

ACT NO. 8 OF 1998

LIQUOR LICENSING ACT 1998

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ACT NO. 8 OF 1998

LIQUOR LICENSING ACT 199

An Act to provide for the licensing of sale the sale of liquor and for related matters
Enacted by the Parliament of Lesotho.

PART 1- PRELIMINARY

Short title and Commencement

1. The Act may be cited as the Liquor Licensing Act 1998 and shall come into operation on a date to be appointed by the Ministry by the notice in the Gazette.

Interpretation

2. In this Act –

“**Board**” means the liquor licensing board established under section 3;

“**chairman**” means of the board

“**discotheque**” means premises within a hotel offering music for dancing on payment of price;

“**License**” means a license issued under section 14(1);

“**Licensed premises**” means premises in respect of which a license is in force;

“**Licensee**” means the holder of the license;

“**Liquor**” means any alcoholic drink or fermented drink of an intoxicating nature but does not include traditional Sesotho beer;

“**Liquor permit**” means a permit issued under section 29

;

“**Minister**” means the Minister responsible for Tourism;

“**night-club**” means premises offering entertainment and liquor;

“**Off-sale**” means premises offering liquor for consumption of the premises;

“prescribed” means prescribed by regulations under section 48;

“Public bar” means premises situated in the urban area offering liquor for consumption on the premises;

“Service canteen” means premises offering liquor to members of the Lesotho Defense Force, Police Force, and National Security Service and Prisons Services within their barracks or campus;

“Shebeen” means premises which are part of the dwelling house offering liquor to persons for consumption on the premises; and

“Tavern” means premises other than dwelling house offering liquor for consumption on the premises.

PART 11- LIQUOR LICENSING BOARD ESTABLISHMENT OF BOARD

3. There is established board known as Liquor Licensing Board

Membership of Board

4. (1) The Board shall consist of

- (a) The principal secretary of the Ministry of Tourism, or his representative who shall be the chairman;
- (b) A member nominated by Principal Secretary of the Ministry of Health;
- (c) A member nominated by commissioner of Police;
- (d) The commissioner of trade;
- (e) The managing Director of Lesotho Tourist Board;
- (f) A member nominated by the Hotels Association;
- (g) A member nominated by the Restaurants Association;
- (h) A member nominated by a Lesotho Chamber of Commerce and Industry;
and
- (i) A member nominated by Lesotho Consumer Association;

(2) The secretary to the Accommodation, catering and Tourism Enterprises Board shall Secretary to the Board.

(3) The Minister shall appoint the members by in the Gazette.

FUNCTIONS OF THE BOARD

5. (1) The functions of the Board are-
 - (a) To consider applications for liquor licenses;
 - (b) To issue, renew, vary, review, transfer, suspend, remove or cancel licenses and;
 - (c) To investigate and determine complaints relating to licenses
- (2) In determining a complaint under subsection (1) (c) the board may inspect licensed
Premises

TENURE OF MEMBERS OF BOARD

6. A member referred to in section 4(l), (f), (g), and (h) and (i) shall hold office for a period of three years from the date of his appointment and is eligible for reappointment.

RENUMERATION AND ALLOWANCES OF MEMBERD OF BOARD

7. A member of the board who is not a public officer shall paid remuneration and allowance as the board, with the approval of the Minister, acting in consultation with the Minister of Finance, may determine.

RESIGNATION OF MEMBERS OF BOARD

8. A member referred to in section (4) (l), (f), (g), (h) and (i) may resign from office, by notice in writing delivered to the Minister

TERMINATION OF APPOINTMENT OF MEMBERS OF THE BOARD

9. The Minister may terminate the appointment of a member referred to in section 4(l), (f), (g), (h) and (i),
 - (a) For misbehavior or physical or mental incapacity,
 - (b) If a member fails, without reasonable excuse to comply with an obligation imposed by section 12(3), or
 - (c) If the member is convicted in Lesotho or elsewhere of an offence involving moral turpitude and sentenced to a term of imprisonment exceeding six months.

ACTING APPOINTMENT OF MEMBERS OF BOARD

10. A Minister may appoint a person to act as member during a period when the member is for reason unable to perform duties of the office.

