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GOVERNMENT NOTICE

DEPARTMENT OF INDUSTRY

17 August 2004

No. R. 980

**REGULATIONS FOR THE
REGISTRATION OF LIQUOR
MANUFACTURERS AND
DISTRIBUTORS, AND RELATED
MATTERS ARISING UNDER THE
LIQUOR ACT, 2003**

(Published in Government Notice R## in Government Gazette ##### of 2004)

In terms of section 42 of the Liquor Act, 2003 (Act No. 59 of 2003), The Minister of Trade and Industry has made the following regulations relating to the procedures for registration and other matters required under the Act, to come into operation on 13 August 2004.

NATIONAL LIQUOR REGULATIONS, 2004

Part 1 – General Provisions :

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LIQUOR REGULATIONS**Part 1 – General Provisions****Division A – Interpretation****1. Short title**

These Regulations may be cited as the *National Liquor Regulations, 2004*.

2. Interpretation

- (1) Section 1 applies to the interpretation of these Regulations.
- (2) In these Regulations,
 - (a) a reference to a section by number refers to the corresponding section of the Act;
 - (b) a reference to a Regulation by number refers to the corresponding item of these Regulations; and
 - (c) a reference to a sub-Regulation or paragraph by number refers to the corresponding item of the Regulation in which the reference appears.
- (3) In these Regulations unless the context indicates otherwise,
 - (a) “Act” means the *Liquor Act, 2003* (Act No. 59 of 2003), as amended from time to time;

NATIONAL LIQUOR REGULATIONS, 2004

Part 1 – General Provisions : Division A - Interpretation

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- (b) “certified copy” means a copy of a document certified by a Commissioner of Oaths;
 - (c) “deliver” depending on the context, means to serve, or to file, a document;
 - (d) “file”, when used as a verb, means to deposit with the National Liquor Authority;
 - (e) “National Liquor Authority” means the collectivity of officials within the department to whom the Minister has delegated powers of the Minister in terms of the Act;
 - (f) “public holiday” means a public holiday referred to in section 1 of the Public Holidays Act, 1994 (Act 36 of 1994);
 - (g) “Regulation” includes any footnote to a Regulation, and any Table included within or referred to in a Regulation;
 - (h) “serve” means to deliver a document to a person other than the National Liquor Authority;
- (4) When a particular number of business days is provided for performing an act, the number of days must be calculated by –
- (a) excluding the first day, any public holiday, Saturday, and Sunday; and
 - (b) including the last day.

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Part 1 – General Provisions : Division B – National Liquor Authority Office Functions

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Division B – National Liquor Authority Office Functions**3. Office hours and address of National Liquor Authority**

(1) The offices of the National Liquor Authority are open to the public for the purposes of the Act every Monday to Friday, excluding public holidays, from 09h00 to 15:30.

(2) Subject to Regulations 5 and 7, any communication to the National Liquor Authority may be --

(a) Delivered by hand at:

The National Liquor Authority

The dti

77 Meintjies St

Pretoria

Republic of South Africa

(b) Addressed by post to:

The National Liquor Authority

The dti

Private Bag X84

Pretoria 0001

Republic of South Africa

(c) Communicated by telephone on: 27 012 394 1555

(d) Transmitted by fax on: 27 012 394 0555 or

(e) Transmitted by electronic mail to: nationalliquorauthority@thedti.gov.za.

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Part 1 - General Provisions : Division B - National Liquor Authority Office Functions

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4. Condonation of time limits

On good cause shown, the Director of the National Liquor Authority may condone late performance of an act in respect of which these Regulations prescribe a time limit, other than a time limit that is binding on the Minister or National Liquor Authority itself.

NATIONAL LIQUOR REGULATIONS, 2004

Part 2 – Delivery of Documents, Form of National Register and Fees : Division B – National Liquor Authority Office Functions

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Part 2 – Delivery of Documents, Form of National Register and Fees**5. Delivery of documents**

- (1) A notice or document may be delivered in any manner set out in Table NLA 1.
- (2) Subject to sub-Regulation (4), a document delivered by a method listed in the second column of Table NLA 1 will be deemed to have been delivered to the intended recipient on the date and at the time shown opposite that method, in the third column of that Table.
- (3) If, in a particular matter, it proves impossible to deliver a document in any manner provided for in these Regulations, the person concerned may apply to the High Court for an order of substituted service.
- (4) Subject to Regulation 4, if the date and time of the delivery of a document referred to in Table NLA 2 is outside of the office hours of the National Liquor Authority as set out in Regulation 3(1), that document will be deemed to have been delivered on the next business day.
- (5) A document that is delivered by fax must include a cover page, and a document that is transmitted by electronic mail must be attached to a cover message, in either case setting out –
 - (a) the name, address, and telephone number of the sender;
 - (b) the name of the person to whom it is addressed, and the name of that person's representative, if it is being sent to the representative of a person;
 - (c) the date and time of the transmission;
 - (d) the total number of pages sent, including the cover page; and
 - (e) the name and telephone number of the person to contact if the transmission appears to be incomplete or otherwise unsuccessful.

