

ENABLING &  
PROMOTING

A RESPONSIBLE  
LIQUOR INDUSTRY



EASTERN CAPE  
LIQUOR BOARD

**STRATEGIC**  
**PLAN** FOR 2020  
TO 2024

## Accounting Authority Statement

As the Accounting Authority the Board is responsible for providing strategic direction and oversight function as mandated in terms of Section 49 (1) (a) of the Public Finance Management Act (referred to as PFMA) Act No.1 of 1999. The Eastern Cape Liquor Board herein humbly submits the Strategic Plan for the 2020 to 2024 in line with Chapter 5 of the Treasury Regulations issued in terms of the PFMA.

In the above regard, it is worth mentioning that, government has adopted the following priorities namely:-

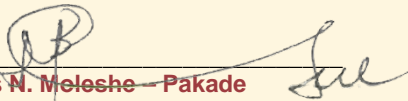
- Economic transformation and job creation;
- Education, skills and health;
- Consolidating the social wage through reliable and quality basic services;
- Spatial integration, human settlements and local government;
- Social cohesion and safe communities;
- A capable, ethical and developmental state

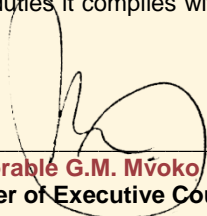
In order to give effect to these priorities, the Eastern Cape Liquor Board has identified three focus areas for the next five years, namely:-

- Economic transformation and job creation in the liquor industry
- Community protection from irresponsible liquor trading
- Good corporate governance

This plan complies with the requirements of Section 30 of the Treasury Regulation issued in terms of the PFMA.

The Board undertakes to ensure that in the execution of its duties it complies with these and all other relevant pieces of legislation.

  
**Ms N. Meleshe – Pakade**  
Board Chairperson

  
**Honourable G.M. Mvoko**  
Member of Executive Council

## Accounting Officer Statement

I hereby present the Eastern Cape Liquor Board's Strategic Plan for 2020 –2024. This plan provides a strategic roadmap for the Eastern Cape Liquor Board (ECLB) as it forges its way in the next five years and it is strictly aligned to our mandate as prescribed in the Eastern Cape Liquor Act No 3 of 2003. The Board will enhance its efforts to improve its licensing process by harnessing the available technology-based systems in order to streamline all its processes directly linked to the application process. We will further seek to create a conducive environment that will promote new entrants into the industry in the Eastern Cape.

The ECLB will need to ensure that we put all our energy and resources in demonstrating progress towards the achievement of government outcomes and ultimately to make a difference in the lives of the people of the Eastern Cape that we serve. The finalisation of the Eastern Cape Liquor Act review process has ensures provides has ensured that the Liquor Authority steps up its commitment to improve regulation of the liquor industry in the Province.

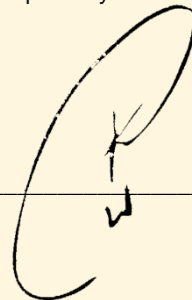
Facilitation of the transformation of the liquor industry in the Province remains one of our key strategic commitments. While liquor industry continues to boast the economy of the Province, we, however, seek to balance this with stringent enforcement of compliance and strengthening of harm reduction initiatives. In order to strike this significant balance we have partnered with various stakeholders that promote responsible consumption and trading. The ECLB prides itself on the exemplary performance of the different departments that have interminably contributed to the regulation of liquor in the Eastern Cape.

Against the backdrop of the challenging liquor regulatory environment, each division has further identified strategic initiatives that will enhance regulation of liquor industry in the Province. However, it is critically crucial to state that the strategic initiatives detailed in this plan are largely contingent on the availability of adequate funding and other related resources. The reality is that the entity, as with all other government entities, will need to optimise and maximise the limited resources at its disposal to ensure that the public is served with greater sense of efficiency and effectiveness.

The ECLB and its staff, remain extremely committed to deal with all these priorities and challenges. There is no doubt that the Board will manage to deliver on this plan through a team that constantly shows flexibility, innovation and dedication. The ECLB must ensure that the regulation of liquor industry as enshrined in this plan is informed by values such as fairness, integrity, accountability and transparency.

**Mr. K.C. Maneli**  
Chief Executive Officer

Signature: \_\_\_\_\_

A handwritten signature in black ink, appearing to be 'K.C. Maneli', written over a horizontal line.

## Official Sign-Off

It is hereby certified that this Strategic Plan:

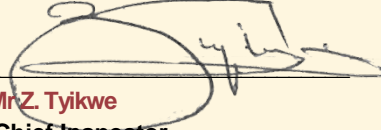
Was developed by the management of the Eastern Cape Liquor Board under the guidance of Members of the Board and Department of Economic Development Environmental Affairs and Tourism.

Takes into account all the relevant policies, legislation and other mandates for which the Eastern Cape Liquor Board is responsible.

Accurately reflects the impact statement, outcomes and outcome indicators which the Eastern Cape Liquor Board will endeavour to achieve over the period 2020 to 2024.



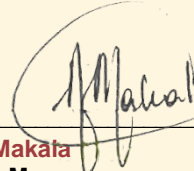
**Mr P. Tyali**  
Senior Manager Licensing



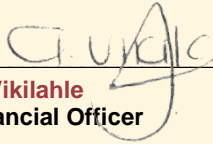
**Mr Z. Tyikwe**  
Chief Inspector



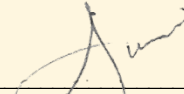
**Mr M. Msiya**  
Manager Social Accountability



**Dr N. Makala**  
Senior Manager:  
Corporate Services



**Ms A. J. Vikilahle**  
Chief Financial Officer

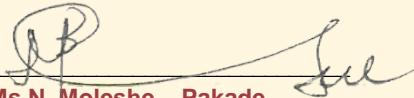


**Ms L.L. Tini**  
Head Official responsible for  
Planning

Approved



**Mr K.C. Maneli**  
Chief Executive Officer



**Ms N. Moleshe – Pakade**  
Board Chairperson

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## LIST OF ABBREVIATIONS AND ACROYNMS

AO	Accounting Officer
AG	Auditor General
APP	Annual Performance Plan
BBBEE	Broad Based Black Economic Empowerment
BCMM	Buffalo City Metro Municipality
CEO	Chief Executive Officer
CFO	Chief Financial Officer
CoGTA	Cooperative Governance and Traditional Affairs
DEDEAT	Department of Economic Development Environmental Affairs and Tourism
DTI	Department of Trade and Industry
EC	Eastern Cape
ECDC	Eastern Cape Development Corporation
ECLA	Eastern Cape Liquor Act
ECLB	Eastern Cape Liquor Board
ECPTA	Eastern Cape Parks and Tourism Agency
FAS	Fetal Alcohol Syndrome
GBV	Gender Based Violence
GDP	Gross Domestic Product
HIV	Human immunodeficiency virus
ICT	Information Communication and Technology
LIQUOR INDUSTRY	as it relates to the ECLB jurisdiction and authority
LTDP	Liquor Traders Development Programme
MEC	Member of the Executive Council
MTEF	Medium Term Expenditure Framework
MTSF	Medium Term Expenditure Framework
NGO	Non-Governmental Organisation
NPA	National Prosecuting Authority
NDP	National Development Plan
NLF	National Liquor Forum
PAIA	Promotion of Administrative Information Act
PAJA	Promotion of Administrative Justice Act
PFMA	Public Finance Management Act
POE	Portfolio of Evidence
SALGA	South African Local Government Association
SMME	Small Medium Micro Enterprise
WHO	World Health Organisation



# Part A

## OUR MANDATE

## PART A: OUR MANDATE

### 1. Constitutional mandate

The mandate of the Eastern Cape Liquor Board is empowered by the provisions on section 104 of the Constitution of the Republic of South Africa 1996 which gives exclusive provincial legislative competency on certain matters including those functional areas listed in schedule 5 of the Constitution. Liquor licences functional area is listed in schedule 5 which vests and confers to the provincial legislature the mandate to regulate issuing of liquor licences.

