

PROVINCE OF THE WESTERN CAPE

**STANDING COMMITTEE AMENDMENTS
TO THE**

**WESTERN CAPE LIQUOR
AMENDMENT BILL**

[B 3–2015]

(As agreed to by the Standing Committee on Economic Opportunities, Tourism and Agriculture)

[B 3A—2015]

PROVINSIE WES-KAAP

**STAANDE KOMITEE SE AMENDEMENTE
OP DIE**

**WES-KAAPSE
DRANKWYSIGINGSWETSONTWERP**

[W 3–2015]

(Soos goedgekeur deur die Staande Komitee oor Ekonomiese Geleenthede, Toerisme en Landbou)

[W 3A—2015]

IPHONDO LENTSHONA KOLONI

IZILUNGISO ZEKOMITI ESISIGXINA

**KUMTHETHO OSAYILWAYO WOLUNGISO
WOTYWALA WENTSHONA KOLONI**

[B 3–2015]

(Njengoko kuvunyelenwe yiKomiti eSisigxina kuMathuba ezoQoqosho, ezoKhenketho nezoLimo)

[B 3A—2015]

AMENDMENTS AGREED TO

WESTERN CAPE LIQUOR AMENDMENT BILL

[B 3–2015]

CLAUSE 1

1. On page 3, in line 14, to omit paragraph (c).
2. On page 3, in line 25, to omit “[, **but excluding fortified wine**]”.

CLAUSE 17

1. On page 10, in line 30, to omit “allowanother” and to substitute “allow another”.

CLAUSE 18

1. On page 11, in line 27, after “Tribunal” to insert:

or the Presiding Officer, as the case may be.

CLAUSE 25

1. On page 14, from line 42, to omit “Presiding Officer must grant the application for the transfer of the licence” and to substitute:

Authority must issue the certificate of transfer in accordance with subsection (17)

2. On page 14, from line 44, to omit paragraphs (d) and (e).
3. On page 15, from line 3, to omit paragraph (g) and to substitute:

(e) by the substitution for subsection (21) of the following subsection:

“(21) The Liquor Licensing Tribunal may [**in its discretion,**] grant an application for transfer in favour of an executor, trustee, curator or liquidator or to such other person as the Liquor Licensing Tribunal may [**deem appropriate**] determine.”

CLAUSE 26

1. On page 15, from line 35, to omit “Presiding Officer must grant the application for the removal of the licence” and to substitute:

Authority must issue the certificate of removal in accordance with subsection (6)

2. On page 15, from line 37, to omit paragraphs *(d)* and *(e)*.

CLAUSE 32

1. On page 18, in line 20, to omit paragraph *(b)*.

AMENDEMENTE GOEDGEKEUR

WES-KAAPSE DRANKWYSIGINGSWETSONTWERP

[W 3–2015]

KLOUSULE 1

1. Dat op bladsy 29, in reël 18, paragraaf (*d*) geskrap word.
2. Dat op bladsy 29, in reël 36 “[, **maar sluit gefortifiseerde wyn uit**]” geskrap word.

KLOUSULE 17

1. Dat in die Engelse teks, op bladsy 10, in reël 30, “allowanother” geskrap en deur “allow another” vervang word.

KLOUSULE 18

1. Dat op bladsy 37, in reël 55, na “Dranklisensiëringstribunaal” ingevoeg word:

of die Voorsittende Beampte, na gelang van die geval,

KLOUSULE 25

1. Dat op bladsy 41, vanaf reël 28, “Voorsittende Beampte die aansoek om die oordrag van die lisensie toestaan” geskrap en vervang word deur:

Owerheid ’n sertifikaat van oordrag ooreenkomstig subartikel (17) uitreik

2. Dat op bladsy 41, vanaf reël 30, paragrawe (*d*) en (*e*) geskrap word.
3. Dat op bladsy 41, vanaf reël 50, paragraaf (*g*) geskrap en vervang word deur:

(*e*) deur subartikel (21) deur die volgende subartikel te vervang:

“(21) Die Dranklisensiëringstribunaal mag [**na goeddunke**] ’n aansoek vir oordrag toestaan ten gunste van ’n eksekuteur, trustee, kurator of likwidateur, of aan sodanige ander persoon wat die Dranklisensiëringstribunaal [**geskik ag**] mag bepaal.”.

KLOUSULE 26

1. Dat op bladsy 42, vanaf reël 22, “Voorsittende Beampte die aansoek om die verwydering van die lisensie toestaan” geskrap en vervang word deur:

Owerheid ooreenkomstig subartikel (6) 'n sertifikaat van verwydering uitreik

2. Dat op bladsy 42, vanaf reël 24, paragrawe (*d*) en (*e*) geskrap word.

KLOUSULE 32

1. Dat op bladsy 45, in reël 9, paragraaf (*b*) geskrap word.

IZILUNGISO EKUVUNYELWENE NGAZO

UMTHETHO OSAYILWAYO WOLUNGISO WOTYWALA WENTSHONA

KOLONI

[B 3–2015]

ISIHLOMELO 1

1. Kwiphepha 56, kumgca 18, makususwe umhlathi (c).
2. Kwiphepha 56, kumgca 32, makususwe “[, **yaye ayiyibandakanyi iwayini enesipirithi**]”.

ISIHLOMELO 17

1. Kwiphepha 10, kumgca 30 kwisiNgesi makususwe “allowanother” ze kufakelwe “allow another”.

ISIHLOMELO 18

1. Kwiphepha 65, kumgca we 19, emva kwe“yoTywala” makufakelwe:

okanye iGosa eLongameleyo, ngokwaloo meko,

ISIHLOMELO 25

1. Kwiphepha 69, ukusukela kumgca 5, makususwe “iGosa eLongameleyo kufuneka linike umfaki-sicelo ilayisenisi” ze kufakelwe:

iGunya lezoTywala malikhuphe isiqinisekiso sonikezelo ngokumayela necandelwana (17)

2. Kwiphepha 69, ukusukela kumgca 7, makususwe umhlathi (d) kunye no (e).
3. Kwiphepha 69, kumgca 28, makususwe umhlathi (g) ze kufakelwe lo mhlathi ulandelayo:

(e) ngokufakelwa kwecandelwana (21) leli candelwana lilandelayo:

“(21) INkundla yeeLayisenisi zoTywala [**ngokokubona kwayo,**] ingabonelela ngesicelo esinokunikezelwa ngokukhetha umabi welifa, umthenjwa, umgcini okanye umbhangisi okanye nakuye nawuphi umntu iNkundla yeeLayisenisi zoTywala. [**ebona ukuba ufanelekile**] ayifumane.”.

ISIHLOMELO 26

1. Kwiphepha 70, kungca we 5, makususwe “iGosa eLongameleyo kufuneka linike imvume yokunikezelwa kwelayisenisi” ze kufakelwe:

IGunya lezoTywala malikhuphe isiqinisekiso sokukhupha ngokuhambelana necandelwana (6)

2. Kwiphepha 70, ukusukela kungca 6, makususwe umhlathi (*d*) kunye no (*e*).

ISIHLOMELO 32

1. Kwiphepha 73, kungca 9, makususwe umhlathi (*b*).