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6. Issuing documents

- (1) If the Act or these Regulations require the Minister or National Liquor Authority to issue a document –
 - (a) the document will have been issued when it has been signed, and served on any person to whom it is addressed; and
 - (b) the document may be signed and served at any time of day, despite Regulation 3 (1).
- (2) Regulation 5 (4) does not apply to the service of a document issued by or in the name of the Minister or the National Liquor Authority.

7. Filing documents

- (1) The National Liquor Authority must assign distinctive reference numbers to each –
 - (a) Application;
 - (b) Complaint; and
 - (c) Compliance notice.
- (2) The National Liquor Authority must ensure that every document subsequently filed in respect of the same matter is marked with the same reference number.
- (3) The National Liquor Authority may refuse to accept a document subsequently filed in respect of the same proceedings that is not properly marked with the assigned reference number.
- (4) A person who files any document in terms of the Act or these Regulations must provide to the National Liquor Authority that person's –
 - (a) legal name;
 - (b) address for service;

NATIONAL LIQUOR REGULATIONS, 2004

Part 2 - Delivery of Documents, Form of National Register and Fees : Division B - National Liquor Authority Office Functions

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- (c) telephone number;
 - (d) if available, email address and fax number; and
 - (e) if the person is not an individual, the name of the individual authorised to deal with the National Liquor Authority on behalf of the person filing the document.

8. Form of notices and applications

Whenever a notice or application is required in terms of the Act, or an item of these Regulations, shown in column 1 of Table NLA 2, for a purpose listed in column 2 of that Table, the document must be substantially in the form of the annexure listed opposite that section number in column 3 of that Table, and must be produced subject to any conditions listed opposite that section number in column 4 of that Table.

9. Form of Certificates and Notices issued by Minister

- (1) Whenever the Minister or National Liquor Authority is required to issue a Certificate, Notice or Receipt in terms of the Act, or an item of these Regulations, shown in column 1 of Table NLA 3, for a purpose listed in column 2 of that Table, the document must be substantially in the form of the annexure listed opposite that section number in column 3 of that Table, and must be produced subject to any conditions listed opposite that section number in column 4 of that Table.
- (2) Whenever the Minister or National Liquor Authority is required, either in terms of the Act or these Regulations, to publish a notice in the Gazette, that notice must contain at least the following information:
 - (a) the reference number assigned by the National Liquor Authority to the relevant matter;
 - (b) the provision of the Act or Regulations in terms of which the notice is required;

NATIONAL LIQUOR REGULATIONS, 2004

Part 2 - Delivery of Documents, Form of National Register and Fees : Division B - National Liquor Authority Office Functions

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- (c) a brief and concise description of the nature of the relevant matter;
- (d) if the notice invites submissions --
 - (i) the last date on which submissions may be received; and
 - (ii) the address to which such submissions may be forwarded;
- (e) if the notice reports a decision --
 - (i) a brief and concise description of the nature of the relevant decision;
 - (ii) a statement indicating whether reasons for the decision have been published, and if so, how a copy of those reasons may be obtained; and
 - (iii) a statement of any right of review of, or appeal from, that decision, including the period during which a review or appeal may be lodged;
- (f) the name and contact numbers of the person in the National Liquor Authority responsible for publishing the notice.

10. Form of National Register

The national register to be maintained in terms of section 23 must contain, at a minimum, the following details in respect of every registration issued nationally or provincially :

- (a) name of the regulatory authority that issued the registration;
- (b) date on which the registration was granted, and a synoptic history of the dates and nature of any change in the registration;
- (c) name of the registered person, including any alternative trade name used in respect of the registered activities;
- (d) the activities permitted by the registration;

NATIONAL LIQUOR REGULATIONS, 2004

Part 2 – Delivery of Documents, Form of National Register and Fees : Division B – National Liquor Authority Office Functions

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- (e) the registered person's principal place of business, the provinces and municipalities in which the address of any premises at or from which the registered activities may take place;
- (f) any conditions attached to the registration;
- (g) the dates and summary details of any –
 - (i) complaints against the registered person;
 - (ii) notices of non-compliance issued to the registered person;
 - (iii) compliance certificates issued to the registered person;
 - (iv) suspension of registration; and
 - (v) prosecutions and convictions against the registered person in terms of the Act, or any law mentioned in section 19;
- (h) the dates and details of any transfers of the registration;
- (i) the dates and details of any –
 - (i) notice given by the registered person in terms of the Act; and
 - (ii) report filed by the registered person in terms of the Act;
- (j) the dates and details of cancellation of the registration.

