Western Cape Government • Wes-Kaapse Regering • URhulumente weNtshona Koloni

PROVINCE OF THE WESTERN CAPE

# Provincial Gazette Extraordinary

*8433*

*Friday, 28 May 2021*

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*8433*

*Vrydag, 28 Mei 2021*

*As 'n Nuusblad by die Poskantoor Geregistreer*

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*8433*

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**PROVINCIAL NOTICE**

The following Provincial Notice is published for comment.

DR H.C. MALILA,
DIRECTOR-GENERAL

Provincial Legislature Building,
Wale Street,
Cape Town.

**PROVINSIALE KENNISGEWING**

Die volgende Provinsiale Kennisgewing word vir kommentaar gepubliseer.

DR H.C. MALILA,
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,
Waalstraat,
Kaapstad.

**ISAZISO SEPHONDO**

Esi saziso silandelayo sipapashelwe ukunika izimvo.

GQIR H.C. MALILA,
MLAWULI-JIKELELE

ISakhiwo sePhondo,
Wale Street,
eKapa.

**PROVINCIAL NOTICE**

P.N. 49/2021 28 May 2021

**WESTERN CAPE DEPARTMENT OF COMMUNITY SAFETY**

**WESTERN CAPE LIQUOR ACT, 2008 (ACT 4 OF 2008)**

**INVITATION FOR NOMINATIONS OF PERSONS TO BE APPOINTED AS MEMBERS OF THE BOARD OF THE WESTERN CAPE LIQUOR AUTHORITY**

I, Yashina Pillay, Head of the Department of Community Safety in the Western Cape, in terms of regulation 2(1) of the Western Cape Liquor Regulations, 2011 (''the Regulations''), invite all interested persons to nominate candidates who in their opinion are suitable to be appointed as members of the Board of the Western Cape Liquor Authority (''the Authority'').

1. The core function of the Board is to manage the business of the Authority.
2. The duties of members include:
   *(a)* attending and participating in meetings of the Board;
   *(b)* any other functions as provided for in the Western Cape Liquor Act, 2008 (Act 4 of 2008) (''the Act''), or other relevant legislation.
3. All nominations must set out the reasons the nominee considers himself or herself suitable for appointment as a member of the Board and must be accompanied by the most recent *curriculum vitae* of the nominee.
4. Nominees must meet the following criteria:
   *(a)* be at least 25 years of age;
   *(b)* be a South African citizen and permanently resident in the Western Cape;
   *(c)* not be disqualified in terms of section 5 of the Act from being appointed as a member of the Board; and
   *(d)* have appropriate knowledge of or experience in systems and processes for ensuring accountability, probity and openness in the conduct of the business of an organisation.
5. The following persons are disqualified from being appointed as a member of the Board:
   *(a)* anyone who has in the preceding ten years been convicted of an offence in terms of the Act or any similar law;
   *(b)* anyone who in the preceding ten years, whether in the Republic or elsewhere, has been convicted of theft, fraud, forgery, the uttering of a forged document, perjury or any offence under the Corruption Act, 1992 (Act 94 of 1992), or the Prevention and Combatting of Corrupt Activities Act, 2004 (Act 12 of 2004), or any offence of which dishonesty is an element;
   *(c)* an unrehabilitated insolvent or anyone who is subject to any legal disability;
   *(d)* anyone who has in the preceding ten years been removed from any office of trust on account of misconduct or dishonesty;
   *(e)* any political office bearer; and
   *(f)* anyone who, whether personally or through his or her spouse, family member, partner, or business associate—
      (i) has or acquires a direct or an indirect financial interest in any liquor business or establishment; or
      (ii) has any interest in any business or enterprise that may conflict or interfere with the proper performance of his or her duties as a member of the Board or in any licence issued under the Act.
6. All nominations must be submitted in writing in the form of Form 1 in Annexure 3 of the Regulations.

