

Whilst every endeavour has been made to ensure that this correctly reflects the Eastern Cape Gambling and Betting Regulations, 1998 (Provincial Notice No. 34 of 1998), the Eastern Cape Gambling and Betting Board accepts no responsibility for the correctness thereof or for any actions taken based on the correctness thereof.

REGULATIONS IN TERMS OF ACT NO. 5 OF 1997

[PROVINCIAL NOTICE NO. 34 OF 1998]

[DATED: 25 SEPTEMBER, 1998]

EASTERN CAPE GAMBLING AND BETTING REGULATIONS

as amended by

Provincial Notice No. 10 of 1999

Provincial Notice No. 16 of 1999

Provincial Notice No. 42 of 1999

Provincial Notice No. 1057 of 2003

REGULATIONS

Under the powers vested in me by section 80 of the Gambling and Betting Act, 1997 (Eastern Cape) (Act No. 5 of 1997), I, ENOCH GODONGWANA, in my capacity as Member of the Executive Council responsible for the administration of the said Act and financial matters in the Province, after consultation with the Eastern Cape Gambling and Betting Board, hereby make the regulations as set out hereunder.

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[Substituted by r. 1 of P.N. No. 1057 of 2003.]

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CHAPTER 1

DEFINITIONS

1. Definitions.—In these Regulations, any word or expression to which a meaning has been assigned in the Eastern Cape Gambling and Betting Act, 1997 (Act No. 5 of 1997) (Eastern Cape), shall have the meaning so assigned and, unless the context otherwise indicates—

“**Act**” means the Gambling and Betting Act, 1997 (Act No. 5 of 1997) (Eastern Cape);

“**benefit**” means a licence, registration, certificate of suitability, authorisation or consent granted in terms of the Act;

“**credit instrument**” means a bill of exchange, cheque or promissory note;

“**cash**” means any coins or notes or currency customarily used and accepted as money;

“**employee**” means a key person or a gambling employee referred to in sections 68 and 69 of the Act;

“**gambling-related contract**” means a contract referred to in section 86 of the Act;

“**limited gambling machine**” means a gambling machine which—

- (a) cannot accept a stake higher than that contemplated in regulation 63; and
- (b) cannot pay out a prize higher than that contemplated in regulation 64;

“**proposition player**” means a person who is paid a fixed sum by the licence holder for the specific purpose of playing in a gambling game and who uses personal funds and retains the winnings and absorbs the losses;

“**shill**” means a person who is provided or employed by a licence holder to play in a gambling game and who only uses money provided by the licence holder;

“**smart card**” means a debit card issued by a licence holder and which contains credits in electronic format stored on a computer chip;

[Substituted by r. 2 of P.N. No. 1057 of 2003.]

“**token**” means a token coin redeemable for cash and issued or sold by a licence holder for use when gambling.

CHAPTER 2

GAMBLING AND BETTING BOARD

2. Availability of minutes and information.—(1) An interested person may request—

- (a) a copy or extract of any document; and
- (b) a transcription of any audio record of proceedings of the board, which is available for inspection in terms of the Act or these regulations.

(2) No person shall be entitled to inspect, or make a copy, extract or transcript of, any minute or audio or video recording of any deliberations of the board which take place behind closed doors except to the extent—

- (a) authorised by the board; or
- (b) ordered by a competent court, after all the relevant factors, including the need for confidentiality of such deliberations, have been considered.

(3) A copy or extract requested in terms of subregulation (1) (a) shall be made available upon payment of a fee to the board of an amount determined by the board.

(4) A transcription of any audio record of the proceedings of the board shall be made available upon the payment to the board of the costs thereof.

(5) Any person requesting a copy, extract or transcription in terms of subregulations (3) and (4) shall bear the costs of postage or transmission thereof.

(6) Any person who provides a member of the public with a copy or extract of any document contemplated in this regulation shall not charge more than the fees contemplated in subregulations (3) and (4).

3. 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 and Betting 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 and Betting 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 I will hold my office as a member of the staff of the Eastern Cape Gambling and Betting 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 and Betting Act, No. 5 of 1997, from holding such office.

(3) In the case of an oath the words in subregulations (1) and (2) shall be followed by the words "So help me God".

4. Applications and investigations.—(1) Any person applying for a benefit will have to satisfy the board that he or she is qualified to be granted such benefit.

(2) The board shall have the right at any time to call for such information, to be submitted to it within 14 days or such longer period as it may allow, or to conduct an investigation, as the board may deem necessary to satisfy itself as to such continued suitability for a benefit.

(3) The board may revoke a benefit if it finds the holder of such a benefit no longer suitable therefor.

(4) The board shall not be liable for any act, omission or conduct carried out in good faith in the execution of its duties in terms of the Act and these regulations.

(5) Neither the officials, employees or agents of the board shall be held liable for any act, omission or conduct carried out or occurring in the execution of their duties in terms of the Act, these regulations or the terms of delegation granted to such officials, employees or agents by the board in good faith.

5. Claim of privilege.—A failure or refusal by the applicant or any person who made a statement or testifies in support of the application for a benefit to respond to any inquiries or answer any questions put to him or her, whether in terms of section 30 of the Act or otherwise, will be taken into account by the board in its assessment of the applicant's appropriateness and fitness when considering the application.

6. Applications.—(1) Every application shall be submitted on forms furnished or approved by the board and shall contain and be accompanied and supplemented by such documents and information as may be specified or required by the board.

(2) It is grounds for denial of an application and an offence for any person to make any false statement of material fact, knowing it to be false, in any application submitted to the board, or to omit to state in any such application any material fact which is required to be stated therein, or omit to state a material fact necessary to make the facts stated, in view of the circumstances under which they were stated, not misleading.

(3) It is the duty of an applicant to ensure that all information in an application is true and complete as at the date on which the board considers and decides it and should anything stated in an application change subsequent to its being lodged with the board and prior to the application being considered and decided by the board, the applicant shall be obliged forthwith to notify the board in writing of such changes and of the effect thereof on the application.

(4) An application may, with the approval of the board, be amended in any respect at any time prior to final consideration thereof by the board.

7. Form of advertisement for licence application.—A notice contemplated in section 21 (2) of the Act shall be substantially in accordance with Form 1 contained in the Annexure, and shall contain the information contemplated therein.

8. Inspection of application documents.—(1) Subject to the provisions of section 25 (2) of the Act—

- (a) application documentation shall lie open for public inspection at the offices of the board from the date contemplated in section 25 (1) of the Act until 14 days after the expiry of the three month period contemplated in that section; and
- (b) a copy of the application documents shall lie open for public inspection during normal office hours at a place approved by the board within the same magisterial district as the premises to which the application relates for a period of one month after the date of publication of the notice contemplated in section 21 (1) of the Act.

(2) The Applicant shall be responsible for providing a place for inspection as contemplated in subregulation (1) (b).

9. Hearing of application.—(1) The board shall hold a hearing in respect of every application for a licence received by the board, as soon as reasonably possible after the date by which the applicant's response to representations from the public must be lodged.

(2) Failure by any applicant duly summoned under section 30 of the Act to appear and testify fully at the time and place specified in the summons, until excused, constitutes grounds for denial of the application without further consideration by the board: Provided that any such application may be reconsidered by the board on good cause shown on such conditions as the board may determine.

10. Withdrawal of application.—(1) An applicant may at any time prior to the final consideration of an application submit to the board a written request for the withdrawal of the application.

(2) The board may, in its discretion, grant the request on such conditions as it sees fit.

11. Opportunity to rectify disqualifying circumstances.—An applicant who is subject to any disqualification in terms of the Act, may, prior to disqualification, be granted a reasonable period, not exceeding 60 days, as determined by the board, to rectify the disqualifying circumstances.

12. Certain applications for removal not to be entertained.—Subject to section 41 of the Act, the board shall not entertain an application relating to the removal of licensed premises to premises which are not, in the opinion of the board, in the area which is serviced by the existing licensed premises.

13. Recovery of investigation expenses.—(1) 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.

(2) In the case of an applicant for employee registration all expenses incurred by the board in investigating the applicant shall be paid by the employer: Provided that should the applicant leave the service of the employer within 6 months of the such registration, such employee be liable to the employer for one half of the said expenses.

(3) 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.

(4) 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.

(5) 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.

(6) The board shall not take final action on any application unless all investigative fees and costs have been paid in full.

14. Proceedings at hearings.—(1) Subject to the provisions of the Act, the proceedings at a hearing shall be determined by the board or the person presiding at the hearing.

(2) 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.

15. Evidence at hearing.—(1) The hearing need not be conducted according to technical rules of evidence applicable in a court of law.

(2) Any relevant evidence may be admitted and shall be sufficient in itself to support a finding if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any statutory rule which might make improper the admission of such evidence in a court action.

(3) Hearsay may support a finding of the board if it is the best evidence available, has sufficient indication of trustworthiness and reliability and is of the type reasonably and customarily relied on in the gambling industry.

(4) The board may take official notice of any generally accepted information or technical or scientific matter within the field of gambling.

16. Record of proceedings at hearing.—(1) The board or presiding officer 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 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 five years.

17. Decisions and final orders.—(1) The board shall render a written order including the reasons for its decision.

(2) Copies of the final board order shall be served on affected parties in accordance with these regulations, within a reasonable time period.

(3) A final order of the board shall become effective upon service thereof.

18. Appeal in respect of delegated powers or functions.—(1) Any person who has a direct interest in a decision of a person or committee appointed in terms of section 14 of the Act may within thirty days of such decision, lodge an appeal with the board.

(2) An appeal in terms of subregulation (1) shall be in writing and shall state—

- (a) the decision against which the appeal is lodged;
- (b) the ground or grounds on which the appeal is founded;
- (c) the name, address and telephone number of the person lodging the appeal, and
- (d) the nature of the interest of the person lodging the appeal.

(3) The board shall, on receipt of an appeal, conduct an enquiry or cause an enquiry to be conducted as it deems necessary or expedient.

(4) The provisions of Chapter 3 of the Act shall, with the necessary changes, apply to an enquiry referred to in subregulation (3).