### 2. Legislative mandate

The ECLB is governed by the following pieces of legislation:

#### 2.1 Liquor Act 59 of 2003

This Act seeks to establish national norms and standards to maintain economic unity within the liquor industry; to provide for the essential national standards and minimum standards required for the rendering of services; to provide for measures that promote co-operative government in the area of liquor regulation; and to provide for matters connected therewith.

#### 2.2 Eastern Cape Liquor Act 10 of 2003

The Eastern Cape Liquor Board is established in terms of the Eastern Cape Liquor Act (Act 10 of 2003) to:

- Regulate the registration of retail sales and micro-manufacturing of liquor in the province
- Encourage and support the liquor industry in the management and reduction of the socio-economic and other costs of excessive alcohol consumption by creating an environment in which:
  - o The entry of new participants into the liquor industry is facilitated;
  - o Appropriate steps are taken against those selling liquor outside the regulatory framework;
  - o Ensure that those involved in the liquor industry may attain and maintain adequate standards of service delivery.
- To ensure facilitation of participation by ward committees and communities in the consideration of applications for registration certificates is provided for; and
- To ensure that the particular realities confronting the liquor industry in the province can be addressed.

#### 2.3 Eastern Cape Liquor Authority Act 4 of 2018

This new legislation has been signed into law in 2018, with the aim of addressing gaps and challenges with the current legislation. The date of implementation of this Act has however not yet been announced.

The objects of this Act are –

- (a) to give effect to the constitutional mandate of the Province regarding the licensing, regulation and control of retail sale and micro-manufacturing of liquor;
- (b) to provide mechanisms that ensure the compliance and enforcement of this Act and the licence conditions;
- (c) to provide mechanisms aimed at reducing socio-economic and other effects of alcohol abuse;
- (d) to promote the development of a responsible and sustainable retail and micro-manufacturing liquor industry in a manner that facilitates -
  - (i) the entry of new participants into the industry;
  - (ii) diversity of ownership in the industry; and
  - (iii) an ethos of social responsibility in the industry

## 2.4 Other legislation

Public Finance Management Act 1 of 1999 as amended by Act 29 of 1999;  
Promotion of Access to Information Act 2 of 2000;  
Promotion of Administrative Justice Act 3 of 2000;  
Protection of Personal Information Act 4 of 2013;  
Preferential Procurement Policy Framework Act 5 of 2000;  
Broad-Based Black Economic Empowerment Act 46 of 2013 as amended by Act 46 of 2013.  
Labour Relations Amendment Act 6 of 2014;  
Basic Conditions of Employment Amendment Act 20 of 2013;  
National Treasury Regulations; and  
Companies Act 71 of 2008

## 3. Policy Mandate

### 3.1 National Liquor Policy

The norms and standards provide guidelines within which provincial liquor authorities should establish their provincial legislations. The ECLB is charged with interpreting and implementing this policy at a Provincial level.

### 3.2 ECLB's Alignment with National, Provincial and DEDEAT priorities

The President of the sixth administration announced seven government priorities to drive the National Development Plan. Cabinet ministers have signed performance agreements linked to these outcomes. More detailed delivery agreements have since been developed to extend targets and responsibilities to national and provincial departments, entities and municipalities.

The priorities are, economic transformation and job creation, education, skills and health, consolidating the social wage through reliable and quality basic services, spatial integration, human settlements and local government, social cohesion and safe communities, a capable, ethical and developmental state, a better Africa and world. He said all the government programmes and policies across all departments and agencies will be directed in pursuit of these overarching tasks. At the same time, President Ramaphosa said the government must restore the National Development Plan (NDP) to its place at the centre of the national effort, to make it alive, to make it part of the lived experience of the South African people. "As South Africa enters the next 25 years of democracy, and in pursuit of the objectives of the NDP, let us proclaim a bold and ambitious goal, a unifying purpose, to which we dedicate all our resources and energies," he stressed.

The table below shows the priorities at both National and Provincial level to which the ECLB will strive to contribute with its resources.

Table 1: National and Provincial Priorities

National /Provincial priority	ECLB's potential contribution
1. Transformation and job creation	Facilitate the implementation of programmes geared towards the empowerment of marginalised liquor traders to: <ul style="list-style-type: none"> <li>- acquire business skills and knowledge,</li> <li>- form liquor traders Cooperatives,</li> <li>- form liquor traders Association</li> <li>- facilitate registration as liquor distributors</li> <li>- register as liquor micro-manufacturers</li> </ul> in order to move up the value chain in the liquor industry and trade responsibly.
2. Social cohesion and safe communities	To work with law enforcement/security cluster partners to enforce compliance in the liquor industry and to clamp down on inconsiderate and illegal trading. Educate communities on the adverse effects of alcohol abuse.
3.A capable, ethical and developmental state	To ensure the ECLB conducts its business in a manner that is consistent with all principles of good corporate governance.

## 4. Institutional Policies and Strategies over the five year planning period

Policies and procedures are an essential part of any organization. The ECLB has a number of policies, procedures and strategies that provide a roadmap for day-to-day operations in relation to our functions, namely Licensing, Compliance and Enforcement, Social Accountability, Human Resource Management, Supply Chain Management, ICT, Finance and Planning. Through these policies, procedures and strategies we ensure compliance with laws and regulations, give guidance for decision-making, and streamline internal processes. The policies are reviewed periodically to ensure alignment with legislation and respond to changes in the operating environment. Listed below are a few of those approved policies, codes and strategies:

1. Licencing Policy
2. Code of Conduct for Liquor Traders
3. Stakeholder Management Strategy
4. Information and Communication Technology Security Policy
5. Human Resource Plan
6. Employment Equity Plan
7. Media Policy

The main focus areas for the ECLB over the five year period will be:

- Reduction in alcohol abuse and behavioural change towards alcohol consumption;
- Compliant liquor trading and regulated access to alcohol;
- Efficient licensing;
- Increased participation by previously disadvantaged in both the retail and micro-manufacturing levels;
- Good Corporate Governance

## 5. Relevant Court Rulings

The entity operates in a litigious environment as its decisions may be challenged and /or reviewed by Applicants and or any interested persons. Outlined below are relevant court rulings that may have influence in the mandate of the organisation.

### a) **Shoprite Checkers (Pty) Limited v Member of the Executive Council for Economic Development, Environmental Affairs And Tourism, Eastern Cape and Others (CCT 216/14) [2015] ZACC 23**

The applicant in this matter challenged the provisions of section 71 (2) and 71 (5) of the Eastern Cape Liquor Act which provides for the lapse of the grocers wine licence stating that the provisions should be declared unconstitutional.

The High Court held that the grocer's wine licence issued under the 1989 Liquor Act constitutes property as contemplated by section 25 (1) of the Constitution and that the termination of the applicants grocer licence will result in permanent deprivation of the applicant's property rights. It held that the impugned provisions of the Act arbitrarily deprived the Applicant of this property and found the provisions of the Eastern Cape Liquor Act to be constitutionally invalid.

