

## **Nomination of Manager**

***The process for nomination of a manager is given below. 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) A person must when seeking the approval of the appointment of a manager of a licensed business as contemplated in section 52(1), (1A) or (2) lodge a nomination in the form of Form 15 in Annexure 3 of the Western Cape Liquor Regulation of 2011 as amended in 2017 with the Authority and a copy thereof with the designated liquor officer in whose area of jurisdiction the licensed premises are located and must furnish the information required in that form.
- (2) The nomination must be accompanied by—
  - (a) a certified copy of the—
    - (i) identity card or document of the nominated person; or
    - (ii) passport and visa or, where applicable, the permanent residence permit of the nominated person, if the nominated person is a foreigner;
  - (b) written representations in support of the nomination;
  - (c) proof that the nominated person resides in the Province; and
  - (d) an affidavit by the nominated person that he or she is not disqualified in terms of section 35 from holding a liquor licence.
- (3) The designated liquor officer must—
  - (a) within 14 days after a nomination has been lodged; or
  - (b) in respect of a nomination contemplated in section 52(1A)(a) or (b), within five days after the nomination has been lodged,as the case may be, serve a copy of his or her report referred to in section 52(3) on the person who lodged the nomination in terms of subregulation (1) and lodge the report with the Authority together with proof that the report has been served on the person who lodged the nomination.
- (4) If the designated liquor officer fails to lodge his or her report in terms of subregulation (3)(a) with the Authority, the Chief Executive Officer must, within 21 days from the date of lodgement of the nomination, request the designated liquor officer concerned in writing, to lodge the report with the Authority within three days.
- (5) If the designated liquor officer fails to lodge his or her report in terms of subregulation (3)(b) or (4), the Chief Executive Officer may forward a copy of the nomination concerned to an inspector with a written instruction to lodge a report containing the information referred to in section 52(3), in respect of the nomination concerned.

- (6) An inspector must—
  - (a) within the period stipulated by the Chief Executive Officer in terms of the instruction referred to in subregulation (5); or
  - (b) in respect of a nomination contemplated in section 52(1A)(a) or (b), within three days of receipt of the instruction referred to in subregulation (5),  
lodge his or her report with the Authority and forward a copy thereof to the person who lodged the nomination.
  
- (7) The person who lodged the nomination must lodge his, her or its response, if any, to a report by the designated liquor officer referred to in subregulation (3) or a report by an inspector referred to in subregulation (6)—
  - (a) within seven days after having been served with a copy of either report; or
  - (b) in respect of a nomination contemplated in section 52(1A)(a) or (b), within two days after having been served with a copy of either report.
  
- (8) The Liquor Licensing Tribunal or the Presiding Officer, as the case may be, must either approve or refuse the appointment of the nominated person within 30 days after receipt of all the relevant documents referred to in subregulations (1) to (7).
  
- (9) The Presiding Officer must, in respect of a nomination contemplated in section 52(1A)(a) or (b), after receipt of all the relevant documents referred to in subregulations (1) to (7) either approve or refuse the appointment of the nominated person on the day contemplated in regulation 19(16)(a) or (b), as the case may be.
  
- (10) The Authority must notify the person who lodged the nomination in writing of the decision—
  - (a) within seven days after the Liquor Licensing Tribunal or the Presiding Officer, as the case may be, has decided on a nomination in terms of subregulation (8); or
  - (b) within one day after the Presiding Officer has decided on a nomination in terms of subregulation (9).
  
- (11) If the appointment is approved, the Authority must—
  - (a) within 14 days after the consent was granted issue a written consent to the person who lodged the nomination; or
  - (b) in respect of a nomination contemplated in section 52(1A)(a) or (b), within one day of the notification referred to in subregulation (10)(b) issue a written consent to the person who lodged the nomination.”.

**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)