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## IMPORTANT ANNOUNCEMENT

**Closing times** **PRIOR TO PUBLIC HOLIDAYS** for

**GOVERNMENT NOTICES, GENERAL NOTICES,  
REGULATION NOTICES AND PROCLAMATIONS**

**2015**

The closing time is **15:00** sharp on the following days:

- ▶ **26 March, Thursday, for the issue of Thursday 2 April 2015**
- ▶ **31 March, Tuesday, for the issue of Friday 10 April 2015**
- ▶ **22 April, Wednesday, for the issue of Thursday 30 April 2015**
- ▶ **30 April, Thursday, for the issue of Friday 8 May 2015**
- ▶ **11 June, Thursday, for the issue of Friday 19 June 2015**
- ▶ **6 August, Thursday, for the issue of Friday 14 August 2015**
- ▶ **17 September, Thursday, for the issue of Friday 25 September 2015**
- ▶ **10 December, Thursday, for the issue of Friday 18 December 2015**
- ▶ **15 December, Tuesday, for the issue of Thursday 24 December 2015**
- ▶ **22 December, Tuesday, for the issue of Thursday 31 December 2015**
- ▶ **30 December, Wednesday, for the issue of Friday 8 January 2016**

Late notices will be published in the subsequent issue, if under special circumstances, a late notice is accepted, a double tariff will be charged

The copy for a SEPARATE *Government Gazette* must be handed in not later than three calendar weeks before date of publication

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## GOVERNMENT NOTICES GOEWERMENSKENNISGEWINGS

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### DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES DEPARTEMENT VAN LANDBOU, BOSBOU EN VISSERYE

No. R. 81

13 February 2015

#### PLANT IMPROVEMENT ACT, 1976 (ACT No. 53 OF 1976)

#### REGULATIONS RELATING TO ESTABLISHMENTS, VARIETIES, PLANTS AND PROPAGATING MATERIAL: AMENDMENT

The Minister of Agriculture, Forestry and Fisheries, acting under Section 34 of the Plant Improvement Act, 1976 (Act No. 53 of 1976), has made the following regulations in the Schedule.

#### SCHEDULE

##### *Definition*

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R. 1064 of 23 May 1980, as amended by Government Notices Nos. R. 1621 of 22 July 1983, R. 2173 of 28 September 1984, R. 1287 of 14 June 1985 (as corrected by Government Notice No. R. 1524 of 12 July 1985), R. 1522 of 12 July 1985, R. 256 of 14 February 1986, R. 1489 of 11 July 1986, R. 1903 of 12 September 1986, R. 1389 of 26 June 1987, R. 1700 of 7 August 1987, R. 86 of 22 January 1988, R. 2496 of 9 December 1988, R. 1518 of 14 July 1989, (as corrected by Government Notice No. R. 1976 of 15 September 1989), R. 2092 of 29 September 1989, R. 76 of 18 January 1991, R. 1638 of 12 July 1991, (as corrected by Government Notice No. R. 1971 of 16 August 1991), R. 2119 of 24 July 1992, R. 2618 of 18 September 1992, R. 891 of 28 May 1993, R. 1590 of 27 August 1993, R. 2057 of 29 October 1993, R. 513 of 18 March 1994, R. 1465 of 26 August 1994, R. 174 of 10 February 1995 (as corrected by Government Notice No. R. 319 of 3 March 1995), R. 1976 of 22 December 1995, R. 1177 of 19 July 1996, R. 97 of 24 January 1997, R. 1011 of 1 August 1997, R. 866 of 3 July 1998 (as corrected by Government Notice No. R. 949 of 24 July 1998), R. 1284 of 16 October 1998, R. 1015 of 27 August 1999, R. 232 of 17 March 2000, R. 919 of 15 September 2000, R. 1207 of 1 December 2000, R. 430 of 25 May 2001, R. 19 of 11 January 2002, R. 547 of 10 May 2002, R. 1 of 3 January 2003, R. 410 of 28 March 2003, R. 577 of 2 May 2003, R. 185 of 11 March 2005, R. 477 of 27 May 2005; R. 849 of 2 September 2005 (as corrected by Government Notice No. R. 928 of 30 September 2005), R. 131 of 17 February 2006, R. 187 of 3 March 2006, R. 770 of 4 August 2006, R. 45 of 26 January 2007, R. 56 of 2 February 2007, R. 521 of 29 June 2007, R. 430 of 11 April 2008, R. 381 of 17 April 2009, R. 99 of 19 February 2010, R. 100 of 19 February 2010, R. 928 of 22 October 2010, R. 161 of 4 March 2011, R. 86 of 10 February 2012, R. 95 of 15 February 2013, R. 312 of 26 April 2013 and R. 88 of 14 February 2014.

