

NATIONAL LIQUOR AUTHORITY

# APPLICATION GUIDE WITH APPLICATION FORMS

*LIQUOR MANUFACTURING AND  
DISTRIBUTION REGISTRATION*



**the dti**

Department:  
Trade and Industry  
REPUBLIC OF SOUTH AFRICA



# APPLICATION GUIDE

## WITH APPLICATION FORMS

### *LIQUOR MANUFACTURING AND DISTRIBUTION REGISTRATION*

COMPILED BY: NATIONAL LIQUOR AUTHORITY



## FOREWORD

The National Liquor Authority (NLA) receives a considerable number of incomplete and incorrectly filled applications for registration. Incomplete applications have the potential to slow down the pace of registration and the issuance of a registration certificate. This is because an inordinate amount of time is spent on writing correspondence requesting applicants to supply requisite information, contributing negatively to both administrative and registration processes.

The aim of this booklet is to give a step by step guidance to any person or company that wishes to apply and register with the NLA as either a macro manufacturer, distributor of liquor or both. The information contained in this booklet is in line with application/ registration procedures as prescribed in the Liquor Act 59 of 2003.

The booklet also contains application forms; a short outline of the registration process; application, registration, renewal fees and methods of lodgment.

<b>INDEX</b>	<b>SUBJECT</b>	<b>PAGE</b>
1.	The National Liquor Authority .....	04
2.	What is a manufacturing registration .....	04
3.	What is a distribution registration .....	04
4.	Disqualifications .....	04
5.	A short outline of the registration procedure .....	05
6.	A guide to completing the application forms and the required attachments .....	06
7.1	Form NLA 1 .....	06
7.2	Form NLA 1/1 .....	06
7.3	Instructions on form NLA 1/1 .....	07-08
	<input type="checkbox"/> Instruction 1 (Financial interest)	
	<input type="checkbox"/> Instruction 2(Shareholding information)	
	<input type="checkbox"/> Instruction 3 (BEE and Alcohol abuse)	
	<input type="checkbox"/> Instruction 4 (The effect of activities)	
	Projected annual turnover	
8.	The cost of registration.....	09
9.	Methods of payment.....	11
10.	Methods of lodgment .....	12
11.	Application forms .....	13-14

## The National Liquor Authority (NLA)

The National Liquor Authority (NLA) is a national structure that is responsible for the administration of Liquor Act 59 2003. It is responsible for the regulation of macro manufacturing and distribution tiers of the liquor industry. Housed in the Consumer and Corporate Regulation Division of the dti, the NLA receives, evaluates and recommends to the Minister of Trade and Industry applications for national manufacturing and distribution registration and related matters.

## What is a manufacturing registration?

A manufacturing registration is granted to any liquor manufacturer who produces volumes of liquor that exceed the following thresholds:

- 100 million litres of clear beer per year
- 50 million litres of african traditional beer per year
- 4 million litres of wine per year
- 2 million litres of spirits and any other liquor per year

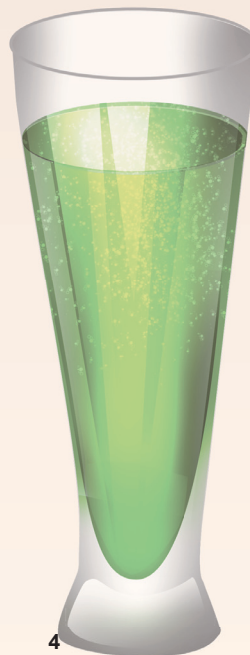
## What is a distribution registration?

A distribution registration granted to liquor traders who distribute liquor only to other liquor license holders and not to the public directly.

## Disqualifications

These are the categories of persons who are disqualified and whose applications will not be considered:

- Minors (those who have not attained the age of 18 years)
- Unrehabilitated insolvents;
- Persons committed in terms of the Mental Health Act, 1973;
- Persons who have contravened Act 59 of 2003 or provincial liquor laws to the extent provided for in the Acts.



