



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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No. 142 Liquor Regulations 1

Government Notice

MINISTRY OF TRADE AND INDUSTRY

No.142

2001

LIQUOR REGULATIONS

The Minister of Trade and Industry has under section 79 of the Liquor Act, 1998 (Act No. 6 of 1998), read with section 12(3) of the Interpretation of Laws Proclamation, 1920 (Proclamation 37 of 1920) -

- (a) made the regulations set out in the Schedule; and
- (b) repealed Government Notice No. 49 of 1969, and all amendments thereof,

which shall become of effect on the date on which the Act comes into operation in terms of section 87 thereof.

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**PART I
PRELIMINARY**

Definitions

1. In these regulations, unless the context otherwise indicates, a word or expression defined in the Act has a corresponding meaning, and -

“certified copy” in relation to any certificate, licence or other document, means a copy of the original of such document, duly certified as a copy thereof by a commissioner of oaths;

“clerk of the court”, in relation to a licence or an application for, or relating to, a licence, means the clerk of the magistrate’s court of the district in which the premises to which the licence or application relates are situated;

“secretary of the Committee”, in relation to any application for a licence or a licence, means the secretary of the Committee of the region in which the premises to which such application or licence relates are situated;

“the Act” means the Liquor Act, 1998 (Act No. 6 of 1998).

**PART II
TERMS AND CONDITIONS OF TENURE OF OFFICE OF MEMBERS
OF COMMITTEES AND MEETINGS OF COMMITTEES**

Term of office

2. (1) The members of a Committee referred to in section 24(2)(b) and (c) of the Act -

- (a) are appointed for a period of 5 years; and
- (b) are eligible for reappointment upon expiry of that period.

(2) The member referred to in section 24(2)(c) of the Act must be appointed by the regional council by notice in writing addressed and delivered or sent to the member and the Committee Chairperson concerned.

Vacation of office and filling of casual vacancies

3. (1) The office of a member referred to in section 24(2)(b) or (c) of the Act becomes vacant if the member -

- (a) resigns from office by notice in writing to the Minister;
- (b) becomes disqualified to be a member in terms of section 24(4) of the Act; or
- (c) is removed from office under subregulation (2) or (3).

(2) The Minister may remove a member referred to in subregulation (1) from office if the Minister, after affording the member a reasonable opportunity to be heard, is satisfied that the member -

- (a) is incapacitated by physical or mental illness;
- (b) has failed to perform his or her functions as member efficiently; or
- (c) has been guilty of misconduct.

(3) A regional council which has appointed a member referred to in section 24(2)(c) of the Act may at any time terminate the appointment of that member by notice in writing to the member and to the Committee Chairperson.

(4) If the office of a member referred to in subregulation (1) becomes vacant, the vacancy must be filled by the appointment, in accordance with section 24(2)(b) or (c) of the Act, as the case may be, of another person as member for the unexpired portion of the term of office of the person who ceased to be a member.

Remuneration of members

4. (1) The members of a Committee who are not in the full-time employment of the State must be paid the allowances, including travelling and subsistence allowances, as prescribed in respect of office bearers of statutory institutions or boards in terms of the Public Service Staff Rules, and as set out in Annexure A of PSSR E.I/II/3 thereof.

- (2) Every claim for payment of remuneration in terms of subregulation (1) must -
 - (a) be certified as correct by the Committee Chairperson concerned; and
 - (b) be submitted for payment to the Permanent Secretary.

Meetings of Committees for hearing applications

5. (1) A Committee must hold four meetings during a year for hearing applications in terms of section 27 of the Act, namely -

- (a) on the second Wednesday of the months February, May, August and November; or
- (b) if any such Wednesday is a public holiday, on the first working day following that public holiday.

(2) If no application is scheduled for hearing by the Committee at a meeting referred to in subregulation (1), the Committee shall not meet on that day.

(3) The Committee Chairperson determines the procedure to be followed at a meeting of the Committee.

(4) A meeting of a Committee is open to the public, except when the Committee deliberates and vote on any matter.

(5) The Chairperson of the Committee must ensure that proper minutes are kept of the proceedings of every meeting of the Committee, and separate minutes must be kept -

(a) in respect of proceedings open to the public; and

(b) in respect of proceedings during the deliberations and voting on any matter.

(6) The minutes referred to in subregulation (5) must be retained at the office of the Committee Chairperson.

(7) Any person may during normal office hours -

(a) inspect and make extracts from the minutes in respect of the public proceedings of a meeting referred to in subregulation (5)(a);

(b) obtain from the secretary of a Committee a copy of the minutes referred to in paragraph (a) against payment of a fee of N\$ 3.00 per single page copied.

(8) The minutes referred to in subregulation (5)(b) may not be disclosed by any person, except to -

(a) the Minister;

(b) a person by whom it is required for the performance of any function in terms of the Act; or

(c) any other person -

(i) on the instructions of the Minister; or

(ii) in terms of an order of the High Court of Namibia.

PART III GENERAL FORMALITIES AND PROCEDURES CONCERNING APPLICATIONS

Prescribed forms

6. (1) Any application, notice, licence, certificate, authority or other document which is required in terms of these regulations to be made, given or issued in a prescribed form, must be framed substantially in the relevant form as specified and as set out in the Annexure to these regulations.

Attachment of documents

7. (1) An applicant must ensure -

(a) that all information or documents required to be included in, attached to or to accompany an application, are furnished and are true and complete at the time the application is lodged; and

- (b) if afterward, before the hearing of the application, any fact occurs that necessitates a change of any information or document so furnished, the applicant must forthwith notify the Committee or the magistrate by whom the application is to be considered in writing of the changes and of the effect thereof on the application.

(2) Any documents required to accompany an application, must be attached to the original application and copies thereof to the original duplicate or duplicates of the application.

Application by body corporate, organisation or association

8. (1) An application form or other document required to be signed by an applicant, licensee or other person must be signed, if the applicant, licensee or person is a body corporate, an organization, partnership or other association of persons, by a person who is authorised to make the application or sign the document on behalf of the body corporate, organisation, partnership or other association by virtue of a resolution of the executive authority or the members or partners of the body corporate, organization or association concerned.

(2) An extract of the resolution referred to in subregulation (1) must be attached to the application form or other document concerned.

Affidavit of financial interest

9. An application for -

- (a) a licence in terms of section 27 of the Act;
- (b) a hotel liquor licence in terms of section 3 of the Act;
- (c) a parks liquor licence in terms of section 15 of the Act; or
- (d) the transfer of a licence in terms of section 33 of the Act; or
- (e) the acquisition of a controlling interest in terms of section 34 of the Act,

must be accompanied by an affidavit of financial interest made in accordance with subregulation (2).

(1) An affidavit of financial interest referred to in subregulation must be made by the applicant, or a person having knowledge of the particular facts, setting forth -

- (a) the name, identity number and address of each person, who will have a financial interest in the business to which the application relates; and
- (b) the nature and extent of the interest,

(2) Notwithstanding subregulation (1), in the case of a financial interest of a public company, statutory institution or a co-operative contemplated in the Co-operatives Act, 1996 (Act No. 23 of 1996) it is sufficient to furnish in the affidavit only -

- (a) the name, address and registration number (if any) of the company, statutory institution or co-operative;
- (b) the nature and extent of the financial interest of the company, statutory institution or co-operative; and
- (c) the name, address and identity number of each director of the company, statutory institution or co-operative.

Advertising of application

10. (1) Any advertisement of an application required to be published in terms of these regulations must be published in the prescribed form, subject to subregulation (2), in a daily newspaper which is printed and circulated in the region in which the premises to which the application relates are situated.

(2) If a newspaper is not printed and circulated in the region concerned, the applicant must cause the notice of application to be displayed, with effect from the date on which the advertisement is required to be published, on the notice board, or at any other conspicuous place -

- (a) at the office of the regional council concerned; and
- (b) at a police station or a post office or the office of a traditional authority nearest to the place where the premises concerned are situated:

Provided that the applicant is not precluded from advertising the application in any newspaper which, although not printed in the region, circulates in the region.

(3) Proof of publication of the notice must be furnished by the applicant, before or on the date of the hearing of the application by the submission of -

- (a) a newspaper clipping, showing the date of application; or
- (b) in a case contemplated in subregulation (2), a copy of the notice bearing the date stamp of the relevant office referred to in that subregulation at which the notice was displayed.

Objections and submissions in relation to applications

11. (1) Any objection or written submission lodged in terms of section 28 or 32(4) of the Act in relation to an application referred to in these regulations must -

- (a) be in writing, signed by the person making the objection or submission; and
- (b) be lodged in duplicate.

(2) An objection or a submission referred to in subregulation (1) must state -

- (a) the name and address of the person by whom the objection or submission is made;
- (b) the application in respect of which it is lodged, including -
 - (i) the name and address of the applicant; and
 - (ii) the address of the premises to which the application relates; and
- (c) the grounds on which the objection or submission is made.

(3) The secretary of a Committee or the magistrate with whom any objection or submission is lodged must furnish the applicant with a copy of the objection or submission -

- (a) in the form as set out in Form 3;
- (b) not less than seven days before the date of the meeting of the Committee or the public hearing by the magistrate, as the case may be, at which the application is to be heard.

Reply to objection or submission

12. (1) Not less than one day before the commencement of a meeting or a public hearing referred to in regulation 11, an applicant may lodge with the secretary of the Committee or the magistrate, as the case may be, a written reply to any objection or submission.

(2) Failure to lodge a written reply in terms of subregulation (1) does not preclude an applicant from giving a reply at the hearing of the application.

(3) If, when hearing an application, a Committee or a magistrate of own accord raises an objection in relation to an application, the Committee or the magistrate must, if the applicant so requests, grant a postponement of the application for a reasonable time to allow the applicant to prepare a reply to the objection.

PART IV**APPLICATION FOR A LICENCE IN TERMS OF SECTION 27****Application for licence**

13. (1) An application in terms of section 27 of the Act for the grant of a licence (other than a hotel liquor licence, a parks liquor licence or a temporary liquor licence) must -

- (a) be made in the form as set out in Form 1;
 - (b) be lodged in eightfold with the clerk of the court; and
 - (c) be lodged not more than 60 days and not less than 42 days before the date of the meeting of the Committee at which the application is to be heard.
- (2) An application referred to in subregulation (1) must be accompanied by -
- (a) a plan of the premises concerned, clearly showing -
 - (i) the dimensions of each room on the premises;
 - (ii) all doors, windows, and counters, if applicable, including places of entry into the premises; and
 - (iii) the streets or other places from which the premises may be entered;
 - (b) a description of the premises with reference to the construction, lay-out, furnishing, fixtures, fittings, wall finishing and floor covering;
 - (c) an affidavit of financial interest referred to in regulation 9;
 - (d) a certified copy of the agreement relating to a financial interest contemplated in paragraph (c);
 - (e) a certified copy of a title deed, an agreement of lease or any other instrument showing the applicant's right of occupation of the premises in respect of which the application is made;
 - (f) if applicable, an extract of the resolution referred to in regulation 8(2);
 - (g) if the premises in respect of which the licence is applied for is situated within a local authority area as defined in section 1 of the Local Authorities Act, 1992 (Act No. 23 of 1992), a certificate issued by the local authority council concerned in which it is specified that the conduct of the proposed business on the premises concerned will not be in conflict with any town planning scheme or any township condition applicable to the premises;

(h) any written representations which the applicant may wish to submit in support of the application.

(3) Upon the lodging of an application in terms of subregulation (1), the applicant must furnish to the clerk of the court -

(a) the receipt in respect of payment of the application fee; and

(b) three copies of the notice referred to in regulation 14, duly completed.

(4) If an application for a licence in terms of section 27 of the Act relates to a train, a motor vehicle, a ship, an aircraft or any other conveyance, not being immovable premises, the application must be lodged with the clerk of the magistrate's court for the district in which the registered office or the head office of the applicant is situated.

Notice of application

14. A person who intends to lodge an application referred to in regulation 13 must advertise the application by publishing a notice, in the manner as prescribed by regulation 10 -

(a) in the form as set out in Form 2;

(b) not more than 14 days and not less than 7 days before the date on which the application will be lodged with the clerk of the court.

Procedure on receipt of application

15. On receipt of an application lodged with the clerk of the court in terms of regulation 13, the magistrate concerned must -

(a) if the magistrate is not the Committee Chairperson stationed at the seat of the region as contemplated in section 24(2)(a)(i) of the Act, cause one of the copies of the applicant's notice of application referred to in regulation 10(3)(b) to be displayed on the notice board of the magistrate's court for a period of not less than 30 days before the date of the meeting of the Committee at which the application is to be heard;

(b) transmit to the secretary of the Committee the original and four copies of the application and two copies of the applicant's notice of application referred to in regulation 10(3)(b);

(c) if the premises are situated in a local authority area, transmit one copy of the application to the chief executive officer of the local authority council;

(d) if the premises are situated outside a local authority area, transmit two copies of the application to the chief executive officer of the regional council of the region in which the premises to which the application relates are situated; and

(e) retain one copy of the application for the records of the magistrate.

Display of notice by secretary

16. On receipt of the application and copies of the notice of application in terms of regulation 15(b), the secretary of the Committee must display one copy of the notice on the notice board at the seat of the Committee.

