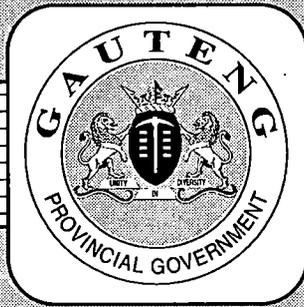


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
GAUTENG**

**Provincial Gazette Extraordinary
Buitengewone Provinsiale Koerant**

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Other countries • Buitelands: **R3,25**

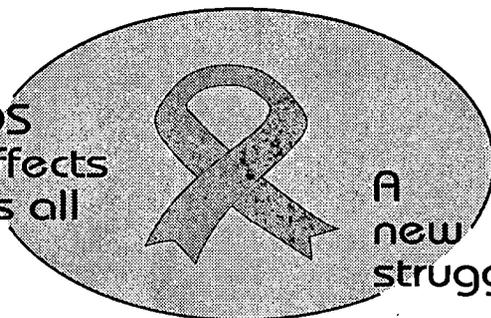
Vol. 10

**PRETORIA, 16 JANUARY 2004
JANUARIE 2004**

No. 18

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

Prevention is the cure



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PREMIER'S NOTICES

OFFICE OF THE PREMIER

Premier's No. 2

16 January 2004

It is hereby notified that the Premier has assented to the following Act that is hereby published for general information:

**No. 6 of 2003: GAUTENG TRANSPORT INFRASTRUCTURE
 AMENDMENT ACT, 2003**

06090000

GENERAL EXPLANATORY NOTE:

- [] Words in bold type in square brackets indicate omissions from existing enactments.
- Words underlined with a solid line indicate insertions in existing enactments.

ACT

To amend the Gauteng Transport Infrastructure Act, 2001, so as to amend and insert certain definitions; to provide for the necessary land use rights with respect to stations and for the necessary powers of the MEC to enter into contracts for road and rail projects; to amend the procedure in relation to route determination; to make a second environmental investigation at the stage of preliminary design of a road or railway line unnecessary where the competent environmental authority decides that the environmental investigation at the stage of route determination is adequate; and to provide for incidental matters.

BE IT ENACTED by the Gauteng Legislature as follows:—

Amendment of section 1 of Act 8 of 2001

1. Section 1 of the Gauteng Transport Infrastructure Act, 2001 (hereinafter referred to as the "principal Act") is hereby amended—

- (a) by the insertion of the following definition after the definition of 'provincial road':

"public railway transport service" means a public transport service which is a rail service as contemplated in section 1(Lxiii)(f) of the National Land Transport Transition Act, 2000 (Act No. 22 of 2000),"

- (b) by the substitution for the definition of "rail reserve" of the following definition:

"rail reserve" means the full width of a railway line [as proclaimed or expropriated] including stations and signalling and marshalling facilities, and other related facilities; [including commercial facilities]

- (c) by the substitution for the definition of "railway line" of the following definition:

"railway line" means rail facilities for the use of heavy or light rail and, where the context so indicates, a right of way, [for the use of heavy or light rail proclaimed, designated or expropriated as such under this Act] whether on or below the surface of the land and includes the rail reserve and a temporary deviation thereof."

- (d) by the insertion of the following definition after the definition of "railway line":

"railway system" includes the railway lines with rail reserves and stations, and the rolling stock forming part of the relevant system.

- (e) by the insertion of the following definition after the definition of 'road way':
"rolling stock" means a vehicle that is able to operate on a railway, irrespective of its capability of independent motion.
- (f) by the insertion of the following definition after the definition of "State":
" 'station' means a railway station or a railway passenger terminal and includes—
 - (a) the area within a station used or to be used for facilities necessary for the operation, maintenance and administration of a railway system or activities associated therewith or incidental thereto, including, but not limited to, workshops, storerooms, administrative offices, staff accommodation, fire stations and ventilation shafts;
 - (b) the area within the station used or to be used in connection with a railway system for parking of vehicles, parking garages, drop-off and pick-up areas, inter-modal transfer of passengers and public transport facilities including feeder and distribution services and facilities, and such commercially related land uses as are directly associated with commuter convenience, including advertising, selling of refreshments, newspapers and magazines, vending machines, public telephones and electronic banking facilities; and
 - (c) may include other commercial or retail land uses which may only be exercised after the necessary land use rights have been approved in terms of the Gauteng Planning and Development Act, 2003 (Act No. 3 of 2003) and any other relevant planning legislation."
- (g) by the substitution for the definition of 'transport infrastructure' of the following definition:
"transport infrastructure" includes provincial roads, railway lines, railway systems, parking areas and sites, bridges, tunnels, resting places, stopping places, weighbridges, stations, sidings and other traffic control centres and facilities for the use of motor vehicles, buses, taxis or [trains] rolling stock and [their] passengers, and includes similar or related structures, and all immovable property and servitudes, including commercial facilities, used in connection with such infrastructure;"

Substitution of section 6 of Act 8 of 2001

- 2. The following section is hereby substituted for section 6 of the principal Act:
"6. (1) In determining the route of a provincial road or railway line, the amendment of a route published in terms of subsection (9) or deemed to have been published in terms of subsection (10)(1), or the amendment of a route of an existing provincial road or railway line, the MEC must cause a preliminary route alignment to be done, in the form of a written report as prescribed and containing recommendations with respect to the route and the MEC must thereafter follow the procedure set out in this section.
 - (2) Before determining a route or amended route, the MEC must cause such environmental investigation and report in respect thereof to be done as the competent authority contemplated in section 22 of the ECA, or the authority contemplated in the relevant corresponding sections of NEMA once those sections come into operation, may decide.
 - (3) The MEC must thereafter cause a notice to be published in the prescribed form and manner, containing—
 - (a) a broad description of the proposed route;
 - (b) particulars of the times and places at which the preliminary route report and environmental report can be inspected and copies be made;
 - (c) an invitation to all interested and affected parties to comment in writing before a date, not less than 30 days after publication of the notice, on the recommended route; and
 - (d) a reference to the regulatory measures which take effect in terms of section 7 on the publication of the route in terms of subsection (11).
 - (4) The MEC must also consult with all municipalities in whose areas the route will be situated and request them, within a specified time, to submit written comments on the preliminary route report and environmental report

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with specific reference also to the effect which the proposed route may have on any spatial framework or other strategic municipal development planning of the municipality concerned.

