

Protocol That Has To Be Followed By Business Licence Officers When Implementing And Enforcing The Businesses Act, 1991 (Act No. 71 of 1991) And The Council’s Policy For The Implementation Of The Said Act.

1. **Visit to Regional Business Licence Offices By Persons**

- The Business Licence Officer, Designated Official, Support Staff Member or Business Licence Assistant must assist the visitor if it is a business licence related issue.
- The Business Licence Officer, Designated Official, Support Staff Member or Business Licence Assistant has to direct the person to the correct department/unit if it is not a business licence related issue.
- The Batho Pele principles shall apply throughout.
- The Business Licence Officer, Designated Official, Support Staff Member or the Business Licence Assistant shall provide the person with all information and applicable forms deemed necessary. The person shall be informed on:
 - the requirements and provisions of the Businesses Act, 1991 (Act No. 71 of 1991) and its Regulations.
 - the legislative process that is applicable to his/her enquiry or request for service
 - the Council’s Policy for the implementation and enforcement of the Businesses Act, 1991 (Act No. 71 of 1991)
 - the fees payable in terms of the Council’s tariff structure
 - the details and physical address of the Regional pay office as well as the procedure of payment

A form similar to the form in Annexure “A” of the Regulations shall be handed to the applicant if it is related to an application for a business licence.

The person shall be assisted in completing the application form if he/she wishes to complete the form at the Regional Business Licence office.

- The duly completed form is then placed in an application file for processing.
- The person is finally requested to submit the original receipt, as proof of payment, to the Regional Business Licence office.
- The details of this transaction is to be entered into the “Businesses Licences : Income Register” of which a copy is attached to the Council’s Policy in this regard as Annexure “A4”.
- The premises shall, if no proof of payment has been submitted, be visited within 7 days of the date of the application and if it is found that the applicant cannot submit proof of payment and that he/she is in fact carrying on business, then such person shall be fined/summonsed for carrying on business without a valid business licence.
- The original receipt is, once returned by the applicant, attached to the application form which is kept in the application file.
- The application form is then processed and the application then registered in the “Business Licences Application Register” of which an example is attached to the “Legislative Process Guidelines” as Annexure “B1”. This register should be available for this purpose at all times. Hawker’s applications must be registered in the register designed specifically for this purpose – a copy is also attached as Annexure “B1”.
- The following departments/units are then requested for their requirements and conditions in the form of a notice similar to the notice that is attached to the “Legislative Process Guidelines” as Annexure “B2”, within 7 days from the date on which the application has been processed:
 - District Environmental Health Services Unit
 - Land Use Management Sub- directorate
 - Building Control Sub- directorate
 - Regional Noise And Air Pollution Control Unit
 - Johannesburg Emergency Management Services
 - Johannesburg Metropolitan Police Department (Hawkers only)
- The Local SAPS Station has to be requested in writing, within 7 days of the date of the application, to provide the information as required in terms of section 2(4)(b)(ii) and section 2(5)(a)(b) of the Act in respect of item 2 of Schedule 1 businesses in order to determine the suitability of a person to carry on business.

- The responses of the departments/units are placed in the application file as soon as it is received.
- Departments/Units and the SAPS who failed to respond within the prescribed period of twenty one (21) days have to be reminded in writing or by any other acceptable means, to respond without delay.
- The date of referral of the application to the department(s)/unit(s) requesting requirement(s)/condition(s) and their responses, as well as the other application detail, are to be entered into the “Control Sheet : Request made to department(s)/unit(s)” form of which a copy is attached to the “Legislative Process Guidelines” as Annexure “B3”.
- The licence is issued in a form similar to the form in Annexure “C” of the Regulations, if no requirements, or conditions that prohibit the issuing of the licence are received from the departments/units.
- The details of the licence, once issued, shall be entered into the correct database, that being one of the following:
 - “Active item 1(1) of Schedule 1 Businesses Database”
 - “Active item 2 of Schedule 1 Businesses Database”
 - “Active item 3(1) of Schedule 1 Businesses (Hawkers) Database” without delay. Copies are attached to the Council’s Policy in this regard as Annexure “A2”.
- The licence is refused if a requirement or condition has been received from the departments/units. The applicant shall be informed in writing of such refusal in the form of a notice similar tot the notice that is attached to the “Legislative Process Guidelines” as Annexure “B4”.
- The details of the refused application has to be entered into the “Refused/Withdrawn and Suspended Business Licences Database” of which a copy is attached to the Council’s Policy in this regard as Annexure “A3”
- The business premises shall be visited by the Business Licence Officer within 7 days of the expiry date of the notice to determine whether the person is carrying on business in contravention with the provisions of the Act.
- The Business Licence Officer shall:
 - introduce himself/herself to the person in control of the business
 - identify himself/herself by producing his/her ID card.

