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

PROVINCE OF THE WESTERN CAPE

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Monday, 5 March 2018

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Buitengewone Provinsiale Koerant

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Maandag, 5 Maart 2018

IPHONDO LENTSHONA KOLONI

Tsongezelelo kwiGazethi yePhondo

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uMvulo, 5 kweyoKwindla 2018

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PROVINCIAL NOTICE

The following Provincial Notice is published for general information.

ADV. B. GERBER,
DIRECTOR-GENERAL

Provincial Legislature Building,
Wale Street,
Cape Town.

PROVINSIALE KENNISGEWING

Die volgende Provinsiale Kennisgewing word vir algemene inligting gepubliseer.

ADV. B. GERBER,
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,
Waalstraat,
Kaapstad.

ISAZISO SEPHONDO

Esi saziso silandelayo sipapashelwe ukunika ulwazi ngokubanzi.

ADV. B. GERBER,
UMLAWULI-JIKELELE

ISakhiwo sePhondo,
Wale Street,
eKapa.

PROVINCIAL NOTICE

P.N. 31/2018 5 March 2018

WESTERN CAPE LIQUOR AUTHORITY

WESTERN CAPE LIQUOR ACT, 2008

INVITATION FOR NOMINATIONS OF PERSONS TO BE APPOINTED AS A DEPUTY PRESIDING OFFICER OF THE LIQUOR LICENSING TRIBUNAL OF THE WESTERN CAPE LIQUOR AUTHORITY

I, Luzuko Mdunyelwa, Chief Executive Officer of the Western Cape Liquor Authority, in terms of regulation 6(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 a Deputy Presiding Officer of the Liquor Licensing Tribunal (''the Tribunal'') of the Western Cape Liquor Authority (''the Authority'').

Remuneration will be paid in accordance with regulation 20.2 of the Treasury Regulations for Departments, Trading Entities, Constitutional Institutions and Public Entities Issued in terms of the Public Finance Management Act, 1999, at a rate of R294,00 per hour, which rate is reviewed from time to time.

1. The main function of the Tribunal is to consider and decide on applications made in terms of the Western Cape Liquor Act, 2008 (''the Act'').
2. The duties of a Deputy Presiding Officer include:
   (a) attending and participating in meetings of the Tribunal;
   (b) considering and deciding certain applications in terms of the Act;
   (c) acting as the Presiding Officer and performing all the functions assigned to the Presiding Officer by the Act in the event that the Presiding Officer is not available to perform his or her functions or the office of the Presiding Officer is vacant; and
   (d) any other functions as provided for in the Act.
3. A Deputy Presiding Officer is appointed for such period, not exceeding five years, as determined by the Board of the Authority.
4. Nominees must meet the following criteria:
   (a) have legal qualifications equivalent to those required for admission as an attorney or an advocate of the High Court of South Africa;
   (b) have experience in the administration of justice.
5. The following persons are disqualified from being appointed:
   (a) anyone who has in the preceding 10 years been convicted of an offence and sentenced to imprisonment without the option of a fine, unless the Board is of the opinion that the offence was of such a nature that it does not imply that the person is unsuitable to hold office;
   (b) anyone who has in the preceding 10 years been convicted of any offence in terms of the Act or the Liquor Act, 1989 (Act 27 of 1989), unless the Board is of the opinion that the offence was of such a nature that it does not imply that the person is unsuitable to hold office;
   (c) an unrehabilitated insolvent or anyone who is subject to any legal disability;
   (d) anyone younger than 25 years of age;
   (e) anyone who has a direct interest in the liquor trade;
   (f) anyone who is the family member, partner or business associate of a person with a direct interest in the liquor trade, unless the Board is of the opinion that the interest of the family member, partner or business associate in the liquor trade does not imply that the person is unsuitable to hold office;
   (g) anyone who is disqualified in terms of section 35 of the Act to hold a liquor licence; or
   (h) anyone who is not resident in the Western Cape.
6. Knowledge of liquor legislation and the liquor industry will be an advantage.
7. All nominations must be submitted in writing in the form of Form 2 in Annexure 3 of the Regulations. Nominations must include a comprehensive *curriculum vitae* of the nominee together with a written motivation in support of the nominee's appointment, setting out the nominee's achievements and career milestones and the reasons the nominee considers himself or herself suitable for appointment as a Deputy Presiding Officer of the Tribunal.
8. Appointments will be made with racial and gender sensitivity.
9. Shortlisted nominees must undergo a vetting process.
10. Copies of the Act and the Regulations can be obtained from the contact person listed in paragraph 13.

