

PROVINCE OF THE WESTERN CAPE

PROVINSIE WES-KAAP

IPHONDO LENTSHONA KOLONI

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**Provincial Notice**

**Provinsiale Kennisgewing**

**ISaziso sePhondo**

The following provincial notice is published for general information:

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The following Provincial Notice is published for general information.

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DIRECTOR-GENERAL

Provincial Legislature Building,  
Wale Street,  
Cape Town.

**PROVINSIALE KENNISGEWING**

Die volgende Provinsiale Kennisgewing word vir algemene inligting gepubliseer.

ADV. B. GERBER,  
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,  
Waalstraat,  
Kaapstad.

**ISAZISO SEPHONDO**

Esi saziso silandelayo sipapashelwe ukunika ulwazi ngokubanzi.

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UMLAWULI-JIKELELE

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eKapa.

**PROVINCIAL NOTICE**

P.N. 122/2018

27 September 2018

**WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)  
WESTERN CAPE LIQUOR REGULATIONS, 2011: AMENDMENT, 2018**

The Provincial Minister of Community Safety, in terms of section 88(1) of the Western Cape Liquor Act, 2008 (Act 4 of 2008), has made 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, Provincial Notice 275/2015 of 14 August 2015 and Provincial Notice 117/2017 of 31 May 2017.

**Substitution of Annexure 1 of the Regulations**

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

**“ANNEXURE 1**

Fees payable in respect of certain applications and maximum amount of fine

<b>Item no.</b>	<b>Nature of application or fine</b>	<b>Fees or fine payable (R)</b>
1.	Application for a licence in terms of section 36(1)(e)	1 745
2.	Application for a temporary liquor licence in terms of section 48(1)	385
3.	Application for an event liquor licence in terms of section 48(4)	385
4.	Application to amend the conditions of a licence in terms of section 49(6)	710
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)	710
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	710 (each)

<b>Item no.</b>	<b>Nature of application or fine</b>	<b>Fees or fine payable (R)</b>
7.	(a) Application to store liquor in terms of section 57(1)	385
	(b) Granting of application to store liquor in terms of section 57(1)	385
8.	(a) Application for the extension of trading hours in terms of section 59(4)	385
	(b) Granting of application for extension of trading hours in terms of section 59(4)	1 090
9.	Application for renewal in terms of section 64(1)	385
10.	(a) Application for the transfer of a licence in terms of section 65(1)	385
	(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)	385
	(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(5)	385
11.	Application for the removal of a licence in terms of section 66(2)	710
12.	(a) Application for exemption in terms of section 84(2)	710
	(b) Granting of an application for exemption in terms of section 84(2)	710
14.	Application for a copy of a licence and the conditions thereto or of any application	110
15.	Copies of minutes of proceedings of Authority, Liquor Licensing Tribunal or Appeal Tribunal	110
16.	Maximum amount of fine that the Liquor Licensing Tribunal may impose in terms of section 20(3)(b)(v)	110 000
17.	Application—	
	(a) to withdraw or amend conditions attached to a conditional approval: regulations 17(9), 32(36), 33(33)	385
	(b) to amend a plan of the premises attached to a conditional approval: regulations 17(9), 33(33)	385
	(c) to extend the time period granted for a conditional approval: regulations 17(19), 32(47), 33(42)	385

Item no.	Nature of application or fine	Fees or fine payable (R)
	(d) for revocation or amendment of conditions or requirements determined under section 66(13): regulation 33(33)	385
18.	Application in terms of section 51(7) to—	
	(a) let the licensed premises to another person;	710
	(b) allow another person to carry on business in terms of the licence;	710
	(c) allow another person to use the licensed premises	710

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### Substitution of Annexure 2 of the Regulations

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

#### “ANNEXURE 2

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

Item	Part A	Part B	Part C	
	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	2 180	1 365	4 360	8 720
2. Off-consumption licence	2 180	1 365	4 360	8 720
3. On- and off-consumption licence	2 180	2 075	7 085	14 170
4. Micro-manufacturing licence	2 180	1 365	4 360	8 720
5. Temporary liquor licence	385 per day	-	-	-

