



Western Cape Government • Wes-Kaapse Regering • URhulumente weNtshona Koloni

PROVINCE OF THE WESTERN CAPE

PROVINSIE WES-KAAP

IPHONDO LENTSHONA KOLONI

Provincial Gazette Extraordinary

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(*Copies are obtainable at Room M21, Provincial Legislature Building, 7 Wale Street, Cape Town 8001.)

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Provincial Notice

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The following Provincial Notice is published for comment:

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PROVINCIAL NOTICE

The following Provincial Notice is published for comment.

DR H.C. MALILA,
DIRECTOR-GENERAL

Provincial Legislature Building,
Wale Street,
Cape Town.

PROVINSIALE KENNISGEWING

Die volgende Provinsiale Kennisgewing word vir kommentaar gepubliseer.

DR H.C. MALILA,
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,
Waalstraat,
Kaapstad.

ISAZISO SEPHONDO

Esi saziso silandelayo sipapashelwe ukunika izimvo.

GQIR H.C. MALILA,
MLAWULI-JIKELELE

ISakhiwo sePhondo,
Wale Street,
eKapa.

PROVINCIAL NOTICE

P.N. 17/2023

10 February 2023

**WESTERN CAPE PROVINCIAL TREASURY
WESTERN CAPE GAMBLING AND RACING BOARD
NAMES AND ADDRESSES OF NOMINEES FOR APPOINTMENT AS MEMBERS OF
BOARD AND COMMENT ON SUITABILITY OF NOMINEES**

I, David Savage, Head of the Western Cape Provincial Treasury, in terms of regulation 3(6) of the Western Cape Gambling and Racing Regulations, 1996, in respect of nominations of candidates for appointment as members of the Western Cape Gambling and Racing Board (the Board), received in response to the invitation for nominations published under Provincial Notice 121/2022 in *Provincial Gazette* 8672 dated 28 October 2022 and in *Die Burger* and *Weekend Argus* dated 29 October 2022—

- (a) specify the names and addresses of the nominees who submitted valid applications, as set out in paragraph 1; and
 - (b) advise that comment on the suitability for appointment of the nominees may be lodged as set out in paragraph 7.
1. The names and addresses of the nominees who submitted valid applications are—
 - (a) Mr Terence Arendse, 24 Edgemere Road, Elfindale, 7945;
 - (b) Mr Godfrey Baartman, 18 David Atkins Street, Charlesville, 7490;
 - (c) Mr Claude Bassuday, 25 Granula Place, Sunset Beach, Milnerton, Cape Town, 7441;
 - (d) Mr Mervyn Burton, 2 Chess Road, Claremont, 7708;
 - (e) Associate Prof Malcolm Keswell, 4 Ingle Road, Claremont, 7708;
 - (f) Mr David Lakay, 34 Le Sage Way, Edgemean, 7441;
 - (g) Ms Noluyolo Magazi, 1 Stepney End, A1 Hampton Place, Parklands 7441;
 - (h) Ms Ayanda Mvandaba, 98 Vygeboom Road, Durbanville, 7550; and
 - (i) Prof Dirk Visser, 3 Westmore Road, Higgovale, Cape Town, 8001.
 2. The Board is an independent statutory body established in terms of the Western Cape Gambling and Racing Act, 1996 (Act 4 of 1996) (the Act), and its main object is to control all gambling, racing and activities incidental thereto in the province of the Western Cape (the Province).
 3. Functions of the Board include to consider and dispose of applications for licences, to collect relevant taxes, levies, duties, fees and penalties and to conduct ongoing research into gambling and racing.
 4. The responsibilities of Board members include attending monthly Board meetings, conducting site visits, conducting assessments and participating in the activities of committees to which they have been appointed.
 5. Section 4 of the Act states that, in order to be eligible for appointment as a member of the Board, a person shall—
 - (a) be a natural person;
 - (b) have attained the age of twenty-five years;
 - (c) be a citizen of the Republic of South Africa (the Republic) and ordinarily resident in the Province;
 - (d) be a fit and proper person whose character, integrity, honesty, prior conduct, regard for the law, reputation, habits and associations do not pose a threat to the health, safety, morals, good order and general welfare of the inhabitants of the Province and to the provisions and policy of the Act;
 - (e) be of good financial standing; and
 - (f) not be disqualified under section 5 of the Act.