11. Fees

- (1) The fees in respect of applications and registrations for the manufacture and distribution of liquor are as set out in the following Table NLA 4:

Annual turnover from activities regulated under the	Type of application	Fee
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NATIONAL LIQUOR REGULATIONS, 2004

Part 2 – Delivery of Documents, Form of National Register and Fees : Division B – National Liquor Authority Office Functions

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Act		
Less than R 5 000 000	Application (s.11) Initial Registration Notice to review [Schedule 1 Item 4 (6)] Annual Renewal of registration Transfer Fee (s.15) Request for variation of conditions [s. 16(1)] Notice of change in location or activities [s. 16(3)] Appointment of person to conduct activities (s. 17)	R 500 R 2 000 R 500 R 2 000 R 1 500 R 1 500 R 1 500 R 1 500
At least R 5 000 000 but less than R 15 000 000	Application (s.11) Initial Registration Notice to review [Schedule 1 Item 4 (6)] Annual Renewal of registration Transfer Fee (s.15) Request for variation of conditions [s. 16(1)] Notice of change in location or activities [s. 16(3)] Appointment of person to conduct activities (s. 17)	R 1 000 R 4 000 R 1 000 R 4 000 R 3 000 R 3 000 R 3 000 R 3 000
At least R15 000 000 but less than R 250 000 000	Application (s.11) Initial Registration Notice to review [Schedule 1 Item 4 (6)] Annual Renewal of registration Transfer Fee (s.15) Request for variation of conditions [s. 16(1)] Notice of change in location or activities [s. 16(3)] Appointment of person to conduct activities (s. 17)	R 7 500 R 5 000 R 7 500 R 5 000 R 5 000 R 5 000 R 5 000 R 5 000
At least R 250 000 000, but less than R 1 billion.	Application (s.11) Initial Registration Notice to review [Schedule 1 Item 4 (6)] Annual Renewal of registration Transfer Fee (s.15) Request for variation of conditions [s. 16(1)] Notice of change in location or activities [s. 16(3)] Appointment of person to conduct activities (s. 17)	R 10 000 R 7 500 R 10 000 R 7 500 R 7 500 R 7 500 R 7 500 R 7 500
At least R 1 billion.	Application (s.11) Initial Registration Notice to review [Schedule 1 Item 4 (6)] Annual Renewal of registration Transfer Fee (s.15) Request for variation of conditions [s. 16(1)] Notice of change in location or activities [s. 16(3)] Appointment of person to conduct activities (s. 17)	R 25 000 R 15 000 R 25 000 R 15 000 R 15 000 R 15 000 R 15 000 R 15 000

NATIONAL LIQUOR REGULATIONS, 2004

Part 2 – Delivery of Documents, Form of National Register and Fees : Division B – National Liquor Authority Office Functions

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- (2) An application fee must be paid at the same time that the application is filed.
 - (3) An initial registration fee must be paid -
 - (a) within 30 days after the applicant receives a final statement of conditions of registration; and
 - (b) before the registration certificate may be issued.
 - (4) An annual renewal fee must be paid -
 - (a) At least one month before the anniversary date of the registrant's registration certificate; and
 - (b) before a renewal certificate will be issued.
 - (5) The National Liquor Authority may charge a fee of -
 - (a) R 100-00 for any person to inspect a copy of a document that is in the possession of the National Liquor Authority and permitted to be inspected in terms of the Act,
 - (b) R1-00 per A4-size page or part thereof to any person wishing to copy a record in the possession of the National Liquor Authority; and
 - (c) R2-00 each for the National Liquor Authority's certificate on certified copies of documents.
 - (6) A fee payment will be deemed to be received on -
 - (a) the date that a cheque or money order in payment of that fee is delivered to the Department of Trade and Industry; or
 - (b) the date that a direct deposit or an electronic transfer of funds in the amount of that fee is credited to the account of the Department of Trade and Industry at the financial institution to which it is transferred.

NATIONAL LIQUOR REGULATIONS, 2004

Part 3 – Threshold Volumes : Division B – National Liquor Authority Office Functions

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Part 3 – Threshold Volumes**12. Threshold volume for manufacturing**

- (1) A micro-manufacturer may not exceed the following threshold volumes of liquor for the purposes of section 4(5)(a) of the Act:
 - (a) for manufacturers of beer, 100 million litres per year;
 - (b) for the manufacture of Traditional African beer, 50 million litres per year;
 - (c) for manufacturers of wine, 4 million litres per year; and
 - (d) for manufacture of spirits and/or any other liquor, 2 million litres per year.
- (2) 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.

