

**Disclaimer:**

*This document is a summary of the relevant legislation provided for general informational purposes only. It is not a substitute for the original Act, nor does it constitute legal advice. While every effort has been made to ensure the accuracy of the information provided, the Drinks Federation of South Africa (DF-SA) makes no representations or warranties, express or implied, regarding its completeness or accuracy. Users are strongly encouraged to consult the full text of the legislation and seek professional legal advice where necessary. DF-SA shall not be held liable for any loss, damage, or consequences arising from reliance on this summary.*

## **Summary of the 2008 Amendments to the National Liquor Regulations, 2004<sup>1</sup>**

The 2008 Amendments to the National Liquor Regulations<sup>2</sup> is a **Government Notice (No. R. 82)** published on **1 February 2008** by the Department of Trade and Industry. This notice contains **Amendments to the National Liquor Regulations, 2004**.

These amendments are made in terms of **section 42 of the Liquor Act, 2003 (Act No. 59 of 2003)**, by the Minister of Trade and Industry.

The document outlines three main actions taken by the Minister:

- **Amending the regulations** published by Government Notice No. R 980 of 2004.
- **Substituting** the existing "*Application for registration*" (Form NLA 111) and "*Notice to alter or relocate registered activities*" (Form NLA 14) with updated versions.
- **Publishing** new forms: "*Notice for annual renewal of registration*" (Form NLA 32) and "*Annual Renewal Certificate*" (Form NLA 33).

### **Key Amendments to the National Liquor Regulations, 2004:**

- **Amendment of regulation 15:** This regulation is amended to specify that when an applicant pays the initial annual registration fee (as per Table NLA 4), the **National Liquor Authority must deliver a registration certificate (Form NLA 9)** to the registrant.
- **Insertion of new regulation 15A: Annual renewal of registration:**
  - Upon receiving a "*Notice for annual renewal of registration*" (Form 32), a registrant **must submit the "*Registrants annual information return*" (Form NLA 28) and pay the annual renewal fee** (as per Table NLA 4) within a period specified in regulation 11(4).
  - Once the registrant has submitted the return and paid the fee, the **National Liquor Authority must deliver an "*Annual renewal certificate*" (Form NLA 33)** to the registrant.

### **Details of the Forms Introduced or Substituted:**

- **FORM NLA 111: Application for Registration**
  - This form is prescribed for use under **sections 11 and 13 of the Liquor Act, 2003**.
  - Applicants must attach sheets providing detailed information, including:

---

<sup>1</sup> Source: Google NotebookLM

<sup>2</sup> Source: [https://www.thedtic.gov.za/wp-content/uploads/nla\\_Amendment\\_2008.pdf](https://www.thedtic.gov.za/wp-content/uploads/nla_Amendment_2008.pdf)

**Disclaimer:**

*This document is a summary of the relevant legislation provided for general informational purposes only. It is not a substitute for the original Act, nor does it constitute legal advice. While every effort has been made to ensure the accuracy of the information provided, the Drinks Federation of South Africa (DF-SA) makes no representations or warranties, express or implied, regarding its completeness or accuracy. Users are strongly encouraged to consult the full text of the legislation and seek professional legal advice where necessary. DF-SA shall not be held liable for any loss, damage, or consequences arising from reliance on this summary.*

- The **name, race, gender, ID number, and address of each person with a financial interest** in the business, including the applicant or proposed transferee, and the nature and extent of that interest.
- The **financial interest of the applicant or proposed transferee in the liquor industry within the Republic**; for non-individuals, equivalent information for each shareholder, member, partner, or beneficiary.
- **Commitments made by the applicant or proposed transferee towards black economic empowerment and combating alcohol abuse**, including details of relevant charters or industry codes of conduct.
- A detailed description of how activities will **affect new entrants to the industry, job creation, diversity of ownership, efficiency of operation, exports, and competition** within the industry.
- **Projected or actual annual turnover** relating to the application.
- The form also requires information about the applicant or proposed transferee's individual status, such as whether they are a **minor, an unrehabilitated insolvent, committed in terms of the Mental Health Act, 1973, or convicted of an offence** as contemplated in section 11(2)(d) or (e) of the Liquor Act, 2003.
- It asks for the **kind of liquor manufactured or distributed, the premises' details**, and whether liquor manufactured elsewhere or across provincial boundaries will be distributed.
- **FORM NLA 14: Application to Alter or Relocate Registered Activities**
  - This form is prescribed under **section 16 of the Liquor Act**.
  - It is used to notify the Minister of Trade and Industry about a registrant's proposal to **relocate the premises** from which registered activities are carried out, or to **alter the nature or conduct of its registered activities**.
  - In addition to filing the form, the applicant must **pay the required filing fee** (as set out in Regulation 11 of the National Liquor Regulations, 2004) and **attach a sheet setting out the applicant's actual annual turnover**.
  - The National Liquor Authority will advise the registrant within 30 days whether the Minister accepts the proposed changes or will conduct a review of the registration.
- **FORM NLA 32: Notice for Annual Renewal of Registration**
  - This form is prescribed by the Minister of Trade and Industry under **section 42 of the Liquor Act, 2003**.
  - It serves as a notification to the registrant that they are expected to **renew their registration by paying the prescribed fee**, calculated in accordance

**Disclaimer:**

*This document is a summary of the relevant legislation provided for general informational purposes only. It is not a substitute for the original Act, nor does it constitute legal advice. While every effort has been made to ensure the accuracy of the information provided, the Drinks Federation of South Africa (DF-SA) makes no representations or warranties, express or implied, regarding its completeness or accuracy. Users are strongly encouraged to consult the full text of the legislation and seek professional legal advice where necessary. DF-SA shall not be held liable for any loss, damage, or consequences arising from reliance on this summary.*

with regulation 11 of the National Liquor Regulation, 2004, on or before a specified date.

- **FORM NLA 33: Annual Renewal Certificate**
  - This form is prescribed for use under **section 14(4)(c) and Regulation 11(4)(b)**.
  - It confirms that the registrant has **renewed their registration** (as reflected on registration certificate NLA 9) by paying a specified amount.
  - Crucially, it outlines **penalties for late payment of fees**:
    - If fees are received after the anniversary date, they are increased by **25%**.
    - After a second month, the increase is **50%**.
    - After a third month, the increase is **75%**.
    - After a fourth month, the increase is **100%**.
  - The certificate also specifies the period for which it is valid.

The National Liquor Authority's contact information (address, telephone, email) is provided for inquiries. The general explanatory note indicates that bold words in square brackets denote omissions from existing enactments, and underlined words indicate insertions.