

## **INTRODUCTION**

The Eastern Cape Gambling and Betting Board is a statutory body established by section 3 of the Eastern Cape Gambling and Betting Act, 1997 (Act No. 5 of 1997) (Eastern Cape) (as amended).

Before 1997, in those areas of the Province that constituted the former Republics of Ciskei and Transkei, self-regulated casinos existed. In the remainder of the Province, however, the only legal form of gambling was betting on horse races.

During July 1997 the Eastern Cape Gambling and Betting Act, 1997 (Act No. 5 of 1997) (Eastern Cape) (as amended) ("the Act") was promulgated. This Act provided for the establishment of the Board and harmonized legislation so that all forms of gambling contemplated in the Act were permitted throughout the Province, subject to proper licensing.

The Board regulates the following forms of gambling:

- Casino gambling
- Betting on horseracing and sporting events

Provision is also made in the Act for:

- Bingo
- Limited payout gambling machines (route and site operators)

## **VISION**

The vision of the Board is to be a respected world-class regulator that responsibly ensures optimum socio-economic benefits and empowerment accrue to the people of the Eastern Cape by delivering a professional, efficient and effective service.

## **MISSION STATEMENT**

To create and maintain a viable, fair and respectable gambling industry for all who have an interest in, or are affected by, gambling in the Eastern Cape by licensing and regulating gambling as well as advising government, making use of competent people and appropriate resources.

## **HOW WE WANT TO BE PERCEIVED**

As regulators of the industry, we pursue without compromise the goal that South Africa generally, and Eastern Cape in particular, should maintain an impeccable status as a gambling jurisdiction in the world.

## OUR VALUES

The Board ascribes to the following values:

- **Style of management**

We are committed to developing an environment characterized by integrated participation, leadership initiatives and self-driven management where all parties are well informed and empowered through involvement in decision making and accountability for decision that affect them.

- **Work environment**

Providing a healthy, supportive, and secure operating environment for all employees that is conducive to productive work, which recognizes and rewards continuous improvement and in the achievement of our mutually agreed goals. High standards of ethics are expected from employees who should be goal orientated, professional, and complementary in pursuance of delivering the expected services. Recognition and reward are respected whilst sound employer/employee relations including gender sensitivity and equal treatment in general are maintained. Continuous improvement and safeguarding of assets are expected in respect of all employees.

- **Quality service**

A commitment to timeously deliver a cost effective and quality service, delivered in a confidential, efficient, and professional manner to the satisfaction of our clients. Employees will demonstrate objectivity, integrity and transparency in servicing the client base. Management will at all times be accessible, respectful and loyal to the industry as well being accountable and constantly striving for continuous improvement through research and development.

- **Communication**

All communication will be done in an efficient, effective, proactive and timeous manner. Communication will be reliable and remain confidential.

- **Empowerment**

Empowerment will be attained through training and development of employees to optimise human resources capacity and provide multi-skilling thus creating an enabling environment. Commercial equity shall be promoted to benefit suppliers and licensees who are previously disadvantaged individuals.

## STRUCTURE AND FUNCTIONS OF THE BOARD (SECTION 14(1)(a))

### The Board

The Board consists of eight members who are appointed by the MEC for Economic Affairs and are made up as follows:

- One member is a legal practitioner
- One member is a qualified chartered accountant
- One member is appointed by virtue of his/her knowledge and active involvement in the tourism industry
- One member represents the Department of Economic Affairs, Environment & Tourism of the Eastern Cape Province
- One member represents the Department of Finance, Provincial Expenditure and Management Services of the Eastern Cape Province
- One member represents the Department of Safety & Security of the Eastern Cape Province
- One member who is appointed by virtue of his/her knowledge and experience in the field of welfare or community or socio-economic development
- One member represents the interests of the community at large
- The Chief Executive Officer, who is an *ex officio* member of the Board

The Board members' primary responsibilities are:

- Formulation of operational policy
- Overseeing the operations of the Board

### **Secretariat**

The implementation of the operational policies is discharged through a dedicated staff, which is organised as follows:

- **Office of the Chief Executive Officer**

Managing the operations of the Board.