## A short outline of the registration procedure

### Step 1

*(Ensure that you are not disqualified as per the disqualifications above)*

**Obtain the application forms NLA 1 and NLA 1/1 (attached in this booklet). Complete the forms and ensure that all instructions are properly followed.**

**Ensure that all the required information as per the instructions is provided on separate sheets. (See guide to application forms NLA 1 & NLA 1/1 - see pages 6 and 7)**

### Step 2

**Provide information of the projected annual turnover.**

*(See the annual turnover on page 9)*

### Step 3

**Pay the application fee relevant to the projected annual turnover. (See the cost for registration on page 9)**

**Provide proof of payment (of application fee) when lodging the application.**

### Step 4

**Lodge (See methods of lodgment on page 12)**

### Step 5

**(Internal Processes of the NLA)**

**The application will be received by the NLA for processing.**

**Correspondence and communication between the applicant and the NLA may ensue.**

**NB: The application will be checked for completeness. An incomplete application will not be considered and will be returned to the applicant.**

**If the application is approved, the applicant will be provided with proposed conditions of which he/she might accept or decline by completing form NLA 7.**

### Step 6

**When the final conditions of registration are being imposed and before registration, the applicant will be required to pay a registration fee that correlates with the projected annual turnover.**

### Step 7

**A registration certificate will be sent to the applicant together with the final conditions of registration.**

### Step 8

**Ensure the renewal of your registration annually, a month before the date of registration by completing form NLA 28 and paying the annual renewal fee.**

## Guide to application forms

To apply for a macro manufacturing, distribution registration or both, an applicant has to fill in two sets of application forms. The forms are NLA 1 and NLA 1/1.

### How to complete form NLA 1

- ▶ Indicate whether you want to manufacturer liquor, distribute liquor or do both by putting a cross on the space provided.
- ▶ The applicant should provide the following details:
  - Applicant's name
  - Applicant's identity number/ registration number of the business.
  - Name of the business.
  - Registered office address and contact numbers (postal address).
  - Businesses address and contact numbers. (Physical)
  - Address of proposed registered activities. (Physical)

#### **Note Well**

*It is very important that the applicant describes the premises from which liquor will be manufactured or distributed with reference to street, erf number, farm number, town, city and province.*

- The applicant should sign the form at the bottom.

#### **Note Well**

*In an instance where the applicant is represented by another person, the representative should attach a proxy or company resolution.*

### How to complete form NLA 1/1

- ▶ Indicate what you are applying for by making a tick on the space provided.
- ▶ **Description of Applicant** – answer yes or no to the questions that appear under this item.

#### **Note Well**

*If the applicant is not an individual, attach a sheet setting out the names of each person who has a controlling interest in, or is a director or board member, or main beneficiary of, the applicant.*

**With respect to each such person, indicate, and provide full details whether that individual is a minor; an unrehabilitated insolvent; committed in terms of the Mental Health Act 1973; has been convicted of an offence contemplated in section 11(2)d of the Liquor Act 59, 2003.**

- ▶ **Description of activities** –
  - Indicate the type and quantity of liquor that is to be manufactured or distributed
  - The premises from which the liquor will be manufactured or distributed should be outlined in detail with reference to street, erf number, farm number, town city and province.

- Indicate if liquor manufactured elsewhere will be distributed and also indicate if liquor will be distributed across the provincial boundaries.

*Attach a sheet setting out the details if that is the case.*

## Instructions on form NLA 1/1

The applicants are required to follow the instructions on this form by attaching the following information in a form of annexure.

### Instruction 1 (Shareholding)

Attach a sheet setting out the names, race, gender, identity number and address of each person, including the applicant who has financial interest in the business and in each case, the nature and extent of that interest. (I.e. who are the owners of the business? what is their extent of ownership or what percentage of the business do they own?)

#### *Note Well*

*The applicant should submit a certified copy of his/her identity document and in a case of a juristic person certified copies of identity documents of shareholders and directors/members should be submitted.*

### Instruction 2 (Financial Interest in the liquor industry)

Attach a sheet setting out financial interest of the applicant in the liquor industry within the republic, and if the applicant is not an individual provide equivalent information with respect to each shareholder, member, partner or beneficiary of the applicant.

(I.e. do you receive financial income from another entity within the liquor industry e.g. ownership of a retail outlet; having shares in companies involved in liquor trade.)