(5) After considering the appeal and, if applicable, the finding of an enquiry in connection with the appeal, the board may—

- (a) endorse the decision;
- (b) revoke the decision; or
- (c) make any decision it deems appropriate in the circumstances, after which the board shall inform the parties involved of its decision in writing.

19. Serving of notices.—(1) Any notice to be given to a person by the board in terms of the Act or these regulations shall be given by —

- (a) personal delivery;
- (b) registered mail; or
- (c) facsimile transmission.

(2) Any notice given by the board in terms of subregulation (1) shall be deemed to have been received—

- (a) in the case of personal delivery, upon delivery of the notice to such person's physical address;
- (b) in the case of registered mail, 14 days after it has been posted; or
- (c) in the case of facsimile transmission, at 10h00 on the first business day following the date of transmission.

20. Recovery of costs of appeal.—(1) The board may recover the costs of an appeal from the party lodging an appeal.

(2) An estimate of the cost of an appeal will be made available upon request to the board.

CHAPTER 3

LICENCES IN GENERAL

21. Notice of procurement of interest.—(1) A licence holder who becomes aware of the procurement by any person of an interest contemplated in section 40 of the Act in the business to which that licence relates shall, within 14 days of becoming aware of such procurement, notify the board in writing of the name and address of the person who procured such an interest and shall furnish the board with any further information required by the board.

(2) A person who, directly or indirectly, procures an interest contemplated in section 40 of the Act in the business of a licence holder shall, within 14 days of the procurement of such an interest, notify the board in writing of that procurement, furnishing his or her name and address.

[r. 21 substituted by r. 3 of P.N. No. 1057 of 2003.]

22. Principals to be disclosed.—Any person who wishes to hold or procure an interest contemplated in section 40 (5) of the Act shall first obtain the written consent of the board.

[r. 22 substituted by r. 4 of P.N. No. 1057 of 2003.]

23. Finding of suitability.—(1) The board may require any person referred to in section 86 of the Act to prove to the satisfaction of the board that he or she is suitable to enter into a contract with a licence holder or an applicant for a licence.

(2) The board may notify such person of the requirements of this Chapter in writing, and that person shall within 21 days of receipt of such notice, or within any further period determined by the board, submit to the board an application for a finding of suitability.

(3) The board shall, after concluding its investigation in terms of this regulation, find the person in question—

- (a) suitable; or

(b) unsuitable,

and shall by written notice inform such person and the licence holder or applicant who is directly or indirectly associated with such person of its decision.

(4) Where a person is found unsuitable in terms of sub-regulation (3), the board may require the licence holder or applicant to terminate its association with that person within a period determined by the board.

(5) Where a person is found suitable in terms of sub-regulation (3), the board shall issue a certificate of suitability to such person, which shall be in the form of Form 2 of the Schedule.

(6) The provisions of section 31 of the Act shall, with the necessary changes, apply when a person's suitability has to be considered.

[r. 23 substituted by r. 5 of P.N. No. 1057 of 2003.]

24. 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 23 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.

[r. 24 substituted by r. 6 of P.N. No. 1057 of 2003.]

24A. Termination of association.—(1) If the board—

- (a) determines that a person referred to in regulation 23 is unsuitable to be associated with a licence holder or an applicant;
- (b) determines that a person referred to in regulation 24 is unsuitable to hold a financial interest in the holder of a certificate of suitability; or
- (c) suspends or revokes a person's certificate of suitability.

the licence holder or applicant concerned shall, within a time determined by the board, terminate any agreement or association between the licence holder 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.

[r. 24A inserted by r. 7 of P.N. No. 1057 of 2003.]

24B. Suspension or revocation of certificate of suitability.— The Board may, after giving the holder of a certificate of suitability an opportunity to be heard, suspend for a specified time or revoke a certificate of suitability if—

- (a) any information in the application for such certificate was false in any material respect or was subject to any material omission;
- (b) the holder of the certificate has failed to comply with or has contravened any term or condition of the certificate;
- (c) there are good reasons for doing so and it is in the best interest of the proper control and regulation of gambling; or
- (d) the holder of the certificate of suitability becomes disqualified from holding such certificate.

[r. 24B inserted by r. 8 of P.N. No. 1057 of 2003.]

25. Gambling establishments.—(1) No gambling business shall be located—

- (a) in or on premises which, in the opinion of the board, do not allow for proper security, supervision, surveillance, access control or policing;
- (b) in or on premises where, in the opinion of the board, the conduct of gambling would be inconsistent with policy determinations of the responsible Member; or
- (d) in or on premises in which a person found by the board to be unsuitable in terms of regulation 23 has a financial interest of 5 percent or more.

[Sub-r. 1(d) substituted by r. 9 of P.N. No. 1057 of 2003.]

(2) The provisions of regulation 23, 24 and 24B shall, with the necessary changes, apply to a lease agreement in respect of a gambling establishment and the lessor of the gambling establishment.

[Sub-r. (2) inserted by r. 9 of P.N. No. 1057 of 2003.]

CHAPTER 4 CASINO LICENCES

26. Application.—Subject to the provisions of regulations 55, 67, 68 and 69, the provisions of this chapter shall apply only in respect of casino licences.

27. Extension of right of exclusivity.—(1) The holder of a casino licence having an exclusive right to conduct a casino in the area concerned may apply for the extension of such period of exclusivity.

(2) An application contemplated in subregulation (1) shall be lodged with the chief executive officer at least 7 months before the lapse of the applicants' period of exclusivity and shall be lodged in the form determined by the board.

(3) The chief executive officer shall, within 14 days after lodgment of an application for the extension of the period of exclusivity cause notice of the application 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.

(4) A notice contemplated in subregulation (3) shall be in the form and contain the information contemplated in Form 3 of the Annexure and shall call on interested persons to make submissions to the board within 30 days of the date of publication of such notice.

(5) Within 7 days of receipt of any objection or representation contemplated in subregulation (4), the chief executive officer shall forward it to the applicant by registered post.

(6) The applicant shall lodge written response with the chief executive officer within 30 days of receipt of such representations.

(7) 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.

(8) 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 together with interest thereon; or

(b) approve such application on such conditions as it deems fit.

(9) Should the board approve an application for the extension of the period of exclusivity the applicant's casino licence shall be endorsed accordingly.

28. Stakes and prizes of table games.—(1) The minimum and maximum stakes and prizes allowed in respect of table games may be determined by the board.

(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) Payoff schedules or award cards must accurately state actual payoffs or awards applicable to the particular game and shall not be worded in such a manner as to mislead or deceive the public.

29. Stakes and prizes of gambling machines.—(1) Stakes and prizes allowed in respect of gambling machines other than limited gambling machines may be determined by the board.

(2) Gambling machines exposed for play must have a theoretical and demonstrable return to the public of not less than 80 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.

30. Cards, dice and roulette balls control.—(1) 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.

31. Approval of chips and tokens: Applications and procedures.—(1) A licensee shall not issue any chips or tokens for use in its gambling establishment, or sell or redeem any such chips or tokens, unless the chips or tokens have been approved in writing by the board.

(2) A licensee shall not issue any chips or tokens for use in its gambling establishment, or sell or redeem any such chips or tokens, that are modifications of

chips or tokens previously approved by the board unless the modifications have been approved in writing by the board.

(3) Applications for approval of chips, tokens, and modifications to previously approved chips or tokens must be made, processed, and determined in such manner and using such forms as the board may determine.

(4) Each application 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 chip or token, drawn to actual size or drawn to larger than actual size and in scale, and showing the measurements of the proposed chip or token in each dimension;
- (b) written specifications for the proposed chips or tokens;
- (c) the name and address of the manufacturer; and
- (d) the licensee's intended use for the proposed chips or tokens.

(5) If, after receiving and reviewing the items and information described in subregulation (4), the board is satisfied that the proposed chips or tokens 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 chips or tokens 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 chips or tokens and notify the licensee in writing.

(7) As a condition of approval of chips or tokens issued for use at a specific table or counter game, the board may prohibit the licensee from using the chips or tokens other than at the specified game.

(8) The board may retain the sample chips and tokens submitted in terms of this regulation.

32. Specifications for chips and tokens.—(1) Chips and tokens 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 chips and tokens to the extent reasonably possible.

(2) Chips and tokens must not deceptively resemble any current or past coinage of the Republic or any other nation.

(3) In addition to such other specifications as the board may approve—

- (a) the name of the issuing gambling establishment must be inscribed on each side of each chip and token, and the city or other locality where the establishment is located must be inscribed on at least one side of each chip and token;
- (b) the value of the chip or token 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 chip and token; and
- (d) each chip must be designed so that when stacked with chips and tokens of other denominations and viewed on closed-circuit television, the denominations of the chip can be distinguished from that of the other chips and tokens in the stack.

33. Additional specifications for tokens.—Tokens must not be manufactured from material that may be accepted by a coin mechanism, other than that of a gambling machine.

34. Use of chips and tokens.—(1) A licensee that uses chips or tokens at its gambling establishment shall—

- (a) comply with all applicable laws of the Republic pertaining to chips or tokens;
- (b) sell chips and tokens only to patrons of its gambling establishment and only at their request;
- (c) promptly redeem its own chips and tokens from its patrons;
- (d) post conspicuous signs at its establishment notifying patrons that the law prohibits the use of the licensee's tokens, and that these regulations prohibit the use of the licensee's chips, outside the establishment for any monetary purpose whatever; and
- (e) take reasonable steps, including examining chips and tokens and segregating those issued by other licensees to prevent sales to its patrons of chips and tokens issued by another licensee.

(2) With the exception of the specific use for which the chips or tokens were issued, a licensee shall not accept chips or tokens as payment for any goods or services, other than food and beverages, offered on the licensed premises, and shall not give chips or tokens as change in any other transaction.

(3) A licensee shall not redeem its chips or tokens if presented by a person who the licensee knows or reasonably should know is not a patron of its gambling establishment, except that a holder shall promptly redeem its chips and tokens if presented by—

- (a) another licensee who represents that it redeemed the chips and tokens from its patrons and received them unknowingly, inadvertently, or unavoidably; or
- (b) an employee of the licensee who presents the chips and tokens in the normal course of employment.

