

ANNEXURE Q1
APPLICATION FOR TRANSFER OF LIQUOR LICENCE
TO PROSPECTIVE LICENCE HOLDER
KwaZulu-Natal Liquor Licensing Act, 2010
(Act No. 6 of 2010)

KZNLA 17A

For official use: KZN Liquor Authority Reference No.:

Amount: R

Receipt No.:

Date:

APPLICATION FOR A LICENCE IN TERMS OF ...

(Choose the applicable section in the table below and mark the relevant square with an X)

Section 68 in respect of death or incapacity of a licensed person	☐
Section 69(1) to transfer financial interest	☐
Section 74 to transfer a liquor licence to a prospective holder	☐
INDEX Description of document Attachments: 1. Application in terms of sections 68, 69 and 74. 2. Comprehensive written representations. 3. Documents required to be attached to the application – (a) letter of executorship; (b) death certificate (sections 68 and 74); (c) permission to occupy (in the form of a title deed or lease agreement or rates statement from the municipality); (d) copy of the existing valid business licence; (e) certified copy of identity document of the applicant; (f) proof of payment of lodging fees; (g) proof of renewal of licence fees; (h) tax clearance certificate of applicant/person acquiring a financial interest; - and (i) an SAPS 69 from the South African Police Service.	

PART A

INFORMATION RELATING TO APPLICANT WHO IS THE HOLDER OF THE LICENCE

1. Full names and surname of applicant:

.....

2. If the applicant is not a natural person, state the name, identity number and address of each shareholder, member, partner or beneficiary. The applicant is required to submit a resolution from the company authorising a signatory from amongst the existing shareholders. The resolution must be accompanied by a certified copy of the signatories' identity document/s. Should the applicant resolve to have the consultant be the signatory, then the applicant is required to attach a Power of Attorney.

3. Name under which the licensed business is conducted:

4.(a) Describe the situation of the premises where the licensed business is conducted with reference to the erf-, street- and farm number:

(b) In which district or metropolitan municipality is the premises referred to in subparagraph (a) situated?.....

I declare/truly affirm that the information furnished in Parts A and B of this application in so far as it relates to me/the applicant on whose behalf I am authorised to sign the application, is true and correct.

.....
 Date

.....
 Signature (of applicant who is the holder of the
 licence or person authorised to sign application)

I certify that this declaration has been signed and sworn to/affirmed before me

at on this day of, 20

by the holder of the licence/person authorised to sign application who has acknowledged that –

- (a) he/she knows and understands the contents of this declaration;
 - (b) he/she has no objection to taking the prescribed oath/affirmation; and
 - (c) he/she considers the prescribed oath to be binding on his/her conscience,
- and that he/she uttered the following words:

“I swear that the contents of this declaration are true, so help me God.”/“I truly affirm that the contents of this declaration are true.”.

.....
Commissioner of Oaths

.....
Affirmation

Full names and surname:

Business address:

Designation:

.....

Area for which appointment is held:

Office held if appointment is *ex officio*:

PART B**INFORMATION RELATING TO APPLICANT WHO IS THE PROSPECTIVE HOLDER**

1.(a) Full names and surname of applicant:

.....

(b) Age of applicant:

(c) Identity number, or in the case of a company or close corporation, its registration number:

.....

(d) Residential address or address of registered office:

.....

(e) Business address:

.....

.....

(f) Postal address:

.....

(g) Business telephone number:

(Delete (b) if applicant is not a natural person)

2. If the applicant is not a natural person, state the name, identity number and address of each shareholder, member, partner or beneficiary:

.....

.....

3.(a) The applicant is required to submit a letter of executorship or letter of authority.

(b) The applicant is to state or explain his/her relationship to the licence holder:

.....