6. Event liquor licence	220 per day	-	-	-
7. Alter licensed premises	220	-	-	-
8. Change nature of licenced business	220	-	-	-
9. Conduct licensed business on premises on which other business is conducted	220	-	-	-
10. Amend or withdraw conditions attached to a conditional approval	710	-	-	-
11. Amend the plan attached to a conditional approval	710	-	-	-
12. Extend the time period attached to a conditional approval	710	-	-	-
13. Conduct licensed business pending the transfer of the licence	710	-	-	-
14. Extend the time period in respect of consent granted to conduct business pending the transfer of the licence	710	-	-	-
15. Revocation or amendment of conditions or requirements determined under section 66(13)	710	-	-	-

**Short title and commencement**

4. These regulations are called the Western Cape Liquor Regulations, 2011: Amendment, 2018, and come into operation on 1 October 2018.

**PROVINSIALE KENNISGEWING**

P.K. 122/2018

27 September 2018

**WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)  
WES-KAAPSE DRANKREGULASIES, 2011: WYSIGING, 2018**

Die Provinsiale Minister van Gemeenskapsveiligheid, ingevolge artikel 88(1) van die Wes-Kaapse Drankwet, 2008 (Wet 4 van 2008), het die regulasies uiteengesit in die Bylae gemaak.

**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, Provinsiale Kennisgewing 275/2015 van 14 Augustus 2015 en Provinsiale Kennisgewing 117/2017 van 31 Mei 2017.

**Vervanging van Aanhangel 1 van die Regulasies**

2. Aanhangel 1 van die Regulasies word deur die volgende aanhangel vervang:

**“AANHANGSEL 1**

Fooie betaalbaar ten opsigte van sekere aansoeke en maksimum bedrag van boete

<b>Item-nr.</b>	<b>Aard van aansoek of boete</b>	<b>Foote of boete betaalbaar (R)</b>
1.	Aansoek om ’n lisensie ingevolge artikel 36(1)(e)	1 745
2.	Aansoek om ’n tydelike dranklisensie ingevolge artikel 48(1)	385
3.	Aansoek om ’n dranklisensie vir ’n geleentheid ingevolge artikel 48(4)	385
4.	Aansoek om die voorwaardes van ’n lisensie te wysig ingevolge artikel 49(6)	710
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)	710
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	710 (elk)

Item-nr.	Aard van aansoek of boete	Fooie of boete betaalbaar (R)
	bedryf, handel gedryf of beroep beoefen word	
7.	(a) Aansoek om alkohol te berg ingevolge artikel 57(1)	385
	(b) Toestaan van aansoek om alkohol te berg ingevolge artikel 57(1)	385
8.	(a) Aansoek om die verlenging van handelsure ingevolge artikel 59(4)	385
	(b) Toestaan van aansoek om die verlenging van handelsure ingevolge artikel 59(4)	1 090
9.	Aansoek om hernuwing ingevolge artikel 64(1)	385
10.	(a) Aansoek om die oordrag van 'n lisensie ingevolge artikel 65(1)	385
	(b) Aansoek om toestemming ingevolge artikel 65(3) om die gelisensieerde besigheid te bedryf hangende die oordrag van die lisensie ingevolge artikel 65(1)	385
	(c) Aansoek om verlenging ingevolge artikel 65(6) van die tydperk ten opsigte van toestemming wat verleen is ingevolge artikel 65(5)	385
11.	Aansoek om die verwydering van 'n lisensie ingevolge artikel 66(2)	710
12.	(a) Aansoek om vrystelling ingevolge artikel 84(2)	710
	(b) Toestaan van 'n aansoek om vrystelling ingevolge artikel 84(2)	710
14.	Aansoek om 'n afskrif van 'n lisensie en die voorwaardes daarop of van enige aansoek	110
15.	Afskrifte van notules van verrigtinge van die Owerheid, Dranklisensieëringstribunaal of Appèltribunaal	110
16.	Maksimum bedrag van 'n boete wat die Dranklisensieëringstribunaal mag oplê ingevolge artikel 20(3)(b)(v)	110 000



