



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

PROVINCE OF THE WESTERN CAPE

PROVINSIE WES-KAAP

IPHONDO LENTSHONA KOLONI

Provincial Gazette
Extraordinary

Buitengewone
Provinsiale Koerant

Isongezelelo
kwiGazethi nePhondo

7548

7548

7548

Friday, 11 December 2015

Vrydag, 11 Desember 2015

uLwesihlanu, 11 kweyoMnga 2015

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Ibhaliswe ePosini njengePhephandaba

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IZIQULATHO

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

(*Afskrifte is verkrygbaar by Kamer M21,
Provinsiale Wetgewer-gebou, Waalstraat 7,
Kaapstad 8001.)

(*Ushicilelo oLutsha lufumaneka kwigumbi
M21, kwiSakhiwo sePhondo seNdlu, yoWiso
Mthetho, 7 Wale Street, eKapa 8001.)

The following draft regulations are published for
comment:

Die volgende konsepregulasies word vir kom-
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Any person or organisation wishing to comment on these draft regulations is requested to lodge the comments in writing before or on 12 February 2016, by—

Enige persoon of organisasie wat oor hierdie konsepregulasies kommentaar wil lewer, word versoek om die kommentaar skriftelik in te dien voor of op 12 Februarie 2016, deur—

Nabani na okanye nawuphi na umbutho onqwenela ukuthumela uluvo ngalemithetho iyilwayo uyacelwa ukuba afake uluvo ngokubhaliweyo ngaphambi okanye ngomhla wama-12 Febhuwari 2016, ngoku—

- (a) posting the comments to:
Ms Claire Horton
Provincial Treasury
Private Bag X9165
Cape Town 8000;
- (b) e-mailing the comments to:
Claire.Horton@westerncape.gov.za;
- (c) faxing the comments to:
Fax no. 021 483 4680
(Tel. no. 021 483 6037); or
- (d) delivering the comments to:
Ms Claire Horton
Provincial Treasury
Room 307 (3rd Floor)
Provincial Building
7 Wale Street
Cape Town 8001.

- (a) die kommentaar te pos aan:
Me. Claire Horton
Provinsiale Tesourie
Privaatsak X9165
Kaapstad 8000;
- (b) die kommentaar per e-pos te stuur na:
Claire.Horton@westerncape.gov.za;
- (c) die kommentaar te faks na:
Faksnr. 021 483 4680
(Tel. 021 483 6037); of
- (d) die kommentaar af te lewer aan:
Me. Claire Horton
Provinsiale Tesourie
Kamer 307 (3de Vloer)
Provinsiale Gebou
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Cape Town 8001.

The name, telephone, e-mail, and/or fax number and address of the person submitting the comment should be clearly indicated.

Die naam, telefoonnommer, e-posadres en/of faksnommer en die adres van die persoon wat die kommentaar indien moet duidelik aangedui word.

Igama, umnxeba, i-imeyile, kunye/okanye inom-bolo yefeksi kunye nedilesi yomntu ofake izimvo mazibonakale ngokucacileyo.

PROVINCIAL NOTICE

The following Provincial Notice is published for comment.

ADV. B. GERBER,
DIRECTOR-GENERAL

Provincial Legislature Building,
Wale Street,
Cape Town.

PROVINSIALE KENNISGEWING

Die volgende Provinsiale Kennisgewing word vir kommentaar gepubliseer.

ADV. B. GERBER,
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,
Waalstraat,
Kaapstad.

ISAZISO SEPHONDO

Esi saziso silandelayo sipapashelwe ukunika izimvo.

ADV. B. GERBER,
UMLAWULI-JIKELELE

iSakhiwo sePhondo,
Wale Street,
eKapa.

PROVINCIAL NOTICE

P.N. 432/2015

11 December 2015

**WESTERN CAPE GAMBLING AND RACING ACT, 1996 (ACT 4 OF 1996):
WESTERN CAPE GAMBLING AND RACING REGULATIONS, 1996: DRAFT FIRST AMENDMENT, 2015**

The Provincial Minister of Finance, in terms of section 81 of the Western Cape Gambling and Racing Act, 1996 (Act 4 of 1996), intends to make the regulations set out in the Schedule.

SCHEDULE**Definition**

1. In these regulations “the Regulations” means the Western Cape Gambling and Racing Regulations, 1996, as published under Provincial Notice 239/1996 dated 7 June 1996 and as amended by Provincial Notices 440/1996 (dated 11 October 1996), 458/1996 (dated 30 October 1996), 303/1997 (dated 29 August 1997), 446/1997 (dated 12 December 1997), 50/1998 (dated 23 January 1998), 285/1998 (dated 29 May 1998), 331/1998 (dated 19 June 1998), 334/1998 (dated 26 June 1998), 363/2000 (dated 16 August 2000), 24/2001 (dated 2 February 2001), 11/2002 (dated 18 January 2002), 358/2002 (dated 8 November 2002), 265/2003 (dated 8 August 2003), 396/2003 (dated 21 November 2003) and 291/2013 (dated 2 September 2013).