In the case that you are not a sole shareholder of the company, show if other shareholders who have interest in the liquor industry and to what extent their share holding is.

- **Diversity of ownership within the liquor industry**

Indicate how your business activities will discourage dominance in the two tiers of the liquor industry i.e. manufacturing and distribution. Explain how your registration will encourage or discourage ownership concentration (e.g. in terms of gender, age groups, race, disability, geographic location) at vertical (top-down) or horizontal levels of the liquor industry)

## Instruction 3 (BEE and Alcohol Abuse)

Attach a sheet setting out separately the commitments made by the applicant towards black economic empowerment and alcohol abuse, including details of any relevant charters or industry codes of good practice.

### 1. BEE

The applicant needs to indicate their commitment to BEE in respect of the Broad-Based Black Economic Empowerment Codes of Good Practice (*The codes can be accessed from the dti website. Address is at the back of this booklet*):

- **Micro Enterprises**

These are applicants with an annual turnover/projected annual turnover of R 5m and below. These applicants are exempted and just need to provide an exemption certificate from an accredited BEE verification agency (*Listed on the dti website*).

- **Qualifying Small Enterprises**

These are the applicants with a turnover of between R5m and R35m. The qualifying small enterprises need to select 4 of the 7 BEE elements and should provide a BEE plan and a compliance certificate from an accredited BEE verification agency (*Listed on the dti website*).

- **Other Companies**

These are the applicants with an annual turnover that exceeds R35m. These applicants need to comply with all 7 elements of BEE and should provide a BEE plan together with a compliance certificate from an accredited BEE verification agency (*Listed on the dti website*).

### 2. Alcohol Abuse

The applicant is expected to propose a contribution towards combating alcohol abuse. The contribution can include whether the applicant has subscribed to any industry code of conduct approved by the Minister.

The applicant can make financial or a non-financial contributions:

#### ***Financial contribution***

- ▶ The applicant should contribute 1% of the entity's annual earning before interest, tax, depreciation and amortization (EBITDA) to a specific organization dealing with combating alcohol abuse and provide the National Liquor Authority with proof of the contribution within a year of the date of issuance of the registration certificate and annually thereafter. Or alternatively subscribe to an industry organisation that deals with combating alcohol abuse and whose code of conduct has been approved by the Minister.



### ***Non-financial contribution***

In addition to the financial contribution, the applicant may also make non-financial contributions that include but are not limited to:

- ▶ creating awareness of the socio-economic effects of alcohol abuse;
- ▶ rendering non-financial support to rehabilitation centres;
- ▶ labeling alcohol containers such that responsible alcohol consumption is promoted;
- ▶ discourage the use of alcohol by minors through labeling and advertisements;
- ▶ communicating and educating consumers about the effects of alcohol abuse targeting pregnant women, teenagers, minors, pedestrians and motor vehicle drivers;
- ▶ conducting or supporting research on alcohol related health problems.

### ***Note Well***

*Applicants and registrants may make these contributions directly or indirectly through other agencies such as industry associations whose codes of conduct have been approved by the Minister and provide the National Liquor Authority with proof of subscription before registration and annually thereafter.*

## **Instruction 4**

The applicant should attach a sheet describing in detail the extent to which their activities will promote or restrict the following:

- ▶ ***New entrants into the industry*** – Are your business activities going to encourage or hamper the entry of new entrants into the liquor industry?
- ▶ ***Job creation*** – Are your business activities going to help create more jobs within the industry?
- ▶ ***Diversity of ownership within the liquor industry*** – Will your registration promote or restrict ownership concentration at vertical or horizontal levels of the industry.
- ▶ ***Efficiency of operation*** – Your expertise to run a business of this nature.
- ▶ ***Exports*** – Are your business activities going to encourage or hamper the exportation of liquor from the country? Here the applicant also needs to indicate the volume as well as the type of liquor that is to be exported if any.
- ▶ ***Competition within the industry*** – Indicate how your business activities will impact on competition within the industry. The applicant should further provide a list of competitors as well as their market share within a particular geographic market.