MEETINGS OF BOARD

11. (1) The Board shall sit quarterly to consider new applications for licenses and monthly to consider renewal of licenses on such a date, at such a time and place as it may determine.
- (2) The chairman may, at any time convene a meeting of a Board
- (3) At the meeting, a chairman and other members shall constitute a quorum
- (4) The chairman shall preside at all meetings of the Board
- (5) A decision of the Board shall be determined by a majority of votes of the members present and voting at the meeting.
- (6) The chairman at the meeting has deliberative vote and, in the event of an equality of votes, also has a casting vote.
- (7) A member referred to in section 4 (l), (f), (g), (h) and (i) who fails to attend three consecutive meetings of the shall be deemed to have vacated the membership of the Board'

PROCEDURE AT BOARD MEETINGS

12. (1) The Board may determine its own Procedure
- (2) The Board may invite to its meetings, any person whom it considers

Appropriate to consult for purpose of enabling it exercise or perform its functions efficiently.

- (3) A member who has direct or indirect interest in the consideration and determination of an application for a license shall-
 - (a) Disclose the nature of the interest at meeting of the board; and
 - (b) Not take in the proceedings in which the application is heard.
- (4) An applicant for the issue of a license or permit shall be present at the meeting of the Board at which his application is to be considered.
- (5) An applicant for the renewal of license shall not be obliged to attend or represented at the meeting of Board unless the Board directs otherwise
- (6) The Board shall keep a record, in writing, of its proceedings.

EVIDENCE BEFORE BOARD

13.(1) The Board may take evidence from any person in respect of the question to be determined and the evidence shall be given on oath administered by the chairman and recorded

(2) The Board may, writing, require a person who-

(a) Has made an application to it for a new license, renewal, review, transfer, removal, suspension or cancellation of a license; or

(b) is in the opinion of the Board, able to testify as to the matter before the Board, To appear before it and may require the person to produce before it a book or document in his possession or control which is relevant to the matter.

(3) A person who refuses or fails to, without good cause, to-

(a) Attend and give evidence before the Board at time and place specified in the notice; or

(b) Produce a book or document which has been required to produce,

Commits an offence and is liable on conviction to a fine of M1000.00 or imprisonment for one year or both.

PART III -TYPES OF LICENSES

Types of licenses

14.(1) The Board may issue, renew, vary, review, transfer, remove, suspend or cancel the following licenses:

(a) A hotel liquor license

(b) A tavern liquor license

(c) An off sale liquor license

(d) A club liquor license

(e) A service canteen liquor license

(f) A discotheque liquor license

(g) A motel liquor license

(h) A night club liquor license

(i) A lodge liquor license

(j) A public bar liquor license

(k) A she been liquor license

(l) A restaurant liquor license; and

(m) A resort liquor license

(2) A license issued by the Board shall be in respect of the premises specified in the license.

(3) The Board may impose such restrictions and conditions on a license as it thinks fit and direct that it be endorsed on a license.

(4) A license issued, other than at a properly constituted meetings of the Board or contrary to provision of this Act is of no effect.

LODGE, MOTEL, RESORT OR HOTEL LIQUOR LICENSE

15. (1) A lodge, motel, resort or hotel liquor license authorizes the licensee to sell liquor on the licensed premises to persons for consumption on those licensed premises.

(2) The Board shall not issue or renew a lodge, motel, resort or hotel liquor license unless it is satisfied that-

(a) the applicant is the holder of a valid lodge, motel, resort or hotel license obtained the accommodation, catering and tourism Enterprise Act 1997;

(b) the applicant operates or proposes to operate on the premises in respect of which the application is made, bona fide lodge, resort, motel or hotel at which meals and accommodation are offered to guests;

(c) in the case of renewal, the applicant has not violated a condition of a license and;

(d) the applicant is a fit and a proper person to whom a license may properly be issued.

RESTURANT LIQUOR LICENSE

16. (1) A restaurant liquor license authorizes the licensee to sell liquor on the licensed premises to persons for consumption with meals o those licensed premises.

(2) The Board shall not issue, renew, review vary, transfer remove a restaurant liquor license unless is satisfied that-

(a) the applicant is a holder of a valid restaurant license issued under the Accommodation, catering and Tourist Enterprises Act 1997;

(b) the applicant keeps or proposes to keep, on the premises in respect of which the applicant is made a bona fide restaurant at which ordinary meals are or will regularly be served to guests;

(c) In the case of renewal, the applicant has not violated a condition of the license, and

(d) The applicant is a fit and proper person to whom a license may properly be issued

CLUB LIQUOR LICENSE

17. (1) A club liquor license authorizes the licensee to sell liquor on the licensed premises to members for consumption on those licensed premises.
- (2) The Board shall not issue or renew a club liquor license unless it is satisfied that-
- (a) The applicant operates or proposes to operate on the premises in respect of which the application is made, a bona fide club; and
 - (b) In the case of renewal, the applicant, the applicant has not violated a condition of a license.