Report by local authority or regional council in relation to application

17. (1) On receipt of the copy of an application in terms of regulation 15(c) or (d) the chief executive officer of the local authority council or the regional council, as

the case may be, must -

- (a) compile a report in relation to the application concerning the considerations referred to in section 16 of the Act and such other matters relating to the application or the applicant as the chief executive officer may consider relevant; and
 - (b) submit that report to the secretary of the Committee not less than 7 days before the date of the meeting of the Committee at which the application is to be heard.
- (2) For the purpose of compiling the report referred to in subregulation (1), the chief executive officer concerned may -
- (a) consult any person in connection with any matter referred to in section 16 of the Act or the application or the applicant; or
 - (b) procure from any other person or authority whom the chief executive authority considers appropriate, any comments in writing in relation to any such matter, and attach such comments to the report.

Licence granted subject to conditional authority

18. (1) If an application for a licence is granted subject to a conditional authority referred to in section 30(1) of the Act, the conditional authority must be issued to the applicant in the form as set out in Form 4.

(2) Confirmation by a magistrate that premises specified in a conditional authority have been completed and comply with the conditions set out in the conditional authority must be issued in the form as set out in Form 5.

(3) An application in terms of section 30(4) of the Act for extension of the period of time specified in a conditional authority must -

- (a) be made in the form as set out in Part A of Form 6; and
- (b) be lodged with the magistrate in duplicate before the expiry of the period specified in the conditional authority.

(4) If an application for extension of time referred to in subregulation (3) is granted, the magistrate must issue to the applicant a certificate of extension in the form as set out in Part B of Form 6.

Objections or submissions

19. Any objection or written submission in terms of section 28(1) of the Act in relation to an application referred to in regulation 13 must be lodged, subject to regulation 11 -

- (a) in duplicate;
- (b) with the secretary of the Committee;
- (c) not less than 21 days before the date of the meeting of the Committee at which the application is to be heard.

Procedure after grant of application

20. (1) If an application referred to in regulation 13 is granted by a Committee under section 29(7) of the Act, the secretary of the Committee must issue to the applicant a certificate in the form as set out in Form 7.

- (2) On submission -
 - (a) of the certificate referred to in subregulation (1); and
 - (b) proof of payment of the relevant licence fee,

the magistrate of the district in which the premises are situated must issue to the applicant a licence in the form as set out in Form 8.

PART V TEMPORARY LIQUOR LICENCE

Application for temporary liquor licence

21. (1) An application in terms of section 32 of the Act for a temporary liquor licence must -

- (a) be made in the form as set out in Form 9; and
- (b) be lodged with the magistrate of the district in which the premises are situated where the event to which the application relates will take place.

(2) An application referred to in subregulation (1) must be accompanied by -

- (a) the receipt in respect of payment of the application fee; and
- (b) an affidavit by the applicant or a person having knowledge of the facts stating -
 - (i) the purpose and event, as contemplated in section 8(1) of the Act, for which the licence is required; and
 - (ii) the capacity in which application is made by the applicant and that he or she is qualified in accordance with section 8(4) of the Act to be issued with a temporary liquor licence.

(3) The magistrate must determine the application within three working days of the date on which it is lodged and must -

- (a) if the licence is refused, inform the applicant in writing accordingly and of the reasons for the refusal in accordance with part B of Form 9; or
- (b) if the licence is granted, issue to the applicant a certificate in the form as set out in Part B of Form 9.

Issue of licence

- 22.** On submission -
- (a) of the certificate referred to in regulation 21(3)(b); and
 - (b) proof of payment of the licence fee,

the magistrate must issue to the applicant a temporary liquor licence in the form as set

out in Form 10.

PART VI
HOTEL LIQUOR LICENCES AND PARKS LIQUOR LICENCES

Application for hotel liquor licence or parks liquor licence

23. (1) An application in terms of section 3 of the Act for a hotel liquor licence, or in terms of section 15 of the Act for a parks liquor licence, must -

- (a) be made in the form as set out in Form 11; and
 - (b) be lodged in triplicate with the Chairperson of the Committee referred to in section 3(2)(b) or 15(2) of the Act, as the case may be.
- (2) An application referred to in subregulation (1) must be accompanied by -
- (a) an affidavit of financial interest referred to in regulation 9;
 - (b) the receipt in respect of payment of the application fee;
 - (c) such other documents or information as the Committee Chairperson may require.

(3) If the licence applied for is granted under section 3(3) or section 15(3) of the Act, as the case may be, the Committee Chairperson must issue to the applicant a certificate in the form as set out in Form 12.

Issue of licence

- 24.** On submission -
- (a) of the certificate referred to in subregulation (3); and
 - (b) proof of payment the relevant licence fee,

the magistrate of the district in which the premises are situated must issue to the applicant the licence concerned in the form as set out in Form 13.

PART VII
AMENDMENT OF CONDITIONS, RESTRICTIONS OR PRIVILEGES
RELATING TO A LICENCE

Application for amendment of licence

25. (1) An application in terms of section 27(1)(d) for the amendment of any condition, restriction or privilege relating to a licence must -

- (a) be made in the form as set out in Form 14;
 - (b) be lodged in eightfold with the clerk of the court; and
 - (c) be lodged not more than 60 days and not less than 42 days before the date of the meeting of the Committee at which the application is to be considered.
- (2) An application referred to in subregulation (1) must be accompanied by -
- (a) a certified copy of the licence concerned;
 - (b) a statement by the applicant setting forth the reasons for the proposed amendment; and
 - (c) if applicable, an extract of the resolution referred to in regulation 8(2);

(d-) any written representations which the applicant may wish to submit in support of the application.

(3) Upon the lodging of an application in terms of subregulation (1), the applicant must furnish to the clerk of the court -

- (a) the receipt in respect of payment of the application fee; and
- (b) three copies of the notice referred to in regulation 26, duly completed.

Notice of application

26. A person who intends to lodge an application referred to in regulation 25 must advertise the application by publishing a notice, in the manner as prescribed by regulation 10 -

- (a) in the form as set out in Form 2;
- (b) not more than 14 days and not less than 7 days before the date on which the application will be lodged with the clerk of the court.

Procedure on receipt of application

27. On receipt of an application lodged with the clerk of the court in terms of regulation 25, the magistrate concerned must -

- (a) if the magistrate is not the Committee Chairperson stationed at the seat of the region as contemplated in section 24(2)(a)(i) of the Act, cause one of the copies of the applicant's notice of application referred to in regulation 25(3)(b) to be displayed on the notice board of the magistrate's court for a period of not less than 30 days before the date of the meeting of the Committee at which the application is to be heard;
- (b) transmit to the secretary of the Committee the original and four copies of the application and two copies of the notice of the applicant's application referred to in regulation 25(3)(b);
- (c) if the premises are situated in a local authority area, transmit one copy of the application to the chief executive officer of the local authority council;
- (d) if the premises are situated outside a local authority area, transmit two copies of the application to the chief executive officer of the regional council of the region in which the premises to which the application relates are situated; and
- (e) retain one copy of the application for the records of the magistrate.

Display of notice by secretary

28. On receipt of the application and copies of the notice of application in terms of regulation 27(b), the secretary of the Committee must display one copy of the notice on the notice board at the seat of the Committee.

Report by local authority or regional council in relation to application

29. (1) On receipt of the copy of an application in terms of regulation 27(c) or (d) the chief executive officer of the local authority council or the regional council, as the case may be, must -

- (a) compile a report in relation to the application concerning the considerations referred to in section 16 of the Act and such other matters relating to the application or the applicant as the chief executive officer may consider relevant; and

- (b) submit that report to the secretary of the Committee not less than 7 days before the date of the meeting of the Committee at which the application is to be heard.
- (2) For the purpose of compiling the report referred to in subregulation (1), the chief executive officer concerned may -
 - (a) consult any person in connection with any matter referred to in section 16 of the Act or the application or the applicant; or
 - (b) procure from any other person or authority whom the chief executive authority considers appropriate any comments in writing in relation to any such matter, and attach such comments to the report.

Objections or submission

30. Any objection or written submission in terms of section 28(1) of the Act in relation to an application referred to in regulation 25 must be lodged, subject to regulation 11 -

- (a) in duplicate;
- (b) with the secretary of the Committee;
- (c) not less than 21 days before the date of the meeting of the Committee at which the application is to be considered.

Procedure after grant of application

31. (1) If an application referred to in regulation 25 is granted by the Committee, and upon proof of payment of the prescribed fee, the secretary of the Committee must -

- (a) issue to the applicant a certificate in the form as set out in Form 15; and
- (b) transmit a duplicate of the certificate referred to in paragraph (a) to the magistrate of the district in which the licensed premises concerned are situated.

(2) The licensee must append the certificate referred to in subregulation (1)(a) to the original licence.

PART VIII

PERMANENT OR TEMPORARY REMOVAL OF A LICENCE

Application for removal of licence

32. (1) An application in terms of section 31 of the Act for the permanent or temporary removal of a licence must -

- (a) be made in the form as set out in Form 16; and
 - (b) be lodged in eightfold with the clerk of the court; and
 - (c) be lodged not more than 60 days and not less than 42 days before the date of the meeting of the Committee at which the application is to be considered.
- (2) An application referred to in subregulation (1) must be accompanied by -
- (a) a statement by the applicant setting forth the reasons for the removal of the licence; and

(b) a certified copy of the existing licence.

(3) Upon the lodging of an application in terms of subregulation (1), the applicant must furnish to the clerk of the court -

(a) the receipt in respect of payment of the application fee; and

(b) three copies of the notice referred to in regulation 33, duly completed.

Notice of application

33. A licensee who intends to lodge an application referred to in regulation 32 must advertise the application by publishing a notice, in the manner as prescribed by regulation 10 -

(a) in the form as set out in Form 2;

(b) not more than 14 days and not less than 7 days before the date on which the application will be lodged with the clerk of the court.

Procedure on receipt of application

34. On receipt of an application lodged with the clerk of the court in terms of regulation 32, the magistrate concerned must -

(a) if the magistrate is not the Committee Chairperson stationed at the seat of the region as contemplated in section 24(2)(a)(i) of the Act, cause one of the copies of the applicant's notice of application referred to in regulation 32(3)(b) to be displayed on the notice board of the magistrate's court for a period of not less than 30 days before the date of the meeting of the Committee at which the application is to be heard;

(b) transmit to the secretary of the Committee the original and four copies of the application and two copies of the applicant's notice of application referred to in regulation 32(3)(b);

(c) if the premises are situated in a local authority area, transmit one copy of the application to the chief executive officer of the local authority council;

(d) if the premises are situated outside a local authority area, transmit two copies of the application to the chief executive officer of the regional council of the region in which the premises to which the application relates are situated; and

(e) retain one copy of the application for the records of the magistrate.

Display of notice by secretary

35. On receipt of the application and copies of the applicant's notice of application in terms of regulation 34(b) the secretary of the Committee must display one copy of the notice on the notice board at the seat of the Committee.

Report by local authority or regional council in relation to application

36. (1) On receipt of the copy of an application in terms of regulation 34(c) or (d) the chief executive officer of the local authority council or the regional council, as the case may be, must -

(a) compile a report in relation to the application concerning the considerations referred to in section 16 of the Act and any other matter relating to the application or the applicant as the chief executive officer may consider relevant; and

- (b) submit that report to the secretary of the Committee not less than 7 days before the date of the meeting of the Committee at which the application is to be heard.
- (2) For the purpose of compiling the report referred to in subregulation (1), the chief executive officer concerned may -
 - (a) consult any person in connection with any matter referred to in section 16 of the Act or the application or the applicant; or
 - (b) procure from any other person or authority whom the chief executive authority considers appropriate any comments in writing in relation to any such matter, and attach such comments to the report.

Objections or submissions

37. Any objection or written submission in terms of section 28(1) of the Act in relation to an application referred to in regulation 32 must be lodged, subject to regulation 11 -

- (a) in duplicate;
- (b) with the secretary of the Committee;
- (c) not less than 21 days before the date of the meeting of the Committee at which the application is to be considered.

Procedure after grant of application

38. (1) If the Committee approves an application referred to in regulation 32, the secretary of the Committee must -

- (a) if the application is approved subject to conditions contemplated in section 31(4) of the Act, issue to the applicant a conditional authority of removal in the form as set out in Form 17; or
- (b) if the application is approved free of any condition referred to in paragraph (a) -
 - (i) issue to the applicant a certificate of removal in the form as set out in Form 18; and
 - (ii) transmit a duplicate of that certificate to the magistrate of the district in which the premises concerned are situated.

(2) An application in terms of section 30(4) of the Act for the extension of time specified in a conditional authority referred to in subregulation (1)(a), must -

- (a) be made in the form as set out in Part A of Form 6; and
- (b) be lodged with the magistrate in duplicate before the expiry of the period specified in the conditional authority.

(3) If an application for extension of time referred to in subregulation (2) is granted, the magistrate must issue to the applicant a certificate of extension in the form as set out in Part B of Form 6.

(4) Confirmation by a magistrate that the conditions specified in a conditional authority referred to in subregulation (1)(a) have been complied with must be issued in the form as set out in Form 5.

- (5) On submission -
- (a) of the certificate referred to in subregulation (1)(b) or the confirmation referred to in subregulation (4);
 - (b) the original licence; and
 - (c) proof of payment of the relevant fee,

the magistrate of the district in which the premises are situated must issue to the applicant an amended licence in the form as set out in Form 8.

