

ALCOHOLIC BEVERAGES

Liquor Act 6 of 1998.

Summary: This Act consolidates and amends the laws relating to the sale and supply of liquor. It came into force on 22 December 2001 (GN 250/2001, GG 2670). It replaces the following laws pertaining to liquor:

- Kaffir Beer (Rural Areas) Control Ordinance 36 of 1957
- *Chapter V, Railways and Harbours Control and Management Consolidation Act 70 of 1957*
- *section 22, General Law Amendment Act 102 of 1967*
- *Supply and Sale of Liquor Proclamation, 1967 (RSA Proc. R.231 of 1967)*
- *Supply and sale of liquor to Natives in South West Africa and the brewing and supplying of Kaffir Beer in South West Africa, RSA Proclamation 205 of 1968*
- Liquor Ordinance 2 of 1969
- *Arrangement appertaining to the sale and supply of liquor in Walvis Bay, 1984 (RSA Proc. R.21 of 1984)*
- section 5, National Transport Corporation Act 21 of 1987 (which was in the interim repealed by the National Transport Services Holding Company Act 28 of 1998, with effect from 1 April 1999).

In addition to regulating the licensing process, the Act forbids the sale of drinks that are more than 3% alcohol to persons under 18, prohibits the supply of liquor to employees as remuneration and forbids the consumption of liquor in public places.

Regulations: Regulations made under any of the laws repealed by the Act survive in terms of section 86 of the Act.

Regulations under the new Act are contained in GN 142/2001 (GG 2575), as amended by GN 251/2001 (GG 2670) (Fourth Schedule). These regulations came into force on the same date as the Act, and replace RSA GN 49/1969 as amended.

Appointments: Regional Liquor Licensing Committees are appointed in GN 20/2002 (GG 2692), GN 41/2003 (GG 2933), GN 77/2004 (GG 3189) and GN 178/2004 (GG 3261).

Cases: These cases pertain to the Liquor Ordinance 2 of 1969 which has been replaced by the Liquor Act 6 of 1998:

Marais v The Chairman of the Liquor Licensing Board of Namibia
1991 NR 306 (HC)

Swanepoel v Marais & Others 1992 NR 1 (HC)

Weyand v Chairman, Liquor Licensing Board 1993 NR 150 (HC).

See also Ordinance for Prevention and Combating of Alcoholism and Anti-Social Conduct 11 of 1965 (**HEALTH**).

See also Brewers & Distillers Licences Duty Proclamation 3 of 1924 (**REVENUE**).