

PROVINCE OF THE WESTERN CAPE

PROVINSIE WES-KAAP

IPHONDO LENTSHONA KOLONI

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(*Ushicilelo oLutsha lufumaneka kwiGumbi M12, kwiSakhiwo sePhondo seNdlu yoWiso Mthetho, 7 Wale Street, eKapa 8001.)

Provincial Notice

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The following amendment regulations are published for general information:

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PROVINCIAL NOTICE

The following Provincial Notice is published for general information.

MR H.C. MALILA,
DIRECTOR-GENERAL

Provincial Legislature Building,
Wale Street,
Cape Town.

PROVINSIALE KENNISGEWING

Die volgende Provinsiale Kennisgewing word vir algemene inligting gepubliseer.

MNR H.C. MALILA,
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,
Waalstraat,
Kaapstad.

ISAZISO SEPHONDO

Esi saziso silandelayo sipapashelwe ukunika ulwazi ngokubanzi.

MNU H.C. MALILA,
MLAWULI-JIKELELE

ISakhiwo sePhondo,
Wale Street,
eKapa.

PROVINCIAL NOTICE

P.N. 109/2019

29 October 2019

**WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)
WESTERN CAPE LIQUOR REGULATIONS, 2011: AMENDMENT, 2019**

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, Provincial Notice 117/2017 of 31 May 2017 and Provincial Notice 122/2018 of 27 September 2018.

Substitution of Annexure I to the Regulations

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

“ANNEXURE 1

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

Item no.	Nature of application or fine	Fees or fine payable (R)
1.	Application for a licence in terms of section 36(1)(e)	1 835
2.	Application for a temporary liquor licence in terms of section 48(1)	405
3.	Application for an event liquor licence in terms of section 48(4)	405
4.	Application to amend the conditions of a licence in terms of section 49(6)	750
5.	Application to transfer a financial interest in the business to which the licence relates in terms of section 51(2)	750

Item no.	Nature of application or fine	Fees or fine payable (R)
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	750 (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)	405 405
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)	405 1 145
9.	Application for renewal in terms of section 64(1)	405
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) (c) Application for the extension in terms of section 65(6) of the time period of the consent granted in terms of section 65(5)	405 405 405
11.	Application for the removal of a licence in terms of section 66(2)	750
12.	(a) Application for exemption in terms of section 84(2) (b) Granting of an application for exemption in terms of section 84(2)	750 750
14.	Application for a copy of a licence and the conditions thereto or of any application	115

Item no.	Nature of application or fine	Fees or fine payable (R)
15.	Copies of minutes of proceedings of Authority, Liquor Licensing Tribunal or Appeal Tribunal	115
16.	Maximum amount of fine that the Liquor Licensing Tribunal may impose in terms of section 20(3)(b)(v)	115 610
17.	Application— (a) to withdraw or amend conditions attached to a conditional approval: regulations 17(9), 32(36), 33(33) (b) to amend a plan of the premises attached to a conditional approval: regulations 17(9), 33(33) (c) to extend the time period granted for a conditional approval: regulations 17(19), 32(47), 33(42) (d) for revocation or amendment of conditions or requirements determined under section 66(13): regulation 33(33)	405 405 405 405
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	750 750 750

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Substitution of Annexure 2 of the Regulations

3. The following annexure is substituted for Annexure 2 to 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	2 295	1 435	4 585	9 170
2. Off-consumption licence	2 285	1 435	4 585	9 170
3. On- and off-consumption licence	2 295	2 180	7 450	14 900
4. Micro-manufacturing licence	2 295	1 435	4 585	9 170
5. Temporary liquor licence	230 per day	-	-	-
6. Event liquor licence	230 per day	-	-	-
7. Alter licensed premises	230	-	-	-
8. Change nature of licenced business	230	-	-	-