- **Legal Affairs Division**

Receiving and processing applications; ensuring compliance by licensees with all regulatory requirements; investigation of violations of gambling legislation and liaison with law enforcement agencies; rendering of legal and secretarial services of the Board.

- **Finance and Administration**

Providing financial and administrative support services.

- **Internal Audit**

Providing internal audit functions of the Board.

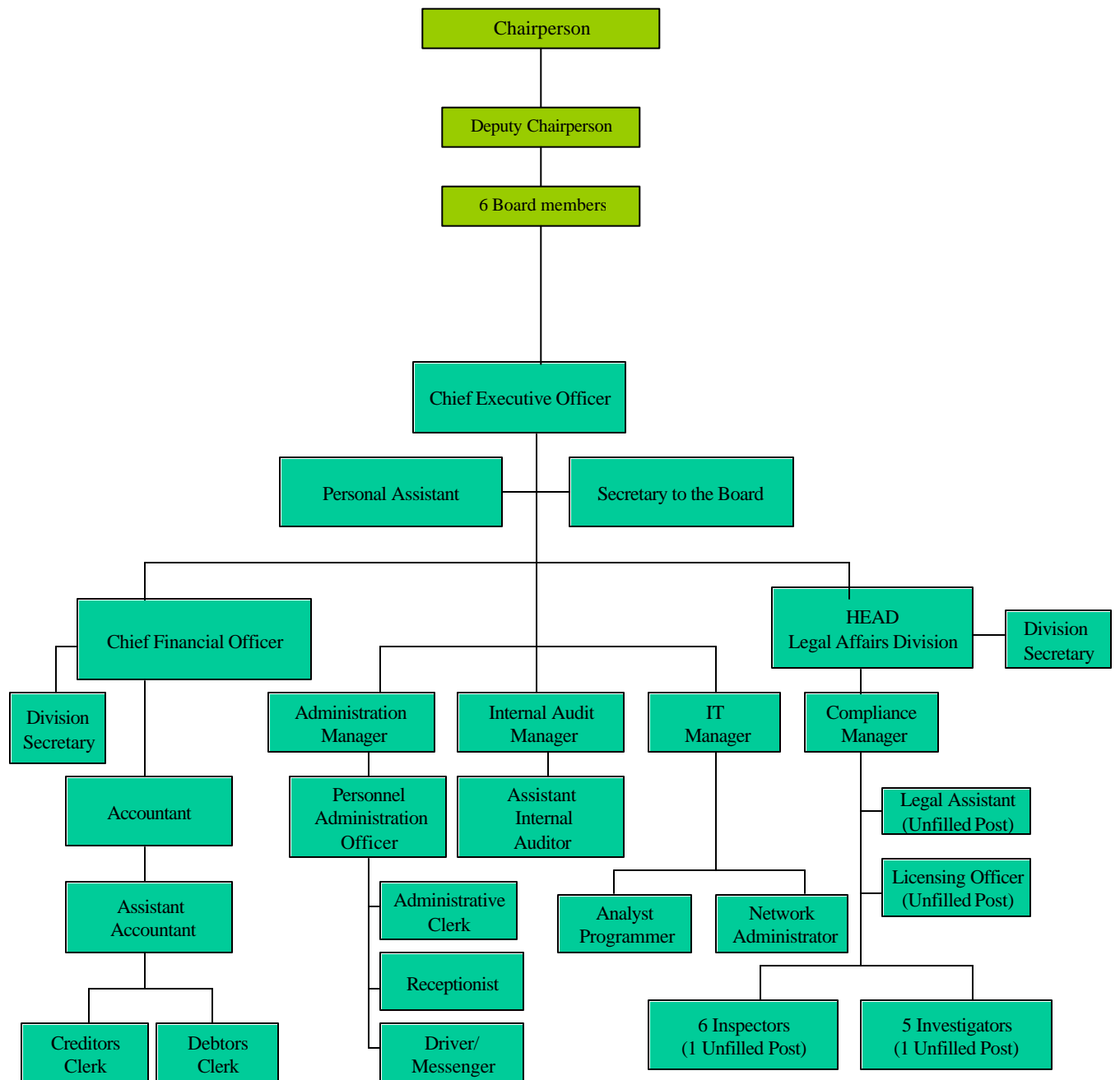
- **Human Resources and Administration**

Promoting and maintaining industrial relations.