6. Section 5 of the Act states that the following persons are disqualified from being appointed as a member of the Board:
- (a) anyone who has at any time been convicted of an offence in terms of the Act or any similar law;
 - (b) anyone who at any time, whether in the Republic or elsewhere, has been convicted of theft, fraud, forgery, the uttering of a forged document, perjury or any offence under the Corruption Act, 1992 (Act 94 of 1992), or any offence of which dishonesty is an element;
 - (c) an unrehabilitated insolvent or anyone who is subject to any legal disability;
 - (d) anyone who has at any time been removed from any office of trust on account of misconduct or dishonesty;
 - (e) any political office-bearer; and
 - (f) anyone who, whether personally or through his or her spouse, family member, partner or associate—
 - (i) has or acquires a direct or an indirect financial interest in any gambling business or establishment; or
 - (ii) has any interest in any business or enterprise that may conflict or interfere with the proper performance of his or her duties as a member of the Board or in any licence issued under the Act.
7. Any person who wishes to comment on the suitability for appointment of the nominees referred to in paragraph 1 may lodge the comments with me, the designated accounting officer, in writing by no later than 16:00 on 27 February 2023 by—
- (a) posting it to:
The Accounting Officer
Provincial Treasury
Private Bag X9165
Cape Town 8000;
 - (b) emailing it to:
Claire.Horton@westerncape.gov.za;
 - (c) faxing it to:
Fax no 021 483 4337; or
 - (d) delivering it to:
The Accounting Officer: Provincial Treasury
3rd Floor, Room W3-07
Provincial Legislature Building
15 Wale Street
Cape Town,
and mark it for the attention of Ms Claire Horton.

Signed at Cape Town on this 6th day of February 2023.

D SAVAGE
HEAD OF WESTERN CAPE PROVINCIAL TREASURY

PROVINSIALE KENNISGEWING

P.K. 17/2023

10 Februarie 2023

**WES-KAAPSE PROVINSIALE TESOURIE
WES-KAAPSE RAAD OP DOBBELARY EN WEDRENNE
NAME EN ADRESSE VAN BENOEMDES VIR AANSTELLING AS LEDE VAN RAAD EN
KOMMENTAAR OOR GESKIKTHEID VAN BENOEMDES**

Ek, David Savage, Hoof van die Wes-Kaapse Provinsiale Tesourie, ingevolge regulasie 3(6) van die Wes-Kaapse Regulasies op Dobbelary en Wedrenne, 1996, ten opsigte van benoemings vir kandidate vir aanstelling as lede van die Wes-Kaapse Raad op Dobbelary en Wedrenne (die Raad), ontvang in reaksie op die uitnodiging vir benoemings gepubliseer onder Provinsiale Kennisgewing 121/2022 in *Provinsiale Koerant* 8672 gedateer 28 Oktober 2022 en Die Burger en Weekend Argus gedateer 29 Oktober 2022—

- (a) vermeld die name en adresse van die benoemdes wat geldige aansoeke ingedien het, soos uiteengesit in paragraaf 1; en
- (b) vermeld dat kommentaar oor die geskiktheid vir aanstelling van die benoemdes ingedien kan word soos uiteengesit in paragraaf 7.