9. Conduct licensed business on premises on which other business is conducted	230	-	-	-
10. Amend or withdraw conditions attached to a conditional approval	750	-	-	-
11. Amend the plan attached to a conditional approval	750	-	-	-
12. Extend the time period attached to a conditional approval	750	-	-	-
13. Conduct licensed business pending the transfer of the licence	750	-	-	-
14. Extend the time period of consent granted to conduct business pending the transfer of the licence	750	-	-	-
15. Revocation or amendment of conditions or requirements determined under section 66(13)	750	-	-	-

Short title and commencement

4. These regulations are called the Western Cape Liquor Regulations, 2011: Amendment, 2019, and come into operation on the following dates:

- (a) 30 October 2019 in respect of the substitution by regulation 3 of these regulations of the fees in Part C for items 1 to 4 of Annexure 2; and
- (b) 1 December 2019 in respect of the remainder of these regulations.

PROVINSIALE KENNISGEWING

P.K. 109/2019

29 Oktober 2019

**WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)
WES-KAAPSE DRANKREGULASIES, 2011: WYSIGING, 2019**

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, Provinsiale Kennisgewing 117/2017 van 31 Mei 2017 en Provinsiale Kennisgewing 122/2018 van 27 September 2018.

Vervanging van Aanhangsel 1 by die Regulasies

2. Aanhangsel 1 by die Regulasies word deur die volgende aanhangsel vervang:

“AANHANGSEL 1

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

Item-nr.	Aard van aansoek of boete	Foos of boete betaalbaar (R)
1.	Aansoek om ’n lisensie ingevolge artikel 36(1)(e)	1 835
2.	Aansoek om ’n tydelike dranklisensie ingevolge artikel 48(1)	405
3.	Aansoek om ’n dranklisensie vir ’n geleentheid ingevolge artikel 48(4)	405
4.	Aansoek om die voorwaardes van ’n lisensie te wysig ingevolge artikel 49(6)	750

Item-nr.	Aard van aansoek of boete	Fooie of boete betaalbaar (R)
5.	Aansoek om 'n finansiële belang in die besigheid waarop die lisensie betrekking het, oor te dra ingevolge artikel 51(2)	750
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	750 (elk)
7.	(a) Aansoek om alkohol te berg ingevolge artikel 57(1) (b) Toestaan van aansoek om alkohol te berg ingevolge artikel 57(1)	405 405
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)	405 1 145
9.	Aansoek om hernuwing ingevolge artikel 64(1)	405
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 van die toestemming wat verleen is ingevolge artikel 65(5)	405 405 405
11.	Aansoek om die verwydering van 'n lisensie ingevolge artikel 66(2)	750
12.	(a) Aansoek om vrystelling ingevolge artikel 84(2) (b) Toestaan van 'n aansoek om vrystelling ingevolge artikel 84(2)	750 750

Item-nr.	Aard van aansoek of boete	Fooie of boete betaalbaar (R)
14.	Aansoek om 'n afskrif van 'n lisensie en die voorwaardes daarop of van enige aansoek	115
15.	Afskrifte van notules van verrigtinge van die Owerheid, Dranklisensiëringstribunaal of Appèltribunaal	115
16.	Maksimum bedrag van 'n boete wat die Dranklisensiëringstribunaal mag oplê ingevolge artikel 20(3)(b)(v)	115 610
17.	<p>Aansoek om—</p> <p>(a) die voorwaardes geheg aan 'n voorwaardelike goedkeuring in te trek of te wysig: regulasies 17(9), 32(36), 33(33)</p> <p>(b) 'n plan van die perseel geheg aan 'n voorwaardelike goedkeuring te wysig: regulasies 17(9), 33(33)</p> <p>(c) die tydperk te verleng wat vir 'n voorwaardelike goedkeuring toegestaan is: regulasies 17(19), 32(47), 33(42)</p> <p>(d) intrekking of wysiging van voorwaardes of vereistes bepaal kragtens artikel 66(13): regulasie 33(33)</p>	<p>405</p> <p>405</p> <p>405</p> <p>405</p>
18.	<p>Aansoek ingevolge artikel 51(7) om—</p> <p>(a) die gelisensieerde perseel te verhuur aan 'n ander persoon;</p> <p>(b) 'n ander persoon toe te laat om die besigheid ingevolge die lisensie te bedryf;</p> <p>(c) 'n ander persoon toe te laat om die gelisensieerde perseel te gebruik</p>	<p>750</p> <p>750</p> <p>750</p>

