwelayisenisi kwesi sakhiwo, enkcukacha zayo zinikiweyo apha, singenisiwe kuGunyaziwe woTywala weNtshona Koloni nakwiiofisi zamagosa otywala agunyazisiweyo afanelekileyo kwiiNkonzo zaMapolisa oMzantsi Afrika.

Esi sicelo sisenokuthi, ukuya kutsho kumhla wamashumi amabini anesibhozo (28) ukusuka kumhla wokushicilelwa kokungeniswa kwesicelo nguGunyaziwe, ngokwemiqathango yomgaqo 33(3), siye kuhlolwa nguye nawuphi na umntu othe wacela ngaphandle kwentlawulo, kwiiofisi zikaGunyaziwe nezamagosa otywala agunyazisiweyo. Iikopi zesi sicelo zingafumaneka phaya kuGunyaziwe emva kokuhlawula loo ntlawulo ibekiweyo.

Ngokwemiqathango yomgaqo 33 weMigaqo, uyakwazi ukungenisa ingcaciso yakho yokuba usichase okanye usixhase esi sicelo. Xa unqwenela ukuyenza loo nto, loo ngcaciso ibhaliweyo kufuneka ingeniswe kuGunyaziwe naseziofisini zamagosa otywala agunyazisiweyo.

Umhla wenothisi: _____
(Lo mhla kufuneka uhambelane nomhla wokungeniswa kwesicelo.)

Igama elipheleleyo lomfaki-sicelo: _____

Inombolo yesazisi okanye inombolo yobhaliso yomfaki-sicelo: _____

Iadresi yesitalato yomfaki-sicelo: _____

_____

Iadresi yaseposini yomfaki-sicelo: _____

_____

Ikhowudi yeposi: _____

Uhlobo lwelayisenisi eyenzelwa isicelo: _____

Uhlobo lotywala obuza kwenziwa okanye nobuza kuthengiswa: _____

_____

Igama eliza kuqhutywa ngalo eli shishini: _____

Iadresi yala masango acelelwa ilayisenisi ngokuphathelele kwinombolo yesiza, isi(zi)talato, isa(za)khiwo, i(ii)venkile okanye ifama, apho liza kuqhutyelwa kuwo ishishini:

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____

Iadresi yendawo : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Inombolo yefekisi : _____

I-imeyili : _____

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:

Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.

Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 27C

INOTHISI YOKWAMKELWA OKANYE YOKUKHATYWA KWESICELO SOKUSUSWA KWELAYISENISI

[Umgaqo 33(20)]

IGAMA LAMASANGO: _____

IADRESI YAMASANGO: _____

_____

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Malunga nesicelo sokususwa kwelayisenisi.

Nceda uqaphele ukuba—

1. Isicelo sokususwa kwelayisenisi siye **sakhatywa** ngomhla we _____.
2. Isicelo sokususwa kwelayisenisi siye **samkelwa** ngomhla we _____.

   Isiqinisekiso sokususwa siya kuthi sikhutshwe isakuba ithotyelwe le miqathango ilandelayo

   (a) Imali eyi-R _____ kufuneka ihlawulwe zingadlulanga iintsuku ezingamashumi amathandathu (60) komhla wale nothisi, kungenjalo kuya kuphelelwa ukwamkelwa kwesi sicelo.

   (b) Ukuba le ntlawulo ithe ayenziwa ngeli xesha libekwe ngentla apha, usenokuthi ubhalele iGosa eliLawulayo eliyiNtloko ucele uxolelo ngolu silelo ekuhlawuleni (Jonga kwicandelo 66(8)).

   (c) Ukuba iGosa eliLawulayo eliyiNtloko luyaluxolela olu silelo, le ntlawulo mayenziwe ungadlulanga loo mhla uthe wabekwa liGosa eliLawulayo eliyiNtloko kunye nomdliwo oyi-100% yaloo ntlawulo.