1. Die name en adresse van die benoemdes wat geldige aansoeke ingedien het, is—
 - (a) Mnr Terence Arendse, Edgemereweg 24, Elfindale, 7945;
 - (b) Mnr Godfrey Baartman, David Atkinsstraat 18, Charlesville, 7490;
 - (c) Mnr Claude Bassuday, Granula Place 25, Sunset Beach, Milnerton, Kaapstad, 7441;
 - (d) Mnr Mervyn Burton, Chessweg 2, Claremont, 7708;
 - (e) Mede-prof Malcolm Keswell, Ingleweg 4, Claremont, 7708;
 - (f) Mnr David Lakay, Le Sage-weg 34, Edgemead, 7441;
 - (g) Me Noluyolo Magazi, Stepney-weg 1, A1 Hampton Place, Parklands 7441;
 - (h) Me Ayanda Mvandaba, Vygeboomweg 98, Durbanville, 7550; en
 - (i) Prof Dirk Visser, Westmoreweg 3, Higgovale, Kaapstad, 8001.
2. Die Raad is 'n onafhanklike statutêre liggaam wat ingevolge die Wet op Dobbelary en Wedrenne, 1996 (Wet 4 van 1996) (die Wet), ingestel is, en sy hoofdoel is om alle dobbelary, wedrenne en aktiwiteite bykomstig daartoe in die provinsie van die Wes-Kaap (die Provinsie) te beheer.
3. Werksaamhede van die Raad sluit in die oorweging en afhandeling van aansoeke om lisensies, om tersaaklike belastinge, heffings, regte, gelde en boetes in te vorder en om voortdurende navorsing oor dobbelary en wedrenne te doen.
4. Die verantwoordelikhede van lede van die Raad sluit in die bywoning van maandelikse Raadsvergaderings, die uitvoer van ter plaatse besoeke, die uitvoer van evalueringe en deelname aan die aktiwiteite van komitees waarop hulle aangestel is.
5. Artikel 4 van die Wet bepaal dat ten einde bevoeg te wees vir aanstelling as 'n lid van die Raad, moet 'n persoon—
 - (a) 'n natuurlike persoon wees;
 - (b) die ouderdom van vyf-en-twintig jaar bereik het;
 - (c) 'n burger van die Republiek van Suid-Afrika (die Republiek) en normaalweg woonagtig in die Provinsie wees;
 - (d) 'n geskikte en gepaste persoon wees wie se karakter, integriteit, eerlikheid, vorige gedrag, ontsag vir die reg, reputasie, gewoontes en verbintenisse nie 'n gevaar inhou vir die gesondheid, veiligheid, sedes, goeie orde en algemene welsyn van die inwoners van die Provinsie en vir die bepalings en beleid van die Wet nie;
 - (e) oor goeie finansiële kredietwaardigheid beskik; en
 - (f) nie kragtens artikel 5 van die Wet gediskwalifiseer wees nie.

6. Artikel 5 van die Wet bepaal dat die volgende persone gediskwalifiseer word van aanstelling as 'n lid van die Raad:
- (a) enigeen wat te eniger tyd skuldig bevind is aan 'n misdryf ingevolge die Wet of enige dergelike wet;
 - (b) enigeen wat te eniger tyd, hetsy in die Republiek of elders, skuldig bevind is aan diefstal, bedrog, vervalsing van 'n dokument, die in omloop bring van 'n vervalste dokument, meened of enige misdryf kragtens die Wet op Korruptsie, 1992 (Wet 94 van 1992), of enige misdryf waarvan oneerlikheid 'n element is;
 - (c) 'n ongerehabiliteerde insolvent of enigeen wat onderworpe is aan enige handelingsonbevoegdheid;
 - (d) enigeen wat te eniger tyd uit enige vertrouensposisie ontslaan is op grond van wangedrag of oneerlikheid;
 - (e) enige politieke ampsdraer; en
 - (f) enigeen wat, hetsy persoonlik of deur sy of haar gade, familielid, vennoot of deelgenoot—
 - (i) 'n regstreekse of 'n onregstreekse geldelike belang in enige dobbelarybesigheid of -instelling het of verkry; of
 - (ii) enige belang het by enige besigheid of onderneming wat strydig is met of inbreuk maak op die behoorlike verrigting van sy of haar pligte as 'n lid van die Raad of by enige lisensie kragtens die Wet uitgereik.
7. Enige persoon wat kommentaar wil lewer op die geskiktheid vir aanstelling van die benoemdes bedoel in paragraaf 1, kan die kommentaar by my, die aangewese rekenpligtige beampte, nie later nie as 16:00 op 27 Februarie 2023 skriftelik indien deur—
- (a) dit te pos na:
 - Die Rekenpligtige Beampte
 - Provinsiale Tesourie
 - Privaat Sak X9165
 - Kaapstad 8000;
 - (b) dit te e-pos na:
 - Claire.Horton@westerncape.gov.za;
 - (c) dit te faks na:
 - Faks no. 021 483 4337; of
 - (d) dit af te lewer by:
 - Die Rekenpligtige Beampte: Provinsiale Tesourie
 - 3de Vloer, Kamer W3-07
 - Provinsiale Wetgewer-gebou
 - Waalstraat 15
 - Kaapstad,
- en dit vir die aandag van me Claire Horton merk.

