

## **EASTERN CAPE LIQUOR REGULATIONS**

Published under PN \_\_\_\_ of 2024 (PG \_\_ of March 2024)

I, GERALD MLUNGISI MVOKO, Member of the Executive Council responsible for Economic Development, Environmental Affairs and Tourism in the Province of the Eastern Cape, acting in terms of Section 69 of the Eastern Cape Liquor Act, 2003, hereby –

- (a) withdraw Liquor Regulations published under Provincial Notice 17 of Gazette 1159 of 28 May 2004; and
- (b) make Regulations as set out in the Schedule hereto

### **GERALD MLUNGISI MVOKO**

Member of the Executive Council responsible for Economic Development, Environmental Affairs and Tourism

#### **Short title**

These regulations are called the Eastern Cape Liquor Regulations

#### **1. Definitions**

In these Regulations, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Eastern Cape Liquor Act (Act 10 of 2003), retains that meaning, and –

“**applicant**” means any person making an application in terms of these regulations;

“**Board**” means a body as established by Section 4 of the Act;

“**close proximity**” means a radius of 500 meters from the proposed outlet;

“**curator**” means a curator as defined in Section 1 of the Administration of Estates Act (Act 66 of 1965);

“**days**” means calendar days and is calculated to exclude the first day and include the last day unless the last day falls on either a Sunday or any Public Holiday, in which case the last day will be the first working day thereafter;

**“governing body”** means a governing body as defined in Section 1 of the Eastern Cape Schools Education Act (Act 1 of 1999);

**“illegal foreigner”** means an illegal foreigner as defined in section 1 of the Immigration Act (Act 13 of 2002);

**“manager”** means a natural person appointed in terms of Section 40 of the Act who holds a valid proof of permanent residency in the Republic of South Africa and is not disqualified in terms of the Act;

**“micro-manufacturer”** means a micro-manufacturer as defined in Section 1 of the Act;

**“proof of right to occupy”** means documentary proof indicating that the applicant has the express consent and necessary authority to occupy the property for the purposes of the retail sale of liquor or micro-manufacturing;

**“refugee”** means a refugee as defined in Section 1 of the Refugees Act (Act 130 of 1998);

**“removal of registration”** means the application for removal of registration from the current registered premises to the intended premises within the same district municipal area;

**“secretary”** means the secretary of the Board;

**“radius”** means the measurement of distance from the boundary of the erf of educational institutions and places of worship to the boundary of the erf of the proposed outlet;

**“reside”** means to live, occupy or inhabit a dwelling or premises.

**“the Act”** means the Eastern Cape Liquor Act (Act 10 of 2003);

**“transfer of registration”** means the application for the transfer of a registration certificate from the current holder of the licence to another person;

**“Ward” means ward** as defined in section 1 of the Municipal Structures Act (Act 117 of 1998).

**“Ward Committee”** means a ward committee contemplated in Section 73 of the Municipal Structures Act (Act 117 of 1998)

## **2. Application for registration, transfer, removal of registration, micro-manufacturing and a special event**

- (1) An application for registration, transfer, removal of registration, micro-manufacturing and special events in terms of the Act must be lodged with the Board.
- (2) The applicant must make a written application for registration, transfer, removal, micro-manufacturing or special events licence on the prescribed Form 1 of Annexure 2 and comply with the requirements in sub-regulation 3 hereunder.
- (3) Every such application must, at the time of lodgement with the Board, be accompanied by: -
  - (a) In the case of a natural person, a certified copy of the identity document of the applicant, not older than three months as at the date of lodgement;
  - (b) In the case of a juristic person, the Companies and Intellectual Property Commission registration certificate accompanied by certified copies of the identity documents of executive directors or members which should not be older than three months as at the date of lodgement.
  - (c) In the case of a Trust, a certified copy of the Trust Deed, not older than three months as at the date of lodgement, including certified copies of the Trustees' identity documents, not older than three months as at the date of lodgement.
  - (d) In the case of a natural person whose application is completed by another, a power of attorney authorizing such person to act on behalf of the applicant.
  - (e) In the case of a juristic person whose application is completed by another, a resolution authorizing such person to act on behalf of the applicant.
  - (f) Where the applicant is a foreign national, the application must be accompanied by a valid certified copy of a business permit as issued under the Immigration Act (Act 13 of 2002).
  - (g) Where the applicant is a refugee, the application must be accompanied by certified copy of proof of refugee status and the refugee's identity document issued by the Department of Home Affairs in terms of the Refugees Act (Act 130 of 1998), not older than three months from the date of lodgement of the application.
  - (h) A municipal approved building plan of the proposed premises, clearly showing; -
    - (i) The dimensions of each room.

- (ii) A clearly demarcated consumption area where the application is for the category of on-site consumption in terms of the Act.
- (iii) All doors, depicting a separate entrance door and an accessible exit door, windows and counters.
- (iv) The street names, where applicable, and location thereof in relation to the entrance and exit of the proposed premises.
- (v) A description of the premises with reference to the construction, layout, furnishing, fixtures, fittings and floor covering, on the prescribed Form 3 of Annexure 2.
- (vi) Comprehensive written representations in support of the application which must be in the prescribed Form 4 of Annexure 2.
- (vii) Proof of service of Form 5 of Annexure 2 on the ward committee under which the proposed premises fall, which service date cannot exceed 7 (seven) days before the date of lodgement of the application, excluding applications for a special events licence.
- (viii) Proof of service of Form 6 of Annexure 2 on a governing body of an educational institution or place of worship falling within a radius of 500 meters from the premises in respect of which the application is made, which excludes application for a special events licence.
- (ix) Proof of right to occupy the premises must be either of the following:
  - (aa) In the event that the application is made by the registered owner of the immovable property, a title deed, deed of transfer or certificate of allotment with no restriction prohibiting the retail sale of liquor or micro-manufacturing of liquor at the immovable property; or
  - (bb) In the event that the application is made by a Lessee, a valid written lease agreement for a minimum of one year from date of lodgement, wherein the applicant leases the premises with express permission for the premises to be utilised for the retail sale of liquor or micro-manufacturing of liquor; or In the event that the application is made by a prospective Lessee, a valid written intention to lease, counter-signed by the Lessor, for a minimum term of one year, permitting the applicant to lease the premises with express permission for the premises to be utilised for the retail sale of liquor or micro-manufacturing of liquor; or

- (cc) A sworn statement by the local senior traditional leader confirming ownership or legal entitlement to the premises with an express provision that it may be used for the retail sale of liquor or micro-manufacturing of liquor;
  - (x) where the applicant intends to utilise any public school premises for the retail sale of liquor, prior written consent is required from the Head of Department of the Department of Education of the Eastern Cape.
  - (i) Written proof of approval by the relevant local municipality that the proposed premises comply with municipal business and building regulations.
  - (j) A population certificate as issued by the relevant local municipality.
  - (k) For other than a transfer application in respect of a deceased estate in terms of the Administration of Deceased Estates Act (Act 66 of 1965), a certified copy of a valid tax registration status issued by the South African Revenue Services, which must not be older than three months as at the date of lodgement of the application.
  - (l) In the case of a micro-manufacturing application, an application must be accompanied by the following further documents: -
    - (i) A letter of approval from the Department of Agriculture in line with the Liquor Products Act (Act 60 of 1989); and
    - (ii) A Customs and Excise certificate from the South African Revenue Services in terms of the Customs and Excise Act (Act 91 of 1964).
    - (iii) Written consent from the relevant local municipality confirming the right to use the property for the intended purpose of the manufacturing of liquor and compliance with health and safety standards as prescribed by the municipality.
- (4) For an application for a special event licence, the applicant must make a written application on the prescribed Form 2 of Annexure 2 and comply with the following requirements:
- (a) The application must be lodged with the Board at least 30 (thirty) days prior to the first day of the planned special event and must further be accompanied by the following documents:
    - i) In the case of a natural person, a certified copy of the identity document of the applicant, not older than three months as at the date of lodgement;

- ii) In the case of a juristic person, the Companies and Intellectual Property Commission registration certificate accompanied by certified copies of the identity documents of executive directors or members which should not be older than three months as at the date of lodgement.
- iii) In the case of a Trust, a certified copy of the Trust Deed, not older than three months as at the date of lodgement including certified copies of the Trustees' identity documents, not older than three months as at the date of lodgement.
- iv) In the case of a natural person whose application is completed by another, a power of attorney authorizing such person to act on behalf of the applicant.
- v) In the case of a juristic person whose application is completed by another, a resolution authorizing such person to act on behalf of the applicant.
- vi) Where the applicant is a foreign national, the application must be accompanied by a valid certified copy of a business permit as issued under the Immigration Act (Act 13 of 2002).
- vii) Where the applicant is a refugee, the application must be accompanied by certified copy of proof of refugee status and refugee's identity document issued by the Department of Home Affairs in terms of the Refugees Act (Act 130 of 1998), not older than three months from the date of lodgement of the application.

- viii) A plan of the proposed premises, clearly showing; -
  - (aa). A clearly demarcated consumption area
  - (bb) All doors, depicting a separate entrance door and an accessible exit door, windows and counters.
  - (cc) The street names and location thereof in relation to the entrance and exit of the proposed premises.
- ix) A description of the premises with reference to the construction, layout, furnishing, fixtures, fittings and floor covering, on the prescribed Form 4 of Annexure 2.
- x) Comprehensive written representations in support of the application which must be in the prescribed Form 5 of Annexure 2.
- xi) A noise pollution exemption certificate issued by the local municipality where the event is to take place.
- xii) A risk categorisation certificate issued by South African Police Services in terms of the Safety at Sports and Recreational Events Act (Act 2 of 2010).
- xiii) Written consent by the relevant municipality for the event to take place, including detailing the applicable trading hours for the retail sale of liquor of each day of the special event.

**3. Service by applicant to ward committees, governing bodies of educational institutions and places of worship and public consultations regarding an application for registration, transfer, removal and micro-manufacturing**

- (1) An applicant must serve a notice in the prescribed Form 6 of Annexure 2 to the ward committee of the area where premises are situated and Form 7 to every governing body of every educational institution and every place of worship within a radius of 500 meters from the premises in respect of which the application is made.
- (2) (i) Upon receipt of the notice, the ward committee must within 30 days of receipt of the notice convene a physical meeting of community members which must in the majority comprise of community members who reside in the ward in close proximity and within 500 meters of the proposed outlet.

- (ii) The majority of ward committee members must attend the meeting.
- (ii) The ward committee members and applicant cannot be regarded as community members for the purposes of the attendance of the community consultation.
- (3) The applicant or any party other than the ward committee cannot convene a meeting of community members, seek signatures or attend to a door to door soliciting signatures regarding the application process as required in terms of Section 22(d)(i) of the Act.
- (4) In the event that a ward committee does not attend to their statutory obligations in terms of the Act, the applicant has the duty to ensure the ward committee attends to their legislated duties in terms of the Act.
- (5) All community consultations referred to in sub-regulation 2 above, must be physical or in-person and not virtual hearings.
- (6) The ward committee must consult with the community as per sub-regulation 2 above, within thirty (30) days after receipt of Form 6 and simultaneously submit a report in the prescribed Form 7 of Annexure 2 to the Board and the relevant municipal council regarding the community consultation meeting, which report must detail the following as prescribed: -
  - (a) Compliance with the relevant municipal health and safety regulations;
  - (b) Recommendations of the community regarding the application;
  - (c) The attendance register indicating the names, contact details, signatures and residential addresses of the community members who have been consulted;
  - (d) Any objections against the application and/or representations in support of the application;
  - (e) Confirmation that relevant municipal divisions/departments were consulted by the ward committee on the application; and
  - (f) Confirmation that the report has been submitted to the relevant municipal council.

#### **4. Notice by Board to members of the public**

- (1) The Board must, within (7) seven days of receipt of any application for registration, removal, transfer, special event or micro-manufacturing in terms of the Act, notify the public by notice in the Gazette.



- (2) The notice contemplated in sub-regulation (1) must invite interested parties to submit their written representations or objections to the Board within 21 days of publication for all applications and within 10 days for a special event licence application.
- (3) The notice contemplated in sub-regulation (1) must be completed on the prescribed Form 8 of Annexure 2.

## **5. Representations or objections**

- (1) Any person may lodge-
  - (a) written representation in support of the application; or
  - (b) a written objection in the prescribed Form 25 of Annexure 2 against the application -
    - (i) Not later than 28 days after an application has been lodged with the Board;  
or
    - (ii) within 10 days of a special event licence application; or
    - (iii) within 14 days of holding a community consultation meeting as per Regulation 3(2) above; or
    - (iv) within 14 days of service of Form 7 on educational institutions and places of worship.
- (2) Such representation or objection must be lodged with the Board, be fully motivated and must-
  - (a) clearly indicate the name, ~~identity number~~, residential and postal address and telephone number or e-mail address, of the person making the representations or the objector and where applicable, the registration number and address of its registered office; and
  - (b) clearly identify the application to which the objection or representation relates.

