

THE LIQUOR (AMENDMENT) ACT, 1972

No. 37



of 1972

ARRANGEMENT OF SECTIONS

SECTION

1. Short title
2. Amendment of section 4 (1)
3. Amendment of section 4 (2)
4. Amendment of section 9 (1)
5. Addition of new section 8B

AN ACT TO AMEND THE LIQUOR PROCLAMATION, 1960 TO PROVIDE FOR THE ISSUE OF SPECIAL LIQUOR LICENCES.

Date of Assent: 22.12.72.

Date of Commencement: 29.12.72.

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Liquor (Amendment) Act, 1972. Short title
2. Section 4 (1) of the Liquor Proclamation, 1960, hereinafter referred to as the principal Act, is amended by adding immediately at the end thereof the following — Amendment of section 4 (1)
“(g) Special Liquor Licence”
3. Section 4 (2) of the principal Act is amended by inserting immediately after the word “licences” the words “or special liquor licences”. Amendment of section 4 (2)
4. Section 9 (1) of the principal Act is amended by inserting immediately after the word “licence” which occurs in line 1 thereof the words “other than a special liquor licence”. Amendment of section 9 (1)

Addition of
new section
8B

5. The principal Act is amended by inserting immediately after section 8A thereof the following new section —

“Special
liquor
licences

8B. (1) Where the Minister considers that it is in the interests of the public, or of a certain section of the public, he may issue to any suitable person a special liquor licence, which shall authorize the provision or sale of liquor to such members of the public or such section of the public as may be specified in the licence, on such premises as shall be specified in the licence, subject to such conditions or restrictions as the Minister may stipulate.

(2) Application for a special liquor licence under this section shall be made to the Minister, who may issue or refuse to issue such licence at his discretion, and the Minister's decision shall be final and neither such decision nor any conditions or restrictions which the Minister may attach to any such licence shall be questioned in any court.

(3) A special liquor licence shall be issued for a period of six months only, but may be renewed from time to time by the Minister at his discretion.

(4) A special liquor licence issued under this section shall not be transferable without the written consent of the Minister.

(5) Where the Minister is satisfied that any of the conditions or restrictions subject to which a special liquor licence was issued has been contravened or not complied with he may cancel such licence at his discretion, and such cancellation shall not be questioned in any court.

(6) In respect of special liquor licences, references in this Act to the licensing authority or a licensing officer shall be construed as references to the Minister, and in section 17A the reference to the District Commissioner shall be construed as a reference to the Minister.

(7) The fee payable for the issue of a special liquor licence shall be one half of the fee payable in respect of an annual club liquor licence.”

Passed by the National Assembly this 20th day of December, 1972.

I.P. GONTSE,
Clerk of the National Assembly.