##### *Substitution of Table 1 of the Regulations*

2. The table in Annexure A is hereby substituting Table 1 of the Regulations:

## ANNEXURE A

**"TABLE 1  
FEES PAYABLE FROM 1 APRIL 2014**

No.	Particulars of service	Purpose	Tariff
1.	Issuing of export certificate under section 27	a) Application for a certificate [Reg. 45A(2)(a)]	R 75,00 per certificate
		b) Inspection and sampling of plant and propagating material [Reg. 45(3)]	R 181,00 per half hour (R 362,00 per hour)
		c) Purity analysis	R 140,00 each
		d) Germination or viability test	R 630,00 each
2.	Registration of premises under section 7	a) Application for registration of premises in respect of a business [Reg. 2(2)(b)]	R 300,00 for one type of business plus R 150,00 for each additional type of business
		b) Application for renewal of registration of premises in respect of a business [Reg. 3(2)]	R 300,00 for one type of business plus R 150,00 for each additional type of business
		c) Conduction of examination for a seed analyst to act as responsible officer of a seed testing laboratory [Reg. 8A(6)(i)]	R 320,00 per person per day
3.	Variety listing (recognition of a variety)	a) Application fee in respect of the recognition of a variety [Reg. 16(b)]	R 1 200,00 each
		b) Investigation fee for variety list placement: [Reg. 17(1)]	
		<b>Category A</b> (agronomic, vegetable and pasture crops and sweet corn)	R 1 400,00 each
		<b>Category B</b> (white and yellow maize)	R 1 600,00 each
	<b>Category C</b> (fruit, vines and citrus)	R 2 600,00 each	
	c) Application for the alteration or supplementation of the denomination of a variety [Reg. 20A]	R 2 000,00 each	

No.	Particulars of service	Purpose	Tariff
4.	General	a) Perusal of a document [Reg. 52(1)]	R450,00 per occasion
		b) Application for a copy of a document [Reg. 52(3)]	R 39,00 plus R 0,65 per A4 copy plus postage (where applicable) plus R 17,00 per hour labour cost. The first hour is free of charge as it is included in the R 39,00
		c) Lodgement of appeal against a decision of or steps taken by the Registrar [Reg. 53(1)(d)]	R4 800,00 each
No.	Particulars of service		Tariff
<b>5.</b>	<b>Tariffs not provided for by legislation:</b>		
5.1	Unjustified complaints concerning plants or propagation material		
	(a) inspection, sampling and sealing		R 181,00 per half hour (R 362,00 per hour)
	(b) Purity analysis (grasses excluded)		R 140,00 each
	(c) Purity analyses on grasses (excluding where degluming or the blowing method is required)		R 320,00 each
	(d) Purity analysis on grasses that require degluming		R 480,00 each
	(e) Purity analysis on grasses that require the uniform blowing method		R 405,00 each
	(f) Germination test		R 630,00 each
	(g) Weighed replicate germination test		R 750,00 each
	(h) Tetrazolium test		R 770,00 each
5.2	Seed analyses and seed technological examinations		
	(a) Purity analysis (grasses excluded)		R 140,00 each
	(b) Purity analyses on grasses (excluding where degluming or the blowing method is required)		R 320,00 each
	(c) Purity analysis on grasses that require degluming		R 480,00 each
	(d) Purity analysis on grasses that require the uniform blowing method		R 405,00 each
	(e) Germination test / Ontkiemingstoets		R 630,00 each
	(f) Weighed replicate germination test		R 750,00 each
	(g) Other seed determination		R 415,00 each
	(h) Alkaloid test		R 110,00 each