Geteken te Kaapstad op hierdie 6de dag van Februarie 2023.

D SAVAGE
HOOF VAN WES-KAAPSE PROVINSIALE TESOURIE

ISAZISO SEPHONDO

I.S. 17/2023

10 kweyoMdumba 2023

**UNONDYEBO WEPHONDO LENTSHONA KOLONI
IBHODI YONGCAKAZO NEMIDYARHO ENTSHONA KOLONI
AMAGAMA KUNYE NEEDILESI ZABATYUNJWA ABAZAKONYULELWA
UKUBA NGAMALUNGU EBHODI KUNYE NEZIMVO NGOKUFANELEKA
KWABATYUNJWA**

Mna, David Savage, iNtloko kaNondyebo wePhondo eNtshona Koloni, ngokomgaqo 3(6) weMigaqo yoNgcakazo neMidyarho yeNtshona Koloni, 1996, ngokubhekiselele kwabo batyunjelwe ukuba babengabagqatswa abazakonyulwa njengamalungu eBhodi yoNgcakazo neMidyarho yeNtshona Koloni (iBhodi), ndifumene kwimpendulo yesimemo sabatyunjwa esipapashwe phantsi kweSaziso sePhondo 121/2022 *kwiGazethi yePhondo* 8672 yomhla wama-28 kweyeDwarha 2022, kwiDie Burger nakwiWeekend Argus yomhla wama-29 kweyeDwarha 2022—

- (a) ndichaza amagama needilesi zabatyunjwa abathe bangenisa izicelo ezisemthethweni, njengoko kuchaziwe kumhlathi 1; yaye
 - (b) kwaziswe ukuba izimvo ngokufaneleka kwabo bamiselweyo ukuba bonyulwe bangafaka izimvo njengoko kuchaziwe kumhlathi 7.
1. Amagama needilesi zabo batyunjiweyo abathe bangenisa izicelo ezisemthethweni ngaba—
 - (a) Mnu. Terence Arendse, 24 Edgemere Road, Elfindale, 7945;
 - (b) Mnu. Godfrey Baartman, 18 David Atkins Street, Charlesville, 7490;
 - (c) Mnu. Claude Bassuday, 25 Granula Place, Sunset Beach, Milnerton, Cape Town, 7441;
 - (d) Mnu. Mervyn Burton, 2 Chess Road, Claremont, 7708;
 - (e) Njing. Ongesosigxina Malcolm Keswell, 4 Ingle Road, Claremont, 7708;
 - (f) Mnu. David Lakay, 34 Le Sage Way, Edgemead, 7441;
 - (g) Nks Noluyolo Magazi, 1 Stepney End, A1 Hampton Place, Parklands 7441;
 - (h) Nks Ayanda Mvandaba, 98 Vygeboom Road, Durbanville, 7550; kunye
 - (i) noNjing. Dirk Visser, 3 Westmore Road, Higgovale, Cape Town, 8001.
 2. IBhodi liqumrhu elizimeleyo nelisemthethweni elamiselwa ngokoMthetho woNgcakazo neMidyarho yeNtshona Koloni, 1996 (uMthetho 4 ka-1996) (uMthetho), kunye neenjongo zayo ikukulawula lonke ungcakazo, imidyarho kunye nemisebenzi ehambelana noko kwiphondo leNtshona Koloni (iPhondo).
 3. Imisebenzi yeBhodi iquka ukuqwalaselwa kunye nokulungiswa kwezicelo zelayisenisi, ukuqokelelwa kwerhafu ehambelana noko, imirhumo, imisebenzi, iintlawulo kunye nezohlwayo kunye nokukhokela uphando oluqhubayo kwezongcakazo nemidyarho.
 4. Uxanduva lwamalungu ebhodi luquka ukuzimasa iintlanganiso zeBhodi ezibanjwa ngenyanga, ukukhokela amatyelelo eendawo, ukwenza uvavanyo nokuthabatha inxaxheba kwimisebenzi yekomiti abonyulelwe wona.
 5. ICandelo 4 loMthetho lithi, ukuze umntu abe ukufanele ukwenyulwa abelilungu, kufuneka abe—
 - (a) ngumntu wokwenene;
 - (b) abeneminyaka engamashumi amabini anesihlanu okanye, ukuba ungumsebenzi weBhodi, abeneminyaka elishumi elinesibhozo;
 - (c) abengummi welilizwe le Riphabhlikhi yoMzantsi Afrika (iRiphabhlikhi) yaye abengummi oqhelekileyo kwiPhondo;
 - (d) abengumntu onesimilo, esisulungekileyo, othembekileyo, oziphethe kakuhle, ondilisekileyo, ngokwasemthethweni, onemikhwa nobudlelwane obungenazintsolo nobudala unxunguphalo empilweni, ukhuseleko, ukuziphatha, indlela eyiyo kunye nentlalo eyiyo kuluntu lonke ngokubanzi kwiPhondo kwakunye nokulungiselela umgaqonkqubo waloMthetho;
 - (e) abe akaxakekanga ngokwasezimalini; yaye
 - (f) angabinasithintelo phantsi kwecandelo 5 loMthetho.