_____

IGosa eliLawulayo eliyiNtloko lilikaGunyaziwe woTywala weNtshona Koloni okanye lowo mntu unikwe ugunyaziso liGosa eliLawulayo eliyiNtloko

Umhla: _____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 27D

INOTHISI YOKWAMKELWA KWESICELO SOKUSUSWA KWELAYISENISI PHANTSI KWEMIQATHANGO NGOKWEMIQATHANGO YOMGAQO 33(20)

[Umgaqo 33(21)]

IGAMA LOMFAKI-SICELO:

_____

IGAMA NEADRESI YAMASANGO: _____

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Malunga nesicelo sokususwa kwelayisenisi.

Nceda uqaphele ukuba ukususwa kwelayisenisi kwamkelwe phantsi kwemiqathango, kwaye isiqinisekiso sokususwa siya kuthi sikhutshwe isakuba ithotyelwe le miqathango ilandelayo okanye ezi mfuneko zilandelayo:

_____
_____
_____
_____
_____
_____
_____
_____
_____

Nceda uqaphele oku kulandelayo:

1. Imiqathango okanye iimfuneko ezibekiweyo kufuneka ifezekiswe—
   (a) kungadlulanga _____ukusuka kumhla wokukhutshwa kwale nothisi; okanye
   (b) ngomhla okanye phambi komhla we _____ka _____ 20 ____.

2. Isicelo singenziwa—
   (a) kwiSigqeba seeMbambano zeeLayisenisi zoTywala, sokwenza izilungiso okanye sokurhoxiswa kwemiqathango ngokwecandelo 66(4B); okanye
   (b) kwiGosa eloNgameleyo, sokutshitshisa okanye sokwenziwa kwezilungiso kuwo nawuphi na umqathango okanye imfuneko ebibekiwe ngokwecandelo 66(14)(a); okanye
   (c) kwiGosa eloNgameleyo, sokwamkelwa kweplani eyenziwe izilungiso ekhankanywe kwicandelo 66(14)(d); okanye
   (d) kwiGosa eloNgameleyo ngokwecandelo 66(14)(b), esokwandiselwa ixesha—
      (i) ebelibekwe siSigqeba seeMbambano zeeLayisenisi zoTywala ngokwemiqathango yecandelo 66(4A); okanye
      (ii) ebelibekwe liGosa eloNgameleyo ngokwecandelo 66(13) okanye (14)(b).

3. Ukuba umfaki-sicelo uyasilela ukuthobela imiqathango okanye iimfuneko ezibekiweyo ngeli xesha alibekelweyo siSigqeba seeMbambano zeeLayisenisi zoTywala okanye liGosa eloNgameleyo, ngokwalowo ufanelekileyo, okanye naliphi na ixesha elandiselwe, iya kuthi iphelelwe ilayisenisi yokusuasa ebinikwe phantsi kwemiqathango, kwaye nesicelo eso sokususwa kwelayisenisi siya kuthathwa njengebesingakhe sanikwa.

_____

IGosa eliLawulayo eliyiNtloko lilikaGunyaziwe woTywala weNtshona Koloni okanye lowo mntu unikwe ugunyaziso liGosa eliLawulayo eliyiNtloko

Umhla: _____

NCEDA UQAPHELE OKU KUNIKWA ILAYISENISI ENEMIQATHANGO AKUYIYO IMVUME YOKUBA URHWEBE NGAPHANDLE KWELAYISENISI ESEMTHETHWENI EKHUTSHWE NGOKWEMIQATHANGO YOMTHETHO WOTYWALA WENTSHONA KOLONI, 2008 (UMTHETHO 4 KA-2008).

IFOMU 27E

INOTHISI YOKUBA IMIQATHANGO EBINIKIWE IFEZEKISIWE NGOKWEMIQATHANGO YOMGAQO 33(23)

[(Umgaqo 33(24)]

IGAMA LOMFAKI-SICELO: _____

IGAMA LESAKHIWO: _____

IDILESI YESAKHIWO: _____

_____

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Malunga nesicelo sokususwa kwelayisenisi.

Nceda uqaphele ukuba iGosa eloNgameleyo lanelisekile ukuba umfaki-sicelo uyifezekisile imiqathango ebibekwe siSigqeba seeMbambano zeeLayisenisi zoTywala ngomhla we_____ kwanokuba ilayisenisi leyo iya kukhutshwa kusakuba kuthotyelwe oku kulandelayo:

(a) Laa ntlawulo ikhankanywe kwicandelo 66(6) kufuneka ihlawulwe zingadlulanga iintsuku ezingamashumi amathandathu (60) emva kokukhutshwa, kwaye ke ukuba kuye kwasilelwa ukwamkelwa kwesi sicelo kuya kuphelelwa.

(b) Ukuba intlawulo ithe ayenziwa ngesi sithuba sikhankanywe kumhlathi (a), ungathi zingadlulanga iintsuku ezingamashumi amathandathu (60) emva koku kuphelelwa kukhankanywe ku-(a), ufake isicelo esibhaliweyo ngokwemiqathango yecandelo 66(8) kwiGosa eliLawulayo eliyiNtloko sokuba uxolelwe ngokusilela ekuyenzeni intlawulo.

(c) Ukuba iGosa eliLawulayo eliyiNtloko liyakuxolela ngoku kusilela ekuhlawuleni, kufuneka ikhutshwe le ntlawulo ihamba nesohlwayo se-100% yayo ngaloo mhla uthe wabekwa liGosa eliLawulayo eliyiNtloko.

_____

IGosa eliLawulayo eliyiNtloko likaGunyaziwe woTywala weNtshona Koloni okanye lowo mntu unikwe ugunyaziso liGosa eliLawulayo eliyiNtloko

Umhla: _____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 27F

ISICELO) SOXOLELO NGOKUSILELA UKUHLAWULA INTLAWULO EBEKIWEYO NGOKWEMIQATHANGO YECANDELO 66(8

[Umgaqo 33(27)]

IKOPI YANQANGI KUFUNEKA INGENISWE KWISIPHATHAMANDLA

INOMBOLO YESALATHISO SESIPHATHAMANDLA _____

ISALATHISO

Inkcazo yeempepha ezifanele ukuqhotyoshelwa	**ISIHLOMELELO**
Ingcaciso ebhaliweyo exhasa esi sicelo	A

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Iadresi yendawo : _____

_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

Inombolo yefekisi : _____

I-imeyili : _____

IINKCUKACHA ZOMNINI-LAYISENISI

1. Igama eliphele leyo lomnini-layisenisi: _____

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

_____

Liprinte Igama

_____

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:
Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.
Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

_____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 27G

ISICELO—

A – NGOKWEMIQATHANGO YECANDELO 66(4B) SOKWENZA IZILUNGISO KWIMIQATHANGO OKANYE UKURHOXISWA KWAYO; OKANYE

B – NGOKWEMIQATHANGO YECANDELO 66(14)(a) SOKUTSHITSHISA OKANYE SOKWENZA IZILUNGISO KUWO NAWUPHI NA UMQATHANGO OKANYE IMFUNEKO; OKANYE

C – NGOKWEMIQATHANGO YECANDELO 66(14)(d) SOKWAMKELWA KWEPLANI EYENZIWE IZILUNGISO; OKANYE

D – SOKWANDISWA KWEXESHA—

(a) NJENGOKO KUCHAZWA SISIGQEBA SEEMBAMBANO ZEELAYISENISI ZOTYWALA NGOKWEMIQATHANGO YECANDELO 66(4C); OKANYE

(b) NJENGOKO KUCHAZWA LIGOSA ELONGAMELEYO NGOKWEMIQATHANGO YECANDELO 66(14)(b) OKANYE (c)

[Umgaqo 33(31)kunye no- (40)]

IKOPI YANQANGI KUFUNEKA INGENISWE KWISIPHATHAMANDLA ZE IKOPI INGENISWE KWIGOSA LOTYWALA ELIGUNYAZISIWEYO

Isitampu somhla segosa lezotywala eligunyazisiweyo esingeniswe kulo isicelo somhla wokufunyanwa kwesicelo	Isitampu somhla seSiphathamandla somhla wokufunyanwa kwesicelo

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

IGAMA LOMFAKI-SICELO: _____

IGAMA LESAKHIWO: _____

ISICELO:

A	B	C	D(a)	D(b)

(Chaza ukuba kwenziwa esiphi isicelo.)