- **Information Technology**

Developing, maintaining and supporting management information systems.

**SCHEMATIC DIAGRAM OF THE STRUCTURE OF THE EASTERN CAPE GAMBLING AND BETTING BOARD**



## CONTACT DETAILS (Section 14(1)(b))

### Information officer:

Mr Gonza Mati: CEO

[gonzam@ecgbb.co.za](mailto:gonzam@ecgbb.co.za)

### Deputy information officers:

Adv. Keith Harvey: Head: Legal Affairs

[keithh@ecgbb.co.za](mailto:keithh@ecgbb.co.za)

Mr Chris Guest: Chief Financial Officer

[chrisg@ecgbb.co.za](mailto:chrisg@ecgbb.co.za)

### General information:

Physical Address

Quenera Park  
Quenera Drive  
Beacon Bay  
**EAST LONDON**  
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Postal Address

P O Box 18304  
**QUIGNEY**  
5211

Telephone

+27 (43) 743-9840

Fax

+27 (43) 743-3012

Web-site

[www.ecgbb.co.za](http://www.ecgbb.co.za)

## THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE (SECTION 4(1)(c))

The Human Rights Commission has compiled a guide in all official languages of the country. The guide contains amongst others the objects of the Access to Information Act, contact details of various private and public bodies, assistance available from the Human Rights Commission and information officers of public bodies, remedies available in law for non-compliance with the Access to Information Act procedures for obtaining information in terms of the Access to Information Act.

The guide is available from:

The South African Human Rights Commission

Postal Address

Private Bag 2700  
**HOUGHTON**  
2041

Telephone

+27 (11) 484-8300

Fax

+27 (11) 484-1360

Website

[www.sahrc.org.za](http://www.sahrc.org.za)

## **RECORDS HELD BY THE BOARD (INCLUDING CONFIDENTIAL RECORDS) (SECTION 14(1)(a))**

- Applications for licences and registrations
- Board investigation reports
- Board discussion documents, Minutes and Resolutions and records of meetings
- Financial records of licensees
- Financial records of the Board
- Statutory reports and information supplied by licensees
- Surveillance reports
- Memoranda on legislative proposals
- Correspondence on certain issues with:
  - ▶ The Honourable MEC
  - ▶ Licensees
  - ▶ Registrants
  - ▶ Government agencies
  - ▶ The public
  - ▶ The provincial and national government
- Legal advice sought and obtained from Attorneys and Counsel
- Research documents on gambling matters
- The Act, Regulations and Rules
- Lists of persons excluded from gambling
- Gambling licences
- Details of registrants and licensees
- Details of registered equipment
- Applications and approvals in terms of the Act or licence conditions
- Other information of a kind held by a gambling regulator or contemplated in the Act, Regulations or Rules
- Other information of a general administrative nature

## **AUTOMATIC DISCLOSURES (SECTION 14(1)(e))**

- Copies of gambling licenses issued by the Board
- List of all licensed gambling operators or entities
- List of licensed venues
- Taxes collected (for the gambling industry as a whole)

