



CHIEF DIRECTORATE: RESOURCING AND SCHOOL ADMINISTRATION

Steve Vukile Tshwete Complex, Zone 6 Zwelitsha, 5608, Private Bag X0032, Bhisho, 5605 REPUBLIC OF SOUTH AFRICA:
Enquiries: MR V. JOSEPH . Tel: 040 608 4494. Email: varkeychan.joseph@ecdoe.gov.za Website: www.ecdoe.gov.za

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**TO : PRINCIPALS OF ALL SCHOOLS
SCHOOL GOVERNING BODIES
CLUSTER CHIEF DIRECTORS
DISTRICT DIRECTORS
CMC MANAGERS
CIRCUIT MANAGERS
SGB ASSOCIATIONS
SCHOOL GOVERNING BODIES**

**FROM : A/HEAD OF DEPARTMENT: EDUCATION
MS S A MAASDORP**

SUBJECT : SALE OF LIQUOR ON SCHOOL PREMISES

DATE : 13 FEBRUARY 2025

1. The Eastern Cape Department of Education (ECDoE) has been inundated with requests from various public schools in the province requesting that the Department support the schools in their application for a liquor licence for the sale of liquor on school premises.
2. In addition, it has come to the ECDoE's attention that public schools hold permanent liquor licences which consent, or authority was provided by the SGB or Principal without the required consent as stipulated in paragraph 3 hereof.
3. In terms of Section 36 (4)(a) of the South African Schools Act 84 of 1996 (Act),
*"A governing body may, with the approval of the Member of the Executive Council—
(i) lease, burden, convert or alter immovable property of the school to provide for*



school activities or to supplement the school fund of that school; and (ii) allow any person to conduct any business on school property to supplement the school fund."

4. The MEC is therefore empowered to consider an application and on good cause shown allow any person to conduct any business on school property to supplement school fund. However, any application for a business to engage in the sale of liquor from school premises will not be approved. The sale of liquor is prohibited from school premises. This prohibition applies to the sale of liquor on school premises to both permanent and event liquor licence holders.
5. Section 20 (1) (g) of Act states:
"Subject to this Act the governing body of a public school must- (g) administer and control the school's property, and buildings and grounds occupied by the school, including school hostels, but the exercise of this power must not in any manner interfere with or otherwise hamper the implementation of a decision made by the Member of the Executive Council or Head of Department in terms of any law or policy";
6. It is the responsibility of the ECDoE to ensure that all schools are safe and conducive for effective teaching and learning. To this end, the MEC and HOD have declared all schools in the province as alcohol free zones. This is aligned to the Department of Basic Education National Strategy for the Prevention and Management of Alcohol and Drug use amongst learners in schools. Any entity or person acting against the Declaration of schools as alcohol free zones will be in contravention of section 20(1) (g) as quoted above.
7. Further, in terms of the Final National Liquor Policy 2016, *in order to standardise registration and licensing requirements, liquor premises must be located at least five hundred metres (500m) away from schools, places of worship, recreation facilities, rehabilitation or treatment facilities, residential areas and public institution.*



8. The Eastern Cape Liquor Act 10 of 2003 and its new Regulations which come into effect on the 1st of March 2025, have extended the radius from 100m to 500m, requiring the Applicant to serve a notice on the governing body of every educational institution within a 500-meter radius to the proposed outlet. An educational institution is defined as any early childhood development centre, public or private primary or secondary school and tertiary educational institutions, duly registered in terms of the relevant legislation. Whilst a governing body is defined by the relevant legislation in respect of educational institutions.
9. Schools are therefore urged to object to any liquor licence applications for premises situated within a 500-meter radius of the school premises upon receipt of the notice referred to in paragraph 8 hereof.
10. Lastly, all schools which hold permanent licences are directed not to renew their liquor licences and/or seek immediate cancellation thereof, given that no consent was provided in terms of the provisions of the Act as quoted herein. Moreover, should this not be adhered to, the Eastern Cape Liquor Board, may consider the issuance of compliance notices given that the material obligations and terms of the licence have been breached in that there is no proper proof of right to occupy which is as a result of the fact that the SGB's or Principals etc do not hold the authority to consent. Only the MEC, in line with the aforementioned legislation, may consent to the retail sale of liquor at public school premises.

Yours in Quality Education,

MS. S A. MAASDORP
A/ HEAD OF DEPARTMENT

20/02/2025

DATE