Vervanging van Aanhangsel 2 by die Regulasies

3. Aanhangsel 2 by die Regulasies word deur die volgende aanhangsel vervang:

“AANHANGSEL 2

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

Item	Deel A	Deel B	Deel C	
	Foie betaalbaar ten opsigte van 'n nuwe lisensie en by die toestaan van sekere aansoeke (R)	Foie betaalbaar ten opsigte van die oordrag of verwydering van 'n lisensie (R)	Jaarliks	Twee-jaarliks
1. Lisensie vir verbruik op perseel	2 295	1 435	4 585	9 170
2. Lisensie vir verbruik weg van perseel	2 285	1 435	4 585	9 170
3. Lisensie vir verbruik op en weg van perseel	2 295	2 180	7 450	14 900
4. Lisensie vir mikrovervaardiging	2 295	1 435	4 585	9 170
5. Tydelike dranklisensie	230 per dag	-	-	-
6. Dranklisensie vir 'n geleentheid	230 per dag	-	-	-
7. Verandering aan gelisensieerde perseel	230	-	-	-

8. Verandering van aard van gelisensieerde besigheid	230	-	-	-
9. Bedryf van besigheid op 'n perseel waarop 'n ander besigheid bedryf word	230	-	-	-
10. Wysiging of intrekking van voorwaardes geheg aan voorwaardelike goedkeuring	750	-	-	-
11. Wysiging van plan geheg aan voorwaardelike goedkeuring	750	-	-	-
12. Verlenging van tydperk geheg aan voorwaardelike goedkeuring	750	-	-	-
13. Bedryf van gelisensieerde besigheid hangende die oordrag van die lisensie	750	-	-	-
14. Verlenging van tydperk ten opsigte van toestemming verleen om besigheid te bedryf hangende die oordrag van die lisensie	750	-	-	-

15. Intrekking of wysiging van voorwaardes of vereistes bepaal kragtens artikel 66(13)	750	-	-	-
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Kort titel en inwerkingtreding

4. Hierdie regulasies heet die Wes-Kaapse Drankregulasies, 2011: Wysiging, 2019, en tree in werking op die volgende datums:

- (a) 30 Oktober 2019 ten opsigte van die vervanging by regulasie 3 van die fooie in Deel C vir items 1 tot 4 van Aanhangel 2; en
- (b) 1 Desember 2019 ten opsigte van die oorblywende gedeelte van hierdie regulasies.

ISAZISO SEPHONDO

I.S. 109/2019

29 kweyeDwarha 2018

**UMTHETHO WOTYWALA WENTSHONA KOLONI, 2008 (UMTHETHO 4 KA-2008)
IMIGAQO YEZOTYWALA ENTSHONA KOLONI, 2011: IZILUNGISO, 2019**

UMphathiswa woKhuseleko loLuntu wePhondo, ngokwecandelo 88(1) loMthetho wezoTywala weNtshona Koloni, 2008 (uMthetho 4 ka-2008), umisele le migaqo njengoko ichaziwe kwiShedyuli.

ISHEDYULI**Iinkcazelo**

1. Kule migaqo “Imigaqo” ithetha iMigaqo yezoTywala eNtshona Koloni, 2011, eyapapashwa phantsi kweSaziso sePhondo 143/2012 sangomhla we-1 Juni 2012, 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, iSaziso sePhondo 117/2017 sangomhla wama-31 Meyi 2017, kunye neSaziso sePhondo 122/2018 sangomhla wama-27 September 2018.