## **6. Certificate of registration, transfer, removal, micro-manufacturing and special event contemplated**

- (1) A certificate of registration, transfer, removal, micro-manufacturing and special event contemplated in section 25 of the Act must be in the prescribed Form 9 of Annexure 2.
- (2) The applicant must within 30 days of receiving written notification that the application was approved, pay the relevant registration fee to the Board, as provided for in Annexure 1, for issuing of the certificate of registration, transfer, removal or micro-manufacturing.
- (3) In the case of a special event licence application, lodgement and registration, fees will be required to be paid to the Board at the date of lodgement. Should the application be refused, the registration fees will be refunded to the applicant within 30 days.
- (4) A registration certificate issued under the Act must not form part of any transaction in relation to the sale of business or alienation of rights to the business.
- (5) A registration certificate issued under the Act must not be leased or ceded or used by another person for financial reward or benefit.

## **7. Change of submitted and approved plan of premises**

- (1) A registered person who intends to change the ~~submitted and approved~~ plan of the registered premises, must submit ~~the completed~~ an application for change of plan as per Form 10 of Annexure 2 to the Board and effect payment of the prescribed fee in accordance with Schedule 1 of Annexure 1.
- (2) The application must include the following: -
  - a) Proof of payment of the prescribed fee;
  - b) Details of the registered person and the address of the premises; and
  - c) A approved by the relevant local municipality.

- (3) An inspector must inspect and verify whether the premises are in line with the plan and submit a report for consideration by the Board.
- (4) The Board must consider the change of plan and notify the registered person of the outcome thereof within 60 days from the submission of the application.

## **8. Management of business**

- (1) A juristic person, registered to hold a licence, must within 7 days after having been registered and before commencing with the business operation, make application in writing in terms of section 40(1) of the Act, by completing and submitting the prescribed Form 11 of Annexure 2 to the Board for appointment of a natural person to manage the business.
- (2) A natural person registered to hold a licence may in terms of section 40(2) of the Act make an application by completing and submitting the prescribed Form 11 of Annexure 2 to the Board for the appointment of another natural person/s to manage the business.
- (3) The application for appointment of any person in terms section 40 must be accompanied by -
  - (i) proof of payment of the prescribed fee, and
  - (ii) a certified copy of the identity document(s) not older than three months of the intended manager(s) as at the date of lodgement of the application for the appointment of a manager(s) and;
  - (iii) a certified copy of a valid proof of permanent residency as defined in Section 25 of the Immigration Act (Act 13 of 2002, as at the date of lodgement, in the case of a foreign national
- (4) On approval of an appointment contemplated in sub-regulation (1) and (2), the Board must issue a certificate of appointment which must be in the prescribed Form 12 of Annexure 2 and the person to be appointed must consent to such appointment.
- (5) The appointment contemplated in sub-regulation (1) and (2) is for the management of the business of the registered person and such appointment ceases to exist as soon as the registered person loses financial interest in the business, or the manager is no longer in the employ of the registered person.

- (6) No registered liquor outlet shall operate in the physical absence of the registered person, or a manager appointed in terms of section 40 of the Act.
- (7) The appointment of a manager shall not be in effect until such time that the Board provides approval of the appointment in accordance with this regulation.

## **9. Inspections by the Board**

- (1) Prior to the Board deciding upon any application, an Inspector must:
  - i. Verify all documents, information and forms submitted;
  - ii. Physically inspect the proposed premises to determine compliance with the submitted plan as required in regulation 2; and
  - iii. Verify compliance with regulation 3 on community consultation.
- (2) Proof of the verification contemplated in sub-regulation 1 must be in the prescribed Form 13 of Annexure 2.
- (3) Inspectors may at the at the discretion of the Board conduct post registration compliance inspections and such inspections must be documented in the prescribed Form 14 of Annexure 2.

## **10. Public Access to the Application**

- (1) An application for registration, transfer, removal, special event or micro-manufacturing and any document lodged therewith must be open for inspection at the offices of the Board, and the Board must allow any member of the public to inspect such application and such documents, subject to the provisions of the Protection of Personal Information Act(Act 4 of 2013).
- (2) Where a copy of the application or part thereof is sought in accordance with Section 22(3) of the Act, the requestor must apply in accordance with the Board's Promotion to Access to Information Manual.

## **Meetings of the Board and panel of appeal**

- (1) Meetings of the Board and the panel of appeal must be presided over by the chairperson, or in his or her absence, by the vice-chairperson, or in the absence of both the chairperson and vice-chairperson the members present in that meeting must elect one from their number as chairperson for that meeting.
- (2) Decisions of the Board must be taken by 50% plus one, of the members.  
In the event of equality of votes the person presiding must have a casting vote.
- (3) Minutes of the proceedings of the Board or the panel of appeal must be recorded in writing.

## **12. Form of notice and summons**

- (1) A notice referred to in section 17(1) of the Act must be in the prescribed Form 15 of Annexure 2.
- (2) A summons referred to in section 17 (3) of the Act must be in the prescribed Form 16 of Annexure 2.

## **13. Issue of notice and summons**

- (1) A notice and or summons referred to in section 17(1) and (3) of the Act must be issued by the secretary who must forward the original and one copy thereof to an inspector of the Board.

## **14. Service of notice and summons**

- (1) A notice and summons must be served by an inspector of the Board by delivering the original thereof to the person named therein or, if the person cannot be found, by delivering it at his or her residence or place of employment or business to a person apparently over the age of sixteen years and apparently residing or employed there.
- (2) A return of service by an inspector of the Board, who served a notice or summons or a copy thereof, confirming that the service thereof has been effected in terms of sub-regulation (1), must immediately be forwarded to the secretary.

- (3) The notice and summons referred to in sub-regulation (1) must be served at least 14 days before the date upon which the meeting will take place.

## **15. Reporting**

- (1) The Board and the panel of appeal must submit to the MEC a report on its affairs and activities, including; -
- a. the number of licences issued in the previous year; and
  - b. the number of appeals considered and decided in such a year.

## **16. Notice for annual registration fee**

- (1) Every registration must be renewed annually by no later than the 31st of December for it to be valid for the next year, irrespective of the day and month when it was issued.
- (2) In respect of each registration, the annual fees are set out in Annexure 1.
- (3) The Board must during September and October of every calendar year issue a notice in the prescribed Form 17 of Annexure 2 to every registered person indicating the annual fee payable by such person for the following calendar year.
- (4) The annual fee contemplated in sub-regulation (2) must be paid between 1 October and 31 of December whereafter penalties will be charged as per the fee schedule set out in Annexure 1.
- (5) The fact that a registered person has not received a notice does not absolve such registered person from the duty to pay the annual fee timeously.
- (6) Upon payment of the annual renewal fee, the registered person must provide the Board with the prescribed Form 18 of Annexure 2.

## **17. Penalty for failure to pay annual registration fee**

- (1) If a registered person fails to pay the annual fee timeously, he or she is liable for the payment to the board of a penalty set out in Annexure 1.
- (2) No payments will be accepted after the end of June and the licence will be cancelled.

## **18. Compliance notice served by the Board**

The compliance notice served on a registered person in terms of section 28(1) of the Act must be in the prescribed Form 19 of Annexure 2.

## **19. Form of appeal**

- (1) An applicant or objector who feels aggrieved by a decision of the Board must appeal in writing to the panel of appeal against the decision not later than 30 days from the date upon which he or she was advised thereof.
- (2) The Panel of Appeal must hear the matter within 60 days after receipt of the appeal and relevant documents.
- (3) The outcome of the appeal must be issued to the parties thereto within 30 days of the hearing of the matter.

## **20. Register of registered persons**

The register of registered persons referred to in section 35(1)(a) of the Act must be in the prescribed Form 20 of Annexure 2.

## **21. Form of certificate of designation of inspector**

A certificate of designation of an inspector in terms of section 46(4) must be in the prescribed Form 21 of Annexure 2.

## **22. Compliance notice served by an inspector**

A compliance notice issued by an inspector in terms of section 54(1) of the Act must be in the prescribed Form 22 of Annexure 2.

### **23. Form of compliance certificate**

The compliance certificate issued by an inspector in terms of section 54(3) of the Act must be in the prescribed Form 23 of Annexure 2.

### **24. Application for procurement of controlling interest**

- (1) An application to procure a controlling interest in a business to which the certificate of registration relates must be lodged with the Board in the prescribed form and with payment of the prescribed fee.
- (2) The applicant, who is the holder of a registration certificate, must jointly with the applicant who desires consent to procure a controlling interest in the business to which the certificate of registration relates (hereinafter called the proposed person), make written application, for such consent, substantially in the prescribed Form 24 of the Annexure 2 and must; -
  - a. furnish in the said application such information as is solicited in the said Form; and
  - b. every such application must, at the time it is lodged with the Board, be accompanied by comprehensive written representations in support of the application.

### **25. Age Verification**

- (1) The licensee or manager must take all reasonable steps to ensure verification of the age of any person who appears to be under the age of eighteen (18) years by requesting an identity document, passport or drivers licence in order to verify the person's age before any liquor is supplied to them.
- (2) Liquor must not be supplied to any person who refuses to provide identification when requested by a licensee or manager for the purposes of verifying the persons age. On refusal to provide identification, it must be deemed that the person is under the age of eighteen (18) years and does not qualify to purchase or consume liquor, and to be at the establishment/ premises. Such person must be instructed to leave the liquor premises immediately.



- (3) No person under the age of eighteen (18) is allowed entry to a designated drinking area in premises where liquor is consumed, except in a registered premises whose primary business is the sale of food.
- (4) All registered premises must hold a display sign at its entrance of premises indicating the age restriction.

## **26. Registered premises must be weapon free**

- (1) The licensee or manager must take all reasonable steps to ensure no weapons or sharp objects are permitted inside registered premises where liquor is consumed.

## **27. Death or incapacity of applicant**

- (1) In the event that the person who has submitted an application for registration to the Board dies or becomes incapable of handling his/her own affairs the relevant administrator of the deceased estate or insolvent estate, judicial manager or curator or person duly appointed by the Master of the High Court considering the application, must submit to the Board in writing confirmation of intent to continue with the application within 60 days from the date of death or incapacity of the applicant.
- (2) Such declaration of intent shall be accompanied by a relevant letter of appointment issued in terms of the Administration of Estates Act (Act 66 of 1965).

## **28. Death or incapacity of registered person**

- (1) In the event that the registered person dies or becomes incapable of handling his/her own affairs the relevant administrator of the deceased estate or insolvent estate, judicial manager or curator or person duly authorized thereto by the Board considering the application must submit to the Board a written comprehensive declaration of intent to continue with the business within 60 days from the date of death or incapacity.
- (2) Such declaration of intent shall be accompanied by a relevant letter of appointment issued in terms of the Administration of Estates Act (Act 66 of 1965).
- (3) For the registration to be transferred to any other person who has an interest in the business, proof that every person who has a financial interest in the business has been given reasonable notice and their consent obtained in a sworn statement must be submitted to the Board together with the application for transfer.

## **29. Transfer of Licences**

- (1) A licensee who alienates the licensed business must, within thirty (30) days from the date of alienation, notify the Board in writing of the date and nature of the alienation.
- (2) A person who has purchased a licensed business may apply to the Board for consent to operate and conduct the licensed business pending the transfer of the licence to such person.
- (3) An application in terms of sub-regulation (3) must be made by the lodgement thereof in the prescribed Form 1 with the Board.
- (4) The Board may grant consent authorising the purchaser of the business to conduct the business for his or her own account for a specified period, which period may not be more than six months from the date on which consent was granted.
- (5) The Board may at any time revoke or upon application by the purchaser extend a consent granted in terms of sub-regulation (4).
- (6) A person to whom consent in terms of subsection (4) has been granted may operate and conduct the licensed business in terms of the licence, for his or her own account, and has the same rights and is subject to the same duties as the licensee.
- (7) The granting of consent in terms of sub-regulation (4) does not relieve the licensee from any of his, her or its duties and obligations in respect of the licence.

## **30. Threshold volume for micro-manufacturing**

- (1) A micro-manufacturer may not exceed the following threshold volumes of liquor:
  - (i) For the beer manufacturer, 100 million litres per year;
  - (ii) For the traditional African beer manufacturer, 50 million litres per year;
  - (iii) For the wine manufacturer, 4 million litres per year; and
  - (iv) For the spirits and/or any other liquor manufacturer, 2 million litres per year.If a person manufactures liquor of more than one of the categories listed in sub-regulation (1) and falls above the threshold for any of those categories, that person is

deemed to fall above the threshold for all the categories and should apply in terms of the relevant national legislation.

### **31. Offences and penalties**

- (1) Any person who contravenes any provision of these regulations is guilty of an offence and may on conviction be sentenced to a fine or imprisonment or to both such fine and such imprisonment.
- (2) In the event of a person arrested, found guilty and convicted for contravention of section 19 of the Act, the items or articles used in illegal trading in liquor shall be forfeited to the State in line with the provisions of Section 35 of the Criminal Procedure Act (Act 51 of 1977).
- (3) Items that shall be forfeited to the State shall include, but not be limited to, all the liquor together with carry-crates and empty glass bottles, fridges, refrigerators, cupboards or any container used to store liquor, cash register(s) including all the money therein and any other relevant item found at the premises.
- (4) The magistrate of the trial court shall issue a disposal order for the South African Police Service to dispose of the liquor and any other items confiscated and forfeited to the State and such order shall specify the manner of such disposal, which may include the resale by auction of any such item(s), the proceeds of which shall accrue to the State.

### **32. Fees payable**

- (1) Fees payable in respect of applications will be as per Schedule 1 of Annexure 1.
- (2) Fees payable in respect of different categories of registration and renewal fees shall be as per Schedule 2 of Annexure 1.
- (3) Renewal fees paid after 31 December shall be paid with the added penalty and failure to renew by the end of June of the following year will result in the registration being cancelled.