PART IX TRANSFER OF A LICENCE

Application for transfer of licence

39. (1) An application in terms of section 33 of the Act for the transfer of a licence, must -

- (a) be made in the form as set out in Form 19, jointly by the licensee and by the person to whom the licence is to be transferred;
 - (b) be lodged in duplicate with the magistrate of the district in which the licensed premises are situated.
- (2) An application referred to in subregulation (1) must be accompanied by -
- (a) an affidavit of financial interest referred to in regulation 9, made by the applicant who is the proposed transferee;
 - (b) a certified copy of the agreement relating to any financial interest, if any, referred to in paragraph (c);
 - (c) a certified copy of a title deed, an agreement of lease or any other instrument showing the transferee's right of occupation of the licensed premises;
 - (d) a copy of the notice of application published in terms of regulation 40 and proof of the publication and the date of publication thereof;
 - (e) the receipt in respect of payment of the application fee;
 - (f) if applicable, an extract of the resolution referred to in regulation 8(2);
 - (g) a certified copy of the licence concerned; and
 - (h) any written representations which the licensee or transferee may wish to lodge in support of the application.

Notice of application

40. (1) The applicant who is the licensee must advertise the application by publishing a notice, in the manner as prescribed by regulation 10 -

- (a) in the form as set out in Form 20, .
- (b) not more than 14 days and not less than 7 days before the date on which the application is to be lodged with the magistrate.

(2) Not more than 7 days and not less than one day before the date on which the notice referred to in subregulation (1) is published, the licensee must lodge a copy of that notice with the clerk of court.

(3) On receipt of the notice of application in terms of subregulation (2) the clerk of the court must display that copy on the notice board at the magistrate's court.

Objections or submissions

41. Any objection or written submission in terms of section 28(1) of the Act in relation to an application referred to in regulation 39 must be lodged, subject to regulation 11 -

- (a) in duplicate;
- (b) with the magistrate;
- (c) within 7 days after the date on which the application was lodged with the magistrate.

Public hearing of application

42. (1) The magistrate must -

- (a) determine a date for a public hearing of the application for transfer of the licence, which must be not more than 28 days after the date on which the application is lodged; and
- (b) not less than seven days before the date of the hearing -
 - (i) give notice thereof, in the form as set out in Form 43, to the applicant and every person who has lodged an objection or submission in relation to the application; and
 - (ii) cause a copy of that notice to be displayed on the notice board at the magistrate's court.

(2) If an application for the transfer of a licence is approved, the magistrate must issue to the transferee a certificate in the form as set out in Form 21.

(3) On submission of -

- (a) the certificate referred to in subregulation (2);
- (b) the original licence; and
- (c) proof of payment of the relevant licence fee,

the magistrate must cancel the existing licence and issue to the transferee a new licence in the form as set out in Form 8 in accordance with section 20 of the Act.

PART X ACQUISITION OF CONTROLLING INTEREST IN LICENSED BUSINESS

Application for acquisition of controlling interest

43. (1) An application in terms of section 34 of the Act for the grant of approval for acquisition of the controlling interest in a licensed business, must -

- (a) be made in the form as set out in Form 22, jointly by the licensee and by the person who wishes to acquire the controlling interest in the licensed business;
- (b) be lodged in duplicate with the magistrate of the district in which the licensed business is situated.

- (2) An application referred to in subregulation (1) must be accompanied by -
- (a) a receipt in respect of the payment of the application fee;
 - (b) a certified copy of the agreement in terms of which the controlling interest is to be acquired;
 - (c) a copy of the notice of application published in terms of regulation 44 and proof of the publication and the date of publication thereof;
 - (c) if applicable, an extract of the resolution referred to in regulation 8(2);
 - (d) a certified copy of the licence concerned; and
 - (e) any written representations which the applicants, or either of them, may wish to submit in support of the application.

Notice of application

44. (1) The applicant who is the licensee must advertise the application by publishing a notice, in the manner as prescribed by regulation 10 -

- (a) in the form as set out in Form 20, .
- (b) not more than 14 days and not less than 7 days before the date on which the application is to be lodged with the magistrate.

(2) Not more than 7 days and not less than one day before the date on which the notice referred to in subregulation (1) is published, the licensee must lodge a copy of that notice with the clerk of court.

(3) On receipt of the notice of application in terms of subregulation (2) the clerk of the court must display that copy on the notice board at the magistrate's court.

Objections or submissions

45. Any objection or written submission in terms of section 28(1) of the Act in relation to an application referred to in regulation 43 must be lodged, subject to regulation 11 -

- (a) in duplicate;
- (b) with the magistrate;
- (c) within 7 days after the date on which the application was lodged with the magistrate.

Public hearing of application

46. (1) The magistrate must -

- (a) determine a date for a public hearing of the application for acquisition of a controlling interest, which must be not more than 28 days after the date on which the application was lodged; and
- (b) not less than 7 days before the date of the hearing -
 - (i) give notice thereof, in the form as set out in Form 43, to both the applicants and every person who has lodged an objection or submission in relation to the application; and

- (ii) cause a copy of that notice to be displayed on the notice board at the magistrate's court.

(2) If the application is approved, the magistrate must, on payment of the relevant licence fee, issue to the person acquiring the controlling interest a certificate of acquisition of the controlling interest in the form as set out in Form 23.

PART XI CHANGE OF A TRADE NAME OF LICENSED BUSINESS

Application for change of trade name of licensed business

47. (1) An application in terms of section 35 of the Act for the grant of approval for change of the trade name of a licensed business must -

- (a) be made in the form as set out in Form 24; and
 - (b) be lodged in duplicate with the magistrate of the district in which the licensed business is situated.
- (2) An application referred to in subregulation (1) must be accompanied by -
- (a) a receipt in respect of the payment of the relevant application fee;
 - (b) a copy of the notice of application published in terms of regulation 48 and proof of the publication and the date of publication thereof;
 - (c) if applicable, an extract of the resolution referred to in regulation 8(2);
 - (d) the licence concerned; and
 - (e) any written representations which the applicant may wish to submit in support of the application.

Notice of application

48. (1) The licensee must advertise the application by publishing a notice, in the manner as prescribed by regulation 10 -

- (a) in the form as set out in Form 20;
- (b) not more than 14 days and not less than 7 days before the date on which the application is to be lodged with the magistrate.

(2) Not more than 7 days and not less than one day before the date on which the notice referred to in subregulation (1) is published, the licensee must lodge a copy of that notice with the clerk of court.

(3) On receipt of the notice of application in terms of subregulation (2) the clerk of the court must display that copy on the notice board at the magistrate's court.

Objections or submissions

49. Any objection or written submission in relation to an application referred to in regulation 47 must, subject to regulation 11, be lodged -

- (a) in duplicate;
- (b) with the magistrate;
- (c) within 7 days after the date on which the application was lodged with the magistrate.

Public hearing of application

50. (1) The magistrate must -
- (a) determine a date for a public hearing of the application for the change of a trade name, which must be not more than 28 days after the date on which the application was lodged; and
 - (b) not less than 7 days before the date of the hearing -
 - (i) give notice thereof, in the form as set out in Form 43, to the applicant and every person who has lodged an objection or submission in relation to the application; and
 - (ii) cause a copy of that notice to be displayed on the notice board at the magistrate's court.
- (2) If the application for change of the trade name is approved, the magistrate must issue to the applicant a certificate of approval in the form as set out in Form 25.
- (3) On production of -
- (a) the certificate referred to in sub-regulation (2);
 - (b) the original licence; and
 - (c) proof of payment of the relevant licence fee,

the clerk of the court must issue to the licensee an amended liquor licence reflecting the new trade name.

**PART XII
LEASE OF A LICENSED BUSINESS**

Application for lease of licensed business

51. (1) An application in terms of section 36 of the Act for the leasing of a licensed business must -
- (a) be made in the form as set out in Form 26, jointly by the licensee and by the proposed lessee; and
 - (b) be lodged in duplicate with the magistrate of the district in which the licensed premises are situated.
- (2) An application referred to in subregulation (1) must be accompanied by -
- (a) a receipt in respect of the payment of the relevant application fee;
 - (b) a certified copy of the proposed agreement of lease between the applicants in respect of the licensed business;
 - (c) if applicable, an extract of the resolution referred to in regulation 8(2);
 - (d) the licence concerned; and
 - (e) any written representations which the applicants, or either of them, may wish to submit in support of the application.

Procedure after receipt of application

52. If the application referred to in regulation 51 is granted by the magistrate, the magistrate must, upon payment of the relevant licence fee, issue to the lessee a certificate of approval of lease of the licensed business in the form as set out in Form 27.

**PART XIII
GENERAL****Notice of change of manager**

53. Notification of an occurrence contemplated in section 37(1) of the Act in relation to a manager appointed under section 18 of the Act must be given to the magistrate -

- (a) in the form as set out in Form 28;
- (b) within 7 days after the occurrence.

Submission of copies of licences and certificates of renewal issued

54. A person who, in terms of subsection (7) of section 38, is required to submit to the authorities mentioned in that subsection and subsection (8) of that section, copies of licences and certificates of renewal issued by that person, must submit such copies -

- (a) within 7 days after the end of the month in which they were issued;
- (b) by personal delivery or by registered post addressed to those authorities.

Register of licences and extracts from register

55. (1) The register which a magistrate, or a person authorised by the magistrate, is required to keep in terms of section 39(1) of the Act must -

- (a) be in the form as set out in Form 29; and
- (b) be affixed to the inside of the front cover of the subject file opened in respect of a licence issued in terms of the Act.

(2) The clerk of the court must keep a register of payments (card register) in the form as set out in Form 30 in which must be reflected payments received in respect of licence fees and renewal fees specified in the First Schedule to the Act.

(3) No register is required to be kept in respect of temporary liquor licenses issued in terms of the Act.

(4) The fee payable in terms of section 39(2) of the Act for the issue of a certified extract from the register is N\$ 3.00 per single page, or part thereof, of every extract or copy made.

Notice of appeal and procedure

56. (1) A notice of appeal referred to in section 41(1) of the Act must be lodged in the form as set out in Form 31;

- (2) The notice of appeal referred to in subregulation (1) must be accompanied by -
 - (a) a receipt in respect of the payment of the fee prescribed in Part III of the First Schedule to the Act for the lodging of a notice of appeal;
 - (b) if the appellant is a body corporate, a certified copy of the resolution authorising the person who signed the notice of appeal to note and conduct the appeal on behalf of the appellant.

(3) Service of a notice of appeal in terms of section 41(4) must be effected by the secretary of the Committee or the clerk of the magistrate's court concerned by delivery thereof to the applicant or by dispatch by registered post.

(4) The clerk of the court or the secretary of the Committee receiving a notice of appeal must submit to the Committee Chairperson or magistrate concerned -

- (a) the notice of appeal; and
 - (b) the record of the proceedings in which the decision was made to which the appeal relates.
- (5) The Committee Chairperson or magistrate concerned must -
- (a) certify the record as correct;
 - (b) prepare and add a statement setting out the reasons for the decision against which the appeal is lodged; and
 - (c) return the documents relating to the matter to the clerk of the court or the secretary of the Committee, as the case may be, for transmission to the Chief of Lower Courts in terms of section 41(5).

(6) On receipt of the documents referred to in subregulation (4), the Chief of Lower Courts must -

- (a) determine a date for the hearing of the appeal, which must be within 60 days of the date of lodging of the notice of appeal in terms of section 41(1); and
- (b) cause a notice of the hearing of the appeal, in the form as set out in Form 32, to be served on the appellant and every other person who is a party to the appeal, so as to reach them not later than 30 days before the date determined for the hearing.

(7) The Minister may extend the period of 60 days referred to in subregulation 6(a).

Application for approval to supply samples of liquor for consumption on licensed bottle store premises

57. (1) An application in terms of section 45(3) of the Act for approval to supply samples of liquor free of charge to customers on licensed bottle store premises for consumption on or away from the premises, must -

- (a) be made in the form as set out in Form 33; and
- (b) be lodged in triplicate with the magistrate of the district in which the licensed premises are situated.

(2) An application referred to in subregulation (1) must be accompanied -

- (a) if applicable, by an extract of the resolution referred to in regulation 8(3); and
- (b) the receipt in respect of payment of the application fee.

(3) A magistrate with whom an application is lodged in terms of subregulation (1) must determine the application within three working days of the date on which it was lodged, and must -

- (a) if the approval is refused, inform the applicant accordingly in the form as set out in Part A of Form 33; or

- (b) if the approval is granted, issue to the applicant an approval in the form as set out in Part B of Form 33.

Notice to be displayed in relation to sale or supply of liquor to persons under 18 years

58. (1) A licensee must display in or on the licensed premises a notice in the form as set out in Form 34 of the prohibition imposed by section 56 of the Act concerning the sale or supply of liquor to persons under the age of 18 years.

- (2) The notice referred to in subregulation (1) must be displayed -
- (a) in letters not less than two centimetres in height; and
- (b) at a conspicuous place in or on the licensed premises.

Application for approval to make structural alterations to licensed premises

59. (1) An application for approval by a Committee Chairperson or a magistrate in terms of section 50 of the Act to make any structural alteration or addition to licensed premises, must -

- (a) be made in the form as set out in Form 35; and
- (b) be lodged in triplicate with the magistrate of the district in which the licensed premises are situated.
- (2) An application referred to in subregulation (1) must be accompanied by -
- (a) a plan of the premises, showing -
- (i) the specific portion of the premises on or to which the proposed alteration or addition is to be made;
- (ii) the proposed alteration or addition and how it links up with the existing premises;
- (iii) the dimensions of each room on the premises, except if the premises are that of an accommodation establishment;
- (vi) all doors, windows and counters (where applicable), including places of entry into or on or relating to the premises; and
- (v) the streets or other places from which the premises may be entered;
- (b) a description of the specific portion of the licensed premises with reference to the construction, lay-out, furnishing, fixtures, fittings, wall finishing and floor covering;
- (c) if applicable, an extract of the resolution referred to in regulation 8(2);
- (d) the receipt in respect of payment of the relevant application fee;
- (e) a certified copy of the licence relating to the licensed premises; and
- (f) any written representations which the applicant may wish to submit in support of the application.

