

PROVINCE OF THE WESTERN CAPE

PROVINSIE WES-KAAP

IPHONDO LENTSHONA KOLONI

**Provincial Gazette
Extraordinary**

**Buitengewone
Provinsiale Koerant**

**Isongezelelo
kwiGazethi yePhondo**

8025

8025

8025

Friday, 14 December 2018

Vrydag, 14 Desember 2018

uLwesihlanu, 14 kweyoMnga 2018

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Ibhaliswe ePosini njengePhephandaba

CONTENTS

INHOUD

IZIQULATHO

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

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

(*Ushicilelo oLutsha lufumaneka kwigumbi M21, kwiSakhiwo sePhondo seNdlu yoWiso-Mthetho, 7 Wale Street, eKapa 8001.)

Provincial Notice

Provinsiale Kennisgewing

ISaziso sePhondo

The following Provincial Notice is published for general information:

Die volgende Provinsiale Kennisgewing word vir algemene inligting gepubliseer:

Esi saziso silandelayo sipapashelwe ukunika ulwazi ngokubanzi:

167 Western Cape Department of Community Safety: Invitation for Nominations of Persons to be Appointed as a Member of the Board of the Western Cape Liquor Authority 2

167 Wes-Kaapse Departement van Gemeenskapsveiligheid: Aanvra van Benoemings van Persone om as 'n Lid van die Raad van die Wes-Kaapse Drankowerheid Aangestel te word 3

167 Isebe loKhuseleko loLuntu leNtshona Koloni: iSimemo soKutyumba aBantu aBaza kuba ngaMalungu eBhodi yoGunyaziwe weZoty-wala weNtshona Koloni 4

PROVINCIAL NOTICE

The following Provincial Notice is published for general information.

ADV. B. GERBER,
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.

ADV. B. GERBER,
UMLAWULI-JIKELELE

ISakhiwo sePhondo,
Wale Street,
eKapa.

PROVINCIAL NOTICE

P.N. 167/2018

14 December 2018

WESTERN CAPE DEPARTMENT OF COMMUNITY SAFETY**WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)****INVITATION FOR NOMINATIONS OF PERSONS TO BE APPOINTED AS A MEMBER OF THE BOARD OF THE WESTERN CAPE LIQUOR AUTHORITY**

I, Gideon Morris, Head of the Department of Community Safety in the Western Cape, in terms of regulation 2(1) of the Western Cape Liquor Regulations, 2011 ("the Regulations"), invite all interested persons to nominate candidates who in their opinion are suitable to be appointed as a member of the Board of the Western Cape Liquor Authority ("the Authority").

1. The core function of the Board is to manage the business of the Authority.
2. The duties of members include:
 - (a) attending and participating in meetings of the Board;
 - (b) any other functions as provided for in the Western Cape Liquor Act, 2008 (Act 4 of 2008) ("the Act"), or other relevant legislation.
3. All nominations must set out the reasons the nominee considers himself or herself suitable for appointment as a member of the Board and must be accompanied by the most recent *curriculum vitae* of the nominee.
4. Nominees must meet the following criteria:
 - (a) be at least 25 years of age;
 - (b) be a South African citizen and permanently resident in the Western Cape;
 - (c) not be disqualified in terms of section 5 of the Act;
 - (d) have appropriate knowledge of or experience in systems and processes for ensuring proper accountability, probity and openness in the conduct of the business of an organisation.
5. The following persons are disqualified from being appointed as a member of the Board:
 - (a) anyone who has in the preceding ten years been convicted of an offence in terms of the Act or any similar law;
 - (b) anyone who in the preceding ten years, whether in the Republic or elsewhere, has 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;
 - (c) an unrehabilitated insolvent or anyone who is subject to any legal disability;
 - (d) anyone who has in the preceding ten years been removed from any office of trust on account of misconduct or dishonesty;
 - (e) any political office bearer; and
 - (f) anyone who, whether personally or through his or her spouse, family member, partner or business associate—
 - (i) has or acquires a direct or an indirect financial interest in any liquor business or establishment; or
 - (ii) has any interest in any business or enterprise that may conflict with or interfere with the proper performance of his or her duties as a member of the Board or in any licence issued under the Act.
6. All nominations must be submitted in writing in the form of Form 1 in Annexure 3 of the Regulations. Copies of the Act and Form 1 may be obtained upon request from Adv. JC Gerber SC at: jan.gerber@westerncape.gov.za or from the website <https://www.wcla.gov.za/content/legislation-1>.
7. Appointments will be made with racial and gender sensitivity.
8. Members of the Board are appointed on a part-time basis for a period as determined by the Minister that may not exceed four years.

