



AUCAMP INC
ATTORNEYS, NOTARIES, CONVEYANCERS

Liquor licensing office information brochure

TRADE LEGALLY DRINK RESPONSIBLY

VISION

To become a centre of operational excellence in regulating the liquor industry and thereby creating a conducive environment for economic growth

MISSION

To create an ethical business regulatory environment

Liquor licensing office information brochure

EASY STEPS TO APPLY FOR LIQUOR LICENSE

Application for a liquor licence in terms of Section 23 of the Gauteng Liquor Act 2 of 2003

1. Consent letter from Municipality

- Local Authority Approval on a relevant letterhead signed by a designed executing officer from the Town Planning department of the Local municipality, not a Ward Councillor. The approval can be in the zoning certificate, consent use or rezoning when the whole premises is for business. This is applicable in application for taverns, pool, clubs, liquor store and pub licences.
- A detailed sketch plan of the premises approved by the Municipality.

2. Advertisement

- Advertising of the notice of intention for the application for a liquor licence can be submitted during the first week of the month at 149 Bosman Street, Government Printers Pretoria.
- Or for more information please contact the eGazette unit at 012 748 6200 or www.gpwonline.co.za

3. Notice of application must include the following information:

- Full names of applicant
- Intended trading name
- Identify number where the applicant is a natural person or registration number where the applicant is a juristic person i.e. company or close co-operation.
- Type of licence applied for
- Full address and location of the application.
- Intended trading name of the business and the registration number.
- Identity number of the applicant.
- Names and nature of educational institutions, names and distances to similar licenced premises and places of worship with a radius of one kilometre from the premises.

4. Publish notice of intention to advertise in no less than two local newspapers circulating within the area in which the proposed premises are situated, i.e. seven days prior to the lodgement date and affix the notice on the proposed times.

5. Lodge the application in duplicate with the GLB Regional office located at the District or Metropolitan Council are of jurisdiction on the first Friday of the month accompanied by the following information:

- A detailed written motivation in support of the licence applied.
- A detailed written description of the premises to which the application relates together with colour photos of the external and internal features of the premises.
- Proof of publication of notices in two local newspapers (2 originals).
- A certificate of suitability on the person.
- Proof of affiliating to an association such as the Gauteng Liquor Traders Association (GLTA).
- Proof of payment of the prescribed fee of the licence applied.
- Clearance Certificate by SARS that the applicant complies with tax laws.
- Proof of Lawful Occupation e.g. (Lease Agreement or Title deed).
- Proof that the application has been published in the Provincial Government Gazette.
- Zoning Certificate
- Local authority approval consent use.
- Certified ID copy for South Africans and valid work permit for non South Africans.
- A detailed sketch plan.
- If the applicant is a Company- Certificate of Incorporation and original resolution, Closed Corporation – CK form and resolution if it constituted by more than one member (founding statements).
- Compliance with Tobacco Products Control Amended Act 12 of 1999.
- Submission of an affidavit for 500 meters radius in the vicinity of a place of worship, educational institution, similar licenced premises, public transport facility or such further distance as the Board may determine or as may be prescribed from time to time.

NB: If one of the above stated information is not furnished with the application on the date of the lodgement, it will be rendered defective, and as a result your application will be sent back to you declined.

OBJECTIONS

In terms of Section 25 of the Liquor Act, any person may lodge an objection to the granting of the licence.

- Objections must be lodged within twenty one (21) days from the lodgement at the Regional office and must have full particulars of the person or institution objecting, full address, contact details and supporting documentation.

RESPONSES

- In terms of Section 26 the applicant must respond within seven (7) days from the date of receipt of the objection in writing to the local committee and objectors.

APPLICATION FOR CATERING OR OCCASIONAL PERMIT

- The application for the above mentioned permit is considered by the Local Committee of the region.
- The permit can be applied for, if there is an occasion held by the applicant and the principal business of the applicant should not be that of distribution or sale of liquor.
- Local Committee may approve the plan of the premises and indicate where the liquor can be sold within the premises and also the kind of liquor to be sold.
- The application to be lodged 14 days before the event

REQUIREMENTS:

- Application Form Commissioned (PDF form - www.ecodev.gov.za)
- Proof of Lawful Occupation
- Written motivation with supporting documents
- Proper and detailed sketch plan
- Certified copies of ID's
- Proof of payment of fees at FNB (R 1000.00)

The following is requested if the applicant is a company

- Certificate of Incorporation
- Resolution
- Application for occasional permit is lodged with the regional office with which the event applied for is situated/hosted.