(3) If an application referred to in subregulation (1) is made in relation to premises of an accommodation establishment, the magistrate must refer the application, together with any recommendations which he or she may wish to make in relation to the application, to the Committee Chairperson, who must determine the application in accordance with section 50(a) of the Act.

(4) An application in relation to licensed premises other than an accommodation establishment must be determined by the magistrate concerned.

(5) If an application referred to in subregulation (1) is granted, the Committee Chairperson or the magistrate, as the case may be, must issue to the licensee a certificate of approval, in the form as set out in Form 36, to effect the alteration or addition as approved, and the licensee must append such authority to the original licence.

Exemption from obligation of residence of manager on licensed premises

60. (1) An application in terms of section 51 of the Act by a licensee for exemption from the obligation imposed by that section that the manager of a hotel must reside on the licensed premises, must -

- (a) be made in the form as set out in Form 37; and
 - (b) be lodged in duplicate with the Committee Chairperson of the region in which the licensed premises are situated.
- (2) An application referred to in subregulation (1) must be accompanied by -
- (a) a certified copy of the licence concerned;
 - (b) the receipt in respect of payment of the application fee;
 - (c) if applicable, an extract of the resolution referred to in regulation 8(3); and
 - (d) any written representations which the applicant may wish to submit in support of the application.

(3) If the application is granted by the Committee Chairperson, the secretary of the Committee must issue to the applicant a certificate of exemption in the form as set out in Form 38.

Receipt to be issued for articles seized

61. The receipt to be issued by a member of the police in terms of subsection (5) of section 63 of the Act in respect of any article or thing seized under subsection (2) of that section, must be issued in the form as set out in Form 39.

Meeting of Committee to consider report or petition in relation to licensed premises

- 62.** (1) A meeting which a Committee Chairperson is required to convene -
- (a) in terms of subsection (2)(a) of section 64 of the Act to consider a report of a district health officer or a police officer made in terms of subsection (1) of that section in relation to any licensed premises; or
 - (b) in terms of subsection (3)(a) of section 65 of the Act to consider a petition lodged by residents in terms of subsection (1) of that section in relation to any licensed premises,

must be convened, by notice in writing in the form as set out in Form 42, to take place within 21 days of the date of receipt of the report or the petition, as the case may be.

- (2) The secretary of the Committee must -
 - (a) in the case of a meeting convened in terms of section 64 of the Act, comply with subsection (2)(b) of that section;

- (b) in the case of a meeting convened in terms of section 65, comply with subsection (3)(b) of that section,

not later than 10 days before the date for which the meeting is convened.

Temporary closure of licensed premises in certain circumstances

63. (1) An order for the temporary closure of any licensed premises in situations contemplated in section 66(1) of the Act, must be issued in the form as set out in Form 40.

(2) The person issuing the order must cause the order to be served on the licensee of the licensed premises concerned, or, if the licensee is not available, on the manager of the licensed business or, if neither the licensee or the manager is available, on any other person who, in the opinion of the person serving the order, appears to be in charge of the licensed premises and to be over the age of 18 years.

(3) The cancellation of an order in terms of section 66(3) of the Act must be issued in the form as set out in Form 41 and be served in the manner prescribed by subregulation (2).

(4) If an order referred to in subregulation (1) or a cancellation order referred to in subregulation (3) is issued by a person contemplated in section 66(1) of the Act other than the magistrate of the district, that person must deliver a copy of the order or cancellation order concerned to the magistrate of the district.

Request by magistrate for report in relation to application

64. A request in terms of section 32(3)(a) by a magistrate to any person or authority for a report in relation to an application or an applicant, must -

- (a) be in writing;
- (b) specify the information which is required to be furnished in the report; and
- (c) be delivered or sent by registered post to the person or authority to which the request is directed.

Payment of fees

65. (1) Application fees, licence fees and annual licence fees referred to in section 22 of the Act and fees payable in terms of these regulations, must be paid -

- (a) in relation to licensed premises or premises to which an application in terms of the Act relates, to the magistrate of the district in which the premises are situated; or
- (b) in relation to premises contemplated in regulation 13(4), not being immovable premises, to the magistrate of the district referred to in that regulation.

(2) Payment of any fees referred to in subregulation (1) may not be accepted unless the relevant application, licence, certificate or authority, as the case may be, in respect of which the fees are payable, is produced to the magistrate.

Manner of display of notices on notice board

66. (1) Notices which in terms of these regulations are required to be displayed on a notice board at the seat of a Committee or at a magistrate's court, may -

- (a) be contained in bound volumes, with an index of their contents, affixed to the notice board; or
- (b) may be retained for inspection in an office of the secretary of a Committee or of the magistrate, as the case may be, provided a notice in writing, the letters whereof must be at least one centimetre in height, is displayed on the notice board stating -
 - (i) that the notices of application are available for inspection; and
 - (ii) the office number where they can be inspected.

Commencement of meetings

67. Unless otherwise provided in the Act or these regulations, a Committee or magistrate, as the case may be, shall commence with a meeting convened in terms of the Act or of these regulations at 09:00 or as soon thereafter as may be practicable.

Manner in which notice shall be given or documents served

68. (1) Unless otherwise provided for in the Act or in these regulations, any notice to be given or anything to be notified or any document to be served to or on any person in terms of these regulations must -

- (a) be in writing in the official language; and
- (b) be given, notified or served by means of delivery by hand or dispatch by registered post to the person concerned.

(3) A notice sent by registered post shall be deemed, unless the contrary is proved, to have been delivered to the addressee on a date five days after the date on which the notice was delivered at a post office for dispatch.

(2) In a region where newspapers are not circulated or not regularly circulated, a notice prescribed to be published in a newspaper may be publicly communicated by broadcast through a local radio service.

PART XIV TIMES OF BUSINESS FOR SALE, SUPPLY OR DELIVERY OF LIQUOR

Times of business applicable to bottle store licence

69. The holder of a bottle store licence -
- (a) may sell liquor -
 - (i) on any day, excluding a closed day and Saturday, from 08:00 to 19:00;
 - (ii) on a Saturday, excluding a closed day, from 08:00 to 13:00;
 - (b) may deliver liquor -
 - (i) on any day, excluding a closed day and Saturday, from 09:00 to 20:00;
 - (ii) on a Saturday, excluding a closed day, from 09:00 to 15:00;

Times of business applicable to grocery liquor licence

70. The holder of a grocery liquor licence may sell liquor -
- (a) on any day, excluding a closed day and Saturday, from 08:00 to 19:00;
 - (b) on a Saturday, excluding a closed day, from 08:00 to 13:00;

Times of business applicable to wholesale liquor licence and brewery depot liquor licence

71. The holder of a wholesale liquor licence or a brewery depot liquor licence may sell or deliver liquor -

- (i) on any day, excluding a Saturday, a Sunday, Christmas Day, Good Friday and Ascension Day, from 07:00 to 18:00;
- (ii) on a Saturday, excluding a closed day, from 08:00 to 13:00;

Times of business applicable to distillery licence

72. The holder of a distillery licence may sell or deliver liquor -
- (a) on any day, excluding a closed day or Saturday, from 07:00 to 18:00;
 - (b) on a Saturday, excluding a closed day, from 07:00 to 13:00;

Times of business applicable to parks off-sales liquor licence

73. The holder of a parks off-sales liquor licence may sell or deliver liquor -
- (a) on any day, excluding a closed day or Saturday, from 08:00 to 18:00;
 - (b) on a Saturday, excluding a closed day, from 07:00 to 13:00;

Times of business applicable to vineyard liquor licence

74. The holder of a vineyard liquor licence may sell liquor -
- (a) for consumption on the premises -
 - (i) on any day, excluding a Sunday, from 10:00 to 24:00;
 - (ii) on a Sunday, from 12:00 to 14:30 and from 18:00 to 21:00;
 - (b) in sealed containers for removal from the licensed premises -
 - (i) on any day, excluding a closed day or Saturday, from 8:00 to 19:00;
 - (ii) on a Saturday, from 8:00 to 13:00;

Times of business applicable to shebeen liquor licence

75. The holder of a shebeen licence may sell liquor -
- (a) on any day, excluding a Sunday from 10:00 to 24:00;
 - (b) on a Sunday, from 10:00 to 14:30 and from 18:00 to 24:00;

Times of business applicable to club liquor licence

76. The holder of a club liquor licence may sell liquor -
- (a) on any day, excluding Christmas Day, Good Friday, Ascension Day or Sunday, from 10:00 to 02:00 the following day;
 - (b) on a Sunday, from 10:00 to 24:00;

Times of business applicable to hotel on-consumption liquor licence, restaurant liquor licence and parks on-consumption licence

77. (1) The holder of hotel on-consumption liquor licence, a restaurant liquor licence or a parks on-consumption liquor licence may sell liquor -

- (a) on any day, excluding a Sunday, from 10:00 to 24:00;
- (b) on a Sunday, from 10:00 to 14:30 and from 18:00 to 24:00.

(2) Notwithstanding subregulation (1), a licensee in respect of an accommodation establishment registered or deemed to be registered under the Namibia Tourism Board Act, 2000 (Act No. 21 of 2000) which has been allocated a grading in accordance with that Act, may sell liquor to a guest lodging at that establishment for consumption in the room by the guest, including visitors of the guest -

- (a) if the establishment is graded as a one-star, a two-star or a three-star establishment, on any day from 10:00 to 02:00 the following day, irrespective if any such day is a closed day; or
- (b) if the establishment is graded as a four-star, a five-star establishment, at any time on any day, including a closed day.

**PART XV
OFFENCES AND PENALTIES**

Offences and penalties

78. Any person who contravenes, or fails to comply with, any provision of these regulations is guilty of an offence and liable to a fine not exceeding N\$ 4000 or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

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Form 1

LIQUOR ACT, 1998
APPLICATION TO A COMMITTEE FOR A LICENCE
(regulation 13)

Application to: Regional Liquor Licensing Committee

Region

Application lodged with: The Magistrate

District

Date of Committee meeting at which application is to be heard

Licence applied for

Application fee paid N\$

Receipt no. and date of issue

Application is made for a licence mentioned above. I certify that the information furnished in this application, and in the documents attached to it, is true and correct.

Signature of applicant or person authorised to sign application

Place

Date

1. (a) Full name of applicant

(b) Date of birth

(c) Identity number / registration number if a company or close corporation

(d) Postal address

(e) Residential address / address of registered office

(f) Business address

(g) Business telephone number

2. If applicant is a natural person, is applicant subject to any disqualification mentioned in section 19 to hold a licence?

3. If applicant is a company or close corporation state the main object or principal business of the company or close corporation as set out in its memorandum of association or founding statement (use an annexure, if necessary)

4. Name under which business is to be conducted
.....
5. Address of premises where business will be conducted. If situated outside an urban area describe location of premises, including by reference to name, number and district of farm
.....
.....
6. Right under which applicant will occupy the premises (Attach a certified copy of any title deed, agreement or other instrument evidencing the right)
.....
7. If the application relates to incomplete premises which must still be erected or require any alterations or additions to be made, give a brief description of the work still to be carried out, and state the expected date of completion of the work
.....
.....
.....
.....
.....
8. If any other kind of business is conducted or will be conducted on the premises, state the kind of business involved
.....
9. In the case of an application for a special licence -
 - (a) in respect of a tourist safari camp, attach the approval of the Minister of Environment and Tourism as required by section 7(4)(a)
.....
 - (b) in respect of a railway station, railway train, international motor coach, ship or airport, attach the approval of the Minister of Works, Transport and Communication as required by section 7(4)(b)
.....
10. If application is made for a bottle store liquor licence, is the applicant the holder of a shebeen liquor licence?
.....

11. If application is made for a grocery liquor licence, does the applicant, or will the applicant, conduct business as a dealer as mentioned in section 10(1)? Give a brief description of the business and of the kind of commodities sold or to be sold

.....
.....
.....

12. If application is made for a brewery depot licence, attach a certified copy of the applicant's licence held under the Breweries and Distillers Licences Duty Proclamation, 1924 (Proclamation No. 3 of 1924)

.....

13. If application is made for a distillery licence, attach a certified copy of the applicant's distiller's licence held under the Customs and Excise Act, 1998 (Act No. 20 of 1998)

.....
.....

14. If application is made for a restaurant liquor licence, state if application is made to conduct a public bar

.....

15. State special privileges (if any) applied for

.....
.....

16. If application is made for a bottle store liquor licence by an applicant who is not a hotel liquor licensee, or for a licence other than a wholesale liquor licence, brewery depot licence, distillery licence or vineyard liquor licence -

(a) state whether the applicant or any other person who will have a financial interest in the business to which the application relates -

(i) conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(ii) has a controlling interest in a company or other body corporate or a partnership or other association of persons which conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

.....

(iii) If the reply to either subparagraph (i) or (ii) is "yes", state -

(aa) the name and address of the person by whom such business is conducted or by whom the controlling interest is held

.....