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

Inombolo	Uhlobo lwesicelo esifakiweyo okanye isohlwayo	Imirhumo okanye isohlwayo esikhutshwayo
1.	Ukufaka isicelo sephephamvume ngokwecandelo 36(1)(e)	1 835
2.	Ukufaka isicelo sephephamvume lotywala lethutyana ngokwecandelo 48(1)	405
3.	Ukufaka isicelo sephephamvume lotywala lesiganeko esithile ngokwecandelo 48(4)	405
4.	Ukufaka isicelo sokulungisa iimeko zephephamvume ngokwecandelo 49(6)	750

5.	Ukufaka isicelo sokutshintshelwa kwemali yenzala kwishishini elinxulumene nephephamvume ngokwecandelo 51(2)	750
6.	Ukufaka isicelo semvume yokutshintsha izakhiwo ezinamaphephamvume, ukutshintsha uhlobo lweshishini okanye ukuqhuba ishishini phantsi kwephephamvume kwizakhiwo ekuqhutyelwa naluphi na olunye uhlobo lohishino, urhwebo okanye ukwenziwa komsebenzi okanye ukuqhutywa ngokwecandelo 53(1)(a), (b) okanye (c) ngokwahlukeneyo	750 (sisinye)
7.	(a) Ukufaka isicelo sevenkile yokuthengisa utywala ngokwecandelo 57(1)	405
	(b) Ukunikezelwa kwesicelo esifakiweyo sevenkile yokuthengisa utywala ngokwecandelo 57(1)	405
8.	(a) Ukufaka isicelo sokwandiswa kwexesha leeyure zokushishina ngokwecandelo 59(4)	405
	(b) Ukunikezelwa kwesicelo esifakiweyo sokwandisa ixesha leeyure zokushishina ngokwecandelo 59(4)	1 145
9.	Ukufaka isicelo sokuhlaziya ngokutsha ngokwecandelo 64(1)	405
10.	(a) Ukufaka isicelo sokutshintshelwa kwephephamvume ngokwecandelo 65(1)	405
	(b) Ukufaka isicelo sokufumana imvume ngokwecandelo 65(3) sokuqhuba ishishini elinephephamvume elisalindelekileyo kutshintshelo lwephephamvume ngokwecandelo 65(1)	405
	(c) Ukufaka isicelo sokwandisa ixesha ngokwecandelo 65(6) ngokunxulumene nemvume efumanekileyo ngokwecandelo 65(6)	405

11.	Ukufaka isicelo sokupheliswa kwephephamvume ngokwecandelo 66(2)	750
12.	(a) Ukufaka isicelo sokukhululwa ngokwecandelo 84(2)	750
	(b) Ukunikezelwa kwesicelo sokukhululwa ngokwecandelo 84(2)	750
14.	Ukufaka isicelo sekopi yephephamvume kunye nemigaqo ehambelana naso okanye nasiphi na isicelo esifakiweyo	115
15.	Iikopi zemizuzu yenkqubo yeentlanganiso zeGunya elijongene nezotywala, iNkundla yeeLayisenisi zoTywala, okanye iNkundla yezibheno	115
16.	Esona sohlwayo siphezulu sinokumiselwa yiNkundla yeeLayisenisi zoTywala ngokwecandelo 20(3)(b)(v)	115 610
17.	Ukufaka isicelo so—	
	(a) kurhoxisa okanye ukulungiswa kwemiqathango enxulumene nemvume enemiqathango: imimiselo 17(9), 32(36), 33(33)	405
	(b) kulungisa isicwangciso sezakhiwo ezinxulumene nemvume enemiqathango: imimiselo 17(9), 33(33)	405
	(c) kwandisa ixesha olinikiweyo lemivume enemiqathango: imimiselo 17(19), 32(47), 33(42)	405
	(d) kurhoxiswa okanye ukulungiswa kwemiqathango okanye iimfuneko ezimisiweyo phantsi kwecandelo 66(13): umgaqo 33(33)	405

