

Comments on Provincial Guidelines

Name of Department:	Western Cape Education Department		
Matter: (Title of Legislation)	WCED Guidelines for the Sale and Consumption of Alcoholic Liquor on School Premises and at School Activities and the presence of learners when alcoholic liquor is consumed or sold on school premises or at a school activity		
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INTRODUCTION

1. This is a joint submission made by Equal Education (“**EE**”) and the Equal Education Law Centre (“**EELC**”) on the “*WCED Guidelines for the Sale and Consumption of Alcoholic Liquor on School Premises and at School Activities and the presence of learners when alcoholic liquor is consumed or sold on school premises or at a school activity*” (the “**Guidelines**”).
2. EE is a membership-based, democratic movement of learners, parents, teachers and community members striving for quality and equality in education in South Africa. Core to EE’s work is identifying and analysing systemic and localised problems affecting the quality of education being provided to learners throughout South African schools and undertaking strategic actions to remedy these problems.
3. The EELC is a public interest law centre which specialises in education law and works closely with its client, EE, in pursuit of an equal education system and quality education for all.
4. In April 2018, EE and the EELC made joint submissions to the Western Cape Provincial Parliament on the Western Cape Provincial School Education Amendment Bill, 2018 (the “**Bill**”). The Bill has since been enacted as the Western Cape Provincial School Education Amendment Act, 4 of 2018 (the “**Amendment Act**”) and has accordingly amended the Western Cape Provincial School Education Act, 12 of 1997 (the “**Act**”). Amongst other things, EE and the EELC raised concerns regarding the Bill which related to the allowance of alcohol at schools.
5. Notwithstanding the prohibition of alcoholic liquor on school premises or during any school activity, as contemplated in section 45A(1) of the Act, section 45B(1) of the Act states that “*the Head of Department may, on application in writing, authorise a governing body, or in the case of a staff function, a principal of a public school to permit the*

consumption or sale of alcoholic liquor on school premises or at any school activity held on school premises”.

6. It is important to be clear at the outset that EE and the EELC object to the allowance of any alcohol on school premises or at any school activity, even under the current circumstances contemplated in section 45B(1) of the Act. We made this position clear in our April 2018 submissions on the Bill. By engaging with and providing comments on the Guidelines, we do not deviate from the objections made in those submissions. We have briefly summarised our principal objections and recommendations below.

EE and EELC SUBMISSIONS ON THE BILL

7. We noted the comments made by MEC Ms. Debbie Schafer in a media statement released following the publication of the Bill in August 2016. She explained that one of the purposes of the Bill is to “*make it easier for schools*” to have “*adult functions*” where alcohol may be consumed/sold. This notwithstanding her own acknowledgment that alcohol abuse is a “*huge problem*” in the Western Cape:

“I am obviously acutely aware of the huge problem we face of alcohol abuse, and this is not to be seen as condoning the abuse of alcohol in any way. However, I do believe that we need to make it easier for schools to be in a position to have adult functions where alcohol may be consumed and/or sold.

The proposed amendment is to allow for the principal or governing body to approve the sale or use of alcohol on school premises, but strictly subject to the provisions of the Western Cape Liquor Act and any conditions set by the governing body or principal. It will be up to the school if they wish to do this or not, and I trust it will be exercised responsibly.”¹

8. It is our view that despite the administrative requirement to submit a written application involving the Head of Department (HOD), the real power and control of the use and sale of alcohol appears to lie with the school governing body (SGB) or the principal, as the case may be, who, once authorised, may permit the use and sale of alcohol at schools or at school activities for any purpose. Section 45B(1) does not limit the validity of the approval to a specific event or number of days, and suggests that once granted, the approval is for an indefinite period, unless revoked by the HOD. In addition, no other specific conditions for the consumption or sale of alcohol as contemplated by section 45B have been included.

¹ Western Cape Education Department. (2016) Proposed Amendments to Western Cape Provincial School Education Act, 1997. 24 August 2016.

