

NATIONAL LIQUOR REGULATIONS, 2004

Part 5 – Compliance : Division B – National Liquor Authority Office Functions

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**REGULATIONS FOR THE
REGULATION OF METHYLATED
SPIRITS , AND RELATED MATTERS
ARISING UNDER THE LIQUOR ACT,
2003**

(Published in Government Notice R## in Government Gazette #### of 2000)

In terms of sections 5 and 42 of the Liquor Act, 2003 (Act No. 59 of 2003), The Minister of Trade and Industry has made the following regulations relating to the regulation of methylated spirits and other matters required under the Act, to come into operation at the time that the Act comes into operation.

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METHYLATED SPIRITS REGULATIONS, 2004

1. Short title

These Regulations may be cited as the *Methylated Spirits Regulations, 2004*.

2. Interpretation

(1) Section 1 applies to the interpretation of these Regulations.

(2) In these Regulations,

- (a) a reference to a section by number refers to the corresponding section of the Act;
- (b) a reference to a regulation by number refers to the corresponding item of these Regulations; and
- (c) a reference to a sub-Regulation or paragraph by number refers to the corresponding item of the Regulation in which the reference appears.

(3) In these Regulations unless the context indicates otherwise,

- (a) "Act" means the *Liquor Act, 2003* (Act No. 59 of 2003), as amended from time to time;
- (b) "authorised dealer" means the holder of a general dealer's or a chemist's licence issued in terms of any Act; and
- (c) "in bulk" means a quantity of not less than ten litres contained in a single receptacle.

3. Sales of methylated spirit

(1) A manufacturer of methylated spirit may sell or supply methylated spirit only to:

- (a) an authorised dealer;

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- (b) a person who has been authorised in writing by the Secretary for Customs and Excise to purchase or obtain methylated spirit from a manufacturer of methylated spirit for any purpose, and subject to any conditions, that the Secretary may have determined; or
 - (c) an agent or master of a ship, if the methylated spirit is intended for export.
- (2) An authorised dealer may sell or supply methylated spirit in bulk only to:
- (a) another authorised dealer;
 - (b) a person who has been authorised in writing by the Secretary for Customs and Excise to purchase or obtain methylated spirit from a manufacturer of methylated spirit for any purpose, and subject to any conditions, that the Secretary may have determined; or
 - (c) a medical practitioner, dentist, veterinarian, or an educational institution.
- (3) An authorised dealer must not sell or supply methylated spirit—
- (a) on a closed day; or
 - (b) on any other day before 08h00 or after 17h00.

4. Quantity sold and conditions of containers

- (1) A person manufacturing methylated spirit must not sell or supply that spirit other than in bulk.
- (2) An authorised dealer must sell methylated spirit either –
 - (a) in bulk, to the extent permitted by Regulation 3(2); or
 - (b) in a container holding at least 500 millilitres and not more than 1 000 millilitres.
- (3) An authorised dealer must not sell more than 2 litres of methylated spirit at one time to a person not referred to in Regulation 3(2).
- (4) Except when sold in bulk, methylated spirit, must be sold or supplied in transparent receptacles –
 - (a) with a capacity of at least 500 millilitres and not more than 1 000 millilitres;
 - (b) which are securely stoppered or corked; and
 - (c) which are labelled -

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- (i) in English with the words "Methylated Spirit -Poisonous", and the equivalent in one other official language, in letters that are more conspicuous than other letters appearing on the label; and
- (ii) the name and business address of the authorised dealer.

5. Mixing spirit prohibited

An authorised dealer must not mix any solid or liquid substance with methylated spirit intended for sale or supply.

6. Register of purchases and sales

- (1) An authorised dealer must maintain a register at any place where the dealer receives, sells or supplies methylated spirit, and immediately record in that register -
 - (a) the following information with respect to every receipt of methylated spirit at that place:
 - (i) the date on which it was received;
 - (ii) the quantity received; and
 - (iii) the name and address of the person from whom it was purchased or acquired;
 - (b) the following information with respect to every sale or supply of methylated spirit from that place:
 - (i) the date of sale or supply;
 - (ii) the name and residential address of the person to whom the methylated spirit is sold or supplied; and
 - (iii) the quantity of methylated spirit so sold or supplied.
- (2) Every register kept in terms of this Regulation must be retained by the authorised dealer for a period of 12 months from the date of the last entry therein.