(5) After the time for comments set in terms of subsections (3)(c) and (4) has elapsed, the MEC must consider the preliminary route report and environmental report as well as written comments, if any, submitted in terms of subsections 3(c) and (4), and may thereafter—

- (a) determine a route for the provincial road or railway line; or
- (b) subject to subsections (6) to (9), refer a specific issue or issues arising from the said reports or comments to a commission to hold a public inquiry advising on those specific issues within a time period as determined by the MEC and, after having considered such advice, determine a route for the provincial road or railway line.

(6) The commission contemplated in subsection (5)(b) shall consist of not more than 12 suitably qualified members of whom—

- (a) at least two are persons appointed by reason of their qualifications in and knowledge or experience of land development and are persons who are in the MEC's opinion competent to perform the functions assigned to them in terms of this section;
- (b) not more than two are persons nominated by municipalities in whose areas the route will be situated, if such persons are indeed nominated within 14 days after being requested to do so in writing by the MEC;
- (c) one is an official from the Department of Development Planning and Local Government or its successor;
- (d) one is an official from the Department;
- (e) at least two are professional civil engineers;
- (f) at least one is a town and regional planner registered as such with the South African Council for Town and Regional Planners as contemplated in the Town and Regional Planners Act, 1984 (Act No. 19 of 1984);
- (g) at least two are persons with appropriate legal qualifications and experience;
- (h) one is a suitably qualified chairperson who may be one of the persons referred to in paragraphs (a) to (g); and
- (i) the chairperson and four other members shall constitute a quorum for purposes of the activities of the commission.

(7) The MEC must thereafter cause a notice to be published in the prescribed form and manner, containing—

- (a) a summary of the issue or issues referred to the commission;
- (b) a broad description of that part of the route affected by the issue or issues referred to the commission;
- (c) particulars of the times at which and places where the preliminary route report, environmental report and comments received in terms of subsections (3)(c) and (4) relevant to the issue or issues referred to the commission, can be inspected and copies be made;
- (d) an invitation to all the persons directly affected by the issue or issues referred to the commission to—
 - (i) comment in writing before a date, not less than 30 days after publication of the notice, on the said issue or issues; and
 - (ii) appear at the public inquiry to motivate such written comment should they so wish;
- (e) the date and venue of the public inquiry; and
- (f) a reference to the regulatory measures which take effect in terms of section 7 on the publication of the route in terms of subsection (12).

(8) On the date mentioned in the said notice, the commission must hold and conduct a public inquiry and in so doing must—

- (a) determine the procedure for the public inquiry which must—
 - (i) include a public hearing; and
 - (ii) comply with the procedures to be followed in connection with public inquiries as prescribed in terms of section 10(1)(b) of the Promotion of Administrative Justice Act, 2000 (Act No 3 of 2000); and
- (b) conduct the inquiry in terms of the said procedure.

(9) After having conducted the public inquiry, the commission must compile a written report on the inquiry, having regard, if applicable, to the principles set out in section 3 of the Development Facilitation Act, 1995 (Act No. 67 of 1995) and in provincial planning and development legislation. The report must contain—

- (a) all written comments on the issue or issues referred to the commission;
- (b) a summary of the oral representations made at the public inquiry; and
- (c) recommendations to the MEC in respect of the said issue or issues, with reasons for such recommendations.

(10) The MEC, in consultation with the Member of the Executive Council responsible for development planning, must ensure that the route determination in terms of subsections (5)(a) or (b), is aligned as far as possible with any spatial framework or other strategic provincial development planning formulated in terms of development planning legislation of the Province.

(11) After having determined a route for the provincial road or railway line as contemplated in subsections (5)(a) or (b), the MEC must publish the said route by reference to the centre line thereof, by notice in the *Provincial Gazette*, which notice must contain—

- (a) such information, whether by way of a sketch plan, reference to a plan available for inspection at a given address, or otherwise, as the MEC may deem sufficient to indicate the centre line of the route;
- (b) a notification that the regulatory measures set out in section 7 take effect from the date of publication of the notice; and
- (c) a notification that reasons for the decision of the MEC with respect to the determination of the route, may be requested by interested and affected parties within 30 days of the date of publication of the notice.

(12) Subject to section 8(2), a route or sections thereof may be amended by the MEC only after having complied with the procedures set out in sections 8(1) to (8) and the amendments to the route must be published as set out in subsection (11).

(13) The provisions of this section are not applicable to access roads."

Amendment of section 7 of Act 8 of 2001

3. Section 7 of the principal Act is hereby amended by the substitution for the expression "section 6(9)" wherever it occurs of the expression "section 6(11)".

Amendment of section 8 of Act 8 of 2001

4. Section 8 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for the expression "section 6(9)" wherever it occurs of the expression "section 6(11)".

(b) by the substitution in subsection (2) for the expression "section 6(9) of the expression "section 6(11)" and for the expression "section 6(1) to (9)" of the expression "section 6(1) to (11)".

(c) by the substitution for paragraph (b) of subsection (4) of the following paragraph:

"(b) such further environmental investigation and written report in respect thereof to be carried out, if any, as the competent authority contemplated in section 22 of the ECA, or the authority contemplated in the relevant corresponding sections of NEMA, once those sections come into operation, may decide;"

(d) by the substitution for paragraph (b) of subsection (5) of the following paragraph:

"(b) the environmental report contemplated in subsection 4(b) or section 6(3)(a), as the case may be;"

(e) by the substitution for paragraph (a) of subsection (6) of the following paragraph:

"(a) the environmental report contemplated in subsection 4(b) or section 6(3)(a), as the case may be; and"

(f) by the substitution in subsection (8) for the expression "section 6(1) to (9)" of the expression "section 6(1) to (11)".

(g) by the substitution in subsection (10) for the expression "section 6(9)" of the expression "section 6(11)".

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Amendment of section 10 of Act 8 of 2001

5. Section 10 of the principal Act is hereby amended by the substitution in subsection (1) for the expression "section 6(9)" wherever it occurs of the expression "section 6(11)".