NATIONAL LIQUOR REGULATIONS, 2004

Part 4 – Registration : Division B – National Liquor Authority Office Functions

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Part 4 – Registration**13. General registration requirements**

- (1) A person wishing to be registered in terms of Section 11 must file Form NLA 1, which must-
 - (a) satisfy all the filing instructions set out in that Form, and
 - (b) have attached to it all the documents required by those instructions.
- (2) The application requirements for registration are not complete until the applicant has
 - (a) paid the required fees to the satisfaction of the National Liquor Authority; and
 - (b) responded, to the satisfaction of the National Liquor Authority, to any-
 - (i) Demand for additional payment, in form NLA 2, issued to it by the National Liquor Authority in terms of sub-Regulation (4) or Regulation 14 (1);
 - (ii) Notice of Incomplete Filing in Form NLA 3 issued to it by the National Liquor Authority in terms of Regulation 14 (1) or (4); or
 - (iii) Demand for Corrected Information in Form NLA 4 issued to it by the National Liquor Authority in terms of Regulation 14 (1) or (5)and either not taken on review, or confirmed on review.
- (3) The prescribed fees may be paid separately from the remaining items required under this Regulation.
- (4) If, as a result of information available to it, the National Liquor Authority believes that the applicant has underestimated the required fees payable with an application, the National Liquor Authority may issue a Demand for Additional Fees, in form NLA 2.

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Part 4 Registration : Division B National Liquor Authority Office Functions

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14. Review of notification

- (1) Within 14 business days after receiving an application in terms of section 11, the National Liquor Authority must either -
 - (a) issue a -
 - (i) Demand for Additional Payment in Form NLA 2; or
 - (ii) Notice of Incomplete Filing in Form NLA 3; or
 - (iii) Demand for Corrected Information in Form NLA 4; or
 - (b) proceed to consider the application for registration.
- (2) The applicant must respond within 14 business days after receiving a form referred to in sub-regulation 1(a).
- (3) If the National Liquor Authority concludes that the application appears to fall outside the jurisdiction of the Act, the National Liquor Authority must -
 - (a) deliver to the applicant a Notice of Non-jurisdiction in Form NLA 5; and
 - (b) refund all the fees paid on filing to the applicant.
- (4) At any time during the registration process, the National Liquor Authority may request an applicant to provide additional information relevant to the application for registration, and the applicant must provide that information within 14 business days.
- (5) If, at any time, the National Liquor Authority believes that a document filed in respect of an application contains incorrect information, the National Liquor Authority may issue a Demand for Corrected Information in Form NLA 4 to the person that filed that document, and that person must provide the information within 14 business days.

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Part 4 – Registration : Division B – National Liquor Authority Office Functions

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15. Conditional registration

- (1) After considering the application in terms of section 13, the National Liquor Authority may deliver to the applicant either –
 - (a) a final statement of conditions of registration in Form NLA 8; or
 - (b) a statement of proposed conditions in Form NLA 6.
- (2) Within the time prescribed in section 13(6), the applicant must respond to any proposed conditions by filing a consent to, or refusal of, proposed conditions in Form NLA 7.
- (3) Upon receiving a consent to proposed conditions, the National Liquor Authority must deliver a final statement of conditions of registration in Form NLA 8.
- (4) Upon receiving a refusal of proposed conditions, and after considering the submission by the applicant in support of that refusal, the National Liquor Authority must deliver a final statement of conditions of registration in Form NLA 8.
- (5) If the applicant does not respond at all to Form NLA 6, the National Liquor Authority must notify the applicant in writing that the application is refused in terms of section 13(7)(b)(i).
- (6) When an applicant has paid the initial annual registration fee, as set out in Form NLA 8, the National Liquor Authority must deliver a registration certificate in Form NLA 9 to the registrant.

16. Other applications

- (1) A registrant may apply for re-consideration of the conditions of a registration in terms of Section 16 (1)(c), by filing Form NLA 12 and paying the prescribed fee.
- (2) A registrant who proposes to relocate or alter the nature or conduct of its activities must apply to the National Liquor Authority by filing Form NLA 14, and paying the prescribed fee.

NATIONAL LIQUOR REGULATIONS, 2004

Part 4 - Registration : Division B - National Liquor Authority Office Functions

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- (3) An application to transfer registration may be made by either the transferor or transferee, by filing Form NLA 10, and paying the prescribed application fee.
 - (4) Regulation 14 (1), (2), (3), and (4), and Regulation 15, each read with the changes required by the context, apply to an application under this Regulation.

17. Other notices

- (1) Within 7 business days after applying to a provincial regulatory authority for registration as a micro-manufacturer or as a retailer, a registrant must so advise the National Liquor Authority, by filing Form NLA 13.
- (2) A Notice of acquisition of control of a registered person must be reported by the acquiring firm, by filing Form NLA 11.
- (3) A Notice of voluntary cancellation of registration must be given by the registrant, or the administrator of the estate of the registrant, by filing Form NLA 17.
- (4) A Notice of sequestration or winding up of registrant must be given by the administrator of the estate, by filing Form NLA 18.