9. Both the DBE and the Western Cape Government have publicly taken heed of statistics that show the devastating effects of drug and alcohol abuse in South Africa, and especially in the Western Cape.

10. The Constitution compels the Western Cape Education Department (“**WCED**”) and the Western Cape Government as a whole to accord paramountcy to the best interest of children when deciding on any matter that affects them, including a decision on whether to allow the use/sale of alcohol on school premises. National and provincial policies and safety guidelines also consistently and repeatedly emphasise the need to keep schools as alcohol and drug-free zones, and to take proactive steps to promote healthy behaviour and lifestyles, and to prevent alcohol and drug abuse. Key policies and guidelines include:

10.1. the Department of Basic Education (“**DBE**”) and UNICEF Guide to Drug Testing in South African Schools, which highlights the adverse impact that drugs (inclusive of alcohol) can have on learners as follows:

“Experimentation is a natural part of development, but unfortunately casual drug use can lead to many problems, not least becoming dependent. In schools, drug use has been linked to academic difficulties, absenteeism, and dropping out, which can have important implications for a learner’s access to quality education. It is also associated with a host of high-risk behaviours, such as unprotected sex, crime and violence, traffic accidents, and mental and physical health problems”²

10.2. the National Strategy for the Prevention and Management of Alcohol and Drug Use Amongst Learners in Schools, which requires that South African schools remain safe and alcohol and drug free zones;³

10.3. the Regulations for the Safety Measures at Public Schools, which makes law the national position for insulating schools from the presence of alcohol.⁴ In particular, section 4(4)(a) forbids educators, parents or learners or anyone else from possessing or consuming alcohol during a school activity, and section 4(2)(e) states that no inebriated person may enter school premises.

² Department of Basic Education (2013). *Guide to Drug Testing in South African Schools*. Pretoria: Government Printer. 7.

³ Department of Basic Education (2013). *National Strategy for the prevention and management of alcohol and drug use amongst learners in schools*. Pretoria.

⁴ Department of Education (2001). *The Regulations for Safety Measures at Public Schools*. Government Gazette. (Vol 436 No 22754) Amended by Department of Education (2006). (Vol 497 No 8582).

10.4. the Western Cape Government’s Blueprint on the Prevention and Treatment of Harmful Alcohol and Drug Use, which sets out to ensure that schools remain safe and alcohol-free zones. It states that:

“The strategic importance of addressing harmful alcohol and drug use in the Western Cape is partially illustrated by SAPS statistics showing that the Province has the highest rate of drug-related crime in South Africa (52 000 cases in the 2008/2009 financial year). The ratio per capita is over four times higher than the second nearest Province (1000 per 100 000 in the Western Cape as compared to 235 per 100 000 in KZN), and nearly twice as high in actual numbers. In fact, the Western Cape currently accounts for almost half of all South Africa’s drug-related crime on the SAPS records (52 000 out of 117 000 in 2008/2009) – See tables below. The higher figures can also be linked to more effective policing and/or police information management, but the margins are too big to be attributable to this factor alone.”⁵

11. We therefore submitted that, through the introduction of proposed section 45B, the WCED is not only failing in its obligation to prevent alcohol abuse in schools, but is proactively assisting with the promotion and reinforcement of the drug/alcohol problem in the Western Cape.

12. It is against this backdrop, that the EE and EELC comments on the Guidelines.

13. Once again, it remains our position that the Act ought not to have been amended to permit the consumption or sale of alcohol on school premises or at school activities for at least the reasons outlined above. However since the enactment of section 45B of the Act, and the publication of these Guidelines, our comments and recommendations are aimed at ensuring the best possible protection for learners.

14. As required, we have completed the “comments” table below, addressing each of the proposed provisions individually. That said, while the table allows for suggestions to be made for amendments, deletions or additions in respect of each provision, this format does not allow us to address the underlying omissions in the Guidelines. Accordingly, we have made general comments in respect of the Guidelines as a whole before discussing each of the relevant provisions in turn.