- explain the purpose of his/her visit
 - conduct an inspection of the business premises in order to determine the type of licence that will be required in terms of Schedule 1 of the Act and whether the business that is carried on corresponds with that as indicated on the application form. The correct stand number and street address has to be verified and recorded if necessary.
- If it is found that the person is carrying on business and that the person cannot produce proof of applying for a hearing with the City Manager within 21 days of the notice, and/or lodging an appeal with the Premier of Gauteng within 28 days of the notice (no longer periods shall be allowed), the person shall then be fined/summonsed without any further notice.
 - The details of the “notice to appear in court” (fine/summons) shall be, without delay, entered into the “Businesses Licences : Fines/Summonses” register of which a copy is attached to the Council’s Policy in this regard as Annexure “A5”.
 - The Control Documents shall be submitted at the relevant Magistrates Court within 3 days of the date of the “notice to appear in Court”.
 - The Business Licence Officer shall diarize the Court date and shall be present at the Court on that date and any further dates as determined by the Court.
 - The same principles and processes shall apply if the decision of the Business Licence Officer is upheld by the City Manager or his/her designated official and/or by the Appeals Committee as appointed by the Premier of Gauteng.
 - The Business Licence Officer shall give effect to any decision of the City Manager or his/her designated official, and/or the Appeals Committee as appointed by the Premier of Gauteng.

2. **Re-application For A Licence-Process**

- The applicant shall re-apply for a licence once he/she is satisfied that the requirements of the Council have been complied with.
- The applicant shall pay the prescribed application fee and submit the original receipt as proof of payment.
- The details of this transaction is to be entered into the “Businesses Licences Income Register” of which a copy is attached to the Council’s Policy in this regard as Annexure “A4”
- The re-application for a licence will not be accepted in the case of:

- a negative SAPS report
 - the Council not being able to grant the necessary land user rights – the applicant has to submit written evidence from the Development Planning, Transportation and Environment Department if the granting of land use rights or consent use is possible and that the application can be accepted on such grounds.
- The application form is then again processed and registered in the applicable “Business Licence Application Register” (Copies of the three categories of registers are attached to the “Legislative Process Guidelines” as Annexure “B1”).
 - The departments/units whose requirements had not been complied with initially are then again requested for their requirements and conditions in the form of the notice similar to the notice that is attached to the “Legislative Process Guidelines” as Annexure “B2”, within 7 days from the date on which the application has been processed.
 - The application form and all documents relevant to the application, including responses from departments/units, have to be placed in the original application file.
 - Departments/Units who failed to respond within the prescribed period of twenty one (21) days have to be reminded in writing or by any other acceptable means, to respond without delay.
 - The date of referral of the application to the departments/units requesting requirement(s)/condition(s) and their responses, as well as the other application detail, are to be entered onto the “Control Sheet : Request made to department(s)/unit(s)” form of which a copy is attached to the “Legislative Process Guideline” as Annexure “B3”.
 - The licence is issued in a form similar to the form in Annexure “C” of the Regulations, if no requirements or conditions that prohibit the issuing of the licence are received from the departments/units.
 - The details of the licence, once issued, shall be entered into the correct database, that being one of the following:
 - “Active item 1(1) of Schedule 1 Businesses Database”
 - “Active item 2 of Schedule 1 Businesses Database”
 - “Active item 3(1) of Schedule 1 Businesses (Hawkers) Database”
 without delay. Copies are attached to the Council’s Policy in this regard as Annexure “A2”.