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Part 5 – Compliance : Division B National Liquor Authority Office Functions

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Part 5 – Compliance**18. Complaints**

- (1) An inspector, or a person adversely affected by conduct inconsistent with the Act, may file a complaint in Form NLA 20, alleging that –
 - (a) an unregistered person is engaging in conduct in respect of which the Act requires that person to be registered; or
 - (b) a registrant has acted in contravention of the Act or a condition of registration.
- (2) If a complaint alleges conduct that is an offence in terms of section 34, the National Liquor Authority must –
 - (a) assign an inspector to investigate the complaint, if it was not filed by an inspector; or
 - (b) refer the matter to the Director of Public Prosecutions.
- (3) After investigating a complaint assigned in terms of sub-regulation (2)(a), an inspector may –
 - (a) issue a compliance notice to the registrant, if any, in accordance with section 31 and Regulation 19;
 - (b) if the complaint alleges that an unregistered person is engaging in activity in respect of which the Act requires registration, issue a notice to cease that conduct; or
 - (c) recommend to the National Liquor Authority that the complaint be –
 - (i) dismissed, if there is too little evidence to support the allegations; or
 - (ii) referred to the Director of Public Prosecutions.

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Part 5 – Compliance : Division B – National Liquor Authority Office Functions

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19. Compliance Notices

- (1) If a registrant appears to have breached an obligation of its registration, the National Liquor Authority must deliver to that registrant a compliance notice in Form NLA 21.
- (2) Within 21 days after receiving a Compliance Notice, a registrant may –
 - (a) submit to the National Liquor Authority a plan to remedy the breach; or
 - (b) request the National Liquor Authority to review the Compliance Notice on the grounds that the firm has substantially complied with its obligations.
- (3) If a registrant submits a plan to the National Liquor Authority in terms of sub-Regulation (2)(a), the National Liquor Authority may either-
 - (a) accept the proposed plan; or
 - (b) reject the proposed plan, and invite the firm to consult with the National Liquor Authority concerning the apparent breach, with the aim of establishing a plan satisfactory to the National Liquor Authority by which all of the registrant's obligations with respect to the approval or conditional approval may be satisfied.
- (4) If the National Liquor Authority accepts a proposed plan, in terms of either sub-Regulation (3)(a) or (b), the National Liquor Authority must -
 - (a) monitor the registrant's compliance with the plan; and
 - (b) deliver a compliance certificate to the registrant when it has substantially met the requirements of the notice or plan, as the case may be.

20. Information returns

- (1) A registered person must file an annual information return in Form NLA 28, at least 30 days before the anniversary of the registrant's current registration certificate.

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- (2) A person referred to in section 42 (1) (b) (ii) must file an annual information return in Form NLA 29, on or before 31 March each year.

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Part 5 – Compliance : Division B – National Liquor Authority Office Functions

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DECLARATION OF A SUBSTANCE TO BE LIQUOR UNDER THE LIQUOR ACT, 2003

(Published in Government Notice R## in Government Gazette ##### of 2000)

In terms of sections 42 (2) of the Liquor Act, 2003 (Act No. 59 of 2003), The Minister of Trade and Industry hereby declares that -

- (a) a jelly like substance that contains alcohol and that is known as “jello’s”; and
- (b) any substance similar to that referred to in paragraph (a)

are liquor for the purposes of the Act.

NATIONAL LIQUOR REGULATIONS, 2004

Part 5 - Compliance : Division B - National Liquor Authority Office Functions

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**REGULATIONS FOR THE
REGULATION OF METHYLATED
SPIRITS , AND RELATED MATTERS
ARISING UNDER THE LIQUOR ACT,
2003**

(Published in Government Notice R## in Government Gazette ##### of 2000)

In terms of sections 5 and 42 of the Liquor Act, 2003 (Act No. 59 of 2003), The Minister of Trade and Industry has made the following regulations relating to the regulation of methylated spirits and other matters required under the Act, to come into operation at the time that the Act comes into operation.

NATIONAL LIQUOR REGULATIONS, 2004

Part 5 – Compliance : Division B – National Liquor Authority Office Functions

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METHYLATED SPIRITS REGULATIONS, 2004**1. Short title**

These Regulations may be cited as the *Methylated Spirits Regulations, 2004*.

2. Interpretation

(1) Section 1 applies to the interpretation of these Regulations.

(2) In these Regulations,

(a) a reference to a section by number refers to the corresponding section of the Act;

(b) a reference to a regulation by number refers to the corresponding item of these Regulations; and

(c) a reference to a sub-Regulation or paragraph by number refers to the corresponding item of the Regulation in which the reference appears.

(3) In these Regulations unless the context indicates otherwise,

(a) "Act" means the *Liquor Act, 2003* (Act No. 59 of 2003), as amended from time to time;

(b) "authorised dealer" means the holder of a general dealer's or a chemist's licence issued in terms of any Act; and

(c) "in bulk" means a quantity of not less than ten litres contained in a single receptacle.