Amendment of section 50 of Act 8 of 2001

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6. Section 50 of the principal Act is hereby amended by the insertion of the following paragraph after paragraph (p) of subsection (2):

"(pA) operate, cause to be operated or permit the operation of a railway line and railway system;"

Amendment of section 51 of Act 8 of 2001

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7. Section 51 of the principal Act is hereby amended—

(a) by the substitution for the introductory sentence of subsection (1) of the following:

"(1) The MEC may conclude an agreement contemplated in subsection (2) with one or more of the following parties, in this section referred to as "the other party—"

(b) by the substitution for paragraph (j) of subsection (1) of the following:

"(j) any other person or body; [In this section referred to as "the other party]"

Insertion of section 51A in Act 8 of 2001

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8. The following section is hereby inserted in the principal Act after section 51:

"51A. (1) The MEC may, if he or she deems it in the public interest and with the approval of the Member of the Executive Council responsible for financial matters, enter into a contract or contracts in respect of a project for the construction, financing, planning, design, operation, management, control, maintenance or supervision of a railway system or future railway system or a railway line and the provision of public railway transport services or future railway line with any one or more of the parties contemplated in section 51(1), subject to such conditions as may be agreed upon which may include conditions in respect of—

(a) any of the matters or combinations thereof contemplated in section 51(2) and (3);

(b) the making available of any land or rights in respect thereof vesting in the MEC by virtue of the proclamation of the railway line or the acquisition or expropriation of land or rights in respect thereof in order to construct, operate, maintain, supervise and control such railway system and railway line, whether by lease or otherwise;

(c) any delegation contemplated in section 56;

(d) the right to exercise the rights and powers conferred upon the MEC in terms of section 50(2)(a), (c), (d), (e), (f), (i), (k), (m), (n), (pA) and (q) in relation to a railway line for the purposes and duration of the contract;

(e) the exercise by the MEC of such rights or powers conferred upon him or her by this Act, as may be necessary for the construction, operation, management, maintenance, supervision and control of the railway system or railway line on behalf of the other party, all at the cost of the other party, provided always that the exercise of any right or power of discretionary or executive nature shall not be fettered by such contract and shall be exercised only in the public interest;

(f) the integration of a railway system, railway line and facilities in respect thereof with airport facilities, with urban surroundings and with other transport infrastructure;

(g) the provision of public railway transport services;

(h) the extent of capital, patronage guarantees, funds, subsidies, payments and security to be provided or made available by the Province for or related to the establishment and operation of the railway system and provision of services contemplated by the contract or contracts; and

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(i) any other matter reasonably necessary for, or incidental to, the implementation of the contract or contracts.

(2) The MEC may, notwithstanding other laws, transfer or make available for use by or on behalf of any one or more of the parties to a contract contemplated in subsection (1), any servitude or right, whether registered or unregistered, and vesting in the MEC or the Province, for purposes of or in connection with any contract as contemplated in subsection (1) and for the duration of such contract.

(3) A contract contemplated by subsection (1) may provide that a person who is a party to the contract is entitled to charge and collect fares for transport services, as determined by the MEC, in the manner determined in the contract, and to earn other revenue arising from or related to:

- (a) the rights acquired in terms of the contract or contracts; or
- (b) the railway system."

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Amendment of section 52 of Act 8 of 2001

9. Section 52 of the principal Act is hereby amended by the insertion after subsection (1) of the following subsection: 15

"(1A) Any person who fails or refuses to pay the applicable fare for using a public railway transport service commits an offence."

Short title

10. This Act is called the Gauteng Transport Infrastructure Amendment Act, 2003. 20

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Premier's No. 3

16 January 2004

It is hereby notified that the Premier has assented to the following Act that is hereby published for general information:

**No. 7 of 2003: UNAUTHORISED EXPENDITURE
 (97/2001) ACT, 2003**

ACT

To provide for the authorisation of certain unauthorised expenditure from the Provincial Revenue Account; and to provide for matters incidental thereto.

BE IT ENACTED by the Gauteng Provincial Legislature, as follows:

Authorisation of certain unauthorised expenditure from the Provincial Revenue Account

1. (1) Expenditure to the amount of R913 934 911,50 incurred by the Gauteng Provincial Administration during the period April 1997 to March 2001, in respect of services rendered by the Gauteng Provincial Administration and which the relevant Public Accounts Committees recommended for authorisation by the Legislature, is hereby authorised. 5

(2) The Provincial Revenue Account is charged with the expenditure contemplated in subsection (1). 10

(3) The expenditure referred to in subsection (1) is set out in the Schedule hereto.

Short Title

2. This Act is called the Gauteng Unauthorised Expenditure Act, 2003.

SCHEDULE

Vote	Vote Title	Financial Year	Amount authorised	
2	Gauteng Provincial Legislature	1997/1998	348,252.40	
4	Health	1997/1998	250,641,205.62	5
5	Education	1997/1998	39,909,329.56	
6	Welfare and Population Development	1997/1998	41,556,932.22	
8	Development Planning and Local Government	1997/1998	27,470,534.09	10
9	Public Transport, Roads and Works	1997/1998	6,054,956.87	
10	Public Safety and Security	1997/1998	119,989.00	
11	Agriculture, Conservation and Environment	1997/1998	6,134.23	15
	SUB-TOTAL		366,107,333.99	
1	Corporate Services (Office of the Premier)	1998/1999	10,543,737.40	
2	Gauteng Provincial Legislature	1998/1999	92,270.00	
3	Finance and Economic Affairs	1998/1999	22,638.00	
4	Health	1998/1999	391,631,243.90	20
7	Housing	1998/1999	4,501,705.45	
8	Development Planning and Local Government	1998/1999	29,356,529.46	
10	Public Safety and Security	1998/1999	1,907,185.24	
11	Sport, Recreation, Arts and Culture	1998/1999	4,001,639.36	25
	SUB-TOTAL		442,056,948.81	
1	Office of the Premier	1999/2000	5,078,756.22	
2	Gauteng Provincial Legislature	1999/2000	1,106,714.00	
7	Housing	1999/2000	1,106,164.00	
8	Development Planning and Local Government	1999/2000	8,742,159.35	30
10	Safety and Liaison	1999/2000	24,679.00	
12	Sport, Recreation, Arts and Culture	1999/2000	1,013,848.88	
	SUB-TOTAL		17,072,321.45	
1	Office of the Premier	2000/2001	10,358,480.98	35
2	Gauteng Provincial Legislature	2000/2001	245,673.90	
3	Finance and Economic Affairs	2000/2001	2,009,666.39	
4	Health	2000/2001	65,592,473.99	
5	Education	2000/2001	305,390.00	
7	Housing	2000/2001	1,550,758.31	40
8	Development Planning and Local Government	2000/2001	1,401,519.79	
10	Safety and Liaison	2000/2001	83,253.87	
11	Agriculture, Conservation, Environment and Land Affairs	2000/2001	5,275,000.00	45
12	Sport, Recreation, Arts and Culture	2000/2001	1,876,090.02	
	SUB-TOTAL		88,698,307.25	
	TOTAL		913,934,911.50	

Premier's No. 4

16 January 2004

It is hereby notified that the Premier has assented to the following Act that is hereby published for general information:

No. 8 of 2003

**PROVINCIAL ADJUSTMENT
APPROPRIATION ACT, 2003**

03090000

ACT

To appropriate adjusted amounts of money for the requirements of the Province in respect of the financial year ending 31 March 2004.