No.	Particulars of service	Tariff
	(i) Moisture determination	R 210,00 each
	(j) Tetrazolium test	R 770,00 each
	(k) Preference testing for (a) to (j) above	Double tariff
	(l) Seed identification	R 155,00 per hour
	(m) Seed quality investigation	R 320,00 per hour
	(n) Annual courses presented in seed testing methods and techniques for a trainee seed analyst	R 2 132,00 per person
	(o) Specialist workshop presented in seed testing methods and techniques for a qualified seed analyst	R 565,00 per person per day
5.3	International certificates	
	(a) Issuing of seed quality certificates	R 145,00 per certificate
	(b) Sampling and sealing of containers	R 181,00 per half hour (R 362,00 per hour)
	(c) Seals for sealing containers	R 0,15 per seal
5.4	Seals for sealing containers of seed for which an export certificate has been issued under section 27 of the Plant Improvement Act, 1976 (act no 53 of 1976)	R 0,15 per seal
5.5	Application for the issue of an authorisation to import unlisted varieties	R 90,00 per authorisation for a maximum of 10 varieties
5.6	Examination of samples to determine conformity with variety descriptions	R 1 400,00 (Cat. A) R 1 600,00 (Cat. B) R 2 600,00 (Cat. C)
5.7	Provision of results of tests and trials undertaken by the registrar to the appropriate authority in another country	Tariffs to fluctuate with the exchange rate. CHF 350 (Swiss Francs)

**No. R. 82****13 February 2015**

PLANT BREEDERS' RIGHTS ACT, 1976 (ACT No. 15 OF 1976)

**REGULATIONS RELATING TO PLANT BREEDERS' RIGHTS: AMENDMENT**

The Minister of Agriculture, Forestry and Fisheries acting under section 44 of the Plant Breeders' Rights Act, 1976 (Act No. 15 of 1976), has made the regulations set out in the Schedule.

**SCHEDULE****Definition**

1. In this Schedule 'the Regulations' means the regulations published by Government Notice No. R. 1186 of 12 September 1997, as amended by Government Notices Nos. R. 1582 of 28 November 1997, R. 867 of 3 July 1998, R. 1285 of 16 October 1998, R. 323 of 19 March 1999, R. 604 of 14 May 1999, R. 1271 of 29 October 1999, R. 392 of 20 April 2000, R. 690 of 14 July 2000, R. 1078 of 3 November 2000, R. 387 of 18 May 2001, R. 667 of 27 July 2001, R. 512 of 3 June 2005, R. 545 of 15 June 2006, R. 1272 of 25 November 2008, R. 287 of 13 March 2009, R.103 of 19 February 2010; R.517 of 17 June 2011, R.100 of 28 December 2012 and R.90 of 14 February 2014.

**Substitution of Table 2 of the Regulations**

2. The following table is hereby substituted for Table 2 of the Regulations with effect from 1 April 2014.

TABLE 2/TABEL 2

**FEES PAYABLE W.R.T. PLANT BREEDERS' RIGHTS: 1 APRIL 2015**  
**GELDE BETAALBAAR M.B.T. PLANTTELEERSREGTE: 1 APRIL 2015**

