



the dtic

Department:  
Trade, Industry and Competition  
REPUBLIC OF SOUTH AFRICA

## THE NATIONAL ASSEMBLY

### QUESTION FOR WRITTEN REPLY

#### QUESTION NO. 2403

**Mr M G E Hendricks (Al Jamah-ah) to ask the Minister of Trade, Industry and Competition:**

Whether he will introduce legislation to remove the powers of municipalities to grant permission to extend alcohol trading hours beyond national regulations and allow sales at school events, taking into consideration the lessons learnt during the Covid-19 pandemic, namely that increasing alcohol trading hours increases alcohol-related harm; if not, what is the position in this regard, if so, what are the relevant details?  
NW2986E

#### REPLY

There has been considerable disquiet over a period of time at the hosting of events at schools where alcohol is served and during the Covid-19 pandemic, public concerns relating to liquor abuse have become more prominent and the harm to communities have been extensively ventilated.

The Constitution separates the powers between national, provincial and local government. The Constitutional Court ruled on 11 November 1999 that national government has the legislative competence over manufacturing and distribution of liquor and Provinces have exclusive competence over micro manufacturing and retail sale of liquor. Subsequently, the Liquor Act, 2003 (Act No. 59 of 2003) was enacted to regulate the manufacture and distribution of liquor.

In respect of the retail of liquor, municipalities have executive authority in terms of section 156 (1)(a), Part B of Schedule 5 of the Constitution on matters that concern the control of undertakings that sell liquor to the public, which include liquor trading hours.

I am advised that the sale of alcohol at school events falls is deemed to fall within the ambit of Provinces and municipalities in terms of section 104(1)(b)(ii) of the Constitution.

While these competencies are deemed to fall within the power of local and provincial government in terms of the Constitution, there is no doubt that abuse of alcohol presents a risk to society and that care should be taken with regards to sale and distribution.

the **dtic** is reviewing the Liquor Amendment Bill to address concerns relating to abuse of alcohol.

**-END-**