NATURE OF PREMISES

- In terms of the Liquor Act, the licensee shall not conduct the business of liquor trade with any other licenced business
- Two or more premises which are situated under one roof must be separated by a solid wall and should have separate entrances.
- The size of the public floor excluding storage and office space should be more than:
 - 30sqm for on-consumption licence
 - 50sqm for off consumption licence

APPLICATION FOR ALTERATIONS AND EXTENSIONS OF LICENCED PREMISES IN TERMS OF SECTION 43 OF THE LIQUOR ACT

- Motivation
- Application Fees paid at FNB (R500.00)
- Description of the premises
- Floor Plan indicating the alterations/ additions/ extensions
- Photos of the premises
- Renewal of a licence

INCOMPLETE PREMISES

- The Board may grant conditional approval to applications where requirements comply with the Act, but the premises are not yet erected or require structural alteration or addition to be effected.
- The Board may determine the period when the premises should be complete.
- Conditional approval does not amount to a license and the applicant will not trade until full compliance has been met.

TRADING HOURS

A licensee shall in terms of the Liquor Act conduct business according to the licence applied for:

- On Consumption: 10:00 a.m - 2:00 a.m
- Off Consumption: 8:00 a.m - 20:00 p.m

(Mon- Sat) Sun + Public Holidays 8:00 a.m- 15:00 p.m
Hotel on Consumption 10:00 a.m - 4:00 a.m



SPECIAL REQUIREMENTS FROM THE GAUTENG LIQUOR ACT OF 2003

Renewal of licenses and lapse of licences

Section 98 of the Gauteng Liquor Act 2 of 2003 stipulates that every licence shall be renewed annually within twelve (12) months from the date of issue by payment of an annual prescribed fee.

1. New Licences

- i) The license holder or any person authorised or mandated by the license holder to renew the license must bring the original license or certified copy of the license.
- ii) A reference number is generated manually and issued to the licensee as a reference number for the bank to effect the payment. The licensee must, after paying the prescribed renewal fee furnish the GLB Office with proof of payment.

2. Existing Licences

The license holder must produce one (1) copy of the latest renewal advice to prove that the licence has not lapsed.

3. Lapsed Licences

Section 99 of the Gauteng Liquor Act 2 of 2003 provides that the licence shall lapse on the date on which the licensee abandons it in writing, or within two months after the lapse of the renewal period in respect of which the applicable fees under Section 98 are not paid, or on a date otherwise determined by the Gauteng Liquor Board.

In terms of Section 99 the licence holder has two (2) months to renew the licence after the lapse of the renewal period. The first day of the first month, a 50% surcharge is applicable, the first day of the second month after the renewal period a 100% surcharge is applicable.

Failure to comply with the provisions of Section 98 & 99, the applicant can apply for condensation for restoration of a lapsed license and the Board is empowered in terms of the provision of Section 98 to 100 to make a determination relating to lapsed licenses and imposed penalties.

If the applicable fees under Section 98 are not paid, the license shall lapse.

GAUTENG LIQUOR TRADERS ASSOCIATION (GLTA)

In terms of Section 38 of the Act there is a liquor association that has been established in the province, the association is called Gauteng Liquor Traders Association. All other active associations in the liquor trade must affiliate to the Gauteng Liquor Traders Association. All licensees and applicants for licences, who are not members of the Gauteng Liquor Traders Association, must be members. The Association shall promote an organised trade in liquor within the province, diligence amongst the members and affiliates, compliance with all laws and policies relating to the regulation of liquor and responsible consumption of liquor.