TARVEN, SHEBEEN, PUBLIC BAR, DISCOTHEQUE, NIGHT CLUB OR OFF SALE LIQUOR LICENSE

18. (1) A tavern, she been, public bar, discotheque, night club or off sale liquor license authorizes the licensee to sell liquor to persons on the licensed premises for consumption on those premises.
- (2) An off sale liquor license authorizes the licensee to sell liquor on the licensed premises, in sealed containers, to persons for consumption away from those licensed premises or a place adjoining or near those licensed premises which is in the occupation or control of the licensee.
- (3)The Board shall not issue, renew, vary, review, transfer or remove a tavern, she been, public bar, discotheque, night club or off sale liquor license unless it is satisfied that-
- (a) the applicant proposes to operate, on the premises in respect of which the application is made, a bona fide tavern, she been, public bar, discotheque, night club or off-sale;
 - (b) the premises in respect of which the application is made complies with the minimum requirements set out in schedule and are sufficiently complete to be occupied for the purpose of the license.
 - (c) that distance between the premises and the hospital, place of worship or school is more than half a kilometer;
 - (d) that the issue of such license will not conflict any approved a proposed town planning scheme;

- (e) The applicant is a fit and proper person to whom a license may properly be issued; and
- (f) In the case of renewal, the applicant operates, a bona fide tavern, she been, public bar, discotheque, night club or off-sale, and has not violated a condition of the license.

SERVICE CANTEEN LICENSE

19. (1) The Board may issue a service canteen liquor license to the Lesotho Defense Force, Police Service, National Security service and Prison Service.
- (2) A service canteen liquor license shall authorize the sale of liquor for a period not exceeding twelve months and at the place as may be specified on the license.
- (3) Before considering an application for a service canteen liquor license, the Board shall require the applicant to produce a certificate stating;

- (a) The full names of the applicant
- (b) The place at which the service canteen is operated; and
- (c) The period for which the license is applied

- (4) Where the applicant is

(a) The Lesotho Defense Force, the certificate shall be signed by the commander of the Armed Forces;

(b) Police Service, the certificate shall be signed by the Commissioner of Police

(c) The National Security Service, the certificate shall be signed by the Director-General of the National Security Service; or

(d) The prison service, the certificate shall be signed by the Director of Prisons

PART IV- ISSUE OF LICENSES

Prohibition of sale of liquor

20. (1) No person shall sell liquor unless he has a license issued by the Board.
- (2) A licensee, his employee or agent shall not, except during the hours specified in the regulations for the sale of liquor, sell or supply liquor to any person on the licensed premises whether to be consumed on or off the premises.

Application for license

21. (1) A person desiring –

- (a) To obtain a license mentioned in section 14(1);
- (b) To renew, review, vary or suspend the license;
- (c) Transfer his license to another person;
- (d) To remove or withdraw a license from the licensed premises ; or
- (e) To suspend or cancel a license;

May make an application, in the prescribed form, to the Board three months before the next sitting of the Board.

(2) The application shall be-

- (a) Lodged with the secretary to the Board who shall refer it to Board
- (b) Accompanied by prescribed fees
- (c) Accompanied by a certified copy of the deed of partnership where the applicant is a partnership
- (d) Accompanied by certified copies of a company's memorandum and articles of associations where the applicant is a company; and
- (e) Accompanied by a lease, sub-lease, form c2 issued by the relevant local authority or an authenticated letter showing ownership where the applicant is the owner of the premises.

(3) The application shall set forth-

- (a) The full names of the applicant and full names of partners or directors may if any;
- (b) the nature or description of the license sought to be obtained, renewed, reviewed, varied, suspend, transferred, removed or cancelled; and
- (c) the location of the premises where the business is intended to be carried on, including the number or name of the house, and street or road, if any, and the number or other designation of the site.

(4) The Board shall determine whether or not the location of the premises in respect of which the business is proposed to be carried on is suitable for the business.