(4) A licensee shall not knowingly sell, use, permit the use of, accept, or redeem chips or tokens issued by another licensee, except as follows—

- (a) A licensee may only redeem tokens issued by another licensee if:
 - (i) the tokens are presented by a patron for redemption to a cashier of the licensee's gambling establishment and the patron states that he or she received the tokens at the licensee's establishment from the payout chutes of gambling machines or from an employee of the licensee; or
 - (ii) the tokens are presented by a patron at a table game, and the licensee redeems the tokens with tokens of its own, places the redeemed tokens in the table's drop box, and separates and properly accounts for the redeemed tokens during the count performed in terms of the licensee's system of internal control; and
- (b) A licensee may only redeem chips issued by another licensee if:
 - (i) the chips are presented by a patron for redemption at the cashier's cage of the licensee's gambling establishment; or
 - (ii) the chips are presented by a patron at a table game and the licensee redeems the chips with chips of its own, places the redeemed chips in the table's drop box, and separates and properly accounts for the

redeemed chips during the count performed in terms of the licensee's system of internal control.

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

35. Redemption and disposal of discontinued chips and tokens.—(1) A licensee that permanently removes from use or replaces approved chips or tokens at its gambling establishment, or that ceases operating its gambling establishment for whatever reason must prepare a plan for redeeming discontinued chips and tokens that remain outstanding at the time of discontinuance.

(2) The licensee must submit the plan in writing to the board not later than 30 days before the proposed removal, replacement, sale, or closure, unless the closure or other cause for discontinuance of the chips or tokens 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 provision as the board may approve or require, the plan must provide for—

- (a) redemption of outstanding, discontinued chips and tokens in accordance with this chapter for at least 120 days after the removal or replacement of the chips or tokens or for at least 120 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 chips and tokens at the premises of the gambling establishment or at such other location as the board may approve;
- (c) publication of notice of the discontinuance of the chips and tokens and of the redemption and the pertinent times and locations, in at least two newspapers of general circulation in the Province at least twice 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 establishment or other redemption location; and
- (e) destruction or such other disposition of the discontinued chips and tokens as the board may approve or require.

36. Destruction of counterfeit chips and tokens.—(1) Unless a court of competent jurisdiction orders otherwise in a particular case, licensees shall destroy or otherwise dispose of counterfeit chips and tokens discovered at their establishments in such manner as the board may approve or require.

(2) Unless the board or a court of competent jurisdiction orders otherwise in a particular case, licensees may dispose of coins of the Republic or any other state discovered to have been unlawfully used at their establishments 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.

(3) Each 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 chips and tokens 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.

37. Promotional and tournament chips and tokens.—(1) Promotional chips and tokens must be designed, manufactured, approved, and used in accordance with the provisions of this Chapter applicable to chips and tokens, except as follows —

- (a) Promotional chips and tokens must be of such shape and size and have such other specifications so as to be distinguishable from other chips and tokens as determined by the board;
- (b) Each side of each promotional chip and token must conspicuously bear the inscription “No Cash Value”;
- (c) Promotional chips and tokens 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 35 shall not apply to promotional chips and tokens.

38. Other value instruments.—Other value instruments with which gambling is conducted must be designed, manufactured, approved, used, discontinued, destroyed, or otherwise disposed of in accordance with the provisions of this Chapter applicable to chips and tokens, except as follows —

- (a) Such other instruments must be of such shape, size, and design and have such other specifications as the board may approve or require; and
- (b) The board, in its discretion, may deny approval of value instruments other than chips and tokens or may grant approval subject to such conditions as it considers appropriate.

39. Receipt of gambling chips or tokens from manufacturer or distributor.—(1) When chips or tokens are received from the manufacturer or distributor thereof, they shall be opened and checked by at least 3 employees of the licensee from different departments.

(2) Any deviation between the invoice accompanying the chips or tokens and the actual chips or tokens received or any defects found in such chips or tokens shall be reported promptly to the board.

(3) After checking the chips received, the licensee shall cause to be reported in a chip inventory ledger the denomination of the chips received, the number of each denomination of chips received, the description of all chips received, the date of such receipt, and the signature of the individuals who checked such chips.

(4) If any of the chips received are to be held in reserve and not utilized 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 chip inventory ledger as reserve chips.

40. Inventory of chips.—(1) Chips shall be taken from or returned to the reserve chip inventory in the presence of at least 3 individuals from different departments.

(2) The denominations, number and amount of chips so taken or returned shall be recorded in the chip 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 chips and cause to be made an inventory of chips in circulation and cause the result of such inventory to be recorded in the chip inventory ledger.

(4) On at least a monthly basis, each licensee shall cause an inventory of chips in reserve to be made and cause the result of such inventory to be recorded in the chip 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 chips in circulation and reserve or any change thereto shall be submitted to the board for approval.

(6) During non-gambling hours all chips 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.

41. Electronic monitoring requirements.—(1) A casino licensee must have a central computer or such other monitoring system approved by the board, connected to all gambling machines exposed for play to record and monitor the activities of such machines.

(2) A licensee may not alter or modify the approved monitoring system contemplated in subregulation (1), without the prior approval of the board.

(3) The monitoring system contemplated in subregulation (1) shall provide either—

- (a) on-line, real-time monitoring and data acquisition capability in the format and media approved by the board; or
- (b) such other monitoring and data acquisition capability, as the board may specify in the conditions of licence.

(4) The monitoring system required by subregulation (1) shall be designed and operated to perform and report functions relating to gambling machine meters and other functions as follows:

- (a) record the number and total value of tokens or coins placed in each gambling machine for the purpose of activating play;
- (b) record the number and total value of tokens or coins deposited in the drop bucket of each gambling machine;
- (c) record the number and total value of tokens or coins automatically paid out by each gambling machine;
- (d) record the number and total value of tokens or coins to be paid manually;
- (e) record such other information as the board may require.

(5) A licensee shall store, in machine-readable format, all information required by subregulation (4) for a period of 5 years in addition to such other documentation that the board may require.

42. Minimum standards of surveillance and security.—(1) These regulations set forth the minimum standards that shall be followed by licensees with respect to surveillance systems.

(2) The board may, in its discretion, require a particular licensee or licensees in general to comply with surveillance system requirements that are more stringent than those set forth in these regulations.

43. Surveillance systems: General requirements.—(1) Every holder of a casino licence shall install, maintain and operate at all times a surveillance system comprised of cameras, monitors, videotape recorders and a video printer that provide the coverage required by this Chapter and where otherwise specified, audio monitoring and recording facilities.

(2) The surveillance system contemplated in subregulation (1) must include date and time generators that display on each videotape recording the date and time of the recorded events and the displayed date and time must not obstruct the recorded view.

(3) All equipment that may be utilised to monitor or record views obtained by the surveillance system must be and remain located in a room used exclusively for casino surveillance purposes and the entrance to the surveillance room must be located away from the view of casino employees and the general public.

(4) Surveillance room equipment must have total override capability over any other satellite monitoring equipment in other offices.

(5) The board and its agents shall at all times be provided immediate access to the surveillance room and other surveillance areas.

(6) The surveillance system room must be staffed and the surveillance equipment monitored at all times by trained surveillance personnel who must be employed and trained by the licensee in accordance with minimum standards approved by the board, exclusively for surveillance purposes, and must possess knowledge of all table games and the regulations and rules pertaining to gambling operations.

(7) The surveillance system and its equipment must be directly and securely wired in a way to prevent tampering and an auxiliary power source must be available and capable of providing uninterrupted power to the surveillance system in the event of a power loss and provide sufficient lighting to operate the surveillance system.

(8) Each monitor screen in the surveillance system must be at least 30 centimetres measured diagonally.

(9) Each camera in the surveillance system located in public areas must be placed behind a smoked glass dome, a one-way mirror or other similar material which conceals the camera from view.

(10) The surveillance system may view and record in black and white, except that pit transactions occurring at the casino cages, views of roulette tables, progressive jackpots, machines with bill validators and soft count rooms must be viewed and recorded in colour.

(11) The video printer used in the surveillance system must possess the capability to generate instantaneously upon command, a clear, still black and white or colour copy or photograph of the images depicted on a videotape recording.

(12) The licensee must have the capability of creating first generation copies of video surveillance tapes that are standard VHS format or other format approved by the board.

44. Surveillance systems: Count rooms and casino cage.—(1) Every holder of a casino licence shall install, maintain, and operate at all times a surveillance system that monitors and records clear unobstructed views of all areas and transactions within—

- (a) the hard count room and any area where uncounted coin is stored during the drop and count process, including walls, doors, scales, wrapping machines, coin sorters, vaults, safes and general work surfaces;
- (b) the soft count room, including walls, doors, drop boxes, vaults, safes and counting surfaces that must be transparent; and
- (c) the casino cage, including customer windows, employees' windows, cash drawers, vaults, safes, counters, chip storage and fill windows.

(2) All transactions within the hard count room, soft count room and casino cage must be recorded with sufficient clarity to permit identification of each employee and his or her movements and to permit identification of all currency, coins and paperwork.

(3) The soft count room shall in addition have audio monitoring and recording capabilities.

(4) The soft and hard count room video and audio tapes must be retained for a minimum of 60 days.

[Sub-r. (4) substituted by r. 1 of P.N. No. 16 of 1999.]

(5) Notwithstanding the provisions of this regulation, a licence holder may, with the prior written consent of the board, conduct the hard count and soft counts in a single room, in which case such room must comply with the requirements in this regulation for both the hard count room and soft count room.