(bb) the name and address of the business concerned or, if applicable, the name and address of the company, body corporate, partnership or association in which the controlling interest is held, as well as the name and address of the business concerned if different from that of the company, other body corporate, partnership or other association

.....

.....

(cc) the nature and extent of the interest of the applicant or such other person in that business or in that company, body corporate, partnership or association

.....

(b) if the applicant is a company, close corporation or other body corporate, or a partnership or other association, state whether any shareholder, member or partner of the applicant -

(i) conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(ii) has a controlling interest in a company or other body corporate or a partnership or other association of persons which conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

.....

(iii) If the reply to either subparagraph (i) or (ii) is "yes", state -

(aa) the name and address of the person by whom such business is conducted or by whom the controlling interest is held

.....

.....

(bb) the name and address of the business concerned or, if applicable, the name and address of the company, body corporate, partnership or association in which the controlling interest is held, as well as the name and address of the business concerned if different from that of the company, body corporate, partnership or other association

.....

.....

.....

(cc) the nature and extent of the interest of that person in that business or in that company, other body corporate, partnership or other association

.....

17. Will any person who will have a financial interest in the business to which the application relates, hold that interest in the capacity as nominee of any other person?

If "yes, state the names and addresses of both the nominee and the principal and the nature of the relationship between the nominee and the principal

.....
.....

18. Will any person who is a shareholder or member of a company or close corporation which will have a financial interest in the business to which the application relates, hold that share or membership in the capacity as nominee of any other person?

If "yes, state -

(a) the names and addresses of both the nominee and the principal and the nature of the relationship between the nominee and the principal

.....
.....

(b) whether the shareholding or membership of the nominee constitutes the controlling interest in the company or close corporation concerned

.....

19. If in either of the cases referred to in paragraphs 17 and 18 a person acts as a nominee, state

(a) whether the principal -

(i) conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(ii) has a controlling interest in a company or other body corporate or a partnership or other association of persons which conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

.....

(iii) If the reply to either subparagraph (i) or (ii) is "yes", state -

(aa) the name and address of the business concerned or, if applicable, the name and address of the company, body corporate, partnership or association in which the controlling interest is held, as well as the name and address of the business concerned if different from that of the company, body corporate, partnership or other association

.....
.....
.....

(bb) the nature and extent of the interest of the principal in that business or in that company, other body corporate, partnership or other association

.....
.....

(b) if the principal is a company or close corporation or other body corporate, or a partnership or other association, whether any shareholder, member or partner of the principal -

(i) conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(ii) has a controlling interest in a company or other body corporate or a partnership or other association of persons which conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

.....

(iii) If the reply to either subparagraph (i) or (ii) is "yes", state -

(aa) the name and address of the person by whom such business is conducted or by whom the controlling interest is held

.....
.....
.....
.....

(bb) the name and address of the business concerned or, if applicable, the name and address of the company, body corporate, partnership or association in which the controlling interest is held, as well as the name and address of the business concerned if different from that of the company, body corporate, partnership or other association

.....
.....
.....
.....

(cc) the nature and extent of the interest of that person in that business or in that company, other body corporate, partnership or other association

.....

20. If the application is for a club liquor licence, attach a certified copy of the rules of the club and an affidavit by the chairperson of the club verifying it is a *bona fide* club and that the matters referred to in section 6(1)(b) of the Act are observed by the club.....

21. List of Annexures to this application

.....
.....
.....

FORM 2

LIQUOR ACT, 1998

**NOTICE OF APPLICATION TO A COMMITTEE IN TERMS OF
THE LIQUOR ACT, 1998**
(regulations 14, 26 & 33)

Notice is given that an application in terms of the Liquor Act, 1998, particulars of which appear below, will be made to the Regional Liquor Licensing Committee, Region

1. Name and postal address of applicant
..... (a)
2. Name of business or proposed business to which application relates
..... (b)
3. Address/location of premises to which application relates.....
.....
..... (c)
4. Nature and details of application
.....
.....
.....
..... (d)
5. Clerk of the court with whom application will be lodged
..... (e)
6. Date on which application will be lodged
7. Date of meeting of Committee at which application will be heard

Any objection or written submission in terms of section 28 of the Act in relation to the application must be sent or delivered to the Secretary of the Committee to reach the Secretary not less than 21 days before the date of the meeting of the Committee at which the application will be heard.

NOTES FOR COMPLETION OF THIS FORM: *(not to be published as part of advertisement)*

- (a) If application is made by a body corporate, organisation, etc. state name of body corporate, etc., eg "XYZ (Pty.) Ltd" or "XYZ Club" and not the name of the person authorised to make the application.;
- (b) If application is made for a new licence, state the proposed name under which business will be conducted.
- (c) If premises are situated outside a local authority area, give a brief description of the location, eg. "Portion 2 of Farm ABC, Registration Division J, district Okahandja" or "Approximately 90 km south-westwards of Rundu along Rundu - Grootfontein road".
- (d)
 - (i) Application for a new licence - state kind of licence, eg. "Application for grant of Shebeen licence/Parks off-sales liquor licence";
 - (ii) Application for temporary or permanent removal of licence, state the kind of licence involved and the address of the new premises to which the license is proposed to be removed, eg. "Application for permanent removal of shebeen licence - To:(proposed new address of licensed business)";
 - (iii) Application for amendment of condition, restriction or privilege attached to licence - state kind of licence and details of proposed amendment applied for.
- (e) State the clerk of the magistrate's court with whom the application will be lodged, eg "Clerk of the Magistrate's Court, district Windhoek".

LIQUOR ACT, 1998
NOTICE TO APPLICANT OF OBJECTION OR SUBMISSION
(regulation 11(3))

To Applicant:

Address:

.....

.....

You are hereby notified that an objection/written submission has been lodged in relation to your application for
in respect of premises situated at
.....
.....

A copy of the objection/written submission is attached hereto.

.....
Secretary of the Committee/Magistrate

.....
Place

Date
.....

Form 4

LIQUOR ACT, 1998
CONDITIONAL AUTHORITY FOR A LICENCE IN
RESPECT OF INCOMPLETE PREMISES
(regulation 18(1))

It is certified that the Regional Liquor Licensing Committee has granted
a licence
to
in respect of incomplete premises situate at
.....
.....

The Committee has determined that the work on the premises must be completed in
accordance with the approved plan not later than

The following conditions have been imposed and must be complied with before the
licence will be issued
.....
.....
.....
.....
.....
.....
.....
.....

The licence, when issued, shall be subject to the conditions, restrictions and privileges
set out in the Annexure attached hereto.

The following businesses may be conducted on the premises (section 44)
.....
.....
.....

.....
Secretary of the Committee
Region

.....
Place

Date issued

LIQUOR ACT, 1998
CONFIRMATION OF COMPLIANCE WITH CONDITIONS
OF CONDITIONAL AUTHORITY
(regulation 18(2) & 38(4))

It is confirmed that the conditions set out in the Conditional Authority for a
 licence
 issued by the Regional Liquor Licensing Committee, Region
 on
 to
 in respect of premises situate at

have been complied with.

.....
 Magistrate

.....
 Place

Date issued

LIQUOR ACT, 1998

PART A

APPLICATION FOR EXTENSION OF CONDITIONAL AUTHORITY

(regulation 18(3) and 38(2))

To: The Magistrate
.....

I apply for extension of the period of time specified in the Conditional Authority for a
..... licence
issued by the Regional Liquor Licensin Committee, Region
on
to
in respect of premises situate at
.....
.....
.....
which period expires on

Period of extension applied for

The reasons for the application of extension of time are the following:
.....
.....

Full name and residential and business address of applicant
.....
.....

Application fee paid N\$
Receipt no. and date issued

.....
Signature of applicant or person
authorised to sign application

Place

Date

PART B

CERTIFICATE OF EXTENSION OF CONDITIONAL AUTHORITY

The Conditional Authority referred to in Part A above is extended until

.....
Magistrate

Place

Date

LIQUOR ACT, 1998

CERTIFICATE OF GRANT OF A LICENCE

(regulation 20(1))

It is certified that the Regional Liquor Licensing Committee, Region
has granted an application for the issue of a

.....licence

to

in respect of the business known as

to be conducted at premises situate at

.....

.....

.....

Conditions applicable to the licence:

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....
Secretary of the Committee

.....
Place

Date issued

Form 8

LIQUOR ACT, 1998

LICENCE

(New licence / Renewal / Amended licence)

issued in terms of the Liquor Act, 1998 (Act No. 6 of 1998)

(regulation 20(2))

Kind of Licence:

.....

Name of Licensee

Date of birth

Identity Number/Registration Number

Residential address/Address of registered office

.....

.....

Trade name of licensed business

.....

Address of licensed premises

.....

.....

.....

Name and residential and postal address of manager (if any) appointed for the licensed business

Kind of liquor permitted to be sold on licensed premises

.....

Other business which may be conducted on the licensed premises in terms of Government Notice issued under section 44(3) of the Act

.....

.....

.....

Conditions, privileges and restrictions applicable in respect of licence

.....

.....

.....

Date of expiry of licence

Licence fee paid: N\$

Receipt no. and date issued

THIS LICENCE IS ISSUED SUBJECT TO THE PROVISIONS OF THE LIQUOR ACT, 1998 (ACT NO. 6 OF 1998) AND THE LIQUOR REGULATIONS

Issued by:

.....
Magistrate

.....
Place

Date issued

Form 9

LIQUOR ACT, 1998

PART A

APPLICATION FOR A TEMPORARY LIQUOR LICENCE

(regulation 21)

Application to: The Magistrate
.....

Application is made for a temporary liquor licence. I certify that the information furnished in this application, and in the documents attached to it, is true and correct.

Signature of applicant or person authorised to sign application
Place
Date

- 1. (a) Full name of applicant
(b) Date of birth
(c) Identity number / Registration number of a company or close corporation
(d) Postal address
(e) Residential address / address of registered office
(f) Business address
2. In terms of which paragraph of section 8(4) is application made?
Attach an affidavit stating applicant's capacity or authority under that section to hold a temporary liquor licence
3. Is application made under section 8(3)(d) or (e) by the holder of a hotel liquor licence, a restaurant liquor or a club liquor licence
If "yes" attach a certified copy of the licence
4. State the nature of the function for which the licence is required
5. State the number of bars to be conducted under the licence
6. Give a description of the premises where business is to be conducted under the licence
7. State the dates and times of business to be conducted under the licence

- 8. State whether the licence is required for serving light liquor only or all kind of liquor
- 9. State the number of temporary liquor licences issued to the applicant during the past 6 days

PART B

CERTIFICATE OF GRANT/REFUSAL* OF TEMPORARY LIQUOR LICENCE

It is certified that the application for a temporary liquor licence set out in Part A above is -

*(a) Refused.
 Reasons for refusal

- *(b) Granted in respect of (number) bar/s -
- (i) for serving liquor/light liquor*
 - (ii) on the premises situate at
 - (iii) at the event
 - (iv) on the days
 - (v) during the hours
 - (vi) subject to the following conditions, restrictions or privileges

.....
 Magistrate Place

Date issued

*Delete which is not applicable

Form 10

LIQUOR ACT, 1998
TEMPORARY LIQUOR LICENCE
(regulation 22)

Name of licensee

Date of birth

Identity number/Registration number

Capacity of licensee in terms of section 8(3)

Premises in respect of which licence is issued
.....
.....
.....

Event in respect of which licence is issued

Days on which business may be conducted

Hours during which business may be conducted

Number of bars which may be conducted

Kind of liquor which may be served: All liquor/Light liquor only*

Conditions, restrictions or privileges applicable

Licence fee paid: N\$

Receipt no. and date of issue

THIS LICENCE IS ISSUED SUBJECT TO THE PROVISIONS OF THE LIQUOR ACT, 1998 (ACT NO. 6 OF 1998) AND THE LIQUOR REGULATIONS.

.....
Magistrate

.....
Place

Date issued

*Delete which is not applicable

LIQUOR ACT, 1998

**APPLICATION FOR A HOTEL LIQUOR LICENCE OR
A PARKS LIQUOR LICENCE**
(regulation 23(1))

To: The Committee Chairperson
Region

Licence applied for

Application is made for a licence mentioned above. I certify that the information furnished in this application, and in the documents attached to it, is true and correct.

Application fee paid N\$

Receipt no. and date of issue

.....
Signature of applicant or person authorised to sign application
Place

.....
Date

-
- 1.1. (a) Full name of applicant
 - (b) Date of birth
 - (c) Identity number / registration number of company or close corporation
 - (d) Postal address
 - (e) Residential address / address of registered office
 - (f) Business address
 - (g) Business telephone number

2. If applicant is a natural person, is applicant subject to any disqualification mentioned in section 19 to hold a licence?

