

**EASTERN CAPE
GAMBLING BOARD**

APPLICATION FOR BOOKMAKER LICENCE

APPLICATION INSTRUCTIONS

1. This application form is to be completed by any person who wishes to apply for a licence as a bookmaker and submit on the Gambling Regulation System (GRS) at <https://ecgbgrs.org.za>;
2. Read this entire form carefully before answering any of the questions. Any incomplete or inaccurate answer may result in no action being taken on the application, or denial of the application;
3. Each Application must be completed in English by the authorized representative of the Applicant. Applications shall be prepared in accordance with the guidelines contained in this form and shall be consistent with the following:
 - 3.1 The Eastern Cape Gambling Board (“the Board”) will require the Application to prepare under the leadership of an experienced and committed Lead Applicant. The Applicant shall identify the Lead Applicant and attach a resolution of the Shareholders of the Applicant as proof of his/her authority;
 - 3.2 The Lead Applicant shall be the only person authorised to make statements on behalf of and receive instructions for and on behalf of the Applicant;
 - 3.3 Facsimiled or e-mailed proposals will not be accepted;
 - 3.4 Any natural person who is a Shareholder of the Applicant and who has successfully been investigated and issued with a licence or certificate of suitability by the Board within the last five (5) years prior to the submission of this application is not required to complete the PHD form, provided that the natural person attaches a duly completed LA 7 form available on our website;
 - 3.5 Any juristic person who is a Shareholder of the Applicant and who has successfully been investigated and issued with a certificate of suitability by the Board within the twelve (12) months prior to the submission of this application is not required to complete a BHD form provided that the juristic person has complied with all the requirements of the application form;
 - 3.6 Any juristic person who is a Shareholder of the Applicant and who has successfully been investigated and issued with a certificate of suitability by another Provincial Licensing Authority, is required to attach a duly completed BHD and to comply with all the requirements of the application form;
 - 3.7 All Persons issued with a national licence by the National Gambling Board or in possession of a licence issued by another Provincial Licensing Authority attach (i) a certified copy of the licence; (ii) a copy of the application submitted to the National Gambling Board or the responsible Provincial Licensing Authority; and (iii) authorisation to release information in the name of the Board.
4. The premises must be zoned for a bookmaker licence or gambling related activities and the other land uses envisaged in the Application. The zoning certificate and the special consent (if applicable) shall be attached by the Applicant concerned at least seven (7) days prior to the date of the public hearings of the application.
5. For the purposes of this application, the below definitions shall apply:

- a) **“Applicant”** a company, duly incorporated in terms of the Companies Act, No. 71 of 2008, and in compliance with section 19 of the Act, who has responded to apply for a Licence by submitting an application for bookmaker licence (LA4) and paid the applicable fees;
 - b) **“Lead Applicant”** The Person authorised by the Persons and/or Applicants constituting the Applicant to sign its Proposal and bind the members of that Applicant;
 - c) **“Local Inhabitant”** A Black Person who is a permanent resident of the Province or whose primary residence is located in the Province;
 - d) **“Local PDI(s)”** means a Black Person who is a permanent resident of the Province or whose primary residence is located in the Province;
 - e) **“Black People”** means Previously Disadvantaged Individuals (PDIs);
 - f) **“PDI(s)”** is a generic term which means Africans, Coloureds and Indians—
 - i. who are citizens of the Republic of South Africa by birth or descent; or
 - ii. who became citizens of the Republic of South Africa by naturalisation —
 - occurring before 27 April 1994; or
 - occurring on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalisation prior to that date.
 - g) **“Province”** the Eastern Cape Province as recognised in section 103(a) of the Constitution.
6. Answer every question fully and truthfully. Do not leave any blank spaces. If a question does not apply to you, indicate N/A (for “Not Applicable”) in response to that question. If there is nothing to disclose about a particular question, write “None”.
7. Sign the Statement of Truth and all Release Authorisation Forms in the presence of a notary public and have both your signatures notarised.

IMPORTANT NOTICE

1. You must immediately notify the Eastern Cape Gambling Board of any change of address. All notices regarding this application will be sent to the address that you provide on this form.
2. Any person who applies to the Board for a licence as a bookmaker operator is required to submit to searches without a warrant when present on licensed premises pursuant to section 76(1) of the Eastern Cape Gambling Act, 1997 (Act No. 5 of 1997) (as amended) (“the Act”).

8. Confidentiality

In terms of section 25 of the Act, any application, representations, responses and further information lodged in terms of sections 20 to 24 of the Act, shall be open to public inspection within fourteen (14) days of their lodgment for a period of 3 months and the period specified in the Act from the date of publication of the section 21 notice by the CEO.

The Board has determined in terms of section 25(2) of the Act, that:

- (a) any document or information relating to the financial capacity of any person participating in an Application, to the names of prospective employees or to the business plans of an Applicant, shall not be open to public inspection: Provided such information can be separated from the remainder of the Application and is marked “confidential”; and
- (b) the identity of any person who lodged representations in relation to an Application shall not be divulged to any other person.