- (4) All monies paid to the Board with incorrect reference numbers, or which cannot be allocated by the Board and not claimed or enquired within twenty-four (24) months from the date of payment, will be forfeited to the State.
- (5) The lodgement fees and registration fee in respect of a special event licence will be paid by the applicant on lodgement. Should the special event not be granted, the registration fee will be refunded within 7 days from the refusal date.

### **33. Repeal and Transitional arrangements**

- (1) The regulations published under Provincial Gazette no 1159 dated 28 May 2004 are hereby repealed.
- (2) Anything done under a provision of a regulation repealed by subregulation (1) and which could have been done under a provision of these Regulations, is deemed to have been done under the latter provision / these Regulations

<b>FEES PAYABLE IN RESPECT THE APPLICATIONS - SCHEDULE 1</b>	
<b>CATEGORY OF APPLICATION</b>	<b>FEES</b>
Application for registration (lodgement fee)	R2 500
Application to procure a controlling interest in the business to which the registration relates	R500
Application for the transfer of a certificate of registration (lodgement)	R750
Application for removal certificate	R750
Application for a copy of a registration certificate and the conditions thereto or of any application	R250
Lodgement of an appeal	R750
Managers Appointment in line with section 40 of the act	R200
Change of Plan	R1 500
<b>FEES PAYABLE IN RESPECT OF CATEGORIES OF REGISTRATION</b>	
<b>CATEGORIES OF REGISTRATION - SCHEDULE 2</b>	
New registration - Retail sale of liquor for consumption off the premises (validation fee)	R5 000
New registration - Retail sale of liquor for consumption on the premises	R5 000
New registration - Retail sale and consumption of liquor on and off the premises	R8 000
New registration - Retail sale and consumption of liquor at special events	R1 000
Application to procure a controlling interest in the business to which the registration relates	R5 000
Transfer or Removal of a Registration - Retail sale of liquor for consumption off the premises	R1 250
Transfer or Removal of a Registration - Retail sale of liquor for consumption on the premises	R1 000
Transfer or Removal of a Registration - Micro manufacturer	R1 250
Transfer or Removal of A Registration - Retail sale of liquor for consumption on and off the premises	R2 500
<b>Annual Renewal Fees</b>	
Annual licence fees - Retail sale of liquor for consumption off the premises	R3 500
Annual licence fees - Retail sale of liquor for consumption on the premises	R2 500
Annual licence fees - Retail sale on and off consumption of liquor	R5 000
Annual licence fees - Micro Manufacturer	R5 000

Date stamp of receipt of application which is the lodgement date
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**EASTERN CAPE LIQUOR ACT, 2003 (Act No. 10 of 2003)**

**APPLICATION FORM** {tick (✓) appropriate box}

New Registration <sup>1</sup>	Transfer of Registration	Removal of Registration

**Description of documents to be submitted**

- i. Proof of payment of the lodgement fee;
- ii. Application Form;
- iii. Municipal approved building plan of premises [Reg 2(3)(f)];
- iv. Description or photos of premises [Reg 2(3)(g)];
- v. Comprehensive written representations [Reg 2(3)(h)];
- vi. Proof of service of notice to Ward Committee [Reg 2(3)(i)];
- vii. Proof of service of notice to Governing Bodies [Reg 2(3)(j)];
- viii. Documents required to be attached to application [Section 22(2)(b)]:
  - Identity document Reg 2(3)(c);
  - Business permit issued in terms of Immigration Act, 2002 (Reg. 9(1))
  - Registration documents if the applicant is a juristic person Reg 2(3)(d);
  - Power of attorney in the event of the application being completed on behalf of the applicant Reg 2(3)(f);
  - Proof of right to occupy premises Reg 2(3)(k): –
    - o Title Deed/Deed of Transfer OR
    - o Valid written lease agreement OR
    - o Letter of authority from local traditional leader OR
    - o Written proof of approval by the relevant local municipality Reg 2(3)(l);
    - o Population certificate Reg 2(3)(m);
  - A certified copy of a valid tax registration status Reg 2(3)(n);
  - Special event applications - a noise pollution exemption certificate, a risk categorisation certificate and written consent by the local municipality for the event to take place, including detailing the applicable trading hours for the retail sale of liquor of each day of the special event.
  - Micromanufacturing application, letter of approval from the Department of Agriculture, a Customs and Excise certificate written consent from the relevant local municipality.
    - In respect of an application for a club, attach a copy of the constitution or rules of the club certified by the president, chairman or secretary thereof.

**NOTE:** Providing false or inaccurate information will result in automatic disqualification.

Application prepared by: \_\_\_\_\_

Physical Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Postal Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Telephone No.: \_\_\_\_\_ Mobile Cellular.: \_\_\_\_\_

Alternative Telephone No.: \_\_\_\_\_ E-mail Address.: \_\_\_\_\_

1 a) Full Name(s) of prospective holder \_\_\_\_\_

b) Age \_\_\_\_\_ Identity Document Number \_\_\_\_\_

c) Nationality \_\_\_\_\_

d) If not "South African", please provide passport number \_\_\_\_\_

e) Gender *Tick appropriate box*

Male	Female
------	--------

 Race (for demographic purposes) *Tick appropriate box*

Black	Coloured	White	Indian	Asian
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*If applicant is juristic person, a close corporation, company, trust, etc.*

f) Registration Number (if prospective holder is a juristic entity) \_\_\_\_\_

2. For registration of a new licence, complete the following:

a) Address of applicant (residential or registered Business address if juristic entity) \_\_\_\_\_

b) Address of premises (where the business will be situated) \_\_\_\_\_

c) Postal Address \_\_\_\_\_

Postal Code \_\_\_\_\_

d) e-mail address \_\_\_\_\_

e) Contact Details 

Home Telephone	_____	Business Telephone	_____
Mobile Cellular	_____	Fax Number	_____

3. <b>Number of jobs to be created</b>	<i>Provide estimates</i>			
	Permanent		Temporary	

4. **For new registration or transfer of registration, is the applicant a person who:**  
(Tick the appropriate box)

a) Is an unrehabilitated insolvent?	Yes	No
b) Is a minor?	Yes	No
c) Is a partner, co-director, co-trustee or co-beneficiary of any person who, in terms of this Act, is disqualified or incompetent to register?	Yes	No
d) Has had his or her liquor licence revoked	Yes	No

5. **If the applicant is a juristic person state whether a person contemplated in Paragraph 4 above**

a) Has a controlling interest in such juristic person?	Yes	No
--	-----	----

6. **If any of the questions in Paragraph 4 or 5 have been replied to in the affirmative, provide full details:**

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*(Attach an annexure, if necessary)*

7. **For new registration, state the category of registration applying for:**  
(Tick appropriate box)

Off Consumption	On Consumption	On & Off Consumption	Special Event	Micro-manufacturer
			How many days: <hr/>	

8. **For new registration and transfer of registration, state the name, identity number and address of each person, including the applicant, who will have 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 a co-operative as contemplated in the Co-operatives Act, 1981 (Act no 91 of 1981), it shall be 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 also the interest of individual members of such company, statutory institution or co-operative]*

Name	ID Number	Residential Address	Nature of financial interest	Extent of such interest (%)

*(Use an annexure if necessary)*



9. State the financial interest in the liquor trade in the Republic of South Africa and if the applicant is a private company, close corporation, partnership or trust, also of every shareholder, member or partner thereof or beneficiary thereunder. If the applicant or the said shareholder, member, partner or beneficiary has no such interest, this fact shall be specifically mentioned

Name of Outlet	ECP/Ref. Number	Address where it is situated	Town	Province

(Use an annexure if necessary)

10. In the case of an application for registration of the retail sale of liquor for **CONSUMPTION OFF THE PREMISES**, is the applicant:

a) A micro-manufacturer of liquor or his or her agent;	YES	NO
b) A person who has a financial interest in the business of a micro-manufacturer of liquor, or the agent of such person;	YES	NO
c) A company with its shareholders having a financial interest in a business of a micro-manufacturer of liquor or the agent of such a company;	YES	NO
d) A company in which a company contemplated in sub-paragraph (c) holds a controlling interest, or the agent of such a company;	YES	NO

11. State name under which the business is to be conducted \_\_\_\_\_

12. State the location of the premises with reference to:

Erf number \_\_\_\_\_ Street No. \_\_\_\_\_ Street Name \_\_\_\_\_

Suburb/Village \_\_\_\_\_ Town \_\_\_\_\_

In which district municipality is the premises referred to above situated \_\_\_\_\_

13. a) Does the applicant have the right to occupy the premises? (Tick whichever is applicable)
- |     |    |
|-----|----|
| YES | NO |
|-----|----|
- b) State the kind of right to occupy premises (Tick whichever is applicable)
- |       |        |       |
|-------|--------|-------|
| Owner | Lessee | Other |
|-------|--------|-------|
- c) If answer to 13(b) above is "OTHER" specify and provide proof of right to occupy: \_\_\_\_\_

14. Are the premises to be used for the business

a) Already erected, are according to the attached plan and description of premises and ready for commencement of the proposed business; or	YES	NO
b) Already erected, but require additions or alterations to make them suitable for the purposes of the proposed business; or	YES	NO
c) Not in place as they are not erected;	YES	NO
d) If the premises have not been erected or are not ready to trade, state the anticipated date on which the premises will be ready: _____		

## DECLARATION

I, \_\_\_\_\_, declare/truly affirm that:-

1. The information furnished in this application is to the best of my knowledge true and I acknowledge that should the Eastern Cape Liquor Board discover false information the application shall be disqualified/rejected.
2. I further accept that the provisions of the Justices of the Peace and Commissioners of Oaths Act No. 16 of 1963, as amended, are applicable in the instance that false information has been submitted and declared/affirmed.
3. I hereby give consent to the Eastern Cape Liquor Board to communicate with me by post/email/WhatsApp Message and/or SMS.

Date: \_\_\_\_\_

**Signature of Prospective  
Holder or person authorized to sign on  
behalf of applicant**

I certify that this declaration has been signed and sworn to/affirmed before me at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ by the applicant/person authorized to sign application who acknowledged that: -

- (i) He / she knows and understands the contents of this declaration;
- (ii) He / she has no objection to taking the prescribed oath / affirmation; and
- (iii) He / she considers the prescribed oath to be binding on his / her conscience.

### **COMMISSIONER OF OATHS**

Full name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Designation: \_\_\_\_\_

Area for which appointment is held: \_\_\_\_\_

Office held if appointment is ex officio: \_\_\_\_\_

In the case of an APPLICATION FOR TRANSFER OF REGISTRATION, the current holder of the registration or the appointed representative of the deceased or the curator of an incapacitated registered holder, must complete the following:

<b>Name of current holder of registration</b>	
<b>ECP Number of Registration Certificate</b>	
<b>Registered Business Name</b>	
<b>Contact Details</b>	
<b>Confirmation of Address of Premises</b>	
<b>Local Municipality</b>	
<b>State the reason for transfer of registration</b>	

#### DECLARATION

I, \_\_\_\_\_, declare/truly affirm that:-

1. The information furnished in this application is to the best of my knowledge true and I acknowledge that should the Eastern Cape Liquor Board discover false information the application shall be disqualified/rejected.
2. I further accept that the provisions of the Justices of the Peace and Commissioners of Oaths Act No. 16 of 1963, as amended, are applicable in the instance that false information has been submitted and declared/affirmed.
3. I hereby give consent to the Eastern Cape Liquor Board to communicate with me by post/email/WhatsApp Message and/or SMS.

**Date:** \_\_\_\_\_

\_\_\_\_\_  
**Signature of Current Holder  
or person authorized to sign on behalf of  
applicant**

I certify that this declaration has been signed and sworn to/affirmed before me at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ by the applicant/person authorized to sign application who acknowledged that: -

- (i) He / she knows and understands the contents of this declaration;
- (ii) He / she has no objection to taking the prescribed oath / affirmation; and
- (iii) He / she considers the prescribed oath to be binding on his / her conscience.

\_\_\_\_\_

## COMMISSIONER OF OATHS

Full name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Designation: \_\_\_\_\_

Area for which appointment is held: \_\_\_\_\_

Office held if appointment is ex officio: \_\_\_\_\_

### THE PROTECTION OF PERSONAL INFORMATION ACT (POPIA) CONSENT FORM

The purpose of the POPIA is to protect personal information of individuals and businesses and to give effect to their right of privacy as provided for in the Constitution. By signing this form, you consent to your personal information to be processed by the Eastern Cape Liquor Board and consent is effective immediately and will remain effective until such consent is withdrawn.

I \_\_\_\_\_ the undersigned, hereby consent to the following:

1. My personal information may be processed by the Eastern Cape Liquor Board ("ECLB") during and after the processing of my application for purposes of compliance with the Eastern Cape Liquor Act 10 of 2003 and Regulations.
2. Furthermore, I understand that:
  - I have the right to access my personal information which the ECLB and all the parties involved hold.
  - I have the right to ask the ECLB and all the parties involved to update, correct, or delete my personal information on reasonable grounds.
  - Should I wish to withdraw my consent to process my personal information, I must do so in writing, addressed to the ECLB.
  - Once I withdraw my consent for ECLB to process my personal information, I understand that ECLB and all the parties involved in the ECLB processes are still obliged under other legislations to keep my personal information.
  - The ECLB and all the parties involved may disclose my information where they have a duty or a right to disclose in terms of applicable legislation or where it may be necessary under other law.

Signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Data Subject

EASTERN CAPE LIQUOR ACT, 2003 (Act No. 10 of 2003)

APPLICATION FORM

SPECIAL EVENT REGISTRATION

Description of documents to be submitted

- i. Proof of payment of the lodgement fee;
- ii. Application Form;
- iii. A plan of premises [Reg 2(3)(f)];
- iv. Description or photos of premises [Reg 2(3)(g)];
- v. Comprehensive written representations [Reg 2(3)(h)];
- viii. Documents required to be attached to application [Section 22(2)(b)]:
  - Identity document Reg 2(3)(c);
  - Business permit issued in terms of Immigration Act, 2002 (Reg. 9(1))
  - Registration documents if the applicant is a juristic person Reg 2(3)(d);
  - Power of attorney in the event of the application being completed on behalf of the applicant Reg 2(3)(f);
  - Proof of right to occupy premises Reg 2(3)(k): –
    - Title Deed/Deed of Transfer OR
    - Valid written lease agreement OR
    - Letter of authority from local traditional leader OR
  - A certified copy of a valid tax registration status Reg 2(3)(n);
  - A noise pollution exemption certificate,
  - A risk categorisation certificate and
  - A written consent by the relevant municipality for the event to take place, including detailing the applicable trading hours for the retail sale of liquor of each day of the special event.

**NOTE: Providing false or inaccurate information will result in automatic disqualification.**

**Application  
prepared by:**

**Physical  
Address:**

**Postal  
Address:**

**Telephone  
No.:**

**Alternative  
Telephone no**

**Mobile  
Cellular**

**E-mail  
Address**

- 1
- a) Full Name(s) of prospective holder \_\_\_\_\_
- b) Age \_\_\_\_\_ Identity Document Number \_\_\_\_\_
- c) Nationality \_\_\_\_\_
- d) If not “South African”, please provide passport number \_\_\_\_\_
- e) Gender *Tick appropriate box*
- |  |  |
|--|--|
|  |  |
|--|--|
- Male Female
- Race (for demographic purposes) *Tick appropriate box*
- |  |  |  |  |  |
|--|--|--|--|--|
|  |  |  |  |  |
|--|--|--|--|--|
- Black Coloured White Indian Asian
- If applicant is juristic person, a close corporation, company, trust, etc.*
- f) Registration Number (if prospective holder is a juristic entity) \_\_\_\_\_

2. For registration of a new licence, complete the following:

- a) Address of applicant (residential or registered Business address if juristic entity) \_\_\_\_\_
- b) Address of premises (where the business will be situated) \_\_\_\_\_
- c) Postal Address \_\_\_\_\_
- Postal Code \_\_\_\_\_
- d) e-mail address \_\_\_\_\_
- e) Contact Details
- |  |                       |                          |
|--|-----------------------|--------------------------|
|  | Home Telephone _____  | Business Telephone _____ |
|  | Mobile Cellular _____ | Fax Number _____         |

<b>3. Number of jobs to be created</b>	<i>Provide estimates</i>		
	Permanent		Temporary

4. For new registration or transfer of registration, is the applicant a person who: (Tick the appropriate box)

- |   |     |    |
|---|-----|----|
| a) Is an unrehabilitated insolvent?   | Yes | No |
| b) Is a minor?  | Yes | No |
| c) Is a partner, co-director, co-trustee or co-beneficiary of any person who, in terms of this Act, is disqualified or incompetent to register? | Yes | No |
| d) Has had his or her liquor licence revoked  | Yes | No |

5. If the applicant is a juristic person state whether a person contemplated in Paragraph 4 above

a) Has a controlling interest in such juristic person?

Yes	No
-----	----

6. If any of the questions in Paragraph 4 or 5 have been replied to in the affirmative, provide full details:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Attach an annexure, if necessary)

7. Dates and number of days for the event

Dates	From _____ to _____
Number of days	_____

8. State the financial interest in the liquor trade in the Republic of South Africa and if the applicant is a private company, close corporation, partnership or trust, also of every shareholder, member or partner thereof or beneficiary thereunder. If the applicant or the said shareholder, member, partner or beneficiary has no such interest, this fact must be specifically stated

Name of Outlet	ECP/Ref. Number	Address where event is will be held	Town	Province

(Use an annexure if necessary)

State name under which business is to be

9. conducted \_\_\_\_\_

10. State the location of the premises with reference to:

Erf number \_\_\_\_\_ Street No. \_\_\_\_\_ Street Name \_\_\_\_\_

Suburb/Village \_\_\_\_\_ Town \_\_\_\_\_

In which district municipality is the premises referred to above situated \_\_\_\_\_

11. a) Does the applicant have the right to occupy the premises?  
(Tick whichever is applicable)

YES	NO
-----	----

b) State the kind of right to occupy premises  
(Tick whichever is applicable)

Owner	Lessee	Other
-------	--------	-------

c) If answer to 13(b) above is "OTHER" specify and provide proof of right to occupy:

**12. Are the premises to be used for the business**

- a) Already erected, are according to the attached plan and description of premises and ready for commencement of the proposed business; or
- b) Already erected, but require additions or alterations to make them suitable for the purposes of the proposed business; or
- c) Not in place as they are not erected;
- d) If the premises have not been erected or are not ready to trade, state the anticipated date on which the premises will be ready:

YES	NO
YES	NO
YES	NO

**DECLARATION**

I, \_\_\_\_\_, declare/truly affirm that:-

- 1. The information furnished in this application is to the best of my knowledge true and I acknowledge that should the Eastern Cape Liquor Board discover false information the application shall be disqualified/rejected.
- 2. I further accept that the provisions of the Justices of the Peace and Commissioners of Oaths Act No. 16 of 1963, as amended, are applicable in the instance that false information has been submitted and declared/affirmed.
- 3. I hereby give consent to the Eastern Cape Liquor Board to communicate with me by post/email/WhatsApp Message and/or SMS.

Date: \_\_\_\_\_

\_\_\_\_\_  
**Signature of Prospective  
Holder or person authorized to sign on  
behalf of applicant**

I certify that this declaration has been signed and sworn to/affirmed before me at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ by the applicant/person authorized to sign application who acknowledged that: -

- (i) He / she knows and understands the contents of this declaration;
- (ii) He / she has no objection to taking the prescribed oath / affirmation; and
- (iii) He / she considers the prescribed oath to be binding on his / her conscience.

\_\_\_\_\_  
**COMMISSIONER OF OATHS**

Full name: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
Designation: \_\_\_\_\_  
Area for which appointment is held: \_\_\_\_\_  
Office held if appointment is ex officio: \_\_\_\_\_



## THE PROTECTION OF PERSONAL INFORMATION ACT (POPIA) CONSENT FORM

The purpose of the POPIA is to protect personal information of individuals and businesses and to give effect to their right of privacy as provided for in the Constitution. By signing this form, you consent to your personal information to be processed by the Eastern Cape Liquor Board and consent is effective immediately and will remain effective until such consent is withdrawn.

I \_\_\_\_\_ the undersigned, hereby consent to the following:

1. My personal information may be collected, processed, recorded, and used by the Eastern Cape Liquor Board ("ECLB") during and after the processing of my application.
2. The ECLB may share my personal information with all the parties involved in the processing of my application and further processes for purposes of compliance with the Eastern Cape Liquor Act 10 of 2003.
3. Furthermore, I understand that:
  - a) I have the right to access my personal information which the ECLB and all the parties involved hold.
  - b) I have the right to ask the ECLB and all the parties involved to update, correct, or delete my personal information on reasonable grounds.
  - c) Should I wish to withdraw my consent to process my personal information, I must do so in writing, addressed to the ECLB.
  - d) Once I withdraw my consent for ECLB to process my personal information, I understand that ECLB and all the parties involved in the ECLB processes are still obliged under other legislations to keep my personal information.
  - e) The ECLB and all the parties involved may disclose my information where they have a duty or a right to disclose in terms of applicable legislation or where it may be necessary under other law.

Signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
**Data Subject**

**DESCRIPTION OF THE PREMISES AND SCHEDULE OF FINISHES FOR  
REGISTRATION, SPECIAL EVENT, REMOVAL AND TRANSFER**

<b>CONSTRUCTION (Main Structure)</b>		
<b>Building walls</b>	e.g. Brick, plastered and painted	
<b>Roof</b>	e.g. Asbestos/Corrugated iron/Roof sheeting	
<b>Ceiling</b>	e.g. Knotty pine/Wooded/hardboard	
<b>Windows</b>	e.g. Wooden frames/iron/aluminum	
<b>Doors</b>	e.g. Wooden/Steel/Glass	
<b>Floor Covering</b>	e.g. Concrete/Wooden /Carpet/Tiles (ceramic/vinyl/carpet)	
<b>CONSTRUCTION (Toilet and other spaces)</b>		
<b>Building walls</b>	e.g. Brick, plastered and painted	
<b>Roof</b>	e.g. Asbestos/Corrugated iron/Roof sheeting	
<b>Windows</b>	e.g. Knotty pine/Wooded/hardboard	
<b>Doors</b>	e.g. Wooden frames/iron/aluminum	
<b>Floor Covering</b>	e.g. Wooden/Steel/Glass	
<b>Toilets</b>	e.g. Concrete/Wooden /Carpet/Tiles (ceramic/vinyl/carpet)	
	<b><i>Two ablution facilities are required, one of which must cater for persons with disabilities.</i></b>	
<b>FIXTURES, FITTINGS AND FURNITURE</b>		
<b>Bar Counter</b>	e.g. Concrete/Wooden/Other ( <i>please specify</i> )	
<b>Display Shelving</b>	e.g. Wooden/Steel/Other ( <i>please specify</i> )	
<b>Bar Stools</b>	e.g. Wrought iron/Wooden/Other ( <i>please specify</i> )	
<b>Tables</b>	e.g. Wooden/Steel/Other ( <i>please specify</i> )	
<b>Chairs</b>	e.g. Wooden/Steel/Other ( <i>please specify</i> )	
<b>Light fittings</b>	Ordinary/other	
<b>ANY OTHER RELEVANT PHYSICAL ASPECT</b>		

EASTERN CAPE LIQUOR ACT, 2003 (Act No. 10 of 2003)

COMPREHENSIVE WRITTEN REPRESENTATION IN SUPPORT OF THE APPLICATION

*Complete in Black Ink*

<b>1. Briefly state the reason for your decision to apply for registration</b>		
<b>2. How is this registration going to benefit you and your dependents?</b>		
<b>3. Are there education institutions or places of worship within a 500 meter radius of the proposed premises?</b>		
	YES	NO
<b>4. If the answer to the above question is YES, kindly state measure/s to be taken to ensure that there will be no disruption of learning activities.</b>		
<b>5. Are there any liquor outlets in your street/area?</b>		
	YES	NO
<b>6. If "YES" please provide the number of liquor outlets in your area (how many?)</b>		
<b>7. How many people will be employed at your liquor outlet?</b>		
<b>8. State how the community will benefit from the existence of your liquor outlet.</b>		
<b>9. What are your plans to mitigate the adverse effects of alcohol abuse?</b>		
<b>10. How would you ensure the safety of your patrons and their properties?</b>		

\_\_\_\_\_  
Signature of prospective holder or  
duly authorized person

**Place** \_\_\_\_\_  
**Date** \_\_\_\_\_

**RECEIVED BY:** \_\_\_\_\_  
(Full Names)

**INSTITUTION:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

Stamp of Ward  
Committee / Councilor  
required, which must  
include the ward number

**EASTERN CAPE LIQUOR ACT, 2003 (Act No.10 of 2003)**

**NOTICE TO WARD COMMITTEE OF INTENTION TO APPLY FOR NEW REGISTRATION,  
TRANSFER OR REMOVAL**

Notice of the intention to lodge applications with the Board, particulars of which appear hereunder, is hereby given.

1	2	3
<p><b>Details of the Applicant and number of Ward</b></p>	<p><b>Kind of registration applied for</b></p>	<p><b>Name and address of current holder</b> <i>(for transfer application only)</i></p>
<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
4	5	6
<p><b>Name and address of prospective holder</b> <i>(for transfer application only)</i></p>	<p><b>Name under which business is conducted and particulars of the erf, street or farm</b> <i>(for removal application only)</i></p>	<p><b>Name under which business is to be conducted and particulars of the erf, street or farm</b> <i>(for new application, transfer and removal applications)</i></p>
<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

**Place:** \_\_\_\_\_

\_\_\_\_\_  
**Signature of applicant  
or person authorised  
to sign application**

**Date:** \_\_\_\_\_

**RECEIVED BY:** \_\_\_\_\_  
(Full Names)

**INSTITUTION:** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

Stamp of Ward  
Committee / Councilor  
required, which must  
include the ward number

**EASTERN CAPE LIQUOR ACT, 2003 (Act No.10 of 2003)**

**NOTICE TO THE GOVERNING BODIES OF EDUCATIONAL INSTITUTIONS AND  
PLACES OF WORSHIP OF INTENTION TO APPLY FOR REGISTRATION, TRANSFER  
AND REMOVAL OF CERTIFICATE OF REGISTRATION**

Notice of the intention to lodge applications with the Board, particulars of which appear hereunder, is hereby given.