18.	Ukufaka isicelo ngokwecandelo 51(7) so—	
	(a) kuqeshisa ngezakhiwo ezinamaphephamvume komnye umntu;	750
	(b) kuvumela omnye umntu aqhube ishishini ngokwephephamvume;	750
	(c) kuvumela omnye umntu asebenzise izakhiwo ezinephephamvume	750

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Ukusetyenziswa kwesihlomelo 2 seMimiselo

3. Esi sihlomelo silandelayo sisetyenziswa endaweni yeSihlomelo 2 seMigaqo:

“ISIHLOMELO 2

Imirhumo ehlawulelwayo ngokunxulumene namaphephamvume, utshintshelo, ukususwa, uhlaziyo kwanokunikezelwa kwezicelo ezithile ezifakiweyo

	Isigaba A	Isigaba B	Isigaba C	
Uluhlu lwezinto	Imirhumo ehlawulelwayo ngokunxulumene nephephamvume elitsha naxa kunikezelwa izicelo ezithile ezifakiweyo (R)	Imirhumo ehlawulelwayo ngokunxulumene notshintshelo okanye ukuthathwa-kwephephamvume (R)	Imirhumo yokuhlaziya (R)	
			Ngonyaka	Kwiminyaka emibini
1. Iphephamvume elisetyenziswayo	2 295	1 435	4 585	9 170
2. Iphephamvume elingasetyenziswayo	2 285	1 435	4 585	9 170

3. Iphephamvume elisetyenziswa liphinde lingasetyenziswa	2 295	2 180	7 450	14 900
4. Iphephamvume lokuvelisa imiyinge emincinane	2 295	1 435	4 585	9 170
5. Iphephamvume lotywala lexeshana	230 ngosuku	-	-	-
6. Iphephamvume lotywala lesiganeko/umcimbi othile	230 ngosuku	-	-	-
7. Ukutshintsha izakhiwo ezifumene amaphephamvume	230	-	-	-
8. Ukutshintshwa kohlobo lweshishini elinephephamvume	230	-	-	-
9. Ukuqhuba ishishini elinephephamvume kwizakhiwo ekuqhutywa kuzo elinye ishishini	230	-	-	-
10. Ukulungiswa okanye ukurhoxiswa kwemiqathango enxulumene nemvume enemiqathango	750	-	-	-

11. Ukulungiswa kwesicwangciso esinxulumene nemvume enemiqathango	750	-	-	-
12. Ukwandisa ixesha elinxulumene nemvume enemiqathango	750	-	-	-
13. Ukuqhuba ishishini elinephephamvume kusalindwe utshintshelo lwepephamvume	750	-	-	-
14. Ukwandisa ixesha elinxulumene nokunikezelwa kwemvume yokuqhuba ishishini elisandele utshintshelo lwepephamvume	750	-	-	-
15. Ukurhoxiswa okanye ukulungiswa kwemiqathango okanye okufunekayo phantsi kwecandelo 66(13)	750	-	-	-

Isihloko esifutshane nokuqalisa ukusebenza

4. Le migaqo ibizwa ngokuba yiMigaqo yoTywala yeNtshona Koloni, 2011: Izilungiso 2019, kwaye iza kuqala ukusebenza ngale mihla ilandelayo:

- (a) ngomhla wama-30 kweyeDwarha 2019 ngokubhekiselele ekufakelweni komgaqo 3 wale migaqo yemirhumo kwiSigaba C lesolotyana 1 ukuya kwele-4 leSihlomelelo 2; kunye
- (b) nangomhla woku-1 kweyoMnga 2019 ngokubhekiselele kwintsalela yale migaqo.