

Liquor Licence Applications

DESCRIPTION:

Anyone wishing to sell, manufacture or distribute liquor is required by law to have a liquor licence.

If you trade without a licence, you are breaking the law and the police may take steps against you, close down your business and confiscate your assets.

The Provincial Liquor Board deals with liquor licensing.

Liquor licences need to be renewed annually.

PUBLIC OBJECTIONS

The public may lodge objections to the granting of a licence. The Liquor Board will consider the application and all the objections received and will either reject or approve the application.

CONDITIONS

The Liquor Board can grant a conditional liquor licence. Examples of common conditions are:

- Approval of the licence subject to proof of rezoning or consent use by the local municipality.
- No loud music or loud entertainment in a restaurant.
- Restrictions on trading hours.
- Restrictions ensuring that the licence is only used for the purpose that it was intended, e.g. that a restaurant does not become a night club.

NUISANCE

If your licensed premises cause a public nuisance, your neighbours can lodge a complaint. The police will take steps against the trader. If the problem persists, the Liquor Board may hold a hearing and place conditions on the licence or may withdraw or suspend the licence.

INSTRUCTIONS:

WHO MAY APPLY FOR A LIQUOR LICENCE?

You can apply for a liquor licence unless you:

- Have served a prison sentence without the option of a fine in the last ten years (the Board may make an exception in certain cases).
- Are bankrupt.
- Are a minor.
- Are spouse of any of the above.

HOW TO APPLY FOR A LIQUOR LICENCE

You can apply for a liquor licence through a lawyer or a liquor consultant or you can apply in your personal capacity.

Application forms (FORM 1) are available at the South African Library in Cape Town. Alternatively you can buy the regulations published in terms of the Liquor Act, which contain FORM 1. This application form comes in triplicate, with the original, a copy for the Designated Police Officer (DPO) and a copy for the Liquor Board.

Include details to support your application, such as proof of occupation. Also include details of the premises, such as colour photographs or a detailed description, a copy of the menu (if food is served) and a floor plan, showing the situation and measurements of doors, windows and counters and the placement of streets and exits.

The application must be typed and not hand-written.

The prescribed application fee must be paid to the local office of the South African Revenue Services (SARS) and proof of payment should be attached to the application.

On the first Friday of the month, the completed form must be forwarded to the Magistrate in the district where the premises to be licensed is situated.

Two weeks before the application is forwarded to the Magistrate, notice of intention must be forwarded to the Government Printers in Pretoria for publication in the Government Gazette on the first Friday of the month. The notice in the Government Gazette is the only notice of the application given to the public.

The Designated Police Officer (DPO) for the district will lodge a report with the Magistrate within 35 days. The DPO will inform the local community police forum or local rate payers association of the application.

You have 42 days in which to reply, in writing, to the police report and any objections.

If there were no objections received and the police report has been received, the application can be forwarded to the secretary of the Liquor Board.

The Liquor Board will consider each application in terms of the *applicant*, the *premises* and the *public interest*.

Note

Compliance with the guidelines set out here does not guarantee the success of an application. The liquor act and its regulations are complex and Applicants should seek [professional advice](#) regarding its working.

For more information contact the [Western Cape Liquor Board](#).