Amendment of regulation 1

2. Regulation 1 of the Regulations is amended—
 - (a) by the substitution for the words preceding the definition of “amusement machine” of the following words:

“In these Regulations, any word or expression to which a meaning has been assigned in the Act has the meaning so assigned and, unless the context indicates otherwise—”;
 - (b) by the deletion of the definition of “Law”; and
 - (c) by the insertion of the following definition before the definition of “token”:

“**the Act** means the Western Cape Gambling and Racing Act, 1996 (Act 4 of 1996);”.

Amendment of regulation 7 of the Regulations

3. Regulation 7 of the Regulations is amended by the insertion after subregulation (1) of the following subregulation:

“(1A) If the holder of a principal licence contemplated in section 56(1) or 57(1) of the Act presents to the Board an application for a key employee licence or a gambling employee licence, as contemplated in section 56(4) read with section 57(3) of the Act, any disqualifying circumstances contemplated in the Act found at any stage to exist in respect of—

 - (a) the person to whom the application relates; or
 - (b) the holder of the key employee licence or gambling employee licence, if the licence is granted, may not be imputed to the holder of the principal licence, except as otherwise provided for by law, and applies only to the relevant person contemplated in paragraph (a) or (b).”.

Repeal of regulations

4. Regulations 27, 27A, 27B and 28 of the Regulations are repealed.

Substitution of words

5. The Regulations are amended by the substitution for the words “the Law”, wherever they occur, of the words “the Act”.

Short title and commencement

6. These regulations are called the Western Cape Gambling and Racing Regulations, 1996: First Amendment, 2015, and come into operation on 1 April 2016.

PROVINSIALE KENNISGEWING

P.K. 432/2015

11 Desember 2015

**WES-KAAPSE WET OP DOBBELARY EN WEDRENNE, 1996 (WET 4 VAN 1996):
WES-KAAPSE DOBBELARY EN WEDRENNE REGULASIES, 1996: EERSTE KONSEPWYSIGING, 2015**

Die Provinsiale Minister van Finansies is van voorneme om, ingevolge artikel 81 van die Wes-Kaapse Wet op Dobbelary en Wedrenne, 1996 (Wet 4 van 1996), die regulasies uiteengesit in die Bylae te maak.

BYLAE**Woordomskrywing**

1. In hierdie regulasies beteken “die Regulasies” die Wes-Kaapse Dobbelary en Wedrenne Regulasies, 1996, soos gepubliseer in Provinsiale Kennisgewing 239/1996 van 7 Junie 1996 en soos gewysig by Provinsiale Kennisgewings 440/1996 (gedateer 11 Oktober 1996), 458/1996 (gedateer 30 Oktober 1996), 303/1997 (gedateer 29 Augustus 1997), 446/1997 (gedateer 12 Desember 1997), 50/1998 (gedateer 23 Januarie 1998), 285/1998 (gedateer 29 Mei 1998), 331/1998 (gedateer 19 Junie 1998), 334/1998 (gedateer 26 Junie 1998), 363/2000 (gedateer 16 Augustus 2000), 24/2001 (gedateer 2 Februarie 2001), 11/2002 (gedateer 18 Januarie 2002), 358/2002 (gedateer 8 November 2002), 265/2003 (gedateer 8 Augustus 2003), 396/2003 (gedateer 21 November 2003) en 291/2013 (gedateer 2 September 2013).

Wysiging van regulasie 1

2. Regulasie 1 van die Regulasies word gewysig—
 - (a) deur die woorde wat die omskrywing van “aangewese departement” voorafgaan, deur die volgende woorde te vervang:
“In hierdie Regulasies het enige woord of uitdrukking waaraan ’n betekenis geheg is in die Wet die betekenis aldus daaraan geheg en, tensy dit uit die samehang anders blyk, beteken—”;
 - (b) deur die volgende omskrywing voor die omskrywing van “Direkteur-generaal” in te voeg:
“**die Wet** die Wes-Kaapse Wet op Dobbelary en Wedrenne, 1996 (Wet 4 van 1996);” en
 - (c) deur die omskrywing van “Wet” te skrap.

Wysiging van regulasie 7 van die Regulasies

3. Regulasie 7 van die Regulasies word gewysig deur die volgende subregulasie na subregulasie (1) in te voeg:
“(1A) Indien die houer van ’n hooflisensie beoog in artikel 56(1) of 57(1) van die Wet ’n aansoek om ’n sleutelwerknemerlisensie of ’n dobbelarywerknemerlisensie, soos beoog in artikel 56(4) saamgelees met artikel 57(3) van die Wet, aan die Raad voorlê, mag enige diskwalifiserende omstandighede wat in die Wet beoog word wat te eniger tyd bevind word te bestaan ten opsigte van—
 - (a) die persoon op wie die aansoek betrekking het; of
 - (b) die houer van die sleutelwerknemerlisensie of dobbelarywerknemerlisensie, indien die lisensie toegestaan word, nie aan die houer van die hooflisensie toegeskryf word nie, uitgesonderd soos anders by wet voor voorsiening gemaak, en is dit slegs van toepassing op die betrokke persoon beoog in paragraaf (a) of (b).”.

Herroeping van regulasies

4. Regulasies 27, 27A, 27B en 28 van die Regulasies word herroep.

Vervanging van woorde

5. Die Engelse teks van die Regulasies word gewysig deur die woorde “the Law” waar dit ook al voorkom, deur die woorde “the Act” te vervang.