ALL ASSOCIATIONS AFFILIATED TO THE GLTA

NAME OF ASSOCIATION	CONTACT DETAILS
South African Liquor Traders Association (SALTA)	011 494 1222
Restaurant & Food Service Association of South Africa (CATRA)	Costa Paizes 082 410 2695
Tembisa Liquor & Informal Business Association (TLIBA)	Mr Sithole 076 414 7959
South African Liquor Stores Association (SALSA)	Chris Mhlongo 083 700 0471
National Tourism & Hospitality Association (NTHA)	Fanny Mokoena 082 576 2931
National Sorghum Beer Distributors Association (NASOBA)	Mr Mthetwa 072 687 0898
Associated Club of SA (ACA)	Berly Acres 082 457 8235
Gauteng Combined Accommodation Association (GCAA)	Annemarie Stillwell 083 452 5546
FEDHASA (Federated Hospitality Association of South Africa)	Lindsay Jones 084 818 5148

TRANSFER OF LICENCES

According to Section 104 of the Act, a licensee may at any time make an application for the transfer of the licence to another person. The application shall be made to the local committee on payment of a prescribed fee in a prescribed manner. The application shall be accompanied by a certificate of suitability on the person issued by South African Police Services and such other details prescribed by the Act.

APPLICATION FOR TRANSFER OF A LICENCE IN TERMS OF SECTION 104 OF THE LIQUOR ACT 2 OF 2003

REQUIRED DOCUMENTS IN DUPLICATE:

1. Form 5 - Application Form Commissioned
2. Motivation
3. Proof of Lawful Occupation (e.g. lease agreement)
4. Clearance Certificate from SAPS
5. Clearance Certificate from SARS valid for 12 months
6. Certified copy of ID
7. Current Renewal Advice
8. Gauteng Liquor Traders Association Membership (See Associations affiliated with GLTA)
9. Proof of payment of prescribed fees at FNB

APPOINTMENT OF MANAGER

According to Section 40 of the Act a licence holder may in a prescribed manner appoint a person who will manage the business. That person should permanently reside in the Republic of South Africa and should not be disqualified in terms of this Act to hold a licence, to manage and be responsible for the business to which the first mentioned licence relates. A person managing and responsible for a business, to which a licence relates, shall be subject to the same obligations and liabilities as far as the licensee is concerned.

REQUIRED DOCUMENTS

- Proof of payment
- Current renewal advice
- Certificate copies of IDs
- Application form Commissioned
- Certificate of suitability from SAPS

APPLICATION FEES

TYPE OF LICENCES	APPLICATION FEES IN TERMS OF SECTION 23 OF THE LIQUOR ACT	LICENCE FEES IN TERMS OF SECTION 97 OF THE LIQUOR ACT	RENEWAL FEES IN TERMS OF SECTION 98 OF THE LIQUOR ACT	APPLICATION FEES FOR TRANSFER OF A LICENCE IN TERMS OF SECTION 104 OF THE LIQUOR ACT
Hotel Liquor Licence	R1 575	R1 575	R3 500	R787.50
Restaurant Liquor Licence	R1 500	R1 500	R3 000	R750.00
Theatre Liquor Licence	R1 500	R1 500	R3 000	R750.00
Club Liquor Licence	R1 500	R1 500	R3 000	R750.00
Night Club Liquor Licence	R2 500	R2 500	R5 000	R1250
Sports Ground Liquor Licence	R1 250	R1 250	R2 500	R625.00
Pub Liquor Licence	R1 500	R1 500	R3 000	R750.00
Dance Hall Liquor Licence	R2 850	R2 850	R5 000	R1250.00
Tavern Liquor Licence	R1 250	R1 250	R2 500	R625.00
Pool Liquor Licence	R1 500	R1 500	R1 500	R750.00
Liquor Store Licence	R1 500	R1 500	R3 000	R750.00
Grocers wine Licence	R750	R750	R1 500	R375.00
Micro-Manufacturer's Liquor Licence	R2 500	R2 500	R5 000	R1250
Sorghum Beer (On-Off Consumption)	R1 000	R1 000	R2 000	R500.00
Catering or Occasional Liquor Licence	R1 000	R1 000	N/A	N/A
Gaming Premises Liquor Licence	R2 500	R2 500	R5 000	R1 250