The High Court's decision regarding the unconstitutionality of the Eastern Cape Liquor Act was placed before the Constitutional Court for confirmation. The majority judgment held that the wine licence constitutes property. However, the deprivation of this property by the Eastern Cape Liquor Act was not total as the grocer had the opportunity to convert that right to a registration to sell all kinds of liquor, *albeit* not on the same premises as a grocery business. Finally, the main judgment held that because the change in regulatory regime brought about by the Eastern Cape Liquor Act did not extinguish any other fundamental rights of holders of grocer's wine licences or fundamental constitutional values, rationality would be sufficient reason to avoid a finding of arbitrariness. It held that it was rational to change the regulatory regime of liquor sales to provide for simplification in the licencing processes and courts should not easily interfere with the intention of the legislature. In conclusion, the Court didn't confirm the unconstitutionality of the legislative

**b) Skillfull 1059 (Pty) Ltd v Eastern Cape Liquor Board and Another (2851/2017) [2018] ZACPEHC 38**

The applicant sought an order declaring that s 22 (11) of the Eastern Cape Liquor Act does not apply to the conversion of a close corporation to a company pursuant to Schedule 2 of the Companies Act 71 of 2008. In summary, the applicant converted as a close corporation to a company as provided in the Companies Act, it then unsuccessfully requested the ECLB to amend its records. The ECLB cited that its enabling Act made no provision for the amendment of the applicant's certificate of registration authorising the sale of liquor, save by way of transferring said. It therefore contended that the envisaged request would be ultra vires the provisions of the Liquor Act. The Court found in favour of the applicant and ordered the ECLB to amend its records accordingly. The Courts decision highlights contextual statutory interpretation:-

*Legislative provisions must be interpreted sensibly and in manner which does not undermine the purpose of the legislation. In this instance, effect must be given to the purpose of both the Companies Act and the Liquor Act. To hold that the first respondent is precluded from giving effect to a provision of the Companies Act because the Liquor Act, enacted prior thereto, does not refer to the amendment of the certificate of registration in circumstances such as the present, would lead to an insensible and un-businesslike interpretation of the legislation. To hold, on the contrary, that the first respondent is entitled in the exercise of its administrative functions which do not engage its adjudicative or regulatory powers, to amend the certificate of registration by issuing a certificate in the name of the converted entity would give effect to the purposes of both the Companies Act and the Liquor Act.*





# Part B

## OUR STRATEGIC FOCUS

## PART B: OUR STRATEGIC FOCUS

### 1. Vision

To be a liquor authority that strives for economic transformation and social cohesion

### 2. Mission

To become a responsible regulator that promotes compliance and transformation of the liquor industry, while mitigating the adverse effects of excessive alcohol consumption.

### 3. Values

The Eastern Cape Liquor Board subscribes to the fundamental guidelines of corporate governance and is also guided by the following values which are important to us as an organisation.

Table 2: ECLB values

VALUE	BEHAVIOUR
Fairness	Behaviour without favouritism, bias or discrimination in all our dealings.
Integrity	Ensuring uncompromised truth demonstrating sound and moral principles. Demonstrate consistency and trustworthiness.
Accountability	Obligated to demonstrate and take responsibility for our actions, decisions and policies and accountable to the public at large.
Transparency	The decisions and actions taken are open to public scrutiny and the public has a right to access information
Customer centricity	Demonstrating that our customers both internally and externally are at the centre of our business's philosophy, operations or decisions.

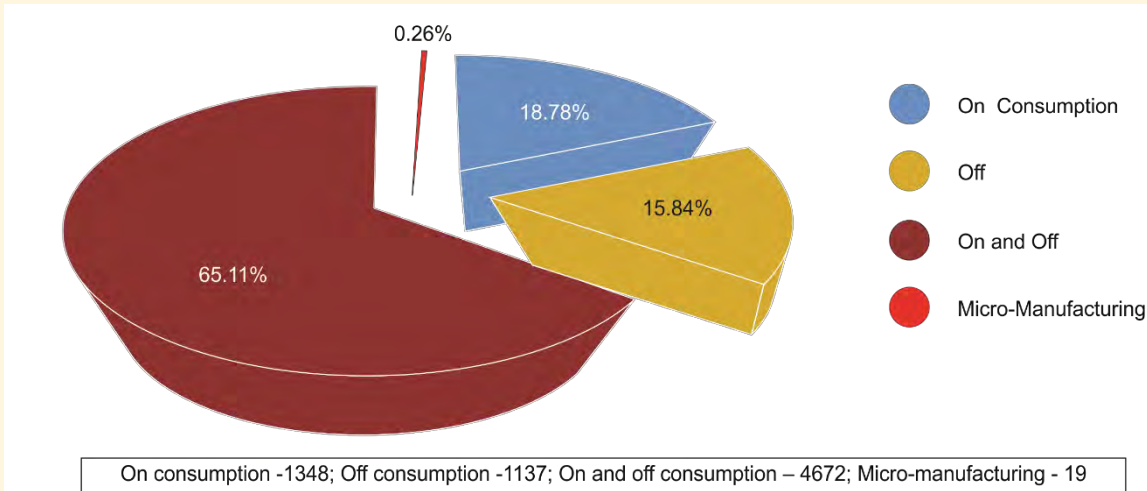
### 4. Situational analysis

The situational analysis has been informed by the discussions and decisions taken through the use of planning tools such as the SWOT and PESTEL, Fishbone, Problem and Solution Tree Analysis.

#### 4.1 External Environment Analysis

Eastern Cape Liquor Board is an entity that has been given an exclusive mandate to regulate the liquor industry in the Province empowered by the Constitution of the Republic of South Africa. The entity works hard to ensure that it fulfils the mandate of promoting a responsible liquor industry through a rigorous process of issuing liquor licenses. As at 31 March 2019, the entity had a total of 7 176 active licenses that comprise of different types, such as on-off consumption, on-consumption, off-consumption, and micro-manufacturing.

Figure 1: Active licences by categories



In discharging its mandate the entity is faced with opportunities and challenges to strengthen and ensure that liquor environment is adequately regulated in the following areas:

#### 4.1.1 Economics of the industry

The Nielson report (January, 2020) shows that the Eastern Cape is growing ahead in both the liquor category in value and volume at 10% share of trade; the Eastern Cape has spent R6 billion in the past year. This reveals that the liquor industry is a strong force in the South African economy and society although frequently in the limelight for the associated negative social consequences of the overconsumption of alcohol. Secondly, the liquor industry is an important economic driver and supplier of employment. It makes a significant contribution to the Gross Domestic Product (GDP), adds to the South African tax-base and contributes significantly to the trade account through export earnings.

