

PROVINCIAL NOTICE 202 OF 2020
PROVINCE OF THE EASTERN CAPE

PROVINCIAL NOTICE

**DEPARTMENT OF ECONOMIC DEVELOPMENT, ENVIRONMENTAL
AFFAIRS AND TOURISM**

EASTERN CAPE GAMBLING ACT NO. 5 OF 1997
**REGULATIONS IN TERMS OF THE EASTERN CAPE GAMBLING ACT,
1997**

I, **Mlungisi Mvoko**, in my capacity as Member of the Executive Council responsible for Economic Development, Environmental Affairs and Tourism in the Province of the Eastern Cape hereby make the Regulations, under the powers vested in me by section 80(1) of the Eastern Cape Gambling Act, 1997 (Act No. 5 of 1997) set out in the Schedule.



HON. MLUNGISI MVOKO
MEC FOR ECONOMIC DEVELOPMENT,
ENVIRONMENTAL AFFAIRS AND TOURISM

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**REGULATIONS IN TERMS OF THE EASTERN CAPE GAMBLING ACT, 1997
(ACT NO. 5 OF 1997)**

**CHAPTER 1
DEFINITIONS**

1 Definitions

In these regulations -

- (a) any expression defined in the Eastern Cape Gambling Act, 1997 (Act No. 5 of 1997) has the meaning assigned to it in that Act;
- (b) any expression defined in the National Gambling Act, 2004 (Act No. 7 of 2004) has the meaning assigned to it in that Act;
- (c) a reference to a section or sub-section by number refers to the corresponding section or sub-section of the Act;
- (d) a reference to a regulation or sub-regulation by number refers to the corresponding item of these regulations; and
- (e) a word or expression to which a meaning has not been assigned in the Act, 1997 shall have the following meaning, unless the context indicates otherwise:
 - “**credit-guarantee**” means a bill of exchange, cheque or promissory note;
 - “**gambling-related contract**” means a contract for which a certificate of suitability is required as contemplated in section 86 of the Act;
 - “**IFRS**” means the International Financial Reporting Standards, issued by the IFRS Foundation and the International Accounting Standards Board;
 - “**Licensee**” means the holder of a licence issued in terms of the Act;
 - “**person**” includes a partnership, association, trust or a juristic person established by or in terms of any law;
 - “**RFP**” means a request or requests for proposals as determined in accordance with regulation 3;
 - “**smart card**” means a card issued by a licensee and which contains credits in electronic format stored on a computer chip;
 - “**the Act**” means the Eastern Cape Gambling Act, 1997 (Act No. 5 of 1997) as amended and includes these regulations. Schedules and any Notice or Rule made or issued thereunder;
 - “**these regulations**” includes the Schedules, Forms, Rules and Notices made or issued in terms thereof; and

“value instrument” means an instrument with a monetary value, including tokens or chips, issued or sold by a licensee for use when gambling and redeemable for cash by the licensee only.

CHAPTER 2 APPLICATIONS GENERAL

2 Request for proposals

- (1) The board shall determine the types of gambling licences that are invited through RFP.
- (2) The RFP must be done in accordance with the procedure set out in regulation 3.

3 Procedure for RFP

- (1) The RFP process is initiated by the chief executive officer by compiling a Draft RFP for submission to the Board for approval.
- (2) The chief executive officer must cause a notice to be advertised in the *Provincial Gazette*, on the board’s website and at least 2 (two) newspapers circulating in the Province. The notice must -
 - (a) invite interested parties to obtain a Draft RFP within 30 (thirty) days of publication of the notice;
 - (b) state the fee that must be paid to obtain the Draft RFP; and
 - (c) invite comments in writing on the Draft RFP for submission to the Board within 30 (thirty) days of the date of publication of the notice.
- (3) The chief executive officer must maintain a register of all Draft RFP’s obtained and issued to interested parties and the comments received from interested parties.
- (4) The chief executive officer must submit the Draft RFP, the comments received from interested parties and suggested responses to the board for approval of a bidders conference.

- (5) The chief executive officer shall cause a notice to be published in the *Provincial Gazette*, on the board's website and at least 2 (two) newspapers circulating in the Province, calling all parties who obtained the Draft RFP and paid the required fee, to attend a bidders' conference. The notice must provide for -
 - (a) the date, time and venue of the bidders' conference; and
 - (b) that essential minimum requirements of the RFP are available on the board's website.
- (6) The board must hold a bidders conference at the date, time and venue determined in the notice contemplated in sub-regulation (5) with the parties who obtained the Draft RFP and paid the determined fee to explain the evaluation process, clarify issues raised and answer questions of the attendees.
- (7) The board secretariat must compile a register of all the attendees of the bidder's conference, keep minutes and record the proceedings of the bidders' conference and the board must validate and approve the minutes and inputs from the bidder's conference.
- (8) The chief executive officer must submit a proposed final RFP together with the validated minutes and inputs to the board for consideration by the board.
- (9) If the RFP is approved by the board, the final RFP, including all the evaluation criteria and relevant licence application forms must be compiled.
- (10) The chief executive officer must cause a notice to be published in the *Provincial Gazette*, on the board's website and at least 2 (two) newspapers circulating in the Province, calling on interested parties to obtain the final RFP and licence application forms at a fee determined by the board.
- (11) The fees payable for the RFP documentation and attendance of bidders' conferences are set out in Schedule "A" of these regulations.

4 Applications

- (1) The applicant must submit an application in terms of the Act and this regulation to the chief executive officer, substantially in accordance with Form 1 contained in Schedule "B" of these regulations, accompanied by the documents and information as determined by the board.
- (2) The applicant must ensure that all information in an application is true and complete as at the closing date of the applications.
- (3) The board may reject an application where the person has knowingly made a false statement of material fact, omitted to state any material fact which is required to be stated in any application submitted to the board.
- (4) The Applicant must, when that application is submitted, pay the fee specified in Schedule II of the Act as adjusted by the responsible Member in terms of section 57 (8) of the Act, which fee is not refundable.
- (5) An application must be delivered in the manner as determined by the board to the office of the chief executive officer.

5 Form of advertisement for licence application

The notice contemplated in section 21 (2) of the Act shall be substantially in accordance with Form 2 contained in Schedule "B" of these regulations and shall contain the information contemplated therein.

6 Copies application documents

The board shall, subject to sub-section 25(2) of the Act, at the request of any interested person, on payment of the fee set out in the Schedule "A" of these regulations furnish an interested person with a copy of, or extract from, any application, representations, responses or information contemplated in sub-section 25(1) of the Act.

7 Opportunity to rectify disqualifying circumstances

An applicant who is subject to any disqualification as contemplated in section 31 may, prior to disqualification, be granted a period not exceeding 60 (sixty) days

to rectify the disqualifying circumstances where this is possible without the substance of the application being changed as provided for in section 31.

8 Serving of Notices

- (1) Any notice to be served, lodged or given to a person by the board in terms of the Act or these regulations, shall be in writing and be served, lodged or given by—
 - (a) personal delivery;
 - (b) registered mail; or
 - (c) e-mail.

- (2) Any notice given by the board in terms of sub-regulation (1) shall be deemed to have been received -
 - (a) in the case of personal delivery, upon the date of delivery of the notice to such person's physical address;
 - (b) in the case of registered mail, 14 (fourteen) days after it has been posted; or
 - (c) in the case of an e-mail on the date of the delivery report of the e-mail.

9 Investigations and police report

- (1) The board may appoint an official of the board or any other person or institution to conduct the investigation contemplated in section 27 of the Act.

- (2) The chief executive officer shall ask the South African Police Service for a report from a police officer of or above the rank of inspector covering the information contemplated in section 27(2) of the Act as well as information on any pending criminal investigations against the applicant, or a director, in the case of a company, or a member in the case of a close corporation, or a trustee in the case of a trust.

- (3) All reasonable expenses incurred by the board in investigating an applicant, excluding an applicant for employee registration, shall be paid by the applicant in the manner prescribed by this regulation.

- (4) In the case of an application for employee registration all expenses incurred by the board in investigating the employee shall be paid by the employer:

Provided that should the employee leave the service of the employer within 6 (six) months of the such registration, such employee be liable to the employer for one half of the said expenses.

- (5) The board shall estimate investigative fees and costs and require a deposit to be paid by the applicant or employer, as the case may be, in advance as a condition precedent to beginning or continuing an investigation.
- (6) The board may, at any stage during an investigation, require an applicant or employer to pay additional deposits for the payment of investigative fees and costs.
- (7) Upon completion of its investigation, the board shall supply the applicant or employer, as the case may be, with a detailed account of investigative fees and costs incurred.
- (8) The board shall not take final action on any application unless all investigative fees and costs have been paid in full.

10 Hearing of application

- (1) The board must hold a hearing on an application for a licence received as contemplated in, and subject to, the provisions of section 28 of the Act on a date determined by the board and made known in a notice, substantially in accordance with Form 3 contained in Schedule "B" of these regulations.
- (2) The chief executive officer shall at least 14 (fourteen) days before the date of the hearing, cause the notice to be published-
 - (a) in the *Provincial Gazette*, in any official language; and
 - (b) in a newspaper circulating in the district in which the premises to which such application relates are situated, in any official language in which such newspaper is published.

11 Proceedings at hearings

- (1) The board shall, after consultation with the responsible Member, and by notice in the *Provincial Gazette*, make rules for the conduct of its proceedings and hearings in terms of section 4(1)(c)(xi) of the Act.
- (2) The proceedings at a hearing shall be conducted in accordance with the rules determined in terms of sub-regulation (1), sub-sections 11(3) to 11(11) of the Act as well as other relevant provisions of the Act.
- (3) The board or the person presiding at a hearing may direct the aspects to be covered in oral presentations by a person afforded the opportunity to be heard at such hearing and may set time limits for such oral presentations.

12 Record of proceedings at hearing

- (1) The presiding officer of the hearing shall cause minutes to be kept of proceedings at any hearing.
- (2) Oral proceedings shall be recorded by such means to adequately ensure the preservation of such proceedings and shall, subject to the provisions of section 11 of the Act and these regulations, be transcribed on request of any person, at the cost of such person and such recordings shall be retained by the board for a period of at least 5 (five) years.
- (3) The minutes of the hearing shall, subject to the provisions of section 16 (2) of the Act, be open to public inspection for a period of 30 (thirty) days at the office of the chief executive officer of the board.

13 Decisions and final orders

- (1) The board shall render a final decision in writing, and the chief executive officer shall provide reasons for the decision upon request in terms of section 32(2) of the Act.
- (2) Copies of the final decision shall be served on affected parties in accordance with these regulations, within a reasonable time period.
- (3) A final decision of the board shall become effective upon service thereof.

14 Withdrawal of application

An applicant may at any time prior to the final consideration of an application, withdraw the application and that applicant shall forfeit the application or other fees paid to the board and shall be responsible for all costs incurred by the board as determined by the board.

**CHAPTER 3
LICENCES COMPLIANCE****15 Consent to procure a controlling or financial interest**

- (1) A person who, directly or indirectly, procures a controlling or a financial interest of 5 (five) percent or more, in the business of a licensee as contemplated in section 40 of the Act shall, within 14 (fourteen) days of the procurement of such an interest, apply for the consent of the board for the holding of such interest substantially in accordance with Form 1 contained in Schedule "B" of these regulations.
- (2) A person who procures an interest contemplated in sub-regulation (1) as nominee or agent of, or otherwise on behalf of, any principal or beneficiary must inform the holder of the licence concerned and the board in writing of the identity of such principal or beneficiary.
- (3) The board shall consider the application for consent as contemplated in the Act.

16 Certificate of suitability

- (1) The board may notify any person referred to in section 86 of the Act in writing to apply for a certificate of suitability, contemplated in section 86 of the Act, within 21 (twenty-one) days of the date of receipt of the notice.
- (2) The person who has been notified must, within 21 (twenty-one) days of receipt of such notice, submit to the board an application substantially in accordance with Form 1 contained in Schedule "B" of these regulations.

- (3) The Applicant must, when that application is submitted, pay the fee specified in Schedule II of the Act as adjusted by the responsible Member in terms of section 57(8) of the Act, which fee is not refundable.
- (4) The board may gather such information as it deems necessary from any source or person regarding the suitability of the applicant as contemplated in section 27 of the Act.
- (5) The board shall, after concluding its investigation in terms of this regulation, find the person in question suitable or unsuitable, having regard to the grounds of disqualification contemplated in section 31 of the Act and inform the applicant, the licensee or a person who is directly or indirectly associated with such person of its decision by way of written notice.
- (6) If a person is found unsuitable in terms of sub-regulation (5), the board may require the licensee or applicant to terminate its association with that person within a period determined by the board.
- (7) If a person is found suitable as contemplated in section 86 of the Act, the board shall issue a certificate of suitability substantially in accordance with Form 4 contained in Schedule "B" of these regulations.

17 Financial interest in holder of a certificate of suitability

- (1) The holder of a certificate of suitability shall not, without the consent of the board, permit or allow any other person to procure a financial interest of 5 percent or more in his or her business.
- (2) The provisions of regulation 16 shall apply with the necessary changes, to any person who acquires an interest in the holder of a certificate of suitability and to such holder.

18 Revocation of certificate of suitability

- (1) If in the opinion of the board, the holder of a certificate of suitability is no longer suitable as contemplated in section 86 of the Act, the board may revoke the certificate of suitability, provided that the holder of the

certificate is afforded an opportunity to be heard at an enquiry contemplated in section 78 of the Act.

- (2) The board may gather such information as it deems necessary from any source or person regarding the revocation of the certificate of suitability as contemplated in section 27 of the Act.
- (3) The board shall, after concluding its investigation in terms of this regulation, find that the certificate of suitability be revoked or not revoked, having regard to the grounds of disqualification contemplated in section 31 of the Act and inform the applicant, the licensee or a person who is directly or indirectly associated with such person of its decision by way of written notice.

19 Termination of association

- (1) The licensee or applicant concerned shall, within a time determined by the board, terminate any agreement or association between the licensee or applicant and that person if the board—
 - (a) refuses consent to an applicant referred to in regulation 15 and 16;
 - (b) determines that a person referred to in regulation 17 is not suitable in terms of section 86 of the Act; or
 - (c) revokes a person's certificate of suitability in terms of regulation 18.
- (d) The licensee or applicant concerned shall, within a time determined by the board, terminate any agreement or association between the licensee or applicant and that person.
- (2) Failure to provide for the eventuality contemplated in sub-regulation (1) in an agreement shall not be a defence in any action brought in terms of this regulation to terminate the agreement or in a prosecution in terms of these regulations.

20 Surveillance requirements

- (1) The board must make rules as contemplated in section 81 of the Act determining the surveillance requirements relating to licensees.

- (2) A licensee shall comply with the requirements set forth in Rules prior to the start of its gambling operations.

CHAPTER 4 CASINO LICENCES

21 Application of Chapter

The provisions of this chapter shall apply only in respect of casino licences.

22 Extension of period of exclusivity

- (1) The holder of a casino licence having an exclusive right in terms of section 45(2) of the Act to conduct a casino in the area concerned may apply for the extension of such period of exclusivity.
- (2) An application contemplated in sub-regulation (1) must be substantially the same format as Form 1 of Schedule "B" of these regulations and shall be lodged with the chief executive officer together with a tender of a lump sum contemplated in section 45(2)(b) at least 12 (twelve) months before the lapse of the applicants' period of exclusivity.
- (3) The Applicant must, when that application is submitted, pay the fee as set out in the Schedule "A" of these regulations.
- (4) The chief executive officer shall, within 14 (fourteen) days after lodgement of an application for the extension of the period of exclusivity cause a notice of the application to be published-
- (a) in the *Provincial Gazette*, in any official language;
 - (b) on the board's website; and
 - (c) in a newspaper circulating in the district in which the premises to which such application relates are situated, in any official language in which such newspaper is published.
- (5) The notice contemplated in sub-regulation (4) shall be substantially in accordance with Form 5 of Schedule "B" of these regulations, and shall call on interested persons to make submissions to the board within 30 (thirty) days of the date of publication of such notice.

- (6) Within 7 (seven) days of receipt of any objection or representation contemplated in sub-regulation (4), the chief executive officer shall forward it to the applicant in terms of regulation 8.
- (7) The applicant shall lodge its written response with the chief executive officer within 30 (thirty) days of receipt of such representations.
- (8) The provisions of sections 24 and 28 to 30 of the Act shall apply with the necessary changes to the hearing of an application contemplated in this regulation.
- (9) The board, after consultation with the responsible Member may -
 - (a) refuse such application for extension and return any lump sum payment tendered in respect of such application within a period of 30 (thirty) days after refusal of the application; or
 - (b) approve such application on such conditions and for such period as it deems fit.
- (10) If the board approves an application for the extension of the period of exclusivity the applicant's casino licence shall be endorsed accordingly.

23 Stakes and prizes of table games

- (1) The board may make rules as contemplated in section 81 of the Act determining the minimum and maximum stakes and prizes allowed in respect of table games.
- (2) The minimum and maximum stakes allowed as may be determined by the board, or the licensee, and the prizes payable in respect of winning wagers applicable to every licensed game shall at all times be displayed on the table or in a conspicuous place immediately adjacent thereto.
- (3) Pay off schedules or award cards must accurately state actual payoff or awards applicable to the particular game and shall not be worded in such a manner as to mislead or deceive the public.

24 Stakes and prizes of gambling machines

- (1) The board may make rules as contemplated in section 81 of the Act determining stakes and prizes allowed in respect of gambling machines other than limited gambling machines.
- (2) Gambling machines exposed for play must have a theoretical and demonstrable return to the public of not less than 80 (eighty) percent.
- (3) All winning combinations, together with the corresponding prizes, must be clearly displayed, or be easily accessible by the player, on every gambling machine exposed for play.

25 Cards, dice and roulette balls control

Each licensee shall submit to the board for approval, procedures that provide adequate security over cards, dice and roulette balls and limit the possibility of unauthorised access and tampering, including—

- (a) a card, dice and roulette ball inventory system which shall include, at least, the recording of the following:
 - (i) the balance of cards, dice and roulette balls on hand;
 - (ii) cards, dice and roulette balls removed from storage;
 - (iii) cards, dice and roulette balls returned to storage or received from the manufacturer;
 - (iv) the date of the transaction; and
 - (v) the signatures of the employees involved;
- (b) a reconciliation on a daily basis of the cards, dice and roulette balls distributed, the cards, dice and roulette balls destroyed and cancelled, the cards, dice and roulette balls returned to the primary storage area and, if any, the cards, dice and roulette balls in reserve;
- (c) a physical inventory of the cards, dice and roulette balls at least once every three months by an independent person; and
- (d) procedures for destruction and cancellation of cards, dice, and roulette balls.

26 Specifications for Value Instruments

- (1) Value instruments must be designed, manufactured, and constructed in compliance with all applicable laws of the Republic and these regulations

and so as to prevent counterfeiting of the value instruments to the extent reasonably possible.

- (2) Value instruments must not deceptively resemble any current or past coinage of the Republic or any other nation.
- (3) The following specifications must be complied with:
 - (a) the name of the issuing gambling business must be inscribed on each side of the value instrument, and the city or other locality where the business is located must be inscribed on at least one side of each value instrument;
 - (b) the value of the value instrument must be inscribed on each side of each chip and token;
 - (c) the manufacturer's name or a distinctive logo or other mark identifying the manufacturer must be inscribed on at least one side of each value instrument;
 - (d) each value instrument must be designed so that when stacked with value instruments of other denominations and viewed on closed-circuit television, the denominations of the chip can be distinguished from that of the other value instruments in the stack; and
 - (e) value instruments must be manufactured in accordance with specifications of the South African Bureau of Standards from material that may not be accepted by a coin mechanism, other than that of a gambling machine.

27 Approval of value instruments

- (1) A licensee shall not issue any value instruments for use in its gambling business, sell or redeem any value instruments unless the value instruments have been approved in writing by the board.
- (2) A licensee shall not issue any value instruments for use in its gambling business, or sell or redeem any such value instruments that are modifications of value instruments previously approved by the board unless the modifications have been approved in writing by the board.
- (3) Requests for approval of value instruments, and modifications to previously approved value instruments must be made, processed, and determined in

such manner and using such forms in compliance with the specifications set out in these regulations.

- (4) Each request must include, in addition to such other items or information as the board may require—
 - (a) an exact drawing, in colour, of each side and the edge of the proposed value instrument, drawn to actual size or drawn to larger than actual size and in scale, and showing the measurements of the proposed value instrument in each dimension;
 - (b) written specifications for the proposed value instruments;
 - (c) the name and address of the manufacturer; and
 - (d) the licensee's intended use for the proposed value instruments.
- (5) If, after receiving and reviewing the items and information described in sub-regulation (4), the board is satisfied that the proposed value instruments conform with the requirements of this chapter, the board shall notify the licensee in writing and shall request, and the licensee shall thereupon submit, a sample of the proposed value instruments in final, manufactured form.
- (6) If the board is satisfied that the sample conforms with the requirements of this chapter and with the information submitted with the licensee's application, it shall approve the proposed value instruments and notify the licensee in writing.
- (7) As a condition of approval of value instruments issued for use at a specific table game, the board may prohibit the licensee from using the value instruments other than at the specified game.
- (8) The board may retain the sample value instruments submitted in terms of this regulation.

28 Use of value instruments

- (1) A licensee that uses value instruments at its gambling business shall—
 - (a) comply with all applicable laws of the Republic pertaining to value instruments;

- (b) sell value instruments only to patrons of its gambling business and only at their request;
 - (c) promptly redeem its own value instruments from its patrons;
 - (d) post conspicuous signs at its business notifying patrons that the law prohibits the use of the licensee's value instruments, and that these regulations prohibit the use of the licensee's value instruments, outside the business for any monetary purpose whatever; and
 - (e) take reasonable steps, including examining value instruments and segregating those issued by other licensees to prevent sales to its patrons of value instruments by another licensee.
- (2) With the exception of the specific use for which the value instruments were issued, a licensee shall not accept value instruments as payment for any goods or services, other than food and beverages, offered on the licensed premises, and shall not give value instruments as change in any other transaction.
- (3) A licensee shall not redeem its value instruments if presented by a person who the licensee knows or reasonably should know is not a patron of its gambling business, except that a holder shall promptly redeem its value instruments if presented by—
- (a) another licensee who represents that it redeemed the value instruments from its patrons and received them unknowingly, inadvertently, or unavoidably; or
 - (b) an employee of the licensee who presents the value instruments in the normal course of employment.
- (4) A licensee shall not knowingly sell, use, permit the use of, accept, or redeem value instruments issued by another licensee, except if the value instruments are presented by a patron for redemption to a cashier of the licensee's gambling business and the patron states that he or she received the value instruments at the licensee's business from the pay-out chutes of gambling machines or from an employee of the licensee.
- (5) Value instruments whose use is restricted to uses other than at table games or other than at specified table games may be redeemed by the issuing licensee at table games or non-specified table games if the value instruments

are presented by a patron, and the licensee redeems the value instruments with value instruments issued for use at the game, places the redeemed value instruments in the table's drop box, and separates and properly accounts for the redeemed value instruments during the count performed in terms of the licensee's system of internal control.

29 Redemption and disposal of discontinued value instruments

- (1) A licensee that permanently removes from use or replaces approved value instruments at its gambling business, or that ceases operating its gambling business for whatever reason must prepare a plan for redeeming discontinued value instruments that remain outstanding at the time of discontinuance.
- (2) The licensee must submit the plan in writing to the board not later than 30 (thirty) days before the proposed removal, replacement, sale, or closure, unless the closure or other cause for discontinuance of the value instruments cannot reasonably be anticipated, in which event the licensee must submit the plan as soon as reasonably practicable.
- (3) The board may approve the plan or require reasonable modifications as a condition of approval and upon approval of the plan, the licensee shall implement the plan.
- (4) In addition to such other reasonable provisions as the board may approve or require, the plan must provide for—
 - (a) redemption of outstanding, discontinued value instruments in accordance with this chapter for at least 120 (one hundred and twenty) days after the removal or replacement of the value instruments or for at least 120 (one hundred and twenty) days after operations cease as the case may be, or for such longer or shorter period as the board may on good cause approve or require;
 - (b) redemption of the value instruments at the premises of the gambling business or at such other location as the board may approve;
 - (c) publication of notice of the discontinuance of the value instruments and of the redemption and the pertinent times and locations, in at least 2 (two) newspapers of general circulation in the Province at least once during each week of the redemption period, subject to the

board's approval of the form of the notice, the newspapers selected for publication and the specific days of publication;

- (d) conspicuous posting of the notice described in paragraph (c) at the gambling business or other redemption location; and
- (e) destruction or such other disposition of the discontinued value instruments as the board may approve or require.

30 Destruction of counterfeit value instruments

- (1) A licensee who discovers counterfeit value instruments in its gambling business must keep the counterfeit value instruments in a secure place and advise the board in writing of the number and value of the counterfeit value instruments.
- (2) Unless a court of competent jurisdiction orders otherwise in a particular case, a licensee shall only destroy or otherwise dispose of counterfeit value instruments if approved by the board and in such manner as the board may require.
- (3) Unless the board or a court of competent jurisdiction orders otherwise in a particular case, licensees may only dispose of coins of the Republic or any other state discovered to have been unlawfully used at their businesses if approved by the board by including them in their coin inventories or, in the case of foreign coins, by exchanging them for local currency or coins and including same in their currency or coin inventories, or by disposing of them in any other lawful manner.
- (4) A licensee shall record, in addition to such other information as the board may require—
 - (a) the number and denominations, actual or purported, of the coins and counterfeit value instruments destroyed or otherwise disposed of in terms of this Chapter;
 - (b) the month during which they were discovered;
 - (c) the date, place, and method of destruction or other disposition, including, in the case of foreign coin exchanges, the exchange rate and the identity of the bank, exchange company, or other business or person at which or with whom the coins were exchanged; and

- (d) the names of the persons carrying out the destruction or other disposal on behalf of the licensee.

31 Promotional and tournament value instruments

Promotional value instruments must be designed, manufactured, approved, and used in accordance with the provisions of this Chapter applicable to value instruments, except as follows—

- (a) Promotional value instruments must be of such shape and size and have such other specifications so as to be distinguishable from other value instruments as determined by the board;
- (b) Each side of each promotional value instrument must conspicuously bear the inscription "No Cash Value";
- (c) Promotional value instruments must not be used, and licensees shall not permit their use, in transactions other than the promotions or tournaments for which they are issued; and
- (d) The provisions of regulation 27 shall not apply to promotional value instruments.

32 Receipt of gambling value instruments from manufacturer, supplier or distributor

- (1) When value instruments are received from the manufacturer, supplier or distributor thereof, they shall be opened and checked by at least 3 (three) employees of the licensee from different departments.
- (2) Any deviation between the invoice accompanying the value instruments and the actual value instruments received or any defects found in such value instruments shall be reported promptly to the board.
- (3) After checking the value instruments received, the licensee shall cause to be reported in a value instrument inventory ledger the denomination of the value instruments received, the number of each denomination of value instruments received, the description of all value instruments received, the date of such receipt, and the signature of the individuals who checked such value instruments.
- (4) If any of the value instruments received are to be held in reserve and not utilised either at the gambling tables or at a cashier's cage, they shall be

stored in a separate locked compartment either in the vault or in a cashier's cage and shall be recorded in the value instrument inventory ledger as reserve value instruments.

33 Inventory of value instruments

- (1) Value instruments shall be taken from or returned to the reserve value instrument inventory in the presence of at least 3 (three) individuals from different departments.
- (2) The denominations, number and amount of value instruments so taken or returned shall be recorded in the chip or tokens inventory ledger together with the date and signatures of the individuals carrying out this process.
- (3) Each licensee shall, on a daily basis, compute and record the unredeemed liability for each denomination of value instruments and cause to be made an inventory of chips in circulation and cause the result of such inventory to be recorded in the chip or token inventory ledger.
- (4) On at least a monthly basis, each licensee shall cause an inventory of value instruments in reserve to be made and cause the result of such inventory to be recorded in the chip or token inventory ledger: Provided that where a portion of such reserve is in a locked and sealed compartment, a physical inventory shall be required to be conducted annually in respect of such portion.
- (5) The procedures to be utilised to compute the unredeemed liability and to inventory value instruments in circulation and reserve or any change thereto shall be submitted to the board for approval.
- (6) During non-gambling hours all value instruments in the possession of the licensee shall be stored in a vault or in the cashier's cage: Provided that chips representing the table bankroll may be locked in a secure compartment if there is adequate security as approved by the board.

CHAPTER 5 BINGO LICENCES

34 Return to players

A bingo game shall render a theoretical and demonstrable return to players of not less than 65 (sixty-five) percent, except where the bingo game is played in a wholly electronic format, which shall then render a theoretical and demonstrable return to players of not less than 80 (eighty) percent.

35 Payment of stake or participation fee

- (1) The board may make rules as contemplated in section 81 of the Act determining stakes and prizes allowed in respect of electronic bingo machines.
- (2) All winning combinations, together with the corresponding prizes, must be clearly displayed, or be easily accessible by the player, on every electronic bingo machine exposed for play.
- (3) All stakes and fees in respect of bingo must be paid by cash, a ticket or a value instrument.

CHAPTER 6 ROUTE OPERATOR LICENCES AND GAMBLING MACHINE SITE LICENCES

36 Additional requirements and disqualifications for route operators

In addition to the general disqualifications contemplated in section 31 of the Act, no applicant shall be granted a route operator licence if—

- (a) any person in control of such applicant or any manager of the business concerned at the relevant time is—
 - (i) a public servant;
 - (ii) a political office bearer or employee of any party, movement, organisation or body of a party political nature; or
 - (iii) a family member of a person contemplated in sub-paragraph (ii);
- (b) no applicant shall be granted a route operator licence if—

- (i) such applicant does not have access to sufficient experience and knowledge of the operation and management of a route;
- (ii) such applicant does not have access to capital resources which are adequate for the operation of a route operation;
- (iii) the granting of such licence will or may create or aggravate a monopoly situation as defined in the Competition Act, 1998 (Act No. 89 of 1998); or
- (iv) if such applicant is unable to satisfy the electronic monitoring and surveillance requirements set out in the rules of the board.

37 Location of Gambling Machines on sites controlled by previously disadvantaged persons

- (1) At least 60 (sixty) percent of limited gambling machines operated by a route operator shall be located on sites where the site licensee is controlled by persons or a group or groups of persons previously disadvantaged by unfair discrimination
- (2) For purposes of sub-regulation (1), "controlled" means that the persons previously disadvantaged by unfair discrimination—
 - (a) own at least 51 (fifty-one) percent of the shares, or members or partners interest in the business holding the site licence; and
 - (b) are entitled to at least 51 (fifty-one) percent of the profits of such site licensee.

38 Location of Gambling Machines in metropolitan areas

- (1) No more than 60 (sixty) percent of the total number of limited gambling machines operated by a route operator shall be located on sites in metropolitan areas.
- (2) A route operator licence may be suspended or revoked by the board if such route operator becomes disqualified in terms of these regulations after the issue of a licence to such route operator.

39 Additional considerations in disposing of application for a route operator licence

The board shall, in addition to the considerations mentioned in Chapter 3 of the Act, when considering an application for or transfer of a route operator licence

and when considering any conditions and requirements, to which any such licence should advisably be made subject, take into consideration—

- (a) the extent to which the applicant will promote sustainable employment in the Province;
- (b) the extent to which the applicant will provide training and skills to its employees and the employees of gambling machine site licensees with whom it enters into agreements;
- (c) the extent to which the applicant will procure labour, goods and services in the Province;
- (d) the extent to which the applicant intends to provide for participation in the ownership or profits of the route operation and associated site operations by persons, a group or groups of persons previously disadvantaged by unfair discrimination;
- (e) the ability of the applicant to service sites in rural areas;
- (f) any other factors which may affect the question whether it is desirable to grant such application or to attach any such condition or requirement;
- (g) the extent to which the applicant will contribute to provide a programme for combating problem gambling; and
- (h) any other factors the board must consider in terms of the National Gambling Act, 2004 (Act No. 7 of 2004) in so far as it is not set out herein.

40 Maximum number of limited gambling machines and interest in route operator licence

- (1) The maximum number of limited gambling machines, which may be exposed for play in terms of all route operator licences and limited gambling machine site licences issued in the Province, shall be 6 (six) thousand, subject to sub-regulations (2), (3) and (4).
- (2) Notwithstanding sub-regulation (1), the board shall only issue or allow route operator licences or limited gambling machine site licences which will allow more than 2 (two) thousand, but not exceeding 3 (three) thousand, limited gambling machines to be operated in the Province if -
 - (a) it is satisfied that this will not lead to an over-saturation of limited gambling machines in the Province; and
 - (b) it has considered, both in regard to the existing limited gambling machines and such further machines as may exceed 2 (two) thousand

- (i) the social impact;
 - (ii) the economic impact;
 - (iii) the environmental impact;
 - (iv) the impact on problem gambling; and
 - (v) it is of the opinion that the exposure for play of more than 2 (two) thousand, but not exceeding 3 (three) thousand, limited gambling machines will be in the best interests of the Province.
- (3) The number of limited gambling machines exposed for play in terms of all route operator licences and limited gambling machine site licences issued in the Province, may only exceed 3 (three) thousand, if approved by the Minister in terms of the National Gambling Act.
- (4) No single route operator shall be licensed to operate more than 1 (one) thousand limited gambling machines.
- (5) No person shall hold a financial or controlling interest of 5 (five) percent or more in more than one route operator without the consent of the board.
- (6) No person may hold more than 1 (one) route operator licence in the Province.
- (7) Apart from the profit sharing between a route operator and site licensee in terms of the agreement between them approved by the board, no route operator may hold a financial interest in the holder of a gambling machine site licence.

41 Requirements for gambling machine site licences

- (1) All provisions relating to limited gambling machine site licences shall be applicable to independent site owner licences: Provided that such provisions do not relate to any reference made to a route operator;
- (2) In addition to the general disqualifications contemplated in section 31 of the Act, no applicant shall be granted a gambling machine site licence if—
- (a) any person in control of such applicant or any manager of the business concerned is—
 - (i) a public servant; or

- (ii) a political office bearer or employee of any party, movement, organisation or body of a party political nature;
 - (iii) such applicant does not have guaranteed access to limited gambling machines obtained from a route operator;
 - (iv) such applicant cannot ensure that the limited gambling machines to which the licence relates will be monitored as contemplated in the rules of the board;
- (b) the granting of such licence will or may create or aggravate a monopoly situation as defined in the Competition Act, 1998 (Act No. 89 of 1998);
- (c) the premise to which the application relates does not fulfil the requirements set out in regulation 42.
- (3) In determining whether the premises in respect of which a limited gambling machine site licence is to be granted will not be primarily utilised for the operation of gambling machines, as provided in section 50 of the Act, the board may consider the following factors—
- (a) the floor space used for the limited pay-out machines as compared to the floor space used for the primary business;
 - (b) the investment in the operation of the limited payout machines as compared to the investment in the primary business;
 - (c) the time required to manage or operate the limited payout machines as compared to the time required to manage or operate the primary business;
 - (d) the gross revenue generated by the limited payout machines as compared to the gross revenue generated by the primary business;
 - (e) whether a substantial portion of the financing of the business as a whole has been provided in exchange for the right to operate limited pay-out machines on the premises; or
 - (f) other factors, including but not limited to the business's name, the business's marketing practices and the public's perception of the business.
- (4) A limited gambling machine site licence may only be awarded or issued in respect of premises where the primary business carried out on such premises is—
- (a) a sporting or social club which—

- (i) has more than 50 (fifty) members;
 - (ii) occupies suitable fixed premises;
 - (iii) is licensed in terms of the relevant laws relating to liquor; and
 - (iv) is operated as an association not for gain;
- (b) a racecourse;
 - (c) a bookmaker outlet;
 - (d) a totalisator outlet;
 - (e) a liquor outlet licensed in terms of the relevant laws relating to liquor;
 - (f) a hotel;
 - (g) a nightclub;
 - (h) a sports bar licensed in terms of the relevant laws relating to liquor;
 - (i) a bingo hall;
 - (j) a pool or snooker business licensed in terms of the relevant laws relating to liquor; or
 - (k) a bar licensed in terms of the relevant laws relating to liquor.
- (5) No limited gambling machine site licence shall be awarded or issued in respect of premises where the primary business conducted in such premises is -
- (a) a restaurant, unless it has a separate cordoned-off area contemplated in regulation 42;
 - (b) a supermarket, café or other such retailer of food;
 - (c) an amusement arcade;
 - (d) an airport, railway station or bus station;
 - (e) a sports stadium;
 - (f) a theatre or cinema;
 - (g) places of culture including museums;
 - (h) a liquor store;
 - (i) a private home;
 - (j) a petrol or diesel station;
 - (k) a guest house, a bed and breakfast establishment, or a conference facility, provided that it has a separate restaurant with a liquor licence;
 - (l) a school, university, college or technikon; or
 - (m) any other premises considered by the board to be unsuitable.
- (6) Subject to regulation 43, a limited gambling machine site licence shall not authorise the exposure for play of limited gambling machines that are —
- (a) less than 3 (three); or

- (b) more than 5 (five).
- (7) No person shall be permitted to expose for play, in terms of all gambling machine site licences issued, more than 100 (one hundred) limited gambling machines.
- (8) No person shall hold a direct or indirect financial or controlling interest of 5 (five) percent or more in more than one site licensee without the consent of the board: Provided that this shall not apply to an approved profit split with a route operator in terms of an agreement approved by the board.
- (9) No gambling machine site licence may be held by a route operator or by any entity where such route operator has a financial interest: Provided this shall not apply to the profit split between such route operator and gambling machine site licensee in terms of an agreement between them which has been approved by the board.
- (10) The provisions of regulations 37 and 38 must be complied with where the board is contemplating the award or transfer of a site licence.

42. Requirements for licensed premises of gambling machine sites

- (1) Where the premises to which an application for a gambling machine site licence relates are accessible to persons under the age of 18 (eighteen), no such licence may be granted unless there is a separate cordoned off area wherein all limited gambling machines on the premises shall be located: Provided that such limited gambling machines may be located in a restricted area, as defined in the Provincial Act providing for the licensing, regulation, and control of the retail sale of liquor from which persons under the age of 18 (eighteen) years are excluded in terms of the Provincial Liquor Act.
- (2) No limited gambling machine shall be within 2 (two) metres of the edge of the area contemplated in sub-regulation (1) where that area joins the floor area of the rest of the premises: Provided that such limited gambling machines may be less than 2 (two) metres from the edge of such area where such area is separated from the rest of the premises by a non-transparent continuous wall with a height of at least 2 (two) metres and all such limited gambling machines are located at least 2 (two) metres from any apertures in such wall.

- (3) No application for a gambling machine site licence may be granted unless—
 - (a) the premises to which the application relates are or will on completion be suitable for the purpose for which they will be used under the licence;
 - (b) if the premises are situated in the vicinity of a place of worship or a school or in a residential area, the business will be carried out in a manner that will not disturb the proceedings in that place of worship or school or prejudice the residents of that residential area; and
 - (c) the granting of the licence is in the public interest.
- (4) The provisions of sub-regulations (1) and (2) and paragraphs (a) and (b) of sub-regulation (3) shall be conditions in the licence of the licensee.

43. Additional considerations in disposing of application for a gambling machine site licence

The board shall, in addition to the considerations mentioned in Chapter 3 of the Act, when considering an application for or transfer of a gambling machine site licence and when considering any conditions or requirements to which any such licence should advisably be made subject, take into consideration—

- (a) the extent to which persons, groups or groups of persons previously disadvantaged by unfair discrimination will share in the ownership and profits of the licensee;
- (b) prevention of over-concentration of limited gambling machines in a particular area;
- (c) any other factors which may affect the question whether it is desirable to grant such application or to attach any such condition or requirement;
- (d) any other factors the board must consider in terms of the National Gambling Act, 2004 (Act No. 7 of 2004) in as far as it is set out herein; and
- (e) any other factors the board considers relevant.

44. Sites with more than 5 limited gambling machines

- (1) A limited gambling machine site licence which allows the licensee to expose for play more than 5 (five) limited gambling machines on such site shall only be awarded and issued if the number of limited gambling machines which shall be exposed for play on such site shall be no less than 6 (six) but no more than 40 (forty).

- (2) The board shall, in addition to the considerations contemplated in regulations 41, 42 and 43 when considering an application for or transfer of a gambling machine site licence contemplated in this regulation and any conditions or requirements to which such licence should advisably be made subject, take into consideration—
- (a) the extent to which such limited gambling machine site will promote tourism at the place where the premises will be situated;
 - (b) the extent to which such limited gambling machine site will promote sustainable employment at the place the premises will be situated;
 - (c) the extent to which such limited gambling machine site will provide entertainment facilities for members of the public other than the operation of limited gambling machines; and
 - (d) any other factors the board considers relevant.

45. Restrictions on limited gambling machines

- (1) The maximum aggregate stake that may be charged in total to enable a person to play a game on a limited gambling machine to conclusion shall be R5,00 (five rand), or such or amount as may be determined by the National Gambling Regulator
- (2) No double up shall be allowed in respect of a game on a limited gambling machine.
- (3) No progressive jackpots are permitted in respect of a gambling game played on a limited gambling machine.
- (4) No multi-player limited gambling machines shall be exposed for play in the Province.
- (5) Limited gambling machines must be compliant with section 61 of the Act.
- (6) For the purpose of this regulation and regulation 47, a game on a limited gambling machine—
- (a) commences when the player—

- (i) makes a bet from the player's credit meter that is not part of any previous game; or
 - (ii) inserts cash and game play is initiated;
 - (b) is completed when the player—
 - (i) cannot continue play activity without committing additional credits from the credit meter, note acceptor or coin acceptance device; and
 - (ii) has no credits at risk; and
 - (c) contains one or more of the following elements, each of which is deemed to be part of a single game—
 - (i) games that trigger a free game feature and subsequent free games;
 - (ii) a metamorphic feature;
 - (iii) a "second screen" bonus feature;
 - (iv) games with player choice, for example draw poker and blackjack;
 - (v) games where the rules permit the wagering of additional credits, for example blackjack insurance or the second part of a two-part keno game; or
 - (vi) a gamble feature.
- (6) For the purpose of this regulation and regulation 47—
- (a) "credit" means the amount of money available to player as reflected on a limited gambling machine in increments of the denomination of that particular limited gambling machine in Rand value; which occurs as a result of the insertion of coins, smart cards or bank notes into the limited gambling machine or anything won by the player on completion of the game;
 - (b) "double up" means a feature in terms of which a player may during a game risk a previous win, bet or portion of such win or bet on the selection of an outcome that has an equal chance of occurrence;
 - (c) "progressive jackpot" means an additional variable reward, additional to the games pay table, which is available to be won by a player as a result of an event.

46. Maximum prize

- (1) The maximum amount or the value of any prize which may be awarded in respect of a game played on, or the operation of, a limited gambling machine

shall be R500,00, (five hundred rand) or such other amount as may be determined by the National Gambling Regulator

- (2) A prize won on a game on a limited gambling machine must be accrued to the winner as credits or paid to the winner in cash: Provided that the payment of a prize may be made by way of a cheque with the consent of the winner.
- (3) Subject to sub-regulation (2), no prize or benefit may be given to or accepted by the winner of a game on a limited gambling machine in addition to or in lieu of the cash or credits won on a game.

47. Return to public

- (1) A limited gambling machine exposed for play must have a theoretical and demonstrable return to the public of not less than 75% (seventy five percent).
- (2) All winning combinations, together with the corresponding prizes, must be clearly displayed, or be easily accessible by the player, on every limited gambling machine exposed for play.

48. Use of limited gambling machines

- (1) Only coins, smart cards or bank notes may be used in a limited gambling machine.
- (2) Notwithstanding sub-regulation (1), a limited payout machine may utilise a ticket printer to effect payout of prizes.

**CHAPTER 7
TOTALISATORS AND POOLS**

49. Conducting of totalisators

- (1) The board must make rules to conduct totalisators as contemplated in section 52(2) of the Act.
- (2) The licensee shall conduct totalisators in accordance with the rules made by the board.

50. Return to public: Totalisators and betting pools

The return to players from the operation of a totalisator shall be—

- (a) Not less than 82% (eighty two percent) of the gross takings of such totalisator in respect of win bets and place bets on the outcome of a horse race; and
- (b) Not less than 75% (seventy five percent) of the gross takings of such totalisator in respect of any lawful sporting event or events other than those contemplated in sub-regulation (a), which shall include multiple, trifecta or triple type bets.

51. Place of bets: Totalisators and pools

- (1) Any bet placed with a licensed totalisator in the Province by way of telephone, telefax, electronic mail or internet transmission shall be deemed to be a transaction within the Province.
- (2) No licensed totalisator may lay a bet at any place other than the premises to which the licence relates.
- (3) A licensed totalisator shall keep for a period of 1 (one) year a list of all telephone, telefax, electronic mail and internet transmissions made to or from the licensed premises and the name and address of the sender and receiver of such transmissions.

**CHAPTER 8
BOOKMAKERS****52. Place of Bets: Bookmakers**

- (1) Any bet placed with a licensed bookmaker in the Province by way of telephone, telefax, electronic mail or internet transmission shall be deemed to be a transaction within the Province.
- (2) No bookmaker may lay a bet at any place other than the premises to which the licence relates.
- (3) A bookmaker shall keep for a period of 1 (one) year a list of all telephone, telefax, electronic mail and internet transmissions made to or from the licence premises and the name and address of the sender and receiver of such transmissions.

CHAPTER 9 RACECOURSE LICENCES

53. Race meetings

- (1) The licensee of a racecourse licence who intends holding a horse race meeting on any day shall not later than 30 (thirty) days before such day submit to the board for its approval a written application for the allocation of such a day as a race day for the area in which the race course is situated: Provided that nothing in this regulation shall prevent the holder of a racecourse licence from simultaneously applying for the allocation of more than one race day or the allocation of a series of days as race days in respect of any year.
- (2) Save for the provisions of sub-regulation (1) all other activities on racecourses shall be regulated by the National Horse Racing Authority.

CHAPTER 10 FEES, TAXATION AND FINANCIAL ARRANGEMENTS

54. Manner of payment of taxes and fees

- (1) Payment of taxes and fees in terms of the Act and these regulations shall be made by way of cheque, debit or credit card payments or by electronic funds transfer.
- (2) Any payment by—
 - (a) post-dated cheque; or
 - (b) a cheque which is subsequently dishonoured is deemed not to be payment in terms of this regulation.
- (3) Cheque, debit or credit card payments shall be made at any office of the board.
- (4) Payment shall be accompanied by such forms and information as the board may determine.

55. Keeping of books, accounts and accounting records

- (1) The board shall make rules as contemplated in section 81 of the Act regarding the books, accounts and records required to be kept by a licensee, including the format, information, manner and period of retention of the books and records.

- (2) The books, accounts and records referred to in sub-regulation (1) shall at all times—
- (a) be kept in a safe place; and
 - (b) be immediately and easily accessible.

56. Gambling and accounting records

- (1) A licensee shall keep—
- (a) accurate, complete, legible and permanent records of all gambling transactions; and
 - (b) accounting records in accordance with IFRS, or the applicable standards approved by the SAICA, on a double entry system of accounting, which maintains detailed subsidiary records and identifies revenue, expenses, assets, liabilities and equity, and any other records that the board may determine.
- (2) The board may make further rules as contemplated in section 81 regarding further requirements for gambling and accounting records.

57. Other records

- (1) A licensee shall keep—
- (a) in the case of a company—
 - (i) a copy of the memorandum of incorporation, including any amendments thereto;
 - (ii) a copy of the certificate to commence business;
 - (iii) a permanent register of all licensed employees, reflecting the date of appointment, status and, where applicable, date of termination of employment;
 - (iv) minutes of all meetings of the shareholders;
 - (v) minutes of all meetings of the directors and committees of the board of directors;
 - (vi) a register of all shareholders, listing every shareholder's name, address, the number of shares held and the date on which the shares were acquired; and
 - (vii) any other information prescribed by the board; and
 - (b) in the case of a close corporation—

- (i) a copy of its founding statement and any amendment of that statement;
 - (ii) the association agreement;
 - (iii) minutes of all meetings of the members of the corporation;
 - (iv) a register of members, indicating every member's name, address, interest expressed as a percentage and the date of admission as a member; and
 - (v) a permanent register as contemplated in sub-regulation (a) (iii).
- (2) A licensee shall cause a continuous written record to be kept of all gambling devices acquired, reflecting—
- (a) the date of acquisition;
 - (b) the name, address and licence number of the person from whom the device was acquired;
 - (c) a description of the device acquired;
 - (d) the serial number of the device acquired;
 - (e) the licence number of the device; and
 - (f) any further information required by the board.
- (3) A licensee shall cause a record to be kept of all gambling devices disposed of, which record shall include -
- (a) the date and manner of disposal;
 - (b) a description, and the number, of devices disposed of;
 - (c) where applicable, the board's approval number;
 - (d) where applicable, the serial numbers of all devices disposed of;
 - (e) where applicable, the licence numbers of all devices disposed of;
 - (f) the name, address and licence number of the person to whom the device was supplied; and
 - (g) any further information required by the board.
- (4) A licensee and person registered in terms of section 61 of the Act shall keep a record of all alterations and repairs to gambling devices, reflecting—
- (a) the date of alteration;
 - (b) the name, address and licence number of the owner of the device;
 - (c) a description of work carried out;
 - (d) the serial number of the device altered;
 - (e) the licence number of the device altered;

- (f) the name, address and registration number of the person altering the device;
- (g) the place the alteration or repair was carried out;
- (h) the date the gambling device was removed from the licensed premises;
- (i) in the case of an alteration or modification, the number of the board's approval for such alteration or modification;
- (j) the date the gambling device was returned to the licensed premises;
- (k) the address to which the gambling device was returned.

58. Audited financial statements

- (1) A licensee must, at the end of each of its financial years, ensure the preparation of annual financial statements in accordance with IFRS, or the applicable standards approved by the SAICA.
- (2) A licensee shall appoint an independent accountant and auditor, registered with the Independent Regulatory Board of Auditors, who shall audit the licensee's annual financial statements in accordance with generally accepted auditing standards.
- (3) A licensee shall, not later than 180 (one hundred and eighty) days, or any extended period determined by the board, after the last day of the licensee's financial year, submit to the board copies of its audited annual financial statements and any reports communicating the results of the audit, including management letters.
- (4) The board may request additional information or documents from either the licensee or its auditor regarding the financial statements or the services performed by the auditor.
- (5) The independent auditor referred to in sub-regulation (2) shall, as part of the annual audit, evaluate and report on the licence holder's compliance with its system of internal control as approved by the board.

59. Returns to be rendered

- (1) A licensee shall cause the returns that the board may from time to time determine to be submitted in the manner and format determined by the board.

- (2) A licensee shall cause the board to be informed of any transfer of gambling equipment into or out of the Province, whether for repair or any other purposes, not later than 24 (twenty-four) hours of such transfer

60. Stock records

A licensee shall cause continuous written stock records to be kept of all cards, dice, gambling devices and components gambling devices reflecting -

- (a) opening stock on hand;
- (b) stock purchased or manufactured;
- (c) distributions; and
- (d) closing stock on hand, and shall,
- (e) at the request of the board, immediately provide the board with those records.

61. Accessibility of records

A licensee must ensure that all records shall be organised and indexed in such a manner to provide immediate accessibility to the board.

62. Minimum internal controls

- (1) Each licensee shall establish and maintain administrative and accounting procedures for the purpose of determining such licensee's liability for taxes and fees under the Act and for the purpose of exercising effective control over such licensee's internal financial affairs.
- (2) The procedures must be designed to reasonably ensure that—
 - (a) assets are safe guarded;
 - (b) financial records are accurate and reliable;
 - (c) transactions are performed only in accordance with management's general or specific authorisation;
 - (d) transactions are recorded adequately to permit proper reporting of gambling revenue and of fees and taxes; and
 - (e) functions, duties and responsibilities are appropriately segregated and performed in accordance with sound practices by competent, qualified personnel.
- (3) An internal auditor shall, evaluate and report quarterly on the licensee's compliance with its system of internal control as approved by the board.

63. Board to adopt minimum standards for internal control procedures

The board must adopt and make available to applicants and licensees minimum standards for internal control procedures with which licensees must comply.

64. Internal control system to be approved by board

(1) Each licensee and each applicant for a licence shall describe, in such manner as the board may approve or require, its administrative and accounting procedures in detail in a written system of internal control and shall submit a copy thereof to the board for approval prior to implementation of the system.

(2) Each system of internal control submitted for approval must include—

- (a) an organisational chart depicting segregation of functions and responsibilities.
- (b) a description of the duties and responsibilities of each position shown on the organisational chart;
- (c) a detailed, narrative description of the administrative and accounting procedures designed to satisfy the requirements of regulations 62 (2) and 63;
- (d) a letter from an independent chartered accountant, or practitioner, confirming that the system of internal control complies with the requirements of regulations 61, 62 and 63; and
- (e) such further information as the board may require.

(3) If the board determines that an applicant or licensee's system of internal control does not comply with the requirements of regulations 61, 62 and 63 it shall so notify the applicant or licensee in writing.

(4) Within 30 (thirty) days after receiving the notification contemplated in sub-regulation (3), the applicant or licensee shall amend its internal control system accordingly, and shall submit a copy of the amended system to the board for approval.

65. Amendment of system of internal control

(1) A licensee wishing to amend its system of internal control shall, prior to implementing such amended system, submit to the board a copy of the written internal control system as amended, for approval.

- (2) The provisions of regulation 63 shall with the necessary changes apply to an application for approval contemplated in sub-regulation (1).

CHAPTER 11

GENERAL PROVISIONS RELATING TO GAMBLING AND GAMBLING DEVICES

66. Display of rules of gambling games and betting

The rules of a gambling game or betting in connection therewith shall be freely accessible to all patrons and notice of the availability of the rules must be displayed at the entrance of the licensed premises.

67. Application for registration as a supplier or servicer of gambling devices

- (1) An application for registration to manufacture, assemble, maintain, repair, sell, distribute, import, acquire, market, rent or lease, alter or otherwise modify any gambling device or any associated equipment as contemplated in section 61(1) of the Act shall be in accordance with Form 6 of Schedule "B" of these regulations, contain the information contemplated the Form, and shall call on interested persons to make submissions to the board within 30 (thirty) days of the date of publication of such notice.
- (2) An applicant for registration in terms of sub-regulation (1) shall state the categories or activities in respect of which registration is required.
- (3) A director of a company or member of a close corporation shall be separately registered in terms of section 68 of the Act before he or she may participate in the operations of a company or close corporation registered in terms of section 61 of the Act.
- (4) An application for registration shall be accompanied by three passport size photographs of the applicant (if a natural person).

68. Taking of fingerprints

- (1) An applicant for registration as contemplated in section 68 of the Act shall have his or her fingerprints taken as set out in this regulation.

- (2) If an applicant does not have fingerprints that can be taken, then the applicant's criminal background checking shall be done in the way determined by the South African Police Service.
- (3) The applicant shall have his or her finger prints taken on a SAPS 91 (a) Form at a police station or at a fingerprint verification agency using the South African Police Service Automated Fingerprint Identification System (SAPS AFIS), for the purpose of criminal background checking, and furnish in black ink such particulars or information as may be required;
- (4) The fingerprints of any applicant shall be taken in the presence of at least 1 (one) witness.
- (5) Refusal to allow fingerprints to be taken as contemplated in this regulation shall be grounds for refusal of registration as contemplated by section 61 of the Act.
- (6) Notwithstanding the provisions of this regulation, any person domiciled outside South Africa—
 - (a) may furnish a set of fingerprints on Form SAPS 91(a) taken at a police station in such country or the equivalent of such form in such country; and
 - (b) shall furnish a police clearance certificate issued by the police service of such country.

69. Registration form

Where the board approves an application for registration in terms of section 61 of the Act, the applicant shall be furnished with a certificate of registration in accordance with Form 7 of Schedule "B" of these regulations.

70. Particulars contained in register in terms of section 61(10) of the Act

- (1) The board shall keep a register as contemplated in section 61(10) of the Act: that contains the following particulars -
 - (a) full names;
 - (b) if a natural person, his or her identity number, if a legal person, its registration number;

- (c) if a natural person, his or her home address, if a legal person, the address of its registered office;
 - (d) the address from which the person carries out the activity permitted by the registration;
 - (e) the type of activity in respect of which the person concerned is registered;
 - (f) the date of initial registration of the person;
 - (g) the periods for which the person has been registered as contemplated in this regulation;
 - (h) the reasons for any previous deregistration(s) of the person concerned;
 - (i) the whole employment record of the person if he or she has an employment record of less than 7 (seven) years, otherwise his or her employment history over the past 7 (seven) years;
 - (j) any offences of which the person has been convicted and of which dishonesty is an element;
 - (k) in the case of legal persons, the names of all directors of the person and all persons who hold a beneficial interest of more than 5% (five percent) in the person concerned;
 - (l) the names of all registered key persons and gambling employees employed by the person concerned;
 - (m) in the case of a natural person, his or her fingerprints and qualifications; and
 - (n) the tax number of the person concerned.
- (2) The records contemplated in sub-regulation (1) shall be kept by the board for a period of 20 (twenty) years.

71. Provision of information

All persons registered in terms of section 61 of the Act shall inform the board of any change to the information contemplated in regulation 70 within 30 (thirty) days of any such change.

72. Use of certain devices prohibited

- (1) Unless the board, upon the request of the licensee, approved in writing, no person may, at a licensed premises, use, or possess with the intent to use, any device to assist -
- (a) in projecting the outcome of a game;

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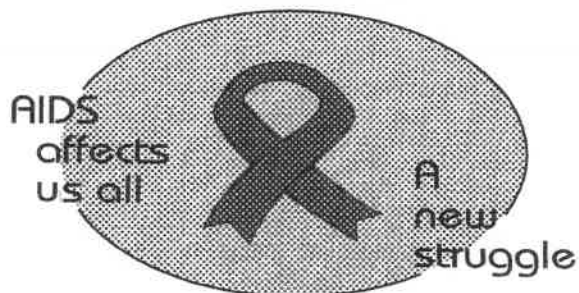
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PART 2 OF 2

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- (b) in keeping track of the cards played;
 - (c) in analysing the probability of the occurrence of an event relating to a game; or
 - (d) in analysing the strategy for playing or betting to be used in a game.
- (2) The provisions of sub-regulation (1) shall not be deemed to prohibit -
- (a) the making and referring to handwritten records of the cards played at punto banco or baccarat; or
 - (b) the making and referring to handwritten records of roulette results.
- 73. List of persons to be excluded or ejected.**
- (1) The board shall compile a list contemplated in section 63(7) of the Act of persons who are to be excluded or ejected from the designated area specified in the list or prohibited from participating in such gambling specified in the list in the following circumstances -
- (a) on receipt of the information that 1 (one) or more of the instances referred to in section 63(8)(a) to (g) of the Act is applicable to a person;
 - (b) a person is considered by the board to suffer from a gambling problem as contemplated in section 63(8)(h) of the Act;
 - (c) a person is considered by the board to suffer from a pathological gambling addiction as contemplated in section 63(8)(i); or
 - (d) a person, whilst gambling, leaves a child under the age of 10 (ten) years unattended for a period which is, in the circumstances, unreasonable as contemplated in section 63(8)(j) of the Act.
- (2) A licensee must provide the board with the full names, identity number and, if available, an address of every person to whom one or more of the instances referred to in section 63(8)(a) to (g) and section 63(8)(j) of the Act becomes applicable, as soon as reasonable possible, after it comes to his or her attention.
- (3) No name shall be placed on the list until such time as the person concerned has been given notice of the intention of placing his or her name on the list, specifying the grounds for placement on the list and advising that person that a request for a hearing may be made within 14 (fourteen) days from the date of the notice.

- (4) The provisions of sub-regulation (3) shall not be applicable to -
- (a) a person who requests the board in writing to add his or her name to such list; or
 - (b) a person whose name appears on the exclusion lists of any other gambling regulatory body.
- (5) A person's failure to respond to the notice by the board in terms of sub-regulation (3) to be heard, or failure to request the opportunity to be heard shall not result in the board being prevented from conducting such a hearing in the absence of that person, and from placing that person's name on such a list, if the evidence is sufficient.

74. Application by an interested person

- (1) An application by an interested person or interested party contemplated in section 63(8)(i) and (j) of the Act shall be in writing and contain a written motivation and all the information in support of the application.
- (2) The application must be submitted to the office of the chief executive officer together with all the relevant documents.
- (3) The person concerned must be given notice of the application and advising that person that a request for a hearing may be made within 14 (fourteen) days from the date of the notice.
- (4) A person's failure to respond to the notice by the board in terms of sub-regulation (3) to be heard, or failure to request the opportunity to be heard shall not result in the board being prevented from conducting such a hearing in the absence of that person, and from placing that person's name on a list as contemplated in section 63(7) of the Act, if the evidence is sufficient.

75. Hearing

The provisions of sections 28 (2) to (4), 29 and 30 of the Act and Chapter 2 of these regulations shall apply with the necessary changes in respect of a hearing held in terms of this Chapter.

76. Distribution and contents of the list

- (1) For the purpose of ensuring compliance with the Act, the list contemplated in section 63 of the Act shall be open to inspection at the offices of the board, during normal office hours of the board and shall be distributed to every licensed gambling business within the Province; and
- (2) The following information and data shall be provided for each excluded person—
 - (a) the full name and all aliases the person is believed to have used;
 - (b) description of the person's physical appearance, height, weight, type of build, colour of hair and eyes, and any other physical characteristics which may assist in the identification of the person;
 - (c) the identity number of the person;
 - (d) date of birth;
 - (e) the date the person's name was placed on the list;
 - (f) a photograph and the date thereof;
 - (g) the reason for placing the person's name on the list; and
 - (h) the type or types of licensed premises or gambling to which the exclusion applies.
- (3) Notwithstanding the provisions of sub-regulation (1) the names and details of a person who has been excluded by reason of section 63(8)(f), (h), (i) and (j) of the Act shall not be open to public inspection and shall only be distributed to—
 - (a) licensed gambling business in the Province from whom such person has been excluded or has sought to be excluded;
 - (b) in the case of persons contemplated in section 63(8)(f) of the Act, other gambling regulatory bodies in the Republic to whom such person wishes the application for self-exclusion to be submitted;
 - (c) in the case of persons contemplated in section 63(8)(h), (i) and (j) of the Act, all gambling regulatory authorities in the Republic, where the board is of the opinion that the public interest so requires.
- (4) The board may distribute the list contemplated in section 63(7) of the Act by way of email, internet transmission or supply of information on a database.

77. Petition to be removed from the list

- (1) Any person whose name has been placed on the list of excluded persons may petition the board in writing and request that his or her name be removed from such list, specifying the grounds believed by the petitioner to constitute good cause for removal of his or her name.
- (2) The board shall, within 60 (sixty) days of receipt of a petition, either deny the petition or set the petition for hearing.
- (3) The burden of showing good cause for removal from the list shall at all times rest with the petitioner.
- (4) The board may determine time periods during which a person whose name appears on the list of excluded persons may not petition the board for removal of his or her name from such list.

78. Excluded person prohibited from entering licensed premises or participating in gambling

An excluded person who knowingly enters licensed premises from which he or she is excluded or knowingly participates in any gambling from which he or she is excluded shall be guilty of an offence.

79. Maintenance and alteration of gambling devices

- (1) A licensee shall only use a maintenance provider or employee registered in accordance with section 61 of the Act to maintain gambling devices and equipment in a suitable condition: Provided that certain basic maintenance functions as determined by the board may be carried out by the licensee.
- (2) A licensee or person registered in terms of section 61 of the Act shall not alter or modify the operation of a licensed gambling device or any associated equipment without the prior approval of the board.

80. Equipment to be of approved type

- (1) Subject to regulation 79, a licensee shall not keep or expose for play any equipment which may be used in the operation of a gambling game other than

equipment which is identical in all material respects to equipment approved by the board for distribution by the manufacturer or supplier.

- (2) No manufacturer or supplier shall supply any person in the Province with any equipment contemplated in sub-regulation (1) which has not been approved by the board.

81. Records to be kept by licensee

A licensee and person registered in terms of section 61 of the Act shall keep such records in respect of equipment contemplated in regulations 79 and 80 in a manner that the board may require or approve.

82. Deregistration of gambling equipment

A licensee may at any time, in the manner and form determined by the board, apply for the deregistration of equipment licensed in terms of section 65 of the Act.

83. Standards for gambling devices

- (1) All gambling devices exposed for play and any electronic central monitoring system used to monitor such devices must —
- (a) comply with the standards laid down by the South African Bureau of Standards in standard number 1718: 1996 or any subsequent determinations;
 - (b) be certified by a letter of certification issued by the National Regulator for Compulsory Specifications.
- (2) The licensee shall be responsible for -
- (a) ensuring that its gambling devices meet the applicable standards laid down by the South African Bureau of Standards; and
 - (b) payment of fees of the South African Bureau of Standards or such other approved gambling equipment test laboratory for the certification process.

CHAPTER 12

REGISTRATION OF CERTAIN PERSONNEL

84. Application for registration as key person or gambling employee

- (1) An application for registration as a key person or gambling employee in terms of section 68 or 69 of the Act shall be made in accordance with Form 8 of Schedule "B" of these regulations.
- (2) The provisions of regulation 69 shall apply with the necessary charges to any application for registration as a key person or gambling employee.
- (3) An application for registration as a key person or gambling employee shall be accompanied by three passport size photographs of the applicant and such further forms as the board may require.
- (3) The board may require further information it deems fit from any applicant for registration as a key person or gambling employee.

85. Further key personnel and gambling employees to be registered

In addition to persons who are deemed to be key personnel and gambling employees in terms of section 68 and 69 of the Act, persons in the following or substantially similar positions shall be regarded as key persons for the purposes of the Act:

- (a) any person who individually or as a member of a group formulates management policy;
- (b) any person who has authority to grant credit, complimentary services or tokens;
- (c) any person who has authority to be involved in the resolution or handling of patron disputes;
- (d) any person who has authority to appoint or terminate the appointment of supervisory staff registered in terms of the Act;
- (e) any person who has authority to supervise or direct a gambling or security activity shift, including, without being limited to, the supervision or direction of the entire pit operation and all gambling machines or other gambling operations, and any person who has authority to supervise or direct the first-mentioned person;
- (f) in the case of a company registered in terms of section 61 of the Act, any director thereof;
- (g) in the case of a close corporation registered in terms of section 61 of the Act, any member thereof;

- (h) any person who has authority to manage, or to be responsible for the management of, one or more of the departments or functions of a gambling operation, including, without being limited to—
 - (i) accounting;
 - (ii) creditors and collections;
 - (iii) the cage department;
 - (iv) staff;
 - (v) internal audit;
 - (vi) security; and
 - (vii) surveillance;
- (i) any person who has been specifically presented to the board by a licensee or an officer or a director of the licensee as being important or necessary for the operation of the business of the licensee.

86. Temporary registration of key persons and gambling employees

- (1) If an application for registration as a key person or a gambling employee has been made or the board has identified an employee of a licensee or person registered in terms of section 61 of the Act as a key person or a gambling employee and has requested that person to apply for registration, and the board is satisfied that
 - (a) the operation of the business of the licensee or person registered in terms of section 61 of the Act will be seriously prejudiced by a delay in employing the applicant or by the interruption of his or her employment; and
 - (b) the commencement of the employment or the continued employment of the applicant will not prejudice the integrity and proper operation of the business of the licensee or person registered in terms of section 61 of the Act,the board may grant the applicant temporary registration, pending the outcome of the application.
- (2) An applicant shall apply for temporary registration by annexing to the application for registration contemplated in regulation 85, a completed form in accordance with Form 9 of Schedule "B" and payment of the fee set out in Schedule "A" of these regulations.

- (3) The issuing by the board of temporary registration in terms of sub-regulation (1) shall not found any expectation of the grant of registration in terms of section 68 or 69 of the Act.
- (4) If the application for registration in terms of sections 68 or 69 of the Act by the holder of a temporary registration contemplated in sub-regulation (1) is refused by the board, the licensee or person registered in terms of section 61 of the Act who employs that person shall, upon receipt of the board's decision, immediately cease to employ that person in any capacity in which he or she is required to be so registered.
- (5) The provisions of sub-regulation (4) shall be a condition of employment.

87. Certificate of registration as a key person or a gambling employee

The board shall on payment of the respective fees set out in Schedule II of the Act, as adjusted, issue every person registered as a key person or gambling employee with a certificate of registration in accordance with Form 10 of Schedule "B" of these regulations: Provided that, in the case of a temporary certificate of registration, the word "TEMPORARY" in red capital letters shall be stamped across the face of the certificate from bottom left to top right.

88. Certificate of registration on employment record.

- (1) A licensee shall at all times keep a copy of the certificate of registration of every person registered in terms of sections 68 and 69 of the Act and regulation 87 on the person's employment record.
- (2) If a person changes a position or wish to replace a registration certificate, the board shall on payment of the respective fees set out in Schedule A of these regulations issue such person with the necessary certificate.

CHAPTER 13

RESTRICTIONS, LIMITATION AND PROHIBITION

89. Undesirable advertising

- (1) No person shall display, publish or broadcast any advertisement or form of advertising with regard to gambling as contemplated in section 70 of the Act -

- (a) without the board's prior approval, or
 - (b) which has been declared to be undesirable in terms of this regulation.
- (2) The board shall not approve any advertisement or form of advertising which in the opinion of the board—
- (a) is offensive;
 - (b) is in any way misleading;
 - (c) is in bad taste;
 - (d) is socially irresponsible, with particular regard to the need to protect persons under the age of 18 (eighteen) years;
 - (e) portrays, condones, or encourages gambling behaviour that is socially irresponsible, or could lead to financial, social or emotional harm;
 - (f) gives erroneous perception of the level of risk involved or the extent of control over a bet, or implies that it is without risk;
 - (g) portrays gambling as indispensable or as taking priority in life;
 - (h) suggests that gambling can be a solution to financial concerns;
 - (i) may cause over-stimulation of gambling; or
 - (j) contains a comparison between the advertiser and any other licensee in respect of—
 - (i) the size;
 - (ii) the number of games available; or
 - (iii) the house advantage, hold, win or any like indication of the probability of winning or losing.
- (3) The board may, by written notice to a licensee or bookmaker, declare any advertisement or form of advertising undesirable on any of the grounds specified in sub-regulation (2).
- (4) Notwithstanding the provisions of this regulation, it shall not be necessary for the board to grant prior approval for any advertisement advertising only ancillary non-gambling attractions or facilities of a casino resort, limited gambling machine site, bingo operator or racecourse and which does not refer or relate to gambling in any way.
- (5) Every advertisement published by or on behalf of a licensee which refers or relates to gambling must contain a slogan in clearly visible writing or which is clearly audible, as the case may be, which—

- (a) is approved by the board;
 - (b) alerts members of the public to the issue of problem gambling; and
 - (c) in the case of print advertisements—
 - (i) alludes to the fact that under 18's (eighteens) are not allowed to gamble or enter the designated area; and
 - (ii) contains the name and telephone number of the National Responsible Gambling Programme, stating the number is toll free;
- (6) The provisions of sub-regulation (5) shall not apply to—
- (a) every announcement promoting the licensee's gambling business over a communications network broadcasting only within a casino or bingo hall if at least one reference is made to problem gambling and the National Responsible Gambling Programme within an hour of any such advertisement over that system;
 - (b) any T-shirt or other garment;
 - (c) any advertisement for a sporting, social or other such event sponsored by a casino or bingo operator where only the logo or name of such casino or bingo operator appears; or
 - (d) any other advertisement where the board for reasons of practicality has in writing so approved.
- (7) Notwithstanding the provisions of this regulation, the holder of a route operator licence or gambling machine site licence shall only advertise in, or on the exterior of, a licensed limited gambling machine site.

90. Prohibited transactions by licensee

- (1) A licensee shall not exchange cash for cash except to enable a patron to participate in gambling where cash is used as the stake or for the purpose of converting cash won by the client after participating in gambling for different denominations of cash.
- (2) A licensee shall not issue a cheque or other negotiable instrument nor shall any transfer of funds be effected to or on behalf of a patron in exchange for cash other than by means of negotiable instruments, value instruments, unless the licensee is satisfied that the patron has genuinely participated in gambling.

CHAPTER 14 SOCIAL GAMBLING

91. Social gambling not for profit

- (1)(a) A person seeking the board's approval for premises to conduct social gambling not for gain contemplated in paragraph (a) of the definition of "social gambling" in the Act may apply to the board on the form and according to the procedure determined by the board.
- (b) The board may approve such premises for a specific occasion or for a specified period.
- (2) All proceeds of social gambling contemplated in sub-regulation (1)(a), or goods representing the value of such proceeds, shall be returned to the players as prizes.
- (3) Persons conducting social gambling contemplated in sub-regulation (1)(a) on a basis more frequently than twice a month shall inform the board of such activities, their frequency and nature and the location of such gambling.
- (4) No person contemplated in this regulation who conducts social gambling shall deny access to the premises on which such social gambling is being conducted to an inspector or member of the South African Police Service.
- (5) The provisions of sub-regulation (3) shall not apply to social gambling conducted in a private home where the total amount wagered whilst such said gambling continues on any occasion does not exceed R1 000,00 (one thousand rand), the other provisions of paragraph (a) of the definition of "social gambling" are complied with and no more than 15 (fifteen) people participate in such social gambling.

92. Social gambling for fundraising purposes

- (1) A person who wishes to conduct social gambling as contemplated in paragraph (b) of the definition of "social gambling" in the Act, shall not conduct such social gambling without first being issued a temporary social gambling licence by the board, unless regulation 91 is applicable to the social gambling.
- (2) An application for a temporary social gambling licence shall be made in the manner and form determined by the board.

- (3) A licence for social gambling shall not be issued for more than 1 (one) occurrence at a time: Provided that a single licence may cover continuous social gambling on no more than 3 (three) consecutive days.
- (4) A person shall not be issued with more than one temporary social gambling licence in any 30 (thirty) day period.
- (5) A temporary licence to conduct social gambling shall not be issued unless the applicant is a suitable person to hold the licence or, if the application is made for a corporate entity, association or other such entity, each management member of the association would be a suitable person to hold the licence.
- (6) A person shall not be granted a licence to conduct social gambling for fundraising purposes unless the board is satisfied that —
- (a) the person conducting the gambling game on behalf of the relevant organisation is a fit and proper person;
 - (b) the organisation concerned has adequate resources to provide facilities necessary for conducting the social gambling;
 - (c) no information given to the board in or in connection with the application for a temporary social gambling licence was materially false;
 - (d) the organisation does not share an address with any organisation issued a licence to conduct social gambling within the same calendar month;
 - (e) all social gambling conducted by or on behalf of the organisation during the past 12 (twelve) months has been satisfactorily conducted;
 - (f) no act or omission of a person who is or will be connected with the social gambling has caused —
 - (i) any person to be refused a licence to conduct social gambling;
 - (ii) social gambling to be improperly conducted;
 - (g) the organisation was established and exists for reasons not connected with gambling or betting;
 - (h) the governing body of the organisation concerned has approved the social gambling;
 - (i) gambling games that are played —

- (i) are lawful and will be run in accordance with sound financial principles;
 - (ii) will be conducted in a manner that does not allow for easy cheating; and
 - (iii) will permit players a reasonable chance of winning.
- (7) In deciding whether the applicant or a member thereof is a suitable person to hold the licence, the board may consider —
- (a) the disqualifications contemplated in section 31 of the Act;
 - (b) the applicant and management members character and business reputation;
 - (c) the applicant and management members financial position and background;
 - (d) where the applicant is not an individual, whether the applicant has a satisfactory ownership, trust or corporate arrangement.
- (8) The person managing the social gambling must be —
- (a) a member of the organisation on whose behalf the social gambling is conducted;
 - (b) an employee of that organisation acting in the course of his or her employment; or
 - (c) a person approved by the board and whose remuneration shall not exceed R1 000,00 (one thousand rand) for such occurrence.
- (9) The board or an inspector of the board may cause any social gambling under a licence to cease if such social gambling is a fraudulent scheme or does not present players a reasonable chance of winning.
- (10) The board may require an applicant for a social gambling licence or a person who has conducted social gambling to —
- (a) furnish the board with such information relating to the social gambling conducted or to be conducted as the board may require;
 - (b) allow any inspector or person authorised by the board to inspect and take copies of any documents of the organisation, including information held otherwise than in writing, relating to such social gambling;
 - (c) allow the board to inspect any aspect of the management of such social gambling;

- (d) assist the board in viewing and taking copies of any information relating to the social gambling held on a computer.
- (11) The licensee shall keep accurate records of all social gambling and shall submit copies of the total amount wagered and the profit from the occurrence to the board, together with such other information as the board may require.
- (12) A person licensed by the board to conduct social gambling for profit shall supply to the board within 12 (twelve) months of such social gambling a breakdown of how the profits from such social gambling were used, or, if they were put in the general funds of such organisation, how the funds of the organisation were spent.
- (13) Proper accounting records shall be kept by all persons to whom a temporary social gambling licence is issued and such person shall, on demand, produce such records to the board.
- (14) No holder of a licence for social gambling for the purpose of fundraising contemplated in this regulation shall allow —
- (a) a bingo game where the gross amount staked on a single bingo game exceeds R1 000,00 (one thousand rand);
 - (b) multiple bingo games on a single day where the total staked on all such games exceeds R25 000,00 (twenty-five thousand rand);
 - (c) gambling table games where the stake exceeds R20,00 (twenty rand).
- (15) A person conducting social gambling for purposes of fundraising may not refuse entry to an inspector of the board or member of the South Africa Police Service to the premises where the social gambling is being conducted or to the premises where the money relating to such social gambling is counted.
- (16) A person conducting social gambling in terms of this regulation or regulation 93 shall not allow persons under the age of 18 (eighteen) years to attend or participate in such social gambling or to be present in any area of the premises on which such social gambling occurs.

- (17) A person conducting social gambling contemplated in this regulation shall not expose for play any equipment which must be registered, in terms of section 65 of the Act, and which is not so registered.

93. Social gambling for fundraising purposes not requiring a licence

- (1) Notwithstanding the provisions of regulation 92, a person contemplated in paragraph (b) of the definition of "social gambling" in the Act may conduct such social gambling, without a temporary social gambling licence if —
- (a) such social gambling is conducted for and by -
 - (i) the members of a church;
 - (ii) the parents and staff of a school;
 - (iii) the members of a sporting club;
 - (iv) the members of an entity duly authorised in terms of the Fundraising Act, 1978 (Act No. 107 of 1978); or
 - (v) such other entity as the board may, on application, determine which is not connected with any form of gambling or betting;
 - (b) the persons conducting and participating in the social gambling are all members of the organisation for whom the social gambling is being conducted;
 - (c) the governing body of the organisation concerned has in writing authorised the social gambling concerned;
 - (d) no gambling equipment which in terms of section 65 of the Act needs to be registered is used in conducting such social gambling;
 - (e) all proceeds, after deducting only the reasonable expenses of obtaining the cards or equipment used for social gambling, are devoted to the provision of payouts to persons who participate in such social gambling, or are used for the purposes for which the church, school, sports club or fundraising institution was established;
 - (f) no notice or advertisement of the social gambling is made, exhibited, published, distributed or broadcast other than within the premises of the organisation concerned;
 - (g) no person is employed for reward in any form whatsoever in connection with the conduct of the social gambling;
 - (h) the organisation conducting the social gambling was not established and is not continued for the purpose of gambling and betting;

- (i) a person who participates in such social gambling does or did solely for the purpose of social gambling become a member of the organisation which conducts the social gambling or on whose behalf the social gambling is conducted;
 - (j) every person participating in the social gambling has been a member of such church, school or organisation for at least 30 (thirty) days prior to such participation: Provided that in the case of a school, persons conducting and participating in the social gambling must be members of staff, members of the governing body of the school or parents of children who attend the school;
 - (k) no more than 1 (one) social gambling event is held by such organisation in any calendar month;
 - (l) no bet of more than R5,00 (five rand) is permitted in any game;
 - (m) the total amount staked in any single game of bingo shall not exceed R300,00 (three hundred rand); and
 - (n) the organisation concerned informs the board of such gambling and the beneficiary thereof at least 48 (forty-eight) hours before the commencement thereof.
- (2) Notwithstanding the provisions of regulation 96 and sub-regulation (1), social gambling may be conducted without a licence if -
- (a) such social gambling is social gambling contemplated in paragraph (b) of the definition of social gambling in the Act;
 - (b) the only social gambling game played is bingo;
 - (c) all prizes are paid in the form of non-cash prizes;
 - (d) the total value of tickets sold for any game of bingo does not exceed R200,00 (two hundred rand), and for all games of bingo held on such day does not exceed R4 000,00 (four thousand rand);
 - (e) the bingo is conducted during a course of a bazaar, fete, dinner, dance, sporting event or other entertainment of a similar nature occurring on the same premises;
 - (f) the organisation must have been established or continue for purposes not conducted with gambling or betting;
 - (g) the opportunity to participate in social gambling or such opportunity together with any other opportunity of participating in gambling or lotteries must not be the only substantial inducement to attend the entertainment concerned;

- (h) all proceeds of the social gambling, after provision for the payment of costs of obtaining the equipment used and for the payment of prizes must be utilised by such church, school, sports club or entity authorised in terms of the Fundraising Act, 1978 (Act No. 107 of 1978) for the purposes for which such organisation was founded; or
 - (i) the provisions of paragraphs (c), (d), (g), (h), (k), (l) and (n) of sub-regulation (1) are complied with.
- (3) The provisions of regulation 96(9), (10), (11), (12), (13), (15), (16) and (17) shall apply with the necessary changes to social gambling contemplated in this regulation.
- (4) Notwithstanding the provisions of sub-regulation (1) and (2), the board may prohibit a person from continuing with or again conducting social gambling if -
- (a) the games played are fraudulent or do not offer players a reasonable chance of a return;
 - (b) any person conducting or controlling the social gambling concerned is not a fit and proper person; or
 - (c) any member of the executive of the organisation concerned is not a fit and proper person:
- Provided that such organisation shall be allowed to present further social gambling if and when persons contemplated in paragraphs (b) and (c) are removed from such position.
- (5) Any person who was the reason for the board cancelling the privilege of any organisation to conduct social gambling shall not attend any social gambling presented by or on behalf of such organisation and no such organisation shall present or allow to be presented such social gambling if such person attends.

CHAPTER 15 MISCELLANEOUS PROVISIONS

94. Oath and affirmation of office

- (1) The oath or solemn affirmation to be made by members of the board shall be as follows:

I, (Full name), do hereby swear/solemnly affirm that I will hold my office as member of the Eastern Cape Gambling Board with honour and dignity; that I will not divulge directly or indirectly any matters which are entrusted to me under secrecy; and that I will perform the duties of my office conscientiously and to the best of my ability, without fear, favour or prejudice; and that I am not disqualified in terms of the Eastern Cape Gambling Act, No. 5 of 1997, from holding such office.

- (2) The oath or solemn affirmation to be made by members of the staff of the board shall be as follows:

I, (Full name), do hereby swear/solemnly affirm that in the performance of my duties as a member of staff of the Eastern Cape Gambling Board: I will not divulge directly or indirectly any matters which are entrusted to me confidentially and that I am not disqualified in terms of the Eastern Cape Gambling Act, No. 5 of 1997, from being so employed.

- (3) In the case of an oath the words in sub-regulations (1) and (2) shall be followed by the words "So help me God", and in the case of an affirmation, the words in sub-regulations (1) and (2) shall be followed by the words "I solemnly affirm".

95. Resolution of patron disputes

- (1) Whenever a dispute arises as between a patron and a licensee, as to the payment of alleged winnings or precise amount thereof to the patron by the licensee, or payment of a gambling debt or precise amount thereof by a patron to the licensee, and the parties are unable to resolve the dispute to the satisfaction of the parties, the disputes shall be resolved as provided for in this regulation.
- (2) The dispute may be referred by the patron or the licensee, or both the patron and the licensee to the chief executive officer of the board or his or her delegate for resolution.

- (3) The chief executive officer may, for the purposes of resolving the dispute, conduct such inquiries, inspect any books or documents and question such persons as are necessary or relevant or connected to the dispute: Provided that the chief executive officer shall afford both the patron and licensee an opportunity to present their cases to him or her before he or she resolves the dispute.
- (4) The chief executive officer shall, upon referral of the dispute, expeditiously resolve the dispute.
- (5) The chief executive officer's decision on the dispute shall be final and binding on the parties, subject to the right of appeal in terms of regulation 96.
- (6) The chief executive officer shall inform both parties of his or her decision and advise that a party aggrieved by his or her decision has a right of appeal against such decision to the board.
- (7) A party shall be obliged to pay the amount of the winnings or gambling debt as determined by the chief executive officer within the period determined by the chief executive officer.
- (8) The chief executive officer may delegate any power, function or duty in terms of this regulation to any member of the staff of the board, on such conditions as he or she may determine.

96. Appeal to the board: Patron disputes

- (1) A patron or licensee aggrieved by the decision of the chief executive officer made in terms of regulation 95, may within 14 (fourteen) days of being notified of such decision, lodge an appeal in writing to the board.
- (2) The board shall, with due regard to expedience, hear and determine the appeal, and may thereafter confirm, reverse or set aside the chief executive officer's decision or make any order that it deems appropriate.

- (3) The appeal shall be determined and be heard by the board in such a manner and in accordance with such procedure as the board may determine: Provided that the board shall afford the parties to the appeal the opportunity to present their cases before it makes a decision on appeal.
- (4) The decision of the board shall be final and binding on the parties to the appeal.
- (5) A party shall be obliged to pay the amount of the winnings or gambling debt as determined by the board on appeal within the period determined by the board.

97. Non-payment by patron

If a patron is obliged to pay a gambling debt in terms of an order made by the chief executive officer and has not appealed to the board against the said order, or is obliged to pay a gambling debt in terms of an order made by the board on appeal and has not made an application for review of the board's decision or order, but fails to make such a payment, the board may include such a patron's name in the list of excluded persons, as contemplated in regulation 73.

98. Gambling-related contracts

- (1) A gambling-related contract to which a licensee or an applicant for a licence is a party or intends to become a party shall be in writing if the total value of such contract exceeds the amount of R5 000,00 (five thousand rand).
- (2) Gambling-related contracts with a single supplier shall also be in writing for contracts concluded with a supplier if the total value of all previous contracts with such supplier has exceeded R20 000,00 (twenty thousand rand) in any year.

99. Submission of gambling-related contracts

- (1) A licensee or applicant for a licence shall, before entering into a gambling-related contract with a value of R200 000,00 (two hundred thousand rand) or more, submit the proposed contract or amended contract to the board for approval.

- (2) Every licensee shall, on a quarterly basis, and within 14 (fourteen) days of the end of the quarter, submit to the board a schedule, in a form approved by the board, of all contracts entered into by such licensee, exceeding R1 000,00 (one thousand rand) in value, which schedule shall contain the name of the person within whom the contract is entered into, the goods or services provided and the value of the contract.
- (3) The board may request a copy of any contract entered into by a licensee for its approval.
- (4) The board may, when evaluating a contract or amendment of a contract, consider the suitability of the party as contemplated in section 86 of the Act with whom the licensee or applicant entered into a contract and may request such contractor to apply for a certificate of suitability as provided for in regulation 16.
- (5) The board may at any time review a contract referred to it for approval or approved by it in terms of this regulation.
- (6) If a contractor is found to be or becomes unsuitable, the board shall direct the licensee or applicant to terminate its contract with such contractor.
- (7) A licensee or an applicant required by the board to terminate a gambling related contract pursuant to this regulation shall do so within a time determined by the board.
- (8) Every gambling-related contract shall provide for its termination in the circumstances provided for in sub-regulations (4) and (5).

100. Summons.

A summons contemplated in section 30 of the Act shall be in accordance with Form 11 of Schedule "B" of these regulations.

101. Repeal of Regulations

All regulations made in terms of the Act prior to the commencement of these regulations are hereby repealed.

102. Transitional Provisions

Any application, hearing, inquiry or action that commenced prior to the commencement of these regulations, shall continue in terms the repealed regulations until finalised.

103. Short title and commencement

These regulations are called the Provincial Gambling Regulations, 2017, and shall commence on the date of publication thereof on the *Provincial Gazette*.

SCHEDULE "A"**NON-REFUNDABLE FEES PAYABLE BY THE APPLICANT**

LICENCE OR ITEM	FEE PAYABLE	REGULATION REFERENCE
1. Gambling Machine Site Licence		
(a) Receipt of the request for proposal	R1000-00	Regulation 3
2. Bingo Licence		
(a) Receipt of the draft request for proposal	R1200-00	Regulation 3
(b) Attendance fee: Bidders Conference arranged by the board	R6000-00	Regulation 3
(c) Receipt of final Request for proposal	R6000-00	Regulation 3
3. Bookmakers Licence		
(a) Receipt of the draft request for proposal	R500-00	Regulation 3
(b) Attendance fee: Bidders Conference arranged by the board	R1000-00	Regulation 3
(c) Receipt of final Request for proposal	R1500-00	Regulation 3
4. Copies of application documentation	R2-00 per page	Regulation 6
5. Exclusivity of casino licence		
(a) amount payable per annum for the period of ten years escalating annually at inflation rate (CPI), if the value of the development does not exceed R200 Million	R500 000-00	Regulation 22(3)
(b) amount payable per annum for the period of ten years escalating annually at inflation rate (CPI), if the value of the development exceeds R200 Million	R1 000 000-00	Regulation 22(3)
6. Temporary registration of key and gambling employees		
(a). Application for temporary key employee registration certificate	R105-00	Regulation 86
(b) Application for temporary key employee registration certificate paid monthly on accrual basis within 7 days	R60-00	Regulation 86
(c) Application for temporary Gambling employee registration certificate	R125-00	Regulation 86
(d) Application for temporary gambling employee registration certificate paid monthly on accrual basis within 7 days	R75-00	Regulation 86
7. Change of position or replacement of the registration certificate	R70-00	Regulation 88

SCHEDULE "B"

FORM 1

APPLICATION FORM

I,, on behalf of the applicant hereby apply in terms of the Gambling Act, 1997 (Act No. 5 of 1997) (Eastern Cape), for a licence in the _____ magisterial district and confirm being aware of and understanding the provisions of the said Act and Regulations made thereunder, insofar as they pertain to this application.

Application for:	Section	Tick
Casino Licence	41	
Bingo Licence	47	
Route Operator Licence	49	
Bookmaker Licence	53	
Racecourse Licence	56	
Totalisator Licence	51	
Gambling Machine Site Licence	50	
Amendment of licence	35	
Transfer of licence	36	
Removal of business to other premises	37	
Addition of premises	37	
Deletion of licensed premises	37	
Acquisition of financial and controlling interest	40	
Certificate of suitability for third parties	86	

Details of the Applicant

Full name of applicant
.....

Physical business address
.....

Postal address
.....

Telephone number

Facsimile number

Physical address of the site in respect of
which application is made

For and on behalf of the applicant

.....
Date (who warrants his authority)

.....
Name – print Capacity of signatory

FORM 2**EASTERN CAPE GAMBLING ACT, 1997 (ACT NO. 5 OF 1997) NOTICE OF
LODGEMENT OF APPLICATIONS FOR GAMBLING LICENCES**

Notice is hereby given that the applications for gambling licences, particulars of which appear in the Schedule hereunder, have been lodged with the Eastern Cape Gambling Board.

The applications may be inspected by any person at the offices of the Board and at [place of inspection in terms of regulation 8].

Any objections, petitions or representations shall be lodged with the chief executive officer of the Board within 30 (thirty) days of the date of this notice.

All objections and comments shall specify: the application to which the objection or comment relates; the grounds on which the objection is founded; in the case of comment, full particulars and facts in substantiation thereof; the name, address, telephone and fax number of the objector or person making the comment and a statement whether the objector or person making the comment wishes to make oral representations when the application is heard.

A person lodging representations may show cause why the Board may determine that his or her identity should not be divulged.

The undermentioned figures used in brackets in the Schedule have the following meanings:

- (1) = The name and address of the applicant;
- (2) = If the applicant is a company or other corporate body, the names of all persons who have a financial or other interest of 5% (five percent) or more in the applicant;
- (3) = In the case of a company, the initials and surnames of all directors of the company;
- (4) = The type of licence applied for;
- (5) = The address of the premises from which the applicant intends to operate.

FORM 3

EASTERN CAPE GAMBLING ACT, 1997 (ACT NO. 5 OF 1997)

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that Public hearings in terms of section 28(1) of the Eastern Cape Gambling Act, 1997 (Act No. 5 of 1997) (as amended) ("the Act"), shall be held in respect of Applications received for, as set out in the Schedule(s) hereunder on at or as soon thereafter as the Board may be heard at

Chief Executive Officer
Eastern Cape Gambling Board
(Address of Board)

FORM 5

EASTERN CAPE GAMBLING ACT, 1997 (ACT NO. 5 OF 1997)

Notice is hereby given that the undernamed casino operator has applied for the extension of its right of exclusivity in the area mentioned hereunder and has tendered the lump sum payment set out hereunder. Any objections or representations thereto shall be lodged with the Chief Executive Officer of Eastern Cape Gambling Board within 30 (thirty) days of the publication of this notice.

Applicant : _____

Licence Number : _____

Area of Exclusivity : _____

Lump sum : _____

The exclusivity fees payable in terms of section 45(4) are as follows:

Value of casino development	Exclusivity Fee
Where the value of the casino development does not exceed R200 million	R500 000,00 (five hundred thousand rand) per annum for a period of 10 (ten) years escalating annually at the inflation rate (CPI)
Where the value of the casino development exceeds R200 million	R1 000 000,00 (one million rand) per annum for a period of 10 (ten) years escalating annually at the inflation rate (CPI)

Period for which exclusivity sought: _____

 Chief Executive Officer
 Eastern Cape Gambling Board
 (Address of Board)

Details of any prior convictions:

Crime	Date of Conviction	Sentence

Qualifications:

Apprenticeships:

Number of years completed	Contract No.	Trade

Full names of all directors (companies) or members (close corporations)

Names of all persons who hold a beneficial interests of 5% or more in applicant and their percentage holding:

NOTE: A COMPLETED SAP 91 (a) FORM IN RESPECT OF THE APPLICANT MUST BE ANNEXED HERETO.

Names and Registration Numbers of all registered key persons and Gambling Employees in the Employ of the Applicant

Name	Key Persons Yes/No	Registration Number
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		
22.		
23.		
24.		
25.		

(If necessary annex further pages)

I declare/truly affirm that the information furnished in this application and in the documents attached to it, is true.

Date _____

Signature of applicant or person authorised to sign application

I certify that this declaration has been signed and sworn to/affirmed before me at.....this.....day of..... by the applicant/person authorised to sign application who acknowledged that—

- (i) he/she knows and understands the contents of this declaration;
- (ii) he/she has no objection to taking the prescribed oath/affirmation: and
- (iii) he/she considers the prescribed oath to be binding on his/her conscience, and that he/she uttered the following words:

“I swear that the contents of this declaration are true, so help me God:. / I truly affirm that the contents of this declaration are true”.

Commissioner of Oaths

Full name _____
Business address _____
Designation _____
Area for which appointment is held _____
Office held if appointment is ex officio _____

FOR OFFICE USE	
Date Received _____	Date of Registration _____
Approved/Disapproved - Reason _____	

Registration No.: _____	
Registration Fee Paid: _____	
Receipt No.: _____	

FORM 7**EASTERN CAPE GAMBLING ACT, (ACT NO. 5 OF 1997)
CERTIFICATE OF REGISTRATION**

REGISTRATION AS MANUFACTURER, ASSEMBLER, MAINTAINER, REPAIRER,
SELLER, DISTRIBUTOR, IMPORTER, ACQUIRER, MARKETER, RENTER,
LESSOR, ALTERER OR MODIFIER OF GAMBLING DEVICES

It is hereby certified that _____ (FULL NAMES)
having the Identity/Registration number _____ was registered with
the Eastern Cape Gambling Board as a _____
of gambling devices on this _____ day of _____ and has the
Board Registration Number _____

Chief Executive Officer
Eastern Cape Gambling Board
(Address of Board)

Date: _____

declaration are true, so help me God". "I truly affirm that the contents of this declaration are true".

Commissioner of Oaths

Full names _____

Business Address _____

Designation Area for which appointment is held _____

Office held if appointment is ex officio _____

FOR OFFICE USE

Date Received

--	--	--

Approved/Disapproval Reason: _____

Registration No: _____

Registration Fee Paid: _____

Receipt No.: _____

FORM 9
EASTERN CAPE GAMBLING ACT, 1997 (ACT NO. 5 OF 1997)
APPLICATION FOR TEMPORARY REGISTRATION AS KEY
PERSON/GAMBLING EMPLOYEE

Full Names: _____
 Identity No: _____
 Post for which Temporary Registration sought: _____
 Employer: _____
 Employers Licence/Registration No.: _____
 Date of Lodgement of Application for Permanent Registration: _____
 Only temporary registration is sought (Regulation 86 Yes/No (Delete one))
 Reason for request for temporary registration: _____

I confirm that the operation of the above licensee / person registered in terms of section 61 of the Act will be seriously prejudiced by any delay in my employment / the interruption of my employment (*delete one*) and that my employment will not prejudice the integrity and proper operation of the business of the above licensee / registered person.

I declare/truly affirm that the information furnished in this application and in the documents attached to it, is true.

Date _____ Signature of applicant _____

I certify that this declaration has been signed and sworn to/affirmed before me atthis.....day of..... by the applicant/person authorised to sign application who acknowledge that—

- (i) he/she knows and understand the contents of this declaration;
- (ii) he/she has no objection to taking the prescribed oath/affirmation; and
- (iii) he/she considers the prescribed oath to be binding on his/her conscience, and that he/she uttered the following words: "I swear that the contents of this declaration are true, so help me God"/"I truly affirm that the contents of this declaration are true".

 Commissioner of Oaths
 Full names _____
 Business Address _____
 Designation _____
 Area for which appointment is held _____
 Office held if appointment is ex officio _____

DECLARATION BY LICENSEE/REGISTERED PERSON/EMPLOYER

I confirm that the operation of the above licensee / registered person will be seriously prejudiced by any delay in employing the applicant / by the interruption of his or her employment. *(delete one)* AND that the commencement of the employment or continued employment of the applicant will not prejudice the integrity and proper operation of the business of the above licensee / registered person *(delete one)*.

I declare/truly affirm that the information furnished in this application and in the documents attached to it, is true.

Date _____

Signature or person authorised to sign on
behalf of licence registered person

I certify that this declaration has been signed and sworn to/affirmed before me atthis....day of..... by the applicant/person authorised to sign application who acknowledge that—

- (i) he/she knows and understand the contents of this declaration;
- (ii) he/she has no objection to taking the prescribed oath/affirmation; and
- (iii) he/she considers the prescribed oath to be binding on his/her conscience, and that he/she uttered the following words: "I swear that the contents of this declaration are true, so help me God"/"I truly affirm that the contents of this declaration are true".

Commissioner of Oaths

Full names

Business Address _____

Designation _____

Area for which appointment is held _____

Office held if appointment is ex officio _____

FORM 10
EASTERN CAPE GAMBLING ACT, 1997 (ACT NO. 5 OF 1997)
REGISTRATION CERTIFICATE

It is hereby certified that the person whose particulars are set out hereunder is registered at the Eastern Cape Gambling Board as a Key Person/Gambling Employee (*delete one*).

FRONT:

<p align="center">EASTERN CAPE GAMBLING BOARD REGISTRATION CERTIFICATE</p> <p>The bearer of this certificate is appointed as a— KEY PERSON/GAMBLING EMPLOYEE* in terms of section 68/69* of the Eastern Cape Gambling Act, 1997 (Act No. 5 of 1997)</p> <p>FULL NAMES: IDENTITY No.: POSITION HELD: REGISTRATION No.: ISSUE DATE EXPIRY DATE</p> <p align="right">..... CHIEF EXECUTIVE OFFICER</p>	<p align="center">PHOTOGRAPH</p>
--	----------------------------------

*Omit one.

BACK:

<p align="center">THIS CERTIFICATE REMAINS THE PROPERTY OF THE EASTERN CAPE GAMBLING BOARD.</p>
--

FORM 11

EASTERN CAPE GAMBLING ACT, 1997 (ACT NO. 5 OF 1997) SUMMONS IN TERMS OF SECTION 30 OF THE ACT

TO:

Name:		
Address:		
Sex:	Age:	Id. No:

By virtue of the powers vested in the board by section 30 (4) of the Act, you are hereby directed to be present and give evidence /produce the documents or any other thing indicated in Annexure.....hereto at a meeting of the board which relates to..... and which will be held on the date, time and at the place indicated below.

Date	Time	Place

Your attention is invited to the fact that it is an offence not to appear or not to remain in attendance without the consent of the chairperson first having been obtained.

Place of issue: East London

Date _____
Chief Executive Officer

FOR OFFICIAL USE ONLY

I certify that I have served this notice upon the said person by—

*(a)	delivering a true copy to _____ PERSONALLY;
(b)	delivering as he/she could not be found, a true copy to apparently over the age of 16 (sixteen) years and apparently residing or employed at the place of RESIDENCE/EMPLOYMENT/BUSINESS of the said

at _____

The nature and exigency of this notice was explained to the recipient thereof.

Time.....Day Month..... Year

SIGNATURE

FULL NAMES:

** Delete whichever is not applicable*