Item-nr.	Aard van aansoek of boete	Foote of boete betaalbaar (R)
17.	Aansoek om—	
	(a) die voorwaardes geheg aan 'n voorwaardelike goedkeuring in te trek of te wysig: regulasies 17(9), 32(36), 33(33)	385
	(b) 'n plan van die perseel geheg aan 'n voorwaardelike goedkeuring te wysig: regulasies 17(9), 33(33)	385
	(c) die tydperk toegestaan vir 'n voorwaardelike goedkeuring te verleng: regulasies 17(19), 32(47), 33(42)	385
18.	(d) intrekking of wysiging van voorwaardes of vereistes bepaal kragtens artikel 66(13): regulasie 33(33)	385
	Aansoek ingevolge artikel 51(7) om—	
	(a) die gelisensieerde perseel te verhuur aan 'n ander persoon;	710
	(b) 'n ander persoon toe te laat om die besigheid ingevolge die lisensie te bedryf;	710
(c) 'n ander persoon toe te laat om die gelisensieerde perseel te gebruik	710	

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### Vervanging van Aanhangel 2 van die Regulasies

3. Aanhangel 2 van die Regulasies word deur die volgende aanhangel vervang:

#### “AANHANGSEL 2

Foote betaalbaar ten opsigte van lisensies, oordragte, verwyderings, hernuwings en by die toestaan van sekere aansoeke

Item	Deel A	Deel B	Deel C	
	Foote betaalbaar ten opsigte van 'n nuwe lisensie en by die toestaan van sekere aansoeke (R)	Foote betaalbaar ten opsigte van die oordrag of verwydering van 'n lisensie (R)	Hernuwingsfoote (R)	
			Jaarliks	Twee-jaarliks
1. Lisensie vir verbruik op perseel	2 180	1 365	4 360	8 720
2. Lisensie vir verbruik weg van perseel	2 180	1 365	4 360	8 720

3. Lisensie vir verbruik op en weg van perseel	2 180	2 075	7 085	14 170
4. Lisensie vir mikrovervaardiging	2 180	1 365	4 360	8 720
5. Tydelike dranklisensie	385 per dag	-	-	-
6. Dranklisensie vir 'n geleentheid	220 per dag	-	-	-
7. Verandering aan gelisensieerde perseel	220	-	-	-
8. Verandering van aard van gelisensieerde besigheid	220	-	-	-
9. Bedryf van besigheid op 'n perseel waarop 'n ander besigheid bedryf word	220	-	-	-
10. Wysiging of intrekking van voorwaardes geheg aan voorwaardelike goedkeuring	710	-	-	-
11. Wysiging van plan geheg aan voorwaardelike goedkeuring	710	-	-	-
12. Verlenging van tydperk geheg aan voorwaardelike goedkeuring	710	-	-	-
13. Bedryf van gelisensieerde besigheid hangende die oordrag van die lisensie	710	-	-	-

14. Verlenging van tydperk ten opsigte van toestemming verleen om besigheid te bedryf hangende die oordrag van die lisensie	710	-	-	-
15. Intrekking of wysiging van voorwaardes of vereistes bepaal kragtens artikel 66(13)	710	-	-	-

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**Kort titel en inwerkingtreding**

4. Hierdie regulasies heet die Wes-Kaapse Drankregulasies, 2011: Wysiging, 2018, en tree in werking op 1 Oktober 2018.

**ISAZISO SEPHONDO**

I.S. 122/2018

27 kweyoMsintsi 2018

**UMTHETHO KA-2008 WEZOTYWALA WENTSHONA KOLONI (UMTHETHO 4 KA-2008)  
IMIGAQO YEZOTYWALA ENTSHONA KOLONI, 2011: IZILUNGISO, 2018**

UMphathiswa woKhuseleko loLuntu wePhondo, ngokwecandelo 88(1) loMthetho wezoTywala weNtshona Koloni, 2008 (uMthetho 4 ka-2008), wenze imigaqo ichazwe kwiShedyuli.

**ISHEDYULI****Iinkcazelo**

1. Kule migaqo “Imigaqo” ithetha iMigaqo yezotywala eNtshona Koloni, 2011, eyapapashwa phantsi kweSaziso sePhondo 366/2011 sangomhla wama-21 Disemba 2011, njengoko ulungiswe siSaziso sePhondo 84/2012 sangomhla wama-30 Matshi 2012, iSaziso sePhondo 371/2012 sangomhla we-10 Disemba 2012, iSaziso sePhondo 275/2015 sangomhla we-14 Agasti 2015 kunye neSaziso sePhondo 117/2017 sangomhla wama-31 Meyi 2017.