Figure 2: Eastern Cape Liquor growth in value and volume

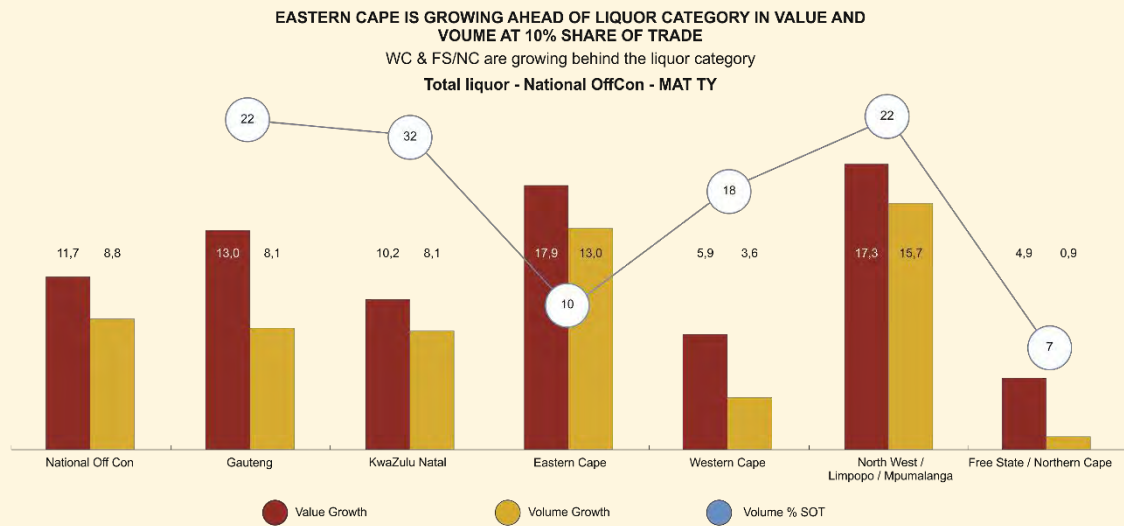
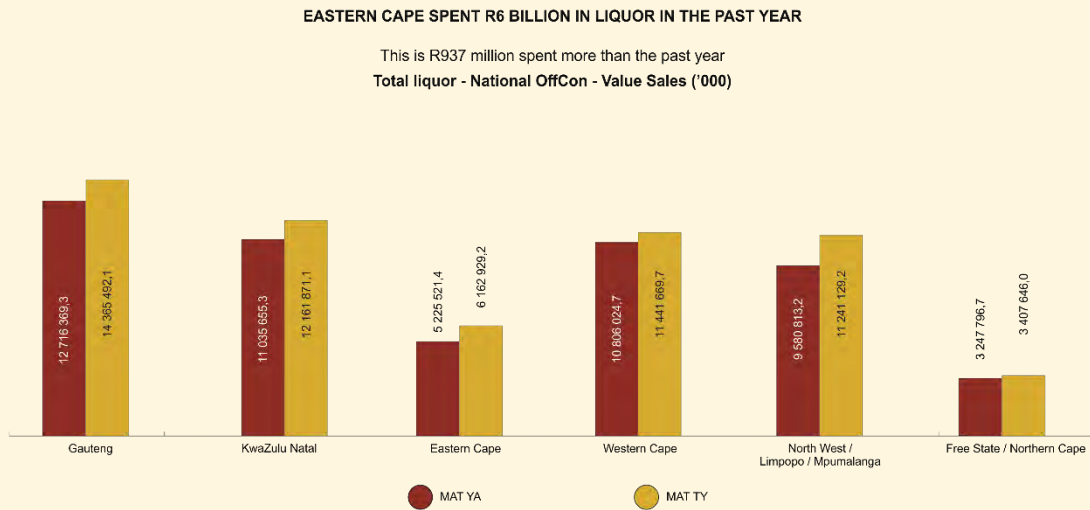


Figure 3: Eastern Cape Liquor expenditure in the last year



In light of the above facts, the entity has to work hard to ensure that it promotes a responsible liquor industry through a rigorous process of issuing liquor licences. As licences are issued, the ECLB is also seized with the responsibility of enforcing compliance with trading conditions, which is a daunting task which remains very challenging area of our regulatory work. For example, the entity has to deal with some of the liquor outlets that wittingly or unwittingly do not observe prescribed trading conditions, thus causing problems in the community. There is also the proliferation of unlicensed liquor outlets throughout our Province, which is a concern because if they are not licensed it simply means that they sell alcohol without any conditions, which puts communities at a huge risk. They also represent an unfair competition to the licensed liquor outlets and loss of state revenue. The ECLB is, however, working tirelessly with its stakeholders to try to nip this problem in the bud.

#### 4.1.2 Transformation of the liquor industry

In terms of the transformation of the liquor industry, the ECLB study on the Economic Profile of the Eastern Cape Liquor Industry indicated a very limited degree of transformation in the liquor industry, in particular the manufacturing sub-sector of the liquor industry in the Eastern Cape in terms of ownership, management control and employment of previously disadvantaged individuals. Similarly, what came out quite robustly at the EC Provincial Liquor Summit that was held in March 2017, an urgent need to address the transformation of liquor industry was highlighted. The following are some of the challenges that were raised in the summit in relation to transformation:-

There are very few Black participants in the higher levels of the liquor industry value chain, even those participating are insignificant in terms of the market value share they have in it.

The liquor industry structure is very monopolistic and is dominated by international companies who get licenced at national level by the National Liquor Authority (NLA) to operate in the country.

There is a perception and reality in many instances of little evidence of practical compliance monitoring by the NLA on the business practices of these big companies.

Distribution companies are also licenced by the NLA and the same abovementioned trends exist.

There is no Black micro manufacturing company in the Eastern Cape.

There no evidence of Black participation in the supply value chain of these big companies.

The majority of Black participants operate at retail level.

This challenge is further compounded by the absence of industry-wide charter and other instruments to guide transformation. In essence the absence of the charter encourages reluctance from big players in the industry to transform.

According to Cision PR Newswire - Report Buyer (October 2017) a total of 32 producers and wholesalers and 12 major retailers dominate the industry; there are only 5 major distributors including wine specialists (Cool Wines, Vinimark Trading and Wines of the World Distributors). Water is the most important ingredient in the beer processing process, 95% of beer is water. Some industry role players are solely butting water from government whereas others are getting some from fountains. In this regard, government can force the industry to make boreholes in the rural areas or open up notion machines, and this invariably would contribute to the economic activities in those rural areas identified.

Over the decade the country’s largest supermarket chains have increased their dominance e.g. (SPAR & Tops, Shoprite/Checkers’ Liquor Shop, PnP Liquor, Woolworths Wine and Spirit Stores, Massmart’s Game Liquor) resulting into an estimated 70% of independent liquor retailers shutting down and 60 000 jobs lost. (Cision PR Newswire – Report Buyer October 2017). This also has a negative effect on the township economy. These big retailers that are invading townships are unfortunately crowding out the small, emerging businesses in township thus impacting on the emerging black businesses, whose businesses instantly become unsustainable due to the unfair competition they confront.

There are limitations on upward movement in the value chain by Black entrepreneurs at retail level which is still dominated by White owned companies, predominantly chainstores and franchises. The limitations are structural in that the Black participants are poorly organised and do not exploit their buying power leverage which can be used as a meaningful force at this level. Instead, they get exploited by foreign nationals to enter this space and use exactly their buying power to negotiate better deals from the big manufacturers by renting their licenced premises.

Lack of access to finance, in that most, if not all business development finance institutions preclude financing of liquor outlets and the commercial banks are very conservative in providing finance to Black liquor traders despite the fact that all of them are their clients, and they have been for many years.

The Liquor Traders Development Programme (LTDP) driven by the entity has begun to zoom in on transformation and empowerment challenges, moving beyond business skills acquisition mode of intervention. Cooperatives have been formed to encourage bulk-buying and using this as a bridging mechanism towards distribution. Resource mobilization from other relevant and strategic government institutions has been rather lackadaisical and slow. Fundraising for the execution of the development and transformation agenda is still a big challenge, with low responsiveness by the liquor industry big players. The implementation of the new legislation is going to bring the desired change in the liquor industry. The table below demonstrated the interventions undertaken by the entity in developing the liquor traders so that they can conduct their businesses formally and exploit opportunities for growth.

**Table 3: Liquor Traders Development Programme**

Liquor trader Development Interventions	Number (2015 - 2019)
Traders empowered through training/workshops	2 921
New formal liquor trader associations facilitated	5
Liquor co-operatives	4
Liquor Trader’s distributor	1

*The programme is voluntary and depends on the interest of traders to participate – ECLB reports*

By its very nature, liquor trading is highly related to hospitality and tourism. However, other than an initiative between the ECPTA and ECLB to integrate liquor traders in the tourism routes and promote local production (craft brewing) in the province, there has been no participation by other potentially relevant institutions for example ECDC, to develop this highly untapped economic growth area. The ECLB continues to engage other relevant stakeholders to address integration to tourism, township business revitalisation programme and hospitality which is still lacking.