Applicants must give reasons for any information they regard as confidential. In the interests of transparency, honesty and openness, Applicants shall keep to the absolute minimum information to be categorised as confidential.

- (c) By submitting application, an Applicant agrees that it shall not be entitled to any information disclosed by another Applicant to the Board which the Board has determined to be of a confidential nature.
- (d) The content and details of the evaluation of Applications will remain confidential to the Board. The Board shall be entitled to disclose, in the appropriate manner, confidential information contained in its investigation reports and reasons for approving an Application.
- (e) Unless required by law, Applicants shall not issue a news release or make any public announcement pertaining to the details of their Proposals or other Proposals or the Process without prior written approval of the Board.
- (f) Any information, relating to the application, received by the Applicants, through the Application process or otherwise, shall be treated in strict confidence.
- (g) Applicants, its officers, employees, agents, advisors and representatives shall use this form solely for the purpose of considering, developing and preparing the application and for no other purpose whatsoever. Applicants shall not divulge or distribute any information contained in the application to any third party without the prior written approval of the Board.

- (h) Subject to the provisions of the Act, the Board and its advisors undertake to keep confidential all information received from an Applicant which is clearly identified as confidential in the application and which is not excused from confidentiality. It is a condition that the Applicant provides the Board with a written undertaking in the application to indemnify the Board in respect of any losses suffered by the Board in it refusing to disclose the relevant material or data to any person seeking access thereto. Failure to include such an undertaking shall be deemed to be a waiver of the Applicant's right to exemption from disclosure and shall constitute authorisation to the Board to provide copies of material/ data forming part of the application to third parties on due request, therefore.

9. Fee payments and costs

The non-refundable Application fee for a Licence is **R1 500** (refer to revised fee structure as gazetted on 18 December 2017).

An initial investigation deposit of **R65 000.00** will be required from the Applicant for a Licence presented with the submission of its Application in respect of the Board's reasonable fees and expenses to conduct the investigation as contemplated in section 20(5) of the Act (including, but not be limited to, the fees and expenses of the members of the Board). The Board reserves the right to request additional deposits from the Applicant.

All payments must be made by electronic transfer, no cash or cheques will be accepted. The Applicant shall ensure that the funds are cleared into the bank account of the Board, by no later than three (3) days prior to the date of submission. Any Application not accompanied by proof of payment of the above Application fee and investigation deposit will be processed by the Board.

10. Essential Minimum Requirements (EMR's)

The Table below covers the EMRs in each of the evaluation areas which must be satisfied. An application must meet the EMRs listed below and, respond to all information requested. Applicant shall satisfy the Board that it complies with the EMRs, setting out the relevant information in support of this.

The essential minimum requirement section of each bid shall be provided as a separate, detachable section of the Application.

The Appendices referred to below are not required to be incorporated in this section; Applicants are merely required to indicate that all the required Appendices have been completed. Information may be duplicated from other sections of the Application in order to compile this section, alternatively Applicants may refer the Board to the volume and page where the information may be found.

Evaluation area	Essential Minimum Requirement
General	<ul style="list-style-type: none"> ○ Completion of Appendix A (Affidavit) by all Persons claiming to be Local Inhabitants;
Technical	<p>The Applicant shall attach a technical proposal that shows the integration of the design, sustainability and operational aspects of the licensed activities which entail the following:</p> <ul style="list-style-type: none"> (a) Minimum investment amount for each branch; and (b) Parking Facilities;

Evaluation area	Essential Minimum Requirement
	<p>(c) Approved Wagering Record Keeping System</p> <p>(d) An undertaking to establish an office in the Province at which the administrative and accounting functions shall be conducted.</p>
Financial	<p>The Applicant must provide, as a minimum response, the following:</p> <ul style="list-style-type: none"> ○ Financial projections for the duration of the licence period for each branch; ○ Undertaking to submit a guarantee to the Board within 30 days of commencement of operations.
Legal	<p>The Applicant must provide, as a minimum response, the following:</p> <ul style="list-style-type: none"> ○ proof that the Applicant is a company, duly incorporated in terms of the Companies Act, No. 71 of 2008, and in compliance with section 19 of the Act; ○ a demonstration of which of the Equity Members are the sponsor members of the Applicant; ○ Share certificates of all Shareholders in the Applicant and of all Shareholders in the Equity Members; ○ Detailed description of the Sites including, but not limited to an aerial photograph or Google image indicating the Site and the vicinity of places of worship, schools and residential areas; ○ Proof from the local authority in the format of a zoning certificate and a special consent (where applicable) that the Site is zoned for a bookmaker or gambling activities and the other land uses envisaged in the Application. ○ GPS coordinates of the proposed Site; or ○ Proof that Applicant will be the sole owner or principal tenant of the Site for the duration of the Licence and must provide the following: <ul style="list-style-type: none"> ▪ Title deed of the proposed Site; or ▪ Valid and enforceable lease agreement (if applicable); ▪ Disclosure relating to any litigation, claim (including a land claim) or right relating to the Site;
Target Groups	<p>As a public entity, the Board upholds and promotes the principles enshrined in the legislation pertaining to Black Economic Empowerment and as such, will seek to ensure commitment to, adherence and compliance to BBBEE legislative provisions.</p> <p>Therefore, in addition to the other elements of BBBEE requirements the following minimum requirements are obligatory, and the Applicant must</p>