Kort titel en inwerkingtreding

6. Hierdie regulasies heet die Wes-Kaapse Dobbelary en Wedrenne Regulasies, 1996: Eerste Wysiging, 2015, en tree op 1 April 2016 in werking.

ISAZISO SEPHONDO

I.S. 432/2015

11 kweyoMnga 2015

**UMTHETHO WONGCAKAZO NEMIDYARHO WENTSHONA KOLONI, 1996 (UMTHETHO 4 KA-1996:
IMIGAQO YONGCAKAZO NEMIDYARHO YENTSHONA KOLONI: UKWENZIWA KWEZILUNGISO ZOKUQALA
EZISAYILWAYO, 2015**

UMphathiswa wezeMali wePhondo, ngokwecandelo 81 loMthetho woNgcakazo neMidyarho weNtshona Koloni, 1996 (uMthetho 4 ka-1996), uneenjongo zokwenza iMigaqo echazwe kwiShedyuli.

ISHEDYULI**Inkcazelo**

1. Kule Migaqo, “iMigaqo” ibhekisa kwiMigaqo yoNgcakazo neMidyarho yeNtshona Koloni, 1996 njengoko ipapashiwe phantsi kweSaziso sePhondo 239/1996 somhla we-7 Juni 1996 njengoko senziwe izilungiso ziZaziso 440/1996 (esomhla we-11 Oktobha 1996), 458/1996 (esomhla we-30 Oktobha 1996), 303/1997 (esomhla we-29 Agasti 1997), 446/1997 (esomhla we-12 Disemba 1997), 50/1998 (somhla we-23 Janyuwari 1998), 285/1998 (somhla we-29 Meyi 1998), 331/1998 (somhla we-19 Juni 1998), 334/1998 (somhla we-26 Juni 1998), 363/2000 (somhla we-16 Agasti 2000), 24/2001 (somhla we-2 Februwari 2001), 11/2002 (somhla we-18 Janyuwari 2002), 358/2002 (somhla we-8 Novemba 2002), 265/2003 (somhla we-8 Agasti 2003), 396/2003 (somhla we-21 Novemba 2003) nesingu-291/2013 (somhla we-2 Septemba 2013).

Ukwenziwa kweZilungiso kuMgaqo 1

2. UMgaqo 1 weMigaqo wenziwa izilungiso—
 - (a) ngokufakela endaweni yamagama aphambi kwenkcazelo “yomatshini wokonwabisa” kwala magama alandelayo:

“Kule migaqo, igama okanye ibinzana elintsingiselo echazwe kuMthetho, likwanentsingiselo efanayo nale ilapha ngaphandle kokuba imeko elisetyenziswe kuyo ithetha enye into —”;
 - (b) ngokufakela le nkcazelo ilandelayo phambi kwenkcazelo “yethokheni”:

“**uMthetho**” uthetha uMthetho woNgcakazo neMidyarho weNtshona Koloni, 1996 (uMthetho 4 ka-1996); kunye
 - (c) nangokucinywa kwenkcazelo “yoMthetho weeNkundla”.

Ukwenziwa kweZilungiso kuMgaqo 7 weMigaqo

3. UMgaqo 7 weMigaqo wenziwa izilungiso ngokufakela emva komgaqwana (1) kwalo mgaqwana ulandelayo:
 - “(1A) Ukuba umnini welayisenisi engundoqo echazwe kwicandelo 56(1) okanye 57(1) loMthetho ungenisa kwiBhodi isicelo selayisenisi somsebenzi ophambili, okanye ilayisenisi yomsebenzi yongcakazo, njengoko kuchaziwe kwicandelo 56(4) elifundwa necandelo 57(3) loMthetho, naziphi iimeko zokumkhuphela bucala ezichazwe kuMthetho ezifunyenwe nakwesiphi na isigaba malunga —
 - (a) nomntu isicelo esibhekisa kuye; okanye
 - (b) umnini welayisenisi yomsebenzi ophambili okanye ilayisenisi yomsebenzi yongcakazo, ukuba ilayisenisi inikeziwe, mazingachaphazeli umnini-layisenisi, ngaphandle kwaxa umthetho unyanzelisa njalo, kodwa mazichaphazele kuphela umntu lowo uxelwe kumhlathi (a) okanye (b).”.

Ukucinywa Komgaqo

4. IMigaqo 27, 27A, 27B kunye 28 icinyiwe.

Ukutshintshwa kwamagama

5. IMigaqo yenziwa izilungiso ngokuthi endaweni yegama elithetha “ngoMthetho weeNkundla”, kusetyenziswe amagama athi “uMthetho”.

Isihloko esifutshane nokuqala ukusebenza

6. Le migaqo iya kubizwa ngokuba yiMigaqo yoNgcakazo neMidyarho yeNtshona Koloni 1996: Izilungiso zokuQala, 2015, yaye iya kuqala ukusebenza ngowe-1 Epreli 2016.

PROVINCIAL NOTICE

P.N. 433/2015

11 December 2015

**WESTERN CAPE GAMBLING AND RACING ACT, 1996 (ACT 4 OF 1996):
DRAFT WESTERN CAPE GAMBLING AND RACING REGULATIONS (FEES AND COSTS), 2015**

The Provincial Minister of Finance, in terms of section 81 of the Western Cape Gambling and Racing Act, 1996 (Act 4 of 1996), intends to make the regulations set out in the Schedule.