## **The cost of registration**

The fees depend and vary according to the type of the application and the projected annual turnover. The application fee is non-refundable and payable in advance. The application fee will only be refunded if the NLA does not have jurisdiction over the application. (i.e. if the application is neither for macro manufacturing or distribution purposes)

## The annual turnover

Applicants are required to provide a projected annual turnover. This is the gross amount of income made or to be made by the business purely from activities relating to manufacturing or distribution of liquor or both and not from other activities e.g. retail activities

### ► Projected annual turnover

Applicants should project the turnover that is expected to be made from either manufacturing, distribution or both within the next twelve months.

Turnover may be calculated by multiplying the sale price of each product by the number of units sold over a period of 12 months.

### **Note Well**

*The turnover is important because the NLA needs to ascertain if the paid fees are in line with the prescribed fees in the regulations.*

## Fees

The fees for application; registration and annual renewal are structured as per the table below.

### **Note Well**

- *The application fee is paid at lodgment of the application*
- *the registration fee is paid at registration after the application has been approved but before a registration certificate is issued.*
- *the annual renewal fee is paid annually a month before the date of registration.*

Annual turnover from activities regulated under the ACT	Type of fee	Amount
Less than R 5 000 000	Application	R 500
	Initial Registration	R 2 000
	Annual Renewal of Registration	R 2 000
At least R5 000 000 but less than R 15 000 000	Application	R 1 000
	Initial Registration	R 4 000
	Annual Renewal of Registration	R 4 000
At least R15 000 000 but less than R 250 000 000	Application	R 7 500
	Initial Registration	R 5 000
	Annual Renewal of Registration	R 5 000
At least R 250 000 000 but less than R 1 billion	Application	R 10 000
	Initial Registration	R 7 500
	Annual Renewal of Registration	R 7 500
At least R 1 billion	Application	R 25 000
	Initial Registration	R 15 000
	Annual Renewal of Registration	R 15 000

## Methods of payment

Fees may be paid by cash or bank guaranteed cheque at:

77 Meintjies Street  
the dti campus  
2nd Floor, Block B  
Sunnyside  
PRETORIA

OR

You can deposit cash/bank guaranteed cheque/electronically transfer the funds into the account number below:

The Department of Trade and Industry

Absa Bank

Account Number : 1044580078

Branch : Van der Walt Street

Branch code : 632005

- ▶ When making a payment – The following information should be provided:
  - What is the payment for e.g. application fee, registration fee etc.
  - Who the payment is from i.e. company name (use as reference)
- ▶ Proof of payment – Attach proof of payment to the application forms when lodging an application.

## Methods of lodgment

Applications may be hand-delivered to the address appearing below:

**Shared Services Centre  
12 Esselen Street  
Sunnyside  
PRETORIA**

**OR**

**Posted to:**

**the dti  
National Liquor Authority  
Private Bag X84  
Pretoria  
0001**

**More info about the NLA is available on  
[www.thedti.gov.za](http://www.thedti.gov.za)  
Or the dti call centre at 0861 843 384**

# REPUBLIC OF SOUTH AFRICA

## NATIONAL LIQUOR AUTHORITY

### INSTRUCTIONS

This form is prescribed for use in terms of section 11 of the Liquor Act, 2003.

The applicant must sign this form in the space provided.

In addition to filing this form, the applicant must complete and file Form NLA 1/1.

### CONTACTING THE NATIONAL LIQUOR AUTHORITY

National Liquor Authority  
77 Meintjes St.  
Private Bag X 84  
Pretoria 0001  
Republic of South Africa  
tel: 0861 843 384  
fax: 27 012 394 0555  
email: [nationalliquorauthority@thedli.gov.za](mailto:nationalliquorauthority@thedli.gov.za)

## FORM NLA 1

### Application for Registration

DATE: \_\_\_\_\_ APPLICATION #: \_\_\_\_\_

TO: THE MINISTER OF TRADE AND INDUSTRY

Please take notice that the applicant named below hereby applies to be registered in terms of the Liquor Act, 2003, as

\_\_\_ A Manufacturer

\_\_\_ A Distributor

\_\_\_ Both a Manufacturer and Distributor.

