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## SECTION 64 RENEWAL PROCESS

### OVERVIEW:

- **Upon being served a section 64 notice, the licensee is required to make an application for the renewal of the licence in the prescribed form by no later than 30 September.** Failure to do so will result in the licence lapsing on 31 December. Detailed guidance on the application process is provided below.
- **If the licensee lodges an application for renewal of the licence** in terms of section 64(1) of the Western Cape Liquor Act, 2008 (the Act) together with payment of the prescribed application fee (R2 180), the licence remains valid until the Liquor Licensing Tribunal (LLT) has completed its consideration of the application for renewal. The licensee will be notified of the decision of the LLT.
  - If the LLT grants the application for the renewal of the licence, the licensee will be informed of the decision and the applicable prescribed renewal fee that is payable. Upon payment of the applicable prescribed renewal fee, the licence will be deemed to be renewed in terms of section 63(2) or (2B) of the Act, as the case may be.
  - If the LLT refuses the application for the renewal of the licence, the licence lapses immediately or upon such date as the LLT determines.
- **If the licensee lodges an application for renewal after 30 September but before 31 December,** the licensee may in terms of section 64(4) of the Act apply in writing to the LLT in the prescribed form (Form 23) for condonation of the failure to apply timeously and at the same time lodge an application for renewal of the licence in terms of section 64(1) of the Act and pay the prescribed application fee (R2 180) as set out above.
  - The LLT may condone the failure and allow the late application for renewal of the licence, subject to the payment of a penalty of 150% of the applicable renewal fee (in addition to the application fee and applicable renewal fee). The licensee will be notified of the decision of the LLT.
  - If the LLT grants the application for condonation, the licensee will be informed of the decision of the LLT in respect of the application for the renewal of the licence in terms of section 64(1) of the Act. The notification will also inform the licensee of the applicable renewal fee and the penalty payable.
- **Payment of fees can be made by direct deposit into the Western Cape Liquor Authority bank account:**

Bank:	Nedbank
Account holder:	Western Cape Liquor Authority
Account number:	145 206 9883
Branch code:	198 765
Reference:	Your licence number <i>(the WCP/DTI number indicated on this notice)</i>

## **HOW TO APPLY FOR RENEWAL:**

1. Complete Form 22 (Application for Renewal of Licence in Terms of Section 64(1)) including any representations in support of the application (motivation for renewal of the licence).
  2. Pay the R2 180 application fee (Item 9 of Annexure 1 of the Western Cape Liquor Regulations, 2011).
  3. Lodge the application with the Western Cape liquor Authority by 30 September, consisting of:
    - (a) Form 22;
    - (b) Written representations; and
    - (c) Proof of payment of the application fee
  4. Lodge a copy of the application with the Designated Liquor Officer (DLO) in whose area of jurisdiction the licensed premises are located (at the same time as lodgement with the WCLA).
  5. Next steps following lodgement with the WCLA will be communicated by the WCLA to the licensee. This will include an opportunity for the licensee to respond to reports submitted by the WCLA Inspectorate or DLO and any other comments on the application.
  6. If the application for renewal is granted by the Liquor Licensing Tribunal, the applicable renewal fee must be paid by 31 December.
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## **HOW TO APPLY FOR CONDONATION OF FAILURE TO APPLY TIMEOUSLY:**

*(If the application is not made by 30 September, an application for condonation in terms of section 64(4) of the Act must accompany the application for renewal of the licence in terms of section 64(1) of the Act)*

1. Complete Form 22 (Application for Renewal of Licence in Terms of Section 64(1)) including any representations in support of the application (motivation for renewal of the licence).
2. Pay the R2 180 application fee (Item 9 of Annexure 1 of the Western Cape Liquor Regulations, 2011).
3. Complete Form 23 (Application for Condonation of the Failure to Apply for the Renewal of Licence in Terms of Section 64(4)) including reasons for not applying by 30 September.
4. Lodge the Application for Renewal and the Application for Condonation with the WCLA before 31 December, consisting of:
  - (a) Form 22;
  - (b) Written representations;
  - (c) Proof of payment of the application fee; and
  - (d) Form 23.
5. Lodge a copy of the Application for Renewal and the Application for Condonation with the SAPS Designated Liquor Officer (DLO) in whose area of jurisdiction the licensed premises are located.
6. Next steps following lodgement with the WCLA will be communicated by the WCLA to the licensee. This will include an opportunity for the licensee to respond to reports submitted by the WCLA Inspectorate or DLO and any other comments on the application.
7. If the application for Application for Condonation of the Failure to Apply for the Renewal of Licence in Terms of Section 64(4) and the Application for Renewal of Licence in Terms of Section 64(1) are granted by the LLT, the applicable renewal fee must be paid by a date to be determined by the LLT. The licensee must also pay the penalty of 150% of the applicable renewal fee.