<b>1</b>	<b>2</b>	<b>3</b>
<b>Details of the Applicant and number of Ward</b>	<b>Kind of registration applied for</b>	<b>Name under which business is to be conducted and particulars of the erf, street or farm</b>
_____ _____	_____ _____	_____ _____

Place : \_\_\_\_\_

\_\_\_\_\_  
**Signature of applicant  
or person authorised  
to sign application**

Date : \_\_\_\_\_

The Ward Committee

**1. RE: APPLICATION FOR A LIQUOR TRADING REGISTRATION CERTIFICATE IN TERMS OF THE EASTERN CAPE LIQUOR ACT, 2003 (ACT 10 OF 2003), (“the Act”)**

**Section 22(2)(d)(i)** of the Act read with **Regulation 3** provides for a notice to be served on the Ward Committee of the area where the premises intended to be registered for liquor trading are situated. The Ward Committee is then expected to convene a meeting and consider the implications of the application with members of the community and a written report should be presented to the Board and to the relevant municipal council.

You are therefore asked to confirm the consultative process by completing and returning the form attached hereunder within thirty (30) days.

Further inform all consulted community members that by appending their details on the attendance register, they consent that their personal information may be processed for compliance with the Act's requirements.

Your anticipated cooperation and assistance in this regard is greatly appreciated.

Regards,

---

**EASTERN CAPE LIQUOR BOARD**



**2. CONFIRMATION OF A COMMUNITY CONSULTATIVE PROCESS REGARDING  
AN APPLICATION FOR LIQUOR REGISTRATION**

I hereby confirm that a consultative process was embarked on with the community of:

<b>Ward No.</b>		<b>Suburb/ Village</b>	
<b>City/Town</b>			
<b>Municipality</b>			
<b>Ward Councillor</b>			

The community is fully aware of **Regulation 5** of the Act which states that objections, if there are any, should be lodged timeously within twenty-eight (28) days of the application, indicating clearly the name, identity number, residential and postal address and telephone number, where applicable, of the person(s) objecting. Herewith attached is proof of consultation in the form of a comprehensive report and a meeting attendance register.

This further serves to confirm that:

- there is/are educational institution/s within the prescribed radius  
**YES | NO**
- there is/are places of worship within the prescribed radius  
**YES | NO**
- health and safety matters meet the minimum municipal requirements  
**YES | NO**



**3. REPORT BY WARD COUNCILLOR**

<b>4.1 Was the applicant present or represented in the meeting</b>	<b>Yes</b>	<b>No</b>
<b>4.2 Was the applicant afforded an opportunity to make representation</b>	<b>Yes</b>	<b>No</b>
<i>Please provide details</i>		

<b>4.3 Were there any objections to the application?</b>	<b>YES</b>	<b>NO</b>
<i>Please provide details</i>		

<b>4.4 Does the ward committee support the application?</b>	<b>YES</b>	<b>NO</b>
<i>Please provide details</i>		

Signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_



**Signature:** \_\_\_\_\_  
 (Chairperson of the Ward Committee)

**Full Name:** \_\_\_\_\_  
 (Chairperson of the Ward Committee)

**4. OFFICE OF THE SPEAKER OF COUNCIL**

<b>5.1 Was the ward community consultation report referred to above submitted to the municipal council?</b>	<b>YES</b>	<b>NO</b>
<i>Please provide details</i>		

*Speaker of Council's*

**Signed at** \_\_\_\_\_ **on this** \_\_\_\_\_ **day of** \_\_\_\_\_ **20**\_\_\_\_\_

**Signature:** \_\_\_\_\_  
*Speaker of Council or authorized person*

**Full Name:** \_\_\_\_\_  
*Speaker of Council or authorized person*

*Official Date Stamp*

<sup>[1]</sup> If space provided does not accommodate all meeting attendees, please attach extra page(s) .

**EASTERN CAPE LIQUOR ACT, 2003 (Act No. 10 of 2003)**

**NOTICE OF LODGEMENT OF APPLICATIONS FOR REGISTRATION/SPECIAL EVENT**

Notice is hereby given that the applications for registration, particulars of which appear in the Schedule hereunder, have been lodged with the Board.

Interested parties may, free of charge, inspect any application which appears in the Schedule hereunder and may within twenty-one days of this notice, lodge with the Board written representations in support or written objections.

**EASTERN CAPE LIQUOR BOARD**

**DATE:**

**SCHEDULE 1**

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Application Number</b>	<b>Name and number of Ward</b>	<b>Kind of registration applied for</b>	<b>Kind of liquor to be sold</b>	<b>Name under which business is to be conducted and particulars of the erf, street or farm</b>

**EASTERN CAPE LIQUOR ACT, 2003 (Act No. 10 of 2003)**

**NOTICE OF LODGEMENT OF APPLICATIONS FOR TRANSFER OF CERTIFICATE OF REGISTRATION**

Notice is hereby given that the applications for transfer of certificates of registration, particulars of which appear in the Schedule hereunder, have been lodged with the Board.

Interested parties may, free of charge, inspect any application which appears in the Schedule hereunder and may within twenty-one days of this notice, lodge with the Board written representations in support or written objections.

**EASTERN CAPE LIQUOR BOARD**

**DATE:**

**SCHEDULE 2**

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Application Number</b>	<b>Name and number of Ward</b>	<b>Particulars of certificate of registration</b>	<b>Particulars of holder of certificate of registration</b>	<b>Particulars of prospective holder of certificate of registration</b>

**EASTERN CAPE LIQUOR ACT, 2003 (Act No. 10 of 2003)**

**NOTICE OF LODGEMENT OF APPLICATIONS FOR REMOVAL OF CERTIFICATE OF REGISTRATION**

Notice is hereby given that the applications for removal of certificates of registration, particulars of which appear in the Schedule hereunder, have been lodged with the Board.

Interested parties may, free of charge, inspect any application which appears in the Schedule hereunder and may within twenty-one days of this notice, lodge with the Board written representations in support or written objections.

**EASTERN CAPE LIQUOR BOARD**

**DATE:**

**SCHEDULE 3**

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
<b>Application Number</b>	<b>Name and number of Ward</b>	<b>Particulars of certificate of registration</b>	<b>Particulars of holder of certificate of registration</b>	<b>Particulars of prospective holder of certificate of registration</b>

**CERTIFICATE OF REGISTRATION**

**REFERENCE NO.** \_\_\_\_\_

**RETAIL SALE OF LIQUOR FOR CONSUMPTION** \_\_\_\_\_

\_\_\_\_\_ is hereby registered to sell \_\_\_\_\_ and to conduct business under the name of \_\_\_\_\_ upon premises, the plan of which has been approved, situated at \_\_\_\_\_ in the district of \_\_\_\_\_ such as is, accordance with the conditions of the Act or any other Law, authorised to be conducted under the above-mentioned registration under such conditions as are attached hereunder.

This registration shall be subject to such additional conditions determined by the MEC and published in the Provincial Gazette.

Liquor not required for immediate sale shall be stored in the designated area with the registered premises.

This registration shall be of no force and effect unless the prescribed fees have been paid to the Board. Payment of the prescribed fees is to be made before the certificate is issued.

ISSUED ON/VALID FROM	PRESCRIBED FEES	VALID TO

Date of issue:

Payable on or before:

Place of issue:

Secretary Eastern Cape Liquor Board

Date: \_\_\_\_\_



EASTERN CAPE LIQUOR ACT, 2003 (Act No. 10 of 2003)

APPLICATION FOR CHANGE OF PLAN

REFERENCE NUMBER		BUSINESS NAME:	
DISTRICT MUNICIPALITY:		TOWN:	

Description of documents to be submitted

- i. Proof of payment of the lodgement fee;
- ii. Application Form;
- iii. Municipal approved building plan of premises [Reg 2(3)(f)];
- iv. Documents required to be attached to application [Section 22(2)(b)]:
  - Power of attorney or resolution in the event of the application being completed on behalf of the applicant (if there are changes) Reg 2(3)(f);

**NOTE: Providing false or inaccurate information will result in automatic disqualification.**

Application prepared by:			
Physical Address:			
Postal Address:			
Telephone No.:		Mobile Cellular	
Facsimile No.:		e-mail Address	

Licenceholder Details: \_\_\_\_\_

Telephone No.:	_____	Mobile Cellular	_____
Facsimile No.:	_____	e-mail Address	_____

Address of Premises: \_\_\_\_\_

Reason for change of plan: \_\_\_\_\_

\_\_\_\_\_

### DECLARATION

I, \_\_\_\_\_  
, declare/truly affirm that:-

1. The information furnished in this application is to the best of my knowledge true and I acknowledge that should the East Cape Liquor Board discover false information the application shall be disqualified/rejected.
2. I further accept that the provisions of the Justices of the Peace and Commissioners of Oaths Act No. 16 of 1963, as amended, are applicable in the instance that false information has been submitted and declared/affirmed.
3. I hereby give consent to the Eastern Cape Liquor Board to communicate with me through email and/or SMS.

Date: \_\_\_\_\_

\_\_\_\_\_  
**Signature of applicant or  
person authorised to represent the applicant**

I certify that this declaration has been signed and sworn to/affirmed before me at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ by the applicant/person authorized to sign application who acknowledged that: -

- (i) He / she knows and understands the contents of this declaration;
- (ii) He / she has no objection to taking the prescribed oath / affirmation; and
- (iii) He / she considers the prescribed oath to be binding on his / her conscience.

### COMMISSIONER OF OATHS

Full name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Designation: \_\_\_\_\_

Area for which appointment is held: \_\_\_\_\_

Office held if appointment is ex officio: \_\_\_\_\_

## THE PROTECTION OF PERSONAL INFORMATION ACT (POPIA) CONSENT FORM

The purpose of the POPIA is to protect personal information of individuals and businesses and to give effect to their right of privacy as provided for in the Constitution. By signing this form, you consent to your personal information to be processed by the Eastern Cape Liquor Board and consent is effective immediately and will remain effective until such consent is withdrawn.

I \_\_\_\_\_ the undersigned, hereby consent to the following:

1. My personal information may be processed by the Eastern Cape Liquor Board ("ECLB") during and after the processing of my application for purposes of compliance with the Eastern Cape Liquor Act 10 of 2003 and Regulations.
2. Furthermore, I understand that:
  - 2.1. I have the right to access my personal information which the ECLB and all the parties involved hold.
  - 2.2. I have the right to ask the ECLB and all the parties involved to update, correct, or delete my personal information on reasonable grounds.
  - 2.3. Should I wish to withdraw my consent to process my personal information, I must do so in writing, addressed to the ECLB.
  - 2.4. Once I withdraw my consent for ECLB to process my personal information, I understand that ECLB and all the parties involved in the ECLB processes are still obliged under other legislations to keep my personal information.
  - 2.5. The ECLB and all the parties involved may disclose my information where they have a duty or a right to disclose in terms of applicable legislation or where it may be necessary under other law.

Signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
**Data Subject**

EASTERN CAPE LIQUOR ACT, 2003 (Act No. 10 of 2003)

APPLICATION FOR A NATURAL PERSON TO MANAGE AND BE RESPONSIBLE  
FOR THE BUSINESS TO WHICH THE REGISTRATION RELATES

REFERENCE NO. : \_\_\_\_\_

1. Under what name is the registered business conducted : \_\_\_\_\_

2. State the following particulars of person whose appointment has been terminated:

a) Full name : \_\_\_\_\_

b) Identity number : \_\_\_\_\_

c) Date of termination of appointment : \_\_\_\_\_

3. State the particulars of person to be appointed:

a) Full name : \_\_\_\_\_

b) Age : \_\_\_\_\_

c) Identity number : \_\_\_\_\_

d) Contact details: \_\_\_\_\_

e) Relationship between person to be appointed and the holder of the certificate of registration : \_\_\_\_\_

\_\_\_\_\_  
**Signature of person to be appointed**

f) Is he / she a person who -

(i) is disqualified or incompetent in terms of the Act?

YES

NO

(ii) Is not permanently residing in the Republic?

YES

NO

(iii) If any of the questions in subparagraph (i) have been replied to in the affirmative, provide full details :

g) Date of appointment: \_\_\_\_\_

**I declare / truly affirm that the information in this application and in the documents attached to it, are true.**

Date : \_\_\_\_\_

\_\_\_\_\_  
**Signature of holder of certificate  
of registration or person authorized  
to sign application**

**I certify that this declaration has been signed and sworn to / affirmed before me at  
..... this ..... Day of..... by  
the holder of the certificate of registration / person authorized to sign application who  
acknowledged that:-**

- (i) He / she knows and understands the contents of this declaration;
- (ii) He / she has no objection to taking the prescribed oath / affirmation; and
- (iii) He / she considers the prescribed oath to be binding on his / her conscience and that he / she uttered the following words:

“I swear that the contents of this declaration are true, so help me God/I truly affirm that the contents of this declaration are true”.

.....  
**COMMISSIONER OF OATHS**

**Full name:** \_\_\_\_\_

**Business Address:** \_\_\_\_\_

**Designation:** \_\_\_\_\_

**Area for which appointment is held:** \_\_\_\_\_

**Office held if appointment is ex officio:** \_\_\_\_\_

## THE PROTECTION OF PERSONAL INFORMATION ACT (POPIA) CONSENT FORM

The purpose of the POPIA is to protect personal information of individuals and businesses and to give effect to their right of privacy as provided for in the Constitution. By signing this form, you consent to your personal information to be processed by the Eastern Cape Liquor Board and consent is effective immediately and will remain effective until such consent is withdrawn.