[Sub-r. (5) substituted by r. 1 of P.N. No. ... of 2001.] (dated 30 April 2001)

45. Surveillance systems: Table games and card rooms.—(1) Every licensee who operates table games or a card room shall install, maintain and operate at all times a surveillance system that possesses the capability to monitor and record clear and unobstructed views of the following—

- (a) all table game and card room areas with sufficient clarity to permit identification of all dealers, patrons, spectators and pit personnel;
- (b) all table games or card table surfaces, including table bank trays, with sufficient clarity to permit identification of all chip, cash, dice and card values and the outcome of the game;
- (c) roulette tables and wheels must be recorded so as to permit views of both the table and the wheel on one monitor screen;
- (d) all drop boxes and table numbers; and
- (e) all card room or podium banks, including any drawers, cabinets and safes contained therein: Provided that each table shall be continuously and individually monitored and recorded by a dedicated fixed camera while the drop box is attached to such table.

(2) The surveillance system must have the capability to view and record simultaneously both the table game area and the table game surface.

46. Surveillance systems: Gambling machines.—(1) Every holder of a casino licence who exposes gambling machines for play shall install, maintain and operate at

all times a surveillance system that possesses the capability to continuously monitor and record clear, unobstructed, overall and continuous views of all areas that contain gambling machines with sufficient clarity to identify all patrons and employees.

(2) Every holder of a casino licence who exposes gambling machines for play shall install, maintain and operate at all times a surveillance system that possesses the capability to monitor and record clear and unobstructed views of all slot change booths, including their cash drawers, counter tops, counting machines, customer windows and employee windows, recorded with sufficient clarity to permit identification of all transactions, cash, paperwork, patrons and employees.

47. Surveillance systems: Casino security offices.—(1) The surveillance system in a casino must cover all areas of any security office wherein any persons may be detained, questioned or interviewed by casino security officers.

(2) Security office coverage must include both audio and video, be recorded at all times that a person is detained, questioned or interviewed therein and the signal must terminate in the surveillance room.

(3) The recordings must be retained by the licensee for at least 1 year after the recorded event.

(4) In each office or room covered by this regulation, a sign must be conspicuously displayed which states that the area is under constant audio and video surveillance.

48. Casino surveillance system equipment malfunctions.—(1) Every licensee shall establish and maintain a written log of any and all surveillance system equipment malfunctions and shall retain the log for at least 1 year after the date of the most recent entry in the log.

(2) Each malfunction must be repaired within 24 hours of the malfunction.

(3) If repair is not completed within 24 hours, the licensee shall immediately submit a written report to the board that sets forth the reason for the delay in repair and retain a copy of the report for at least 30 days after submission to the board.

(4) In the event of a malfunction of any camera, recorder or monitor, the activity, games or gambling machines being viewed must be suspended or closed pending repair: Provided that the board may order otherwise.

49. Surveillance system recording requirements.—(1) In addition to any other videotape recording requirements that are or may be imposed by this Chapter every licensee shall record all views, activities and locations as the board may from time to time require, which may include all entrances, exits and reception areas.

(2) Every licensee shall notify the board immediately of all activities observed by surveillance personnel that appear unusual or irregular, or that violate or appear to violate any law of the Republic, the Act, the regulations or rules promulgated or published thereunder and shall provide the board with the available video and audio tape recordings thereof.

(3) Every licensee shall maintain a written log of all activities contemplated in subregulation (2).

(4) All videotape recordings produced by a surveillance system must present a clear and unobstructed view of the scene depicted thereon.

(5) Every licensee must retain all videotape recordings for at least ten 10 days after the recording is produced, unless a longer time period is required by another section of this Chapter or by order of the board.

(6) Every videotape recording must be labelled by surveillance personnel with the date and time period of the recording and the areas covered by the recording, and signed by the person who made the recording, by no later than the end of the shift during which the recording was made.

(7) All videotape recordings must be made in real time or extended play time and not in a time-lapse recording mode.

50. Surveillance system plans: Alterations to surveillance system.—

(1) Every applicant for a licence shall submit to the board upon its request a surveillance system plan for approval by the board.

(2) The surveillance system plan must include a floor plan that shows the placement of all surveillance equipment in relation to the locations required by this Chapter to be covered, and, in the case of a casino, a detailed description of the casino surveillance system and its equipment.

(3) No applicant or licensee shall alter or modify the approved surveillance system contemplated in subregulation (1), without the prior approval of the board.

(4) An applicant or a licensee shall submit to the board an amended plan reflecting any alteration of the surveillance system no later than 30 days prior to the proposed alteration.

51. Compliance with surveillance system requirements.—A licensee shall comply with the requirements set forth in this Chapter no later than 7 days prior to the start of its gambling operations.

CHAPTER 5
BINGO LICENCES

52. Maximum stake.—The maximum amount, including any participation fee, which may be charged to participate in a game of bingo shall be R5,00.

53. Return to players.—The return to players in any game of bingo shall not be less than 65% of the total amount staked by players on that game.

54. Payment of stake or participation fee.—All stakes and participation fees in respect of a bingo game shall be paid in cash.

55. Surveillance systems: Bingo.—(1) The holder of a bingo licence shall install a surveillance system approved by the board on the premises to which the licence relates unless the board, on good cause shown, exempts such licence holder from having to install such system.

(2) A surveillance system contemplated in subregulation (1) shall consist of one or more cameras, monitors and video recorders, as approved by the board, and may view or record in black and white.

(3) The provisions of regulations 43 (2), 48, 49 (1), 49 (4), 49 (5) and 50 shall with the necessary changes apply in respect of a surveillance system contemplated in this regulation.

(4) A surveillance camera contemplated in this regulation may make use of time lapse photography with intervals of not more than 10 seconds duration, unless the board determines otherwise.

(5) Surveillance tapes must be in VHS format or in any other format approved by the board.

CHAPTER 6

ROUTE OPERATOR LICENCES AND GAMBLING MACHINE SITE LICENCES

56. Requirements for route operators.—(1). 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 subparagraph (ii);
- (b) no applicant shall be granted a route operator licence—
 - (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 Maintenance and Promotion of Competition Act, 1979 (Act No. 96 of 1979); or
 - (iv) if such applicant is unable to satisfy the electronic monitoring and surveillance requirements set out in regulation 58.

(2)(a) At least 60 percent of limited gambling machines operated by a route operator shall be located on sites where the site licence holder is controlled by persons or a group or groups of persons previously disadvantaged by unfair discrimination.

- (b) For purposes of paragraph (a), “controlled” means that the persons previously disadvantaged by unfair discrimination—
 - (i) own at least 51 percent of the shares, or members or partners interest in the business holding the site licence; and
 - (ii) are entitled to at least 51 percent of the profits of such site licence holder.

(3)(a) No more than 60 percent of the total number of limited gambling machines operated by a route operator shall be located on sites in metropolitan areas.

- (b) For the purpose of paragraph (a) and sub-regulation (4), “metropolitan areas” means—
 - (i) the area within a radius of 50 kilometres of the premises on which the Port Elizabeth city hall is located; and
 - (ii) the area within a radius of 50 kilometres of the premises on which the East London city hall is located, combined.

(4) No less than 30 percent of the total number of limited gambling machines operated by a route operator in metropolitan areas shall be located in either—

- (i) the area contemplated in sub-regulation 3(b)(i); or
- (ii) the area contemplated in sub-regulation 3(b)(ii).

(5) A route operator licence may be suspended or revoked by the board if such route operator becomes disqualified in terms of this regulation after the issue of a licence to such route operator.

[r. 56 substituted by r. 10 of P.N. No. 1057 of 2003.]

57. 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, taken 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 licence holders 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 pro provide a programme for combating problem gambling;
- (h) any other factors the board must consider in terms of the National Gambling Act, 1996(Act No. 33 of 1996) in so far as it is not set out herein; and
- (i) any other facts the board considers relevant.

[r. 57 substituted by r. 11 of P.N. No. 1057 of 2003.]

58. Electronic monitoring requirements.—(1) All limited gambling machines operated in the Province shall be linked to a central electronic monitoring system contemplated in section 13(1)(1) of the National Gambling Act, 1996 (Act No. 33 of 1996).

(2) The central monitoring system contemplated in sub-regulation (1) shall comply with the standards laid down by the South African Bureau of Standards from time to time and shall be subject to the approval of the board.

(3) For the purposes of this regulation, the monitoring system must be the central electronic monitoring system operated by an operator approved or appointed by the National Gambling Board in terms of section 10 of the National Gambling Act, 1996 (Act No. 33 of 1996).

(4) The monitoring system contemplated in sub-regulation (1) shall provide either—

- (a) on-line, real-time monitoring and data acquisition capability in the format and media approved by the board;
- (b) dial-up monitoring and data acquisition capability in the format and media approved by the board; or
- (c) such other monitoring and data acquisition capability, as the board may determine.

(5) The monitoring system required by sub-regulation (1) shall be designed and operated to perform and report functions relating to limited gambling machine meters and other functions required in SABS 1718.

(6) No person may expose for play a limited gambling machine which is not connected to an electronic monitoring system as contemplated in this regulation.

[r. 58 substituted by r. 12 of P.N. No. 1057 of 2003.]

59. Maximum number of limited gambling machines and interest in route operators.—(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 6000.

(2) Notwithstanding sub-regulation (1), in the first 24 months from the date of first operation of the first limited gambling machine on a licensed gambling machine site in the Province, no more than 2000 limited gambling machines shall be exposed for play in terms of all route operator licences and limited gambling machine site licences issued by the board.

(3) Subject to sub-regulation (2), the board shall only issue or allow route operator licences or limited gambling machine site licences which will allow more than 2000 limited gambling machine 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 2000—
 - (i) the social impact;
 - (ii) the economic impact;
 - (iii) the environmental impact;
 - (iv) the impact on problem gambling; and
 - (v) any other information it considers relevantand it is of the opinion that the exposure for play of more than 2000 limited gambling machines will be in the best interests of the Province.

(4) No route operator shall be licensed to operate more than 1000 limited gambling machines.

(5) No person shall hold a financial or controlling interest of 5 percent or more in more than one route operator without the consent of the board.

(6) No person may hold more than one route operator licence in the Province.

(7) Apart from the profit sharing between a route operator and site licence holder 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.

[r. 59 substituted by r. 13 of P.N. No. 1057 of 2003.]

