

LIQUOR ACT
(Cap. 43:11)

LIQUOR (CRAFT BEER) REGULATIONS, 2020
(Published on 8th December, 2020)

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REGULATION

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IN EXERCISE of the powers conferred on the Minister of Investment, Trade and Industry by section 42 of the Liquor Act, the following Regulations are hereby made —

1. These Regulations may be cited as the Liquor (Craft Beer) Regulations, 2020. Citation
2. In this Regulations, unless the context otherwise requires — Interpretation
“Craft Beer” means any of the following, but excludes traditional beer —
 - (a) beer brewed in a non-mechanised way;
 - (b) beer brewed by a small, independent brewer; or
 - (c) beer products which are innovative in nature.
3. (1) An application under section 13 (1) of the Act shall be in Form A set out in Schedule 1 to these Regulations. Form of application for licence
(2) An Application made in accordance with subregulation (1) shall be accompanied by a non-refundable application fee of P50.
(3) Where the control authority approves an application made under this regulation, the applicant shall pay a licence fee of P200.
4. Where the control authority is satisfied with the application, it shall issue a liquor depot licence in accordance with Form B set out in Schedule 1 to these Regulations. Issue of licence
5. Subject to section 18 (1) of the Act, the liquor depot licence for selling craft beer is hereby reserved for citizens of Botswana or to companies wholly owned by citizens of Botswana. Licence reserved for citizens
6. A liquor depot licence holder shall sell craft beer in a beer hall or in such area authorised for selling craft beer. Facilities to be maintained on licensed premises
(2) Notwithstanding the provisions of section 15 of the Act, the control authority shall not issue or renew a liquor depot licence where —

	<p>(a) the premises do not have separate toilet facilities for males and females; and</p> <p>(b) a refuse collection point is not provided on the premises.</p>
Days and hours of operation	7. The days and hours of operation for a business or trade licensed to sell craft beer shall be as set out in Schedule 2 to these Regulations.
Application for renewal of licence	8. (1) An application under section 17 (1) of the Act, for the renewal of a licence, shall be in Form C set out in Schedule 1 to these Regulations and shall be accompanied by non-refundable application fee of P50. (2) Where the control authority approves an application made under section 17 (1) of the Act, the applicant shall pay a fee of P100.
Application for transfer of licence	9. (1) An application under section 20 (1) of the Act for a licence to be transferred, shall be in Form D set out in Schedule 1 to these Regulations and shall be accompanied by non-refundable application fee of P50. (2) Where the control authority approves an application made under section 20 (1) of the Act, the applicant shall pay a transfer fee of P100.
Application for duplicate licence	10. (1) An application under section 21 of the Act, to obtain a duplicate licence shall be in Form E as set out in Schedule 1 to these Regulations and shall be accompanied by a non-refundable application fee of P50. (2) Where the control authority approves an application made under section 21 of the Act, the applicant shall pay a duplicate licence fee of P100.
Exemption	11. An applicant for a licence to sell craft beer is exempt from the provisions of section 13 (2) of the Act.
Offence and penalty	12. A person who contravenes a provision of these Regulations commits an offence and is liable, where a penalty is not provided for under the Act, to a fine not exceeding P500 or to imprisonment for a term exceeding six months, or to both.
Transitional provision	13. Notwithstanding any other provision of these Regulations, a person who, at the commencement of these Regulations, is selling craft beer shall, within six months from the date of commencement of these Regulations, comply with the requirements of these Regulations or cease to sell craft beer.

SCHEDULES

SCHEDULE 1

FORM A
(reg. 3 (1))

APPLICATION FOR A LIQUOR DEPOT LICENCE

1. Proposed business

(a) Type of business/licence applied for.....
.....

(b) Location of proposed business.....

2. Particulars of applicant

A. For Business Names

Name and address:

Business name:

.....
.....
.....
.....

B. For Companies

(i) Registered name of company

(ii) Trading name and company if different from (i) above

(iii) Percentage share of citizen equity holding.....

(iv) Particulars of all shareholders:

Name	Nationality	Address	% share in equity hold
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3. Particulars of business premises

(a) Plot No. or Land Board Certificate No. and date.....
.....

(b) Is the plot zoned commercial or industrial.....
.....

(c) If the premises are leased, state the name of the owner.....

(d) Size of the premises (sqm of floor space).....

(e) Has your premises been inspected and certified suitable by the Environmental Health Officer?.....

4. GENERAL INFORMATION

(a) Have you ever been convicted, in the two years, of any offence involving dishonesty?
.....

(b) If so, give particulars of each conviction.....
.....
.....

(c) I certify that the information supplied in my application is to the best of my knowledge and belief, true.

Date..... Applicant's signature.....

For official use only

Application received by:

Date Signature.....

Decision by the Liquor Control Authority

.....
.....

Date Chairperson's Signature.....

FORM B
(reg. 4)

LIQUOR DEPOT LICENCE

Licence No

Date of issue

Location of business

Place of issue

Licence/trading name

Type of Business

To trade in the following

For a period from: To:

Conditions (if any):

Signature

Date

FORM C
(reg. 8 (1))

APPLICATION FOR THE RENEWAL OF A LICENCE

Name and address of the applicant

Physical address of the applicant

Name of manager and directors

Names of shareholders

Licence No. issued at.....
on the day of

20.....
Is the business operating? YES NO

If NO, state the reason.....

I certify that the information given above is true:

Signature of applicant

Date

FORM D
(reg. 9 (1))

APPLICATION FOR THE TRANSFER OF A LICENCE

Part A

Notice is hereby given in terms of section 20 of the Liquor Act that I/we.....
.....have disposed of my/our entire interest
in carrying on the business of to.....
who will continue to trade at the same premises and under the same style of a.....
.....

Part B

Notice is hereby given in terms of section 20 of the Liquor Act that I/we intend to transfer my/
our business of From
.....to.....
and i/we shall continue to trade under the same name ofand same
style.

Name and Signature of transferor

Date:

Address:

Note: Fill the part that is applicable to you.

FORM E
(reg. 10 (1))

APPLICATION FOR A DUPLICATE LICENCE

Name and address of applicant:

Physical address of the applicant:.....

Particulars of the destroyed/lost licence:

Licence No.

Date of issue:

Date of expiry:

Type of business/Licence:

Circumstances under which the licence was destroyed/lost:
.....
.....

Signature of applicant..... Date.....

FOR OFFICE USE ONLY

Date of issue or rejection:

Comments:
.....
.....

Signature:

SCHEDULE 2
(reg. 7)

<i>Licence</i>	<i>Days</i>	<i>Hours</i>
Liquor depot	Thursday to Saturday (including a Public Holiday which falls on Thursday to Saturday)	12:00 hours to 18:00 hours

MADE this 4th day of December, 2020.

PEGGY O. SERAME,
Minister of Investment, Trade and Industry.