### 4.1.3 The socio economic impact of alcohol abuse

The Eastern Cape Liquor Act enjoins the entity to mitigate against the harmful effects of alcohol abuse in our communities. Statistics show that South Africa is a heavy drinking country and this invariably has an enormous socio-economic impact on our people. A recent World Health Organisation (WHO) report shows that more than 3 million people died as a result of harmful use of alcohol in 2016 worldwide. It is therefore imperative that necessary steps are embarked upon to fight the scourge of alcohol abuse in all fronts.

A research study titled “The socioeconomic profile of alcohol-attributable mortality in South Africa: a modelling study” (2018) found that that men as opposed to women consume more liquor including that of binge drinking as illustrated in table below.

Figure 4: Socio economic impact

Socio-economic level	Men			Women			Total
	High	Middle	Low	High	Middle	Low	
Population (15+)	5.8 million	6.0 million	6.3 million	7.1 million	6.8 million	6.8 million	38.9 million
Lifetime Abstainers	35.4%	36.7%	40.8%	58.6%	70.8%	76.6%	53.2%
Current Drinkers	50.5%	47.8%	45.0%	28.5%	17.8%	13.9%	33.9%
Binge Drinkers	11.9%	14.7%	13.5%	2.6%	2.9%	2.7%	8.1%

Moreover, the aforementioned study revealed that socio economic status has an impact on mortality as the deaths attributed to alcohol abuse is higher in the lower socio economic groups in both men and women. The study, further associates the abuse of alcohol to the increasing cases of Gender-Based Violence, which is a scourge that is ravaging our communities, especially women and children. The figure below shows the extent of problems that result from reckless consumption of alcohol.

Figure 5: Socio economic impact based on gender

Socio-economic level	Men			Women			Total
	High	Middle	Low	High	Middle	Low	
Total Deaths	48,469	95,873	122,436	44,289	92,189	126,146	529,402
Injuries	1,850	4,334	4,600	320	604	627	12,335
Infections Diseases	2,051	4,768	18,311	601	1,171	6,520	33,422
Chronic Diseases	2,985	4,205	5,981	1,181	1,946	3,240	19,538
Total attr. to alcohol	6,886	13,307	28,892	2,102	3,721	10,387	65,295
&	14.2%	13.9%	23.6%	4.7%	4.0%	8.2%	12.3

Gender Based Violence (GBV) is a wide spread problem which disproportionately affects girls and women in the South African context. Alcohol abuse is considered a key driver of GBV within the National Strategic Plan on GBV and Femicide (NSPGF). During an address to National Assembly on the subject matter, Honourable President Ramaphosa stated that “drug and alcohol abuse fuels the gender-based violence pandemic”, in explanation he added

*“Now let us all understand what that means. It’s like taking a hose of petrol and spraying it on the fire. It causes an inferno that will keep on exploding until the fuel supply is turned off. Yes, we must get to the source of the fire and help its victims in the meantime, but our most urgent priority is to cut off its fuel supply. And if we succeed in reducing the abuse of alcohol and drugs, we will also dramatically reduce the number of murders and assault, HIV infections and traffic accidents”.*

The President’s comments are not misplaced given that Statistics South Africa reports that either perpetrator or the victim is influenced by alcohol or drugs in 72% of sexual violence incidents taking place outdoors and 23.3% of incidents taking place within the home.

Numerous measures are included within the NGFSF, such as interventions to respond to alcohol abuse patterns in communities, particularly binge drinking. The ECLB has taken heed of the Honourable President’s call for unity in the fight against GBV and femicide. In execution of the ECLB mandate, renewed focus is placed on advocacy campaigns which educate communities on the harmful consequences of alcohol abuse. The entity will continue strengthening collaborations and partnerships with various stakeholders in order to augment its capacity and resources. The collaborations impressively assist in the endeavour to alleviate the scourge of excessive alcohol consumption and abuse, enforce compliance with regulations and license conditions as well as to empower liquor traders through Liquor Traders Development Programme, as the budget constraints remain a challenge. The ECLB has established and sustained these strong relationships with sector departments, municipalities, law enforcement agencies, community based structures, traditional leaders, liquor industry, NGO’s, civil society and institutions of higher learning amongst others. Through the strategic alliances, ECLB has been able to achieve greater impact than it could have generated on its own.



#### 4.1.5 Licensing trends

The total number of active licences as at 31 March 2019 was 7 176 with most licences being on and off consumption licences. The table below reflects year on year movement on active licences year on year.

Table 4: Active licences year on year

YEAR	NUMBER
2016/17	7 466
2017/18	7 279
2018/19	7176

On-consumption dropped by 1,65% over the period. Most Bed and Breakfast failed to renew their licences citing the big increase in fees. Also there has been growing preference to apply for on-and-off consumption due to the relatively lower fee amount payable.

Off-consumption dropped by 0,14% over the period. Stiff competition from the chain stores / big retailers has resulted into the shutting down of the independent liquor outlets.

On-off consumption increased by 1,67%. This is largely due to the abovementioned preference for this category of licence over on-consumption and establishment of new residential areas in which there are no existing liquor outlets.

Micro manufacturing increased by 0,12%. There is a growing subsector of the liquor industry related to craft brewery distilling.

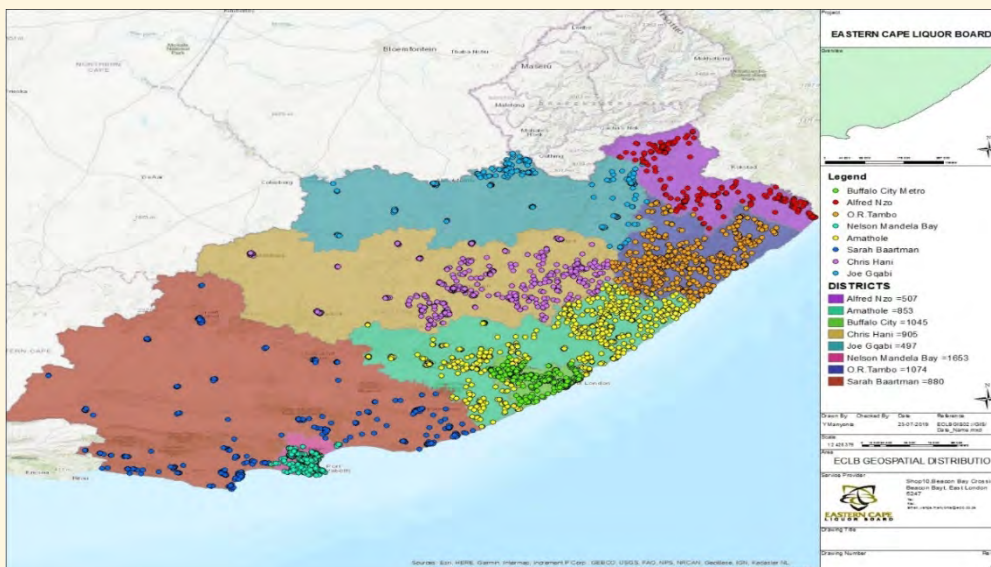
#### 4.1.6 Spread of licences and revenue trends

The table and graph below depict the revenue generated through licencing over the past four years as well as the geographical spread of licences throughout the province.

Table 5: Revenue trends

YEAR	AMOUNT
2015/16	23 219
2016/17	22 075
2017/18	21 860
2018/19	21 753

Figure 7: Geographical spread of licences



## 4.2 Internal Environment Analysis

This section is providing information on the internal organisational matters.

### 4.2.1 Governance

The entity is governed by the Board which is appointed by the MEC for DEDEAT. In terms of the Eastern Cape Liquor Act 10 of 2003, the entity is supposed to consist of five members. Currently there are four independent Board member and one representative from the department.

