
PRESENTATION
(CHALLENGES IN ENFORCING THE
LIQUOR REGULATORY ACTS)

SOUTH AFRICAN POLICE SERVICE
LIQUOR, DIVERSE AND
MISCLELLANEOUS SERVICES

SCOPE

- Background
- Composition of the section
- Functions
- Challenges in enforcing Liquor Acts
- Way forward

BACKGROUND

The National Liquor Control Office was established within the South African Police Service, Division: Visible Policing, Component : Firearms, Liquor and Second Hand Goods Control (FLASH), residing under the Section: Liquor, Diverse and Miscellaneous Services.

COMPOSITION OF THE SECTION

The Section: Liquor, Diverse and Miscellaneous Services comprises of the following Sub-Sections:

- **Cooperate Governance**

Development of policies, guidelines and standard operational procedures within the SAPS .

- **Monitoring and Evaluation (Compliance and Enforcement)**

- **Conducting of inspections ito National Liquor Act, (Act 59 of 2003), Act 27 of 1989 and other Provincial Liquor Acts.**
- **Investigations of liquor complaints.**

COMPOSITION OF THE SECTION (Cont)

- **Call Centre**

Handle enquiries and complaints from internal, external and international clients relating to Firearms, Liquor and Second Hand Goods.

CHALLENGES IN ENFORCING THE LIQUOR REGULATORY ACTS

Enforcement of liquor is governed by two (2) National Liquor Acts,

Namely:

- Act 27 of 1989
- Act 59 of 2003, and seven (7) Provincial Liquor Acts, namely
 - Eastern Cape Liquor Act, (Act 10 of 2003)
 - Free State Gambling and Liquor Act, (Act 6 of 2010)
 - Gauteng Liquor Act, (Act 2 of 2003)
 - KwaZulu-Natal Liquor Licensing Act, (Act 6 of 2010)
 - Mpumalanga Liquor Licensing Act, (Act 5 of 2006)
 - Northern Cape Liquor Act, (Act 2 of 2008)
 - Western Cape Liquor Act, (Act 4 of 2008) which is the biggest challenge to the SAPS to enforce.

CHALLENGES IN ENFORCING THE LIQUOR REGULATORY ACTS (Cont)

■ National Liquor Act, (Act 59 of 2003)

- The Act does not provide for trading days and hours (trading takes place on 24/7 basis).
- Pre inspection during the process of application are not conducted by the National Liquor Inspectors.

■ Provincial Liquor Acts

- The Gauteng Provincial Act does not make a provision to notify the SAPS with regard to new applications/licenses and cannot object to the issuing of licenses.
- Occasional permits are being used as temporary licenses and create problems (Gauteng Liquor Act).

CHALLENGES IN ENFORCING THE LIQUOR REGULATORY ACTS (Cont)

- Inconsistence liquor trading hours.
- Withdrawal of liquor cases/uncooperative by the Department of Justice (cases being regarded of less serious nature).
- Under age drinking.
- Operating two (2) businesses from one (1) premises (e.g groceries).
- Leases of licenses.
- High number of illegal liquor outlets and acceptance thereof by local communities.
- High number of fraudulent liquor licences.
- Utilization of different provincial operational procedures (during operations).

WAY FORWARD

- Uniformed operational procedures and Liquor Acts.
- Involvement of SAPS in drafting Pre- Inspection Reports.
- Enhanced interdepartmental cooperation with the Department of Justice and Constitutional Development.

CONTACT DETAILS

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The End