No.	Purpose/ Doel	Amount/ Bedrag
1.	An application for the Plant Breeders' Right/ 'n Aansoek om die planttelersreg [Reg. 3(2)(f)]	R 2 126,00 each/elk
2.	Examination fee for a plant breeders' right: Category A (agronomic, vegetable and pasture crops and annual ornamentals)/ Ondersoekgeld vir 'n planttelersreg: Kategorie A ( akkerbou-, groente-en weidingsgewasse en eenjarige sierplante) [Reg. 3(2)(g) and /en (9)(1)]	R 3 487,00 each/elk
3.a	Examination fee for a plant breeders' right: Category B (fruit, vines, citrus and perennial ornamentals)/ Ondersoekgeld vir 'n planttelersreg: Kategorie B ( vrugte, rankplante, sitrus en meerjarige sierplante) [Reg. 3(2)(g) and /en (9)(1)]	R 4 724,00 each/elk
3.b	Examination fee for a plant breeders' right: Category B (white and yellow maize)/ Ondersoekgeld vir 'n planttelersreg: Kategorie B (wit en geel mielies) [Reg. 3(2)(g) and /en (9)(1)]	R 3 982,00 each/elk
4.	A claim to give priority in terms of section 8(2) of the Act to an application for the grant of the plant breeders' right/ 'n Aansoek om ingevolge artikel 8(2) van die Wet voorrang te verleen aan 'n aansoek om die toestaan van 'n planttelreg [Reg. 4(2)( c)]	R 1 102,00 each/elk
5.	An objection to the grant of a plant breeders' right/ 'n Beswaar teen die toestaan van 'n planttelersreg [Reg. 8(1)(e)]	R 6 861,00 each/elk
6.	Provision of results of tests and trials undertaken by the registrar, to the appropriate in a convention country or an agreement country/ Voorsiening van resulte van toetse on proewe deur die registrateur onderneem aan die toepaslike gesag in 'n konvensieland of 'n ooreenkomland [Reg. 9(3)]	Tariff to fluctuate with exchange rate. 350 CHF
7.	Obtaining of results of tests and trials in the event that such test and trials are undertaken by another appropriate authority in another country[Reg. 9(3)]	Tariff to fluctuate with exchange rate. 350 CHF
8.	Annual fee for a plant breeders' right/ Jaargeld vir 'n planttelersreg [Reg. 13(1)(d)]	R 338,00 each/elk
9.	An application for the issue of a compulsory licence in respect of a plant breeders' right/ 'n Aansoek om die uitreiking van 'n verpligte lisensie ten opsigte van 'n planttelersreg [Reg. 13(1)(d)]	R 5 544,00 each/elk



No.	Purpose/ Doel	Amount/ Bedrag
10.	Notice of the transfer of a plant breeders' right/ Kennisgewing van die oordrag van 'n planttelersreg [Reg. 14(2)(b)]	R 922,00 each/elk
11.	An application for the alteration or supplementation of the denomination approved for a variety/ 'n Aansoek om die wysiging of aanvulling van die benaming goedgekeur vir 'n variëteit [Reg. 15(1)(b)]	R 2 238,00 each/elk
12.	An objection against the intended approval of an alteration or supplementation of the denomination approved for a variety/ 'n Beswaar teen die beoogde goedkeuring van 'n wysiging of aanvulling van die goedkeuring vir 'n variëteit [Reg. 15(3)(e)]	R 922,00 each/elk
13.	An objection against the intended termination of a plant breeders' right/ n Beswaar teen die voorgename beëindiging van 'n planttelersreg [Reg. 16(1)(f)]	R 922,00 per right
14.	A notice of the voluntary surrender of plant breeders' right/ 'n kennisgewing van die vrywillige afstanddoening van 'n planttelersreg [Reg. 17(1)(b)(i)]	Free/ Gratis
15.	Inspection of the register of plant breeders' right/ Insaie in die register van planttelersregte [Reg. 20(2)]	Free/ Gratis
16.	Inspection of a document submitted to the registrar in connection with an application for the grant of a plant breeders' right / Insaie in 'n dokument by die registrateur ingedien in verband met 'n aansoek om die toestaan van 'n planttelersreg [Reg. 21(2)]	R 563,00 per occasion/geleenth eid
17.	A copy of any particulars in the register or of a document submitted to the registrar in connection with an application for the grant of a plant breeders' right/ 'n Afskrif van enige besonderhede in die register of van 'n dokument by die registrateur ingedien in verband met 'n aansoek om die toestaan van 'n planttelersreg [Reg. 21(2)]	R 10,00 per application plus R 1,40 per photocopy/ R 10,00 per aansoek plus R 1,40 per fotokopie
18.	Submission of appeal against any decision or action taken by the registrar in terms of the Act/ Voorlegging van appel teen enige beslissing van of stappe gedoen deur die registrateur ingevolge die Wet [Reg.21(2)]	R 4 746,00 each/elk
19.	Examination of sample to determine varietal purity/ Ondersoek van monster om variëteitsegtheid te bepaal	R 3 487,00 (cat./kat.A) R 4 724,00 (cat./kat. B) R 3 980,00 (cat./kat. B maize/mielie)