SCHEDULE

Definitions

1. In these Regulations, a word or expression to which a meaning has been assigned in the Act has the same meaning and, unless the context indicates otherwise—
- “the Act” means the Western Cape Gambling and Racing Act, 1996 (Act 4 of 1996);
- “Western Cape Gambling and Racing Regulations” means the Western Cape Gambling and Racing Regulations, 1996, published under Provincial Notice 239 in *Provincial Gazette* 5054 of 7 June 1996, as amended.

Recovery of costs for granting or renewal of licence

2. (1) This regulation applies to an application for a licence contemplated in sections 45, 46, 48, 50, 51, 53, 55, 56 and 57 of the Act.
- (2) An application for the granting or renewal of a licence must be accompanied by a deposit as set out in Annexure A, or such other deposit as the Board may determine, for the recovery of costs reasonably incurred by or on behalf of the Board in conducting any hearing, investigation or enquiry relating to the granting or renewal of a licence.
- (3) An amount paid to the Board in terms of subregulation (2) must be paid into an interest-bearing account that is to be separate from any other funds of the Board, at a banking institution to the credit of the applicant concerned.
- (4) The interest, if any, on money deposited in terms of subregulation (2), accrues to the applicant.
- (5) The Chief Executive Officer may from time to time draw upon the deposits paid by the applicant for payment of all costs contemplated in subregulation (2).
- (6) The Chief Executive Officer must keep proper accounting records containing the particulars and information of any money received, held or paid by him or her for or on account of an applicant.
- (7) If a deposit approaches zero rand, the Board may request a further deposit of an amount equal to or less than the initial deposit.
- (8) Until receipt of a further deposit contemplated in subregulation (7), any investigation relating to the applicant may cease.
- (9) A statement of draws upon the deposit, payments made by the Board and the balance available must, at the request of an applicant, be provided to the applicant within 14 days of the date of such request.
- (10) The Board must, within 90 days of the Board’s approval or refusal of an application, or of an applicant’s withdrawal of an application—
- (a) provide the applicant with a statement reflecting all the draws upon the deposit, payments made by the Board and the balance payable to the applicant; and
- (b) return to the applicant any credit balance in respect of a deposit made.
- (11) If an applicant disputes any payments made or the need for further deposits, the applicant may request a written explanation from the Board regarding the matter in dispute.
- (12) The Board may not issue a licence unless full payment has been made by the applicant in respect of any costs contemplated in subregulation (2).
- (13) When an applicant makes application for and on behalf of any number of persons, all individual deposits payable in terms of subregulation (2) made by the applicant must be deposited collectively in a single account, and no balance of such deposits, if applicable, must be returned to the applicant until all investigations outstanding in respect of each person for and on behalf of whom application has been made have been completed.

Retention of credit balance

3. (1) Notwithstanding regulation 2(10), if the Board grants an application for a licence, the Board may, at the request of the licence holder, retain the credit balance in respect of a deposit, for such period as agreed between the licence holder and the Board, in order to defray any fees or costs payable by the licence holder in terms of the Act, the Western Cape Gambling and Racing Regulations and these Regulations.
- (2) If the Board retains a credit balance contemplated in subregulation (1), it must manage the funds in the manner contemplated in regulation 2(3), (4), (5), (6) and (9).
- (3) The Board must, within 90 days of the expiry of the period contemplated in subregulation (1) or of the request of the licence holder—
- (a) provide the licence holder with a statement reflecting all the draws upon the credit balance, payments made by the Board and the balance payable to the licence holder; and
- (b) return the credit balance in respect of the deposit contemplated in subregulation (1), or the balance thereof.

New licence application fees

4. The new licence application fees payable in terms of sections 32 and 44 of the Act are as set out in Annexure B.

Annual licence and investigation fees

5. The annual licence and investigation fees payable in terms of sections 32 and 44 of the Act are as set out in Annexure C.

Recovery of costs other than for grant or renewal of licence

6. (1) The Board must, before conducting any hearing, investigation or enquiry, other than a hearing, investigation or enquiry for the granting or renewal of a licence contemplated in regulation 2(2), inform the person to whom that hearing, investigation or enquiry relates of that hearing, investigation or enquiry and of the estimated costs involved.
- (2) The Board must, in order to recover any costs reasonably incurred by or on behalf of the Board in conducting a hearing, investigation or enquiry relating to a person referred to in subregulation (1), or when performing any function relating to that person other than for the granting or renewal of a licence, draw up a statement setting out all costs so incurred.
- (3) A person referred to in subregulation (1) must, within 30 days of receipt of a statement referred to in subregulation (2), reimburse the Board for the costs incurred.
- (4) If a person disputes any costs incurred, he or she may request a written explanation from the Board regarding the matter in dispute.

Short title and commencement

7. These Regulations are called the Western Cape Gambling and Racing Regulations (Fees and Costs), 2015 and come into operation on 1 April 2016.