ISALATHISO

inkcazo yeempepha ekufuneka ziqhotyoshelwe	ISIHLOMELELO
Ubungqina bentlawulo ebekiweyo	A
Ingcaciso ebhaliweyo exhasa esi sicelo	B

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe esi sicelo:

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Iadresi yendawo : _____

_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

Inombolo yefekisi : _____

I-imeyili : _____

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

_____

Liprinte Igama

Ngokuphathelele kwisicelo, isichaso okanye ingcaciso phantsi kwemiqathango yoMthetho woTywala weNtshona Koloni, 2008, umntu:

Ongenisa okanye onika iinkcukacha esazi ukuba zibubuxoki okanye ziyalahlekisa, okanye angaziyo nokuba ziyinyaniso na okanye ongenisa uxwebhu olububuqhetseba okanye olungathi yikopi yanqangi eyinyani kodwa lungeyiyo, unobutyala ngokwemiqathango yecandelo 77(a) lalo Mthetho.

Loo mntu uthe wafunyaniswa enobo butyala usenokuwiselwa isigwebo esiyifayini engadlulanga kuma-R50 000,00 okanye sokuvalelwa entolongweni isithuba esingadlulanga kwiinyanga ezintathu, okanye zozibini ezi zigwebo: ifayini nezi nyanga zintathu zokuvalelwa entolongweni.

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 27H

INOTHISI YESIGQIBO NGOKWEMIQATHANGO YEMIGAQO 33(39) OKANYE 33(43)

[Umgaqo 33(38) okanye (42)]

IGAMA LOMFAKI-SICELO:

_____

IGAMA LAMASANGO: _____

IADRESI YAMASANGO: _____

_____

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Nceda uqaphele ukuba esi sicelo—

A – sokwenziwa kwezilungiso kwemiqathango yecandelo66(4B) okanye sokurhoxiswa kwayo; okanye

B – sokutshitshisa okanye sokwenza izilungiso kuwo nawuphi na umqathango okanye imfuneko phantsi kwecandelo 66(14)(a); okanye

C – sokwamkela iplani eyenziwe izilungiso ngokwemiqathango yecandelo 66(14)(d); okanye

D – sokwandiselwa ixesha—

(a) njengoko kuchazwa siSigqeba seeMbambano zeeLayisenisi zoTywala ngokwemiqathango yecandelo 66(4C); okanye

(b) njengoko kuchazwa liGosa eloNgameleyo ngokwemiqathango yecandelo 14(b) okanye (c),

(i) **samkelwe** (phantsi kwale miqathango iqhotyoshelwe apha); okanye

(ii) **sikhatyiwe**.

_____

ISHEDYULI

IGosa eliLawulayo eliyiNtloko likaGunyaziwe woTywala weNtshona Koloni okanye lowo mntu unikwe ugunyaziso liGosa eliLawulayo eliyiNtloko

Umhla: _____

IFOMU 28

ISIQINISEKISO SOKUSUSWA KWELAYISENISI NGOKWEMIQATHANGO YECANDELO 65(17)

[Umgaqo 33(22)kunye no-(26)]

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

Ilayisenisi ebikhutshelwe amasango ase: _____

_____

nekuqhutywa ngayo ishishini ngegama elithi _____

_____,

Iyasuswa isigxina/okwexeshana isiwa kumasango ase: _____

_____

Kumasipala wase _____, apho liya kuqhutyelwa khona eli shishini linelayisenisi, phantsi kwale miqathango nezi plani ziqhotyoshelwe apha.

Eli shishini linelayisenisi kwixa elizayo liza kuqhutywa ngegama elithi: _____

_____

Esi siqinisekiso kufuneka ngalo lonke ixesha sisasebenza, siqhotyoshelwe kwilayisenisi esihamba nayo.