BE IT ENACTED by the Provincial Legislature of Gauteng, as follows:—

Appropriation of adjusted amounts of money for the requirements of the Gauteng Province

1. Subject to the provisions of the Public Finance Management Act, 1999 (Act No. 1 of 1999), the adjusted amounts of money shown in the Schedule are appropriated out of the Provincial Revenue Fund for the requirements of the Province, as a charge to the Provincial Revenue Account, for the financial year ending 31 March 2004. 5

Short Title

2. This Act is called the Provincial Adjustment Appropriation Act, 2003. 10

SCHEDULE

(As a charge to the Provincial Revenue Fund)

VOTE AND PROGRAMME DESCRIPTION	Appropriation R'000	Details of appropriated amount				Total R'000
		Main divisions R'000	Capital R'000	Specified transfer payments R'000	Amounts specifically and exclusively appropriated	
1 Office of the Premier	-4 812					
Vision: To be an innovative, responsive and vibrant nerve centre for people-centred government.						
1 Executive office		-2541	339			-2 202
To ensure that the policy objectives are achieved within the vision and mission of the Office and to oversee and communicate the overall function of the office to the various stakeholders and to provide overall strategic management and direction for the office.						
2 Policy development and co-ordination		-2 620				-2 620
To monitor, evaluate and advise on the implementation of GPG policies, to facilitate and coordinate the development and implementation of special programmes in GPG, to promote good governance, to provide planning and secretarial services.						
3 Government Communication and Information Services		4 822				4 822
To ensure effective government communications and information services.						
4 State Law Advice		-304				-304
To ensure that the legislative framework is rationalised and aligned with national legislation, to do research, formulation, drafting and certification of legislation, to execute judicial acts and interpret statutes, to provide legal service, liaise with the State Attorney to provide formal legal advice.						
5 Human Resources and Auxiliary Services & Strategic HR		-4508				-4 508
To provide a comprehensive professional, sustainable and strategic HR management and development services to the Office of the Premier.						
6 Financial management		-1 334				-1 334
To establish and maintain systems and policies to ensure effective and efficient management of resources, to render efficient, effective and economical procurement and provisioning services, to provide a comprehensive financial services to the office.						
7 Security and Risk Management Services		-290	1 624			1 334
To facilitate, coordinate and monitor security standards in GPG, to liaise with national security structures, to provide security advisory services for the Office of the Premier and GPG, to facilitate the development of a GPG security strategy.						
TOTAL		-6 775	1 963			-4 812
2 Provincial Legislature	13 297					
1 Political Representation						
To give effect to the Constitutional obligations of oversight, Legislation and ensuring Public Participation.						

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0209020

VOTE AND PROGRAMME DESCRIPTION	Appropriation	Details of appropriated amount				Total
		Main divisions	Capital	Specified transfer payments	Amounts specifically and exclusively appropriated	
	R'000	R'000	R'000	R'000		R'000
2 Office of the Speaker & Provincial Secretary To provide strategic vision for the institution with particular emphasis on investigative oversight, committee hearings, programme budgeting, procedural services, parliamentary modernisation, to provide strategic leadership and management in the institution and its business processes.		1 118				1 118
3 Parliamentary operations To support the functions of the Legislature through the provision of a professional, effective and efficient secretariat service to the legislative business processes, to provide effective and efficient management and administration of committees, to enhance levels of procedural expertise and advise, to enhance public participation programmes, systems and policies, to improve the management of NCOP business in the Legislature, to provide audible recordings of proceedings of the House, Committee meetings.		483				483
4 Institutional support services To support the functions of the Legislature through a professional, efficient and effective financial management system, to support the function of the Legislature through a professional, effective and efficient HR management system, to support the functioning of the Legislature through an effective and efficient procurement service at the most economical and equitable manner.		2 285				2 285
5 Operational support services To manage and coordinate the work of the directorate, to be a primary source of all information about the Legislature and its work, to support the function of the Legislature through a professional, effective and efficient support service and control system, to provide the Legislature, its Members and staff with the physical infrastructure required to perform their operation, and maintain the infrastructure effectively, to minimise the risks facing the Legislature its physical, personal and information security.		678	9 005			9 683
6 Information and Halson To provide timeous relevant information and information products that addresses information requirements of Members and staff, to undertake research service on behalf of commissions, committees, senior office bearers, to provide communication, media liaison and protocol functions to the Legislature and external stakeholders in a professional, effective and effective manner.		-272				-272
TOTAL		4 292	9 005			13 297
3 Finance and Economic Affairs 1 Management To provide strategic leadership and to effectively and efficiently manage the department.	-182 027					

VOTE AND PROGRAMME DESCRIPTION	Appropriation R'000	Details of appropriated amount				Total R'000
		Main divisions R'000	Capital R'000	Specified transfer payments R'000	Amounts specifically and exclusively appropriated	
<p>2 Support services To plan, coordinate and monitor publicity and marketing campaigns of the department with a view to monitor and evaluate the service delivery of the department, to render a best practice human resource management service, to provide efficient financial management for the department, to ensure efficient and timeous procurement of goods and services, to provide the foundation which information, management and communication can be addressed in a holistic way, to explore and align the IT strategy to the business strategy, to render real time logistical services to the department, to provide efficient general accounting services to the departments of GPG, to review and ensure compliance to internal policies of the department.</p>		-14 642	-530			-15 172
<p>3 Provincial Treasury Fiscal planning and budget management within the context of economic growth and job creation, the creation of a conducive policy and legal framework that encourages best practice in the public finance management.</p>		-20 010				-20 010
<p>4 Economic Affairs To ensure a comprehensive and legislative framework, to enhance SME participation, to protect the consumers in the province, to regulate business activity in the province, to promote economic development through the creation and facilitation of an enabling environment for increased job creation <i>of which</i> <i>Transfers to public entities</i> <i>Gauteng Economic Development Agency</i> <i>Gauteng Tourism Agency</i></p>		15 000				15 000
<p>5 Blue IQ Investment in key economic sectors to improve the competitiveness of the financial services (tourism), manufacturing (high value added) and the smart sectors of the economy to enable increased private sector investment that will lead to sustained economic growth and increased labour absorption <i>of which</i> <i>Transfers</i> <i>Local government</i> <i>Alberton and Germiston City Council</i> <i>Local government agencies</i> <i>JDA, JRA, MTC</i> <i>Provincial entities</i> <i>DACEL, Gautrans, GEDA</i> <i>Provincial public entities</i> <i>AIDC, Innovation Hub company, SPDC</i> <i>SANRAL, Gaumac</i> <i>Others</i></p>		-16 259	-348			-16 607
				3 653		3 653
				48 054		48 054
				42 099		42 099
				233 166		233 166
				-472 210		-472 210
TOTAL		-35 911	-878	-145 238		-182 027