60. Requirements for gambling machine site licences.—(1) 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;
- (b) such applicant does not have guaranteed access to limited gambling machines obtained from a route operator;
- (c) such applicant cannot ensure that the limited gambling machines to which the licence relates will be monitored as contemplated in regulation 58 and in the case of a site licence for more than 5 limited gambling machines, also regulation 67;
- (d) 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);
- (e) the premises to which the application relates does not fulfil the requirements set out in regulations 25 and 61.

(2) 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(2)(c) of the Act, the board may consider the following factors—

- (a) the floor space used for the limited payout 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 payout machines on the premises; or
- (f) other factors, including but not limited to the establishment's name, the establishment's marketing practices and the public's perception of the business.

(3) 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 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 tavern licensed in terms of the relevant laws relating to liquor;
- (c) a racecourse;
- (d) a bookmakers outlet;
- (e) a totalisator outlet;

- (f) a shebeen licensed in terms of the relevant laws relating to liquor;
- (g) a hotel;
- (h) a nightclub;
- (i) a sports bar licensed in terms of the relevant laws relating to liquor;
- (j) a bingo hall;
- (k) a pool or snooker establishment licensed in terms of the relevant laws relating to liquor; or
- (l) a bar licensed in terms of the relevant laws relating to liquor.

(4) 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 61;
- (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 or bed and breakfast establishment;
- (l) a school, university, college or technikon; or
- (m) any other premises considered by the board to be unsuitable.

(5) Subject to regulation 62A, a limited gambling machine site licence shall not authorise the exposure for play of—

- (a) less than 3; or
 - (b) more than 5,
- limited gambling machines.

(6) No person shall be permitted to expose for play in terms of all gambling machine site licences issued to him or her, more than 100 limited gambling machines.

(7) No person shall hold a financial or controlling interest of 5 percent or more in more than one site licence holder 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.

(8) 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 licence holder in terms of an agreement between them which has been approved by the board.

(9) The provisions of regulation 56(2), (3) and (4) must be complied with where the board is contemplating the award or transfer of a site licence.

(10) The board may suspend or revoke the gambling machine site licence of a licence holder who becomes disqualified in terms of this regulation after issue of the licence or where the operation of limited gambling machines becomes the primary business of such licence holder: Provided that the licence of a site licence holder whose

licence was issued before the relevant casino or provisional casino licence shall not be suspended or revoked solely because of the contravention of sub-regulation (2).

[r. 60 substituted by r. 14 of P.N. No. 1057 of 2003.]

61. Requirements for licensed premises: 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, 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 Liquor Act, 1989 (Act No. 27 of 1989), from which persons under the age of 18 years are excluded in terms of section 45 of that Act.

(2) No limited gambling machine shall be within 2 metres of the edge of the area contemplated in subregulation (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 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 two metres and all such limited gambling machines are located at least 2 metres from any apertures in such wall.

[Sub-r. (2) substituted by r. 2 of P.N. No. 16 of 1999.]

(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;
- (c) the granting of the licence is in the public interest.

(4) The provisions of subregulations (1) and (2) and paragraphs (a) and (b) of subregulation (3) shall be conditions in the licence of the licence holder.

62. 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 licence holder;
- (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, 1996 (Act No. 33 of 1996) in as far as it is set out herein;
- (e) any other factors the board considers relevant.

[r. 62 substituted by r. 15 of P.N. No. 1057 of 2003.]

62A. Sites with more than 5 limited gambling machines.—(1) A limited gambling machine site licence which allows the licence holder to expose for play more than 5 limited gambling machines on such site shall only be awarded and issued if—

- (a) the number of limited gambling machines which shall be exposed for play on such site shall be no less than 20 but no more than 40;
 - (b) the premises concerned shall not be located within a 50 kilometre radius of a licensed casino or premises for which a provisional licence in respect of a casino has been awarded or issued.
- (2) The maximum number of limited gambling machine sites in respect of which licences to operate more than 5 limited gambling machines are issued shall not exceed 25 in total.
- (3) The board shall, in addition to the considerations contemplated in regulations 60, 61 and 62 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.
- (4) The board may suspend or revoke the gambling machine site licence of a licence holder who becomes disqualified in terms of this regulation after issue of the licence: Provided that the licence of a site licence holder whose licence was issued before the relevant casino or provisional casino licence shall not be suspended or revoked solely because of the contravention of sub-regulation (1)(b).

[r. 62A inserted by r. 16 of P.N. No. 1057 of 2003.]

63. 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.

(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) For the purpose of this regulation and regulation 64, 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 such as double up.
- (6) For the purpose of this regulation and regulation 64—
- (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.

[r. 63 substituted by r. 17 of P.N. No. 1057 of 2003.]

64. 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.

(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.

[r. 64 substituted by r. 18 of P.N. No. 1057 of 2003.]

65. Return to public.—(1) Every limited gambling machine exposed for play must have a theoretical and demonstrable return to the public of not less than 75%.

(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.

66. Use of tokens.—(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.

[r. 66 substituted by r. 19 of P.N. No. 1057 of 2003.]

67. Surveillance systems: Sites.—(1) The holder of a gambling machine site licence having more than 5 limited gambling machines shall install a surveillance system approved by the board on the premises to which the licence relates.

(2) A surveillance system contemplated in sub-regulation (1) shall consist of one or more cameras, monitors and video recorders, as approved by the board, and may view or record in black and white and may make use of digital cameras or recording devices.

(3) A surveillance camera contemplated in this section may make use of time-lapse photography with intervals of not more than 10 seconds duration.

(4) Surveillance tapes must be in VHS format or in any other format approved by the board which may include a digital format.

(5) Where the premises to which a gambling machine site licence for more than 5 limited gambling machines relates are also licensed in terms of another licence issued in terms of the Act for which a surveillance system is required, it shall be sufficient if the whole gambling area of the premises concerned is covered by a single surveillance system.

(6) The surveillance system must include date and time generators that display on each recording the dates and time of the recorded view.

(7) Logs must be kept of surveillance malfunctions and gaming operations must cease pending repair of such a malfunction.

(8) Tapes or digital data produced by the surveillance system must be kept of 10 days.

(9) The surveillance system plan must be approved by the board.

[r. 67 substituted by r. 20 of P.N. No. 1057 of 2003.]

CHAPTER 7

TOTALISATORS AND POOLS

68. Surveillance systems: Totalisators and pools.—The provisions of regulation 67 shall with the necessary changes apply to the holder of a totalisator licence and the premises to which such licence relates.

68B. 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 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.

[r. 68B inserted by r. 21 of P.N. No. 1057 of 2003.]

CHAPTER 8

BOOKMAKERS

69. Surveillance systems: Bookmakers.—(1) The provisions of regulation 67 shall, with the necessary changes, apply to the holder of a bookmaker licence and the premises to which such licence relates: Provided that where two or more licensed bookmakers operate from the same premises it shall be sufficient if the gambling area of the premises concerned is covered by a single surveillance system.

(2) Notwithstanding the provisions of sub-regulation (1), the provisions of sub-regulation (1) shall not apply to a licensed premises of a licensed bookmaker where—

- (a) the licensed premises concerned form a part of the primary residential home of a key person associated with such licensed bookmaker; and
- (b) no bets are placed on such premises by members of the public or other licensed bookmakers except by way of telephone, telefax, electronic mail or internet transmission; and
- (c) full and accurate records and recordings are kept of all incoming and outgoing telephone, telefax, electronic mail and internet transmissions made to such licensed premises.

[r. 69 substituted by r. 22 of P.N. No. 1057 of 2003.]

70. 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 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

RACE COURSE LICENCES

71. Race meetings.—The holder of a race course licence who intends holding a race meeting on any day shall not later than one month 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 race course 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.

CHAPTER 10

FEES, TAXATION AND FINANCIAL ARRANGEMENTS

72. 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 payment of cash, cheque or by direct money 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) Payment shall be made at any office of the board.

(4) Payment shall be accompanied by such forms and information as the board may determine.

73. Keeping of books, accounts and accounting records.—(1) All books, accounts and records required to be kept by a licence holder in terms of the Act shall—

- (a) (i) be in the format;
- (ii) contain the information; and
- (iii) be kept in the manner,

determined by the board and regard being had to the requirements of other relevant legislation; and

- (b) unless otherwise indicated, be retained for a period of at least 5 years.

(2) The books, accounts and records referred to in subregulation (1) shall at all times—

- (a) be kept in a safe place; and
- (b) be immediately and easily accessible.

74. Gambling and accounting records.—A licence holder shall keep—

- (a) accurate, complete, legible and permanent records of all gambling transactions; and
- (b) generally accepted accounting records 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.

75. Other records.—(1) A licence holder shall keep—

- (a) in the case of a company—
 - (i) a copy of the memorandum and articles of association thereof, 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 subregulation (a) (iii).

(2) A licence holder and person registered in terms of section 61 of the Act shall keep a continuous written record 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 licence holder and person registered in terms of section 61 of the Act shall keep a record 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 licence holder 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.

76. Audited financial statements.—(1) A licence holder shall at the end of each of its financial years prepare annual financial statements in accordance with statements of *Generally Accepted Accounting Practice* promulgated by the Accounting Practices Board.

(2) A licence holder shall appoint an independent accountant and auditor, registered with the Public Accountants' and Auditors' Board, who shall audit the licence holder's annual financial statements in accordance with generally accepted auditing standards.

(3) A licence holder shall, not later than 120 days, or any extended period determined by the board, after the last day of the licence holder'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 licence holder or its auditor regarding the financial statements or the services performed by the auditor.

(5) The independent auditor referred to in subregulation (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.

(6) A report in terms of subregulation (5) shall be submitted to the board with the audited financial statements.

77. Returns to be rendered.—(1) A licence holder or person registered in terms of section 61 of the Act shall submit the returns the board may from time to time determine in the manner and format determined by the board.

(2) A licence holder or person registered in terms of section 61 of the Act shall inform the board of any transfer of gambling equipment into or out of the Province, whether for repair or any other purposes within 24 hours of such transfer.