   Copies of the Act and Form 1 may be obtained upon request from Ms G Lutz at Gillian.Lutz@westerncape.gov.za or from the website https://www.wcla.gov.za/members_of_the_board.
7. Appointments will be made with racial and gender sensitivity.
8. Members of the Board are appointed on a part-time basis for a period as determined by the Minister that may not exceed four years.
9. All nominations must be submitted on or before 12:00 on 30 June 2021 by—
   *(a)* posting it to:
   Ms G Lutz
   PO Box 5346
   Cape Town 8000;
   *(b)* emailing it to:
   Gillian.Lutz@westerncape.gov.za
   (Mark the subject box clearly as: WCLA NOMINATION FORM);

(c) faxing it to:
021 483 6412; or

(d) delivering it to:
The Head of Department
Department of Community Safety
Main Reception
Ground Floor
35 Wale Street
Cape Town.

10. All information provided will be treated with strict confidentiality.

11. Enquiries can be made with Ms G Lutz:
Tel: 021 483 2954; or
E-mail: Gillian.Lutz@westerncape.gov.za.

Signed at Cape Town on this 20th day of May 2021.

**ADV Y PILLAY**
**HEAD OF THE DEPARTMENT OF COMMUNITY SAFETY**

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**PROVINSIALE KENNISGEWING**

P.K 49/2021 28 Mei 2021

**WES-KAAPSE DEPARTEMENT VAN GEMEENSKAPSVEILIGHEID**

**WES-KAAPSE DRANKWET, 2008 (WET 4 VAN 2008)**

**AANVRA VAN BENOEMINGS VAN PERSONE OM AS LEDE VAN DIE RAAD VAN DIE WES-KAAPSE DRANKOWERHEID AANGESTEL TE WORD**

Ek, Yashina Pillay, Hoof van die Departement van Gemeenskapsveiligheid in die Wes-Kaap, nooi ingevolge regulasie 2(1) van die Wes-Kaapse Drankregulasies, 2011 (''die Regulasies''), alle belanghebbende persone om kandidate te benoem wat na hul mening geskik is om aangestel te word as lede van die Raad van die Wes-Kaapse Drankowerheid (''die Owerheid'').

1. Die kernfunksie van die Raad is om die sake van die Owerheid te bestuur.

2. Die pligte van lede sluit die volgende in:

   *(a)* bywoning van en deelname aan vergaderings van die Raad;

   *(b)* enige ander funksies soos voor voorsiening gemaak in die Wes-Kaapse Drankwet, 2008 (Wet 4 van 2008) (''die Wet''), of ander tersaaklike wetgewing.

3. Alle benoemings moet die redes uiteensit waarom die benoemde hom- of haarself geskik ag vir aanstelling as 'n lid van die Raad en moet vergesel wees van die mees onlangse *curriculum vitae* van die benoemde.

4. Benoemdes moet aan die volgende vereistes voldoen:

   *(a)* minstens 25 jaar oud wees;

   *(b)* 'n Suid-Afrikaanse burger wees wat permanent in die Wes-Kaap woonagtig is;

   *(c)* nie ingevolge artikel 5 van die Wet gediskwalifiseer wees van aanstelling as 'n lid van die Raad nie; en

   *(d)* beskik oor toepaslike kennis van of ondervinding in stelsels en prosesse ten einde rekenpligtigheid, integriteit en openheid in die verrigting van die sake van 'n organisasie te verseker.

5. Die volgende persone word gediskwalifiseer van aanstelling as 'n lid van die Raad:

   *(a)* iemand wat in die voorafgaande tien jaar skuldig bevind is aan 'n misdryf ingevolge die Wet of enige soortgelyke wet;

   *(b)* iemand wat in die voorafgaande tien jaar, hetsy in die Republiek of elders, skuldig bevind is aan diefstal, bedrog, vervalsing, die uitgee van 'n vervalste dokument, meineed of enige misdryf kragtens die Wet op Korrupsie, 1992 (Wet 94 van 1992), of die Wet op die Voorkoming en Bestryding van Korrupte Bedrywighede, 2004 (Wet 12 van 2004), of enige misdryf waarvan oneerlikheid 'n element is;

   *(c)* 'n ongerehabiliteerde insolvent of iemand wat onderhewig is aan enige handelingsonbevoegdheid;

   *(d)* iemand wat in die voorafgaande tien jaar uit 'n vertrouensamp ontslaan is weens wangedrag of oneerlikheid;

   *(e)* enige politieke ampsbekleër; en

   *(f)* iemand wat, hetsy persoonlik of deur sy of haar gade, familielid, vennoot of besigheidsdeelgenoot—

      (i) 'n regstreekse of 'n onregstreekse finansiële belang in enige drankbesigheid of -instelling het of verkry; of

      (ii) 'n belang het in enige besigheid of onderneming wat in stryd kan wees of kan inmeng met die behoorlike uitvoering van sy of haar pligte as 'n lid van die Raad of ten opsigte van enige lisensie uitgereik kragtens hierdie Wet.