01090000

VOTE AND PROGRAMME DESCRIPTION	Appropriation R'000	Details of appropriated amount				Total R'000
		Main divisions R'000	Capital R'000	Specified transfer payments R'000	Amounts specifically and exclusively appropriated	
4 Health	54 379					
Mission: To promote and protect the health of our people, especially those most vulnerable to illness and injury.						
1 Administration		-6 065				-6 065
To provide political and strategic direction and leadership, to develop and implement policy and legislative framework for health care, to ensure an enabling environment for quality service delivery, to promote co-operative governance, to provide conducive work environment for staff, to ensure value for money and effective organisation, to ensure equity and efficiency in distribution and use of resources, and to monitor and evaluate performance of the department <i>of which</i> <i>Hospital Management & Quality enhancement</i>					6 065	6 065
2 District Health Services		-10 472	-3 100			-13 572
To render primary health care services, to manage district health services and to provide support facilities, to deliver a comprehensive primary health care package, to render emergency services and patient transport, and to render a HIV/AIDS programme <i>of which</i> <i>National conditional grants</i> <i>HIV/AIDS grant</i>					9 013	9 013
3 Emergency Medical Services		26 520	-24 399			2 121
To ensure rapid and effective Emergency Medical Care and transport, to ensure planned patient transport, and to ensure implementation of provincial norms and standards <i>of which</i> <i>Transfers to municipalities</i>				6 879		6 879
4 Provincial Hospital Services		25 286	-1 431			23 855
To render a general and specialised hospital services, to provide chronic and tuberculosis in-patient care on an agency basis for the department, to render hospital services provided by general specialists, and to render oral health care services and a platform for the training of health workers <i>of which</i> <i>Transfers to private institutions</i>						
5 Central Hospital Services		32 951	-12 800			20 151
To provide a platform for the training of health workers, to provide a highly specialised health care service, and to serve as a specialist referral centres for neighbouring provinces and regional hospitals.						
6 Health Training and Sciences		7 061	-1 025			6 036
To provide training for nurses and ambulance personnel, and to grant bursaries and promote research and development of health systems.						
7 Health Care Support Services		-224	120			-104
To render support services required by the department to fulfil its aims, to provide non-clinical service for example research, laundry and food supply services.						

VOTE AND PROGRAMME DESCRIPTION	Appropriation	Main divisions	Details of appropriated amount			
			Capital	Specified transfer payments	Amounts specifically and exclusively appropriated	Total
	R'000	R'000	R'000	R'000		R'000
8 Auxiliary and associated services			90 000			90 000
To promote the advancement of HRD and systems, to support the establishment of an examination system, conduct examinations and award certificates, to progressively provide internet access for every public school learner.						
TOTAL		85 112	90 000	690	9 775	185 577
6 Social Services and Population Development	522 927					
1 Administration		-2 727	-17 885			-20 612
To effectively and efficiently manage the affairs of the Department in an integrated manner						
Financial management and social security system						
2 Social assistance grants		360 987				360 987
To administer an equitable social grant system						
of which						
Transfers to:						
Extension of child support grant and regulation 11					177 301	177 301
3 Social welfare services		909	136			1 045
To administer the provision of prevention, early intervention and statutory services, in a caring and developmental manner, to vulnerable groups						
4 Development and support services		3 333	1 343			4 676
To contribute towards an environment in which communities and civil organisations can be mobilized to participate in social development processes.						
5 Population development and demographic trends		-470				-470
To plan, implement, co-ordinate and facilitate the systematic integration of population factors in all policies, plans, programmes, strategic at all levels and sectors, specifically provincial departments of social development needs.						
TOTAL		362 032	-16 406		177 301	522 927
7 Housing	61 905					
To maximise the impact of public and private resources to accelerate the delivery of tenure, quality services and housing on well located, in partnership with all spheres of Government, the private sector and civil society.						
1 Management and administration		5 748	650			6 398
To manage the affairs of the department effectively and efficiently.						
Housing fund (National Conditional Grant)					31 483	31 483
2 Strategic intervention		-5 797	-50			-5 847
To provide an effective and efficient service for strategic immediate and medium to long term planning in the department that contributes towards the development of sustainable communities, the strategic planning process of the department, and the development of a housing strategy for Gauteng for the coming ten years to twenty years.						

VOTE AND PROGRAMME DESCRIPTION	Details of appropriated amount					Total
	Appropriation	Main divisions	Capital	Specified transfer payments	Amounts specifically and exclusively appropriated	
	R'000	R'000	R'000	R'000		R'000
3 Housing Development Agency To facilitate and manage the implementation of social housing projects to support the Presidential job summit initiative <i>of which</i> Housing fund (National Conditional Grant)		-6 685			20 860	-6 685 20 860
4 Urban Regeneration Agency To ensure the effective implementation of urban renewal/regeneration projects to achieve clearly defined outcomes <i>of which</i> Alexandra renewal project Human settlement (National conditional grant) Housing fund (National Conditional Grant)			2 371		10 352	2 371 10 352
5 Social Housing Partnership To develop and manage the Gauteng Partnership Fund as a mechanism to promote private sector involvement and provides affordable housing finance <i>of which</i> Housing fund (National Conditional Grant)		9 456	-31 483		25 000	25 000 -22 027
TOTAL		2 722	-28 512		87 695	61 905
8 Development Planning and Local Government To establish, coordinate, support and monitor, through a skilled and service oriented staff, an integrated development planning system and local government that is effective and efficient.	-6 219					
1 Transformation local government To promote and support effective and accountable local government <i>of which</i> Local government capacity building (National conditional grant) Transfers to Local Government					3 618	3 618
2 Quality service delivery To create Communities where people have access to affordable, appropriate and sustainable quality services to meet their needs <i>of which</i> Intermediate level of water and sanitation in informal settlement grant Consolidated municipal infrastructure programme		2 214				2 214
3 Integrated development planning To promote and coordinate sustainable integrated development planning <i>of which</i> Transfers to Local Government				-26 000	1 021	-26 000 1 021
4 Democratic and cooperative governance To develop and implement strategies to build local democracy		14 159				14 159
5 Effective business process To develop and coordinate programmes to create expertise in the department to provide high level of advice to both provincial and local government.		-1 231				-1 231
TOTAL		15 142	-26 000		4 639	-6 219