GENERAL COMMENTS ON THE GUIDELINES

Omissions in the Guidelines

⁵ Western Cape Provincial Government. (2010). *Modernisation Programme: Workstream on the Prevention and Treatment of Harmful Alcohol and Drug Use. (Provincial Blueprint)*. 3 - 4.

15. The Guidelines have omitted to consider the role that the WCED ought to play in the implementation of the Guidelines. The WCED has failed to apply its mind to the context of schools in the Western Cape; in particular, the resource constraints which many schools face.
16. For example, in section 9.3 of the Guidelines, it provides that principals must provide basic awareness information about the legal alcoholic limit for safe driving through the Arrive Alive campaign and any other information that may be necessary for curbing overindulgence and recklessness. At no point in the Guidelines does the WCED acknowledge the part it will play in offering support to schools in undertaking the safety measures such as these, which have been included in the Guidelines. In addition, in section 7.1 of the Guidelines, the principal or governing body is obligated to ensure that the sale or consumption of alcoholic liquor on school premises or at a school activity is strictly managed and monitored. There is no mention of the support that will need to be provided by the WCED to implement effective monitoring tools.
17. Finally, section 34 of the Western Cape Liquor Act, 4 of 2008 (the “**WCLA**”) states that the Liquor Licensing Tribunal may not grant a licence, unless it is satisfied on a balance of probabilities that, amongst others, the granting of the application does not prejudice the learners of an educational institution who are under the age of 18 years. The Guidelines, while acknowledging the legislative framework within which the Guidelines must be read, fails to adequately address the manner in which the Guidelines ought to be implemented with reference to existing legislation.

18. Accordingly, we recommend that:

- 18.1. The Guidelines be supplemented to detail the role that the WCED will play in assisting schools to implement the Guidelines;**
- 18.2. One way of addressing the intersection between the WCLA and the Guidelines would be to provide a list of factors in the Guidelines that the licencing authority ought to consider in determining whether or not learners will be prejudiced by the sale or consumption of alcohol on school premises.**
- 18.3. Provisions be inserted in the Guidelines which would limit the validity of the permit to a single event or for a specified period of time, and which provides for detailed oversight and review responsibilities allowing for the withdrawal of the permit by the HoD or District Director at any time.**

COMMENTS:

Clause <i>(Indicate clause/ regulation Number)</i>	Comment <i>(State why the clause/regulation or proposed amendment is not supported or what the problem is with the provision)</i>	Suggestion <i>(Suggested deletion/amendment/ addition)</i>
Section 1 – Definitions	<p>The definitions section reads as follows: “In these Guidelines, any word or expression to which a meaning has been assigned bears the same meaning assigned to it and, unless the context otherwise indicates-...”</p> <p>The above precursor to the definition section is unclear.</p>	<p>This precursor to the definitions must be amended to clearly indicate that where a word or expression has been defined in the Western Cape Provincial School Education Act, 12 of 1997 and/or these Guidelines, it bears the meaning assigned to it in the Act and the Guidelines.</p>
	<p>The terms “special event” and “staff function” are used in the Guidelines but are not defined in the Guidelines or in the Act.</p> <p>The danger in not defining these terms in the Guidelines means that any gathering at a school could be the basis for applying for a licence. By limiting the definition, alcohol can only be consumed or sold at those gatherings that fall within the definition of a “special event”, “staff function”, or “school activity”.</p>	<p>These terms must be defined so as to limit the instances in which a school principal or governing body can apply for a licence.</p>
	<p>To the extent that this may be necessary, the “Definitions” section must be amended and expanded to accommodate all other changes recommended in this submission, and in line with any later redraft of the Guidelines.</p>	
Section 2 – Introduction	<p>Section 2.3 provides that it is generally inappropriate to allow the use of alcohol on school premises. Principals must always ensure that learners are supervised according to the requisite levels of strictness.</p> <p>This provision is vague. The Guidelines do not define what is considered to be “requisite levels of strictness” for purposes of the Guidelines. By not defining the “requisite levels of strictness” it allows for a school-specific interpretation which can vary and not afford adequate protection to learners.</p>	<p>The Guidelines must provide a uniform definition of what constitutes the “requisite levels of strictness”, and in doing so, take into account, not only the protection of the best interests of children generally, but also the particular risk the consumption and/or sale of alcohol on school premises poses to learners.</p>
	<p>When setting out the relevant legislative framework, the Guidelines do not include the Children's Act, 38 of</p>	<p>The Children's Act and the Employment of Educators Act</p>