6. ICandelo 5 loMthetho lithi, aba bantu balandelayo bayakuthintelwa ekunyulelweni ukuba lilungu leBhodi:
- (a) nabanina owaka wabanjelwa isityholo ngokoMthetho okanye nawuphina uMthetho ofananawo;
 - (b) nabanina owaka naninina; nokuba kukuleRiphabhlikhi okanye kwenye indawo, wabanjelwa ubusela, ubuqhinga, ukukhohlisa, ukuthetha ngamaxwebhu enkohliso, isifungo sobuxoki okanye naliphina ityala eliphantsi koMthetho weNkohlakalo, 1992 (uMthetho 94 ka 1992), okanye naliphina ityala apho ukunganyaniseki kuye kwasetyenziswa;
 - (c) umntu ongenako ukubuyela kwisidima sakhe otshone nzulu ematyaleni okanye nabanina osaxhomekeke emthethweni ngokwenkubazeko yamatyala;
 - (d) nabanina owathi wasuswa esikhundleni sakhe okanye kwiofisi ngenxa yokungathembakali ngokubhekisele leekungaziphathini ngendlela eyiyo okanye ukunganyaniseki;
 - (e) nabanina okwisikhundla sopolitiko; kunye
 - (f) nabanina owakha, wazibona esengxakini okanye ngenxa yomlinganewakhe, ilungu losapho lwakhe, iqabane lakhe okanye umntu osondele kuye—
 - (i) okhe wafumana okanye wachaphazeleka ngqo okanye ngandlela ithile nakuliphi na ushishino longcakazo okanye ukumiselwa kwalo; okanye
 - (ii) othe wachaphazeleka nakuliphina ishishini elinokuphazamisana nomsebenzi wakhe oluxanduva lokubalilungu leBhodi okanye nayiphina ilayisenisi ekhutshwe phantsi kwalo Mthetho.
7. Nawuphi na umntu ofuna ukufaka uluvo ngokufaneleka kwabo batyunjiweyo ngokubhekiselele kumhlathi 1 angafaka izimvo kum, kwigosa elinoxanduva elichongiweyo, ngokubhala ungafikanga umhla we-27 kweyoMdumba 2023 ngentsimbi yesine (16:00) ngoku—
- (a) posela ku:
 - IGosa elinoXanduva
 - Provincial Treasury
 - Private Bag X9165
 - Cape Town 8000;
 - (b) imeyilela ku:
 - Claire.Horton@westerncape.gov.za;
 - (c) feksela ku:
 - Inombolo yefeksi. 021 483 4337; okanye
 - (d) isiwe apha ku:
 - IGosa elinoXaduva: Nondyebo wePhondo
 - Kumgangatho wesi-3, kwiGumbi W3-07
 - KwiNdlu yoWiso-Mthetho
 - 15 Wale Street
 - EKapa,
 yaye iphawulwe ukuba iya kuNkoszn Claire Horton.

Sityikitywe eKapa ngalomhla we-6 kweyoMdumba 2023.

D SAVAGE
INTLOKO KUNONDYEBO WEPHONDO ENTSHONA KOLONI