3. Sales of methylated spirit

(1) A manufacturer of methylated spirit may sell or supply methylated spirit only to:

(a) an authorised dealer;

NATIONAL LIQUOR REGULATIONS, 2004

Part 5 – Compliance : Division B – National Liquor Authority Office Functions

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- (b) a person who has been authorised in writing by the Secretary for Customs and Excise to purchase or obtain methylated spirit from a manufacturer of methylated spirit for any purpose, and subject to any conditions, that the Secretary may have determined; or
 - (c) an agent or master of a ship, if the methylated spirit is intended for export.
- (2) An authorised dealer may sell or supply methylated spirit in bulk only to:
- (a) another authorised dealer;
 - (b) a person who has been authorised in writing by the Secretary for Customs and Excise to purchase or obtain methylated spirit from a manufacturer of methylated spirit for any purpose, and subject to any conditions, that the Secretary may have determined; or
 - (c) a medical practitioner, dentist, veterinarian, or an educational institution.
- (3) An authorised dealer must not sell or supply methylated spirit—
- (a) on a closed day; or
 - (b) on any other day before 08h00 or after 17h00.

4. Quantity sold and conditions of containers

- (1) A person manufacturing methylated spirit must not sell or supply that spirit other than in bulk.
- (2) An authorised dealer must sell methylated spirit either –
 - (a) in bulk, to the extent permitted by Regulation 3(2); or
 - (b) in a container holding at least 500 millilitres and not more than 1 000 millilitres.
- (3) An authorised dealer must not sell more than 2 litres of methylated spirit at one time to a person not referred to in Regulation 3(2).
- (4) Except when sold in bulk, methylated spirit, must be sold or supplied in transparent receptacles –
 - (a) with a capacity of at least 500 millilitres and not more than 1 000 millilitres;
 - (b) which are securely stoppered or corked; and
 - (c) which are labelled –

NATIONAL LIQUOR REGULATIONS, 2004

Part 5 – Compliance : Division B : National Liquor Authority Office Functions

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- (i) in English with the words "Methylated Spirit -Poisonous", and the equivalent in one other official language, in letters that are more conspicuous than other letters appearing on the label; and
 - (ii) the name and business address of the authorised dealer.

5. Mixing spirit prohibited

An authorised dealer must not mix any solid or liquid substance with methylated spirit intended for sale or supply.

6. Register of purchases and sales

- (1) An authorised dealer must maintain a register at any place where the dealer receives, sells or supplies methylated spirit, and immediately record in that register -
 - (a) the following information with respect to every receipt of methylated spirit at that place:
 - (i) the date on which it was received;
 - (ii) the quantity received; and
 - (iii) the name and address of the person from whom it was purchased or acquired;
 - (b) the following information with respect to every sale or supply of methylated spirit from that place:
 - (i) the date of sale or supply;
 - (ii) the name and residential address of the person to whom the methylated spirit is sold or supplied; and
 - (iii) the quantity of methylated spirit so sold or supplied.
- (2) Every register kept in terms of this Regulation must be retained by the authorised dealer for a period of 12 months from the date of the last entry therein.

NATIONAL LIQUOR REGULATIONS, 2004

Part 5 – Compliance : Division B – National Liquor Authority Office Functions

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LIQUOR ACT 27 OF 1989

DECLARATION OF A DRINK OR SUBSTANCE TO BE LIQUOR FOR THE
PURPOSES OF THE LIQUOR ACT, 1989

5

**NOTE:-This notice was promulgated in terms of Government Notice 2384 in
Government Gazette 13547 of 4 October, 1991.**

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I, David de Villiers Graaff, Deputy Minister of Trade and Industry and Tourism,
hereby, in terms of section 2 (2) (b) of the Liquor Act, 1989 (Act No. 27 of 1989),
declare the substance, particulars of which appear in the Schedule hereto, with
effect from the date of this publication, to be liquor for the purposes of the Liquor
Act, 1989.

15

D. DE V. GRAAFF Deputy
Minister of Trade and Industry and Tourism

SCHEDULE

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A jelly-like substance which contains alcohol and which is known as
"Jello's" and any similar substance.

National Liquor Regulations, 2004

NATIONAL LIQUOR REGULATIONS, 2004

Annexure 1 - Tables

Table NLA 1 – Methods and times for delivery of documents

Nature of Person (Recipient)	Method of Delivery	Date and Time of Deemed delivery
ANY PERSON	By faxing the notice or a certified copy of the document to the person; or	On the date and at the time recorded by the fax receiver.
	By sending the notice or a certified copy of the document by electronic mail; or	On the date and at the time recorded by the computer used by the sender.
	By sending the notice or a certified copy of the document by registered post to the person's last-known address; or	On the 7 th day following the day on which the notice or document was posted as recorded by a post office, except for a document delivered in terms of Item 4(3)(b)(ii) of Schedule 1 of the National Liquor Act, 2003.
	If the person is a participant in any proceedings of the NLA, and is represented by a representative, by delivering the notice, or handing a certified copy of the document to that representative; or	On the date and at the time recorded on a receipt for the delivery.

