FORM 6  
APPLICATION IN TERMS OF SECTION 58 OF THE ACT TO PROCURE A CONTROLLING INTEREST IN THE BUSINESS TO WHICH THE LICENCE RELATES

**[Reg. 14]**

|  |  |  |
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|  | **Date-stamp of Board** |  |
|  |  | **For official use** |
|  |  | Amount R ……………................................ |
|  |  | Receipt no. …………….............................. |
|  |  | Date ……………......................................... |

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| **NORTHERN CAPE LIQUOR ACT, 2008** | | |
|  | Liquor Board’s Reference no. ….……..................................................... | |
| **INDEX** | | |
| ***Description of document*** | | ***Annexure*** |
| (i) Application | | Form 6 |
| (ii) Comprehensive written representations [Reg. 15(2)] | | A |
| Application prepared by………......................................................................................................................... | | |
| Postal address………....................................................................................................................................... | | |
| Telephone no. …….......................................................................................................................................... | | |

PART A  
INFORMATION RELATING TO THE APPLICANT WHO IS THE HOLDER OF THE LICENCE

|  |
| --- |
| 1 Full name of applicant………...................................................................................................................... |
| 2 If applicant is not a natural person, state the name, identity number and address of each shareholder, member, partner or beneficiary…………………………..............................................................................  …................................................................................................................................................................ |
| 3 Under what name is the licensed business conducted?……………........................................................... |
| 4 *(a)* Describe the situation of the premises where the licensed business is conducted with reference to the erf, street or farm number………………………………................................................................. |
| 1. In which municipality is the premises referred to in subparagraph *(a)*, situated?……………............   ………………………………………………………………………………………………………………… |

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| I declare/truly affirm that the information furnished in Part A and B of this application in so far as it relates to me/the applicant on whose behalf I am authorized to sign the application, is true. | |
| Date.................................................................. | ............................................................................ *Signature of applicant who is the holder of the licence or person authorized to sign application* |
| I certify that this declaration has been signed and sworn to/affirmed before me at……………..................this ...................................... day of..........................................................by the applicant/person authorized to sign application who acknowledged that – | |
| (i) he/she knows and understands the contents of this declaration; | |
| (ii) he/she has no objection to taking the prescribed oath/affirmation; and | |
| (iii) he/she considers the prescribed oath to be binding on his/her conscience, | |
| and that he/she uttered the following words: |  |
| 'I swear that the contents of this declaration are true, so help me God'./'I truly affirm that the contents of this declaration are true'. | |
| ............................................................................ *Commissioner of Oaths* |  |

|  |
| --- |
| Full name…….................................................................................................................................................. |
| Business address……….................................................................................................................................. |
| Designation……............................................................................................................................................... |
| Area for which appointment is held………....................................................................................................... |
| Office held if appointment is *ex officio……….*.................................................................................................. |