I \_\_\_\_\_ the undersigned, hereby consent to the following:

1. My personal information may be processed by the Eastern Cape Liquor Board ("ECLB") during and after the processing of my application for purposes of compliance with the Eastern Cape Liquor Act 10 of 2003 and Regulations.
  
2. Furthermore, I understand that:
  - 2.1. I have the right to access my personal information which the ECLB and all the parties involved hold.
  - 2.2. I have the right to ask the ECLB and all the parties involved to update, correct, or delete my personal information on reasonable grounds.
  - 2.3. Should I wish to withdraw my consent to process my personal information, I must do so in writing, addressed to the ECLB.
  - 2.4. Once I withdraw my consent for ECLB to process my personal information, I understand that ECLB and all the parties involved in the ECLB processes are still obliged under other legislations to keep my personal information.
  - 2.5. The ECLB and all the parties involved may disclose my information where they have a duty or a right to disclose in terms of applicable legislation or where it may be necessary under other law.

Signed date \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
**Data Subject**

**CERTIFICATE OF APPOINTMENT OF A NATURAL PERSON TO MANAGE A BUSINESS**

Name of the person appointed:	
ID number:	
Sex:	
Residential address:	

Name of the registered business to be managed:	
Address of registered business:	
File reference number:	
Date of appointment:	
Date:	

\_\_\_\_\_  
Secretary  
Eastern Cape Liquor Board

PRE-REGISTRATION INSPECTION REPORT

<b>TYPE OF APPLICATION</b>	New Application	Transfer	Removal	Controlling Interest <sup>1</sup>
<b>CATEGORY OF REGISTRATION</b>	Off Consumption {Sec 20 (a)}	On Consumption {Sec 20(b)}		On & Off Consumption {Sec 20(c)}
	Special Event {Sec 20 (d)}		Micro-manufacturing {Sec 20 (e)}	
<b>ECP NUMBER</b>	<b>NAME OF BUSINESS</b>			
<b>NAME OF APPLICANT</b>				
<b>BUSINESS ADDRESS (where premises are situated)</b>				
<b>PERSON CONTACTED AND THEIR CONTACT DETAILS</b>	<b>Name</b>		<b>Signature</b>	
	<b>Tel.</b>			
<b>1) VERIFICATION OF THE APPLICANT</b>				
a) Was an appointment set with the applicant for inspection on this day?	<b>Yes</b>	<b>No</b>		
b) Is the person found or consulted at the premises the applicant in this matter?	<b>Yes</b>	<b>No</b>		
c) Has the applicant indicated that this particular person will be at the premises?	<b>Yes</b>	<b>No</b>	<b>N/A</b>	
d) If not the applicant, can the person found at the premises confirm the applicant?	<b>Yes</b>	<b>No</b>	<b>N/A</b>	
e) Does the applicant have any other interest/s in the liquor trade in the Republic?	<b>Yes</b>	<b>No</b>		
f) If the answer above is <b>YES</b> , kindly provide Reference/ECP number/s, name of outlet and the town where situated. ( <i>attach list where necessary</i> )	<b>Reference/ECP No.</b>	<b>Name of Outlet</b>	<b>City/Town</b>	
g) Has any of the above listed outlet(s) ever been issued with a compliance notice	<b>Yes</b>	<b>No</b>	<b>N/A</b>	
h) Were any complaints received against any outlet(s) mentioned in (f)?	<b>Yes</b>	<b>No</b>	<b>N/A</b>	

<sup>1</sup> For controlling interest, only the applicant needs to be verified, to ensure that the applicant is not disqualified in terms of the Act. No community consultation is necessary in terms of the Act and inspection of premises is not necessary. Please elaborate on those complaints and any non-compliance, if any, at the outlets mentioned in Para 1(f).



<b>1) VERIFICATION OF THE PREMISES AGAINST SUBMITTED DOCUMENTATION</b>			
a) Does the applicant have a right to occupy the premises?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
b) If a lease agreement is attached, is the Lessor's proof of right of ownership attached?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
c) Are the premises situated at the address indicated in the application?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
d) Are the premises in line with the plan submitted with the application?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
e) Are the premises suitable for the category of registration applied for?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
f) Ablution facilities – are these in working order?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
g) Are the premises ready to commence with the business?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
<b>2) VERIFICATION OF THE COMMUNITY CONSULTATION PROCESS</b>			
a) Was Form 2/8/12 served on the correct ward committee?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
b) Was Form 2/8/12 confirmed by the ward councillor of the specific ward	<b>Yes</b>	<b>No</b>	<b>N/A</b>
c) Is the ward committee's report in terms of Section 22(2)(d)(i) filed in the application?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
d) Was the community appropriately and adequately consulted? <i>(furnish a report regarding verification)</i>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
e) Is there an educational institution within the prescribed 100m radius?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
f) Was Form 2 appropriately served at the educational institution?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
g) Is there a place of worship within the prescribed 100m radius?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
h) Was Form 2 appropriately served at the place of worship?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
i) Were any objections received at the time of the inspection?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
j) If objections were received, were they served to the applicant for response?	<b>Yes</b>	<b>No</b>	<b>N/A</b>
k) Has the applicant responded to the objections?	<b>Yes</b>	<b>No</b>	<b>N/A</b>

<b>RECOMMENDATION</b>		
Is the application recommended for registration for the category applied for?	<b>Yes</b>	<b>No</b>
<b>Comments on applicant, premises, community consultation and any objections:</b>		
<b>1. APPLICANT</b>		
1.1. Natural or juristic person		
1.2. Is power of attorney or company resolution attached		
1.3. Compliance with Section 21 of the Act		
<b>2. PREMISES</b>		
2.1. Right to occupy premises		
2.2. Plan of premises and dimensions		
2.3. Building structure and means of communication		
2.4. Counter/point of sale		
2.5. Display area/shelves		
2.6. Demarcated drinking area (where applicable)		
2.7. Storage room		
2.8. Ablution facilities (where necessary)		
<b>3. COMMUNITY CONSULTATION</b>		
3.1. Compliance with Section 22(2)(d)(i) (state whether service of notice took place as prescribed and whether community consultation took place and if that consultation was properly conducted)		
3.2. Compliance with Section 22(2)(d)(ii) (State whether notice served as prescribed)		<b>4. RECOMMENDATION FOR SECTION 22(5) NOTICE</b> (if any) (List all your recommendations for the Section 22(5) Notice)
f.3. Compliance with Regulation 5 (state whether objections were received within prescribed timeframe)		

RESPONSIBILITIES	NAME	SIGNATURE	OFFICE DATE STAMP
The inspection was conducted and report compiled by			
COMMENTS BY QUALITY ASSURANCE			

Post Registration Inspection Report

DATE	CITY/TOWN	ECP NUMBER	REGISTRATION CATEGORY
BUSINESS NAME		REGISTERED PERSON	
TELEPHONE NUMBER/S	BUSINESS ADDRESS	E-MAIL ADDRESS	
	Street Number		SPATIAL DATA COORDINATES
	Street Name		Latitude
	Village/ Suburb		Longitude
LOCAL MUNICIPALITY		DISTRICT MUNICIPALITY	
TYPE OF REGISTERED PERSON		SECTION 40 MANAGER APPOINTED	
NATURAL	JURISTIC	NAME:	ID#:

No	Health Check	Reference	Health Check Questions	Yes	No
	Documentation	Registration	Does the premises have a valid certificate/renewal?		
	Documentation	Registration	Does the registrant have the title deed or letter of consent from the owner of the premises?		
	Practice	Registration	Has the registrant made any structural changes to the licensed premises without the Board's consent?		
	Practice	Controlling interest	Has the registrant sold a controlling interest in the business without the approval of the Board?		
	Practice	Storage and display of liquor	Is the liquor for sale displayed and stored in only the portion of the premises agreed to on the plan?		
	Practice	Business management	Has the registrant appointed a manager to run the business?		

	Practice	Other businesses on the premises	Is the sale of liquor the primary business on the premises with the exception of general dealers, theatres, restaurants and sleeping accommodation?		
	Practice	Prohibition on sale of liquor to certain persons	Does the registrant understand that he/she may not sell liquor to any person who is under the age of 18 or allow a person under the age of 18 to be in any restricted part of the premises? A person under 18 may enter the outlet only if accompanied by an adult, but no alcohol can be served to the under 18?		
	Training & Education	Secondary supply of liquor to a minor	Does the outlet owner/manager understand that it is an offence for any person to buy liquor for and behalf of a person under the age of 18?		
	Training & Education	Trading hours	Does the registrant understand that he/she may trade liquor on any day of the week but within the times stipulated in the municipality bylaws?		
	Training & Education	Limitations on employers	Does the registrant understand that he/she cannot employ a person under the age 18 in connection with sale or supply of liquor unless the person is above the age of 16 and undergoing training or is an apprentice?		
	Training & Education	Duty to produce documents	Does the registrant understand that any person who is in possession of a document relevant to the inspection must produce it on request?		
	Training & Education	Closing of registered premises	Does the registrant understand that an inspector or chairperson of the Board may order the owner/manager to close the licensed premises if there are any riots, public disturbance, or threatening actions close to or at the licensed premises?		

	Training & Education	Prohibited concoctions and drinks	Does the registrant understand that he/she must not sell any prohibited drinks and concoctions? (by the fermentation of treacle, sugar or other substances and known as isishimiyana, hopana, qediviki, skokiaan, uhali or Barberton, but excluding indigenous qhilika)		
	Training & Education	Offences regarding the trading in liquor	Does the registrant understand that no manufacturer or wholesaler may give or lend any money to a retailer for equipping, maintaining or conducting the registered premises?		
	Training & Education	General offences	Does the registrant understand that it is an offence to supply liquor to an employee as wages?		
	Training & Education	Responsibility of registered persons for other persons	Does the registrant understand that drug trafficking and prostitution on the registered premises is an offence?		
	Training & Education	Liquor premises should be Weapon free	Does the outlet owner /manager understand that no weapons or sharp objects must be allowed inside the premises?		
	Training & Education	Foetal Alcohol Syndrome	Does the outlet owner understand the dangers of serving alcohol to pregnant women? (Physical and mental damage in a child due to alcohol exposure while in the womb).		
	Training & Education	Patron Behaviour	Does the registrant/manager understand that patrons must not park such that they obstruct the neighbours?		
	Premises	Structural changes	The premises are still as indicated in the plan submitted to the board?		
	Premises	Hygienic conditions	Ablution facilities are hygienically clean and fully functional		

<b>ANY COMMENTS/ADVICE FOR THE REGISTRANT</b>		
<b>Acknowledgement of inspection</b>	<b>Name of person at premises</b>	<b>Signature of person at premises</b>
<b>FULL NAME OF INSPECTOR</b>		<b>INSPECTOR'S SIGNATURE</b>

**NOTICE TO BE PRESENT AT A MEETING OF THE LIQUOR BOARD**

To: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

You are hereby notified by the chairperson to be present at a meeting of the Board which relates to \_\_\_\_\_ and which will be held on the date, time and at the place indicated below.

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Place: \_\_\_\_\_

**Your attention is drawn to the following:**

(i) It is compulsory for you to appear in person. If you are unable to appear in person you may appoint an advocate or attorney to appear on your behalf.

(ii) It is an offence not to be present and not to remain in attendance, without having appointed somebody to appear on your behalf.

(iii) The chairman may require you to give evidence or to produce any document or any other thing which is in your possession or custody or under your control.

Place of issue: \_\_\_\_\_

Date: \_\_\_\_\_



**\*FOR OFFICIAL USE ONLY\***

\_\_\_\_\_

Secretary

Eastern Cape Liquor Board

I certify that I have served this notice upon the said person by -

\*(a) delivering a true copy to him/her personally; or

\*(b) delivering, as he/she could not be found, a true copy to a person apparently over the age of 16 years and apparently residing or employed at the place of RESIDENCE/  
EMPLOYMENT/BUSINESS

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

Time: \_\_\_\_\_

Day: \_\_\_\_\_

Month: \_\_\_\_\_ of 20\_\_.

Full Names: \_\_\_\_\_

Signature of police officer: \_\_\_\_\_

NOTICE TO BE PRESENT AT A MEETING OF THE LIQUOR BOARD  
SUMMONS IN TERMS OF SECTIONS 17(1) AND (3) OF THE EASTERN CAPE LIQUOR  
ACT 10 OF 2003

REFERENCE NO. \_\_\_\_\_

BUSINESS NAME \_\_\_\_\_

TO \_\_\_\_\_

ADDRESS \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

By virtue of the powers vested in the chairperson, you are hereby directed to be present at a meeting of the board and give evidence/produce the documents or any other thing indicated in **Annexure A** hereto at a meeting of the board which relates to and which will be held on the date, time and at the place indicated below.

Date \_\_\_\_\_

Time \_\_\_\_\_

Place \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Your attention is drawn to the following:**

*It is an offence not to appear or not to remain in attendance without the consent of the Chairperson first having been obtained.*

Inspector of the Board

Full Names: \_\_\_\_\_

**FOR OFFICIAL USE ONLY**

I certify that I have served this notice upon the said person by-

\*(a) delivering a true copy to him/her personally; or

\*(b) delivering, as he/she could not be found, a true copy to a person apparently over the age of 16 years and apparently residing or employed at the place of RESIDENCE/ EMPLOYMENT/BUSINESS.