- 3. If applicant is a company or close corporation state the main object or principal business of the company or close corporation as set out in its memorandum of association or founding statement (use an annexure, if necessary)
.....
.....
- 4. Name under which business is to be conducted
- 5. (a) Address of premises where business will be conducted. If situated outside an urban area describe location of premises, including by reference to name, number and district of farm
.....
.....
- (b) In the case of an application for a parks liquor licence, state the name of the national park, national game reserve, nature reserve, recreation area or public resort in which the premises are situated
- 6. Right under which applicant will occupy the premises (Attach a certified copy of any title deed, agreement or other instrument evidencing the right)
- 7. If application is made for a hotel liquor licence -
 - (a) state the kind of accommodation establishment (in accordance with the definition of "accommodation establishment" in section 1 of the Act) in respect of which the application is made
 - (b) attach a certified copy of the certificate of registration of that accommodation establishment under the Namibia Tourism Act, 2000 or the repealed provisions of the Accommodation Establishments and Tourism Ordinance, 1973, as the case may be
 - (c) state whether a dining room or restaurant is provided and maintained on the premises of the accommodation establishment
 - (d) if the application is in respect of a guest farm, rest camp safari undertaking or caravan park, state whether application is also made for authorisation to conduct a public bar
- 8. If application is made for a parks liquor licence, state whether application is made for -
 - (a) a parks on-consumption liquor licence only
 - (b) a parks off-sales liquor licence only
 - (c) both a parks on-consumption liquor licence
 - (d) does the applicant in terms of section 44 of the Act request authority to conduct any other business on the premises? If so give particulars

9. In the case of an application for a parks liquor licence -

(a) state whether the applicant or any other person who will have a financial interest in the business to which the application relates -

(i) conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(ii) has a controlling interest in a company or other body corporate or a partnership or other association of persons which conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(iii) If the reply to either subparagraph (i) or (ii) is "yes", state -

(aa) the name and address of the person by whom such business is conducted or by whom the controlling interest is held

(bb) the name and address of the business concerned or, if applicable, the name and address of the company, body corporate, partnership or association in which the controlling interest is held, as well as the name and address of the business concerned if different from that of the company, other body corporate, partnership or other association

(cc) the nature and extent of the interest of the applicant or such other person in that business or in that company, body corporate, partnership or association

(b) if the applicant is a company, close corporation or other body corporate, or a partnership or other association, state whether any shareholder, member or partner of the applicant -

(i) conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(ii) has a controlling interest in a company or other body corporate or a partnership or other association of persons which conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(iii) If the reply to either subparagraph (i) or (ii) is "yes", state -

(aa) the name and address of the person by whom such business is conducted or by whom the controlling interest is held

.....
.....

(bb) the name and address of the business concerned or, if applicable, the name and address of the company, body corporate, partnership or association in which the controlling interest is held, as well as the name and address of the business concerned if different from that of the company, body corporate, partnership or other association

.....
.....
.....

(cc) the nature and extent of the interest of that person in that business or in that company, other body corporate, partnership or other association

.....
.....

(c) will any person who will have a financial interest in the business to which the application relates, hold that interest in the capacity as nominee of any other person?

If "yes, state the names and addresses of both the nominee and the principal and the nature of the relationship between the nominee and the principal

.....
.....

(d) will any person who is a shareholder or member of a company or close corporation which will have a financial interest in the business to which the application relates, hold that share or membership in the capacity as nominee of any other person?

If "yes, state -

(i) the names and addresses of both the nominee and the principal and the nature of the relationship between the nominee and the principal

.....
.....

(ii) whether the shareholding or membership of the nominee constitutes the controlling interest in the company or close corporation concerned

10 If in either of the cases referred to in paragraphs 9(c) and (d) a person acts as a nominee, state -

(a) whether the principal -

(i) conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(ii) has a controlling interest in a company or other body corporate or a partnership or other association of persons which conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(iii) If the reply to either subparagraph (i) or (ii) is "yes", state -

(aa) the name and address of the business concerned or, if applicable, the name and address of the company, body corporate, partnership or association in which the controlling interest is held, as well as the name and address of the business concerned if different from that of the company, body corporate, partnership or other association

(bb) the nature and extent of the interest of the principal in that business or in that company, other body corporate, partnership or other association

(b) if the principal is a company or close corporation or other body corporate, or a partnership or other association, whether any shareholder, member or partner of the principal -

(i) conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(ii) has a controlling interest in a company or other body corporate or a partnership or other association of persons which conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(iii) If the reply to either subparagraph (i) or (ii) is "yes", state -

(aa) the name and address of the person by whom such business is conducted or by whom the controlling interest is held

(bb) the name and address of the business concerned or, if applicable, the name and address of the company, body corporate, partnership or association in which the controlling interest is held, as well as the name and address of the business concerned if different from that of the company, body corporate, partnership or other association

.....
.....
.....
.....

(cc) the nature and extent of the interest of that person in that
business or in that company, other body corporate, partnership
or other association
.....

11. State special privileges (if any) applied for
.....
.....

12. List of Annexures to this application:
.....
.....
.....
.....
.....
.....

5

0

LIQUOR ACT, 1998

CERTIFICATE OF GRANT OF HOTEL LIQUOR LICENCE
OR PARKS LIQUOR LICENCE
(regulation 23(3))

It is certified that the Chairperson of the Regional Liquor Licensing Committee, Region

has granted -

- * (a) under section 3(3) of the Act, a hotel liquor licence,
- * (b) under section 15(3) of the Act -
 - * (i) a parks on consumption liquor licence;
 - * (ii) a parks off-sales liquor licence;
 - * (iii) a parks on consumption liquor licence and a parks off-sales liquor licence,

to

Name under which business is to be conducted

Premises where business in terms of the licence is to be conducted

Conditions, restrictions and privileges applicable to licence

.....
Secretary of the Committee
region

.....
Place

Date issued

* Delete which is not applicable

LIQUOR ACT, 1998

HOTEL LIQUOR LICENCE/PARKS LIQUOR LICENCE*
issued under the Liquor Act, 1998 (Act No. 6 of 1998)

Kind of Licence

Name of licensee

Date of birth

Identity number/Registration number

Residential address/Address of registered office

Trade name of licensed business

Address of licensed premises

.....

Name and residential and postal address of manager (if any) appointed for the licensed business

Other business which may in terms of section 44 be conducted on the licensed premises

.....

.....

Conditions, restrictions and privileges applicable to licence:

.....

.....

.....

Date of expiry of licence

Licence fee paid: N\$

Receipt no. and date issued

THIS LICENCE IS ISSUED SUBJECT TO THE PROVISIONS OF THE LIQUOR ACT, 1998 (ACT NO. 6 OF 1998) AND THE LIQUOR REGULATIONS.

Issued by:

.....
Magistrate

.....
Place

Date issued

LIQUOR ACT, 1998

**APPLICATION FOR AMENDMENT OF CONDITIONS,
RESTRICTIONS OR PRIVILEGES**

(regulation 25)

Application to: Regional Liquor Licensing Committee

Region

Application lodged with: The Magistrate

District

Date of Committee meeting at which application is to be heard

Application is made for amendment of conditions, restrictions or privileges applicable to a licence, details of which are set out below. I certify that the information furnished in this application, and in the documents attached to it, is true and correct.

Application fee paid: N\$

Receipt no. and date of issue

.....
Signature of licensee or person authorised to sign application

.....
Place

.....
Date

1. Name of licensee

2. Business address

3. Kind of licence

4. Trade name of licensed business

5. Address/location of licensed premises

6. Details of amendment of conditions, restrictions or privileges required

Form 15

LIQUOR ACT, 1998

**CERTIFICATE OF GRANT OF AMENDMENT OF CONDITIONS,
RESTRICTIONS OR PRIVILEGES APPLICABLE TO LICENCE**
(regulation 31)

It is certified that the Regional Liquor Licensing Committee has granted an application for the amendment of the conditions, restrictions or privileges applicable to a licence, particulars of which are as follows:

Kind of licence

Licensee

Trade name of licensed business

Address/location of licensed premises

.....
.....
.....

Details of amendment approved

.....
.....
.....
.....

Fee paid: N\$

Receipt no. and date of issue

THIS CERTIFICATE IS ISSUED SUBJECT TO THE PROVISIONS OF THE LIQUOR ACT, 1998 (ACT NO. 6 OF 1998) AND THE LIQUOR REGULATIONS AND MUST BE APPENDED TO LICENCE.

.....
Secretary of the Committee
Region

.....
Place

Date issued

LIQUOR ACT, 1998

APPLICATION FOR PERMANENT OR TEMPORARY REMOVAL OF A LICENCE (regulation 32)

Application to: Regional Liquor Licensing Committee
Region

Application lodged with: The Magistrate
District

Date of Committee meeting at which application is to be heard

Application is made for the permanent/temporary* removal of the licence mentioned below. I certify that the information furnished in this application and in the documents attached to it, is true and correct.

Application fee paid: NS
Receipt no. and date of issue

Signature of licensee or person authorised to sign the application
Place
Date

- 1. (a) Full name of applicant
(b) Date of birth
(c) Identity number/Registration number of company or close corporation
(d) Residential address/Address of registered office
(e) Postal address
(f) Business address
(g) Business telephone number

2. Kind of licence, the removal of which is applied for
.....
3. Trade name of licensed business
4. Address/location of existing licensed premises
.....
.....
5. Address/location of new premises to which licence is to be removed
.....
.....
6. If the new premises referred to in paragraph 5 are incomplete and must still be erected or require alterations or additions to be made, furnish particulars of the work to be carried out and of the expected date of completion thereof
.....
.....
7. In the case of an application for a temporary removal, specify the period for which approval is applied for
.....
8. State the reasons why the licence is required to be removed to nther premises
.....
9. State the right under which the applicant will occupy the new premises referred to in paragraph 5 (Attach a certified copy of any title deed, agreement or other instrument evidencing the right)
.....
10. List of Annexures to this application
.....
.....
.....
.....

LIQUOR ACT, 1998

**CONDITIONAL AUTHORITY FOR TEMPORARY/PERMANENT*
REMOVAL OF LICENCE**

(regulation (38(1)(a))

It is certified that the Regional Liquor Licensing Committee,
has granted conditional authority to
for the temporary/permanent* removal of the -
..... licence

from licensed premises situate at
.....
.....

to new premises situate at
.....
.....

which are still incomplete.

The Committee has determined that the work on the new premises must be completed in
accordance with the approved plan not later than

The conditions set out in the Annexure hereto have been imposed and must be complied
with before the licence will be issued.

.....
Secretary of the Committee
Region
Place

Date issued

*Delete which is not applicable

LIQUOR ACT, 1998

CERTIFICATE OF APPROVAL FOR REMOVAL OF A LICENCE

(regulation 38(1)(b))

It is certified that the Regional Liquor Licensing Committee has, under section 31 of the Act, granted approval to

.....

for the permanent/temporary* removal of a -

..... licence

from licensed premises situate at

.....
.....
.....

to new licensed premises situate at

.....
.....
.....

*The temporary removal of the licence is approved for the period -

from

to

Fee paid: N\$.....

Receipt no. and date of issue

.....
Secretary of the Committee
Region

.....
Place

Date of issue

* Delete which is not applicable.

+ Delete in the case of a permanent removal.

LIQUOR ACT, 1998

APPLICATION FOR TRANSFER OF A LICENCE:

(regulation 39)

Application to: The Magistrate

District

Application is made for the transfer of the licence mentioned below. I certify that the information furnished in this application and in the documents attached to it, in so far as it relates to me/the applicant on whose behalf I am authorised to sign the application is true and correct.

Application fee paid N\$.....
Receipt no. and date issued

.....
Signature of applicant, the licensee or person authorised to sign the application
Place
Date

.....
Signature of applicant, the proposed transferee or person authorised to sign the application
Place
Date

PART A
INFORMATION RELATING TO APPLICANT, THE LICENSEE

1. (a) Full name of applicant
- (b) Date of birth
- (c) Identity number/Registration number of company or close corporation
- (d) Residential address/Address of registered office
.....
.....
- (e) Postal address.....

- (f) Business address
- (g) Business telephone number
2. Kind of licence to be transferred
3. Trade name of licensed business.....
4. Address/location of licensed premises
-
-
-

PART B

INFORMATION RELATING TO APPLICANT, THE TRANSFEREE

1. (a) Full name of applicant
- (b) Date of birth
- (c) Identity number/Registration number of company or close corporation
- (d) Residential address/Address of registered office
.....
- (e) Postal address.....
- (f) Business address
- (g) Business telephone number
2. Is applicant disqualified in terms of section 19 from holding a licence
3. Right under which applicant will occupy the premises (Attach a certified copy of any title deed, agreement or other instrument evidencing the right).....
4. State whether the applicant or any other person who will have a financial interest in the business to which the application relates -
- (a) conducts business as a producer or manufacturer of liquor, whether in or outside Namibia
- (b) has a controlling interest in a company or other body corporate or a partnership or other association of persons which conducts business as a producer or manufacturer of liquor, whether in or outside Namibia
-

- (c) If the reply to either paragraph (a) or (b) is "yes", state -
 - (i) the name and address of the person by whom such business is conducted or by whom the controlling interest is held
 -
 -
 - (ii) the name and address of the business concerned or, if applicable, the name and address of the company, body corporate, partnership or association in which the controlling interest is held, as well as the name and address of the business concerned if different from that of the company, other body corporate, partnership or other association
 -
 -
 - (iii) the nature and extent of the interest of the applicant or such other person in that business or in that company, body corporate, partnership or association

5. If the applicant is a company, close corporation or other body corporate, or a partnership or other association, state whether any shareholder, member or partner of the applicant -

- (a) conducts business as a producer or manufacturer of liquor, whether in or outside Namibia
- (b) has a controlling interest in a company or other body corporate or a partnership or other association of persons which conducts business as a producer or manufacturer of liquor, whether in or outside Namibia
- (c) If the reply to either paragraph (a) or (b) is "yes", state -
 - (i) the name and address of the person by whom such business is conducted or by whom the controlling interest is held
 -
 -
 - (ii) the name and address of the business concerned or, if applicable, the name and address of the company, body corporate, partnership or association in which the controlling interest is held, as well as the name and address of the business concerned if different from that of the company, body corporate, partnership or other association
 -
 -
 -
 -
 - (iii) the nature and extent of the interest of that person in that business or in that company, other body corporate, partnership or other association

- 6. Will any person who will have a financial interest in the business to which the application relates, hold that interest in the capacity as nominee of any other person?
.....