<p>Section 3 – Legislative Framework</p>	<p>2005 (“Children’s Act”) or the Employment of Educators Act, 76 of 1998. (“Employment of Educators Act”). The Children’s Act deals with the protection of children and the Employment of Educators Act deals with the appointment and misconduct of teachers and the role of the South African Council for Educators (“SACE”).</p> <p>The Guidelines must take account of, and where appropriate, reference appropriate reporting requirements as a failure to report carries serious consequences.</p>	<p>must be added to the legislative framework.</p> <p>The Guidelines must expressly provide and ensure that all requirements contained therein are aligned with all relevant extant policies and legislation relating to child protection and school safety.</p>
<p>Section 4 – Purpose</p>	<p>Section 4.1.1 of the Guidelines provides that the Guidelines are designed to ensure that the expectations and values of the school community are promoted at all times.</p> <p>It is unclear what expectations and values are to be promoted.</p>	<p>Section 4.1.1 should be amended to include the underlined wording: <i>“that the expectations and values of the school community be promoted at all times, <u>which expectations and values must at all times be Constitutional and in the best interests of the child</u>”</i>.</p> <p>Due to the unique nature of school communities around the Western Cape and the the indefinite validity period of the permits, some form of public participation, which would include the parents, staff and surrounding residents, would be appropriate in both defining these expectations and values as well as within the application process.</p>
	<p>Section 4.1.2 of the Guidelines provides that the Guidelines are designed to encourage principals to strongly consider <i>“a commensurate awareness programme”</i>.</p> <p>It is unclear what constitutes a “commensurate awareness programme” for the purposes of the Guidelines. We agree that there should be training facilitated by the WCED on, for example, the effects of alcohol consumption on learners, and that this information should be disseminated to learners and educators, however the type of awareness</p>	<p>The Guidelines must define what constitutes a “commensurate awareness programme”. An awareness programme ought to, for example, provide learners and educators with information on the effects on alcohol consumption.</p>

	<p>programme ought to be defined so as to ensure all schools are receiving consistent, comprehensive information.</p>	
	<p>Section 4.1.3 provides that the Guidelines are designed to “enable a public school to take all reasonable measures within its means to supplement the resources supplied by the State, which is the funding of public schools from public revenue on an equitable basis to ensure the proper exercise of rights of learners in order to improve quality education”.</p> <p>Further, section 10.5 of the Guidelines envisages hiring out a school as a venue to third parties, and allows alcohol to be sold at events held by such third parties, presumably with the view to generating income.</p> <p>We note that the ability to leverage school infrastructure in this way would predominantly benefit well-resourced schools and not under-resourced schools. This highlights one of our main concerns relating to these Guidelines and the legislation to which they relate. That is, that they will disproportionately benefit well-resourced schools.</p> <p>There is a legislative duty on the school governing body to supplement the resources provided by the State as contained in section 36 of the South African Schools Act, 84 of 1996 (“SASA”). However, section 35 of SASA strictly regulates school funding, accordingly, supplementary funding should also be regulated.</p>	<p>To mitigate the negative impact of this means of income generation, the Guidelines must strictly regulate supplementary funding, having regard to section 35 of SASA.</p>
	<p>Section 4.1.4 of the Guidelines states that their purpose is to ensure that schools “use the funds generated for the benefit of learners or for educational activities or materials, to benefit learners or educators in the performance of their prescribed duties.”</p> <p>The above section does not provide for any means of monitoring to ensure the income generated is used for the benefit of learners or for educational activities or materials.</p>	<p>Section 4.1.4 ought to be amended to provide oversight and accountability mechanisms to ensure that the income generated is used for the benefit of learners or for educational activities or materials. This can be achieved by, for example, confirming that all supplementary income generated in terms of the Act be deposited into the school fund, in accordance with section</p>