- Public display copies of bids and applications

## **PROCEDURE FOR OBTAINING RECORD**

- A requester must use the form that has been printed in the Government Gazette (Govt. Notice R187-15 February 2002).
- The requester must also say if he or she wants a copy of the record or if he or she wants to just come and look at the record (section 29(2)).
- If a person asks for access in a particular form then he or she will get access in the manner that has been asked for. This is unless doing so would interfere unreasonably with the running of the Board concerned, or damage the record, or infringe a copyright not owned by the state. If for practical reasons access cannot be given in the required form but in an alternate manner, then the fee will be calculated according to the way that the requester first asked for it.
- If, in addition to a written reply to their request for the record, the requester wants to be told about the decision in any other way, e.g. telephone, and then this must be specified (section 18(2)(e)).
- If a requester is asking for the information on behalf of somebody else he or she must show in what capacity the request is being made (section 18(2)(f)).
- If requesters are unable to read or write, or if they have a disability, then they can make the request for the record orally. The information officer must then fill in the form for them and give them a copy (section 18(3)).
- The requester will be notified of the prescribed fee payable before the request for information is further processed.
- The requester may lodge an internal appeal or an application to the court against the tender or payment of the request fee.
- The requester will be notified whether or not he or she will be granted access to the information requested.

## **SERVICES AVAILABLE (SECTION 14(1)(f))**

### **Protection of the public**

Protection of the public is a core function of the Board. This is achieved as follows:

### **Ensuring integrity of gambling activities**

- Licensing of credible operators
- Setting and regulating of gaming equipment standards
- Approval and registration of gaming equipment
- Registration of suitable persons to be engaged in gambling occupations
- Ensuring regulatory compliance by licensees on an ongoing basis
- Registration of suppliers of gambling equipment

## **Eradication of illegal gambling activities**

This is done in order to protect the public from unfair business practices, as illegal operators are not subject to regulatory control to ensure fair business practices.

## **Disputes resolution and punter assistance**

The Board receives and adjudicates complaints received from the public arising from gambling disputes or other gambling related activities.

## **Tax collections**

The Board collects on behalf of the Eastern Cape Provincial Government and other beneficiaries a gambling tax levied on gambling transactions.

## **Measures to promote responsible gambling and minimisation of incidences of problem gambling**

Problem gamblers are generally defined as persons who no longer have rational control of their gambling behaviour to the detriment of their personal well-being and that of their families and dependants. It is usually not possible to identify problem gamblers, as they will usually go out of their way to disguise or hide their problem.

The Board recognises that opportunities for gambling entail particular risks for the people of Eastern Cape. To this end, the Board is working on ways on how to help people who fall prey to gambling addiction.

The following assistance is available to any person who has a gambling problem:

- **Self-exclusion**

Gambling operators in the Province operate a system of self-exclusion in terms whereof a gambler can voluntarily request to be excluded from a gambling outlet.

As an alternative, persons seeking self-exclusion can apply to the board to be placed on an exclusion list whereafter operators must exclude them from their premises.

- **Professional assistance**

A general practitioner can assist by referring persons to clinics specialising in the treatment of addiction. There are various voluntary organisations, which may be approached for free counselling.

The National Responsible Gambling Programme has a help-line for treatment and counselling of problem gamblers. Contact the National Problem Gambling help-line on 0800 006 008 toll free.

## **Access to services**

Enquires regarding the services of the Eastern Cape Gambling and Betting Board or assistance may be directed to the CEO or to the head of the relevant departments.

## **PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY AND THE EXERCISE OF POWER (SECTION 14(1)(g)).**

The Board involves the public in the process of considering and awarding licences as follows:

- Holds public hearing prior to adjudication of applications for licences
- Applications for licences are published both the Provincial Gazette and in a newspaper circulating in the district in which the premises are situated to which such application relates, in any official language in which such newspaper is published
- Interested parties are invited to lodge written representations, indicating whether or not they wish to make oral representations at the hearing of the licence application

In addition, members of the public can at any time make representations to the Board regarding matters on which they consider gambling legislation can be improved. These will then be considered by the Board, who can then advise the Honourable MEC for purposes of legislative amendment.

Before legislation is made, the Department of Economic Affairs, Environment & Tourism and/or Provincial Legislature usually invite comments on proposed amendments. This also generally applies to proposed amendments to the Regulations or Rules.

## **REMEDIES AVAILABLE IN THE EVENT OF NON-COMPLIANCE (SECTION 14(1)(h))**

A requester for information may:

- Lodge an appeal to the Board against the decision of the information officer
- If he or she is still aggrieved by the decision of the Board, apply to court for an appropriate relief