Evaluation area	Essential Minimum Requirement
	<p>provide, as a minimum response, the following:</p> <ul style="list-style-type: none"> ○ Applicant equity, including: <ul style="list-style-type: none"> ▪ a minimum of twenty-six percent (26%) effective economic interest and management control of the total shareholding constituting of Black People; the whole and constitution of such twenty-six percent (26%) shall be local inhabitants; ▪ how the equity for the Black People will be funded; ▪ list of proposed key personnel and management of the Applicant; and ▪ structure of, membership and positions of the Board of directors of the Applicant and the participation of the Black Shareholders. <p>In the event that the Applicant appoints a separate Bookmaker Operator, the Applicant shall demonstrate that at least 26% of the total Management Fee accrues to Local PDI Inhabitant shareholders and the submission of a written agreement to that effect.</p> <p>Note: The shareholding referred to under this criterion is meant for any type of business ownership with the exclusion of community trusts.</p>
SED	<p>The Applicant must provide, as a minimum response, a commitment to an annual contribution of 1% of its Gross Gaming Revenue for SED for the duration of the Licence Period.</p>
Additional mandatory requirements	<p>The Applicant must provide the following for the Applicant and all Shareholders with an effective financial interest of five (5) percent or more in the Applicant regardless of dormancy:</p> <ul style="list-style-type: none"> ○ Valid SARS pin or tax clearance certificates; ○ Business history disclosure (in the case of an Applicant): Applicants shall complete all information as per the LA3 form; and ○ Personal history disclosure (in the case of a Natural Person): Applicants shall complete all information as per the LA2 form.

14. Geographic Spread

Applicants shall outline their strategy to ensure that the public interest is protected. In particular, Applicants shall detail their social responsibility objectives and strategies with regard to problem gambling and its potential negative effects on the community and public safety. Applicants shall provide details regarding the proximity to other gambling establishments, schools, places of worship, shopping centres as well as other educational institutions, to their proposed Site and what steps they intend taking to prevent under 18's gambling.

BOOKMAKER LICENCE APPLICATION

I, Wayne Mark Thompson on behalf of the applicant hereby apply in terms of the Eastern Cape Gambling Act, 1997 , for a bookmaker licence and confirm being aware of and understanding the provisions of the said Act and Regulations, insofar as they pertain to this application.

Full name of applicant Wayne Mark Thompson

Physical business address 191 Anton Lembede Street, Durban, Durban,
Kwa-ZuluNatal, 4001

Postal address 191 Anton Lembede Street, Durban, Durban,
Kwa-ZuluNatal, 4001

Telephone number +27 82 772 3317

Telefax number

E-Mail address WAYNE.THOMPSON001@ICLOUD.COM

For and on behalf of the applicant

Date (who warrants his authority)

Name (Print) Capacity of signatory

APPLICATION FOR BOOKMAKER LICENCE

Provide current licence number (if applicable):

N/A

Provide previous licence numbers (if applicable):

N/A

NAME AND REGISTRATION NUMBER OF APPLICANT

<p>SHAYABETS EASTERN CAPE (PTY) LTD 2025/743888/07</p> <p>*Name as appears on or in the certificate of incorporation, memorandum of incorporation or other official document. DO NOT ABBREVIATE</p>

TRADE NAME(S)

SHAYABETS EASTERN CAPE (PTY) LTD

Person to be contacted with reference to these forms:

NAME Wayne Thompson	
TITLE Director/ Shareholder	TELEPHONE NO. (INCLUDE AREA CODE) As below

The principal business address of the Applicant:

STREET LOCATION (NUMBERS/STREET) 191 Anton Lambede Street	CITY Durban	PROVINCE/STATE Kwa-ZuluNatal	POSTAL CODE 4001
COUNTRY SA	TELEPHONE NO. OF THIS LOCATION (INCLUDE AREA CODE) +27 82 772 3317		
MAILING ADDRESS (IF DIFFERENT)	CITY	PROVINCE/STATE	POSTAL CODE

ITEM 2. DESCRIPTION OF APPLICANT

- A. Specify the business form of this Applicant (i.e. Limited Company, Close Corporation).

Limited Company

- B. Submit a copy of the certificate of incorporation and all amendments, the charter, by-laws, memorandum, articles, founding statement or other basic documentation of the Applicant, if any. This document must be labelled ITEM 2-B.

See Company Docs