**ANNEXURE A
DEPOSITS**
(Section 34 of the Act and regulation 2)

Kinds of licences	Deposit
	R
Casino operator licence	250 000,00
Limited gambling machine operator licence	150 000,00
Limited gambling machine premises licence	20 000,00
Bingo licence	100 000,00
Bingo premises licence	20 000,00
Junket agent licence	10 000,00
Manufacturer licence	50 000,00
Distributor licence	50 000,00
Totalisator operator licence	150 000,00
Totalisator premises licence	10 000,00
Bookmaker licence	20 000,00
Bookmaker premises licence	20 000,00
Key employee licence	1 800,00
Gambling employee licence	1 400,00

**ANNEXURE B
NEW LICENCE APPLICATION FEES**
(Sections 32 and 44 of the Act and regulation 4)

Kinds of licences	New licence application fee
	R
Casino operator licence	408 980,00
Limited gambling machine operator licence	204 490,00
Limited gambling machine premises licence	10 220,00
Bingo licence	102 250,00
Bingo premises licence	10 220,00
Junket agent licence	10 220,00
Manufacturer licence	10 220,00
Distributor licence	10 220,00
Totalisator operator licence	204 490,00
Totalisator premises licence	10 220,00
Bookmaker licence	10 220,00
Bookmaker premises licence	10 220,00
Key employee licence	415,00
Gambling employee licence	110,00

ANNEXURE C
ANNUAL LICENCE AND INVESTIGATION FEES
(Sections 32 and 44 of the Act and regulation 5)

Kinds of licences	Annual licence fee	Investigation fee
	R	R
Casino operator licence	204 490,00	6 135,00 per gambling table plus 4 090,00 per slot machine
Limited gambling machine operator licence	102 250,00	2 050,00 per limited gambling machine
Limited gambling machine premises licence	1 020,00	4 090,00
Bingo licence	4 090,00	10 220,00
Bingo premises licence	1 020,00	4 090,00
Junket agent licence	415,00	1 020,00
Manufacturer licence	4 090,00	20 455,00
Distributor licence	4 090,00	20 455,00
Totalisator operator licence	4 090,00	102 250,00
Totalisator premises licence	415,00	1 020,00
Bookmaker licence	2 050,00	8 185,00
Bookmaker premises licence	415,00	1 020,00
Key employee licence	110,00	415,00
Gambling employee licence	110,00	110,00

PROVINSIALE KENNISGEWING

P.K. 433/2015

11 Desember 2015

WES-KAAPSE WET OP DOBBELARY EN WEDRENNE, 1996 (WET 4 VAN 1996): WES-KAAPSE KONSEPREGULASIES OP DOBBELARY EN WEDRENNE (GELDE EN KOSTE), 2015

Die Provinsiale Minister van Finansies is van voorneme om, ingevolge artikel 81 van die Wes-Kaapse Wet op Dobbelary en Wedrenne, 1996 (Wet 4 van 1996), die regulasies uiteengesit in die Bylae te maak.

BYLAE

Woordomskriving

1. In hierdie Regulasies het 'n woord of uitdrukking waaraan daar in die Wet 'n betekenis geheg is, dieselfde betekenis en, tensy dit uit die samehang anders blyk, beteken—
 “die Wet” die Wes-Kaapse Wet op Dobbelary en Wedrenne, 1996 (Wet 4 van 1996);
 “Wes-Kaapse Dobbelary en Wedrenne Regulasies” die Wes-Kaapse Dobbelary en Wedrenne Regulasies, 1996, gepubliseer onder Provinsiale Kennisgewing 239 in *Provinsiale Koerant* 5054 van 7 Junie 1996, soos gewysig.

Verhaling van koste vir verlening of hernuwing van lisensie

2. (1) Hierdie regulasie is van toepassing op 'n aansoek om 'n lisensie beoog in artikels 45, 46, 48, 50, 51, 53, 55, 56 en 57 van die Wet.
 (2) 'n Aansoek om die toestaan of hernuwing van 'n lisensie moet vergesel wees van 'n deposito soos in Aanhangsel A uiteengesit, of sodanige ander deposito soos wat die Raad kan bepaal, vir die verhaling van koste wat redelikerwys deur of namens die Raad aangegaan is vir die hou van enige verhoor of die uitvoering of instelling van 'n ondersoek rakende die toestaan of hernuwing van 'n lisensie.
 (3) 'n Bedrag wat ingevolge subregulasie (2) aan die Raad betaal word, moet by 'n bankinstelling tot krediet van die betrokke aansoeker inbetaal word in 'n rentedraende rekening wat afsonderlik van enige ander fondse van die Raad moet wees.
 (4) Die rente, indien enige, op geld wat ingevolge subregulasie (2) gedeponeer is, val die aansoeker toe.
 (5) Die Hoof Uitvoerende Beampte kan van tyd tot tyd gebruik maak van die deposito's wat deur die aansoeker betaal is, ter betaling van alle koste beoog in subregulasie (2).
 (6) Die Hoof Uitvoerende Beampte moet behoorlike rekeningkundige rekords hou wat die besonderhede en inligting bevat van enige geld wat deur hom of haar ontvang, gehou of betaal word vir of op die rekening van 'n aansoeker.
 (7) Indien 'n deposito nul rand nader, kan die Raad 'n verdere deposito versoek gelyk aan of minder as die aanvanklike deposito.
 (8) Totdat 'n verdere deposito beoog in subregulasie (7) ontvang word, kan enige ondersoek rakende die aansoeker gestaak word.
 (9) 'n Staat van onttrekkings teen die deposito, betalings gedoen deur die Raad en die saldo beskikbaar moet, op versoek van 'n aansoeker, binne 14 dae vanaf die datum van sodanige versoek aan die aansoeker verskaf word.
 (10) Die Raad moet binne 90 dae vanaf die Raad se goedkeuring of weiering van 'n aansoek, of van 'n aansoeker se terugtrekking van 'n aansoek—
 (a) die aansoeker voorsien van 'n staat wat al die onttrekkings teen die deposito, betalings gedoen deur die Raad en die saldo betaalbaar aan die aansoeker weergee; en
 (b) enige kredietsaldo ten opsigte van 'n deposito wat gemaak is aan die aansoeker terugbesorg.
 (11) Indien 'n aansoeker enige betalings wat gedoen is of die behoefte aan verdere deposito's betwis, kan die aansoeker 'n skriftelike verduideliking van die Raad versoek rakende die aangeleentheid wat betwis word.
 (12) Die Raad mag nie 'n lisensie uitreik nie tensy volle betaling deur die aansoeker gedoen is ten opsigte van enige koste beoog in subregulasie (2).
 (13) Wanneer 'n aansoeker vir en namens enige aantal persone aansoek doen, moet alle individuele deposito's betaalbaar ingevolge subregulasie (2) wat deur die aansoeker gedoen is, gesamentlik in 'n enkele rekening gedeponeer word, en geen saldo van sodanige deposito's, indien van toepassing, mag aan die aansoeker terugbesorg word nie, totdat alle uitstaande ondersoeke ten opsigte van elke persoon vir en namens wie aansoek gedoen is, afgehandel is.