11. All nominations must be submitted on or before 31 March 2018 by—

 (a) posting it to:
 Western Cape Liquor Authority
 Attention: Ms S Langeveldt
 Private Bag X6
 Sanlamhof
 Bellville 7532;

 (b) e-mailing it to:
 stacey.langeveldt@wcla.gov.za
 (Mark the subject box clearly as: WCLA Deputy Presiding Officer Nomination.); or

 (c) delivering it to:
 Western Cape Liquor Authority
 Attention: Ms S Langeveldt
 3rd Floor
 Sunbel Building
 Voortrekker Road
 Bellville.

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

13. Enquiries can be made with Ms S Langeveldt:
 Tel.: 021 204 9730
 Email: stacey.langeveldt@wcla.gov.za.

PROVINSIALE KENNISGEWING

P.K. 31/2018 5 Maart 2018

WES-KAAPSE DRANKOWERHEID

WES-KAAPSE DRANKWET, 2008

UITNODIGING VIR BENOEMINGS VAN PERSONE OM AANGESTEL TE WORD AS 'N ADJUNK- VOORSITTENDE BEAMPTE VAN DIE DRANKLISENSIËRINGSTRIBUNAAL VAN DIE WES-KAAPSE DRANKOWERHEID

Ek, Luzuko Mdunyelwa, Hoof- Uitvoerende Beampte van die Wes-Kaapse Drankowerheid, ingevolge regulasie 6(1) van die Wes-Kaapse Drankregulasies, 2011 (''die Regulasies''), nooi alle belangstellende persone om kandidate te benoem wat na hul mening geskik is om aangestel te word as 'n Adjunk- Voorsittende Beampte van die Dranklisensiëringstribunaal (''die Tribunaal'') van die Wes-Kaapse Drankowerheid (''die Owerheid'').

Vergoeding sal betaal word ooreenkomstig regulasie 20.2 van die ''Treasury Regulations for Departments, Trading Entities, Constitutional Institutions and Public Entities Issued in terms of the Public Finance Management Act, 1999'', teen 'n tarief van R294,00 per uur, welke tarief van tyd tot tyd hersien word.

1. Die hooffunksie van die Tribunaal is om aansoeke wat ingevolge die Wes-Kaapse Drankwet, 2008 (''die Wet'') gemaak word, te oorweeg en oor te besluit.

2. Die pligte van 'n Adjunk- Voorsittende Beampte sluit in:

 (a) bywoning van en deelname aan vergaderings van die Tribunaal;

 (b) oorweging van en besluitneming oor sekere aansoeke ingevolge die Wet;

 (c) waarneming as die Voorsittende Beampte en verrigting van alle funksies opgedra aan die Voorsittende Beampte deur die Wet in die geval waar die Voorsittende Beampte nie beskikbaar is om sy of haar funksies te verrig nie of waar die amp van die Voorsittende Beampte vakant is; en

 (d) enige ander funksies soos voor voorsiening gemaak in die Wet.

3. 'n Adjunk- Voorsittende Beampte word vir die tydperk aangestel, wat nie vyf jaar oorskry nie, wat die Owerheid se Raad bepaal.

4. Benoemdes moet aan die volgende vereistes voldoen:

 (a) regskwalifikasies hê gelykwaardig aan dit wat vir toelating as 'n prokureur of 'n advokaat van die Hoë Hof van Suid-Afrika vereis word;

 (b) ondervinding in regspleging hê.

5. Die volgende persone is van aanstelling gediskwalifiseer:

 (a) iemand wat in die afgelope 10 jaar skuldig bevind is aan 'n misdryf en gevonnis is tot gevangenisstraf sonder die keuse van 'n boete, tensy die Raad van mening is dat die misdryf van so 'n aard was dat dit nie impliseer dat die persoon ongeskik is om die amp te beklee nie;

 (b) iemand wat in die afgelope 10 jaar skuldig bevind is aan 'n misdryf ingevolge die Wet of die Drankwet, 1989 (Wet 27 van 1989), tensy die Raad van mening is dat die misdryf van so 'n aard was dat dit nie impliseer dat die persoon ongeskik is om die amp te beklee nie;

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

 (d) iemand jonger as 25 jaar;

 (e) iemand wat 'n regstreekse belang in die drankhandel het;

 (f) iemand wat die familielid, vennoot of besigheidsdeelgenoot van 'n persoon is met 'n regstreekse belang in die drankhandel, tensy die Raad van mening is dat die belang van die familielid, vennoot of besigheidsdeelgenoot in die drankhandel nie impliseer dat die persoon ongeskik is om die amp te beklee nie;

(g) iemand wat ingevolge artikel 35 van die Wet gediskwalifiseer is om 'n dranklisensie te hou; of

(h) iemand wat nie in die Wes-Kaap woonagtig is nie.