The new legislation provides for five Board Members and nomination of two additional ex-officio members. The Act further sets out the required skills as well as also provides conditions for quorum constitution.

The Board has an effective Audit and Risk Committee.

The entity has maintained unqualified audit opinion for the past years and it continues to improve its systems, processes and structures.

### 4.2.2 Fiscal resources and office space

The mandate of the entity and funding requirements spans across the entire organisation with a need to resource research capacity, enterprise development support initiatives, compliance management, harm reduction initiatives and support functions. In the same regards there is a need to provide incentives for compliance with the assistance of the industry order to encourage excellent performers. The possibility of getting to that level and operate optimally is not possible when the entity is not adequately resourced. As indicated above the entity needs to continue engaging with DEDEAT and Treasury for the review of the funding baseline as well as further engage with other relevant stakeholders for collaborations in areas of common interest.

The entity has its Head Office in East London and six district offices, i.e Port Elizabeth, Cradock, Aliwal North, Queenstown, Mthatha and Maluti to enable access to services by the communities. Two of the district offices are housed within the DEDEAT offices i.e. Maluti and Aliwal North office thus sharing resources and minimising rental costs for the entity.

### 4.2.3 Staff

Currently the entity has 83 employees including interns. ECLB has been experiencing human capital challenges more specifically for compliance monitoring and enforcement and social accountability however this is partially mitigated through strengthened stakeholder relations and utilisation of internship programmes. The entity also utilises the offices of the mother department to increase its footprint. Budget shrinks over the years have been mitigated through collaborations with NGO's, government departments, liquor industry and institutions of higher learning.

### 4.2.4 Services provided

The organisation has the following programmes/divisions:

- Licensing
- Compliance and Enforcement;
- Social Accountability
- Corporate Management which is comprised of Finance, Corporate Services and ICT; and the Office of the CEO.

### 4.2.5 Automation and integrated systems and services

In line with advancement in technology the entity is considering to automate processes and ensure that all systems and services are integrated with the aim of moving to a paperless environment. This will result in improved integrity of information and efficiencies. Automation will also assist with enhancing document management which is not yet at the desired standard. The organisation will therefore embark on overall research on IT systems required by ECLB to effectively and efficiently operate and the funding implications of such a project.

#### 4.2.6 Organisational culture

There is a need for an improved organisational culture through change management and fostering team work as well as understanding of interdependencies across the organisation. This will improve effective flow of information within the organisation and ensuring effective understanding of entity mandate and operations by all ECLB employees.

#### 4.2.7 Organisational redesign

The entity has to conduct organisational redesign process in order to respond and align with the demands of the new Act, as well as ensure that all functions which are critical in discharging the ECLB mandate are provided for. The New Act provides for additional responsibilities relating to the overall operations of the entity. These include, inter alia, the appointment of Board Members for the Authority, re-configuration of the entity's operating systems in order for them to be in line with the new provisions of the Act, additional personnel especially in the inspectorate and licensing divisions to meet the requirements of the Act, rebranding the entity and communication as well as other administrative requirements that are imperative to meet the provision of the new Act. The implementation of the New Act will have significant implications for the entity in relation to its implementation and funding thereof. The new Act will also result in huge improvements of liquor regulatory function in the province e.g enforcing compliance with BBBEE codes, amongst others.

The current resources of the entity are stretched out beyond the standard requirements and incompatible functions bundled in as a stop gap measure to provide services in terms of the mandate. The service delivery model review is also necessary to ensure that it supports the business and improve efficiencies. The entity has to engage with the Shareholder and Provincial Treasury in relation to the review of the funding baseline of the organisation, co-ordinated research agenda that will benefit the DEDEAT group and consider how some of the lacking functions can be resourced through the DEDEAT group. For positions remaining unfunded intergovernmental partnerships will be explored and engagement with Institutions of Higher Learning on research related matters.





# Part C

## MEASURING OUR PERFORMANCE

## PART C: MEASURING OUR PERFORMANCE

### 1. Institutional Performance Information

#### 1.1 Impact

## IMPACT STATEMENT

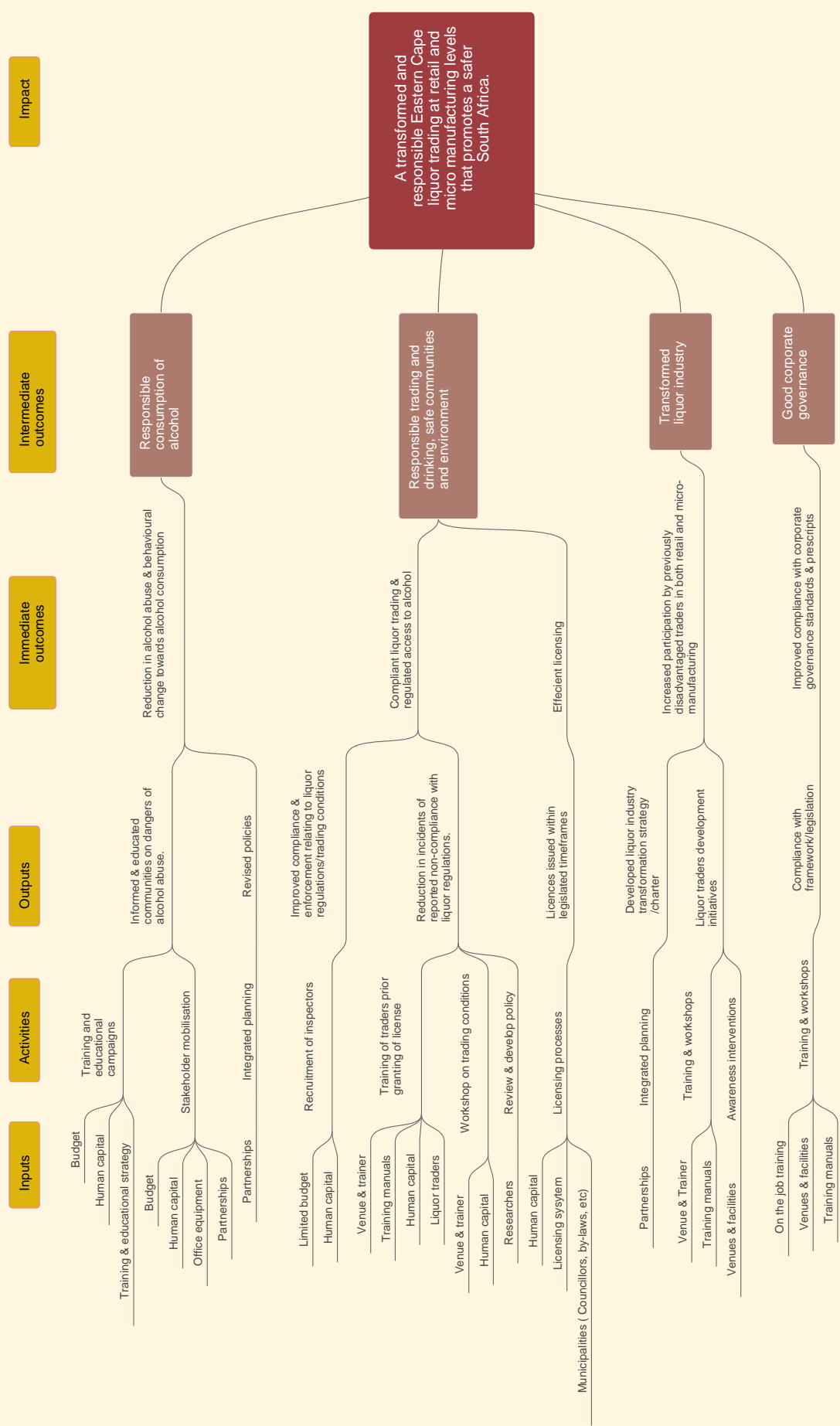
### **A TRANSFORMED AND RESPONSIBLE EC LIQUOR TRADING AT RETAIL AND MICRO MANUFACTURING LEVELS THAT PROMOTES A SAFER SOUTH AFRICA.**

The ECLB's intended impact in line with our mandate; is to create a transformed and responsible Eastern Cape liquor trading at retail and micro manufacturing levels that promotes a safer South Africa. The impact has been developed in line with the Revised Framework for Strategic Plans and Annual Performance plans (2019) issued by the Department of Planning, Monitoring and Evaluation statement. The impact statement is further informed by the theory of change and other tools used to develop a results-based plan.