Terughou van kredietsaldo

3. (1) Nieteenstaande regulasie 2(10), indien die Raad 'n aansoek om 'n lisensie toestaan, kan die Raad, op versoek van die lisensiehouer, die kredietsaldo ten opsigte van 'n deposito terughou vir die tydperk waarop die lisensiehouer en die Raad ooreenkom, ten einde enige gelde of koste betaalbaar deur die lisensiehouer ingevolge die Wet, die Wes-Kaapse Dobbelary en Wedrenne Regulasies en hierdie Regulasies te dek.
 (2) Indien die Raad 'n kredietsaldo beoog in subregulasie (1) terughou, moet hy die fondse bestuur op die wyse beoog in regulasie 2(3), (4), (5), (6) en (9).
 (3) Die Raad moet binne 90 dae vanaf die verstryking van die tydperk beoog in subregulasie (1) of vanaf die versoek van die lisensiehouer—
 (a) die lisensiehouer voorsien van 'n staat wat al die onttrekkings teen die kredietsaldo, betalings gedoen deur die Raad en die saldo betaalbaar aan die lisensiehouer weergee; en
 (b) die kredietsaldo ten opsigte van die deposito beoog in subregulasie (1), of die saldo daarop, terugbesorg.

Aansoekgelde vir nuwe lisensies

4. Die aansoekgelde betaalbaar vir nuwe lisensies ingevolge artikels 32 en 44 van die Wet is soos uiteengesit in Aanhangsel B.

Jaarlikse lisensie- en ondersoekgelde

5. Die jaarlikse lisensie- en ondersoekgelde betaalbaar ingevolge artikels 32 en 44 van die Wet is soos uiteengesit in Aanhangsel C.

Verhaling van koste buiten verlening of hernuwing van lisensie

6. (1) Die Raad moet voordat hy enige verhoor hou of enige ondersoek uitvoer of instel, uitgesonderd 'n verhoor of ondersoek vir die verlening of hernuwing van 'n lisensie beoog in regulasie 2(2), die persoon op wie daardie verhoor of ondersoek betrekking het in kennis stel van daardie verhoor of ondersoek en van die geraamde koste daaraan verbonde.
 (2) Die Raad moet, ten einde enige koste te verhaal wat redelikerwys deur of namens die Raad aangegaan word vir die hou van 'n verhoor of die uitvoering of instelling van 'n ondersoek rakende 'n persoon bedoel in subregulasie (1), of wanneer enige funksie rakende daardie persoon verrig word, uitgesonderd vir die toestaan of hernuwing van 'n lisensie, 'n staat opstel waarin alle koste aldus aangegaan uiteengesit word.
 (3) 'n Persoon bedoel in subregulasie (1) moet binne 30 dae vanaf ontvangs van 'n staat bedoel in subregulasie (2) die Raad vergoed vir die koste wat aangegaan is.
 (4) Indien 'n persoon enige koste wat aangegaan is betwis, kan hy of sy 'n skriftelike verduideliking van die Raad versoek rakende die aangeleentheid wat betwis word.

Kort titel en inwerkingtreeding

7. Hierdie Regulasies heet die Wes-Kaapse Regulasies op Dobbelary en Wedrenne (Gelde en Koste), 2015, en tree in werking op 1 April 2016.