9. All nominations must be submitted on or before 12:00 on 31 January 2019 by—
- (a) posting it to:
Adv. JC Gerber SC
PO Box 5346
Cape Town 8000;
 - (b) e-mailing it to:
jan.gerber@westerncape.gov.za
(Mark the subject box clearly as: WCLA NOMINATION FORM.);
 - (c) faxing it to:
086 531 4283; or
 - (d) delivering it to:
Head of Department
Department of Community Safety
4th Floor
35 Wale Street
Cape Town.
10. All information provided will be treated with strict confidentiality.
11. Enquiries can be made with Adv. JC Gerber SC:
Tel: 021 483 6993
Email: jan.gerber@westerncape.gov.za.

Signed at Cape Town on this 5th day of December 2018.

G MORRIS
HEAD OF THE DEPARTMENT OF COMMUNITY SAFETY

PROVINSIALE KENNISGEWING

P.K. 167/2018

14 Desember 2018

WES-KAAPSE DEPARTEMENT VAN GEMEENSKAPSVEILIGHEID
WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)

AANVRA VAN BENOEMINGS VAN PERSONE OM AS 'N LID VAN DIE RAAD VAN DIE WES-KAAPSE DRANKOWERHEID
AANGESTEL TE WORD

Ek, Gideon Morris, Hoof van die Departement van Gemeenskapsveiligheid in die Wes-Kaap, nooi ingevolge regulasie 2(1) van die Wes-Kaapse Drankregulasies, 2011 (“die Regulasies”), alle belangstellende persone om kandidate te benoem wat na hul mening geskik is om aangestel te word as 'n lid van die Raad van die Wes-Kaapse Drankowerheid (“die Owerheid”).

- 1 Die kernfunksie van die Raad is om die besigheid van die Owerheid te bestuur.
- 2 Die pligte van lede sluit die volgende in:
 - (a) bywoning van en deelname aan vergaderings van die Raad;
 - (b) enige ander funksies soos voor voorsiening gemaak in die Wes-Kaapse Drankwet, 2008 (Wet 4 van 2008) (“die Wet”), of ander toepaslike wetgewing.
3. Alle benoemings moet die redes uiteensit waarom die benoemde hom- of haarself geskik ag vir aanstelling as 'n lid van die Raad en moet vergesel wees van die mees onlangse *curriculum vitae* van die benoemde.
4. Benoemdes moet aan die volgende vereistes voldoen:
 - (a) minstens 25 jaar oud wees;
 - (b) 'n Suid-Afrikaanse burger wees wat permanent in die Wes-Kaap woonagtig is;
 - (c) nie ingevolge artikel 5 van die Wet gediskwalifiseer wees nie;
 - (d) beskik oor toepaslike kennis van of ondervinding in stelsels en prosesse ten einde behoorlike verantwoordingspligtigheid, integriteit en openheid in die verrigting van die besigheid van 'n organisasie te verseker.
5. Die volgende persone word gediskwalifiseer van aanstelling as 'n lid van die Raad:
 - (a) iemand wat in die voorafgaande tien jaar skuldig bevind is aan 'n misdryf ingevolge hierdie Wet of enige soortgelyke wet;
 - (b) iemand wat in die voorafgaande tien jaar, hetsy in die Republiek of elders, skuldig bevind is aan diefstal, bedrog, vervalsing, die uitgee van 'n vervalste dokument, meened of enige misdryf kragtens die Wet op Korruptsie, 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;
 - (c) 'n ongerehabiliteerde insolvent of iemand wat onderhewig is aan enige handelingsonbevoegdheid;
 - (d) iemand wat in die voorafgaande tien jaar uit 'n vertrouensamp ontslaan is weens wangedrag of oneerlikheid;
 - (e) enige politieke ampsbekleër; en
 - (f) iemand wat, hetsy persoonlik of deur sy of haar gade, familielid, vennoot of besigheidsdeelgenoot—
 - (i) 'n regstreekse of 'n onregstreekse finansiële belang in enige drankbesigheid of -instelling het of verkry; of
 - (ii) 'n belang het in enige besigheid of onderneming wat in stryd kan wees of kan inmeng met die behoorlike uitvoering van sy of haar pligte as lid van die Raad of ten opsigte van enige lisensie kragtens hierdie Wet uitgereik.