- The licence is again refused if a requirement, or condition that prohibit the issuing of the licence has been received from the department(s)/unit(s). The applicant shall be informed in writing of such refusal in the form of a notice similar to the notice that is attached to the “Legislative Process Guidelines” as Annexure “B4”.
- The business premises shall be visited by the Business Licence Officer within 7 days of the expiry date of the notice to determine whether the person is still carrying on business.
- If it is found that the person is carrying on business and that the person cannot produce proof of applying for a hearing with the City Manager within 21 days of the notice, and/or lodging an appeal with the Premier of Gauteng within 28 days of the notice (no longer periods shall be allowed) the person shall then be fined/summonsed without any further notice.
- The details of the “notice to appear in Court” (fine/summons) shall be, without delay, entered into the “Businesses Licences : Fines/Summonses Register” of which a copy is attached to the Council’s Policy in this regard as Annexure “A5”.
- The Control Document shall be submitted at the relevant Magistrates Court within 3 days of the date of the “notice to appear in Court”.
- The Business Licence Officer shall diarize the Court date and shall be present at the Court on that date and any further dates as determined by the Court.
- The same principles and processes will apply if the decision of the Business Licence Officer is upheld by the City Manager or his/her designated official and/or the Appeals Committee as appointed by the Premier of Gauteng.
- The entire process as outlined for the “**Re-application For A Licence-Process**” has to be followed again.

3. **Routine Visits To Businesses**

- The Business Licence Officer shall carry out at least one routine visit per year at all the businesses that is licenced in terms of the provisions of the Businesses Act in order to determine whether:
 - change of ownership has taken place
 - any changed circumstance in relation to the business or the relevant business premises has taken place.
- The Business Licence Officer shall visit all existing business premises and other premises of relevance regularly to determine whether new businesses that require licensing in terms of the Businesses Act are carried on at such premises.

- The Business Licence Officer shall visit new erected business premises as and when such business premises is occupied, to determine whether new businesses that require licensing in terms of the Businesses Act are carried on at such premises.
- The Business Licence Officer shall visit each and every hawker who carry on business that require licensing in terms of item 3(1) of Schedule 1 of the Act regularly to determine whether they are licenced in terms of the provisions of the Act.

4. **Persons Carrying On Businesses And Who Cannot Submit Proof Of Being Issued With A Valid Licence**

- The Business Licence Officer shall, when visiting an existing licenced business premises:
 - Introduce himself/herself to the person in control of the business.
 - Identify himself/herself by producing his/her ID card
 - Request the person in control of the business to produce his/her licence (The same applies to hawkers).
- The Business Licence Officer shall follow the following process if any person who carry on business which requires a licence in terms of the provisions and requirements of the Business Act fails to produce his/her licence to him/her.
 - The Business Licence Officer shall request the person in writing to produce his/her licence at his/her office within fourteen (14) days of the date of his/her notice.
 - The notice shall be in the format of the notice attached to the “Legislative Process Guidelines” as Annexure “B5”.
- The Business Licence Officer shall regard any failure by a person to produce a valid business licence as that person not being in possession of a valid business licence.
- The Business Licence Officer shall visit the business premises within seven (7) days of the expiry date of his/her notice to determine whether the person in control of the business is still carrying on business in contravention with the provisions of the Act.

- The person shall be served with a “notice to appear in court” (fine/summons) without any further notice if it is found that the person is still carrying on business.
- The details of the “notice to appear in court” (fine/summons) shall be, without delay, entered into the “Businesses Licences : Fines/Summonses Register” of which a copy is attached to the Council’s Policy in this regard as Annexure “A5”.
- The Control Document shall be submitted at the relevant Magistrates Court within three (3) days of the date of the “notice to appear in Court”.
- The Business Licence Officer shall diarize the Court date and shall be present at the Court on that date and any further dates as determined by the Court.
- The Business Licence Officer shall follow the process that has been laid down for the application of a licence as stipulated previously in this document, if a person has applied for a licence before the expiry date of his/her notice.

5. **Existing Licenced Businesses (Withdrawal or suspension of a licence)**

- The Business Licence Officer shall, when visiting an existing licenced business premises:
 - Introduce himself/herself to the person in control of the business.
 - Identify himself/herself by producing his/her ID card.
 - Request the person in control of the business to produce his/her licence (The same applies to hawkers).
 - Verify if the information on the licence is still applicable to the business carried on at the premises, and whether the particulars of the licence holder has changed (whether a change of ownership has taken place).
 - Conduct an inspection of the business premises or business in order to determine whether the licence holder caused or allowed his/her business to be carried on in contravention of:
 - A requirement relating to town planning or the safety or health of the public of any law which applies to his/her premises in the case of a business referred to in item 1(1) or 2 of Schedule 1 of the Act.
 - A requirement in the case of a business referred to in item 1(1) or 3(1) of Schedule 1 on the ground that:

- i. Any foodstuff sold by the licence holder does not comply with a requirement of a law relating to the health of the public.
 - ii. Any apparatus, equipment, storage space, working surface, structure, vehicle, conveyance or any other article or place used for or in connection with the preparation, handling or sale of foodstuff, does not comply with a requirement of a law relating to the health of the public.
- The Business Licence Officer shall when any of the aforementioned conditions are observed, and he/she is convinced that sufficient grounds exist for the withdrawal of the licence, request the relevant departments/units in writing, to submit their written requirements to him/her in the format of the notice attached to the “Legislative Process Guidelines” as Annexure “B6”.
 - The Business Licence Officer shall, within 7 days from receiving the responses from all the departments/units, and if he/she is convinced that sufficient grounds exist for the withdrawal of the licence, or on the following grounds, withdraw the licence:
 - If the licence holder failed to produce his/her licence to the Business Licence Officer within 14 days after the receipt of a written request referred to in section 2(8)(b) of the Act.
 - If the Business Licence Officer is satisfied that, if application had been made at the time of the licence concerned, in the case of a business referred to in item 2 of Schedule 1 of the Act, the application could have been refused by virtue of section 2(4)(b) of the Act. This measure will be instituted if he/she is convinced that the business or business premises is being used for criminal activities such as prostitution, drug and substance abuse and/or any other criminal activities – this measure has to be supported by a SAPS report or people giving signed affidavits to this effect.
 - A withdrawal of a licence is also affected by the Business Licence Officer if a Department / Unit has identified a need for the withdrawal of the licence. The request from the Department / Unit has to be put in writing and shall be supported by supporting documents. The withdrawal shall be affected if the Business Licence Officer is convinced that sufficient grounds exist for the withdrawal of the licence.
 - The Business Licence Officer shall, by giving reasons, inform the licence holder, in the form of a notice similar to the notice that is attached to the “Legislative Process Guidelines” as Annexure “B7”, that his/her licence has been withdrawn.

- The licence shall be deemed as withdrawn if the licence holder cannot produce proof of applying for a hearing with the City Manager within 21 days of the notice, and/or lodging an appeal with the Premier of Gauteng, within 28 days of the notice (no longer periods shall be allowed).
- The details of the withdrawn licence has to be entered into the “Refused/Withdrawn and Suspended Licences” database of which a copy is attached to the Council’s Policy in this regard as Annexure “A3”.
- The business premises shall be visited by the Business Licence Officer within 7 days of the expiry date of the notice to determine whether the holder of the withdrawn licence is still carrying on business.
- If it is found that the person is still carrying on business and that the person cannot produce proof of applying for a hearing with the City Manager within 21 days of the notice, and/or lodging an appeal with the Premier of Gauteng within 28 days of the notice (no longer periods shall be allowed), the person shall then be fined/summonsed without any further notice.
- The details of the “notice to appear in Court” (fine/summons) shall be, without delay, entered into the “Businesses Licences : Fines/Summons” Register of which a copy is attached to the Council’s Policy in this regard as Annexure “A5”.
- The Control Document shall be submitted at the relevant Magistrates Court within 3 days of the date of the “Notice to appear in Court”.
- The Business Licence Officer shall diarize the Court date and shall be present at the Court on that date and any further dates as determined by the Court.
- The same principles and processes shall apply if the decision of the Business Licence Officer is upheld by the City Manager or his/her designated official, and/or the Appeals Committee as appointed by the Premier of Gauteng.
- The Business Licence Officer shall give effect to any decision of the City Manager or his/her designated official, and/or the Appeals Committee as appointed by the Premier of Gauteng.
- The holder of the withdrawn licence shall re-apply for a licence once he/she is satisfied that the requirements of the Council have been complied with.
- The applicant shall pay the prescribed application fee and submit the original receipt as proof of payment.
- The details of this transaction is to be entered into the “Businesses Licences Income Register” of which a copy is attached to the Council’s Policy in this regard as Annexure “A4”.

- The re-application for a licence will not be accepted in the case of a negative SAPS report unless the City Manager or his/her designated official and / or Appeals Committee decides otherwise.
- The entire process as outlined for the “Re-application For A Licence-Process” has to be followed.