If "yes, state the names and addresses of both the nominee and the principal and the nature of the relationship between the nominee and the principal
.....
.....

- 7. Will any person who is a shareholder or member of a company or close corporation which will have a financial interest in the business to which the application relates, hold that share or membership in the capacity as nominee of any other person?

If "yes, state -

- (a) the names and addresses of both the nominee and the principal and the nature of the relationship between the nominee and the principal.....
.....
- (b) whether the shareholding or membership of the nominee constitutes the controlling interest in the company or close corporation concerned
.....

- 8. If in either of the cases referred to in paragraphs 6 and 7 a person acts as a nominee, state

(a) whether the principal -

(i) conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(ii) has a controlling interest in a company or other body corporate or a partnership or other association of persons which conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(iii) If the reply to either subparagraph (i) or (ii) is "yes", state -

(aa) the name and address of the business concerned or, if applicable, the name and address of the company, body corporate, partnership or association in which the controlling interest is held, as well as the name and address of the business concerned if different from that of the company, body corporate, partnership or other association
.....
.....
.....

(bb) the nature and extent of the interest of the principal in that business or in that company, other body corporate, partnership or other association
.....
.....

(b) if the principal is a company or close corporation or other body corporate, or a partnership or other association, whether any shareholder, member or partner of the principal -

(i) conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(ii) has a controlling interest in a company or other body corporate or a partnership or other association of persons which conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(iii) If the reply to either subparagraph (i) or (ii) is "yes", state -

(aa) the name and address of the person by whom such business is conducted or by whom the controlling interest is held

(bb) the name and address of the business concerned or, if applicable, the name and address of the company, body corporate, partnership or association in which the controlling interest is held, as well as the name and address of the business concerned if different from that of the company, body corporate, partnership or other association

(cc) the nature and extent of the interest of that person in that business or in that company, other body corporate, partnership or other association

9. If the application relates to the transfer of a bottle store liquor licence, is the applicant the holder of a shebeen liquor licence

10. If the application relates to the transfer of a grocery liquor licence does the applicant or will the applicant conduct business as a dealer mentioned in section 10(1). Give a brief description of the business and of the kind of commodities sold or to be sold

11. If the application relates to the transfer of a brewery depot licence, attach a certified copy of the applicant's licence held under the Breweries and Distillers Licences Duty Proclamation, 1924 (Proclamation No. 3 of 1924)

12. If the application relates to the transfer of an application for a distillery licence, attach a certified copy of the applicant's distiller's licence held under the Breweries and Distillers Licences Duty Proclamation, 1924 (Proclamation No. 3 of 1924)

13. List of Annexures to this application: See regulation 20:
-
-
-
-
-
-

0

0

Form 20

LIQUOR ACT, 1998

NOTICE OF APPLICATION TO A MAGISTRATE
IN TERMS OF THE LIQUOR ACT, 1998

Notice is hereby given that an application in terms of the Liquor Act, 1998, particulars of which appear below, will be made to the Magistrate of the District of

1. Name and postal address of applicant
2. Name of licensed business to which application relates
3. Address/location of licensed premises to which application relates
..... (b)
4. Nature and details of application
5. Where application will be lodged
6. Date on which application will be lodged

Any objection or written submission in terms of section 28 in relation to the application must be sent or delivered to the Magistrate of the District, to reach the Magistrate not later than 7 days after the date on which the application is lodged.

NOTES FOR COMPLETION OF FORM: (not to be published as part of advertisement)

- (a) (i) If application is made by a body corporate, organisation, etc. state name of body corporate, etc., eg "XYZ (Pty.) Ltd" or "XYZ Club" and not the name of the person authorised to make the application;
- (ii) In case of a joint application, identify both applicants, eg. "S Smith (licensee)" and "J.Jones(proposed transferee of licence)" or "J.Jones (proposed transferee of controlling interest)".
- (b) If premises are situated outside a local authority area, give a brief description of the location, eg. "Portion 2 of Farm ABC, Registration Division J, district Okahandja" or "Approximately 90 km south-westwards of Rundu along Rundu - Grootfontein road".
- (c) (i) Application for transfer of a licence - state the kind of licence and the names of the licensee and of the proposed transferee of the licence eg. "Application for transfer of Shebeen licence -
From:(licensee)
To:(proposed transferee)";

- (ii) Application for acquisition of controlling interest in licence - state the kind of licence and the names of the licensee and of the proposed transferee of the controlling interest, eg. "Application for acquisition of controlling interest in Shebeen licence -
From:(licensee)
To:(proposed transferee)";
- (iii) Application for the change of the trade name of a licensed business - state the kind of licensed business and the proposed new trade name the business, eg. "Application for change of trade name of licensed bottle store -
From: (existing trade name);
To: (proposed new trade name)"
- (d) State the magistrate with whom the application will be lodged, eg "Magistrate, district Windhoek".

LIQUOR ACT, 1998 :

CERTIFICATE OF APPROVAL FOR TRANSFER OF A LICENCE
(regulation 42(2))

It is certified that approval has been granted under section 33 of the Act for the transfer of a licence, particulars of which are as follows:

Kind of licence

Name of existing licensee

Address/location of licensed premises
.....
.....

Trade name of licensed business

Name of person to whom licence is transferred
.....

A new licence may be issued to the transferee upon payment of the prescribed licence fee.

THIS CERTIFICATE IS ISSUED SUBJECT TO THE PROVISIONS OF THE LIQUOR ACT, 1998 (ACT NO. 6 OF 1998) AND THE LIQUOR REGULATIONS.

.....
Magistrate
District

.....
Place

Date issued

LIQUOR ACT, 1998

**APPLICATION FOR ACQUISITION OF CONTROLLING
INTEREST IN LICENSED BUSINESS**

(regulation 43)

Application to: The Magistrate

District

Application is made for the acquisition of a controlling interest in the licensed business mentioned below. I certify that the information furnished in this application and in the documents attached to it, in so far as it relates to me/the applicant on whose behalf I am authorised to sign the application* is true and correct.

Application fee paidNS\$

Receipt no. and date issued

.....
Signature of applicant who is the licensee or person authorised to sign the application	Place

	Date

.....
Signature of applicant who is the proposed acquire controlling interest or person authorised to sign the application	Place

	Date

PART A
INFORMATION RELATING TO APPLICANT, THE LICENSEE

1. (a) Full name of applicant
- (b) Date of birth
- (c) Identity number/Registration number of company or close corporation
- (d) Residential address/Address of registered office
.....
.....

- (e) Postal address
- (f) Business address
- (g) Business telephone number

- 2. Kind of licence held in respect of the business in which controlling interest is proposed to be acquired

- 3. Trade name of licensed business

- 4. Address/location of licensed premises

PART B

INFORMATION RELATING TO APPLICANT, THE PROPOSED PERSON TO ACQUIRE THE CONTROLLING INTEREST

- 1. (a) Full name of applicant
- (b) Date of birth
- (c) Identity number/Registration number of company or close corporation
- (d) Residential address/Address of registered office
- (e) Postal address.....
- (f) Business address
- (g) Business telephone number

- 2. Is applicant disqualified in terms of section 19 from holding a licence

- 3. State whether the applicant -
 - (a) conducts business as a producer or manufacturer of liquor, whether in or outside Namibia
 - (b) has a controlling interest in a company or other body corporate or a partnership or other association of persons which conducts business as a producer or manufacturer of liquor, whether in or outside Namibia
 - (c) If the reply to either paragraph (a) or (b) is "yes", state -

- (i) the name and address of the business concerned or, if applicable, the name and address of the company, body corporate, partnership or association in which the controlling interest is held, as well as the name and address of the business concerned if different from that of the company, other body corporate, partnership or other association
.....
.....
.....
.....
- (ii) the nature and extent of the interest of the applicant in that business or in that company, body corporate, partnership or association

4. If the applicant is a company, close corporation or other body corporate, or a partnership or other association, state whether any shareholder, member or partner of the applicant -

- (a) conducts business as a producer or manufacturer of liquor, whether in or outside Namibia
- (b) has a controlling interest in a company or other body corporate or a partnership or other association of persons which conducts business as a producer or manufacturer of liquor, whether in or outside Namibia
- (c) If the reply to either paragraph (a) or (b) is "yes", state -
 - (i) the name and address of the person by whom such business is conducted or by whom the controlling interest is held
 - (ii) the name and address of the business concerned or, if applicable, the name and address of the company, body corporate, partnership or association in which the controlling interest is held, as well as the name and address of the business concerned if different from that of the company, body corporate, partnership or other association
 - (iii) the nature and extent of the interest of that person in that business or in that company, other body corporate, partnership or other association

5. Does the applicant act as nominee of any other person?

If "yes state -

(a) the name and address of the principal and the nature of the relationship between the applicant and the principal

(b) whether the principal -

(i) conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(ii) has a controlling interest in a company or other body corporate or a partnership or other association of persons which conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(iii) If the reply to either subparagraph (i) or (ii) is "yes", state -

(aa) the name and address of the business concerned or, if applicable, the name and address of the company, body corporate, partnership or association in which the controlling interest is held, as well as the name and address of the business concerned if different from that of the company, body corporate, partnership or other association

(bb) the nature and extent of the interest of the principal in that business or in that company, other body corporate, partnership or other association

6. If the principal referred to in paragraph 6 is a company or close corporation or other body corporate, or a partnership or other association, state whether any shareholder, member or partner of the principal -

(a) conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(b) has a controlling interest in a company or other body corporate or a partnership or other association of persons which conducts business as a producer or manufacturer of liquor, whether in or outside Namibia

(c) If the reply to either paragraph (a) or (b) is "yes", state -

- (i) the name and address of the person by whom such business is conducted or by whom the controlling interest is held
.....
.....

- (ii) the name and address of the business concerned or, if applicable, the name and address of the company, body corporate, partnership or association in which the controlling interest is held, as well as the name and address of the business concerned if different from that of the company, body corporate, partnership or other association
.....
.....
.....

- (iii) the nature and extent of the interest of that person in that business or in that company, other body corporate, partnership or other association
.....

7. If the application relates to the acquisition of the controlling interest in a licensed bottle store liquor business, is the applicant the holder of a shebeen liquor licence

8. List of Annexures to this application:
.....
.....
.....

LIQUOR ACT, 1998

**CERTIFICATE OF ACQUISITION OF CONTROLLING
INTEREST IN LICENSED BUSINESS**

(regulation 46(2))

It is certified that approval has been granted under section 34 of the Act for the acquisition of a controlling interest in a licensed business, particulars of which are as follows:

Kind of licence

Name of licensee

Trade name of licensed business

Address/location of licensed premises

.....

Name of person who acquired the controlling interest

.....

.....

Fee paid NS\$

Receipt no. and date of issue

.....
Magistrate

Place

District.....

Date issued

.....

LIQUOR ACT, 1998

APPLICATION FOR CHANGE OF TRADE NAME OF LICENSED BUSINESS

(regulation 47)

Application to: The Magistrate

District

Application is made in terms of section 35 of the Act for approval of the change of the trade name of a licensed business mentioned below. I certify that the information furnished in this application and in the documents attached to it, is true and correct.

Application fee paid N\$

Receipt no. and date issued

.....
Signature of licensee or person authorised to sign the application

.....
Place

.....
Date

-
1. (a) Full name of applicant
 - (b) Date of birth
 - (c) Identity number/Registration number of company or close corporation
 - (d) Residential address/Address of registered office
 -
 - (e) Postal address
 - (f) Business address
 - (g) Business telephone number
 2. Kind of licence held in respect of business.....
 3. Existing trade name of the licensed business
 4. Address/location of licensed premises
 -
 -
 5. Proposed new trade name of the business
 -

LIQUOR ACT, 1998

**CERTIFICATE OF APPROVAL OF CHANGE OF
TRADE NAME OF LICENSED BUSINESS**

(regulation (50(2))

It is certified that approval has been granted under section 35 of the Act for the change of the trade name of a licensed business, particulars of which are as follows:

Kind of licence

Name of licensee

Address/location of licensed premises
.....
.....

Previous trade name of licensed business

New trade name of licensed business

Fee paid N\$

Receipt no. and date of issue

.....
Magistrate
District.....

.....
Place

Date issued

LIQUOR ACT, 1998

APPLICATION FOR LEASE OF A LICENSED BUSINESS:

(regulation 51)

Application to: The Magistrate

District

Application is made for approval of the lease of the licensed business mentioned below. I certify that the information furnished in this application and in the documents attached to it, in so far as it relates to me/the applicant on whose behalf I am authorised to sign the application* is true and correct.

Application fee paid N\$

Receipt no. and date issued

.....
Signature of applicant, the
licensee or person authorised
to sign the application

.....
Place

.....
Date

.....
Signature of applicant, the
proposed lessee or person authorised
to sign the application

.....
Place

.....
Date

PART A

INFORMATION RELATING TO APPLICANT, THE LICENSEE

1. (a) Full name of applicant
- (b) Date of birth
- (c) Identity number/Registration number of company or close corporation
- (d) Residential address/Address of registered office
.....
.....