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

Time: \_\_\_\_\_

Day: \_\_\_\_\_

Month: \_\_\_\_\_ of 20\_\_\_\_.

Signature of police officer \_\_\_\_\_

**ADVICE OF ANNUAL FEES PAYABLE IN RESPECT OF A CERTIFICATE OF  
REGISTRATION**

Reference No. \_\_\_\_\_

Name of registered  
premises \_\_\_\_\_

Address of registered premises \_\_\_\_\_

Type of  
Registration \_\_\_\_\_

Fees  
payable \_\_\_\_\_

Total fees payable to the Board: \_\_\_\_\_

Payable on or before 31 December 20\_\_\_\_\_

Banking details of the Board : \_\_\_\_\_

\*Please use the Reference Number associated with the licence held.

Date of issue \_\_\_\_\_

**FOR OFFICIAL USE BY BOARD**

**Note.** If the fees are received after 31 December, the fees payable shall be increased by 50% and if the fees are received after 31 January and up until June, such fees shall be increased by 100%.

**No fees shall be accepted after 30<sup>th</sup> of June and the license shall be deregistered without any further notice.**

EASTERN CAPE LIQUOR ACT, 2003 (Act No. 10 of 2003)

FORM TO UPDATE DETAILS OF RECORDS

ECP NO:		BUSINESS NAME:	
DISTRICT:		TOWN:	

Description of documents to be submitted

- i. Proof of payment of the lodgement fee;
- ii. Application Form;
- iii. Documents required to be attached to application [Section 22(2)(b)]:
  - Business permit issued in terms of Immigration Act, 2002 (Reg. 9(1))
  - Registration documents if the applicant is a juristic person Reg 2(3)(d);
  - Power of attorney in the event of the application being completed on behalf of the applicant (if there are changes) Reg 2(3)(f);
  - Proof of right to occupy premises Reg 2(3)(k): –
    - Title Deed/Deed of Transfer OR
    - Valid written lease agreement OR
    - Letter of authority from local traditional leader OR
    - Written proof of approval by the relevant local municipality Reg 2(3)(l);
    - Population certificate Reg 2(3)(m);
  - A certified copy of a valid tax registration status Reg 2(3)(n);
  - In respect of an application for a club, attach a copy of the constitution or rules of the club certified by the president, chairman or secretary thereof.

**NOTE: Providing false or inaccurate information will result in automatic disqualification.**

**Application prepared by:** \_\_\_\_\_

**Physical Address:** \_\_\_\_\_

**Postal Address:** \_\_\_\_\_

**Telephone No.:** \_\_\_\_\_ **Mobile Cellular** \_\_\_\_\_

Facsimile  
No.:

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---

E-mail  
Address

---

---

LICENCE HOLDER FULL NAME: \_\_\_\_\_

IDENTITY NUMBER:																			
------------------	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

COMPANY  
REGISTRATION  
NUMBER:

	/		/
--	---	--	---

*Tick X*

F	M

*Tick X*

BLACK AFRICAN	WHITE	INDIAN/ASIAN	COLOURED

GENDER:

RACE:

*Tick X*  
ANY

DISABILITY

YES	NO
-----	----

TELEPHONE  
NUMBER:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

MOBILE NUMBER:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

E-MAIL ADDRESS: \_\_\_\_\_

ADDRESS OF PREMISES: \_\_\_\_\_

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POSTAL ADDRESS: \_\_\_\_\_

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**DECLARATION**

I, \_\_\_\_\_  
, declare/truly affirm that the information furnished in this application is to the best of my knowledge true and I acknowledge that should the board discover false information the application shall be disqualified/rejected. I further accept that the provisions of the Justices of the Peace and Commissioners of Oaths Act No. 16 of 1963, as amended, are applicable in the instance that false information has been submitted and declared/affirmed. I also hereby give consent to the Eastern Cape Liquor Board to communicate with me by letter, email and/or SMS and other media whenever the need arises.

Date: \_\_\_\_\_

**Signature of Prospective  
Holder or person authorized to sign on  
behalf of applicant**

I certify that this declaration has been signed and sworn to/affirmed before me at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ by the applicant/person authorized application who to sign acknowledged that: -

- (i) He / she knows and understands the contents of this declaration;
- (ii) He / she has no objection to taking the prescribed oath / affirmation; and
- (iii) He / she considers the prescribed oath to be binding on his / her conscience.

**COMMISSIONER OF OATHS**

Full name: \_\_\_\_\_

Business Address: \_\_\_\_\_

Designation: \_\_\_\_\_

Area for which appointment is held: \_\_\_\_\_

Office held if appointment is ex officio: \_\_\_\_\_

**COMPLIANCE NOTICE BY THE BOARD**

**To: Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

By virtue of the powers vested in the Board, you, the holder of the certificate of registration granted in respect of premises situate at \_\_\_\_\_plot/erf/street/farm/ ward and municipality\* and upon which business is conducted under the name of \_\_\_\_\_, are hereby-

(a) notified that you have failed to comply with the requirements of your registration in that

\_\_\_\_\_

And that you are

(b) required to take the following remedial steps within 30 days hereof

\_\_\_\_\_

**FOR OFFICIAL USE ONLY**

I certify that I have served this notice upon the said person by-

\*(a) delivering a true copy to \_\_\_\_\_personally; or

\*(b) delivering, as he/she could not be found, 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 \_\_\_\_\_

At

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Time \_\_\_\_\_ Day \_\_\_\_\_ Month \_\_\_\_\_ 20\_\_\_\_\_

Date \_\_\_\_\_ Time \_\_\_\_\_ Place \_\_\_\_\_

Full Names: \_\_\_\_\_

Inspector of the Board signature: \_\_\_\_\_

\* Delete whichever is not applicable



REGISTER OF REGISTERED PERSONS

<i>Name and address of registered person</i>	<i>Cancellations and variations</i>	<i>Voluntary deregistration, winding-up or dissolution</i>	<i>Name and address of applicants for registration and micro-manufacturing</i>	<i>Terms and conditions of registration and variation</i>

**CERTIFICATE OF DESIGNATION OF AN INSPECTOR**

The bearer of this certificate is designated as an inspector in terms of section 46 (4) of the Eastern Cape Liquor Act, 2003 (Act No. 10 of 2003)

Full names: \_\_\_\_\_

Identity number: \_\_\_\_\_

Designation number: \_\_\_\_\_

Date of issue: \_\_\_\_\_

Date of expiry: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_

Chairperson, Eastern Cape Liquor Board

## THE PROTECTION OF PERSONAL INFORMATION ACT (POPIA) CONSENT FORM

The purpose of the POPIA is to protect personal information of individuals and businesses and to give effect to their right of privacy as provided for in the Constitution. By signing this form, you consent to your personal information to be processed by the Eastern Cape Liquor Board and consent is effective immediately and will remain effective until such consent is withdrawn.

I \_\_\_\_\_ the undersigned, hereby consent to the following:

1. My personal information may be processed by the Eastern Cape Liquor Board ("ECLB") during and after the processing of my application for purposes of compliance with the Eastern Cape Liquor Act 10 of 2003 and Regulations.
  
2. Furthermore, I understand that:
  - 2.1. I have the right to access my personal information which the ECLB and all the parties involved hold.
  
  - 2.2. I have the right to ask the ECLB and all the parties involved to update, correct, or delete my personal information on reasonable grounds.
  
  - 2.3. Should I wish to withdraw my consent to process my personal information, I must do so in writing, addressed to the ECLB.
  
  - 2.4. Once I withdraw my consent for ECLB to process my personal information, I understand that ECLB and all the parties involved in the ECLB processes are still obliged under other legislations to keep my personal information.
  
  - 2.5. The ECLB and all the parties involved may disclose my information where they have a duty or a right to disclose in terms of applicable legislation or where it may be necessary under other law.

Signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
**Data Subject**

**Part B**

*Information relating to the applicant who is the proposed person*

- 1. (a) Full name of applicant: \_\_\_\_\_
  - (b) Age \_\_\_\_\_
  - (c) Identity number or in the case of a company or close corporation, its registration number: \_\_\_\_\_
  - (d) Residential address or address of registered office: \_\_\_\_\_
  - (e) Business address: \_\_\_\_\_
  - (f) Postal address: \_\_\_\_\_
  - (g) Business telephone number \_\_\_\_\_
- (Delete (b) if applicant is not a natural person)

2. (a) Is applicant a person who-

- (i) is not domiciled in the Republic? 

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
-----	--------------------------	----	--------------------------
  - (ii) is an unrehabilitated insolvent? 

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
-----	--------------------------	----	--------------------------
  - (iii) is a minor? 

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
-----	--------------------------	----	--------------------------
  - (iv) is the spouse of a person contemplated in subparagraphs (i) or (ii)? 

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
-----	--------------------------	----	--------------------------
- (Mark the applicable square)

(b) If the applicant is a company, close corporation, partnership or trust, state whether a person contemplated in subparagraph (a)-

- (i) has a controlling interest in such a company, close corporation, or trust
  - (ii) is a partner in such a partnership 

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
-----	--------------------------	----	--------------------------
  - (iii) is the main beneficiary under such a trust 

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
-----	--------------------------	----	--------------------------
- (Mark the applicable square)

(c) If any of the questions in subparagraphs (a) or (b) have been replied to in the affirmative, provide full details

(Use an annexure if necessary)

3. (a) State the name, identity number and address of each person-

(i) who, including the holder of the registration certificate, has any financial interest in the business to which the licence relates

and

(ii) who, including the applicant, will have such interest if the applicant is granted, and in each case, the nature and extent of such interest. (In the case of a public company, statutory institution or a co-operative as contemplated in the Co-operatives Act, 1981 (Act No. 91 of 1981), it shall be 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)

(b) State the financial interest in the liquor trade in the Republic of the applicant and if the applicant is a private company, close corporation, partnership or trust, also of every shareholder, member or partner thereof or beneficiary thereunder. (If the applicant or the said shareholder, member, partner or beneficiary has no such interest, this fact shall be specifically mentioned.)

(Use an annexure if necessary)

I declare/truly affirm that the information furnished in Part B of this application in so far as it relates to me/the application on whose behalf I am authorised to sign the application and in the documents attached to it, is true.

Date

Signature of applicant who is the proposed person or person authorised to sign application

I certify that this declaration has been signed and sworn to/affirmed before me at this day of day of by the applicant/person authorised to sign application who acknowledged that-

(i) he/she knows and understands the contents of this declaration;

(ii) he/she has no objection to taking the prescribed oath/affirmation; and

(iii) he/she considers the prescribed oath to be binding on his/her conscience, and that he/she uttered the following words:

"I swear that the contents of this declaration are true, so help me God."/"I truly affirm that the contents of this declaration are true."

Commissioner of Oaths \_\_\_\_\_

Full name \_\_\_\_\_

Business address \_\_\_\_\_

Designation \_\_\_\_\_

Area for which appointment is held \_\_\_\_\_

Office held if appointment is *ex officio* affirmative, provide full details

(Use an annexure if necessary)

3. (a) State the name, identity number and address of each person-

(i) who, including the holder of the registration certificate, has any financial interest in the business to which the licence relates

and

(ii) who, including the applicant, will have such interest if the applicant is granted, and in each case, the nature and extent of such interest. (In the case of a public company, statutory institution or a co-operative as contemplated in the Co-operatives Act, 1981 (Act No. 91 of 1981), it shall be 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)

(b) State the financial interest in the liquor trade in the Republic of the applicant and if the applicant is a private company, close corporation, partnership or trust, also of every shareholder, member or partner thereof or beneficiary thereunder. (If the applicant or the said shareholder, member, partner or beneficiary has no such interest, this fact shall be specifically mentioned.)

(Use an annexure if necessary)

I declare/truly affirm that the information furnished in Part B of this application in so far as it relates to me/the application on whose behalf I am authorised to sign the application and in the documents attached to it, is true.

Date

Signature of applicant who is the proposed person or person authorised to sign application

I certify that this declaration has been signed and sworn to/affirmed before me at \_\_\_\_\_ this day \_\_\_\_\_ of day \_\_\_\_\_ of by the applicant/person authorised to sign application who acknowledged that-

- (i) he/she knows and understands the contents of this declaration;
- (ii) he/she has no objection to taking the prescribed oath/affirmation; and
- (iii) he/she considers the prescribed oath to be binding on his/her conscience, and that he/she uttered the following words:

"I swear that the contents of this declaration are true, so help me God."/"I truly affirm that the contents of this declaration are true."