6. **Changed circumstances in relation to a Business or the relevant business premises.**

- The Business Licence Officer shall, if deemed necessary on the grounds of changed circumstances in relation to a business or the relevant business premises, by way of endorsement of the licence concerned amend a condition or impose a condition referred to in section 2(6)(b) of the Act,
- The Business Licence Officer shall, if a Department / Unit has requested that an endorsement be made to amend a condition or impose a condition of the licence concerned, such request shall be effected if the request was made in writing and reasons for such request was given.
- The Business Licence Officer shall, by giving reasons, inform the licence holder, in the form of a notice similar to the notice that is attached to the “Legislative Process Guidelines” as Annexure “B8” of such amendment(s) and/or new condition. He/she shall also in the same notice inform the licence holder of his/her right to be heard and that he/she has to lodge an application to be heard with the City Manager within 21 days of the date of the notice, or of his/her right to appeal to the Premier of Gauteng and that the appeal has to be lodged within 28 days of the notice of the Business Licence Officer.
- The amended condition or new condition shall be effected if the licence holder cannot produce proof of applying for a hearing with the City Manager within 21 days of the notice, and/or lodging an appeal with the Premier of Gauteng, within 28 days of the notice (no longer periods shall be allowed).
- The Business Licence Officer shall give effect to any decision of the City Manager, or his/her designated official, and/or Appeals Committee as appointed by the Premier of Gauteng.
- The Business Licence Officer shall effect the necessary changes to the licence and furnish the licence holder with a copy thereof.

7. **Amendment or Revoking of a Condition**

- The Business Licence Officer may, upon receipt of an application in a form similar to the form in Annexure “B” of the Regulations from a licence holder, by way of endorsement on the licence:
 - Amend a condition
 - Extend the period referred to in section 2(6)(b)(ii) (not to be applied in terms of the Council’s Policy)
 - Revoke a condition
 - Indicate that a condition specified in the licence has been complied with.
- The Business Licence Officer shall only accept the application if the fee as prescribed in terms of the Council’s tariff structure has been paid by the applicant, and if the original receipt of payment has been made available to the Business Licence Officer or the designated official for this purpose.
- The details of this transaction is to be entered into the “Businesses Licences Income Register” of which a copy is attached to the Council’s Policy in this regard as Annexure “A4”.
- The request of the licence holder shall not be effected unless the Departments / Units concerned have consented thereto.
- The Departments / Units concerned shall be requested in writing, by the Business Licence Officer, within 7 days from the date of the application, in the format of the notice attached hereto as Annexure “B9”, to respond as to whether they have any objections to the amendment or revoking of a condition as applied for by the licence holder or are in agreement that the condition as specified in the licence has been complied with.
- Departments / Units who failed to respond within the prescribed period of 21 days have to be reminded in writing or by any other acceptable means to respond without delay.
- The date of referral of the application to the Department(s) / Unit(s) requesting their approval or refusal of the request and their responses, as well as the other application details, are to be entered into the “Control Sheet: Request made to Department(s) / Unit(s)” form of which a copy is attached to the “Legislative Process Guidelines” as Annexure “B3”.
- The application of the licence holder is accepted if the Department / Unit concerned replied that it does not have any objections to the request of the applicant.

- The application is refused if the Department / Unit concerned replied that it does not approve of the application. The applicant shall be informed in writing of such refusal and the reasons, for such refusal in the form of a notice similar to the notice that is attached to the “Legislative Process Guidelines” as Annexure “B10”. The licence holder shall also be informed in the same notice of his/her right to be heard and that he/she has to lodge an application to be heard with the City Manager within 21 days of the date of the notice, or of his/her right to appeal to the Premier of Gauteng, and that the appeal has to be lodged within 28 days of the notice of the Business Licence Officer.
- The refusal of the application will come into effect if the licence holder cannot produce proof of applying for a hearing with the City Manager within 21 days of the notice, and/or lodging an appeal with the Premier of Gauteng, within 28 days of the notice (no longer periods shall be allowed).
- The Business Licence Officer shall give effect to any decision of the City Manager or his/her designated official, and/or Appeals Committee as approved by the Premier of Gauteng.
- The Business Licence Officer shall effect the necessary changes to the licence and furnish the licence holder with a copy thereof.