_____

IGosa eliLawulayo eliyiNtloko likaGunyaziwe woTywala weNtshona Koloni okanye loo mntu unikwe ugunyaziso liGosa eliLawulayo eliyiNtloko

Umhla: _____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 29

INOTHISI YESIBHENO OKANYE YESICELO SOVANDLAKANYO NGOKWEMIQATHANGO YECANDELO 68(3)

[Umgaqo 34(6)]

UXWEBHU LWANQANGI MALUNGENISWE KWISIPHATHAMANDLA

INOMBOLO YESALATHISO SESIPHATHAMANDLA _____

ISALATHISO

inkcazo yeempepha ekufuneka ziqhotyoshelwe	**ISIHLOMELELO**
Inkcazo ecacisa imihlaba yokwenziwa kwesibheno okanye kwesicelo sovandlakanyo	A
Inkcazo emfutshane ethe gca yawona manqaku aphambili okanye zunkalo zomthetho aza kuxoxela phezu kwazo kwesi sibheno okanye kwesi sicelo sovandlakanyo	B
Uluhlu lweengcali eziya kusetyenziswa ekuxhaseni inqaku eliphambili ngalinye	C
Okona afuna kwenzeke umbheni	D

IGAMA LOMBHENI: _____

Igama, umsayino neenkcukacha zoqhagamshelwano zomntu oqulunqe le nothisi:

Igama : _____

Umsayino : _____

Iadresi yaseposini : _____

_____

Ikhowudi yeposi : _____

Iadresi yendawo : _____

_____

Ikhowudi yeposi : _____

Iinombolo zefowuni:

Eofisini : _____

Iseli : _____

Eyasekhaya okanye enye nje : _____

Inombolo yefekisi : _____

I-imeyili : _____

IINKCUKACHA ZESIBHENO OKANYE ZESICELO SOVANDLAKANYO

1. Sesiphi esi sigqibo sikaGunyaziwe woTywala weNtshona Koloni kubhenwayo ngaso okanye kucelwa uvandlakanyo ngaso?

   _____

2. Umhla wesigqibo: _____

3. Umhla awaziswa ngawo umbheni ngesi sigqibo: _____

_____ _____

Umhla **Umsayino womfaki-sicelo okanye womntu ogunyaziswe ngumfaki-sicelo**

_____

Liprinte Igama

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 30

INOTHISI YOTHOTYELO NGOKWEMIQATHANGO YECANDELO 69(1)

[Umgaqo 35(1)]

INOMBOLO YESALATHISO SESIPHATHAMANDLA:
_____

IYA KU: Igama: _____

Iadresi: _____

_____

Inombolo | | | | | | | | | | | | | yesazisi:

Phantsi kwamagunya anikwa abahloli bakaGunyaziwe woTywala weNtshona Koloni naloo magosa ezotywala agunyazisiweyo licandelo 69 loMthetho woTywala weNtshona Koloni, 2008, apha uyaziswa ukuba ukuba ukuba akuyithobelanga le miqathango yalo Mthetho ilandelayo okanye imiqathango yelayisenisi:

_____

_____

_____

_____

Uyacelwa ukuba ukuba uthobele le miqathango ingentla apha yalo Mthetho okanye pkanye imiqathango yale layisenisi ungadlulanga umhla we::

_____, ngokuthi *(makuchazwe inyathelo ekufuneka lithathiwe ngumnini welayisenisi okanye imanejala)*

_____

_____

_____

_____

Uyacelwa kananjalo ukuba uthathele ingqalelo amacandelo 69(5) ukuya ku-69(12) alo Mthetho.

Umsayino walowo unikwayo (ukuba uyafumaneka):

_____

KUZALISA IZIPHATHAMANDLA KUPHELA

Ndiyaqinisekisa ukuba ndiyingenisile le nothisi ngokuzisa ikopi yanqangi e:

_____

_____

Ngokwesikhokelo soMgaqo 35(2). Imo nokungxamiseka kwalo mcimbi ndizicacisile kulo ndiyinike yena.: _____

_____ Umhla nexesha lokungeniswa:

_____

Umsayino omhloli okanye igosa lezotywala eligunyazisiweyo: _____

Igama lomhloli okanye igosa lezotywala eligunyazisiweyo: _____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 31

ISIQINISEKISO SOTHOTYELO NGOKWEMIQATHANGO YECANDELO 69(6)

[Umgaqo 35(3)]