- (6) Alle benoemings moet skriftelik ingedien word in die vorm van Vorm 1 in Aanhangsel 3 van die Regulasies. Afskrifte van die Wet en Vorm 1 kan op aanvraag verkry word van adv. JC Gerber SC by jan.gerber@westerncape.gov.za, of van die webblad <https://www.wcla.gov.za/content/legislation-1>.
- (7) Aanstellings sal gemaak word met ras- en geslagsensitiwiteit.
- (8) Lede van die Raad word op 'n deeltydse grondslag aangestel vir 'n tydperk wat die Minister bepaal en wat nie vier jaar mag oorskry nie.
- (9) Alle benoemings moet op of voor 12:00 op 31 Januarie 2019 ingedien word deur—
- dit te pos aan:
Adv. JC Gerber SC
Posbus 5346
Kaapstad 8000;
 - dit per e-pos te stuur na:
jan.gerber@westerncape.gov.za
(Merk die onderwerp duidelik as: WKDO-BENOEMINGSVORM.);
 - dit te faks na:
086 531 4283; of
 - dit af te lewer aan:
Die Departementshoof
Departement van Gemeenskapsveiligheid
4de Verdieping
Waalstraat 35
Kaapstad.
- (10) Alle inligting wat verskaf word sal as hoogs vertroulik hanteer word.
- (11) Navrae kan gerig word aan adv. JC Gerber SC:
Tel: 021 483 6993
E-pos: jan.gerber@westerncape.gov.za.

Geteken te Kaapstad op hierdie 5de dag van Desember 2018.

G MORRIS
HOOF VAN DIE DEPARTEMENT VAN GEMEENSKAPSVEILIGHEID

ISAZISO SEPHONDO

I.S. 167/2018

14 kweyoMnga 2018

ISEBE LOKHUSELEKO LOLUNTU LENTSHONA KOLONI

UMTHETHO WOTYWALA WENTSHONA KOLONI, 2008 (UMTHETHO 4 KA-2008)

ISIMEMO SOKUTYUMBA ABANTU ABAZA KUBA NGAMALUNGU EBHODI YOGUNYAZIWE WEZOTYWALA WENTSHONA KOLONI

Mna, Gideon Morris, iNtloko yeSebe loKhuseleko loLuntu eNtshona Koloni, ngokomgaqo 2(1) okuMgaqo wezoTywala weNtshona Koloni, 2011 ("iMigaqo"), ndimema bonke abantu abanomdla wokutyumba abantu abacinga ukuba bangakulungela ukuba ngamalungu eBhodi yoGunyaziwe wezoTywala weNtshona Koloni ("uGunyaziwe").

- Owona msebenzi weBhodi ungunoqo kukulawula imicimbi kaGunyaziwe lo.
- Ubulungu bubandakanya le misebenzi:
 - ukuhamba iintlanganiso zeBhodi nokuthatha inxaxheba kuzo;
 - eminye imisebenzi ekuMthetho woTywala weNtshona Koloni, 2008 (uMthetho 4 ka-2008)("uMthetho"), okanye eminye imithetho echaphazelekayo.
- Bonke abatyunjweyo kufuneka bazandlale izizathu ezibenza bazibone bekufanele ukuba ngamalungu ale Bhodi kwaye kufuneka zikhatshwe ziinkcukacha zemfundo namava (iCV) zamva nje zomtyunjwa.
- Abatyunjwa kufuneka banelise ezi zibakala zilandelayo:
 - mababe neminyaka engama-25 ubudala ubuncinane;
 - mababe bangabemi boMzantsi Afrika yaye bazinze eNtshona Koloni ngokuhlala;
 - mababe bayayanelisa imiqathango yecandelo 5 loMthetho;
 - mababe nolwazi olufanelekileyo okanye amava awanelisayo ngeenkqubo eziqinisekisa ukuba lwenziwa njani unikongxelo nobulungisa yaye iqumrhu lisebenza ngokuvulekileyo, akukho magumgedle.
- Aba bantu balandelayo bayathintelwa ekubeni batyunjwe njengokuba lilungu leBhodi:
 - nabani na owakhe wafunyanwa enetyala waze wagwetywa yinkundla kwiminyaka elishumi ukho lo mthetho, ngokoMthetho okanye nawuphi na umthetho ofana nawo;
 - nabani na owakhe wafunyanwa enetyala waze wagwetywa yinkundla kwiminyaka elishumi ukho lo mthetho, nokuba kulapha kwiRiphabhlikhi okanye kwenye indawo, ngenxa yokuba, yobuqhophololo, waveza amaxwebhu obuxoki, wafungela ubuxoki okanye ngenxa yalo naluphi na ulwaphulomthetho phantsi komthethi iCorruption Act, 1992 (uMthetho 94 ka-1992) okanye umthetho iPrevention and Combating of Corrupt Activities Act, 2004 (uMthetho 12 ka-2004), okanye naluphi na ulwaphulomthetho olubonisa ukunganyaniseki;