Commissioner of Oaths \_\_\_\_\_

Full name \_\_\_\_\_

Business address \_\_\_\_\_

Designation \_\_\_\_\_

Area for which appointment is held \_\_\_\_\_

Office held if appointment is *ex officio* \_\_\_\_\_

To:

**COMPLIANCE NOTICE BY INSPECTOR**

**Registered Owner:** \_\_\_\_\_ **Name of Outlet:** \_\_\_\_\_

**Reference Number:** \_\_\_\_\_ **Address:** \_\_\_\_\_

**Contact Details:** \_\_\_\_\_

By virtue of the powers vested in me, you, the holder of the certificate of registration granted in respect of premises situated at \_\_\_\_\_  
plot/erf/street/farm/ward and municipality\*

And upon which business is conducted under the name of \_\_\_\_\_, are hereby notified that you have failed to comply with the requirements of your registration in that you contravened and / or caused to be contravened the provisions of the Eastern Cape Liquor Act 10 of 2003 by failing to:

<b>Liquor Trading conditions Attached To The Registration Certificate</b>			
		Yes	No
<b>(a)</b>	Is the valid registration visible display?		
<b>(b)</b>	Is the drinking area clearly demarcated?		
<b>(c)</b>	Is there any person/s under the age of 18 years in the drinking area?		
<b>(d)</b>	Is there sale of liquor to persons under the age of 18? Section 38 of the Act		
<b>(e)</b>	Is there a separate entrance to the liquor trading area from the dwelling?		
<b>(f)</b>	Are there separate toilets for males and females?		
<b>(g)</b>	Are the toilets hygienic and in good working order?		
<b>(h)</b>	Are trading hours adhered to? Educate the registrant in line with the applicable municipal Bylaws		
<b>(i)</b>	Is music played audible beyond boundary perimeter of the premises?		
<b>(j)</b>	Are the speakers or audio equipment placed inside the premises?		
<b>(j)</b>	Is there loud noise by patrons?		
<b>(k)</b>	Does drinking taking place in demarcated drinking area?		
<b>(l)</b>	Are cars parked not obstructing entry to the neighbour's driveways?		
<b>(m)</b>	Are people sitting in motor vehicles outside the premises?		
<b>(n)</b>	Is there security in and around the outlet?		
<b>(o)</b>	Does the registrant ensure that no firearms and/or any kind of weapon may find their way into the registered outlet?		
<b>(p)</b>	Is there a manager appointed in terms of Section 40 of the Act?		
<b>(q)</b>	Does the registrant comply with municipal Health and Safety Regulations?		
<b>(r)</b>	Are the registered premises being rented?		

Failing to comply with this compliance notice is an offence in itself in terms of *Section 57 (l) (h) of the Eastern Cape Provincial Liquor Act No.10 of 2003 and you may be liable on conviction to a fine or imprisonment not exceeding three years or to both such fine and imprisonment.*

**FOR OFFICIAL USE ONLY**

I certify that I have served this notice upon the said person by -

- (a) \*Delivering a true copy to the registrant; or
- (b) \*Delivering, as he/she could not be found, a true copy to a person apparently over the age of 16 years and apparently residing or employed at the place of RESIDENCE/EMPLOYMENT/BUSINESS

\_\_\_\_\_

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

**Time:** \_\_\_\_\_ **Day** \_\_\_\_\_ **Year:** \_\_\_\_\_

**Place:** \_\_\_\_\_

Notice duly accepted by:
(Signature)
(Date)

Name of Inspector  
EASTERN CAPE LIQUOR BOARD

Signature: \_\_\_\_\_

"Delete whichever is not applicable.



**COMPLIANCE CERTIFICATE BY AN INSPECTOR**

To: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

By virtue of the powers vested in me, I hereby certify that you, the holder of the certificate of registration granted in respect of premises situated at plot/erf/street/farm/ward and municipality\* \_\_\_\_\_ and upon which business is conducted under the name of \_\_\_\_\_, have complied with the compliance notice dated \_\_\_\_\_.

**FOR OFFICIAL USE ONLY**

I certify that I have served this notice upon the said person by –

*\*(a) delivering a true copy to \_\_\_\_\_ personally; or*

*\*(b) delivering, as he/she could not be found, a true copy to \_\_\_\_\_*

\_\_\_\_\_  
\* Delete whichever is inapplicable.

**APPLICATION TO PROCURE A CONTROLLING INTEREST IN THE BUSINESS TO WHICH THE CERTIFICATE OF REGISTRATION RELATES**

Description of document

- (i) Application
- (ii) Plan of the premises
- (iii) Documents required to be attached to application

Application prepared by: \_\_\_\_\_

Postal address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_

Fax No.: \_\_\_\_\_

E-mail address: \_\_\_\_\_

**Part A**

*Information relating to the applicant who is the holder of the registration certificate*

1. (a) Full name of applicant \_\_\_\_\_

\*(b) Age \_\_\_\_\_

(c) Identity number or in the case of a company or close corporation, registration number

\_\_\_\_\_

(d) Residential address or address of registered office \_\_\_\_\_

(e) Business address \_\_\_\_\_

(f) Postal address \_\_\_\_\_

(g) Business telephone number \_\_\_\_\_

\*Delete (b) if applicant is not a natural person

2. Under what name is the registered business conducted?

3. (a) Describe the situation of the premises where the registered business is conducted with reference to the plot/erf/street/farm number

(b) In which ward or municipality is the premises referred to in subparagraph (a) situated?

**I declare/truly affirm that the information furnished in Part A and B of this application in so far as it relates to me/the applicant on whose behalf I am authorised to sign the application, is true.**

Date \_\_\_\_\_

Signature of applicant who is the holder of the certificate of registration/person authorised to sign application: \_\_\_\_\_

I certify that this declaration has been signed and sworn to/affirmed before me at this \_\_\_\_\_ day of \_\_\_\_\_ year \_\_\_\_\_ by the applicant/person authorised to sign application who acknowledged that-

(i) he/she knows and understands the contents of this declaration;

(ii) he/she has no objection to taking the prescribed oath/affirmation; and

(iii) he/she considers the prescribed oath to be binding on his/her conscience, and that he/she uttered the following words:

"I swear that the contents of this declaration are true, so help me God."/"I truly affirm that the contents of this declaration are true."

Commissioner of Oaths: \_\_\_\_\_

Full name: \_\_\_\_\_

Business address: \_\_\_\_\_

Designation: \_\_\_\_\_

Area for which appointment is held: \_\_\_\_\_

Office held if appointment is *ex officio*: \_\_\_\_\_

## THE PROTECTION OF PERSONAL INFORMATION ACT (POPIA) CONSENT FORM

The purpose of the POPIA is to protect personal information of individuals and businesses and to give effect to their right of privacy as provided for in the Constitution. By signing this form, you consent to your personal information to be processed by the Eastern Cape Liquor Board and consent is effective immediately and will remain effective until such consent is withdrawn.

I \_\_\_\_\_ the undersigned, hereby consent to the following:

1. My personal information may be processed by the Eastern Cape Liquor Board ("ECLB") during and after the processing of my application for purposes of compliance with the Eastern Cape Liquor Act 10 of 2003 and Regulations.
  
2. Furthermore, I understand that:
  - 2.1. I have the right to access my personal information which the ECLB and all the parties involved hold.
  
  - 2.2. I have the right to ask the ECLB and all the parties involved to update, correct, or delete my personal information on reasonable grounds.
  
  - 2.3. Should I wish to withdraw my consent to process my personal information, I must do so in writing, addressed to the ECLB.
  
  - 2.4. Once I withdraw my consent for ECLB to process my personal information, I understand that ECLB and all the parties involved in the ECLB processes are still obliged under other legislations to keep my personal information.
  
  - 2.5. The ECLB and all the parties involved may disclose my information where they have a duty or a right to disclose in terms of applicable legislation or where it may be necessary under other law.

Signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_

**Data Subject**

**Part B**

*Information relating to the applicant who is the proposed person*

- 1. (a) Full name of applicant: \_\_\_\_\_
  - (b) Age \_\_\_\_\_
  - (c) Identity number or in the case of a company or close corporation, its registration number: \_\_\_\_\_
  - (d) Residential address or address of registered office: \_\_\_\_\_
  - (e) Business address: \_\_\_\_\_
  - (f) Postal address: \_\_\_\_\_
  - (g) Business telephone number \_\_\_\_\_
- (Delete (b) if applicant is not a natural person)

2. (a) Is applicant a person who-

- (i) is not domiciled in the Republic? 

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
-----	--------------------------	----	--------------------------
  - (ii) is an unrehabilitated insolvent? 

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
-----	--------------------------	----	--------------------------
  - (iii) is a minor? 

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
-----	--------------------------	----	--------------------------
  - (iv) is the spouse of a person contemplated in subparagraphs (i) or (ii)? 

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
-----	--------------------------	----	--------------------------
- (Mark the applicable square)

(b) If the applicant is a company, close corporation, partnership or trust, state whether a person contemplated in subparagraph (a)-

- (i) has a controlling interest in such a company, close corporation, or trust
  - (ii) is a partner in such a partnership 

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
-----	--------------------------	----	--------------------------
  - (iii) is the main beneficiary under such a trust 

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
-----	--------------------------	----	--------------------------
- (Mark the applicable square)

(c) If any of the questions in subparagraphs (a) or (b) have been replied to in the affirmative, provide full details

(Use an annexure if necessary)

3. (a) State the name, identity number and address of each person-

(i) who, including the holder of the registration certificate, has any financial interest in the business to which the licence relates

and

(ii) who, including the applicant, will have such interest if the applicant is granted, and in each case, the nature and extent of such interest. (In the case of a public company, statutory institution or a co-operative as contemplated in the Co-operatives Act, 1981 (Act No. 91 of 1981), it shall be 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)

(b) State the financial interest in the liquor trade in the Republic of the applicant and if the applicant is a private company, close corporation, partnership or trust, also of every shareholder, member or partner thereof or beneficiary thereunder. (If the applicant or the said shareholder, member, partner or beneficiary has no such interest, this fact shall be specifically mentioned.)

(Use an annexure if necessary)

I declare/truly affirm that the information furnished in Part B of this application in so far as it relates to me/the application on whose behalf I am authorised to sign the application and in the documents attached to it, is true.

Date

Signature of applicant who is the proposed person or person authorised to sign application

I certify that this declaration has been signed and sworn to/affirmed before me at this day of day of by the applicant/person authorised to sign application who acknowledged that-

(i) he/she knows and understands the contents of this declaration;

(ii) he/she has no objection to taking the prescribed oath/affirmation; and

(iii) he/she considers the prescribed oath to be binding on his/her conscience, and that he/she uttered the following words:

"I swear that the contents of this declaration are true, so help me God."/"I truly affirm that the contents of this declaration are true."

Commissioner of Oaths \_\_\_\_\_

Full name \_\_\_\_\_

Business address \_\_\_\_\_

Designation \_\_\_\_\_

Area for which appointment is held \_\_\_\_\_

Office held if appointment is *ex officio* affirmative, provide full details

(Use an annexure if necessary)

3. (a) State the name, identity number and address of each person-

(i) who, including the holder of the registration certificate, has any financial interest in the business to which the licence relates

and

(ii) who, including the applicant, will have such interest if the applicant is granted, and in each case, the nature and extent of such interest. (In the case of a public company, statutory institution or a co-operative as contemplated in the Co-operatives Act, 1981 (Act No. 91 of 1981), it shall be 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)

(b) State the financial interest in the liquor trade in the Republic of the applicant and if the applicant is a private company, close corporation, partnership or trust, also of every shareholder, member or partner thereof or beneficiary thereunder. (If the applicant or the said shareholder, member, partner or beneficiary has no such interest, this fact shall be specifically mentioned.)

(Use an annexure if necessary)

I declare/truly affirm that the information furnished in Part B of this application in so far as it relates to me/the application on whose behalf I am authorised to sign the application and in the documents attached to it, is true.

Date

Signature of applicant who is the proposed person or person authorised to sign application

I certify that this declaration has been signed and sworn to/affirmed before me at \_\_\_\_\_ this day \_\_\_\_\_ of day \_\_\_\_\_ of by the applicant/person authorised to sign application who acknowledged that-

- (i) he/she knows and understands the contents of this declaration;
- (ii) he/she has no objection to taking the prescribed oath/affirmation; and
- (iii) he/she considers the prescribed oath to be binding on his/her conscience, and that he/she uttered the following words:

"I swear that the contents of this declaration are true, so help me God."/"I truly affirm that the contents of this declaration are true."

Commissioner of Oaths \_\_\_\_\_

Full name \_\_\_\_\_

Business address \_\_\_\_\_

Designation \_\_\_\_\_

Area for which appointment is held \_\_\_\_\_

Office held if appointment is *ex officio* \_\_\_\_\_

**WRITTEN OBJECTIONS/REPRESENTATIONS**

<b>FULL NAME</b>			
<b>ID/REGISTRATION NUMBER</b>			
<b>RESIDENTIAL/ REGISTERED ADDRESS</b>		<b>POSTAL ADDRESS</b>	
<b>TELEPHONE NUMBER</b>		<b>CELLULAR PHONE NUMBER</b>	
<b>E-MAIL ADDRESS</b>			

<b>CLEARLY IDENTIFY THE APPLICATION CONCERNED</b>			
<b>TYPE OF APPLICATION</b>	New Application	Transfer	Removal
<b>CATEGORY OF REGISTRATION</b>	Off Consumption {Sec 20 (a)}	On Consumption {Sec 20(b)}	On & Off Consumption {Sec 20 (c)}
	Special Event {Sec 20 (d)}	Micro-manufacturing {Sec 20 (e)}	
<b>REFERENCE NUMBER</b>		<b>NAME OF BUSINESS</b>	
<b>NAME OF APPLICANT</b>			
<b>BUSINESS ADDRESS (where premises are situated)</b>			

<b>STATE OBJECTION TO THE APPLICATION/REPRESENTATION FOR THE APPLICATION</b>	
Signature of Submitter:	Date



**I hereby consent to the processing of my personal information by the Eastern Cape Liquor Board for purposes of compliance with the Eastern Cape Liquor Act, 10 of 2003.**

<b>Signature of Submitter</b>		<b>Date</b>	
<b>Confirmation of Receipt by Applicant</b>		<b>Date</b>	

Eastern Cape Liquor Board

Date stamp:

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