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VOTE AND PROGRAMME DESCRIPTION		Details of appropriated amount					Total	
		Appropriation	Main divisions	Capital	Specified transfer payments	Amounts specifically and exclusively appropriated		
		R'000	R'000	R'000	R'000		R'000	
9	<p>Public Transport, Roads and Works</p> <p>Mission: To promote accessibility and the safe, affordable movement of people, goods and services and to render efficient and cost effective public works services in Gauteng.</p> <p>1 Management services</p> <p>To render a strategic management support to the department in the areas of finance, procurement, movable assets, leaseholds, vehicle and driver licensing and human resources.</p> <p>2 Strategic planning</p> <p>To manage, co-ordinate and integrate the overall planning of public transport, roads, land use and environmental planning Transfer to municipalities and CSIR</p> <p>3 Transport infrastructure</p> <p>To manage and execute the design, construction and maintenance of transport infrastructure, to manage the protection of infrastructure, to manage road building and State Motor Transport <i>of which</i> Transfers from National conditional Grants Provincial infrastructure</p> <p>4 Transport management</p> <p>To manage and co-ordinate all modes of public transport</p> <p>5 Maintenance and community-based public works programme</p> <p>To render a client centred and efficient building and infrastructure maintenance services to GPG and the mobilization of community capacity in the conception, planning, implementation and management of community infrastructure in needy communities <i>of which</i> Departmental transfers Independent Development Trust and emerging companies</p> <p>6 Professional services</p> <p>To render professional services for integrated provincial capital infrastructure developments in establishing institutional master planning to support client departments strategic plans and ensuring compliance with the prescribed legislation and regulatory framework.</p> <p>TOTAL</p>	49 247	25 909	-4 391	-4 368	3 531		25 909
								-8 759
			8 624		-29 204			3 531
								-20 580
								-9 006
			118 826		-272 000			-153 174
								150 282
				-405	61 449			61 044
								49 247
	TOTAL		139 887		-244 453	153 813		49 247
10	<p>Safety and Liaison</p> <p>To ensure that Gauteng is a safe, secure, prosperous and low crime environment where quality policing services are delivered</p> <p>1 Management and administration</p> <p>To render an efficient and effective administrative and financial management support service to the department, to develop and implement departmental policies, to assist directorates in developing enabling tools, to co-ordinate staff development and training</p>	3 950						3 950
			250					250

VOTE AND PROGRAMME DESCRIPTION	Details of appropriated amount					
	Appropriation	Main divisions	Capital	Specified transfer payments	Amounts specifically and exclusively appropriated	Total
	R'000	R'000	R'000	R'000		R'000
8 World Heritage Site To manage and facilitate the development of the Cradle of Humankind World Heritage Site known as the Fossil Mominid sites of Sterkfontein, Swartkrans, Kromdraai and Environ, in the Gauteng and North West Province, in order to preserve cultural and natural resources and generate appropriate economic growth						
9 Dinokeng To establish, manage and facilitate conservation based tourism development in the North Eastern quadrant of Gauteng that will result in the creation of jobs, and increased appropriate economic growth in the area						
10 Legal services To provide legal support to core branches in developing litigation strategies, programme and plans		800				800
11 Compliance and enforcement To assist core branches in the planning and implementation of compliance and enforcement strategies to ensure maximum compliance with the law		-1 200				-1 200
12 Management information services To provide core branches with expertise and management support in the areas of strategic information management, information technology and monitoring and evaluation		2 818				2 818
13 Communication and awareness To assist core branches in the planning and implementation of communication and awareness programmes		-1 992				-1 992
14 Human resource management To render efficient and effective human resource management services		-912				-912
15 Human resource development To render efficient and effective human resource development services		200				200
16 Facilities management To render efficient and effective facilities management services	2 765	9 843			12 608	
17 Financial management To render efficient and effective financial management services		342				342
TOTAL		-8 727	-18 502			-27 229
12 Sport, Recreation, Arts and Culture Vision: To have a literate, informed, creative and active society, proud of its cultural heritage	3 434					
1 Management support To render effective, efficient, economic, transparent and fair administrative support services to the department; to communicate and market the programmes and activities of the department; to organise and co-ordinate demographically attended commemorative events and other departmental events; to procure, develop and retain, transformed, high calibre personnel through effective human resource management; to develop, co-ordinate and monitor policies and strategic plans for the department; to co-ordinate and monitor the implementation of legislation; to facilitate the establishment of an integrated information and communication technology system.		-874	703			-171

VOTE AND PROGRAMME DESCRIPTION	Details of appropriated amount					Total
	Appropriation	Main divisions	Capital	Specified transfer payments	Amounts specifically and exclusively appropriated	
	R'000	R'000	R'000	R'000		R'000
<p>2 Facilities development</p> <p>To co-ordinate and implement the building, upgrading and maintenance of facilities for sport, recreation, arts, culture, heritage and library and information services; to address historical backlogs; to transform facilities for equitable access; to ensure the optimal utilisation and sustainability of the established facilities; to encourage job creation through skills development</p> <p><i>of which</i> Capital transfers to Local Government</p>		2 719	-1 710			1 009
<p>3 Region co-ordination and implementation</p> <p>To enable communities, especially the youth to participate in The Gauteng Youth Games (previously Masakhane Games) programmes of sport and recreation, as well as departmental programmes of arts, culture, heritage and reading; to contribute to the implementation and hosting of commemorative events; to monitor, support and evaluate local government's delivery of arts, culture, sport and library services; to ensure the effective, efficient and economical management of the FR Thomlison Campsite and Diepkloof Farm Museum; and to provide administrative support functions to the regional offices.</p> <p>Social benefits</p>		-683	7			-676
<p>4 Arts, culture and heritage</p> <p>To identify, develop and promote the arts and culture community through training and showcases; to provide financial assistance to build capacity of arts and culture organisations; to transform and develop heritage resources in communities; to create employment and tourism opportunities</p> <p><i>of which</i> Grants</p> <p>Transfers of grants to NGO's</p>		1 191	-14		-2	1 177
<p>5 Library and information services</p> <p>To transform library and information services to address the needs of communities; to develop and maintain a library and information communications technology system and network that provides a global access to relevant and up to date information; to render effective information and reference support services to community librarians and government officials; to provide relevant and needs-based information resources to community libraries; to develop reading and awareness programmes to establish a culture of reading; and to co-ordinate, monitor and support community libraries.</p>				374		374
<p>6 Sports and recreation</p> <p>To develop and implement the Sport and recreation policy, to identify and nurture talent in order to produce acclaimed sports champions by providing medical and scientific support, to create access to sports through the provision of community games and mass participation, to build capacity and support sport federations by providing financial and non-financial support</p>				-350		-350