The intended impact and outcomes identified in the following diagram for this strategic plan period will contribute towards the achievement relevant priority areas in the National Development Plan 2030, Provincial Development Plan, the MTSF and the priorities of the Province and our mother Department, namely:

- transformation,
- job creation,
- social cohesion,
- safe communities, and
- a capable and ethical developmental state.

The diagram shows the intended impact, the intermediate and immediate outcomes, outputs as well as activities and inputs that will be utilized. The entity has focused on areas that it has control over, as at the end of the period we must be able to demonstrate progress and achievement of those outcomes. Collaborations and partnership will be utilized, were required to ensure success of the programmes identified. The district model in subsequent pages further demonstrates the integration of our work at a district municipal level to ensure that interventions by the entity address relevant issues at the coalface.



## 1.2 Measuring our outcomes

This section states the institution's outcomes which are accompanied by outcome indicator which will be used to measure attainment of the outcome.

Illustrated above is the theory of change model for the entity with the impact, intermediate and immediate outcomes, outputs, activities and inputs. The focus for the five years will be on the immediate outcomes and outlined below are those outcomes, outcome indicators, baseline and the desired five year target.

### 1.2.1 Reduction in alcohol abuse and behavioural change towards alcohol consumption

No	Outcome	Outcome indicator	Baseline	Five year target
1.	Reduction in alcohol abuse and behavioural change towards alcohol consumption	Informed and educated communities on dangers of alcohol abuse	0 No baseline however over the past four years, 726 intervention initiatives have been conducted and 169 143 people reached	40% - 60% Responsible consumption of alcohol

#### 1.2.1.1 Explanation of planned performance over the five year planning period

The entity embarks on a concerted effort to ensure that communities of the Eastern Cape are meaningfully educated and informed about the dangers of excessive consumption of alcohol and how it adversely impacts their well-being. In order to realise this objective, an intensive education and awareness programme is conceptualised that seeks to ensure that there is desirable behavioural change to members of community. Additionally, in an endeavour to transform communities towards responsible use of alcohol, various stakeholders are mobilised in order to augment the capacity of the ECLB. Key to those is Aware!Org with whom the entity has partnered as well as other public and private sector companies and NGO's.

#### 1.2.1.2 Risks and mitigation associated with outcome

No	Outcome	Key risk	Risk mitigation
1.	Reduction in alcohol abuse and behavioural change towards alcohol consumption	Limited capacity Negative perception	Partnerships with strategic stakeholders to enhance the ECLB capacity in fighting against excessive alcohol consumption

### 1.2.2 Compliant liquor trading and regulated access to alcohol

No	Outcome	Outcome indicator	Baseline	Five year target
2.	Compliant liquor trading and regulated access to alcohol	Improved compliance and enforcement with liquor regulations/trading conditions	0 The number of compliance inspections conducted and notices issued to enforce compliance with liquor regulations and trading conditions does to a certain extent provide the baseline. For example in 2018-19 out of 5 678 liquor outlets visited only 438 were non-compliant with either trading regulations or conditions	80% - 90% compliance with liquor regulations and conditions
		Reduction in incidents of reported non-compliance with liquor regulations	0 The ECLB complaints management system provides a baseline of all reported cases of non-compliance with liquor regulations. In the last financial year 290 complaints were received and 219 were attended to in line with ECLB Standard Operational Procedures	75% - 80% of all incidents reported attended to within 30 working days.

### 1.2.2.1 Explanation of planned performance over the five year planning period

Improved compliance and enforcement with liquor trading remains a challenge for the entity due to the vastness of the province and limited capacity of inspectors. The entity collaborated with law enforcement agencies in the province and is also working with municipalities to ensure that there are bylaws. The implementation of the new Liquor Act (No.4 of 2018) will improve the liquor regulatory framework in the province. It will further enhance responsible liquor trading and contribute immensely to the safety of communities in the province.

In order to achieve a reduction in reported cases of non-compliance with liquor regulations in the province, there is an urgent need to strengthen the liquor trading by-laws at local municipal level. This is mainly due to the fact that regulating liquor trading hours and public nuisance is an exclusive competency of local government. In this regard close collaboration with municipalities, other law enforcement agencies and the National Prosecuting Authority is important.

### 1.2.2.2 Risks and mitigation associated with outcome

No	Outcome	Key risk	Risk mitigation
2.	Compliant liquor trading and regulated access to alcohol	Growth in criminal activities that affect communities Over supply of alcohol Loss of revenue Limited capacity Reliance on external stakeholders e.g. SAPS	Training liquor traders on responsible trading. e.g. Rolling out the code of conduct to all registered out Suspending and cancelling licenses for inconsiderate trading. Review regulations in order to provide for Issuing of fines in instance of continued non-compliance Educating and training stakeholders on their role relating to liquor trading. Collaborate with law enforcement agencies and additional inspectors if budget permits

### 1.2.3 Efficient licensing

No	Outcome	Outcome indicator	Baseline	Five year target
3.	Efficient liquor licencing	Liquor licences issued within legislated timeframes	80 - 90%	100% compliance with legislated timeframes

### 1.2.3.1 Explanation of planned performance over the five year planning period

It is critically important that licensing of liquor applications complies with the legislated timeframes. Efficient licencing will enhance and attract investment into the liquor industry and thereby increase economic activity that will contribute towards job creation and skills development in the province. The introduction of a licencing system is a critical enabler in processing applications.

### 1.2.3.2 Risks and mitigation associated with outcome

No	Outcome	Key risk	Risk mitigation
3.	Efficient licensing	Reliance on external stakeholders	Educating communities on their role relating to liquor trading. Verify community consultation on all liquor applications. The new legislation provides for sufficient community consultation to be conducted prior processing of the application by the ECLA

### 1.2.4 Increased participation by previously disadvantaged in both the retail and micro manufacturing levels

No	Outcome	Outcome indicator	Baseline	Five year target
4.	Increased participation by the previously disadvantaged in both the retail and micro- manufacturing levels in the province	Percentage increase of participation by the previously disadvantaged in the retail sales and micro- manufacturing of liquor in the province	0	20 – 40 %

#### 1.2.4.1 Explanation of planned performance over the five year planning period

Increased participation by the previously disadvantaged will change the transformation profile of the industry at both retail and micro manufacturing levels. The liquor traders' development programme will contribute towards the efforts to transform the industry.

#### 1.2.4.2 Risks and mitigation associated with outcome

No	Outcome	Key risk	Risk mitigation
4.	Increased participation by previously disadvantaged in both retail and micro manufacturing levels	Resistance to transformation by manufacturers and wholesalers Non-compliance with BBBEE codes Access to resources (credit and finance) Inability to compete with chain stores	Harsh sanctions for non-compliance Development BBBEE codes that are enforceable Mobilisation of resources Establish co-ops/associations Business skills training Fee structure revised to accommodate new entrants and those that are at the lower end of the value chain

### 1.2.5 Good Corporate Governance

No	Outcome	Outcome indicator	Baseline	Five year target
5.	Good Corporate Governance	Improved compliance to corporate governance standards and prescripts	Audit outcome (unqualified)	Unqualified audit opinion with no material findings

#### 1.2.5.1 Explanation of planned performance over the five year planning period

The entity will focus on improvement of systems, processes in order to ensure the achievement of clean audit in the next coming years.