78. Stock records.—A licence holder or person registered in terms of section 61 of the Act shall keep continuous written stock records of all cards, dice, components of gambling devices and gambling devices reflecting—

- (a) opening stock on hand;
- (b) stock purchased or manufactured;
- (c) distributions; and
- (d) closing stock on hand,

and shall, at the request of the board, immediately provide the board with those records.

79. Accessibility of records.—All records shall be organised and indexed in such a manner to provide immediate accessibility to the board.

80. Minimum internal controls.—(1) Each licence holder shall establish and maintain administrative and accounting procedures for the purpose of determining such licence holder's liability for taxes and fees under the Act and for the purpose of exercising effective control over such licence holder's internal financial affairs.

(2) The procedures must be designed to reasonably ensure that—

- (a) assets are safeguarded;
- (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.

81. Board to adopt minimum standards for internal control procedures.—The board shall adopt and make available to applicants and licence holders minimum standards for internal control procedures with which licence holders must comply.

82. Internal control system to be approved by board.—(1) Each licence holder 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 80 (2) and 81;
- (d) a letter from an independent chartered accountant stating that the system of internal control has been reviewed by the accountant and complies with the requirements of regulations 81, 82 and 83; and
- (e) such further information as the board may require.

(3) If the board determines that an applicant or licence holder's system of internal control does not comply with the requirements of regulations 81, 82 and 83, it shall so notify the applicant or licence holder in writing.

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

83. Amendment of system of internal control.—(1) A licence holder 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 82 (2) to (4) shall with the necessary changes apply to an application for approval contemplated in subregulation (1).

CHAPTER II

GENERAL PROVISIONS RELATING TO GAMBLING AND GAMBLING DEVICES

84. Licence and certificate of registration to be prominently displayed.—(1) A licence or registration issued in terms of the Act shall be prominently displayed in a conspicuous place in or on the licensed premises.

(2) The holder of a certificate of registration issued in terms of the Act shall keep a copy of such certificate on his or her person at all times while he or she is working.

85. 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 rules or the place where the rules can be obtained shall be prominently displayed in a conspicuous place in or on the licensed premises.

86. Application for registration as a supplier or servicer of gambling devices.—(1) An application for registration as manufacturer, assembler, maintainer, repairer, seller, distributor, importer, acquirer, marketer, renter, lessor, alterer or modifier of gambling devices shall be made in Form 4 of the Annexure.

(2) An applicant for registration in terms of subsection (1) shall state the categories activity 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) In the completion of Form 4 an applicant shall provide such information as may be required.

(5) An application for registration shall be accompanied by three passport size photographs of the applicant (if a natural person) and such additional forms and information as the board may require.

87. Taking of fingerprints.—(1) An applicant for registration in terms of regulation 86 shall have his or her fingerprints taken as set out in subregulations (2), (3) and (4).

(2) A person applying for registration in terms of section 61 of the Act shall—

- (a) have his or her fingerprints taken on a SAP 91 (a) Form at any police station or office of the board;
- (b) on Form SAP 91 (a) furnish in black ink such particulars or information as may be required;
- (c) on having his or her fingerprints taken, produce his or her identity document contemplated in section 14 (4) of the Identification Act, 1986 (Act No. 72 of 1986).

(3) The fingerprints of any applicant shall be taken in the presence of at least one witness.

(4) Refusal to allow fingerprints to be taken as contemplated in this regulation shall be grounds for refusal of registration in terms of section 61 of the Act.

(5) Notwithstanding the provisions of this regulation, any person domiciled outside South Africa—

- (a) may furnish a set of fingerprints on Form SAP91(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.

[r. 87 substituted by r. 23 of P.N. No. 1057 of 2003.]

88. Registration form.—Where the board grants an application for registration in terms of section 61 of the Act, the applicant shall be furnished with a certificate of registration in the form of Form 5 of the Annexure.

89. Particulars to be kept by board.—(1) The board shall keep a record of the following information concerning persons registered as contemplated in section 61 of the Act:

- (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 years, otherwise his or her employment history over the past 7 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% 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 subregulation (1) shall be kept by the board for a period of 20 years.

90. 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 89 within 30 days of any such change.

91. Prohibition of certain transactions.—(1) No person registered in terms of section 61 of the Act shall in any manner whatsoever supply a gambling device to any person in the province who does not possess the apposite licence or who is not registered in terms of section 61 of the Act: Provided that this regulation shall not apply in respect of gambling devices being delivered for export to a place outside the Province.

(2) No person registered in terms of section 61 of the Act shall effect any repairs or modifications to any gambling device for any person unless the person for whom the repairs or modifications are effected is—

- (a) the holder of an apposite licence;
- (b) registered in terms of section 61 of the Act; or
- (c) domiciled outside the Province and such device shall be removed from the Province immediately upon completion of such repair or modification.

92. Suspension and revocation of registration: Suppliers and servicers.—(1) The board may, after giving the person concerned an opportunity to be heard, suspend for a specified time or revoke any registration in terms of section 61 of the Act if—

- (a) the person so registered so requests;
- (b) any information made by such person was, at the time the information was furnished, false in any material respect;
- (c) the person so registered is convicted of an offence in terms of the Act or these regulations;
- (d) the person so registered has failed to supply any particulars required by the board within 30 days of being so requested;
- (e) the person so registered has failed to carry on business as contemplated in such registration for 12 consecutive months;
- (f) the person so registered has failed to pay the amount specified in the Schedules to the Act within the required period; or
- (g) in the case of a company or close corporation so registered, that company or close corporation is finally liquidated.

- (2) If the registration of a person registered in terms of section 61 of the Act—
 - (a) is revoked by the board, the employer who employs that person shall immediately cease to employ that person in any capacity in which he or she is required to be so registered; or
 - (b) is suspended by the board, the employer who employs that person shall immediately cease to employ that person in any capacity in which he or she is required to be so registered for the period of suspension, without liability on the part of the employer or the board.
- (3) The provisions of subregulation (2) shall be a condition of employment.
- (4) The provisions of section 39 (2) to (6) of the Act shall with the necessary changes apply to the suspension or revocation of a registration in terms of this regulation.

93. Cheating prohibited.—No person may cheat at any gambling game.

94. Use of certain devices prohibited.—(1) 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;
 - (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,
- except as approved by the board in writing, upon the written request of a licence holder.

(2) The provisions of subregulation (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.

95. Fraudulent acts.—DELETED

[r. 95 substituted by r. 24 of P.N. No. 1057 of 2003.]

96. Use of counterfeit, unapproved or unlawful wagering instruments.—No person may use counterfeit chips or other counterfeit wagering instruments in a casino game or have such chips or wagering instruments in his or her possession.

97. Detention and questioning of person suspected of contravention.—

(1) Any licence holder, or his or her officers, employees or agents may question any person in his or her licensed premises suspected of contravening any of the provisions of regulations 93 to 96 or of section 62 of the Act.

(2) Any licence holder or any of his or her officers, employees or agents who has reasonable cause for believing that there has been a contravention of regulations 93 to 96 or of section 62 of the Act by any person may take that person into custody, inform the South African Police Service and detain such person in the establishment in a reasonable manner until the arrival of a police officer.

(3) The taking into custody and detention of a person in terms of subregulation (2) does not render the licence holder or his or her officers, employees or agents criminally or civilly liable unless it is established by clear and convincing evidence that the taking into custody and detention are clearly unreasonable under all the circumstances.

98. Seizure and forfeiture.—(1) Any unlicensed, unauthorised or unapproved—

- (a) object used or capable of being used in a gambling game;
- (b) counterfeit chip or wagering instrument;
- (c) any object or instrument used to cheat at a gambling game or to manipulate a gambling machine for the purpose of cheating

may be seized by an inspector or police officer.

(2) Any object or device contemplated in subregulation (1) may not be returned to the owner or any other person and must be retained or destroyed in the manner determined by the board.

[r. 98 substituted by r. 25 of P.N. No. 1057 of 2003.]

99. List of excluded persons.—DELETED

[r. 99 substituted by r. 26 of P.N. No. 1057 of 2003.]

100. Entry of names.—(1) Before a name is placed on the list contemplated in section 63(7) of the Act, the board shall first review the information and evidence in its possession and make a determination that there is sufficient reason to believe that any one of the criteria specified in section 63(8) is applicable to the candidate.

(2) No name shall be placed on the list until such time as the person concerned has had notice of the intention of placing his or her name on the list and been given an opportunity to be heard: Provided that the provisions of the sub-regulation shall not be applicable to a person who requests the board in writing to add his or her name to such list or to any person whose name appears on the exclusion lists of any other gambling regulatory body: Provided further that such a person's failure to respond to an invitation by the board 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.

[r. 100 substituted by r. 27 of P.N. No. 1057 of 2003.]

101. Distribution and contents of the list.—(1) For the purpose of ensuring compliance with the Act, the list contemplated in regulation 99 shall be open to inspection at the offices of the board, during normal office hours of the board and shall be distributed to—

- (a) every licensed gambling establishment within the Province;
- (b) all other gambling regulatory bodies in the Republic of South Africa.

(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) date of birth, if available;
- (d) the date the person's name was placed on the list;
- (e) a photograph and the date thereof, if available;
- (f) the reason for placing the person's name on the list; and
- (g) 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 establishments 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(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) Notwithstanding the provisions of regulation 19, any notice contained in this regulation may instead be given by way of electronic mail, internet transmission or supply of information on a database.

[r. 101 substituted by r. 28 of P.N. No. 1057 of 2003.]

102. Notice of interested party.—The notice to be given to a person in terms of regulation 100 (2) shall specify the grounds for inclusion on the list and shall inform the candidate that a request for a hearing may be made within 14 days from the date of the notice.

103. 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.

104. Petition to be removed from the list.—(1) Any person whose name has been placed on the list of excluded persons may, upon payment of such fee as the board may determine, 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 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.

105. 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.

106. Duty of licence holder.—(1) Whenever an identified excluded person enters or attempts to enter or is upon licensed premises from which he or she is excluded, the licence holder and its agents or employees shall—

- (a) request such excluded person not to enter, or if on the premises, to immediately leave;
- (b) notify the South African Police Service to evict such person if such excluded person fails to comply with the request of the licence holder, its agents or employees; and
- (c) notify the board of the presence of any excluded person on the licensed premises.

