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Our ref: BEN GROOT/GEN1/0001  
Date: 19 MARCH 2020

**TO VARIOUS GVS CLIENTS**

Dear Sir / Madam

Re: **REGULATIONS PERTAINING TO LIQUOR UNDER COVID-19**

1. We refer to the above issue, and specifically the regulations controlling the sale of liquor, issued yesterday, 18 March 2020.
2. Regulation 3(3) prohibits “*the assembly of more than 50 persons at premises where liquor is sold and consumed*”. (own emphasis).
3. Regulation 8(1) provides “*All on-consumption premises selling liquor, including taverns, restaurants, and clubs, must be closed with immediate effect, or must accommodate not more than 50 persons at any time.*” Sub-regulation 4 provides that “*All on-consumption premises selling liquor referred to in subregulation (1) must be closed...*” (own emphasis).
4. It is trite that one of the principles relating to the interpretation of legal documents, whether legislation or contracts, is the presumption against tautology or superfluity. This means, in simple terms, that every word in the document should be interpreted, and that it is presumed that there are no unnecessary or superfluous words in that document.
5. This principle was recently again confirmed by the Supreme Court of Appeal in the matter of *Panamo Prop 103 (Pty) Ltd v Land & Agricultural Dev Bank of SA 2016 1 SA 202 (SCA)* at par 35.
6. This means that, only premises actually selling liquor are subject to the aforesaid regulations. If a licensed premises does not sell liquor, these regulations do not apply to it.
7. We would therefore suggest that tenants who operate premises where liquor may be sold, cease doing so with immediate effect, and that large signs be displayed that liquor will not be sold at such premises during this time.

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8. We would further suggest that such premises also prohibit patrons from bringing their own liquor, so as to more easily prove that liquor is not sold on such premises.
9. Please do not hesitate to contact us, should you wish to discuss any aspect hereof.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Ben Groot', written in a cursive style.

Ben Groot  
083 287 0909  
**GVS LAW**