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Nature of Person (Recipient)	Method of Delivery	Date and Time of Deemed delivery
ANY PERSON	By any other means authorised by the NLA; or	In accordance with the decision of the NLA.
	By any other method allowed for that person in terms of the following rows of this Table.	As provided for that method of delivery.
ANY NATURAL PERSON	By handing the notice or a certified copy of the document to the person; or to any representative authorised in writing to accept service on behalf of the person; or	On the date and at the time recorded on a receipt for the delivery.
	By leaving the notice or a certified copy of the document at the person's place of residence or business with any other person who is apparently at least 16 years old and in charge of the premises at the time; or	On the date and at the time recorded on a receipt for the delivery.
	By leaving the notice or a certified copy of the document at the person's place of employment with any person who is apparently at least 16 years old and apparently in authority.	On the date and at the time recorded on a receipt for the delivery.

National Liquor Regulations, 2004

Nature of Person (Recipient)	Method of Delivery	Date and Time of Deemed delivery
THE MINISTER OR THE NATIONAL LIQUOR AUTHORITY	By entering the required information in an electronic representation of that form on the Internet Web site, if any, maintained by the National Liquor Authority; if the document is a prescribed form; or	On the date and at the time recorded by the National Liquor Authority's computer system, as verified by way of reply to the sender of the information.
	By transmitting the document as a separate file attached to an electronic mail message addressed to the National Liquor Authority; or	On the date and at the time recorded by the National Liquor Authority's computer system, unless, within a reasonable period after that date, the National Liquor Authority advises the sender that the file is unreadable.
	By sending a computer disk containing the document in electronic form, by registered post addressed to the National Liquor Authority; or	On the date and at the time of delivery of the registered post to the National Liquor Authority, as recorded by the post office, unless, within a reasonable period after that date, the National Liquor Authority advises the sender that the disk is unreadable.
	By handing the document, or a computer disk containing the document in electronic form, to the Director of the National Liquor Authority, or a responsible employee who is apparently in charge of the National Liquor Authority's office.	On the date and at the time noted in a receipt issued by the Director of the National Liquor Authority, or a delegated employee in the office of the National Liquor Authority, unless, the document is on a computer disk, and, within a reasonable period after that date, the National Liquor Authority advises the sender that the disk is unreadable.

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Annexure 1 - Tables

Nature of Person (Recipient)	Method of Delivery	Date and Time of Deemed delivery
A COMPANY OR SIMILAR BODY CORPORATE	By handing the notice or a certified copy of the document to a responsible employee of the company or body corporate at its registered office or its principal place of business within the Republic; or If there is no employee willing to accept service, by affixing the notice or a certified copy of the document to the main door of the office or place of business.	On the date and at the time recorded on a receipt for the delivery.
A PARTNERSHIP OR ASSOCIATION	By handing the notice or a certified copy of the document to a person who is apparently in charge of the premises and apparently at least 16 years of age, at the place of business of the partnership or association; or If the partnership or association has no place of business, by handing the notice or a certified copy of the document to a partner or the chairman or secretary of the managing or other controlling body of the association, as the case may be.	On the date and at the time sworn to by affidavit of the person who affixed the document. On the date and at the time recorded on a receipt for the delivery.
		On the date and at the time recorded on a receipt for the delivery.

National Liquor Regulations, 2004

Nature of Person (Recipient)	Method of Delivery	Date and Time of Deemed delivery
A STATUTORY BODY OTHER THAN THE NATIONAL LIQUOR AUTHORITY	By handing the notice or a certified copy of the document to the secretary or similar officer or member of the board or committee of that body, or any person acting on behalf of that body.	On the date and at the time recorded on a receipt for the delivery.
THE STATFORA PROVINCE	By handing the notice or a certified copy of the document to a responsible employee in any office of the State Attorney.	On the date and at the time recorded on a receipt for the delivery.

Table NLA 2 - Notices and Applications

Section #	Regulation #	Item # of Schedule #	Purpose of Notice or Application	Form #	Conditions
Section 11			Application for registration	NLA 1	<p>Compliance with instructions on form and payment of prescribed fee.</p> <p>In addition to compliance with instructions on Form NLA 1/1, the following additional information must be furnished with regard to-</p> <p>(a) combating alcohol abuse:</p> <ul style="list-style-type: none"> (i) financial and non-financial contributions to counselling and rehabilitation centres; and (ii) other measures taken to combat alcohol abuse; and <p>(b) participation in the liquor industry:</p> <ul style="list-style-type: none"> (i) the extent to which the activities will increase or decrease employment opportunities; (ii) the current and/or projected market share; (iii) volume and type of liquor exported; and (iv) list of competitors and their market share.

