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3 August 2017

Ms Machwene Rosina Semenya
Chairperson of the Portfolio Committee on Agriculture,
Forestry and Fisheries
P O Box 15
Parliament of South Africa
Cape Town
8000

For attention: Ms Albertina Kakaza
Via e-mail: akakaza@parliament.gov.za

Dear Ms Semenya

COMMENTS ON THE LIQUOR PRODUCTS AMENDMENT BILL

The South African Liquor Brand owners Association (SALBA) is a trade association representing liquor manufacturers and distributors. The full list of our members can be found below.

SALBA hereby wishes to confirm our support of the Liquor Products Amendment Bill, however, we have identified the need to strengthen the authorities' hand to enforce the law. Therefore, we propose the following clause. The clause is based on current legislation contained in the Liquor Products Act, specifically Section 16 (5), which relates to imported liquor products.

Proposed additional amendment in italics:

Amendment of section 19 of Act 60 of 1989

11. Section 19 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

"(1) A person referred to in section 18(1), may **[at any reasonable time and in any manner deemed fit by him, without prior notice to any person], upon entry of the**

place, premises or conveyance in terms of that section, seize any liquor product, material, substance or other article, or any book or document, that-

- (a) is concerned or is on reasonable grounds believed by him or her to be concerned in the commission or suspected commission of any offence under this Act;
 - (b) may afford evidence of the commission or suspected commission of any such offence; or
 - (c) is intended or is on reasonable grounds believed by him or her to be intended to be used in the commission of any such offence.";
- and

(b) *by the addition in subsection (3) of the following paragraphs:*

"(c) Notwithstanding the provisions of paragraph (b), at the option of the person from whom such a liquor product, material, substance or other article was seized, the administering officer or Authority, as the case may be, may direct that such liquor product, material, substance or other article be destroyed by and at the expense of that person within such period as the administering officer or the Authority, as the case may be, may determine.

(d) If the person from whom such a liquor product, material, substance or other article was seized, fails to destroy that liquor product, material, substance or other article within the period determined in terms of paragraph (c), that liquor product, material, substance or other article shall be forfeited to the State, and thereafter be destroyed.

(e) The State may recover any expenses incurred by it in connection with the destruction of a liquor product, material, substance or

other article in terms of paragraph (d) from the person from whom such a
liquor product, material, substance or other article was seized."

Thank you for your consideration of the above.

Yours sincerely

A handwritten signature in black ink, appearing to be 'K MOORE', with a stylized, cursive-like flourish.

K MOORE
CHIEF EXECUTIVE OFFICER

bp/msw/CompanyData/NationalLiquorAct&Regulations/Ltr Ms Machwene R Semanya re Comments on the Liquor Products Amendment Bill