6. Kennis van drankwetgewing en die drankbedryf sal 'n voordeel wees.

7. Alle benoemings moet skriftelik ingedien word in die vorm van Vorm 2 in Aanhangsel 3 van die Regulasies. Benoemings moet 'n omvattende *curriculum vitae* van die benoemde tesame met 'n skriftelike motivering ter ondersteuning van die benoemde se aanstelling bevat, waarin die benoemde se prestasies en loopbaanmylpale uiteengesit word en die redes waarom die benoemde hom- of haarself geskik ag vir aanstelling as 'n Adjunk- Voorsittende Beampte van die Tribunaal.

8. Aanstellings sal met sensitiwiteit vir ras en geslag gedoen word.

9. Benoemdes wat die kortlys haal, moet 'n klaringsproses ondergaan.

10. Afskrifte van die Wet en die Regulasies kan by die kontakpersoon vermeld in paragraaf 13 verkry word.

11. Alle benoemings moet op of voor 31 Maart 2018 ingedien word deur—

(a) dit te pos na:
Wes-Kaapse Drankowerheid
Aandag: Me S Langeveldt
Privaat Sak X6
Sanlamhof
Bellville 7532;

(b) dit te e-pos na:
stacey.langeveldt@wcla.gov.za;
(Merk die onderwerp duidelik as WKDO Benoeming vir Adjunk- Voorsittende Beampte); of

(c) dit af te lewer by:
Wes-Kaapse Drankowerheid
Aandag: Me S Langeveldt
3de Verdieping
Sunbel-gebou
Voortrekkerstraat
Bellville.

12. Alle inligting verskaf sal as hoogs vertroulik hanteer word.

13. Navrae kan gerig word aan me S Langeveldt:
Tel.: 021 204 9730
E-pos: stacey.langeveldt@wcla.gov.za.

ISAZISO SEPHONDO

I.S. 31/2018 5 kweyoKwindla 2018

UGUNYAZIWE OJONGENE NEZOTYWALA ENTSHONA KOLONI

UMTHETHO WEZOTYWALA ENTSHONA KOLONI, 2008

ISIMEMO SOTYUMBO LWABANTU KWISIKHUNDLA SESEKELA-GOSA ELINGUMBHEXESHI WENKUNDLA ENIKEZA NGEELAYISENISI ZOTYWALA YOGUNYAZIWE OJONGENE NEZOTYWALA ENTSHONA KOLONI

Mna, Luzuko Mdunyelwa, iNtloko yeSigqeba soLawulo soGunyaziwe oJongene nezoTywala eNtshona Koloni, ngokomgaqo 6(1) weMigaqo yezoTywala eNtshona Koloni, 2011 (''iMigaqo''), ndimema bonke abantu abanomdla ukuba batyumbe abagqatswa abababona befanelekile ukuba batyunjwe njengeSekela-Gosa loMbhexeshi weNkundla eKhupha iiLayisenisi zoTywala (''iNkundla'') yoGunyaziwe oJongene nezoTywala eNtshona Koloni (''iGunya'').

Imivuzo ziza kuhlawulwa ngokomgaqo 20.2 i*Treasury Regulations for Departments, Trading Entities, Constitutional Institutions and Public Entities Issued in terms of the Public Finance Management Act, 1999*, ngokomlinganiselo wama-R294,00 ngeyure, mlinganiselo lowo ohlaziywa amaxesha ngamaxesha.

1. Umsebenzi ophambili weNkundla kukuqwalasela nokuthatha izigqibo ngezicelo ezenziwe kulandelwa uMthetho wezoTywala eNtshona Koloni, 2008 (''uMthetho'').

2. Imisebenzi yeSekela-Gosa loMbhexeshi ibandakanya:

(a) ukuzimasa nokuthatha inxaxheba kwiintlanganiso zeNkundla;

(b) ukuqwalasela nokuthatha izigqibo ngezicelo ezithile ngokwalo Mthetho;

(c) Ukusebenza njengeGosa elinguMbhexeshi nokwenza yonke imisebenzi enikwe iGosa elinguMbhexeshi nguMthetho xa iGosa elinguMbhexeshi lingafumaneki ukuba lenze loo misebenzi okanye xa isithuba seGosa elinguMbhexeshi singenamntu; kananjalo

(d) nayiphi na eminye imisebenzi ebhalwe kuMthetho.