6. Alle benoemings moet skriftelik ingedien word in die vorm van Vorm 1 in Aanhangsel 3 van die Regulasies.

   Afskrifte van die Wet en Vorm 1 kan op aanvraag verkry word van Me G Lutz by Gillian.Lutz@westerncape.gov.za of vanaf die webblad https://www.wcla.gov.za/members_of_the_board.

7. Aanstellings sal gemaak word met ras- en geslagsensitiwiteit.

8. Lede van die Raad word op ’n deeltydse grondslag aangestel vir ’n tydperk wat die Minister bepaal en wat nie vier jaar mag oorskry nie.

9. Alle benoemings moet voor of om 12:00 op 30 Junie 2021 ingedien word deur—

*(a)* dit te pos aan:
Me G Lutz
Posbus 5346
Kaapstad 8000;

*(b)* dit te e-pos na:
Gillian.Lutz@westerncape.gov.za
(Merk die onderwerp duidelik as: WKDO-BENOEMINGSVORM);

*(c)* dit te faks na:
021 483 6412; of

*(d)* dit af te lewer aan:
Die Departementshoof
Departement van Gemeenskapsveiligheid
Ontvangs
Grondvloer
Waalstraat 35
Kaapstad.

10. Alle inligting wat verskaf word, sal as hoogs vertroulik hanteer word.

11. Navrae kan gerig word aan Me G Lutz:
Tel: 021 483 2954; of
E-pos: Gillian.Lutz@westerncape.gov.za.

Geteken te Kaapstad op hierdie 20ste dag van Mei 2021.

**ADV Y PILLAY**
**HOOF VAN DIE DEPARTEMENT VAN GEMEENSKAPSVEILIGHEID**

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**ISAZISO SEPHONDO**

I.S. 49/2021 28 kuCanzibe 2021

**ISEBE LOKHUSELEKO LOLUNTU LENTSHONA KOLONI**

**UMTHETHO WOTYWALA WENTSHONA KOLONI, 2008 (UMTHETHO 4 KA-2008)**

**ISIMEMO SOKUTYUNJWA KWABANTU ABAZOKONYULWA NJENGAMALUNGU EBHODI YEGUNYA LOTYWALA ENTSHONA KOLONI**

Mna, Yashina Pillay, ibambela Ntloko leSebe lezoKhuseleko loLuntu eNtshona Koloni, ngokomgaqo wesi-2(1) weMigaqo yoTywala eNtshona Koloni, 2011 (‘‘iMigaqo’’), ndimema bonke abantu abanomdla ukuba batyumbe abagqatswa ngokoluvo lwabo abakufaneleyo ukuba banyulwe njengamalungu eBhodi kaGunyaziwe wezoTywala yeNtshona Koloni (‘‘iGunya’’).

1. Umsebenzi ophambili weBhodi kukulawula ishishini leGunya.

2. Imisebenzi yamalungu ibandakanya:

*(a)* ukuya nokuthatha inxaxheba kwiintlanganiso zeBhodi;

*(b)* nayiphi na eminye imisebenzi ebonelelwe kuMthetho woTywala weNtshona Koloni, 2008 (uMthetho 4 ka-2008) (‘‘uMthetho’’), okanye omnye umthetho ofanelekileyo.

3. Onke amagama abatyunjiweyo kufuneka abeke izizathu zokuba lowo utyunjiweyo azibone elungele ukunyulwa njengelungu leBhodi kwaye kufuneka zihambe kunye nolona lwazi luphambili lwezifundo lwalowo utyunjiweyo.

4. Abatyunjiweyo mabafezekise ezi ndlela zilandelayo:

*(a)* abe neminyaka engama-25 ubuncinci;

*(b)* abe ngummi woMzantsi Afrika kwaye abe uhlala ngokusisigxina eNtshona Koloni;

*(c)* angathinteleki ngokwecandelo lesi-5 loMthetho ekubeni aqhashwe njengelungu leBhodi; kwaye

*(d)* abenolwazi olufanelekileyo okanye amava iinkqubo zokuqinisekisa ukuphendula ngendlela eyiyo, ubulungisa kunye nokungafihlisi ekuqhubeni kweshishini lombutho.