**DEPARTMENT OF ECONOMIC DEVELOPMENT  
DEPARTEMENT VAN EKONOMIESE ONTWIKKELING**

**No. R. 84****13 February 2015**

**AMENDMENT NOTICE**

**Export Control**

Amendment to Government Notice No. R. 714 of Government Gazette No.37992, Export Control Guidelines on the Exportation of Ferrous and Non-Ferrous Waste and Scrap, published on 12 September 2014 (Guidelines).

Paragraph 4.2 of the guidelines is hereby amended as follows:

Price preference calculations for scrap metal will be done by ITAC for all the different types of scrap metal listed in paragraph 3 ( and the various grades thereof) using, in general but not exclusively, Scrap Index.com as an international benchmark price. From the average price achieved during the previous month, or quarter, where applicable, for the different types and grades of scrap metal, an amount of 30% will be deducted to reflect the price at which ferrous scrap metal must be offered for sale to the domestic consuming industry, and an amount of 25% will be deducted to reflect the price at which aluminium scrap metal must be offered for sale to the domestic consuming industry, and an amount of 20% will be deducted to reflect the price at which all other scrap metal must be offered for sale to the domestic consuming industry.

**DEPARTMENT OF TRADE AND INDUSTRY  
DEPARTEMENT VAN HANDEL EN NYWERHEID**

No. R. 85

13 February 2015

**LIQUOR ACT, 2003  
NATIONAL LIQUOR NORMS AND STANDARDS**

I, Dr Rob Davies, the Minister of Trade and Industry, hereby in terms of the Liquor Act, 2003, (Act No. 59 of 2003), and after consultation with National Liquor Policy Council make the National Liquor Norms and Standards, 2014 as set out in attached Schedule.

The National Liquor Norms and Standards will come into effect on the date of publication.

Where national and provincial regulations are not aligned to the Norms and Standards such that the two are contradictory, the National Liquor Norms and Standards should prevail.



**DR ROB DAVIES, MP  
MINISTER OF TRADE AND INDUSTRY**

DATE: ...8.12.14.

**NORMS AND STANDARDS  
IN TERMS OF THE LIQUOR ACT, 59 OF 2003**

**FOR PUBLICATION**

## 1. INTRODUCTION

- 1.1. The preamble, section 2 and section 39 of the Liquor Act, 59 of 2003 ("Liquor Act, 2003") set the tone for Norms and Standards for the liquor industry. These Norms and Standards were developed and presented before the National Liquor Policy Council ("NLPC") and consulted on in different provinces at organised public workshops.
- 1.2. The Norms and Standards were published in the following government **Gazette no: 307110** and **37322** respectively for further public consultation. After the consultation period, inputs from all stakeholders were considered and incorporated into the final document where applicable. Following this process the Norms and Standards were presented before NLPC on 5 September 2014 and were adopted for implementation.
- 1.3. To the extent that the Norms and Standards relate to matters that the current legislative framework does not allow, the members of the NLPC will proceed to propose amendments to the respective legislation to achieve consistency in respect of the application of the Norms and Standards.
- 1.4. All other Norms and Standards within the current legislative framework must be implemented through the review of regulations, rules and conditions of licences.

## 2. BACKGROUND

- 2.1. The mandate to develop Norms and Standards is derived from the preamble, section 2 and section 39 of the Liquor Act, 2003. Norms and Standards were developed and presented before the NLPC, and consulted on in different provinces at organised public workshops. After the consultation period, inputs from all stakeholders were considered and integrated into the final document where applicable.

- 2.2. The Norms and Standards address issues within the current legislative framework such as standards necessary harmonisation of legislation, age verification, licensing conditions, structural requirements e.g. ablution facilities, safety and evacuation measures and norms relating to trading hours.
- 2.3 The Norms and Standards that require amendment of legislation have been included in the draft policy document.