**Ukufakelwa endaweni yeSihlomelo 1 seMigaqo**

2. Esi sihlomelo silandelayo sithatha indawo yeSihlomelo 1 seMigaqo:

**“ISIHLOMELO 1**

Imirhumo ehlawulwayo ngokunxulumene nezicelo ezithile ezifakiweyo kunye nesona sohlwayo sikhulu

<b>Inombolo</b>	<b>Uhlobo lwesicelo esifakiweyo okanye isohlwayo</b>	<b>Imirhumo okanye isohlwayo esikhutshwayo</b>
1.	Ukufaka isicelo sephepha-mvume ngokwecandelo 36(1)(e)	1 745
2.	Ukufaka isicelo sephepha-mvume lotywala lethutyana ngokwecandelo 48(1)	385
3.	Ukufaka isicelo sephepha-mvume lotywala lesiganeko esithile ngokwecandelo 48(4)	385
4.	Ukufaka isicelo sokulungisa iimeko zephepha-mvume ngokwecandelo 49(6)	710
5.	Ukufaka isicelo sokutshintshelwa kwemali yenzala kwishishini elinxulumene nephepha-mvume ngokwecandelo 51(2) kunye nokufaka isicelo sokuqeshisa ngezakhiwo ezinamaphepha-mvume ngokwecandelo 51(7)	710

Inombolo	Uhlobo lwesicelo esifakiweyo okanye isohlwayo	Imirhumo okanye isohlwayo esikhutshwayo
6.	Ukufaka isicelo semvume yokutshintsha izakhiwo ezinamaphepha-mvume, ukutshintsha uhlobo lweshishini okanye ukuqhuba ishishini phantsi kwephepha-mvume kwizakhiwo ekuqhutyelwa naluphi na olunye uhlobo lohishino, urhwebo okanye ukwenziwa komsebenzi okanye ukuqhutywa ngokwecandelo 53(1)(a), (b) okanye (c) ngokwahlukeneyo	710 (sisinye)
7.	(a) Ukufaka isicelo sevenkile yokuthengisa utywala ngokwecandelo 57(1) (b) Ukunikezelwa kwesicelo esifakiweyo sevenkile yokuthengisa utywala ngokwecandelo 57(1)	385 385
8.	(a) Ukufaka isicelo sokwandiswa kwexesha leeyure zokushishina ngokwecandelo 59(4) (b) Ukunikezelwa kwesicelo esifakiweyo sokwandisa ixesha leeyure zokushishina ngokwecandelo 59(4)	385 1 090
9.	Ukufaka isicelo sokuhlaziya ngokutsha ngokwecandelo 64(1)	385
10.	(a) Ukufaka isicelo sokutshintshelwa kwephepha-mvume ngokwecandelo 65(1) (b) Ukufaka isicelo sokufumana imvume ngokwecandelo 65(3) sokuqhuba ishishini elinephepha-mvume elisalindelekileyo kutshintshelo lwephepha-mvume ngokwecandelo 65(1) (c) Ukufaka isicelo sokwandisa ixesha ngokwecandelo 65(6) ngokunxulumene nemvume efumanekileyo ngokwecandelo 65(6)	385 385 385
11.	Ukufaka isicelo sokupheliswa kwephepha-mvume ngokwecandelo 66(2)	710
12.	(a) Ukufaka isicelo sokukhululwa ngokwecandelo 84(2) (b) Ukunikezelwa kwesicelo sokukhululwa ngokwecandelo 84(2)	710 710

