

## New Liquor Licence

***The process for applying for a Section 36 (new) liquor licence is given below. Any person of 18 years and older which are not disqualified according to Section 35 of the Western Cape Liquor Act 4 of 2008 as amended can apply for a new liquor licence. Application forms and relevant liquor legislation are available on the Western Cape Liquor Authority website. You can also contact our office on (021) 204 9805 or (021) 204 9700 or email us on [Liquor.Enquiries@wcla.gov.za](mailto:Liquor.Enquiries@wcla.gov.za) for more information or advise.***

- (1) An applicant is solely responsible for the correctness of any application or notice submitted by or on behalf of the applicant in compliance with the Western Cape Liquor Legislation.
- (2) Subject to section 36(2) an application for a licence referred to in section 33(1) must be lodged with the Authority and the designated liquor officer in whose area of jurisdiction the proposed licenced premises are located by 14h00 on the Friday preceding the first Friday of any month or, if that preceding Friday is a public holiday, on the last working day before that public holiday.
- (3) An application referred to in subregulation (2) must—
  - (a) be made in the form of Form 3 in Annexure 3;
  - (b) be on A4-size standard white paper; and
  - (c) contain the information as required in that form.
- (4) An application must be accompanied by:
  - (a) a legible, comprehensive floor plan of the proposed licensed premises on standard white paper not exceeding A3 in size and clearly showing in contrasting colours—
    - (i) the proposed licensed premises in relation to the entire premises;
    - (ii) the dimensions of the proposed licensed premises;
    - (iii) the dimensions of each room on the proposed licensed premises;
    - (iv) the uses of all the rooms on the proposed licensed premises;
    - (v) all doors, windows and counters, where applicable, and means of internal and external access;
    - (vi) the streets and places to which such means of external access lead;
    - (vii) where liquor will be stored on the proposed licensed premises;
    - (viii) the areas on the proposed licensed premises where liquor will be sold in relation to the entire premises;
    - (ix) the areas on the proposed licensed premises where liquor will be consumed in relation to the entire premises;
  - (b) a legible site plan of the proposed licensed premises on standard white paper not exceeding A3 in size and clearly showing—
    - (i) in relation to the proposed licensed premises, an outline of every building on the erf to which the application relates and the uses of those buildings;
    - (ii) the relation of the proposed licensed premises to a residential area;

- (iii) the relation of the proposed licensed premises to any institutions referred to in section 34(1)(e)(ii) to (v), with distances indicated in metres;
  - (iv) the relation of the proposed licensed premises to an undertaking referred to in section 41(1)(c)(i), with distances indicated in metres;
  - (v) other licensed premises on the erf;
  - (vi) the relation of the proposed licensed premises to areas where delivery vehicles will stop to load and offload goods; and
  - (vii) the date of preparation of the plan and the name and address of the person who prepared the plan;
- (c) an aerial view map showing the relation of the proposed licensed premises to a residential area;
- (d) in a separate document, a description of the premises, with reference to the construction, layout, furnishing, fixtures, fittings and floor covering;
- (e) indexed colour photographs showing the completed internal and external features of the proposed licensed premises as indicated on the floor plan referred to in paragraph (a) or, where the application relates to incomplete premises referred to in section 44, the stage of completion of the premises;
- (f) written representations in support of the application;
- (g) written representations in support of any determination, consent, approval or authority required by the applicant in terms of the Act;
- (h) proof that the applicable application fee set out in Item 1 of Annexure 1 has been paid to the Authority;
- (i) a certified copy of the—
  - (i) identity card or document of the applicant;
  - (ii) passport and visa or, where applicable, the permanent residence permit of the applicant, if the applicant is a foreigner; or
  - (iii) relevant registration documents, indicating the identity and, where applicable, the financial interest of all the members, directors, partners, beneficiaries or trustees of the applicant, if the applicant is a person other than a natural person;
- (j) such other documents as may be specified on the application form and in the Act, or as may be requested by the Authority;
- (k) an affidavit by the applicant that he, she or it is not disqualified in terms of section 35 from holding a liquor licence;
- (l) proof that the applicant has lodged the application with the designated liquor officer in whose area of jurisdiction the proposed licensed premises are located;
- (m) proof that the applicant has the right to occupy the proposed licensed premises;
- (n) proof of ownership of the proposed licensed premises or, if the applicant is not the owner of the premises, written consent from the owner that the applicant may use the proposed licensed premises for the purposes of the licence applied for; and

- (o) a nomination for the appointment of a manager in accordance with regulation 22, if the applicant is not a natural person.”.
- (5) The applicant must display a notice in a prominent place at the proposed licensed premises so that it is visible to passers-by [See section 37(2) of the Act]. This notice must be in three official languages of the Province and must be in the form of Form 3B in Annexure 3 and must—
- (a) be headed by the words,  
**“NOTICE OF LODGEMENT OF APPLICATION FOR LIQUOR LICENCE”**,  
in bold-type upper-case letters at least 2 cm in height and in black lettering not less than 0,5 cm wide on a white background;
  - (b) be on standard white paper at least A3 in size;
  - (c) be waterproofed; and
  - (d) be displayed from the date of lodgement of the application and remain in place for not less than 28 days from the date of publication of the notice of lodgement of the application.”.

**For more information contact us on:**

Tel: (021) 204 9805 or (021) 204 9700

Email: [Liquor.Enquiries@wcla.gov.za](mailto:Liquor.Enquiries@wcla.gov.za)