#### 1.2.5.2 Risks and mitigation associated with outcome

No	Outcome	Key risk	Risk mitigation
5.	Good Corporate Governance	Non adherence to prescripts Shortage of staff Limited funding	Staff workshops and information sharing Collaborations Internship/Learnership



# Part D

## TECHNICAL INDICATOR DESCRIPTIONS (TIDS)

## PART D: TECHNICAL INDICATOR DESCRIPTIONS (TIDS)

1.	<b>Indicator Title</b>	<b>Informed and educated communities on dangers of alcohol abuse</b>
	Definition	This refers to members of the communities that are reached through education and awareness intervention initiatives in an endeavour to influence behaviours towards responsible consumption of alcohol
	Source of data	Attendance registers for community engagements and workshop sessions Signed media forms, indicating the kind of engagement that ensued between ECLB and the media house concerned Newspaper clips reflecting on the media coverage of a story that relates to the ECLB Radio clips indicating the theme and the date on which it occurred
	Method of Calculation / Assessment	Count of the number of various intervention initiatives conducted Count of the number of people reached through various anti-alcohol abuse intervention initiatives The number of media coverage reached
	Assumptions	A reasonable number of people will attend the intervention initiatives conducted and be educated and informed about the dangers of excessive consumption of alcohol
	Disaggregation of Beneficiaries (where applicable)	Members of community Farm workers Women Youth (both out-of-school and school-going) People living with disabilities Liquor traders Road users (both drivers & pedestrians)
	Reporting Cycle	Annual progress against the five year target
	Desired performance	It is desired that members of the community in the Eastern Cape are educated and informed about the dangers of alcohol abuse so that they consume alcohol responsibly and change their behaviour towards alcohol consumption.
Indicator Responsibility	Manager Social: Accountability	

2.	<b>Indicator Title</b>	<b>Improved compliance and enforcement</b>
	Definition	This indicator is based on the legislative mandate that appropriate steps are taken against those selling liquor outside the administrative and regulatory framework of the Act
	Source of data	The information is collected from all inspectors who keep records of all liquor outlets visited as part of compliance monitoring inspections. This information is collated each month for verification quality checking.
	Method of Calculation / Assessment	This is calculated in terms of number compliance monitoring inspections conducted.
	Assumptions	This indicator is based on the legislative mandate that appropriate steps are taken against those selling liquor outside the administrative and regulatory framework of the Act.
	Disaggregation of Beneficiaries (where applicable)	N/A
	Reporting Cycle	Annual progress against the five year target
	Desired performance	Desired performance that is higher than targeted performance is desirable.
Indicator Responsibility	Chief Inspector	

3.	<b>Indicator Title</b>	Reduction in incidents of reported non-compliance with liquor regulations
	<b>Definition</b>	This means that 75% of all reported incidents of non-compliance with the liquor trading regulations and conditions are attended to within 30 (thirty) working days. ECLB Standard Operating Procedure provides a guide as to how these reported incidents of non-compliance are handled.
	<b>Source of data</b>	The ECLB Complaints Management System is the source of this information. The information is further collated and quality checked at the level of Quality Assurance for correctness, accuracy and completeness.
	<b>Method of Calculation / Assessment</b>	The performance is calculated in percentage terms, e.g. 75% with respect to reported incidence on non-compliance with the regulations and trading conditions.
	<b>Assumptions</b>	The system will always be functional and all complaints be reported.
	<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
	<b>Reporting Cycle</b>	Annual progress against the five year target
	<b>Desired performance</b>	It is desirable that actual performance that is higher than targeted performance.
	<b>Indicator Responsibility</b>	Chief Inspector
4.	<b>Indicator Title</b>	Percentage increase of participation by the previously disadvantaged in the retail sales and micro manufacturing of liquor in the province
	<b>Definition</b>	This refers to liquor traders who will start operating as retailers and micro manufacturers. Previously disadvantaged refers to Black entrepreneurs.
	<b>Source of data</b>	ECLB licensing system
	<b>Method of Calculation / Assessment</b>	% of Black-owned businesses.
	<b>Assumptions</b>	The new legislation and licencing policy entail requirements for the BBBEE accreditation of current and prospective participants in the industry.
	<b>Disaggregation of Beneficiaries (where applicable)</b>	No segregation required during the first 5 years.
	<b>Reporting Cycle</b>	Annual progress against the five year target
	<b>Desired performance</b>	Actual performance that is higher than targeted performance is desirable.
	<b>Indicator Responsibility</b>	Senior Manager: Licensing
5.	<b>Indicator Title</b>	Efficient licensing
	<b>Definition</b>	This refers to processing of fully compliant liquor licence applications within the legislated timeframes.
	<b>Source of data</b>	ECLB licensing system
	<b>Method of Calculation / Assessment</b>	% of applications considered within the legislated timeframe
	<b>Assumptions</b>	All relevant stakeholders involved in the processing of application comply with the stipulated timeframes in carrying out their roles.
	<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
	<b>Reporting Cycle</b>	Annual progress against the five year target
	<b>Desired performance</b>	100% compliance
	<b>Indicator Responsibility</b>	Senior Manager: Licensing
6.	<b>Indicator Title</b>	Improved compliance to corporate government standards and prescripts
	<b>Definition</b>	The entity will adhere and comply with the corporate government standards and government prescripts
	<b>Source of data</b>	Policies, procedures and reports
	<b>Method of Calculation / Assessment</b>	Internal audit reports, AG report
	<b>Assumptions</b>	Entity will be keep abreast of new developments/ guidelines
	<b>Disaggregation of Beneficiaries (where applicable)</b>	N/A
	<b>Reporting Cycle</b>	Annual progress against the five year target
	<b>Desired performance</b>	100% compliance is desirable
	<b>Indicator Responsibility</b>	All Managers

## ANNEXURE: DISTRICT DEVELOPMENT MODEL

This is a summary of projects/ interventions related to the services to be delivered with district municipalities during the strategic planning period. For each project the information includes the allocated budget, its location within the district and roles and responsibilities of the stakeholders involved.

Area of intervention	Description of intervention/ project	Budget allocation	District municipality	Location GPS COORDINATES	Project leader	Social partners
Youth education and empowerment	Empowerment of young people with knowledge on responsible alcohol consumption through facilitation of sporting programme and other social activities	R2 million	OR Tambo, Chris Hani, Buffalo City, Alfred Nzo, Amatole Sara Baartman & Joe Gqabi	Ngquza Hill LM Engcobo LM Lukhanji LM Mbashe LM Mbizana LM Great Kei LM Umzimvubu LM Reymond Mhlaba LM Maitswai LM	Manager Social: Accountability	Social Development, Education, SAPS, Health, Liquor Industry, NGOs, Civil Society, media organisations, municipalities
Community empowerment through the social responsibility programme	Facilitation of community-based projects that seek to provide an alternative to members of the community	R5 million	OR Tambo, Chris Hani, Buffalo City, Alfred Nzo, Amatole Sara Baartman & Joe Gqabi, Nelson Mandela Metro	Ngquza Hill LM Engcobo LM Lukhanji LM Mbashe LM Mbizana LM Great Kei LM Umzimvubu LM Motherwell & Northern Areas	Manager Social Accountability	Social Development, Education, SAPS, Health, Liquor Industry, NGOs, Civil Society, media organisations, municipalities