(2) A licence holder shall not knowingly allow an excluded person to participate in any gambling from which he or she is excluded.

107. Maintenance and alteration of gambling devices.—(1) A licence holder shall only use a registered maintenance provider 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 licence holder.

(2) A licence holder or person registered in terms of section 61 of the Act shall not alter the operation of a licensed gambling device or any associated equipment without the prior approval of the board.

108. Equipment to be of approved type.—(1) Subject to regulation 107, a licence holder 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 subregulation (1) which has not been approved by the board.

109. Records to be kept by licence holder.—A licence holder and person registered in terms of section 61 of the Act shall keep such records in respect of equipment contemplated in regulations 107 and 108 as these regulations or the board may require or approve.

110. Deregistration of gambling equipment.—A licence holder 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.

111. Standards for gambling devices.—(1) All gambling devices exposed for play and any electronic central monitoring system used to monitor such devices shall—

- (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—
 - (i) the South African Bureau of Standards; or
 - (ii) subject to the provisions of the National Gambling Act, 1996 (Act No. 33 of 1996), any other gambling equipment test laboratory approved by the board,as meeting the applicable standards.

(2) The licence holder shall be—

- (a) responsible for ensuring that its gambling devices meet the applicable standards laid down by the South African Bureau of Standards; and
- (b) responsible for payment of fees of the South African Bureau of Standards or such other approved gambling equipment test laboratory for the certification process.

[r. 111 substituted by r. 29 of P.N. No. 1057 of 2003.]

112. 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 the form of Form 6 of the Annexure.

(2) The provisions of regulations 86(5) and 87 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 such further forms as the board may require.

(4) The board may require further information it deems fit from any applicant for registration as a key person or gambling employee.

[r. 112 substituted by r. 29 of P.N. No. 1057 of 2003.]

113. Key persons.—In addition to persons who are deemed to be key persons in terms of section 68 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 acting as a skill or a proposition player; and
- (j) any person who has been specifically presented to the board by a licence holder or an officer or a director of the licence holder as being important or necessary for the operation of the business of the licence holder.

114. 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 licence holder 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 licence holder 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 licence holder 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 112 a completed form in the form of Form 7 of the Annexure.

(3) The issuing by the board of temporary registration in terms of subregulation (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 subregulation (1) is refused by the board, the licence holder 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 subregulation (4) shall be a condition of employment.

115. Certificate of registration.—The board shall issue every person registered as a key person or gambling employee with a certificate of registration in the form of Form 8 in the Annexure: 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.

116. Proof of registration on employment record.—A licence holder 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 114 (1) on the person's employment record.

117. Suspension or revocation of registration: Key persons and gambling employees.—The provisions of regulation 92 shall with the necessary changes apply in respect of the suspension or revocation of the registration of a key person or gambling employee registered in terms of section 68 or 69 of the Act or regulation 114 (1) of these regulations.

118. Information concerning key persons and gambling employees.—A licence holder shall within 14 days of a registered key person or gambling employee—

- (a) being employed by that licence holder;
- (b) changing his or her position with that licence holder; or
- (c) leaving the employ of that licence holder, inform the board accordingly.

CHAPTER 13

RESTRICTIONS, LIMITATION AND PROHIBITION

119. Undesirable advertising.—(1) No person shall display, publish or broadcast any advertisement or form of advertising with regard to gambling—

- (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 state;
- (d) may cause over-stimulation of gambling; or
- (e) contains a comparison between the advertiser and any other licence holder 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 licence holder 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 regulation 119(1)(a) 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 or racecourse and which does not refer or relate to gambling in any way.

(5) Every advertisement published by or on behalf of a licence holder 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 are not allowed to gamble or enter the gambling area; and
 - (ii) contains the name and telephone number of the National Responsible Gambling Programme, stating the number is **tollfree**;

(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 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 even sponsored by a casino where only the logo or name of such casino 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.

[r. 119 substituted by r. 30 of P.N. No. 1057 of 2003.]

120. Credit extension.—(1) No person other than a casino licence holder, totalisator licence holder or licensed bookmaker may extend credit to a patron in respect of a gambling transaction: Provided that prior to the extension of such credit, the casino licence holder, totalisator licence holder or bookmaker licence holder shall obtain and record, in a manner determined by the board and in accordance with its approved system of internal control, sufficient information regarding the patron's identity, credit history and financial capabilities in terms of the credit being requested.

[Sub-r. (1) substituted by r. 31 of P.N. No. 1057 of 2003.]

(2) All credit extensions shall, unless the board determines otherwise, be evidenced by a credit instrument signed at the time of credit extension by the patron who receives the credit.

(3) A credit instrument referred to in subregulation (2) shall contain sufficient information to allow of the collection of the debt and any other information the board may require following the receipt of the instrument.

(4) Failure by a casino licence holder or bookmaker to deposit a negotiable instrument for collection by the first banking day following the receipt of the negotiable instrument shall, for the purposes of this Chapter, be deemed to be an extension of credit.

(5) A casino licence holder or bookmaker shall pursue the collection of all credit instruments in accordance with its approved system of internal control.

(6) The gambling debts owing to a casino licence holder or bookmaker may be settled for less than the full amount of the debt: Provided that the casino licence holder or bookmaker shall record in its records the basis for such settlements: Provided further that the casino licence holder or bookmaker shall comply with its approved system of internal control.

121. Prohibited transactions by licence holder.—(1) A licence holder 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 licence holder 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, chips or tokens, unless the licence holder is satisfied that the patron has genuinely participated in gambling.

122. Transactions to be reported.—(1) A licence holder shall report the following transactions:

- (a) the exchange of cash for cash or a negotiable instrument with or on behalf of a patron in any transaction where the amount of the exchange exceeds R25 000.00;
- (b) the issuing of a cheque or some other negotiable instrument to a patron, or otherwise the effecting of any transfer of funds on behalf of a patron in exchange for cash or a negotiable instrument in any transaction where the amount of the exchange exceeds R25 000.00;
- (c) the redemption, in any transaction, of a patron's chips or tokens worth more than R25 000.00 for cash or a negotiable instrument;

- (d) the selling or issuing in any transaction of more than R25 000.00's worth of chips or tokens to a patron for cash or a negotiable instrument;
- (e) the receipt, in any transaction, of more than R25 000.00 in cash or a negotiable instrument from a patron as a deposit for gambling;
- (f) the receipt, in any transaction, of more than R25 000.00 in cash or a negotiable instrument from a patron in payment of credit previously extended;
- (g) the acceptance of more than R25 000.00 in cash or a negotiable instrument as a wager at any gambling game at which chips are not customarily used for wagering, or
- (h) the receipt from or disbursement to a patron of more than R25 000.00 in cash or in the form of a negotiable instrument in any transaction not specifically covered by paragraphs (a) to (g).

(2) A licence holder shall not knowingly allow, and shall take all reasonable steps to prevent, the circumvention of any of the provisions of this Chapter by multiple transactions in a 24 hour period with a patron or a patron's agent or accomplice.

(3) For reporting purposes a licence holder shall aggregate all cash transactions within a 24 hour period between himself or herself and a patron or a person who the licence holder knows or should have known to be the patron's agent or accomplice.

(4) A licence holder shall in its system of internal control include procedures to comply with the provisions of this Chapter.

123. Transaction reports.—(1) A licence holder shall, before completing a transaction referred to in regulation 122—

- (a) obtain or reasonably attempt to obtain the patron's name, permanent address and identity number;
- (b) verify the accuracy of the information obtained in terms of paragraph (a) by examining the patron's identity document, passport or other reliable identity credential;
- (c) record, in the manner and using the forms required or approved by the board—
 - (i) the date of the transaction;
 - (ii) the amount of the transaction;
 - (iii) the nature of the transaction;
 - (iv) the patron's name and permanent address;
 - (v) the patron's identity number;
 - (vi) the method used to verify the patron's identity; and
 - (vii) the name and signature of the person handling the transaction and recording the information on behalf of the licence holder; and
- (d) any other information determined by the board from time to time.

(2) A licence holder shall submit to the board copies of the records contemplated in subregulation (1) (c), within fourteen days after the end of the month to which the records relate.

124. Patron disputes.—A disputed claim for payment of a gambling debt may be resolved by the board in accordance with these regulations.

125. Resolution of dispute.—(1) Whenever a dispute arises as between a patron and a licence holder, as to the payment of alleged winnings or precise amount

thereof to the patron by the licence holder, or payment of a gambling debt or precise amount thereof by a patron to the licence holder, and both parties are unable to resolve the dispute, then:

- (a) either party or both of them shall refer the dispute to the chief executive officer of the board or his delegate for resolution; and
- (b) the chief executive officer shall, upon referral of the dispute, expeditiously resolve the dispute.

(2) For the purposes of resolving the dispute, the chief executive officer may 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 licence holder an opportunity to present their cases to him or her before he or she resolves the dispute.

(3) The chief executive officer's decision on the dispute shall, save in the case of appeal, be final and binding on the parties.

(4) After making a decision on the dispute the chief executive officer shall inform a party aggrieved by his or her decision that such a party has a right of appeal against such decision to the board.

(5) Save where an appeal has been lodged in terms of the provisions of regulation 126, the party against whom the chief executive officer has made a decision shall be obliged to pay the winnings or gambling debt within a period determined by the chief executive officer.

(6) 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.

126. Appeal to the board.—(1) A patron or licence holder aggrieved by the decision of the chief executive officer may, within 14 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, save in the case of a review by a court.

(5) A patron or licence holder against whom a decision has been made on appeal by the board shall be obliged to pay the winnings or gambling debt in terms of the order made by the board.

127. Non-payment by patron.—Where 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, in accordance with regulations 94 to 101.

128. Deposit and withdrawal of amount of claim upon judicial review.—(1) If a licence holder intends to take a decision of the board on judicial review, the

licence holder must first deposit with the board, in trust, an amount equal to the amount in dispute.