### APPLICANT'S DETAILS:

Name \_\_\_\_\_

Identity or registration number \_\_\_\_\_

Business name, if different \_\_\_\_\_

Registered office address and contact numbers

\_\_\_\_\_ Phone \_\_\_\_\_

Business address and contact numbers, if different

\_\_\_\_\_ Phone \_\_\_\_\_

Address of proposed registered activities

I declare/affirm that the information furnished in this application, and in the documents attached to it, is true.

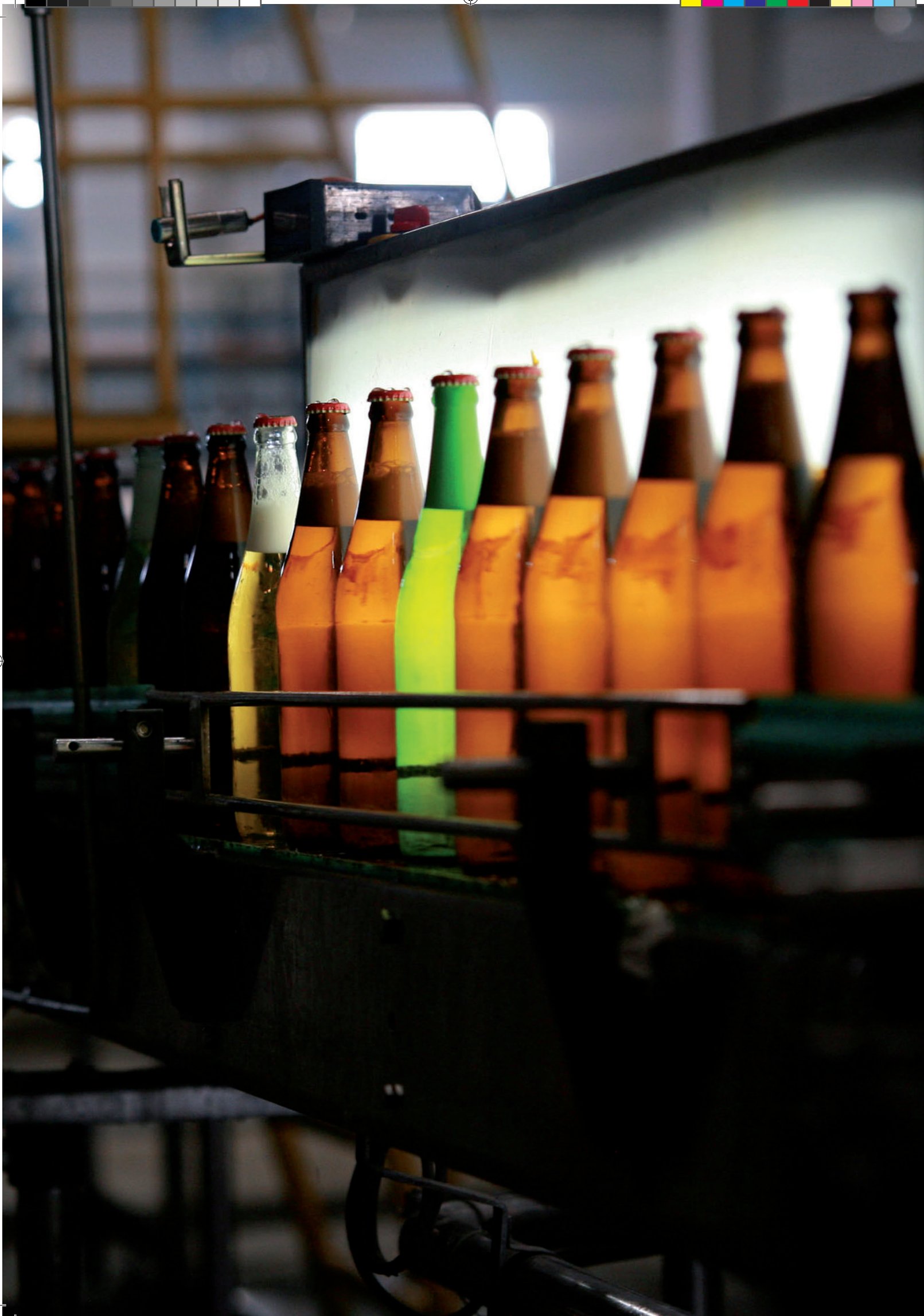
Name \_\_\_\_\_ Signature \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