(5) If the Board approves the location, the applicant shall submit to the Board a description of the premises which shall be accompanied by a plan of the proposed business premises.

(6) The plan shall be drawn to scale, clearly showing the dimensions and arrangements of the internal and external structure including doors, windows and other means of external and internal communication and a street or place to

which such means of external communication lead, and shall be authenticated by the Ministries of Health and Tourism and in the city of Maseru, the Maseru, city council

(7) The plan shall not be necessary in the case of an application for a renewal of the license if the applicant submits, with the application, an affidavit that since the last application for a license, the premises have undergone no changes or have undergone only minor changes of structural arrangements of which full particulars shall be submitted to the Board at the time of filing that application.

(8) The Board may waive a technical defect which appears in an application for a license if the Board is satisfied that the defect is not the material one.

DURATION AND RENEWAL OF THE LICENSE

22. (1) A license shall be valid for a period of one year from the date on which is issued
- (2) An application for the renewal of a license shall be lodged with the Board three months before the date of its expiry.
- (3) A licensee who fails to lodge an application for renewal within three months shall be liable to pay a late application as the Minister may prescribe by regulations.

INSPECTION REPORT

23. (1) The Police Department, Ministries of Tourism and Health and in the city of Maseru, the Maseru City Council shall inspect the premises in respect of which an application is made and respectively submit, to the Board, a report which shall be in the prescribed form.
- (2) The Board shall, before issuing, renewing, reviewing, varying, suspending, transferring, removing or cancelling a license consider the reports.
- (3) The reports shall, at all times, be open for inspection by the applicant.

SUSPENSION OR CANCELLATION OF LICENSE

24. (1) where the Board is satisfied that the licensed premises no longer satisfy the conditions for which a license was issued it may;
- (a) Refuse to renew a license;
 - (b) Vary or suspend the license until those conditions are complied with; or
 - (c) Cancel the license
- (2) Where the license is cancelled or the application for renewal is refused, the Board shall, on payment of the prescribed fee by the licensee, issue a license of the

type cancelled or not renewed for a period not exceeding six months, as the Board considers adequate to enable the business to be disposed of or wound up.

LOST OR DESTROYED LICENSE

25. A licensee whose license has been lost or destroyed may, on payment of prescribed fee, obtain duplicate license from Board

DISPLAY OF LICENSE

26. (1) A licensee shall keep and display his license at a conspicuous place on the licensed premises.
(2) A licensee shall not alter a name of the licensed premises unless he has informed the Board about the alteration and the Board has endorsed the alteration on the license.

PART V- LIQUOR PERMIT

Liquor permit

27. A liquor permit authorizes a permit holder to sell liquor-
- (a) Between the specified period
 - (b) On the specified date
 - (c) On the specified premises
 - (d) In the specified place and
 - (e) Subject to such other conditions as be specified on the permit

APPLICATION FOR PERMIT

28. (1) A person desiring to obtain a liquor permit may, at any time, make an application in writing to the Board
(2) The application shall be submitted together with such fees as the Minister may determine and shall state-
- (a) Full names of the applicant
 - (b) The nature of the function and the date on which it is to be held
 - (c) The reason for making an application
 - (d) Time within which liquor is to be sold
 - (e) The location and description of premises on and places in which liquor is to be sold.

ISSUE PERMIT

29. (1) The Board may issue liquor permit, if it is satisfied-
- (a) That the facts stated in the application are true, and
 - (b) That the issuance of the permit is not contrary to public interest

(2) The Board shall issue the permit subject to such terms and conditions as it may consider necessary.

CONSIDERATION OF APPLICATION FOR PERMIT

30. The Chairman shall, for the purpose of considering an application for a permit, convene a meeting of the Board at such a time and place as he may determine.

PART VI- APPEALS

Appeals

31. An applicant for the issue, transfer or renewal of a liquor license, who is aggrieved by the decision of the Board may; within 14 days of being informed of the decision, appeal against that decision to the appeals Board by giving notice of appeal to the Secretary of the Appeals Board, in which he shall set out fully the grounds upon which the appeal is based.

PART VII – APPEALS BOARD

Appeals Board

32. The appeals Board shall be the Appeals Board established under section 25 of the Accommodation, catering and Tourism Enterprise Act, 1997 and the provisions relating to the Appeals Board under the Act shall apply.