(2) The board shall release the amount held in trust, including interest accrued thereon—

- (a) to the patron, within 7 days after a final, non-appealable order of a court that so directs; or
- (b) to the licence holder, within 7 days after a final, non-appealable order of a court that the licence holder is not required to pay the claim.

129. Gambling-related contracts.—(1) All gambling-related contracts to which a licence holder or an applicant for a licence is a party or intends to become a party shall be in writing where the total value of such contract exceeds R5 000,00.

(2) Notwithstanding the provisions of sub-regulation (1) any further gambling-related contracts with a single supplier shall also be in writing for any contracts concluded with a supplier if the total value of all previous contracts with such supplier has exceeded R20 000,00 in any year.

[r. 129 substituted by r. 32 of P.N. No. 1057 of 2003.]

130. Submission of gambling-related contracts.—(1) Every licence holder or applicant for a licence shall, before entering into a gambling-related contract with a value of R200 000,00 or more, submit the proposed contract or amended contract to the board for approval.

(2)(a) Every licence holder shall, on a bi-monthly basis and within 14 days of the end of the second month of such period, submit to the board a schedule, in a form approved by the board, of all contracts entered into by such licence holder, exceeding R1 000,00 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.

(b) The board may request a copy of any contract entered into by a licence holder for its approval.

(3) The board may, when evaluating a contract or amendment of a contract, consider the suitability with whom the licence holder or applicant entered into a contract and may request such contractor to apply for a certificate of suitability in terms of regulation 23.

(4) The board may at any time review a contract referred to it for approval or approved by it in terms of this regulation.

(5) If a contractor is found to be or becomes unsuitable, the board shall direct the licence holder or applicant to terminate its contract with such contractor.

(6) A licence holder 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.

(7) Every gambling-related contract shall provide for its termination in the circumstances provided for in sub-regulations (4) and (5).

[r. 130 substituted by r. 33 of P.N. No. 1057 of 2003.]

131. Summons.—A summons contemplated in section 30 of the Act shall be in the form of Form 9 of the Annexure.

132. Fees.—DELETED

[r. 132 deleted by r. 34 of P.N. No. 1057 of 2003.]

133. Penalties.—DELETED

[r. 133 deleted by r. 34 of P.N. No. 1057 of 2003.]

134. Transitional provisions.—DELETED

[r.134 deleted by r. 34 of P.N. No. 1057 of 2003.]

CHAPTER 15

SOCIAL GAMBLING

132. 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, the other provisions of paragraph (a) of the definition of "social gambling" are complied with and no more than 15 people participate in such social gambling.

[r. 132 inserted by r. 35 of P.N. No. 1057 of 2003.]

133. Social gambling for fundraising purposes.—(1) Subject to regulation 134, no person who wishes to conduct social gambling contemplated in paragraph (b) of the definition of "social gambling" in the Act shall conduct such social gambling without first being issued a temporary social gambling licence by the board.

(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 one occurrence at a time: Provided that a single licence may cover continuous social gambling on no more than three consecutive days.

(4) No person shall be issued with more than one temporary social gambling licence in any 30-day period.

(5) No temporary licence to conduct social gambling shall 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) No person shall 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 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 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 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 any applicant for a social gambling licence or any 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 licence holder 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) Any person licensed by the board to conduct social gambling for profit shall supply to the board within 12 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;
- (b) multiple bingo games on a single day where the total staked on all such games exceeds R25 000,00;
- (c) gambling table games where the stake exceeds R20,00.

(15) No person conducting social gambling for purposes of fundraising may at any time 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) No person conducting social gambling in terms of this regulation or regulation 134 shall allow persons under the age of 18 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) No person conducting social gambling contemplated in this regulation shall expose for play any equipment which must, in terms of section 60 of the Act, be registered and which is not so registered.

[r. 133 inserted by r. 35 of P.N. No. 1057 of 2003.]

134. Social gambling for fundraising purposes not requiring a licence.—(1) Notwithstanding the provisions of regulation 133, 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 genuine sporting club;
 - (iv) the members of an entity duly registered 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 60 of the Act needs to be registered in 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 one month 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, embers of the governing body of the school or parents of children who attend the school;
- (k) no more than one social gambling event is held by such organisation in any calendar month;
- (l) no bet of more than R5,00 is permitted in any game;
- (m) the total amount staked in any single game of bingo shall not exceed R300,00; and
- (n) the organisation concerned informs the board of such gambling and the beneficiary thereof at least 48 hours before the commencement thereof.

(2) Notwithstanding the provisions of regulation 133 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, and for all games of bingo held on such day does not exceed R4 000,00;
- (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 registered 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 133(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.

[r. 134 inserted by r. 35 of P.N. No. 1057 of 2003.]

CHAPTER 16

FEEs, PENALTIES & TRANSITIONAL PROVISIONS

135. Fees.—(1) The following non-refundable fees shall be payable to the board by the applicant concerned—

- (a) in respect of temporary registration as a key person in terms of regulation 144—
 - (i) application fee R70,00;
 - (ii) temporary registration fee R20,00 per month; and
 - (iii) temporary administration fee R20,00 per month;
- (b) in respect of temporary registration as a gambling employee in terms of regulation 114—
 - (i) application fee R50,00;
 - (ii) temporary registration fee R4,00 per month; and
 - (iii) temporary administration fee R4,00 per month;
- (c) in respect of an application for registration as a key person in terms of section 68 of the Act an application fee of R500,00;

- (d) in respect of an application for registration as a gambling employee in terms of section 69 of the Act an application fee of R100,00;
- (e) in respect of receipt of a Request for Proposal in respect of a limited gambling machine site licence for a site having more than 5 limited gambling machines R1000,00; and
- (f) in respect of any hard copy of the Request for Proposal or application form for a limited gambling machine site licence for 5 or less limited gambling machines R30,00.

(2) All fees set out in subregulation (1) shall be paid to the board: provided that the fees set out in subparagraphs (a)(ii) and (b)(ii) of subsection (1) shall thereafter be paid into the Provincial Revenue Fund.

[r. 135 inserted by r. 35 of P.N. No. 1057 of 2003.]

136. Penalties.—(1) Any person who—

- (a) wilfully refuses or fails to comply with any decision or order by the board given in terms of these regulations; or
- (b) contravenes or fails to comply with any provision of these regulations,

shall be guilty of an offence and on conviction liable to a fine not exceeding R500 000,00 or to imprisonment for a period not exceeding 2 years, or to both such fine and such imprisonment.

[r. 136 inserted by r. 35 of P.N. No. 1057 of 2003.]

137. Transitional provisions.— Notwithstanding the provisions of regulation 111 the computerised betting system of the holder if a bookmaker licence or totalisator licence shall not have to comply with the provisions of regulation 111 until 31 May 2004.

[r. 137 inserted by r. 35 of P.N. No. 1057 of 2003.]

FORM 1

GAMBLING AND BETTING ACT, 1997 (ACT NO. 5 OF 1997) (EASTERN CAPE) 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 and Betting 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 one month 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% 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 2

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

CERTIFICATE OF SUITABILITY

It is hereby certified that the person whose particulars are set out hereunder has been found suitable by the Eastern Cape Gambling and Betting Board to:

- (a) Procure an interest of..... in the business of.....being a licence holder or applicant for a licence; or
 - (b) Supply goods and services, namely
.....
.....
.....
.....
.....
.....
.....to a licensee, namely
.....
.....
.....
.....
.....
- (Delete one)

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

FORM 3

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

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 and Betting Board within 30 days of the publication of this notice.

Applicant : _____
Licence Number : _____
Area of Exclusivity : _____

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 5
 GAMBLING AND BETTING ACT, (ACT NO. 5 OF 1997) (EASTERN CAPE)
 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 and Betting Board as a.....
.....
.....
of gambling devices on this day of , and has the
Board Registration Number

Chief Executive Officer
Eastern Cape Gambling and Betting Board
(Address of Board)
Date: _____

FORM 6

GAMBLING AND BETTING ACT, 1997 (ACT NO. 5 OF 1997) (EASTERN CAPE)
APPLICATION FOR REGISTRATION AS KEY PERSON/GAMBLING EMPLOYEE FOR
OFFICE USE: REGISTRATION NO:

FOR OFFICE USE: REGISTRATION NO:



Full Names:
Identity No:.....
Tax number:
Home Address:
.....
.....
Name of Employer:.....
Type of Registration of Employer:
Employer's licence /registration No:.....
Business Address:.....
.....
.....
Telephone No: (H) (W).....

Qualifications:

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

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

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* _____

FOR OFFICE USE

Date Received

--	--	--

Approved/Disapproval Reason: _____

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

FORM 7

GAMBLING AND BETTING ACT, 1997 (ACT NO. 5 OF 1997) (EASTERN CAPE)
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 134 (9)) Yes/No (Delete one)
Reason for request for temporary registration: _____

I confirm that the operation of the above licence holder / 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 licence holder / 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 licence holder / 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 licence holder / 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 8

[Form 8 substituted by P.N. No. 10 of 1999 and by r. 2 of P. N. No. 42 Of 1999.]

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

REGISTRATION CERTIFICATE

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

FRONT:

EASTERN CAPE GAMBLING AND BETTING BOARD

REGISTRATION CERTIFICATE

The bearer of this certificate is appointed as a—
KEY PERSON/GAMBLING EMPLOYEE*
in terms of section 68/69* of the Gambling and Betting Act, 1997
(Act No. 5 of 1997) (Eastern Cape)

PHOTOGRAPH

FULL NAMES:
IDENTITY No.:
POSITION HELD:
REGISTRATION No.:
ISSUE DATE
EXPIRY DATE

.....
CHIEF EXECUTIVE OFFICER

*Omit one.

BACK:



THIS CERTIFICATE REMAINS THE PROPERTY OF THE EASTERN CAPE
GAMBLING AND BETTING BOARD.
IF FOUND PLEASE RETURN TO:
P.O. BOX 18304, QUIGNEY, 5211
TEL. (0431) 43-9840

FORM 9

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

TimeDay Month..... 19.....

SIGNATURE

FULL NAMES:

* Delete whichever is not applicable