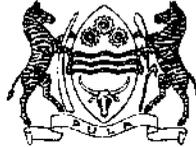


# LIQUOR (AMENDMENT) ACT, 2021

No. 9



of 2021

## ARRANGEMENT OF SECTIONS

### SECTION

1. Short title and commencement
2. Insertion of section 29A. in Cap. 43:11
3. Amendment of section 30 of the Act
4. Insertion of section 39A. in the Act

**An Act to amend the Liquor Act.**

*Date of Assent:* 08.10.2021

*Date of Commencement:* ON NOTICE

ENACTED by the Parliament of Botswana.

1. This Act may be cited as the Liquor (Amendment) Act, 2021, and shall come into operation on such date as the Minister may, by Order published in the *Gazette*, appoint.

Short title and commencement

2. The Liquor Act (hereinafter referred to as "the Act") is amended by inserting immediately after section 29, the following new section —

Insertion of section 29A. in Cap. 43:11

"Sale of alcohol by distributor liquor licensee and wholesale liquor licensee 29A. A distributor liquor licensee or a wholesale liquor licensee shall sell liquor to a liquor licensee only."

3. The Act is amended by substituting for section 30, the following new section —

Amendment of section 30 of the Act

"Consumption of liquor at premises licensed under bottle store or wholesale liquor licence 30. (1) Where a person, having purchased intoxicating liquor from premises licensed under a bottle store liquor or wholesale liquor licence, drinks the liquor —

(a) on the licensed premises; or  
(b) in any public place designated by the control authority by notice in the *Gazette* as a place in which consumption of liquor is prohibited,

he or she shall be guilty of an offence and liable to a fine not exceeding P10,000 or to imprisonment for a term not exceeding one year, or to both.

(2) A licensee who allows a person under subsection (1) (a) to contravene the subsection shall be guilty of an offence and liable to a fine not exceeding P10,000 or to imprisonment for a term not exceeding one year, or to both."

Insertion of  
section 39A. in  
the Act

**4. The Act is amended by inserting the following new section immediately after section 39 —**

“Measures  
to be  
prescribed  
by Minister

**39A. (1) Where the Minister, in consultation with the Minister responsible for health and wellness, determines that carrying on a trade in liquor or business in liquor poses a danger to public health or that a danger to public health is likely to occur, the Minister may prescribe such measures as may be necessary. (2) Notwithstanding section 38, the Minister shall not grant an exemption in respect of the measures prescribed under this section.”.**

**PASSED** by the National Assembly this 1st day of September, 2021.

**BARBARA N. DITHAPO,**  
*Clerk of the National Assembly.*