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VOTE AND PROGRAMME DESCRIPTION	Details of appropriated amount					Total
	Appropriation	Main divisions	Capital	Specified transfer payments	Amounts specifically and exclusively appropriated	
	R'000	R'000	R'000	R'000		R'000
<p>7 Financial administration</p> <p>To perform financial planning and budgeting functions and develop and implement sound financial management policies and procedures, enforce compliance with the PFMA, Treasury Regulations, GRAP and other regulatory frameworks, to develop and implement effective risk management and internal control systems.</p>		-234		7		-227
<p>8 Youth development</p> <p>To co-donate and monitor the implement of youth development policies and strategic plans in the province, to communicate with all youth structures, local and provincial government, and the corporate sector to facilitate the development of youth, to create opportunities for young people to fruitfully participate in the economy through skills development in all areas of business, to co-ordinate and monitor the implementation of the National Crime Prevention Strategy at community level</p>		2 300				2 300
TOTAL		4 419	-1 007		22	3 434
<p>13 Gauteng Shared Services Centre</p> <p>Mission: To deliver a world-class reference site with the best of breed practices, procedures and systems, to provide province wide support services to the public sector</p>	86 050					
<p>1 Internal audit services</p> <p>To perform regular risk, computer, performance and forensic audits, to decrease incidents of fraud and corruption in GPG, to assist management in keeping the risk profile of their departments updated, to enable the accounting officers to effectively manage their regular risk, to implement various programmes to help equip all GPG departments with adequate trained staff in the internal auditing environment</p>		10 296		14		10 310
<p>2 Human resources services</p> <p>To render a responsive and cost effective recruitment processing service to the Gauteng province, to administer all Human Resource conditions of service timeously and accurately, to provide a personalised HR administration service to the GPG senior management, to provide specialised HR consulting service, to establish a benchmark for HR services in the public service</p>		31 298		-106		31 192
<p>3 Procurement services</p> <p>To standardise the procurement processes to ensure satisfactory delivery of goods and services to the GPG departments, to support good governance by building a purchasing organisation that is based on teamwork and performance, to use up to date reliable systems to facilitate our processes, to ensure that our procurement professionals are thought leaders in the field of socially responsible public sector procurement</p>		18 523		-76		18 447
<p>4 Finance services</p> <p>Reconcile all cashbooks for the GPG, develop sound financial practices by implementing the appropriate financial procedures, develop an effective debt collection system in order to ensure that the collections backlog on outstanding balances is phased out, to improve the payroll administration functions by streamlining the core activities and strengthening the controls around the payroll</p>		27 650		-281		27 369

VOTE AND PROGRAMME DESCRIPTION	Appropriation	Details of appropriated amount				Total
		Main divisions	Capital	Specified transfer payments	Amounts specifically and exclusively appropriated	
	R'000	R'000	R'000	R'000		R'000
5 Technology support services To develop a GPG wide enterprise architecture framework in conjunction with the departmental CIO's, to provide a flexible and adaptable IT infrastructure that meets the business needs of GPG, to provide a unified and consistent programme management methodology and project office through a centrally coordinated Programme Management Office, to develop an information security strategy, to develop an application framework that allows for the co-existence of transversal systems and the new ERP system for GPG		121 642	-122 910			-1 268
TOTAL		209 409	-123 359			86 050
TOTAL FOR THE PROVINCE	760 479	847 309	-397 484	16 166	294 488	760 479

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Premier's No. 5

16 January 2004

It is hereby notified that the Premier has assented to the following Act that is hereby published for general information:

No. 9 of 2003

**GAUTENG LIQUOR AMENDMENT ACT,
2003**

Amendment of section 25 of Act 2 of 2003

4. Section 25 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) Any person may lodge an objection to the granting of a licence in terms of this Act, in the prescribed manner, with the local committee and the applicant within twenty-one (21) days from [date of publication of a notice] date of lodgement of the application with the secretary of the local committee referred to in section [24] 23.” 5

Amendment of section 28 of Act 2 of 2003

5. Section 28 of the principal Act is hereby amended by the insertion immediately after paragraph (b)(v) of sub-section (1) of the following paragraph: 10

“(c) Any other licence that the Board, in its discretion will deem appropriate.”

Amendment of section 31 of Act 2 of 2003

6. Section 31 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection: 15

“(1) An application for a catering or occasional permit shall be considered by the [Board via the] local committee, and the [Board] local committee may grant or refuse the application concerned.”;

(b) by the substitution for subsection (2) of the following subsection: 20

“(2) The [Board] local committee shall not grant a catering or occasional permit under subsection (1) unless the applicant can show exceptional circumstances that warrant the granting of the catering or occasional permit for a period not longer than seven (7) consecutive days.”;

(c) by the substitution for subsection (4) of the following subsection: 25

“(4) The [Board] local committee shall be satisfied that the distribution or sale of liquor is not the principal business of the applicant, but incidental to the occasion held by the applicant.”; and

(d) by the substitution for subsection (5) of the following subsection: 30

“(5) The [Board] local committee shall approve the plan of the premises and may specifically exclude the sale of liquor on certain places on the premises and may determine the kind of liquor to be sold.”

Amendment of section 33 of Act 2 of 2003

7. Section 33 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of following subsection: 35

“(1) After the Board has granted an application in terms of this Act, it shall, subject to section 35, issue the licence through the local committee to the applicant to sell the kind of liquor provided for in this Act in respect of the kind of licence concerned, or, in the case of a catering or occasional permit, the kind of liquor determined by the [Board] local committee and specific places on the premises which have been excluded by the [Board] local committee in terms of section 31 (5).”; and 40

(b) by the substitution for subsection (2) of the following subsection:

“(2) The Board or local committee may at any time after the issue of a licence or permit in terms of subsection (1) or section 37, by a notice delivered to the licensee concerned—” 45

Amendment of section 37 of Act 2 of 2003

8. Section 37 of the principal Act is hereby amended by the substitution for paragraph (b) of subsection (1) of the following paragraph:

“(b) has in the preceding five (5) years been convicted of an offence in terms of this Act or the liquor Act, 1989 (Act no 27 of 1989) [or any similar law applicable prior hereto], and was sentenced to a fine of not less than R200 or to imprisonment without the option of a fine or both imprisonment and fine or has paid an admission of guilt fine of not less 50

than R200 unless the Board exercises its discretion in favour of granting the licence or unless the sentence has been set aside by a court or such a person has received a grant of amnesty or a free pardon in respect of any one of the sentences or the fine has been remitted.”.