PART VIII – OFFENCES AND PENALTIES

Breach of terms of license or permit

33. A license or holder of the permit who sells or exposes for sale or in any way deals with liquor-
- (a) At a place other than at which he is authorized to do so by the license;
 - (b) At the time when he is not authorized to do so; or
 - (c) In violation of any other term or condition of his license,

Commits an offence and is liable on conviction to fine of M1000.00 or imprisonment for one year or both

DEALING IN LIQUOR WITHOUT LICENSE

34. (1) A person who sells or exposes for sale liquor without license commits an offence and is liable-

- (a) On first conviction, to a fine of M5,000 or imprisonment for five years and
- (b) On second conviction or subsequent convictions, to a fine of M8, 000 or imprisonment for eight years or both.

(2) Upon conviction, all liquor found in the possession of the person shall be forfeited to the crown

(3) Notwithstanding subsection (2), where the person is authorized to obtain a renewal of a license but fails to do so before the expiry of his previous license, the forfeiture shall be in the discretion of the court which convicts him.

(4) If an licensed person

(a) has a sign or notice on his premises purporting that he is licensed;

(b) has a house or premises fitted up with a bar or other place containing bottles, casks or vessels so displayed as to induce a reasonable belief that liquor is sold within the home or premises; or

(c) Keeps, on the premises, concealed liquor or more liquor than is reasonably required for persons residing therein.

MANAGEMENT AND RESPONSIBILITIES

35. (1) No person shall employ or allow a person under the age of 18 to manage, superintend or conduct any business on licensed premises.

(2) A person who contrives subsection (1) commits an offence and is liable on conviction to a fine of M1, 000 or imprisonment for one year or both.

(3) In the event of

a) The death of a licensee-

(i) The widow;

(ii) The executor of his estate;

(iii) The curator bonis appointed by the Master of High Court, or

(iv) Any other person approved by the chairman or

b) Insolvency of the licensee, the trustee of insolvent estate, may carry on the business of the licensee without any formal transfer of the license

until the end of the period for which is a license is issued and the person shall possess all rights, and be subject and liable to all duties, obligations and penalties of the licensee.

(4) Where the transfer is within the immediate family of the deceased licensee, no transfer fee shall be payable.

Offences of by Licensee

36. (1) A licensee commits an offence and is liable on conviction to a fine of M1,000.00 or imprisonment for one year if he , his servant or agent-

- a) Permits drunkenness, any riot or disturbance to public order to take place upon his licensed premises;
- b) Sells or supplies liquor to the person who the licensee, servant or agent has reasonable grounds for believing intoxicated;
- c) Sells, supplies or delivers liquor to a person who is under the age of 18;
- d) Permits an unlawful game or gambling to be carried on his licensed premises;
- e) Permits his licensed premises to be used as a brothel or habitual resort of reputed prostitutes; or
- f) Fails to render assistance to the best of his ability to a police officer engaged in his duty within or about his licensed premises or in any way attracts or hinders the police officer in the performance of his duty under any other law.

(2) A holder of any license other than an off- sale liquor license commits an offence and is liable on conviction to a fine of M1, 000 imprisonment for one year or both if he

a) Permits a person who purchases liquor from his licensed premises to take the liquor away from the premises; or

b) Sells and supplies to a person, a quantity of liquor than that which may reasonably be consumed by the person on the licensed premises.

(3) A holder of an off-sale liquor license commits an offence if he;

a) permits a person to consume liquor on the licensed premises;

b) Sells, supplies or delivers to a person liquor other than in a securely sealed container; or

c) Opens or permits a person to open a container of liquor on the licensed premises or any other premises adjoining or near the licensed premises which are under the control of the licensee,

and is liable on conviction to a fine of M1;000 or imprisonment for one year or both

Offences by persons generally

37. A person who-

- a) Submits to the board any written information which he knows to be, false, a false document or document which purports to be but which is not, in fact a true copy of the original or is in any way a party to such submission;
- b) After being duly sworn, gives false evidence before the Board on any matter relevant to the question under enquiry by the Board, knowing the evidence to be false;
- c) Refuses or fails to leave the licensed premises when requested by the licensee, his servant or agent, or any member of the police to do so;
- d) Is drunk, violent or disorderly upon the licensed premises;
- e) Purchases or obtains liquor at a time when or at a place where it is unlawful for such liquor to be sold to him or in circumstances which are contrary to a provision of this Act, or
- f) Procures or aids a drunken person to obtain liquor,

Commits an offence and is liable on conviction to a fine of M600 OR imprisonment for six months or both.