		37 of SASA, including a means of accounting for the use of the funds.
Section 6- Procedures to Apply	<p>Section 6.1 of the Guidelines refers to the prescribed application form which must be submitted to the District Office timeously.</p> <p>The Education District Office is already under capacitated. The introduction of an additional function to the District Office may result in the function not being effectively performed.</p>	The Guidelines must provide for the capacitation of district offices, both through training, and through the hiring of additional staff, as required, in order to process applications and monitor implementation.
	<p>Section 6.3 of the Guidelines states that the District Director must have due regard to the policies of the Western Cape Government regarding alcohol harms reduction.</p> <p>It is not clear which policies or other criteria the District Director must have regard to when considering an application. It is furthermore concerning that section 8 of the Guidelines, relating to the best interests of learners does not speak to this factor being an express requirement for consideration by the District Director when the application is made.</p>	The Guidelines must make it clear which policies and criteria the District Director must have regard to when considering an application and must explicitly note the obligation to consider the best interest of the learner.
	<p>Section 6.4 of the Guidelines provides as follows: <i>"the application form referred to in 6.1, if approved, will serve as authorization for all school activities, staff functions or special events where alcoholic liquor will be on sale or consumed. Schools need not apply again unless that application has been withdrawn in terms of section 45B of the Act."</i></p> <p>This section, as drafted, is problematic given the context we outlined previously. The section suggests that the licence, once awarded, is for an unlimited period. The prevalence of alcohol abuse in the Western Cape is high and the ease with which the Guidelines enables schools to acquire a licence, and then retain that licence for the sale and consumption of alcohol, does little to diminish the exposure of learners to alcohol.</p>	The Guidelines should not allow for the automatic renewal of licences. Licences, once approved, should be valid only for an event, details of which must be set out in the application form. Should schools want alcohol to be consumed or sold at another school activity, function or event, they must be required to re-apply for a licence permitting the sale or consumption of alcohol for that specific activity function or event. The Guidelines must prohibit automatic renewals of licences.

	<p>We acknowledge that this provision may have been inserted to alleviate the administrative burden of re-applying for a licence; however, the means by which the Guidelines enables schools to generate supplementary income is an extraordinary function which is being granted to schools and as such requires the necessary rigour.</p>	<p>We note that the application form allows for the granting of licences for a specific event.</p>
<p>Section 7 - Requirements when application is approved</p>	<p>Section 7.1 of the Guidelines provides for the strict management and monitoring of the sale or consumption of alcoholic liquor.</p> <p>The provision is vague and lacks sufficient detail on the manner in which the sale or consumption of alcohol must be managed and monitored.</p>	<p>The Guidelines should be amended to include the manner in which the sale or consumption of alcohol is to be managed and monitored; in particular, that it should not be sold to learners. For instance, an inventory must be kept of alcohol bought and sold so as to ensure the school can account for the alcohol in its possession. Management of the consumption and sale of alcohol should necessitate ensuring that the alcoholic liquor, when not being sold or consumed at a school activity, function or event is securely stored.</p>
	<p>Section 7.2 of the Guidelines requires the principal or governing body to familiarise themselves with the WCLA.</p> <p>The WCLA is a technical piece of legislation and if you have not worked with the WCLA before, facilitated training will be necessary to ensure compliance therewith.</p>	<p>The Guidelines must prescribe training on the WCLA and any other applicable legislation by the WCED. The granting of the licence should be conditional upon the principal and governing body receiving training on the WCLA, and all other policy and legislative mechanisms which can be utilised to protect learners and educators.</p>
	<p>Section 7.2 of the Guidelines provides that <i>"the Principal or Governing Body must familiarize themselves with the contents of the Western Cape Liquor Act, 2008 and any other applicable legislation, regulations or by-laws relating to the sale or consumption of alcoholic liquor on school premises or at a school activity. <u>A significant number of the public schools have become financially stronger by familiarizing themselves with existing laws on the sale</u></i></p>	<p>The underlined portion of section 7.2 of the Guidelines must be deleted.</p>

	<p><u>or consumption of alcoholic liquor on school premises, at a staff function or during a school activity and by operating within these laws, to improve education for all at the school, without placing extra financial burdens on parents".</u></p> <p>The link between familiarity with existing laws and the sale and consumption of alcohol and strengthening school finances is unclear.</p>	
	<p>Section 7.3 of the Guidelines requires the expectations and values of the school to be promoted at all times.</p> <p>This provision lacks sufficient particularity to be effectively implemented.</p>	<p>Section 7.3 should be amended to include the underlined wording: <i>"the expectations and values of the school community should be promoted at all times, <u>which expectations and values must at all times be Constitutional and in the best interests of the child"</u>.</i></p>
	<p>Section 7.5 of the Guidelines requires principals and governing bodies to ensure that their conduct is in conformity with standard governance principles, including the duty of care, skill, good faith and due diligence.</p> <p>This provision is unclear. There is no explanation on what constitutes standard governance principles. Moreover, it does not acknowledge constitutional obligations placed on principals and SGBs to protect the best interests of the child.</p>	<p>The Guidelines must provide detail on what constitutes standard governance principles, and must provide that conduct must at all times be in the best interests of the child.</p>
<p>Section 8 -Best interests of learners</p>	<p>Section 8.1 of the Guidelines provides that the area in which alcohol is to be sold or served must be a restricted area with controlled access. Learners under the age of 18 years may enter the restricted area only if accompanied by a parent or guardian or by an adult if the parent or guardian has consented.</p> <p>The above section does not stipulate how parental or guardian consent is to be granted or evidenced.</p> <p>Further this section does not consider schools that do not have the required infrastructure to enable them to restrict an area and control access to allow for the sale or consumption of alcohol.</p>	<p>The Guidelines must detail how consent is to be provided and evidenced.</p> <p>Further, the Guidelines must state that in the event that a school is unable to secure a restricted area and control access to school premises, a licence may not be granted.</p> <p>This section should be amended to exclude any registered learner or minor from the restricted area. If this results in learners being prevented from attending</p>

	<p>Additionally, the Guidelines assume that a parent or guardian accompanying a learner ensures the safety of the learner. This is not guaranteed. Parents cannot be expected to watch over the learners at all times.</p> <p>The section should also not be limited to learners under the age of 18 years, but should also apply to all registered learners who may be older than 18 years.</p>	<p>important school events, schools will need to reconsider the sale of alcohol at such events.</p>
	<p>Section 8.5 of the Guidelines requires learners attending a school activity to be supervised by the school's educators.</p> <p>This section fails to consider the practicality of educators being expected to supervise learners at all times during an event where alcohol is sold.</p>	<p>The Guidelines must be amended in line with our previous recommendation, namely that no learners are permitted at the school activity, function or event if alcohol is permitted.</p>
	<p>Section 8.6 of the Guidelines requires a detailed management plan to be tabled at a Safety Committee meeting.</p> <p>This provision lacks sufficient detail. It could be that the Guidelines are referring to the National School Safety Framework ("NSSF") which establishes Safety Committees.</p> <p>In terms of the NSSF, "the role of the school safety committee is to develop a comprehensive school safety and violence prevention plan."⁶ In May 2018, EE presented its findings on the status of safety in schools to the Department of Basic Education portfolio committee. In their report they remarked that the NSSF existed but that it was not translating on the ground. The establishment and efficacy of the committees are thus questionable.</p>	<p>The Guidelines must be amended to allow for the development of a management plan to be tabled in writing at an appropriate forum other than a Safety Committee meeting, where schools have not established Safety Committees, so that these schools are still required to produce a management plan. Furthermore, the Guidelines must prescribe the details that the management plan must contain.</p>
<p>Section 9- Roles and Responsibilities</p>	<p>Section 9.3 of the Guidelines provides that principals must provide basic awareness information about the legal alcohol limit for safe driving through the Arrive Alive campaign and any other information that may be necessary for curbing overindulgence and recklessness.</p> <p>This provision is vague, in that it fails to prescribe the manner in which the awareness information ought to</p>	<p>The Guidelines must set out the manner in which such awareness information is to be communicated and disseminated. The Guidelines must specify that the awareness information be conveyed to educators and learners alike.</p>

⁶ Department of Basic Education. National School Safety Framework, 2016.

	<p>be disseminated and who the audience ought to be.</p>	
	<p>Section 9.4 of the Guidelines provides that the principal or governing body must consider the sentiments of the parents, must be cognisant of any parents' dissatisfaction with a decision taken regarding alcoholic liquor being permitted at events and must put in any necessary control measures.</p> <p>This section does not provide any safeguard or assurance for parents that their views will in fact weigh upon whether or not the principal or governing body applies for a licence. All that the provision requires is for the principal or governing body to 'consider' and be cognisant of any parents' dissatisfaction.</p>	<p>The Guidelines must be amended to require the governing body, to call a meeting of parents, guardians, learners and educators and to allow for comments to be made and heard on whether or not a licence should be applied for. This meeting should meet a stipulated quorum. A vote should be taken on whether or not the principal or governing body should be permitted to apply for a licence in terms of the Act. The number of votes required before application can be made, must be stipulated and should allow for at least a simple majority vote of the parent body.</p>
	<p>Section 9.5 of the Guidelines reads as follows: <i>"If necessary, and depending on the outcome of proper assessment of security requirements, the principal or governing body must mobilise the school's safety committee to ensure that safety measures are in place at any school event at which alcoholic liquor is permitted."</i></p> <p>In the first instance, safety measures ought to always be in place when alcohol is permitted on school premises, not only upon the outcome of a proper assessment. Having said this, we have stated previously that the implementation of the NSSF which provides for the establishment of a Safety Committee has not been broadly carried out.</p>	<p>The Guidelines must be amended to prescribe safety measures which must be in place at any school event at which alcoholic liquor is permitted. Such safety measures ought to include the proximity of learners to school functions, activities and/or events at which alcohol is being consumed or sold. Safety measures ought to be implemented directly by either the principal or governing body, depending on who applied for the licence, where a Safety Committee has not been established.</p>
<p>Section 10 - Restrictions</p>	<p>Section 10.3 of the Guidelines states that no special event may be held during the normal school day.</p> <p>A "normal school day" is not defined in the Guidelines.</p>	<p>A normal school day ought to be defined for example, as "from 07h30 until the end of the final lesson in the school day."</p>
<p>Annexure A- Application</p>	<p>Annexure A requires the principal or governing body to indicate whether a general meeting has been</p>	<p>Annexure A must be amended to stipulate the number of votes</p>

Form	<p>called to obtain the relevant approval of the parent community.</p> <p>The number of parents or guardians required to vote in favour of alcohol on school premises has not been stipulated.</p>	<p>required to allow for the application for the licence. It is suggested that in relation to this general meeting, it would be appropriate for a specified quorum of the parent body to be met. Furthermore, in relation to the relevant approval of the parent community, a simple majority vote should be required.</p>
	<p>Section 6-9 and 13 of Annexure A envisages the presence of learners on school premises where alcohol is being permitted.</p> <p>For the reasons previously stated, this is problematic.</p>	<p>Section 6-9 and 13 must be deleted from the application form as no learners ought to be permitted on school premises when alcohol is permitted.</p>