8. **Carrying on Business without an apposite licence**

- The Business Licence Officer shall adhere to the zero tolerance rules in respect of the issuing of fines / summonses if a person carry on business without a licence which is required in terms of the Businesses Act, 1991 (Act No. 71 of 1991).
- No fines or summonses will be issued / served in those cases where a hearing with the City Manager has been requested and / or appeal has been lodged with the Premier of Gauteng in terms of the provisions of the Act and Regulations, and decisions are still awaited.
- The person shall be fined if the decision of the Business Licence Officer is upheld by the City Manager or his/her designated official and / or by the Appeals Committee, and if such person still carry on business in contravention of such decision and the provisions of the Act and its Regulations.

9. **Law Enforcement**

- The Business Licence Officer shall ensure that the details of the “notice to appear in court” (fine / summons) are, without delay, entered into the “Businesses Licences: Fines / Summonses” Register of which a copy is attached to the Council’s Policy in this regard as Annexure “A5”.

- The Business Licence Officer shall adhere to the admission of guilt fines as approved by the Magistrates of the Courts that are serving their area of jurisdiction.
- The Business Licence Officer shall facilitate that warrants of arrest are executed by the Johannesburg Metropolitan Police Department within fourteen (14) days from the date on which same were issued by the Courts.
- The Business Licence Officer shall not cancel any “notice to appear in Court” (Fine / Summons) once it has been issued – it is the function of the Public Prosecutor.
- The Business Licence Officer shall, if he/she has made an unintentional mistake on a “Notice to appear in Court” (fine / summons) whilst it is being made out, cancel the document and keep the original document in the “fine” book for auditing purposes – a new notice shall then be made out.

10. **Council’s Tariff Structure**

- The Business Licence Officer shall annually, before 1 July of each year, obtain a copy of the Council’s Tariff Structure that has been approved for the new financial year and ensure that the tariffs are levied accordingly during such year.
- The details of any transaction that has been made in terms of the Council’s Tariffs Structure shall be, without delay, entered into the “Businesses Licences Income Register” of which a copy is attached to the Council’s Policy in this regard as Annexure “A4”.

11. **Issuing of a Duplicate licence**

- The Business Licence Officer shall in terms of Regulation 9 of the Regulations, upon application, issue a duplicate of the licence to the licence holder, if he/she is satisfied that it has been lost, destroyed or damaged.
- A duplicate of the licence is to be issued to the licence holder in a form similar to the form in Annexure “C” to the Regulations, with the word “DUPLICATE” endorsed thereon.
- The Business Licence Officer shall only issue a duplicate if the licence holder has paid the fee as prescribed in terms of the Council’s tariff structure and has submitted the original receipt as proof of payment.
- The details of this transaction is to be entered into the “Business Licences Income Register” of which a copy is attached to the Council’ Policy in this regard as Annexure “A4”.

12. **Non-transferability of licence**

- The Business Licence Officer shall under no circumstances, in terms of Regulation 9 of the Regulations, transfer a licence from one person to another person.
- The Business Licence Officer shall ensure that when a change of ownership of a licenced business has taken place or will take place for any reason, that the new owner or prospective new owner of the business shall apply anew for a licence.
- The Business Licence Officer shall, when an application for a new licence is received follow the procedures that have been laid down in this document for the application of a licence.

13. **Hawker's Licence**

- The Business Licence Officer shall ensure that no licence is issued to a hawker in the case of an application for a hawker's licence in terms of section 2(4)(c) of the Act, if such a licence of which the applicant concerned was the holder, was withdrawn under section 2(9) of the Act at any time during the proceeding 12 months.
- The Business Licence Officer shall keep databases in the format of the specimen attached to the Council's Policy in this regard, as Annexure "A3", of withdrawn hawker's licences and make such databases available to his/her counterparts at the other regions for the enforcement of the provisions of Regulation 9 of the Regulations.

14. **Holdover Reports**

- The Business Licence Officer shall record the details of any issue or matter relating to a licence application or licence requiring any further action on a holdover report and submit same to the Manager: Environmental Health for processing and control purposes.

15. **Copies of Documents**

The Business Licence Officer shall ensure that copies of all documents relating to a matter or issue relating to a licence application or licence requiring any action is referred to his/her Regional Records Section for safekeeping.

16. **Non-Adherence to the Policy, Guidelines and Protocol**

Non-adherence to the policy, guidelines and protocol will be dealt with in terms of the Council's Disciplinary Code of Conduct.