Restrictions on credit sales of liquor

38. (1) No person shall sell or supply liquor on credit unless-

- (a) The person is a holder of a club liquor license;
- (b) The liquor is supplied for consumption with an ordinary meal;
- (c) Is consumed on the premises; or
- (d) The liquor is supplied on moderate quantity to the order of the person boarding or lodging in the licensed premises.

(2) Except in the case mentioned in subsection(1) no licensee shall recover money owing or any other thing on account of liquor sold on credit to a person for consumption on the licensed premises.

(3) No licensee shall recover any money from or institute any legal proceedings against a person on account of liquor sold by him on credit to the person for consumption off the licensed premises unless the action is instituted for the recovery of the money within two months from the end of the month in which the liability was incurred.

Supply of liquor prohibited to Children

39. (1) No person shall sell, supply or deliver liquor to a person under the age of 18.
- (2) A licensee shall not permit a person under the age of 18 to consume liquor on the licensed premises.
- (3) A person under the age of 18 shall not purchase or attempt to purchase liquor
- (4) No person shall purchase liquor for a person under the age of 18
- (5) No person shall send the person under the age of 18 to purchase or collect liquor from the licensed premises
- (6) It is a defense in proceedings for an offence under subsection (1) if the defendant proves that-
- a) he took reasonable measures to determine the age of the person; or
 - b) He had reasonable grounds for believing that the person was not less than 18 years of age.

Prohibited employment

40. (1) No licensee shall employ a person under the age of 18 in connection with the sale of liquor or during the hours when liquor may be sold or supplied on the licensed premises.
- (2) It is a defense in legal proceedings for an offence under subsection
- (1) If the defendant proves that-
- a) He took reasonable measures to determine the age of the person; or
 - b) He had reasonable grounds for believing that the person was not less than 18 years of age.

Power to remove persons

41. (1) A licensee, his agent or employee may-
- a) Refuse to serve a person with liquor or admit him on the licensed premises; or

- b) Remove the person from the licensed premises, if the person is drunk, violent, quarrelsome or disorderly or the presence of the person on the licensed premises would render the licensee to a penalty under this Act or any other law.

(2) A member of the police force may, on the request of the licensee, his agent or employee, remove or assist in the removal from those licensed premises of the person referred to in subsection (1) and may use such force as may be reasonably necessary for that purpose.

Provision of food

42. (1) No person other than a holder an off-sale liquor license shall sell liquor unless he has available for sale, on the licensed premises and at the place approved by the Board in relation to licensed premises, an adequate supply of food of a standard and variety approved by the Board.

(2) A person who contravenes sub section (1) commits an offence and is liable on conviction to a fine of M1, 000 or imprisonment for one year or both.

General penalty

43. (1) A person who contravenes a provision of this Act of which no penalty is specially provided for, commits an offence and is liable on conviction to a fine of M600 imprisonment for six months or both.

(2) Any liquor forfeited under this Act shall be sold and the proceeds of the sale paid into the consolidated fund or may be destroyed on the authority of the court which made the conviction.

PART IX- MISCELLANEOUS

Purchase of liquor by a licensee or permit holder

44. Notwithstanding any law to the contrary, a licensee may purchase liquor, except beer, from outside Lesotho

Regulations

45. The Minister may make regulations generally for giving effect to the Provisions of this Act.

Transitional

46. All liquor licenses issued under the repealed Act shall continue to be valid until 31st December 1998.

Repeal

47. The liquor licensing Act No. 16 of 1976 is repealed.

SCHEDULE

(Section 18(1))

MINIMUM REQUIREMENTS FOR PREMISES

A. MINIMUM REQUIREMENTS FOR A TARVEN

Building or Structure

1. The building shall be structurally safe and in good state of physical and decorative repair, both internally and externally shall have a sitting room, storage room and toilet facilities.
2. At least one room shall be provided for a tavern.
3. The ceiling shall be light- coloured, smooth anti-condensation and easy to clean. If the roofing is thatched it shall be of good finish.
4. The walls shall be painted with impervious, washable and light-coloured paint
5. The floor shall be durable non –slip surface, impervious and easy to clean
6. Adequate sunlight and artificial lighting shall be provided.
7. Seating accommodation shall be at least of 15 people.
8. Chairs and tables shall be in good state of repair and well arranged.