3. ISekela-Gosa loMbhexeshi likhethelwa isithuba esingekho ngaphezulu kweminyaka emihlanu, esigqitywe yiBhodi njengoGunyaziwe.

4. Abatyunjwa kufuneka babe nezi zinto zilandelayo:

(a) izifundo zomthetho ezilingana nezo zamkelwayo xa usamkelwa njenge-attorney okanye i-advocate yeNkundla ePhakamileyo yoMzantsi Afrika;

(b) ube namava ekulawulweni komthetho.

5. Aba bantu balandelayo abavumelekanga ukuba batyunjwe:

   (a) nawuphi na umntu othe kwiminyaka eli-10 edlulileyo wagwetyelwa ityala waze wavalelwa entolongweni enganikwanga thuba lokuba ahlawule imali yesohlwayo, ngaphandle kokuba iBhodi inoluvo lokuba ityala elo lingendlela yokuba alibonakalisi ukuba loo mntu akanakukwazi ukusibamba eso sikhundla;

   (b) nawuphi na umntu othe kwiminyaka eli-10 edlulileyo wagwetyelwa naliphi ityala ngokomthetho iLiquor Act 1989 (uMthetho 27 ka-1989), ngaphandle kokuba iBhodi inoluvo lokuba ityala elo lingendlela yokuba alibonakalisi ukuba loo mntu akanakukwazi ukusibamba eso sikhundla;

   (c) umntu ongakwaziyo ukuhlawula amatyala okanye nawuphi na umntu omisiweyo ngumthetho;

   (d) nawuphi na umntu ongaphantsi kweminyaka engama-25 ubudala;

   (e) nawuphi na umntu onenxaxheba engqalileyo kwimiba yezotywala;

   (f) nawuphi na umntu olilungu losapho, okanye ihlakani lezoshishino elinendima eliyidlalayo kushishino ngotywala ngaphandle kokuba iBhodi inoluvo lokuba loo ndima yelungu losapho, okanye ihlakani lezoshishino kushishino ayithethi ukuba loo mntu akanakukwazi ukusibamba eso sikhundla;

   (g) nawuphi na umntu okhatyiweyo ngumthetho ngokwecandelo 35 loMthetho ukuba abe nelayisenisi yotywala; okanye

   (h) nawuphi na umntu ongahlali eNtshona Koloni.

6. Ukwazi imithetho yotywala noshishino ngotywala kuya kuba lulutho.

7. Lonke utyumbo malungenise lubhaliwe kwifomu enguFomu 2 ekwiSihlomelo 3 seMigaqo. Utyumbo malukhatshwe yi-CV (*curriculum vitae*) yomtyunjwa nembalelwano enika inkxaso okanye izizathu zokuba loo mntu atyunjwe, ichaze izinto eziphunyezwe nguloo mtyunjwa nezifundo azipasileyo nemisebenzi ebeyenza nezizathu ezinikwa ngumtyunjwa apho achazayo ukuba kutheni ecinga ukuba ufanele ukutyunjwa njengeSekela-Gosa loMbhexeshi kwiNkundla.

8. Xa kutyunjwa kuya kuthathelwa ingqalelo imiba yezobuhlanga neyesini.

9. Abatyunjwa abakhethiweyo kuza kufuneka ukuba kuhlolwe iinkcukacha zabo.

10. Iikopi zoMthetho neMigaqo zingafunyanwa kumntu ojongene nemiba yoqhagamshelwano obhalwe kumhlathi 13.

11. Lonke utyumbo maluthunyelwe ngomhla okanye phambi komhla wama-30 kweyoKwindla 2018 ngokuthi—

   (a) luposelwe ku:
   UGunyaziwe oJongene nezoTywala eNtshona Koloni
   Iya kuNkskz S Langeveldt
   Private Bag X6
   Sanlamhof
   Bellville 7532;

   (b) ngokuimeyila ku:
   stacey.langeveldt@wcla.gov.za
   (Bhala phaya kwisihloko ngokucacileyo uthi: WCLA Deputy Presiding Officer Nomination.); okanye

   (c) ngokulusa ku:
   UGunyaziwe oJongene nezoTywala eNtshona Koloni
   Iya kuNkskz S Langeveldt
   3rd Floor
   Sunbel Building
   Voortrekker Road
   Bellville.

12. Zonke iinkcukacha ezinikeziweyo ziya kugcinwa ziyimfihlo.

13. Imibuzo ingabuzwa kuNksz S Langeveldt:
   Ifowuni.: 021 204 9730
   Imeyili: stacey.langeveldt@wcla.gov.za.

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