This form is prescribed by the Minister of Trade and Industry in terms of section 42 of the Liquor Act, 2003 (Act No. 59 of 2003).

cut out in order to submit form



**REPUBLIC OF SOUTH AFRICA  
NATIONAL LIQUOR AUTHORITY**

**FORM NLA 1/1  
Application for Registration**

**INSTRUCTIONS**

This form is prescribed for the use in terms of section 11 and 13 of the Liquor Act, 2003

Please also attach the following:

1. A sheet setting out the name, race, gender, ID number and address of each person, including the applicant or proposed transferee who will have a financial interest in the business, and in each case the nature and extent of that interest.
2. A sheet setting out the financial interest of the applicant or proposed transferee in the liquor industry within the Republic, and if the applicant or proposed transferee is not an individual, provide equivalent information with respect to each shareholder, member, partner or beneficiary of the applicant or proposed transferee
3. A sheet setting out separately the commitments made by the applicant or proposed transferee towards black economic empowerment, and combating alcohol abuse, including details of any relevant charters, or industry codes of conduct.
4. A sheet describing in detail the extent to which your activities will affect new entrants to the industry, job creation, diversity of ownership, efficiency of operation, exports and competition within the industry
5. A sheet setting out the projected or actual annual turnover of activities relating to the application.

**CONTACTING THE NATIONAL LIQUOR AUTHORITY**

National Liquor Authority  
77 Meintjies Street  
Private Bag X 84  
Pretoria  
0001  
Republic of South Africa  
Tel: 0861 843 384  
Email:  
Nationalliquorauthority@thedti.gov.za

**ATTACHED TO AND FORMING PART OF:**

- \_\_\_\_\_ Application for registration  
\_\_\_\_\_ Application to Transfer Registration  
\_\_\_\_\_ Notice to review

Submitted by:

**DESCRIPTION OF APPLICANT OR PROPOSED TRANSFEREE**

If the applicant or proposed transferee is an individual, is that individual:

- (i) a minor \_\_\_\_\_ (yes/no)
- (ii) an unrehabilitated insolvent \_\_\_\_\_ (yes/no)
- (iii) committed in terms of the Mental Health Act, 1973 \_\_\_\_\_ (yes/no)
- (iv) a person who has been convicted of an offence as contemplated in section 11(2)(d) or (e) of the Liquor Act, 2003 \_\_\_\_\_ (yes/no).

If the answer to any of the above is "yes", attach a sheet setting out full details.

If the applicant or proposed transferee is not an individual, attach a sheet setting out the names of each person who has a controlling interest in, or is a director or board member, or main beneficiary or, the applicant or proposed transferee, and with respect to each such person, indicate, and provide full details if "yes" whether that individual is:

- (a) a minor \_\_\_\_\_ (yes/no)
- (b) an unrehabilitated insolvent \_\_\_\_\_ (yes/no)
- (c) committed in terms of the Mental Health Act, 1973 \_\_\_\_\_ (yes/no)
- (d) person who has been convicted of an offence as contemplated in section 11(2)(d) or (e) of the Liquor Act, 2003 \_\_\_\_\_ (yes/no).

**DESCRIPTION OF ACTIVITIES**

Kind of liquor manufactured or distributed: \_\_\_\_\_

Premises from which liquor is manufactured or distributed, with reference to street, erf, farm number, town, city and province

Will you distribute liquor manufactured elsewhere? \_\_\_\_\_ (yes/no)

Will you distribute liquor across provincial boundaries \_\_\_\_\_ (yes/no)

If yes, attach a sheet setting out full details.

cut out in order to submit form

**the dti** Campus

National Liquor Authority  
The Department of Trade and Industry  
Mapungubwe - **the dti** campus  
77 Meintjies Street  
Sunnyside  
2001

**the dti** Postal Address

The Department of Trade and Industry  
National Liquor Authority  
Private Bag X84  
Pretoria  
0001

National: 0861 843 384  
International: +27 12 394 9500

**the dti** Website

[www.thedti.gov.za](http://www.thedti.gov.za)



**the dti**  
Department:  
Trade and Industry  
REPUBLIC OF SOUTH AFRICA