9. The tavern shall have-
 - a) a service counter with foot rest
 - b) shelves of impervious material
 - c) water supply on the premises and
 - d) separate toilets for different sexes and a urinal in men's toilet
10. The toilets shall be inconveniently located, accessible and properly designed and respectively labeled male and female
11. The staff shall be provided with protective clothing
12. The staff shall obtain valid health certificates, which shall be renewable after every six months.

General

13. Suitable and approved First Aid Kit shall be provided, on the premises.
14. Surroundings shall be kept clean at all times and in good repair
15. The premises shall be fenced.

B. MINIMUM REQUIREMENTS FOR AN OFF-SALE

Building or structure

1. The building shall be structurally safe and in good state of physical and decorative repair, both internally and externally.
2. At least two rooms shall be provided one of which shall be a service room and the other a storage room.
3. There shall be at least one toilet for staff and a storage room.

Service room

4. The service room shall have a ceiling and be painted with a smooth and a light coloured paint
5. The walls shall be smooth and painted with impervious washable and light coloured paint.
6. Adequate natural and mechanical ventilation shall be provided.
7. The floor shall be durable non-slip surface, impervious and easy to clean.
8. The shelves shall be of uncracked wood and stainless steel material.
9. A service counter shall be provided.
10. Refrigeration shall be adequate.

Storage room

11. The storage room shall have a ceiling which shall be light coloured, smooth, anti-condensation and easy to clean.
12. The walls shall be smooth and painted with impervious, washable and light coloured paint.
13. The floors shall be of impervious material.
14. A cold room shall be provided in all the urban areas.
15. Adequate natural and mechanical lighting and ventilation shall be provided.

C. MINIMUM REQUIREMENTS FOR DISCOTHEQUE OR NIGHT CLUB

Building Structure

1. The building shall be structurally safe and in good state of physical and decorative repair both internally and externally and shall have a kitchenette, dancing hall, storage room, seating accommodation, dancing floor, separate toilet facilities for males and females, disco jockey's operating platform, parking place, adequate natural and mechanical ventilation, discotheque lighting, exits and security.

Kitchenette

2. The kitchenette shall be spacious and built in such a way as to provide enough ventilation and sunlight and shall have a ceiling.
3. The ceiling shall be light coloured, smooth, anti-condensation and easy to clean
4. The walls shall be smooth and painted with impervious washable and light coloured paint
5. The floor shall be of impervious material.
6. The kitchenette shall have two sinks with cold and hot running water.

Dancing hall

7. The ceiling and the walls shall be attractively decorated.
8. The floor shall be of impervious material which will enable people to dance freely.

D. MINIMUM REQUIREMENTS FOR A SHEBEEN

Building or structure

1. The building shall be structurally safe and in a good state of physical and decorative repair, both internally and externally and shall provide a sitting room and toilet facilities.

2. At least one room shall be provided for a she been
3. Where there is ceiling, the ceiling shall be painted.
4. Walls shall be imperviously and smartly smeared
5. Floors shall be impervious material or smartly smeared
6. Natural ventilation and lighting shall be provided
7. Sitting accommodation shall be of adequate capacity
8. At least one toilet shall be provided for different sexes.

E. MINIMUM REQUIREMENTS FOR A PUBLIC BAR

Building or structure

1. The building shall be structurally safe and in a good state physical and decorative repair, both internally and externally and shall have a sitting room, a storage room and toilet facilities.

Bar

2. The bar shall have-
 - a) Light coloured, smooth anti-condensation ceiling which is easy to clean;
 - b) Adequate natural and mechanical lighting;
 - c) Adequate natural and mechanical ventilation;
 - d) Seating accommodation of 30 seats;
 - e) Furniture of good quality;
 - f) Ash-trays;
 - g) Counter with foot rest and bar stools;
 - h) Sofas and cocktail tables;
 - i) Two sinks with cold and hot running water;
 - j) Bar shelves;
 - k) Counter freezers;
 - l) Standard refuse bin;
 - m) Separate toilets for different sexes and a urinal in the men's toilet

Walls

3. Walls shall be smooth and painted with impervious washable and light coloured paint.

Personnel

4. The staff shall be provided with protective clothing, and shall obtain valid health certificates after every six months

General

5. Firefighting appliances, storage room, car packing and a First Aid kit shall be provided on the premises.
6. The car packing shall be of adequate size and accessible.