5. Aba bantu balandelayo bathintelekile ukuba banyulwe njengelungu leBhodi:

*(a)* nawuphi na umntu kule minyaka ilishumi idlulileyo wagwetyelwa ukwaphula umthetho ngokwemigaqo yoMthetho okanye nawuphi na umthetho ofanayo;

*(b)* nabani na othe kwiminyaka elishumi eyadlulayo, nokuba kukwiRiphabhlikhi okanye kwenye indawo, wagwetyelwa ubusela, ubuqhetseba, ukukhohlisa, ukukhutshwa koxwebhu olwenziwe ngenkohliso, isifungo-buxoki okanye naliphi na ityala phantsi komthetho i*Corruption Act, 1992* (uMthetho 94 ka-1992), okanye umthetho i*Prevention and Combating of Corrupt Activities Act, 2004* (uMthetho ka-12 ka-2004), okanye naliphi na ityala elilelokunganyaniseki;

*(c)* umntu otshonileyo ongenakuhlawuleka okanye nabani na ophantsi kolwaphulo-mthetho olusemthethweni;

(*d*) nabani na othe kule minyaka ilishumi idlulileyo wasuswa kuyo nayiphi na iofisi yokuthenjwa ngenxa yokungaziphathi kakuhle okanye ukunganyaniseki;

(*e*) nawuphi na umntu okwiofisi yezopolitiko; kwaye

(*f*) nabani na, nokuba nguye okanye liqabane lakhe, ilungu losapho, iqabane, okanye umlingane kwishishini—

(i) uzuze okanye afumane umdla wezezimali othe ngqo okanye ongathanga ngqo nakweliphi na ishishini lotywala okanye kumaziko; okanye

(ii) onomdla kulo naliphi na ishishini elinokuthi lingquzulane okanye liphazamisane nokwenza umsebenzi wakhe njengelungu leBhodi okanye nayiphi na ilayisensi ekhutshwe phantsi koMthetho.

6. Onke amagama abatyunjiweyo kufuneka angeniswe ngokubhaliweyo ngohlobo lweFomu yoku-1 kwiSihlomelo sesi-3 seMigaqo. Iikopi zoMthetho kunye neFomu yoku-1 zinokufumaneka ngesicelo kuNks. G Lutz ku-Gillian.Lutz@westerncape.gov.za okanye kwiwebhusayithi yamalungu ebhodi engu-https://www.wcla.gov.za/members_of_the_board.

7. Ukutyunjwa kuyakwenziwa ngokuthi kuqatshelwe ngobuntu uhlanga kunye nesini.

8. Amalungu eBhodi anyulwa okwethutyana ixesha elimiselweyo nguMphathiswa elinokuthi lingadluli kwiminyaka emine.

9. Onke amagama abatyunjiweyo kufuneka angeniswe ngaphambi okanye ngentsimbi ye-12: 00 ngowama-30 Kweye Isilimela 2021—

(*a*) ngeposi ku:
Nks. G Lutz
PO Box 5346
Cape Town 8000;

(*b*) nge-imeyile ku:
Gillian.Lutzr@westerncape.gov.za
(Phawula ngokucacileyo ibhokisi yesihloko njengethi: WCLA NOMINATION FORM);

(*c*) ngefeksi ku:
021 483 6412; okanye

(*d*) uyizise ngesandla:
INtloko yeSebe
ISebe loKhuseleko loLuntu
ULwamkelo oluPhambili
UMgangatho oseZantsi
35 iSitalato iWale
EKapa.

10. Lonke ulwazi olunikiweyo luya kuphathwa ngemfihlakalo engqongqo.

11. Imibuzo inokwenziwa ku-Nks. G Lutz:
Inombolo yomnxeba: 021 483 2954; okanye
I-imeyile: Gillian.Lutz@westerncape.gov.za.

Sityikitywe eKapa ngomhla wama-20 kuCanzibe 2021.

**ADV Y PILLAY**
**INTLOKO KWISEBE LOKHUSELEKO LOLUNTU**

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