

TRADE LEGALLY DRINK RESPONSIBLY



GAUTENG PROVINCE

ECONOMIC DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

LIQUOR LICENSING OFFICE
INFORMATION BROCHURE

A high-angle, wide shot of a cable-stayed bridge spanning a city. The bridge has two tall, white, A-frame pylons with numerous stay cables. Below the bridge, a multi-lane road is filled with cars and a train is visible in the foreground. The city skyline is visible in the background with various buildings. The entire image has a warm, golden-yellow color cast.

VISION

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

MISSION

To create an ethical business regulatory environment

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EASY STEPS TO APPLY FOR LIQUOR LICENSE

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

1. Consent use letter from Municipality

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

2. Advertisement

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

2. Notice of application must include the following information:

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

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

5. Lodge the application in duplicate with the Local Committee of the District or Metropolitan Council on the first Friday of the month accompanied by the following information:

- ◆ A detailed written motivation in support of the licence applied for.
- ◆ A detailed written description of the premises to which the application relates together with colour photos of the external and internal features of the premises.
- ◆ Proof of publication of notices in two local newspapers (2 originals)
- ◆ A certificate of suitability on the prospective license holder.
- ◆ Proof of affiliating to an association such as the Gauteng Liquor Traders Association (GLTA).
- ◆ Proof of payment of the prescribed application fees
- ◆ Clearance Certificate by SARS that the applicant complies with tax laws valid for 12 months.
- ◆ Proof of Lawful Occupation e.g. (Lease Agreement, Consent Use or Title deed).
- ◆ If the applicant is a Company- Certificate of Incorporation and original resolution, Closed Corporation – CK form and resolution if it constituted by more than one member (founding statements).
- ◆ Compliance with Tobacco Products Control Amended Act 12 of 1999.
- ◆ Submission of an affidavit for 500-meter radius in the vicinity of a place of worship, educational institution, similar licenced premises, public transport facility or such further distance as the Board may determine or as may be prescribed from time to time.
- ◆ **Menu for on-consumption license.**
- ◆ **Power of attorney (if applicable)**
- ◆ **Proof of payment of prescribe fees at FNB**

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

OBJECTIONS

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

- ◆ Objections must be filed within twenty one (21) days from the lodgement date to the Local Committee and must have full particulars of the person or institution objecting, full address, contact details and supporting documentation.

RESPONSES

The applicant must respond within seven days from the date of receipt of the objection in writing to the local committee and objectors.

APPLICATION FOR CATERING OR OCCASIONAL PERMIT (SECTION 31)

- ◆ The application for the above mentioned permit is considered by the Local Committee of the region.
- ◆ The Occasional permit can be applied for, if there is an occasion/event held by the applicant and the principal business of the applicant should not be that of distribution or sale of liquor.
- ◆ Local Committee may approve the plan of the premises which indicates where the liquor can be sold within the premises.
- ◆ The application to be lodged 14 days before the date of the event at the Regional Office within which the occasion/event is going to take place.

Requirements:

- Application Form (PDF form- www.ecodev.gov.za)
- Proof of Lawful Occupation (consent use or LAA/title deed/lease agreement)
- Written motivation with supporting documents
- Proper and detailed sketch plan
- Certified copies of applicants ID's
- Proof of payment of fees at FNB (R 2000.00)
- Power of attorney (if applicable)

The following is requested if the applicant is a company

- Certificate of Incorporation
- Resolution

NATURE OF PREMISES FOR LIQUOR LICENSE

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

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

- ◆ Motivation
- ◆ Application Fees paid at FNB (**R1000.00**)
- ◆ Description of the premises
- ◆ Floor Plan
- ◆ Photos of the premises
- ◆ Proof of license renewal for the current financial year.

INCOMPLETE PREMISES

- ◆ The Board may grant conditional authority to applications where requirements comply with the Act, but the premises are not yet erected or require structural alteration or additions to be effected.
- ◆ The Board may determine the period when the premises should be complete.

TRADING HOURS

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

- ◆ On Consumption:
10:00am to 02:00am
- ◆ Off Consumption:
08:00am 20:00 p.m (Monday - Saturday)
08:00am to 15:30pm (Sundays-excluding public holidays)

NB: Trading hours for public holidays assume the day of the week that the holiday falls on

- ◆ Hotel on Consumption:
10:00am to 4:00am
- ◆ Night Club: 18h00 – 06h00

SPECIAL REQUIREMENTS FROM THE GAUTENG LIQUOR ACT OF 2003

Conversion of licences

It is required by the Liquor Act that all liquor licences obtained in terms of the Liquor Act of 1989, should be converted to be in line with the new Gauteng Liquor Act 2 of 2003

Renewal of licenses and lapse of licences

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

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

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

1. New Licences

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

2. Existing Licences

- a) The license holder must produce two (2) proof of renewals copies for the previous consecutive years prior to the financial year due for renewal.
- b) Certified copy of the RSA ID/Passport.
- c) Passport and work permit in case of foreign nationals.
- d) Certified copy of license

The process as per item 1 (ii) applies. No renewal advice will be issued without the above mentioned documentation.

3. Lapsed Licences

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



GAUTENG LIQUOR TRADERS ASSOCIATION (GLTA)

In terms of Section 38 of the Act there is a Liquor Traders Association that has been established in the province, the association is called Gauteng Liquor Traders Association.

All other active associations in the liquor trade within Gauteng Province must affiliate to the Gauteng Liquor Traders Association.