**AANHANGSEL A
DEPOSITO'S**

(Artikel 34 van die Wet en regulasie 2)

Soorte lisensies	Deposito
	R
Casino-operateurlisensie	250 000,00
Beperkte dobbelmasjien-operateurlisensie	150 000,00
Beperkte dobbelmasjien-perseellisensie	20 000,00
Bingolisensie	100 000,00
Bingoperseellisensie	20 000,00
Plesiertog-agentlisensie	10 000,00
Vervaardigerlisensie	50 000,00
Verspreiderlisensie	50 000,00
Totalisator-operateurlisensie	150 000,00
Totalisator-perseellisensie	10 000,00
Boekmakerlisensie	20 000,00
Boekmakerperseellisensie	20 000,00
Sleutelwerknemerlisensie	1 800,00
Dobbelywerknemerlisensie	1 400,00

**AANHANGSEL B
AANSOEGELDE VIR NUWE LISENSIES**

(Artikels 32 en 44 van die Wet en regulasie 4)

Soorte lisensies	Aansoekgelde vir nuwe lisensies
	R
Casino-operateurlisensie	408 980,00
Beperkte dobbelmasjien-operateurlisensie	204 490,00
Beperkte dobbelmasjien-perseellisensie	10 220,00
Bingolisensie	102 250,00
Bingoperseellisensie	10 220,00
Plesiertog-agentlisensie	10 220,00
Vervaardigerlisensie	10 220,00
Verspreiderlisensie	10 220,00
Totalisator-operateurlisensie	204 490,00
Totalisator-perseellisensie	10 220,00
Boekmakerlisensie	10 220,00
Boekmakerperseellisensie	10 220,00
Sleutelwerknemerlisensie	415,00
Dobbelywerknemerlisensie	110,00

AANHANGSEL C
JAARLIKSE LISENSIE- EN ONDERSOEKGELDE
(Artikels 32 en 44 van die Wet en regulasie 5)

Soorte lisensies	Jaarlikse lisensie-gelde	Ondersoekgelde
	R	R
Casino-operateurlisensie	204 490,00	6 135,00 per dobbeltafel plus 4 090,00 per muntoutomaat
Beperktedobbelmasjien-operateurlisensie	102 250,00	2 050,00 per beperktedobbelmasjien
Beperktedobbelmasjien-perseellisensie	1 020,00	4 090,00
Bingolisensie	4 090,00	10 220,00
Bingoperseellisensie	1 020,00	4 090,00
Plesiertog-agentlisensie	415,00	1 020,00
Vervaardigerlisensie	4 090,00	20 455,00
Verspreiderlisensie	4 090,00	20 455,00
Totalisator-operateurlisensie	4 090,00	102 250,00
Totalisator-perseellisensie	415,00	1 020,00
Boekmakerlisensie	2 050,00	8 185,00
Boekmakerperseellisensie	415,00	1 020,00
Sleutelwerknemerlisensie	110,00	415,00
Dobbelarywerknemer-lisensie	110,00	110,00

ISAZISO SEPHONDO

I.S. 433/2015

11 kweyoMnga 2015

**UMTHETHO WONGCAKAZO NEMIDYARHO WENTSHONA KOLONI, 1996 (UMTHETHO 4 KA-1996):
IMIGAQO YONGCAKAZO NEMIDYARHO YENTSHONA KOLONI (IMIRHUMO NEENDLEKO), 2015**

UMphathiswa wezeMali wePhondo, ngokwecandelo 81 loMthetho woNgcakazo neMidyarho weNtshona Koloni, 1996 (uMthetho 4 ka-1996), uneenjongo zokwenza imigaqo echazwe kwiShedyuli.

ISHEDYULI

Iinkcazelo

1. Kule migaqo, igama okanye ibinzana elintsingiselo echazwe kuMthetho, likwanentsingiselo efanayo nalapha ngaphandle kokuba imeko elisetyenziswe kuyo ithetha enye into—
 “uMthetho” uthetha uMthetho woNgcakazo neMidyarho weNtshona Koloni, 1996 (uMthetho 4 ka-1996);
 “iMigaqo yoNgcakazo neMidyarho yeNtshona Koloni” ithetha iMigaqo yoNgcakazo neMidyarho yeNtshona Koloni, 1996, epapashwe phantsi kweSaziso sePhondo 239 kwiGazethi yePhondo 5054 yowe-7 Juni 1996, njengoko yenziwe izilungiso.