- (e) Postal address.....
- (f) Business address
- (g) Business telephone number
2. Kind of licence held in respect of the licensed business.....
.....
3. Trade name of the licensed business
4. Address/location of the licensed premises
-
-
5. Date with effect from which licensed business is to be leased out and period of lease
.....

PART B

INFORMATION RELATING TO APPLICANT, THE PROPOSED LESSEE

1. (a) Full name of applicant
- (b) Date of birth
- (c) Identity number/Registration number of company or close corporation
- (d) Residential address/Address of registered office
.....
.....
- (e) Postal address.....
- (f) Business address
- (g) Business telephone number
2. Is applicant disqualified in terms of section 19 from holding a licence
3. Right under which applicant will occupy the premises (Attach a certified copy of any title deed, agreement or other instrument evidencing the right)

LIQUOR ACT, 1998

**CERTIFICATE OF APPROVAL OF LEASE OF
LICENSED BUSINESS**

(regulation 52)

It is certified that approval has been granted under section 36 of the Act for the lease of a licensed business, particulars of which are as follows:

Kind of licence

Name of licensee

Trade name of licensed business

Address/location of licensed premises

.....

Name of lessee

Address of lessee

Period of lease:

From

To:

Conditions imposed in respect of approval

.....

Fee paid N\$

Receipt no. and date of issue

.....
Magistrate

.....
Place

District

Date issued

Form 28

LIQUOR ACT, 1998
NOTICE OF CHANGE OF MANAGER
(regulation 53

To: The Magistrate

District

Notice is given in terms of section 37 of the Act of the change of a manager appointed in respect of a licensed business, particulars of which are as follows:

Kind of licence

Name of licensee

Trade name of licensed business

Address/location of licensed premises
.....
.....

Full name of previous manager

Particulars of new manager:

(a) Full name

(b) Date of birth

(c) Identity No.

(c) Residential address.....
.....

(d) Date of appointment

Reason for change of manager as contemplated in section 37(1) of the Act
.....

.....
Licensee

.....
Place

Date

LIQUOR ACT, 1998

REGISTER OF LICENCES

(regulation 55(1))

The Magistrate

District

1. Kind of licence

2. Full name of licensee
.....

3. Trade name of licensed business
.....

4. Address location of licensed premises
.....
.....

5. Particulars of transactions in respect of licence:

(a) Licences or certificates issued:

(i) Date issued
Serial no. of licence or certificate issued
.....
Kind of licence or certificate issued
Receipt No

(ii) Date issued
Serial no. of licence or certificate issued
Kind of licence or certificate issued
Receipt No.

(b) Certificates of renewal issued (section 39(1)(b))

Receipt nos. and dates issued:

.....
.....
.....
.....
.....
.....
.....

(c) Removal, transfer, lease or change of name (section 39(1)(c)):

- (i) Removal: Date
Description of new premises
- (ii) Transfer: Date
Full names of transferee
- (iii) Lease:
Date: From To
Full name of lessee
- Lease:
Date: From To
Full name of lessee
- (iv) Change of trade name: Date
New trade name
- (d) Cancellation, suspension, forfeiture, lapse or reinstatement (Section 39(1)(d) of the Act).
 - (i) Cancellation: Date cancelled
Reasons for cancellation
 - (ii) Suspension: Date suspended
Reason for suspension
 - Date suspended
Reasons for suspension
 - (iii) Forfeiture: Date forfeited
Reason for forfeiture.....
 - (iv) Lapse: Date lapsed.....
Reason for lapsing
 - (v) Reinstatement: Date reinstated
Reason for reinstatement
 - Date reinstated
Reason for reinstatement
- (e) Manager of business conducted in terms of the licence (Section 39(1)(e) of the Act):
Name of manager
Date appointed
Name of manager
Date appointed
Name of manager
Date appointed

Form 30

LIQUOR ACT, 1998
REGISTER OF PAYMENTS
(regulation 55(2))

- 1. Kind of licence
- 2. Trade name
- 3. Name of licensee
- 4. Business address
-

PAYMENTS

Date Amount Type of payment Receipt No. Checked
(This form to be printed on a card 20cm x 12cm (similar to old form 15-0/0100) with space for particulars of payments on bottom half of front and continuation of particulars of payments on the reverse side)

LIQUOR ACT, 1998

NOTICE OF APPEAL

(regulation 56(1))

TO: Chief of the Lower Courts
.....
.....

1. Decision appealed against:

- (a) Authority or person who took the decision:
.....
.....
- (b) Date of decision

2. The licence, licence holder / applicant and premises:

- (a) Licence in respect of which the decision was taken
- (b) Name of licensee/applicant if a licence has not been granted
- (c) Address/location of premises involved in decision to which appeal relates
.....
.....
- (d) Trade name or proposed trade name of business involved in decision to which appeal relates

3. The Appellant:

- (a) Full name of appellant
- (b) Business address

4. Fees paid:

- (a) Amount: N\$
- (b) Receipt no. and date of issue

5. List of Annexures:(The documents prescribed by regulation 38(5).)

.....
.....
.....

.....
Appellant Place

Date

LIQUOR ACT, 1998

NOTICE OF HEARING OF APPEAL

(regulation 56(6))

TO:

APPEAL AGAINST A DECISION BY:

.....

Date of decision

Licence in respect of which the decision was taken:

.....

Name of licensee/applicant in respect of which the decision was taken

.....

Address/location of premises involved in the decision to which appeal relates

.....

Trade name or proposed trade name of business involved in decision to which appeal

relates

.....

Full name and address of Appellant

.....

Date of hearing of appeal by the Chief of Lower

.....

Time

Venue of hearing

.....

Your attention is directed to sections 40 and 41 of the Liquor Act, 1998, and to regulation 56 of the Liquor Regulations.

.....
Chief of Lower Courts

.....
Place

Date

LIQUOR ACT, 1998

APPLICATION FOR APPROVAL TO SUPPLY FREE SAMPLES OF LIQUOR FOR CONSUMPTION ON PREMISES OF BOTTLE STORE

(regulation 57)

TO: THE MAGISTRATE
District

Application is made for approval under section 45(3) of the Act to supply samples of liquor free of charge to any customer for consumption on or away from licensed bottle store premises mentioned below. I certify that the information furnished in this application and in the documents attached to it, is true and correct.

Application fee paid N\$
Receipt no. and date issued

.....
Signature of licensee
Place
.....
Date

1. Name of licensee of bottle store business
2. Trade name of bottle store business
3. Address/location of licensed bottle store premises
4. Description of free samples of liquor to be supplied, by reference to the kind, brand and quantities of liquor
.....
.....
5. Date and time when samples are to be supplied
6. Description of part of premises where samples will be supplied.....
.....
7. Reason for supply of samples of liquor
8. List of documents attached to this application (See regulation 39)

.....
.....

PART A

TO: THE APPLICANT

The above application is refused.

Reasons for refusal
.....
.....

.....
Magistrate Date
District

PART B

TO: THE APPLICANT

The above application is granted subject to the provisions of the Liquor Act, 1998, and the Liquor Regulations, and further subject to the following conditions:

1. Day on which samples may be supplied:
2. Hours during which samples may be supplied:
From:
To:
3. Further conditions:
.....
.....
.....
.....

Fee paid N\$
Receipt no. and date of issue

.....
Magistrate Place
Date

Form 34

LIQUOR ACT, 1998
NOTICE CONCERNING SALE AND SUPPLY OF LIQUOR TO
PERSONS UNDER THE AGE OF 18 YEARS
(regulation 58)

“The sale or supply of any drink or substance containing more than three percent of alcohol by volume to any person under the age of 18 years is prohibited by section 56 of the Liquor Act, 1998 (Act No. 6 of 1998)”

(LETTERS OF NOTICE TO BE AT LEAST 2 CM IN HEIGHT)

LIQUOR ACT, 1998
APPLICATION FOR APPROVAL OF ALTERATIONS OR
ADDITIONS TO LICENSED PREMISES
(regulation 59))

*Application in respect of licensed premises which is an accommodation establishment, made -

To: Committee Chairperson
 Region.....

*Application in respect of licensed premises other than an accommodation establishment, made

To: The Magistrate
 District

Application is made in terms of section 50 of the Act for approval to make alterations or additions to the licensed premises mentioned below. I certify that the information furnished in this application and in the documents attached to it is true and correct.

Application fee paid: N\$

Receipt no. and date issued

.....
 Signature of licensee or person
 authorised to sign the application

Place

.....
 Date

-
1. (a) Full name of licensee
 - (b) Date of birth
 - (c) Identity number/Registration number of company or close corporation
 - (d) Residential address/Address of registered office

 - (e) Postal address
 - (f) Business address
 - (g) Business telephone number

2. Kind of licence held in respect of premises
3. Trade name of the licensed business.....
.....
4. Address/location of licensed premises
5. State -
 - (a) the date on which work for alterations or additions to licensed premises will be commenced with
.....
 - (b) the period required for completion of the work
6. List of Annexures attached to this application

LIQUOR ACT, 1998

**CERTIFICATE OF APPROVAL OF ALTERATIONS OR
ADDITIONS TO LICENSED PREMISES**

(regulation 59(5))

It is certified that approval has been granted under section 32 of the Act for alterations or additions to be made to licensed premises, particulars of which are as follows:

Kind of licence

Name of licensee

Trade name of licensed business

Address/location of licensed premises

.....
.....

The nature and extent of alterations approved are set out in the Annexure hereto.

Fee paid N\$

Receipt no. and date issued

.....
*Committee Chairperson/Magistrate
*Region/District

.....
Place

Date issued

LIQUOR ACT, 1998

**APPLICATION FOR EXEMPTION FROM OBLIGATION OF
RESIDENCE OF MANAGER ON LICENSED
HOTEL PREMISES**

Application to: The Committee Chairperson

Region

Application is made in terms of section 51 of the Act for exemption from the obligation of a hotel manager to reside on the licensed premises, particulars of which are set out below. I certify that the information furnished in this application and in the documents attached to it, is true and correct.

Application fee paid N\$

Receipt no. and date issued

.....
Signature of licensee or person
authorised to sign the application

.....
Place

.....
Date

-
1. (a) Full name of licensee
 - (b) Date of birth
 - (c) Identity number/Registration number of company or close corporation
 - (d) Residential address/Address of registered office
.....
.....
 - (e) Postal address.....
 - (f) Business address
 - (g) Business telephone number
 3. Trade name of licensed business.....
 4. Full name of manager
 5. Reason for application of exemption
 6. Period for which exemption is required

LIQUOR ACT, 1998

**CERTIFICATE OF EXEMPTION FROM OBLIGATION OF RESIDENCE OF
MANAGER ON LICENSED HOTEL PREMISES**

(regulation 60(3))

It is certified that an exemption has been granted under section 50 of the Act from the obligation of a hotel manager to reside on the licensed premises, particulars of which are as follows:

Name of holder of hotel liquor licence

Trade name of licensed business.....

Address/location of licensed premises
.....
.....

Name of manager in respect of whom exemption is granted
.....

Period for which exemption is granted

Conditions subject to which exemption is granted
.....
.....
.....
.....

Fee paid N\$

Receipt no. and date of issue

.....
Committee Chairperson Place
Region

Date issued

LIQUOR ACT, 1998

RECEIPT IN RESPECT OF ARTICLES SEIZED

(regulation 61)

Issued to (full name)

Address

Description of articles seized

Premises from which the articles have been removed

Full name, rank and force number of person or persons by whom articles were removed

.....
Signature

.....
Place

Date

Full name, rank and force number of person who signed this receipt

LIQUOR ACT, 1998

ORDER FOR TEMPORARY CLOSURE OF LICENSED PREMISES

(regulation 63(1))

To Licensee

Licence held

Trade name of licensed business

Address/location of licensed premises
.....
.....
.....

In terms of section 66(1) of the Liquor Act, 1998, you are hereby ordered to close the licensed premises mentioned above to the public with effect from until such time as this order is cancelled by notice in writing to you.

The reason for the issue of this order of closure is
.....
.....

Failure to comply with this order constitutes an offence in terms of section 71(y) of the Act which is punishable by a fine not exceeding N\$4 000 or imprisonment for a period not exceeding one year, or both that fine and that imprisonment.

.....
Signature of Magistrate/
Police Officer* Place
Rank of Police Officer
Date

*Delete which is not applicable

LIQUOR ACT, 1998

CANCELLATION OF ORDER OF CLOSURE OF LICENSED PREMISES

(regulation 63(3))

To Licensee

Licence held

Trade name of licensed business

Address/location of licensed premises
.....
.....
.....

In terms of section 66(3) of the Liquor Act, 1998, you are hereby informed that the order for closure of the licensed premises mentioned above, issued on , is cancelled with effect from

.....
Signature of Magistrate/ Police Officer* Place
Rank of Police Officer
Date

LIQUOR ACT, 1998

**NOTICE OF MEETING OF REGIONAL LIQUOR LICENSING
COMMITTEE:
(regulation 62)**

Region

A meeting of the Regional Liquor Licensing Committee,
Region
shall be held on the date and time and at the venue specified below -

Date:

Time:

Venue:

Matters to be considered at the meeting:
.....
.....
.....
.....
.....
.....
.....

.....
Committee Chairperson
Region

.....
Place

Date

LIQUOR ACT, 1998

NOTICE BY MAGISTRATE OF PUBLIC HEARING OF APPLICATION

Magisterial District

A public hearing shall take place in (room No.)

at the magistrate's court

at 9:00 on

to consider the following applications made in terms of section 32 of the Act:

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.....
Clerk of the court Place

Date