All licensees and applicants for licences, who are not members of the Gauteng Liquor Traders Association, must be members.

The Associations shall promote an organised trade in liquor within the province, diligence amongst the members and affiliates, compliance with all laws and policies relating to the regulation of liquor and responsible consumption of liquor.

ALL ASSOCIATIONS AFFILIATED TO THE GLTA

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

TRANSFER OF LICENCES

According to Section 104 of the Act, a licensee may at any time make an application for the transfer of the licence to another person.

The application shall be made to the Local Committee upon payment of a prescribed fee in a prescribed manner.

The application shall be accompanied by a certificate of suitability on the prospective license holder issued by the South African Police Services and such other details prescribed by the Act.

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

REQUIRED DOCUMENTS IN DUPLICATE:

1. Form 5 (Application Form)
2. Motivation
3. Proof of Lawful Occupation
(e.g.: Lease Agreement, Title Deed/Consent use)
4. Certificate of suitability from SAPS Clearance certificate from SARS (valid for 12 months)
5. Certified copy of ID/proof of residential permit
(if not South African)
6. Certificate of Incorporation in the case of a Company and a Resolution (if applicable)
7. SAPS Clearance Certificates for all CC members (if applicable)
8. Proof of Renewal of licence
9. Compliance with Tobacco Act (for on consumption Liquor Licenses)
10. Gauteng Liquor Traders Association Membership (See
11. Associations affiliated with GLTA)
12. Proof of payment of prescribe fees at FNB **(2 500.00)**
13. Power of attorney (if applicable)

APPOINTMENT OF A MANAGER

According to Section 40 of the Act a licence holder may in a prescribed manner appoint a person who will manage the business.

That person should permanently reside in the Republic of South Africa and should not be disqualified in terms of this Act to hold a licence, to manage and be responsible for the business to which the first mentioned licence relates.

A person managing and responsible for a business, to which a licence relates, shall be subject to the same obligations and liabilities as far as the licensee is concerned.

REQUIRED DOCUMENTS:

- ◆ SAPS clearance certificate
- ◆ Certified ID copy/copies
- ◆ Proof of Renewal of licence
- ◆ Proof of payment of prescribe fees at FNB **(1 250.00)**
- ◆ Power of attorney (if applicable)

APPLICATION AND RENEWAL FEES

| TYPE OF LICENCE ISSUED | NEW APPLICATION FEE | ACTIVATION FEES | RENEWAL FEES |
|------------------------------------|---------------------|-----------------|--------------|
| 1. Hotel Liquor Licence | R3 000.00 | R3 000.00 | R6 000.00 |
| 2. Restaurant Liquor Licence | R2 250.00 | R2 250.00 | R4 500.00 |
| 3. Liquor Store Licence | R3 000.00 | R3 000.00 | R6 000.00 |
| 4. Pub Liquor Licence | R2 250.00 | R2 250.00 | R5 000.00 |
| 5. Grocers Wine Licence | R1 250.00 | R1 250.00 | R2 500.00 |
| 6. Theatre Liquor License | R3 000.00 | R3 000.00 | R6 000.00 |
| 7. Club Liquor License | R3 000.00 | R3 000.00 | R6 000.00 |
| 8. Night Club Liquor License | R5 000.00 | R5 000.00 | R10 000.00 |
| 9. Gaming Premises Liquor License | R5 000.00 | R5 000.00 | R10 000.00 |
| 10. Dance Hall Liquor License | R3 500.00 | R3 500.00 | R7 000.00 |
| 11. Tavern Liquor License | R2 250.00 | R2 250.00 | R5 000.00 |
| 12. Pool Club Liquor License | R3 000.00 | R3 000.00 | R6 000.00 |
| 13. Micro-Manufacturer License | R5 000.00 | R5 000.00 | R10 000.00 |
| 14. Sorghum Beer License | R750.00 | R750.00 | R3 000.00 |
| 15. Sports Ground | R2 250.00 | R2 250.00 | R5 000.00 |
| 16. Catering Or Occasional Permits | R2 000.00 | R2 000.00 | |
| 17. Special Licenses | At board discretion | | |

REGIONAL OFFICES CONTACT DETAILS

HEAD OFFICE

124 Main Street
Jo'burg CBD
011 085 2200/01/02

EKURHULENI REGION

Gauteng Enterprise Propeller (GEP)
188 Cnr Victoria and Spilbury Streets
Germiston
Tel: (011) 255-4950

JOHANNESBURG REGION

Department of Economic Development
124 Main Street
Corner Main and Kruis Streets (opposite Carlton Centre)
Tel: (011) 085-2265/2225

TSHWANE REGION

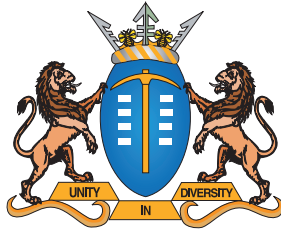
7th Floor - Central Towers Building
Cnr Central and Pretorius Street
Pretoria
Tel: (012) 402-9100

SEDIBENG REGION

Albenmar Building
28 Market Street
Vereeniging
Tel: (016) 430-0660

WEST RAND REGION

50 Park Street
Randfontein
011 278 5240



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Umnotho House, 56 Eloff Street, Johannesburg
Private Bag X 091, Marshalltown, 2107
Tel: 011 355 8000
Fax: 011 355 8694
www.gauteng.gov.za