(c) The applicant –

(i) has, in the Republic or elsewhere in the preceding 10 years, been sentenced for any offence to imprisonment without the option of a fine;

Yes

No

(ii) has, in the preceding 10 years, been convicted of an offence in terms of the Liquor Act, 1989 (Act No. 27 of 1989), or the KZN Liquor Licensing Act, 2010 (Act No. 6 of 2010), irrespective of the sentence imposed, and was, within three years after the conviction, again convicted of an offence in terms of any of the abovementioned two Acts and was, therefore, then sentenced to a fine of not less than **R200** or to imprisonment without the option of a fine;

Yes

No

(iii) is not domiciled in the Republic;

Yes

No

(iv) is an unrehabilitated insolvent;

Yes

No

(v) is a minor;

Yes

No

(vi) is the spouse of a person contemplated in subparagraph (i), (ii) or (iv); or

Yes

No

(vii) is committed in terms of the Mental Health Act, 1973 (Act No. 18 of 1973) or the Mental Health Care Act, 2002 (Act No. 17 of 2002), as the case may be; and

Yes

No

(d) if the applicant is a company, close corporation, partnership, co-operative association or trust, state whether a person contemplated in subparagraph (a) –

(i) has a controlling interest in such a company, close corporation, co-operative association or trust;

Yes

No

(ii) is a partner in such a partnership; or

Yes

No

(iii) is the main beneficiary under such a trust; and

Yes

No

(e) if any of the questions in subparagraph (a) or (b) have been replied to in the affirmative,

provide full details:

.....

.....

(Use an annexure if necessary)

4.(a) State the name and surname, identity number and address of each person –

(i) including the holder of the licence, or who has any financial interest in the business to which the licence relates:

.....

.....; and

(ii) who, including the applicant, will have an interest if the application is granted, and in each case, the nature and extent of such interest. If the applicant is a juristic person, it will be sufficient if the name, registration number and postal address of such juristic person is provided, together with the name of each director and the nature and extent of the financial interest of such company:

.....

(Use an annexure if necessary)

(b) State the financial interest of the applicant in the liquor trade in the Republic and, if the applicant is a private company, close corporation, partnership or trust, also of every shareholder, member or partner thereof or beneficiary thereunder. (If the applicant or the said shareholder, member, partner or beneficiary has no such interest, this fact must be specifically mentioned):

(Use an annexure if necessary)

(c) In the case of an application for a liquor store licence, or a special licence for off-consumption, is the applicant –

(i) a producer or his agent;

Yes

No

(ii) a manufacturer of beer or his agent;

Yes

No

(iii) a person who has a financial interest in the business of a producer or a manufacturer of beer, or the agent of such person;

Yes

No

(iv) a company in which shareholders have a financial interest in the business of a producer or a manufacturer or hold a controlling interest in such business; or

Yes

No

(v) a company in which a company contemplated in subparagraph (c)(iv) holds a controlling interest, or the agent of such a company?

(Delete subparagraph (c) if not applicable or mark the applicable square)

Yes

No

5. If application is made for the transfer of a micro-manufacturing licence, is the applicant a person who –

(a) engages in viticulture;

Yes

No

(b) manufactures any other fermented beverage; or

Yes

No

(c) is a member of a co-operative society, as defined in section 1 of the Wine and Spirit Control Act, 1970 (Act No. 47 of 1970), which manufactures wine from grapes produced by members of the co-operative society?

☐ Yes

☐ No

6. Name under which the business is to be conducted:

.....

7. Will the applicant have the right to occupy the premises referred to in paragraph 4(a) of Part A of the application, including such place on other premises upon which any approval or determination is exercised for the purposes of the licence?

☐ Yes

☐ No

I declare/truly affirm that the information furnished in Part B of this application in so far as it relates to me/the applicant on whose behalf I am authorised to sign the application and in the documents attached to it, is true and correct.

.....

Date

.....

Signature (of applicant who is the prospective holder of licence or person authorised to sign application)

I certify that this declaration has been signed and sworn to/affirmed before me at on this day of, 20.....

by the applicant who is the prospective holder/person authorised to sign the application who has acknowledged that –

(a) he/she knows and understands the contents to this declaration;

(b) he/she has no objection to taking the prescribed oath/affirmation; and

(c) he/she considers the prescribed oath to be binding on his/her conscience,

and that he/she uttered the following words:

“I swear that the contents of this declaration are true, so help me God.”/“I truly affirm that the contents of this declaration are true.”.

.....

Commissioner of Oaths

.....

Affirmation

Full names and surname:

Business address:

Designation:

Area for which appointment is held:

Office held if appointment is *ex officio*: