

**MEDIA STATEMENT**

**FOR IMMEDIATE RELEASE**

**EASTERN CAPE GAMBLING BOARD BOOKMAKER LICENSES NOT IMPLICATED BY  
SUPREME COURT OF APPEAL JUDGEMENT ON SUPABETS**

The Eastern Cape Gambling Board (ECGB) wishes to state that the judgement delivered in the matter between Supabets and Others (Casino Association of South Africa - CASA) & Gauteng Gambling Board (GGB), is not applicable to bookmakers licensed with the ECGB.

The Supreme Court of Appeal (SCA), passed a judgement prohibiting Supabets (a licensee of the GGB) from offering/ accepting bets on the outcome of casino games including roulette.

The Chief Executive Officer of the ECGB, Mabutho Zwane, stated that there may have been media reports on the position of the National Gambling Board (NGB) regarding this judgement, Zwane says, the interpretation by the NGB may be misleading and unfortunate. The ECGB is of the position that this judgement is only applicable to Bookmakers licensed with the GGB, as such, all bookmakers licensed with the ECGB may continue to offer/ accept bets on the outcome of casino games, including roulette.

END

**Issued By**

**Pumeza George- Communication Services**

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## NOTES TO THE EDITOR

1. The Eastern Cape Gambling Board (“the ECGB”) is aware of the judgement delivered in the matters of *Portapa (Pty) Limited t/a Supabets and Others v Casino Association of South Africa and Another*, and *The Gauteng Gambling Board v Casino Association of South Africa v Portapa (Pty) Ltd t/a Supabets and Others (Case Nos 182/2024 & 215/2024) [2025] ZASCA 158 (21 October 2025)* (“the Supabets judgement”). The ECGB hereby sets out its position on the implications of the said judgement.
2. The case dealt specifically with whether bookmakers licensed in Gauteng may lawfully offer fixed-odds bets on the outcome of casino games such as roulette.
3. The media reports attributed to the National Gambling Board (“NGB”) which suggest that the effect of the abovementioned judgement is to prohibit Bookmakers across all the Provinces from offering or accepting bets on the outcome of casino games, including roulette, are both misleading and unfortunate.
4. The ECGB does not share this interpretation, for the following reasons:
  - 5.1 The Supreme Court of Appeal (“SCA”) considered the provisions of the Gauteng Gambling Act, 1995 (“the GG Act”), including the definitions of casino, casino games, and sporting event; as well as Sections 55 and 76 thereof. The Court also referred to the definition of “contingency” and Section 4 of the National Gambling Act, 2004 (“the NGA”).
  - 5.2 On a proper reading and interpretation of the above provisions, the SCA found that Bookmakers licensed by the Gauteng Gambling Board (“GGB”) are:
    - 5.2.1 Restricted to offering bets on sporting events (Section 55 of the GG Act);
    - 5.2.2 Limited in terms of contingencies on which they may accept bets (section 76 of the GG Act); and
    - 5.2.3 Roulette is expressly defined as a casino game and not a sporting event.
  - 5.3 The court therefore declared that, under the GG Act, it is unlawful, for Bookmakers licensed by the GGB to offer fixed-odds bets on the outcome of a casino game, including the game of roulette, and that Supabets may not do so.
  - 5.4 Importantly, the SCA’s findings were based on the specific legislative framework applicable to the Gauteng Province. The decision does not extend to bookmakers licensed under other provincial laws.
  - 5.5 The SCA interpreted one provincial statute - the GG Act - and did not amend, read down, or invalidate the NGA or the legislations of other provinces. Nor did it hold that accepting bets through an online platform is itself unlawful.

- 5.6 Other Provincial Licensing Authorities were not party to the litigation, and their respective provincial legislation was not considered. Consequently, the SCA judgement cannot be said to apply to all the Provinces, nor can it be inferred that all Bookmakers nationwide are prohibited from offering bets on casino games. The legislative framework of the provinces differs significantly from that of Gauteng.
  - 5.7 The SCA reaffirmed that Provinces possess the authority to regulate their own gambling sector, consistent with the concurrent legislative competence conferred by Schedule 4 of the Constitution.
  - 5.8 Section 30 of the NGA further confirms that PLAs have exclusive jurisdiction to, issue provincial licences in respect of casinos, racing, gambling, or wagering, except where a national licence is expressly required.
  - 5.9 The Court also emphasized that it is the provincial gambling authorities, and not the NGB, that determine the types of bets their licensees may offer.
5. Section 1 of the Eastern Cape Gambling Act, 1997 (as amended) (“the EC Act”) defines “Contingency” *as an event or occurrence of which the outcome is uncertain or unknown to any person until it happens.*
  6. The EC Act defines “Sporting Event” *as any football, rugby, cricket, golf or tennis match, any boxing, wrestling, shooting or swimming contest, any foot, cycle, motor, boat or horse race and any other lawful contest, competition, tournament or game usually attended or viewed by the public.*

07 November 2025

Our Ref: Notice

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## NOTICE TO ALL LICENSEES AND PROSPECTIVE BOOKMAKER APPLICANTS

### RE: IMPLICATIONS OF THE SUPABETS JUDGMENT AND ITS APPLICABILITY TO THE EASTERN CAPE GAMBLING BOARD BOOKMAKER LICENSEES

1. The judgement, annexed hereto as annexure 1, delivered in the matter of *Portapa (Pty) Limited t/a Supabets and Others v Casino Association of South Africa and Another, and The Gauteng Gambling Board v Casino Association of South Africa v Portapa (Pty) Ltd t/a Supabets and Others (Case Nos 182/2024 & 215/2024) [2025] ZASCA 158 (21 October 2025)* (“the Supabets judgement”) refers. The Eastern Cape Gambling Board (“**the ECGB**”) hereby sets out its position on the implications of the said judgement.
2. The media reports attributed to the National Gambling Board (“NGB”) which suggests that the effect of the abovementioned judgement is to prohibit Bookmakers across the country from offering or accepting bets on the outcome of casino games, including roulette, are both misleading and unfortunate. **The ECGB does not agree with this position.**
3. The case dealt specifically with whether bookmakers licensed in Gauteng may lawfully offer fixed-odds bets on the outcome of casino games such as roulette.
4. The Supreme Court of Appeal (“**SCA**”) considered the provisions of the Gauteng Gambling Act, 1995 (“**the GG Act**”), including the definitions of casino, casino games, and sporting event; as well as Sections 55 and 76 thereof. The Court also referred to the definition of “contingency” and Section 4 of the National Gambling Act, 2004 (“the NGA”).
5. On a proper reading and interpretation of the above provisions, the SCA found that Bookmakers licensed by the Gauteng Gambling Board (“**GGB**”) are:
  - 5.1 Restricted to offering bets on sporting events (Section 55 of the GG Act);
  - 5.2 Limited in terms of contingencies on which they may accept bets (section 76 of the GG Act); and
  - 5.3 Roulette is expressly defined as a casino game and not a sporting event.
6. The court declared that, under the GG Act, it is unlawful for Bookmakers licensed by the GGB to offer fixed-odds bets on the outcome of a casino game, including the game of roulette and that Supabets may not do so.

Board Members: Adv. J. Buchner; S.W. Busakwe; M.N. de Beer; Q.N. Mafuya; B. Msayi-Jozana; Dr. N. Ncedede; V. Vika (Chairperson); M. Zokoza; R.M. Zwane (Chief Executive Officer)

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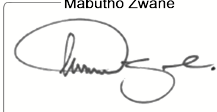
website: [www.ecgb.org.za](http://www.ecgb.org.za)

7. Importantly, the SCA's findings were based on the specific legislative framework applicable to the Gauteng Province. The decision does not extend to bookmakers licensed under other provincial laws.
8. The SCA interpreted one provincial statute - the GG Act - and did not amend, read down, or invalidate the NGA or the legislations of other Provinces, nor did it hold that accepting bets through an online platform is unlawful.
9. Other Provincial Licensing Authorities (PLAs) were not party to the litigation and their respective provincial legislations were not considered. Consequently, the SCA judgement cannot be said to apply to all the Provinces, nor can it be inferred that all Bookmakers in all Provinces are prohibited from offering bets on casino games. The legislative framework of the Provinces differ significantly from that of Gauteng.
10. The SCA reaffirmed that Provinces possess the authority to regulate their own gambling sector, consistent with the **concurrent legislative competence** conferred by Schedule 4 of the Constitution.
11. Section 30 of the NGA further confirms that PLAs have exclusive jurisdiction to issue provincial licences in respect of casinos, racing, gambling, or wagering, except where a national licence is expressly required.
12. The Court also emphasized that it is the PLAs and not the NGB that determines the types of bets their licensees may offer.
13. Section 1 of the Eastern Cape Gambling Act, 1997 (as amended) ("**the EC Act**") defines "Contingency" *as an event or occurrence of which the outcome is uncertain or unknown to any person until it happens.*
14. Section 1 further defines "Sporting Event" *as any football, rugby, cricket, golf or tennis match, any boxing, wrestling, shooting or swimming contest, any foot, cycle, motor, boat or horse race and any other lawful contest, competition, tournament or game usually attended or viewed by the public.*
15. Section 72 of the EC Act provides that, subject to provisions contained in any Act of Parliament and the provisions of this Act or any other law, **a person may only gamble or bet on the result of:**
  - 8.1 A gambling game;
  - 8.2 A bingo game;
  - 8.3 The operation of a gambling machine;
  - 8.4 A horse race; or
  - 8.5 A lawful contingency.

16. Section 18E of the EC Act defines gambling games as an activity if it is played upon payment of any consideration, with the changes that the person playing the game might become entitled to or receive a payout and the result might be determined by the skill of the player, the element of chance or both. It is a bet or wager in terms of Section 18C that is placed in a casino in relation to any activity that meets the criteria.
17. The issue of interactive and/or online gambling was not considered or decided by the SCA. The ECGB confirms that interactive and/or online gambling remains unlawful under the current legislative framework, however, **the acceptance of bets on lawful contingencies - including casino style games - through approved online platforms does not constitute interactive gambling.**
18. Accordingly, the ECGB confirms that the Supabets judgment does not apply to operators licensed by the ECGB. These Bookmakers can continue to offer betting on contingencies and events as approved under their respective licenses and such conduct remains lawful within the Eastern Cape Province.
19. We trust the above clarifies the ECGB's position.

Yours sincerely

Mabutho Zwane



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**RM. ZWANE**  
**CHIEF EXECUTIVE OFFICER**