Inombolo	Uhlobo lwesicelo esifakiweyo okanye isohlwayo	Imirhumo okanye isohlwayo esikhutshwayo
14.	Ukufaka isicelo sekopi yephepha-mvume kunye nemigaqo ehambelana naso okanye nasiphina isicelo esifakiweyo	110
15.	Iikopi zemizuzu yenkqubo yeentlanganiso zeGunya elijongene nezotywala, iNkundla yeeLayisenisi zoTywala, okanye iNkundla yezibheni	110
16.	Esona sohlwayo siphezulu sinokumiselwa yiNkundla yeeLayisenisi zoTywala ngokwecandelo 20(3)(b)(v)	110 000
17.	Ukufaka isicelo— (a) sokurhoxisa okanye ukulungiswa kwemiqathango enxulumene nemvume enemiqathango: imimiselo 17(9), 32(36), 33(33) (b) sokulungisa isicwangciso sezakhiwo ezinxulumene nemvume enemiqathango: imimiselo 17(9), 33(33) (c) sokwandisa ixesha olinikiweyo lemivume enemiqathango: imimiselo 17(19), 32(47), 33(42) (d) sokurhoxiswa okanye ukulungiswa kwemiqathango okanye iimfuneko ezimisiweyo phantsi kwecandelo 66(13): umgaqo 33(33)	385 385 385 385
18.	Ukufaka isicelo ngokwecandelo 51(7)— (a) sokuqeshisa ngezakhiwo ezinamaphepha-mvume komnye umntu; (b) sokuvumela omnye umntu aqhube ishishini ngokwephepha-mvume; (c) sokuvumela omnye umntu asebenzise izakhiwo ezinephepha-mvume	710 710 710

## Ukusetyenziswa kwesihlomelo 2 seMimiselo

3. Esi sihlomelo silandelayo sisetyenziswa endaweni yeSihlomelo 2 seMigaqo:

### “ISIHLOMELO 2

Imirhumo ehlawulelwayo ngokunxulumene namaphepha-mvume, utshintshelo, ukususwa, uhlaziyo kwanokunikezelwa kwezicelo ezithile ezifakiweyo

Uluhlu lwezinto	Isigaba A	Isigaba B	Isigaba C	
	Imirhumo ehlawulelwayo ngokunxulumene nephepha-mvume elitsha naxa kunikezelwa izicelo ezithile ezifakiweyo (R)	Imirhumo ehlawulelwayo ngokunxulumene notshintshelo okanye ukuthathwa-kwephepha-mvume (R)	Imirhumo yokuhlaziya (R)	
			Ngonyaka	Kwiminyaka emibini
1. Iphepha-mvume elisetyenziswayo	2 180	1 365	4 360	8 720
2. Iphepha-mvume elingasetyenziswayo	2 180	1 365	4 360	8 720
3. Iphepha-mvume elisetyenziswa liphinde lingasetyenziswa	2 180	2 075	7 085	14 170
4. Iphepha-mvume lokuvelisa imiyinge emincinane	2 180	1 365	4 360	8 720
5. Iphepha-mvume lotywala lexeshana	385 ngosuku	-	-	-
6. Iphepha-mvume lotywala lesiganeko/umcimbi othile	220 ngosuku	-	-	-
7. Ukutshintsha izakhiwo ezifumene amaphepha-mvume	220	-	-	-

8. Ukutshintshwa kohlobo lweshishini elinephepha-mvume	220	-	-	-
9. Ukuqhuba ishishini elinephepha-mvume kwizakhiwo ekuqhutywa kuzo elinye ishishini	220	-	-	-
10. Ukulungiswa okanye ukurhoxiswa kwemiqathango enxulumene nemvume enemiqathango	710	-	-	-
11. Ukulungiswa kwesicwangciso esinxulumene nemvume enemiqathango	710	-	-	-
12. Ukwandisa ixesha elinxulumene nemvume enemiqathango	710	-	-	-
13. Ukuqhuba ishishini elinephepha-mvume kusalindwe utshintshelo lwephepha-mvume	710	-	-	-
14. Ukwandisa ixesha elinxulumene nokunikezelwa kwemvume yokuqhuba ishishini elisandele utshintshelo lwephepha-mvume	710	-	-	-



15. Ukurhoxiswa okanye ukulungiswa kwemiqathango okanye okufunekayo phantsi kwecandelo 66(13)	710	-	-	-
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#### **Isihloko esifutshane nokuqalisa ukusetyenziswa**

4. Le migaqo ibizwa ngokuba yiMigaqo yezoTywala yeNtshona Koloni, 2011: IZilungiso, 2018, kwaye iza kuqala ukusebenza ngomhla woku-1 Okthobha 2018.