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

IYA KU: Igama: _____

Iadresi: _____

_____

Inombolo yesazisi: | | | | | | | | | | | | | |

Phantsi kwamagunya anikwa abahloli bakaGunyaziwe woTywala weNtshona Koloni naloo magosa ezotywala agunyazisiweyo licandelo 69 loMthetho woTywala weNtshona Koloni, 2008, apha uyaziswa ukuba uye wayithobela inothisi oyikhutshelwe ngomhla: _____

Umsayino walowo unikwayo (ukuba uyafumaneka):

_____

_____

KUZALISA IZIPHATHAMANDLA KUPHELA

Ndiyaqinisekisa ukuba ndisingenisile esi siqinisekiso sothotyelo ngokuzisa ikopi yanqangi e:

_____

njengoko kuchazwa kuMgaqo 35(4).

Indawo: _____ Umhla nexesha: _____

Umsayino womhloli okanye igosa lezotywala eligunyazisiweyo: _____

Igama lomhloli okanye igosa lezotywala eligunyazisiweyo: _____

WESTERN CAPE LIQUOR ACT 4 KA-2008 (UMTHETHO 4 KA-2008)

IFOMU 32

INOTHISI NGOKWEMIQATHANGO YOMGAQO 37A(1)

[Umgaqo 37A(1)]

INOMBOLO YESALATHISO SESIPHATHAMANDLA: _____

IYA KU: Igama lomnini okanye lomntu ophethe kula masango: _____

_____

Iadresi yala masango: _____

_____

_____

Inombolo yesazisi: | | | | | | | | | | | | | |

Phantsi kwamagunya anikwa abahloli bakaGunyaziwe woTywala weNtshona Koloni naloo magosa ezotywala agunyazisiweyo licandelo 69 loMthetho woTywala weNtshona Koloni, 2008, apha uyaziswa ukuba uye wayithobela inothisi oyikhutshelwe ngomhla: Ngokwamagunya anikwe abahloli abangooGunyaziwe ngokwemiqathango yoMgaqo 37A weMigaqo yoMthetho woTywala weNtshona Koloni, 2008 (uMthetho), apha uyaziswa ukuba ndinemihlaba ephathekayo yokuba ndikrokrele ukuba uthengisa utywala okanye uyabenza okanye benziwa ngokwemiyalelo yakho okanye uyazi loo nto kula masango, into leyo enxamnye kwimiqathango yalo Mthetho.

Kuchasene nalo Mthetho yokuthengisa okanye yokwenza utywala ngaphandle kwelayisenisi ekhutshwe ngokwemiqathango yalo Mthethokwaye ungabekwa ityala. Ukuba uthe wabekwa ityala, ungagwetywa ukuba uhlawule imali enokuya kwi-R1 000 000 okanye kungenjalo isigwebo sokuvalelwa entolongweni ixesha elinokufika kwiminyaka emihlanu (5) okanye zozibini ezi zigwebo, ifayini nokuvalelwa entolongweni.

Yapha ke uyacetyiswa ukuba uthathe amanyathelo akhawulezileyo okufaka isicelo selayisenisi ekugunyazisayo ukuba uthengise okanye wenze utywala kula masango.

Izicelo zeelayisenisi zotywala kufuneka zingeniswe kwiWestern Cape Liquor UGunyaziwe:

Iadresi yendawo: Third Floor, Sunbel Building, 3 Old Paarl Road, Bellville

Inombolo yomnxeba: 021 204 9700

Amaxesha okuvula: 7:30 ukuya ku-16:00

Iadresi yewebhusayithi: www.wcla.gov.za

Uya kulufumana uncedo oluyimfuneko olufunayo ngesi sicelo sakho.

Umsayino walowo ubekhutshelwa (ukuba uyafumaneka): _____

KUZALISA IZIPHATHAMANDLA KUPHELA

Ndiyaqinisekisa ukuba ndiyingenisile le nothisi ngokuzisa ikopi yanqangi e:

_____

_____

Ngokwesikhokelo soMgaqo 37A(1). Imo nokungxamiseka kwalo mcimbi ndizicacisile kulo ndiyinike yena.

Indawo ekwangeniselwa kuyo: _____

Umhla nexesha lokungeniswa: _____

Umsayino womhloli: _____

Igama lomhloli: _____

.”.

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