Amendment of section 38 of Act 2 of 2003 5

9. Section 38 of the principal Act is hereby amended by the substitution for subsection (5) of the following subsection:

- “(5) The Association shall promote an organized trade in liquor within the Province[,through—
- (a) diligence amongst its members and affiliates[,];
 - (b) compliance with all laws and policies relating to the regulation of liquor [and,];
 - (c) responsible consumption of liquor; and
 - (d) any other matter ancillary thereto.”.

Amendment of section 39 of Act 2 of 2003 15

10. Section 39 of the principal Act is hereby amended by the substitution for paragraph (c) of subsection (4) of the following paragraph.

- “(c) If [its] in his or her opinion the possibility exists that the granting of the application may cause a harmful monopolistic situation to arise or be aggravated in the liquor trade or a branch thereof.”.

Amendment of section 51 of Act 2 of 2003

11. Section 51 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

- “(2) Notwithstanding any provision of this Act, the holder of an on-consumption licence may remain open for purposes stated in the licence from 21h00 of the [afternoon] evening of December 31 until 02h00 in the morning of January 1, unless otherwise prescribed.”.

Amendment of section 86 of Act 2 of 2003

12. Section 86 of the principal Act is hereby amended by the substitution for paragraph (c) of subsection (1) of the following paragraph:

- “(c) Subject to 125(a), a person employed in [with] the carrying on of the business to which the licence relates, except an employee contemplated in section 45(2), for consumption in that place.”.

Amendment of section 104 of Act 2 of 2003

13. Section 104 of the principal Act is hereby amended by the substitution for subsection (6) of the following subsection:

- “(6) Upon granting an application for the transfer of a licence the Board shall issue a licence to the transferee who then becomes the licensee, with all rights and obligations of a licensee in terms of this Act.”.

Amendment of section 106 of Act 2 of 2003 40

14. Section 106 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

- “(1) The Board shall convene an inquiry for purposes of section [102] 105.”.

Amendment of section 109 of Act 2 of 2003

15. Section 109 of the principal Act is hereby amended by the substitution for paragraph (d) of subsection (3) of the following paragraph:

- “(d) copy any document referred to in [paragraphs] paragraph (c), or if necessary, remove the document in order to copy it.”.

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Amendment of section 112 of Act 2 of 2003

16. Section 112 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) An inspector executing a warrant in terms of section [107] 110 may overcome any resistance to entry or inspection by using the force that is reasonably required, including breaking a lock, door or window of the land or premises to be entered.” 5

Amendment of section 116 of Act 2 of 2003

17. Section 116 of the principal Act is hereby amended by the substitution for paragraph (d) of subsection (2) of the following paragraph: 10

“(d) any penalty that may be imposed in terms of section [131] 133 in the event of non-compliance with those steps.”

Amendment of section 124 of Act 2 of 2003

18. Section 124 of the principal Act is hereby amended by the substitution for paragraph (b) of subsection (1) of the following paragraph: 15

“(b) the categories of [person] persons who may sell methylated spirit;”

Amendment of section 129 of Act 2 of 2003

19. Section 129 of the principal Act is hereby amended by the substitution for paragraph (d) of the following paragraph:

“(d) refuse to take the oath or make the affirmation, having been required by the chairperson or the board to give evidence under oath or after the making of an affirmation; or” 20

Amendment of section 133 of Act 2 of 2003

20. Section 133 of the principal Act is hereby amended by the substitution for section 133 of the following section: 25

“Any person who is guilty of an offence in terms of this Act, shall on conviction be liable to a fine not exceeding R100 000,00 or to imprisonment for a period [of] not exceeding ten (10) years or both such fine and imprisonment.”

Amendment of section 138 of Act 2 of 2003

21. Section 138 of the principal Act is hereby amended by the substitution for section 138 of the following section: 30

“If it is proved in any prosecution for an offence in terms of section [125(1)(i)] 127(i) that the accused manufactured, had in his or her possession or custody or under his or her control, or consumed or sold, supplied or gave to any person liquid which had or has the appearance of a concoction or drink referred to in section [121 (1)] 123 (1) and in the charge, it shall be presumed, unless the contrary is proved, that the liquid was or is that concoction or drink.” 35

Amendment of section 143 of Act 2 of 2003

22. Section 143 is hereby amended—

(a) by the substitution for the heading of the following heading: 40

“[Validity of licenses] Conversion of existing licenses“; and

(b) by the substitution for section 143 of the following:

“[Licenses issued under the Liquor Act, 27 of 1989 shall continue to be in force and effect until they lapse or the licensee contravenes a provision of this Act] (1) Subject to subsections (2), (3) and (5), any authorization, permit or licence issued in terms of the Liquor Act, 1989 (Act no 27 of 1989) to engage in the retail sale, micro-manufacture or wholesale of liquor or methylated spirits which was valid immediately before the date of commencement of this Act, shall remain valid. 45

(2) The holder of an authorization, permit or licence contemplated in subsection (1), shall within the period determined by the Member of the Executive Council by notice in the *Provincial Gazette*, submit such authorization, permit or licence to the Board for conversion into an authorization, permit or licence under this Act.

5

(3) A conversion contemplated in subsection (2) shall be made on the same terms and conditions and for the remaining duration of the original authorization, permit or licence.

(4) A converted authorization, permit or licence is deemed to have been issued in terms of this Act.

10

(5) If a licensee fails to submit his or her licence as contemplated in subsection (2), the licence shall lapse.

(6) The Member of the Executive Council may prescribe fees for a conversion."

Amendment of section 144 of Act 2 of 2003

15

23. Section 144 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) This Act is called the Gauteng Liquor Act, [2002] 2003 and comes into operation on a date fixed by the Premier by proclamation in the *Provincial Gazette*."

20

Short Title

24. This Act is called the Gauteng Liquor Amendment Act, 2003.

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Printed by the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001, for the **Gauteng Provincial Administration**, Johannesburg
Gedruk deur die Staatsdrukker, Bosmanstraat, Privaat Sak X85, Pretoria, 0001, vir die **Gauteng Provinsiale Administrasie**, Johannesburg