

## Availability of liquor – status report and current recommendations by government

WHO recommendations	Current status	Policy recommendations	Other countries
(i) introducing, where appropriate, a <b>licensing system</b> on retail sales, or <b>public health oriented government monopolies</b> ;	South Africa has a comprehensive licensing system with an overarching national <b>Liquor Act (2003)</b> , provincial liquor legislation which directly regulates the retail sale of liquor, and some municipal regulations in respect of control of liquor licenses. There are some institutional challenges. Many outlets operate outside of the regulatory system. No public health-oriented government monopolies.	<b>National Liquor Policy 2016</b> <b>1.6.2</b> – calls for strengthening of the registration conditions by amending the Liquor Act to provide Minister with powers to issue and monitor regulations and guidelines on combatting alcohol abuse <b>Draft Liquor Amendment Bill of 2017</b> Continuation of provision in Liquor Act (2003) for licensing and regulating retail outlets.	<b>Russia</b> Reduced consumption with 43% and increased life expectancy with an average of 10 years over a period of a decade. The policy package to achieve this included pricing, marketing and targeted availability like a comprehensive night-time ban (11pm) on off-premise sales, strict policy on alcohol free public spaces and introduced a tracking system on production and sales. <sup>1</sup>
(ii) regulating the <b>number and location of on-premise and off-premise alcohol outlets</b> ;	No regulations iro the number of outlets. Some control over location, largely determined by municipal zoning regulations. However, not consistently applied and many unlicensed outlets are in breach of zoning regulations.	<b>National Liquor Policy 2016</b> <b>1.6.8</b> – liquor premises at least 500m from schools, places for worship; recreation facilities, rehabilitation or treatment centres, residential areas and public institutions. No liquor licences for petrol service stations, premises attached to service stations, premises near public transport; and areas not classified for entertainment or zoned by municipalities for purposes of trading in liquor. <b>1.6.10</b> - outlet density can be regulated through licensing and zoning regulations, so licensing authorities must ensure stricter licensing requirements, and work in collaboration with municipalities, traditional authorities and town planners in terms of zoning. <b>Draft Liquor Amendment Bill of 2017</b> <b>Section 13A</b> says licenses to be granted for premises not zoned for trading in liquor, attached to petrol stations, less than 500m from public transport facilities, places of worship or educational institutions. Applications for mixed-used development to comply with norms and standards and with registration requirements. No specific recommendations on liquor outlet density.	<b>Netherlands</b> The Dutch Health Minister have report tabled for discussion for 2021 to reduce health expenditure includes 5 alcohol policy areas <sup>2</sup> including reducing alcohol outlets with 25%.
(iii) regulating <b>days and hours of retail sales</b> ;	<b>National Liquor Act 2003</b> <b>2.</b> To reduce the socio-economic and other costs of alcohol abuse, norms and standards are needed for the country (including limited operating hours): there are <b>National Norms and Standards (2015)</b> , though not implemented – most provinces allow operating hours that are longer than those in the Norms and Standards. Provinces set hours when issuing licenses. Municipalities can extend or limit.	<b>National Liquor Policy 2016</b> <b>1.6.5</b> Calls for uniform trading hours within the norms and standards and integrated into national, provincial and municipal legislation. <b>Draft Liquor Amendment Bill of 2017</b> Continuation of provision in Liquor Act (2003) for setting norms and standards for retail outlets including days and hours of operation, in line now with National Liquor Policy (2016).	<b>State monopolies /involvement</b> All Nordic countries have government monopoly of retail, except Denmark. Also, some states in Canadian, US and India.
(iv) regulating <b>modes of retail sales of alcohol</b> ;	Liquor can be sold from on-consumption and off-consumption outlets. On-consumption is where the liquor is consumed on the premises, including where liquor is not the primary product being sold, eg restaurants, and off-consumption is where liquor is bought and taken away to drink elsewhere. Off-consumption outlets include bottle stores which sell all kinds of liquor and supermarkets which have wine licences.	<b>National Liquor Policy 2016</b> N/A <b>Draft Liquor Amendment Bill of 2017</b> N/A	In Sweden the state has a monopoly of sales of products with >3.5% alcohol/volume for off-premise consumption. Research modelled if this should be privatised through private liquor stores vs grocery

<sup>1</sup> <https://movendi.ngo/wp-content/uploads/2019/10/9789289054379-eng.pdf>

<sup>2</sup> <https://movendi.ngo/news/2020/04/29/netherlands-alcohol-policy-best-buys-save-healthcare-costs/>

