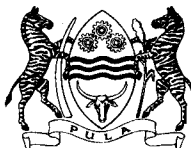


# LIQUOR (AMENDMENT) ACT, 2018

No. 28



of 2018

## ARRANGEMENT OF SECTIONS

### SECTION

1. Short title and commencement
2. Amendment of section 2 of Cap. 43:11
3. Amendment of section 3 of the Act
4. Amendment of section 15 of the Act
5. Amendment of section 18 of the Act

### **An Act to amend the Liquor Act.**

*Date of Assent:* 24/07/18

*Date of Commencement:* ON NOTICE

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Liquor (Amendment) Act, 2018, and shall come into operation on such date as the Minister may, by Order published in the *Government Gazette*, appoint.

Short title and commencement

2. Section 2 of the Liquor Act (hereinafter referred to as “the Act”) is amended by inserting, in their correct alphabetical order, the following new definitions —

Amendment of section 2 of Cap. 43:11

“liquor depot” means a place used for sale of —

- (a) traditional beer brewed under licence from sorghum meal and mealie-meal by fermentation of malt for commercial purposes;
- (b) non-intoxicating drinks;
- (c) snacks; or
- (d) smoker’s requisites.

“liquor depot licence” means a licence for the operation of a liquor depot;

“major road” means a primary (national or local) and secondary road;

“primary (local) road” means a road with a road reserve of 45 metres and carriage way of seven point five metres;

“primary (national) road” means a road with a road reserve of 60 metres and carriage way of seven point five metres;

“secondary road” means a road with a road reserve of 30 metres and carriage way of six metres; and

“smoker’s requisites” includes cigarettes, cigarette lighters, cigarette filters, tobacco, tobacco pipes, ash trays and other related cigarette accessories.”.

Amendment  
of section 3  
of the Act

**3. The Act is amended by inserting, immediately after section 3, the following new sections —**

“Co-option  
of advisory  
personnel

**3A A control authority may co-opt any person to attend any meeting of the authority on any matter for the purpose of assisting or advising the authority, but such person shall have no right to vote.**

Secretariat

**3B The Minister shall designate an office to be the Secretariat of a control authority.**

Functions of  
Secretariat

**3C The Secretariat shall —**

- (a) be responsible for the accurate and complete recording of the proceedings of an authority and the keeping of such records;**
- (b) be responsible for arranging the business of the authority and shall carry out such other functions as an authority may direct;**
- (c) be the liaison office between an authority, the Ministry, the applicants for the issue of any licence under the Act and the general public;**
- (d) receive appeals made under section 24 and submit them to the Regional Appeals Board established under the Trade Act or to the Minister, as the case may be; and**
- (e) submit to the Minister data relating to the licenses issued under this Act when required to do so by the Minister.”**

Cap. 43:02

Amendment  
of section 15  
of the Act

**4. Section 15 of the Act is amended —**

**(a) at paragraph (g) by substituting for subparagraph (ii) appearing therein the following new subparagraph —**

**“(ii) are within such distance as may be prescribed from the vicinity of a school, major road, or church;**

**Provided that the proposed premises are not a bottle store, a wholesale or a distributor business being used to carry on the trade or business.”**

**(b) at paragraph (h) by deleting subparagraphs (iii) and (iv).**

Amendment  
of section  
18 of the Act

**5. Section 18 of the Act is amended by deleting subsection (4) appearing therein.**

**PASSED by the National Assembly this 21st day of June 2018.**

**BARBARA N. DITHAPO,**  
*Clerk of the National Assembly.*