### **3. PURPOSE**

- 3.1. The purpose of the Norms and Standards is:
- 3.1.1. to ensure that liquor regulation and practices in the Republic are harmonised;
- 3.1.2. to facilitate effective and uniform enforcement of liquor laws by various enforcement authorities;
- 3.1.3. to ensure consistency in the application of liquor laws throughout the Republic; and
- 3.1.4. to reduce the socio-economic and other costs of alcohol abuse by reducing access to and the availability of liquor.
- 3.2. These Norms and Standards will ensure consistency and certainty in how liquor laws are implemented by various liquor authorities. It will further ensure that all manufacturers, distributors and retailers in all provinces operate within clear and coherent parameters.
- 3.3. The Norms and Standards are to be implemented and apply to all existing and future premises, which are licensed to manufacture, supply and/or sell liquor.
- 3.4. The Norms and Standards that require legislation amendments should be taken up by relevant provincial governments to effect such changes in their provincial legislation.

- 3.5 Failure by a licensee to observe the mandatory licensing conditions prescribed by the relevant liquor authority will lead to the suspension or termination of the liquor license, as the case may be. Further, the Norms and Standards will be incorporated in the national Liquor Act, and where provincial regulation is not aligned to the Norms and Standards such that the two are contradictory, the Norms and Standards should prevail.

#### 4. NATIONAL NORMS AND STANDARDS

##### 4.1. Agreement on the ultimate date for harmonization of provincial legislation with the Liquor Act, 2003

- 4.1.1. The Liquor Act, 2003 came into law on 26 April 2006 and one of its objectives is to establish National Norms and Standards in order to maintain economic unity within the liquor industry. The Liquor Act, 2003 also provides the much needed aligned legal framework through which the regulation of the liquor industry should eventually move from the old and fragmented liquor regulation framework under the Liquor Act 27 of 1989 ("Liquor Act, 1989").
- 4.1.2. Schedule 1 of the Liquor Act, 2003 confirms that the Liquor Act, 1989 shall remain in force within a province until such date as determined in accordance with sub-items (2) and (3) and declared by notice in the Gazette.
- 4.1.3. Considering that almost ten years have passed since the Liquor Act, 2003 came into law, it has become imperative for purposes of effective and efficient liquor regulation that South Africa operates from a harmonised legal framework and that the old way of regulating liquor is totally eradicated.
- 4.1.4. For this purpose, all provincial liquor legislation must be harmonised with the Liquor Act, 2003. The Liquor Act, 1989 must be repealed in all provinces by the end of the financial year 2016-2017 as it creates incoherence, fragmentation and limits the ability to enforce liquor laws in South Africa.
- 4.1.5. The national and provincial departments responsible for liquor regulation should work together to ensure that the drafting of legislation in those provinces that still operate in terms of the old legislation takes place without delay in order to meet this deadline.



## **4.2. Age Verification**

- 4.2.1. The licensee, manager or any other person dispensing liquor at the premises must take 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' license in order to verify the person's age before any liquor may be sold or supplied to them. It is an offence for a licensee, manager or any other person dispensing liquor to sell to a minor, and any contravention will be punishable. Repeat offenders' licenses may be suspended or terminated, as the case may be depending on the provisions of the provincial or national legislation.
- 4.2.2. It is also an offence for a person under the age of eighteen (18) years to present false evidence of their age in order to access liquor or enter a liquor premises. A person under the age of 18 years accompanied by an adult may be allowed access to the liquor-licensed restaurant, but no alcohol beverage shall be served to such a minor.
- 4.2.3. Liquor must not be sold or supplied to any person who refuses to provide identification when requested by a licensee for purposes of verifying the person's 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. Such person must be informed to leave the liquor premises immediately.

## **4.3. Secondary supply of liquor to a minor**

- 4.3.1. It is an offence for an adult to supply liquor to a person under the age of eighteen (18) years.
- 4.3.2. It is also an offence for any person to purchase liquor for or on behalf of a person who is under the age of eighteen (18) years.