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Section # Regulation # Item # of Schedule #	Purpose of Notice or Application	Form #	Conditions
Section 13 Regulation 15 Item 4 of Schedule 1	Consent to, or refusal of, proposed conditions	NLA 7	Compliance with instructions on form.
Section 15	Application to transfer registration	NLA 10	<p>Compliance with instructions on form and payment of prescribed fee.</p> <p>In addition to compliance with instructions on Form NLA 1/A, the following additional information must be furnished with regard to-</p> <p>(a) combating alcohol abuse:</p> <ul style="list-style-type: none"> (i) financial and non-financial contributions to counselling and rehabilitation centres; and (ii) other measures taken to combat alcohol abuse; and <p>(b) participation in the liquor industry:</p> <ul style="list-style-type: none"> (i) the extent to which the activities will increase or decrease employment opportunities; (ii) the current and/or projected market share; (iii) volume and type of liquor exported; and (iv) list of competitors and their market share.

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National Liquor Regulations, 2004

Section # Regulation # Item # of Schedule #	Purpose of Notice or Application	Form #	Conditions
Section 15	Notice of acquisition of control by registered person	NLA 11	Compliance with instructions on form.
Section 16	Application for review of conditions of registration	NLA 12	Compliance with instructions on form and payment of prescribed fee.
Section 16	Notice of application for registration as micro-manufacturer or retailer	NLA 13	Compliance with instructions on form.
Section 16	Notice of Intention to alter or relocate registered activities	NLA 14	Compliance with instructions on form and payment of prescribed fee.
Section 17	Application for appointment of person to carry on registered activities	NLA 16	Compliance with instructions on form and payment of prescribed fee.
Section 21	Notice of voluntary cancellation of registration	NLA 17	Compliance with instructions on form.
Section 22	Notice of sequestration or winding up of registrant	NLA 18	Compliance with instructions on form.
Section 26	Complaint	NLA 20	Compliance with instructions on form.

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Section # Regulation # Item # of Schedule #	Purpose of Notice or Application	Form #	Conditions
Section 32	Objection to Compliance Notice	NLA 22	Compliance with instructions on form.
Item 4(3) of Schedule 1	Notification of conversion	NLA 24	Compliance with instructions on form.
Item 4(5) of Schedule 1	Notice to initiate review	NLA 25	<p>Compliance with instructions on form and payment of prescribed fee.</p> <p>In addition to compliance with instructions on Form NLA 1/1, the following additional information must be furnished with regard to-</p> <p>(a) combating alcohol abuse:</p> <ul style="list-style-type: none"> (i) financial and non-financial contributions to counselling and rehabilitation centres; and (ii) other measures taken to combat alcohol abuse; and <p>(b) participation in the liquor industry:</p> <ul style="list-style-type: none"> (i) the extent to which the activities will increase or decrease employment opportunities; (ii) the current and/or projected market share; (iii) volume and type of liquor exported; and (iv) list of competitors and their market share.

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Section #	Purpose of Notice or Application	Form #	Conditions
Regulation # Item # of Schedule #			
Regulation 20	Annual Information Return (Registrants)	NLA 28	Compliance with instructions on form.
Regulation 20	Annual Information Return (Other persons)	NLA 29	Compliance with instructions on form.

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Table NLA 3 – Certificates and Notices to be issued by National Liquor Authority

Section # Regulation # Item # of Schedule	Purpose of Certificate or Notice	Form #
Regulation 13(4)	Demand for Additional Payment	NLA 2
Regulation 14(1)	Notice of Incomplete Filing	NLA 3
Regulation 14(4)	Demand for Corrected Information	NLA 4
Section 11(2)	Disqualification of Applicant	NLA 5
Section 12	Determination of Application	
Regulation 14(2)	Notice of Non-jurisdiction	
Section 13	Proposal for Conditions of Registration	NLA 6
Regulation 15		
Item 4 of Schedule 1		
Section 13	Final Statement of Conditions of Registration	NLA 8
Regulation 15		
Item 4 of Schedule 1		

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Section # Regulation # Item # of Schedule	Purpose of Certificate or Notice	Form #
Section 14	Registration Certificate	NLA 9
Section 16	Response to Notice of Intent to Alter Location or Conduct of Registered Activities	NLA 15
Section 25	Inspector's Certificate	NLA 19
Section 31	Compliance Notice	NLA 21
Section 31	Compliance Certificate	NLA 23
Section 26	Notice to Cease Unregistered Activity	NLA 26
Regulation 18		
Section 35 (3)	Order for Destruction or Sale of Forfeit Liquor	NLA 27
Item 4 (7) of Schedule I	Notice of Continuing Registration	NLA 30
Section 20	Notice of Cancellation of Registration	NLA 31
Item 4(9) of Schedule I		