PART B  
INFORMATION RELATING TO THE APPLICANT WHO IS THE PROPOSED PERSON

|  |  |  |  |
| --- | --- | --- | --- |
| 1 *(a)* Full name of applicant……….......................................................................................................... | | | |
| *(b)* Age…….......................................................................................................................................... | | | |
| 1. Identity number or in the case of a company or close corporation, its registration number   ………………………………………………………………………………………………………….…… | | | |
| *(d)* Residential address or address of registered office……………...................................................... | | | |
| *(e)* Business address and location of the premises to which the application relates  ………………………………………………………………………………………………...................... | | | |
| *(f)* Postal address………..................................................................................................................... | | | |
| *(g)* Business telephone number…………............................................................................................. | | | |
| [Delete *(b)* if applicant is not a natural person] | | | |
| 2 If applicant is not a natural person, state the name, identity number and address of each shareholder, member, partner or beneficiary…………………………………………………………………………………...  ………………………………………………………………………………………………………………………. | | | |
| 3 *(a)* Is applicant a person who - |  |  |  |
| (i) has in the Republic or elsewhere in the preceding 10 years been sentenced for any offence to imprisonment without the option of a fine? |  |  |  |
|  | Yes |  | No |
| (ii) has in the preceding 10 years been convicted of an offence in terms of this Act or the National Liquor Act, irrespective of the sentence imposed, and was within 5 years after the conviction again convicted of an offence in terms of any of the above-mentioned two Acts and was then sentenced therefor to a fine of not less than R200 or to imprisonment without the option of a fine? |  |  |  |
|  | Yes |  | No |
|  |  |  |  |
| (iii) is not domiciled in the Province? | Yes |  | No |
|  |  |  |  |
| (iv) an unrehabilitated insolvent? | Yes |  | No |
|  |  |  |  |
| (v) is a minor? | Yes |  | No |
|  |  |  |  |
| *(b)* If the applicant is a company, close corporation, partnership or trust, state whether a person contemplated in subparagraph *(a)* - | | | |
| (i) has a controlling interest in such a company, close corporation or trust |  |  |  |
|  | Yes |  | No |
|  |  |  |  |
| (ii) is a partner in such a partnership | Yes |  | No |
|  |  |  |  |
| (iii) is the main beneficiary under such a trust  (Mark the applicable square) |  |  |  |
|  | Yes |  | No |
|  |  |  |  |
| *(c)* If any of the questions in subparagraphs *(a)* or *(b)* have been replied to in the affirmative, provide full details | | | |
| (Use an annexure if necessary) | | | |
| 4 *(a)* State the name, identity number and address of each person – | | | |
| (i) who, including the holder of the licence, has any financial interest in the business to which the licence relates; and | | | |
| (ii) who, including the applicant, will have such interest if the application is granted, | | | |
| and in each case, the nature and extent of such interest. [In the case of a public company, statutory institution or a co-operative as contemplated in the Co-operatives Act, 1981 (Act 91 of 1981), it shall be sufficient if only the name and postal address of such company, statutory institution or co-operative, as the case may be, the name of each director (if any) thereof and the nature and extent of the financial interest of such company, statutory institution or co-operative are furnished and not also the interests of individual members of such company, statutory institution or co-operative.] ……………………………………………………………………  (Use an annexure if necessary) | | | |
| *(b)* State the financial interest in the liquor trade in the Province of the applicant and if the applicant is a private company, close corporation, partnership or trust, also of every shareholder, member or partner thereof or beneficiary thereunder. (If the applicant or the said shareholder, member, partner or beneficiary has no such interest, this fact must be specifically mentioned.)……………………….....................................................................................................  ……................................................................................................................................................. (Use an annexure if necessary) | | | |
| *(c)* If the application relates to a liquor store licence, sorghum beer brewer's licence, sorghum beer licence for off-consumption or a special licence for off-consumption, is the applicant - | | | |
| (i) a producer or his or her agent? | Yes |  | No |
|  |  |  |  |
| (ii) a manufacturer of beer or his or her agent? | Yes |  | No |
|  |  |  |  |
| (iii) a person who has a financial interest in the business of a producer or a manufacturer of beer, or the agent of such a person? |  |  |  |
|  | Yes |  | No |
|  |  |  |  |
| (iv) a company in which shareholders having a financial interest in the business of a producer or a manufacturer of beer, together hold a controlling interest, or the agent of such a company? |  |  |  |
|  | Yes |  | No |
|  |  |  |  |
| (v) a company in which a company contemplated in subparagraph *(c)*(iv) holds a controlling interest, or the agent of such a company?  (Delete subparagraph (c) if not applicable)  (Mark the applicable square) |  |  |  |
|  | Yes |  | No |
|  |  |  |  |

|  |  |
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| I declare/truly affirm that the information furnished in Part B of this application in so far as it relates to me/the applicant on whose behalf I am authorized to sign the application and in the documents attached to it, is true. | |
| Date.................................................................. | ............................................................................ *Signature of applicant who is the proposed person or person authorized to sign application* |
| I certify that this declaration has been signed and sworn to/affirmed before me at……………..................this ...................................... day of..........................................................by the applicant who is the proposed person/person authorized to sign application who acknowledged that – | |
| (i) he/she knows and understands the contents of this declaration; | |
| (ii) he/she has no objection to taking the prescribed oath/affirmation; and | |
| (iii) he/she considers the prescribed oath to be binding on his/her conscience, | |
| and that he/she uttered the following words: |  |
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| ............................................................................ *Commissioner of Oaths* |  |

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| Full name…….................................................................................................................................................. |
| Business address……….................................................................................................................................. |
| Designation……............................................................................................................................................... |
| Area for which appointment is held………....................................................................................................... |
| Office held if appointment is *ex officio……….*.................................................................................................. |