## **4.4. Sale or supply of liquor to intoxicated persons**

- 4.4.1 The licensee, manager or any person in charge of the premises must not sell or supply liquor to any person who already appears intoxicated. To do so is an offence and repeat

contravention would lead to suspension or termination of the liquor license, as the case may be depending on the provisions of the Provincial or National legislation.

4.4.2 The following are some of the common signs of visible intoxication:

4.4.2.1 slurred speech

4.4.2.2 move in a swaying manner or difficulty walking straight

4.4.2.3 becoming physically violent

4.4.2.4 becoming loud, boisterous and disorderly

#### **4.5. Payment of Income Tax**

4.5.1. All registrants or license holders are required to comply with the Income Tax Act and Customs and Excise Duties Act, or any other applicable tax laws.

4.5.2. A copy of a valid tax clearance certificate issued by South African Revenue Services ("SARS") must accompany application for registration and/ or license of the registrant as a mandatory requirement. Such copy must be certified and the certification stamp date must not be older than 3 months. This is also a mandatory requirement for all renewal applications.

4.5.3. Tax clearance certificates are not transferable with liquor licenses but apply only in respect of the person or entity to which it was issued.

#### **4.6. Police Clearance Certificate**

All registrants or managers of liquor premises must ensure a Police Clearance certificate issued by the South African Police Service accompanies their applications.

#### **4.7. Provision of free drinking water**

Free drinking water, which includes tap water, must be made easily available at all on-consumption liquor outlets to the patrons.

**4.8. Provision of ablution facilities for patrons**

All on-consumption outlets must provide ablution facilities for each gender and cater for people with disabilities at no additional cost to the patrons.

**4.9. Free issue condoms**

The licensee, manager or any person in charge of the on consumption premises must take steps to ensure that free issue condoms are easily available in an easily accessible area at the liquor premises at all times.

**4.10. Liquor premises must have safety and evacuation measures**

4.10.1. The licensee must provide confirmation that the liquor premises to be licensed have complied with the basic safety and evacuation measures as prescribed by relevant legislation and/ or municipal by-laws.

4.10.2. Existence of safety and evacuation measures also forms part of the mandatory conditions for the granting or renewal of liquor licenses. All undertakings on the application form for a licence must be done under oath for this requirement to be met.

4.10.3. A liquor premise also includes premises to which a special liquor license has been issued and must remain so for the duration of the special license.

**4.11. Liquor premises should be weapon free**

Right of admission to liquor premises is reserved and no weapons or sharp objects are permitted inside on-consumption liquor premises.

**4.12. Noise; nuisance and pollution**

4.12.1. The licensee must take all reasonable steps to ensure that the noise level from the liquor premises is not causing unacceptable disturbance or nuisance to the neighbours or

surroundings at all times.

- 4.12.2. The licensee remains liable and responsible for all land pollution and littering within the liquor premises. The licensee is also responsible for all land pollution and littering outside the liquor premises flowing from the licensee's business. Liquor premises and surrounding areas must be kept clean at all times.
- 4.12.3. There must be no loitering by patrons outside the on-consumption liquor premises and all sales and consumption of liquor shall be confined to the liquor premises.

#### **4.13. Record keeping**

- 4.13.1. A distribution license holder must keep records of all sales made. This must be in a written or electronic form; and must contain the following information:
- 4.13.1.1. Proof of registration in terms of the Liquor Act, 2003; Liquor Act, 1989 or in terms of any relevant legislation;
  - 4.13.1.2. Identity document and any registration document if it is a business entity;
- 4.13.2. An off-consumption bottle store license holder must keep a record for all sales of more than twenty-five (25) litres to any unlicensed person. This must be in a written or electronic form; and must contain the following information:
- 4.13.2.1. full names, and address of the purchaser;
  - 4.13.2.2. the kind and quantity of the liquor supplied;
  - 4.13.2.3. the purchase prices paid; and
  - 4.13.2.4. reasons for such purchase.
- 4.13.3. All the sales records for distribution license holders and off-consumption license holders' sales over the threshold of 25 litres must be kept for a period of 5 years from the date of the sale.