- (c) ukungaluleki okanye nabani na ojongene nomthetho;
- (d) nabani na owakhe wasuswa kuyo nayiphi na iofisi yokuthenjwa kwiminyaka elishumi ngenxa yokuziphatha kakubi okanye yokungathembeki;
- (e) nabani na osikhundleni saseburhulumenteni; kwaye
- (f) nabani na, nokuba yena buqu okanye ngumyeni/ngunkosikazi, lilungu losapho, othe wanobudlelwane okanye wasebenzisana noshishino—
- (i) othe wafuna okanye wanoxibelelwano oluthe ngqo okanye wanomdla othe ngqo kwezezimali kulo naliphi na ishishino okanye ulwaxhiwo leshishini lezotywala; okanye
- (ii) othe wanomdla kulo naliphi na ishishini elinokuthi likhabane nokusebenza kakuhle kwelungu elo njengelungu leBhodi okanye nakweyiphi na inkqubo yokukhutshwa kweelayisenisi phantsi kwalo Mthetho.
6. Bonke abatyunjwa mababhalwe bangeniswe ngefom ebizwa ngokuba nguFom 1 kwiSihlomo 3 seMigaqo. Iikopi zoMthetho nezeFom 1 zingafumaneka xa lowo uzifunayo enokuzicela ku-Adv. JC Gerber SC kule dilesi ye-imeyili: jan.gerber@westerncape.gov.za okanye kule webhusayithi <https://www.wcla.gov.za/content/legislation-1>.
7. Ukuqashwa kamalungu kuza kuqatshelwa ngokuqwalasela ukumelwa ngokufanelekileyo ngokweentlanga, ngokunjalo nangokwesini.
8. Amalungu eBhodi akaqeshwa isigxina, kodwa kangangexesha elingangelo thuba libekwe nguMphathiswa kambe elingenakudlula eminyakeni emine.
9. Onke amagama abatyunjwa mawangeniswe ngentsimbi ye-12:00 okanye phambi kwayo ngomhla wama-31 kweyoMqungu 2019 ngolu hlobo—
- (a) ngokuwathumela ngeposi kule dilesi:
Adv. JC Gerber SC
PO Box 5346
Cape Town 8000;
- (b) ngokuwathumela nge-imeyili kule dilesi:
jan.gerber@westerncape.gov.za
(Phawula ngokucacileyo ibhokisi yesihloko: WCLA NOMINATION FORM.);
- (c) ngokufeksela kule nombolo:
086 531 4283; okanye
- (d) ngokuwazisa ngesandla kule dilesi:
INTloko yeSebe
ISebe loKhuseleko loLuntu
UMgangatho wesi-4
35 Wale Street
EKapa.
10. Zonke iinkcukacha ziza kukhuselwa zihlale ziyimfihlo.
11. Imibuzo ingabhekiswa kwiGqwetha u-Adv. JC Gerber SC:
Inombolo yomnxeba: 021 483 6993
Idilesi ye-imeyili: jan.gerber@westerncape.gov.za.

Ityikitywe eKapa ngalo mhla we-5 kweyoMnga 2018.

G MORRIS

INTLOKO YESEBE LOKHUSELEKO LOLUNTU