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(v) regulating retail sales in certain places or during special events;	There are regulations in place at provincial level, though not consistently applied or enforced.	<b>National Liquor Policy 2016</b> N/A <b>Draft Liquor Amendment Bill of 2017</b> N/A	stores and predicted an increase in consumption per capita of 20% via private liquor stores vs 31.2% via grocery stores <sup>3</sup> ; between 47 and 76% increase in deaths; between 29 and 42% increase in hospital admissions.
(b) establishing an appropriate minimum age for purchase or consumption	Current age limit is 18 for off and on-consumption (though people over the age of 16 can be employed in the liquor industry. Also, <b>subsection 10(2) of the national Liquor Act</b> authorises parents or guardians to supply a minor (under 18) a 'moderate quantity of liquor' under supervision.	<b>National Liquor Policy 2016</b> <b>1.6.6</b> Calls for age limit to be raised to 21 to postpone when young people start drinking. <b>Draft Liquor Amendment Bill of 2017</b> <b>3.</b> Changes legal age to 21, but still allows a parent or adult guardian or a person responsible for administering a religious sacrament to on occasion allow a 21 year old to drink liquor under supervision.	Stockwell et. al <sup>4</sup> found that privatisation of government owned shops in British Columbia, Canada led to increased consumption per capita, increased number of outlets, increased opening hours and increased promotions.
(c) adopting policies to prevent sales to intoxicated persons and those below the legal age and considering the introduction of mechanisms for placing liability on sellers and servers in accordance with national legislations;	National and provincial legislation regulates the sale/supply of liquor to people below legal age. Current national policy does not address the issue of selling to already intoxicated persons, nor the issue of liability of sellers and servers. Some provincial legislation (eg <b>Gauteng Liquor Act (2003)</b> ) does prohibit sellers from admitting or selling to already intoxicated persons.	<b>National Liquor Policy 2016</b> <b>1.6.4</b> Traders should not serve liquor products to already intoxicated persons. If they do and the intoxicated person is involved in a motor crash or crime related to substance abuse, the trader bears liability for any harm or damages within or near to premise. <b>1.6.7</b> Traders must check customers' ages and face penalties if they admit or sell to underage people. <b>1.6.3</b> Manufacturers and distributors who sell to unlicensed premises should be held accountable for crimes and other illegalities that result from the sale and consumption of that liquor. <b>Draft Liquor Amendment Bill of 2017</b> <b>34A</b> The manufacturer and distributor who provide liquor to unlicensed person, and the unlicensed person, can be held jointly liable for any harm or unlawful conduct caused wholly or partly as a consequence of the supply of liquor to the unlicensed person. Same applies to situations where liquor is provided to unlicensed traders, people under 21 or people already intoxicated.	Robin Room <sup>5</sup> suggest that monopolies (1) reduce no of outlets (2) sells alcohol separately from other commodities which reduce purchasing (3) have reduced hours of sale, thus reducing availability and impacting on associated social crime (4) are more able to enforce limits (5) have reduced sales promotions which influence consumption.
(d) setting policies regarding drinking in public places or at official public agencies' activities and functions;	There is nothing in national legislation prohibiting drinking in public places. However, some provincial legislation (eg <b>Gauteng Liquor Act (2003)</b> ) does have such a restriction. There is no definitive policy on drinking at public functions, though some restrictions have been mooted to save money, not as a liquor regulation measure.	<b>National Liquor Policy 2016</b> N/A <b>Draft Liquor Amendment Bill of 2017</b> N/A	Evidence is emerging that online sales and delivery is increasing availability in general, normalising it as part of the shopping list and making access for young people easier that requires stricter regulation <sup>6</sup> .
(e) adopting policies to reduce and eliminate availability of illicit production, sale and distribution of alcoholic beverages as well as to regulate or control informal alcohol.	<b>Sections 4-6 of the national Liquor Act (2003)</b> prohibits the unlicensed production of liquor and impotable substances which includes liquor that has an impotable substance in it. The national <b>Liquor Act (2003)</b> makes mention of traditional African beer (which contains sorghum), but doesn't pronounce on it. The <b>Gauteng Liquor Act (2003)</b> refers to sorghum beer (traditional beer?), which requires a particular licence to sell it.	<b>National Liquor Policy 2016</b> <b>1.6.20</b> Calls for strengthening of legislation that deals with illegal manufacturing and trading in liquor. <b>Draft Liquor Amendment Bill of 2017</b> Most legislation dealing with the kind of products that can and can't be produced is in the <b>Liquor Products Act (1989)</b> and amendments.	

<sup>3</sup> <https://bmcpublihealth.biomedcentral.com/track/pdf/10.1186/s12889-018->

<sup>4</sup> Stockwell, T.; et.al, 2009, Changes in per capita alcohol sales during the partial privatization of British Columbia's retail alcohol monopoly 2003–2008: a multi-level local area analysis, *Addiction*, 104, 1827 - 1836

<sup>5</sup> <https://www.robinroom.net/retail.htm>

<sup>6</sup> <https://www.phaa.net.au/documents/item/3740>