#### 4.14. Uniform Trading Hours

4.14.1. Setting of trading hours by the liquor authorities and municipalities is very important in the control of sale and supply of liquor in South Africa. Uniformity in terms of trading hours is also necessary throughout the country at all spheres of government.

4.14.2. The set minimum standards of trading hours are as follows and are applicable to municipal areas where by-laws are not enforced:


TYPE	DAYS	HOURS
<b>1. Manufacturers:</b>		
All Manufactures	7 days a week	24 hours for both macro and micro
Tasting	Monday – Sunday including Public Holidays	10:00 - 18:00
<b>2. Distribution:</b>		
Distribution	Monday – Saturday	06:00 - 18:00
	Sundays including Public Holidays	09:00 - 17:00
<b>3. Off Consumption (Business and Residential zoned):</b>		
Off-consumption licenses	Monday – Saturday	09:00 - 20:00
	Sundays including Public Holidays	09:00 - 17:00
<b>4. On Consumption (Business Zone):</b>		
Other on-consumption licenses	Monday – Sunday	10:00 - 00:00
Night Club	Monday – Sunday	18:00 - 06:00
<b>5. On Consumption (those in residential areas):</b>		
Other on-consumption licenses	Monday – Saturday Sundays	10:00 - 21:00 10:00 - 17:00
Night Club	Monday – Saturday Sundays	18:00 - 06:00 18:00 - 00:00
Accommodation	Monday –Sundays	10:00 - 00:00
<b>6. Special events:</b>		
Business zone	On the day of the event	10:00 - 00:00
Residential area	On the day of the event	10:00 - 22:00

## 5. GENERAL PROVISIONS

- 5.1. The National Norms and Standards are additional to any other existing conditions outlined in the Liquor Act, 59 of 2003 and any Provincial or relevant statute. They will apply automatically to all new applications or renewed licenses.
- 5.2. A distribution license holder must not sell liquor to any unlicensed persons.
- 5.3. An on-consumption license holder must not sell liquor for take away or consumption off the licensed premises.
- 5.4. An off-consumption license holder must sell liquor only to the public not to any licensed or unlicensed persons for business purposes.
- 5.5. The manufacturing, distribution and retail of Liquor products must comply with all relevant legislations as and when amended. This shall include:
  - 5.5.1. Liquor Act 59 of 2003;
  - 5.5.2. Liquor Products Act 60 of 1989;
  - 5.5.3. Counterfeit Goods Act 37 of 1997;
  - 5.5.4. Foodstuffs, Cosmetics and Disinfectant Act No. 91 of 1964;
  - 5.5.5. Consumer Protection Act No. 68 of 2008;
  - 5.5.6. Provincial Liquor Acts; and
  - 5.5.7. Any other relevant legislation.


6. Adoption

These Norms and Standards were adopted by the National Liquor Policy Council on 05 September 2014 for implementation throughout the Republic.





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MEC Lebogang Maile  
Gauteng  
19/12/2014





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MEC Wendy Nelson  
North West  
1/12/2014



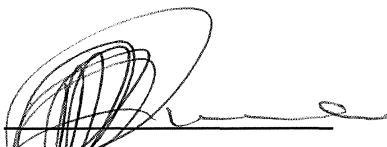

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MEC Eric Kholwane  
Mpumalanga  
16/01/2015





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MEC Seaparo Sekwati  
Limpopo  
19/12/2014




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MEC Mosebenzi Zwane  
Free State  
30/01/2015





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MEC John Block  
Northern Cape  
21/01/2015





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MEC Mike Mabuyakhulu  
Kwa-Zulu Natal  
20/01/2015 m/m




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MEC Sakhumzi Somyo  
Eastern Cape  
26/01/2015




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MEC Alan Winde  
Western Cape  
16/12/2014

NOTED BUT WE DO HAVE PROVINCIAL LEGISLATION THAT IS WITHIN OUR LEGISLATIVE COMPETENCY.  
I ALSO AM NOT IN FAVOUR OF THE EXTRA RED TAPE BURDEN ON LEGITIMATE BUSINESSES

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