Ukufunyanwa kweendleko zonikezo okanye zohlaziyo lwelayisenisi

2. (1) Lo migaqo usebenza kwisicelo selayisenisi esixelwe kumacandelo 45, 46, 48, 50, 51, 53, 55, 56 no-57 oMthetho.
 (2) Isicelo sokunikezwa okanye sokuhlaziya kwelayisenisi kufuneka sikhathshwe yidiphozithi njengoko kuchaziwe kwiSihlomo A, okanye enye idiphozithi egqitywe yiBhodi, yokubuyisa iindleko ekungenwe kuzo okanye ezenziwe egameni leBhodi xa bekumanyelwe izimvo, kusenziwa uphando okanye kulandelelwa imibuzo emalunga nonikezo okanye uhlaziyo lwelayisenisi.
 (3) Isixamali esihlawulwe kwiBhodi ngokomgaqwana (2) kufuneka sihlawulwe kwiakhawunti enenzala, ekufuneka yahluke kwezinye iingxowamali zeBhodi, kwibhanki yomfaki-sicelo okhankanyiweyo.
 (4) Inzala, ukuba ikhona, kwimali ediphozithiweyo ngokomgaqwana (2), iya kunikwa umfaki-sicelo.
 (5) Igosa eliyiNgqonyela yeSigqeba lingamane litsala kwiidiphozithi ezihlawulwe ngumfaki-sicelo ukuhlawula zonke iindleko ezixelwe kumgaqwana (2).
 (6) Igosa eliyiNgqonyela yeSigqeba kufuneka ligcine iirekhodi ezizizo zoniko-nkcaza ngemali ezineenkukacha zazo zonke iimali ezingenileyo, ezigciniweyo okanye ezihlawulwe lilo okanye okanye ekwiakhawunti yomfaki-sicelo.
 (7) Ukuba idiphozithi iyaphela, iBhodi ingafuna enye idiphozithi yemali elingana okanye engaphantsi kwediphozithi yokuqala.
 (8) De kungene enye idiphozithi exelwe kumgaqwana (7), kusenokuyekwa lonke uphando oluhlangene nomfaki-sicelo.
 (9) Inxelo yeemali ezitsaliweyo kwidiphozithi, iintlawulo ezenziweyo yiBhodi nentsalela yemali kufuneka zifumaneke xa umfaki-sicelo ezifuna, oko kwenzeke kwiintsuku ezili-14 ukusuka kumhla weso sicelo.
 (10) IBhodi kufuneka, kwiintsuku ezingama-90 zemvume yeBhodi kwisicelo okanye emva kokwala isicelo, okanye emva kokurhoxiswa kwesicelo ngumfaki-sicelo—
 (a) inike umfaki-sicelo ingxelo ebonisa zonke iimali ezitsalwe kwidiphozithi, iintlawulo ezenziwe yiBhodi kunye nebhhalansi emayihlawulwe kumfaki-sicelo; ze
 (b) ibuyisele kumfaki-sicelo nayiphi ibhalansi yekhredithi yediphozithi ehlawulweyo.
 (11) Ukuba umfaki-sicelo unengxaki ngeentlawulo ezenziweyo okanye malunga nokuba afake enye idiphozithi, umfaki-sicelo angacela ingcaciso ebhaliweyo kwiBhodi malunga nombala anengxaki ngawo.
 (12) IBhodi ayinakukhupha ilayisenisi de umfaki-sicelo ahlawulele zonke iindleko ezixelwe kumgaqwana (2).
 (13) Xa umfaki-sicelo esenzela iqela labantu, zonke iidiphozithi ekufuneka zihlawulwe ngokomgaqwana (2) nezihlawulwe ngumfaki-sicelo kufuneka zibe zidiphozithwe zonke kwiakhawunti enye, yaye kungabikho bhhalansi yezo diphozithi, ukuba ikhona, ekufuneka ibuyiselwe kumfaki-sicelo de lonke uphando ngomntu ngamnye ofakelwa isicelo lube lugqityiwe.

Ukugcinwa kwebhhalansi yekhredithi

3. (1) Noxa kukho umgaqo 2(10), ukuba iBhodi ivuma isicelo selayisenisi, iBhodi ingathi, ngesicelo somnini-layisenisi, igcine ibhalansi yekhredithi yediphozithi, kangangesithuba ekuvunyelwene ngaso phakathi komnini-layisenisi neBhodi, uze kuhlawulwe nayiphi imirhumo okanye iindleko emazihlawulwe kumnini-layisenisi ngokoMthetho, ngokweMigaqo yoNgcakazo neMidyarho yeNtshona Koloni kunye nangokwale Migaqo.
 (2) Ukuba iBhodi igcine ibhalansi yekhredithi exelwe kumgaqwana (1), kufuneka ilawule iimali ngendlela exelwe kumgaqo 2(3), (4), (5), (6) no-(9).
 (3) IBhodi kufuneka, kwiintsuku ezingama-90 zokuphela kwesithuba esixelwe kumgaqwana (1) okanye zesicelo somnini-layisenisi—
 (a) inike umfaki-sicelo ingxelo ebonisa zonke iimali ezitsalwe kwidiphozithi, iintlawulo ezenziwe yiBhodi kunye nebhhalansi emayihlawulwe kumfaki-sicelo; ze
 (b) ibuyisele ikhredithi yebhhalansi yediphozithi exelwe kumgaqwana (1), okanye ibhalansi yayo.

Imirhumo yokufaka isicelo selayisenisi entsha

4. Imirhumo yokufaka isicelo selayisenisi entsha ngokwamacandelo 32 no-44 oMthetho injengokuba ichaziwe kwiSihlomo B.

Umrhumo wonyaka nemirhumo yokuphanda

5. Umrhumo wonyaka nemirhumo yokuphanda ehlawulwayo ngokwamacandelo 32 no-44 oMthetho injengokuba ichaziwe kwiSihlomo C.

Ukubuyiswa kweendleko ngaphandle kwezegranti okanye zohlaziyo lweelayisenisi

6. (1) IBhodi, phambi kokuba imamele naziphi izimvo, yenze uphando okanye ilandelele imibuzo ngaphandle kwaleyo yonikezo okanye yohlaziyo lwelayisenisi echazwe kumgaqo 2(2), kufuneka yazise umntu lowo uphandwayo okanye kubuziswayo ngaye malunga nomamelo-zimvo, uphando okanye ubuziso ngaye yaye axelwe nangeendleko ezibandakanyekayo.
 (2) Ukuze iBhodi ifumane iindleko zayo ezichithileyo xa ibimamele naziphi izimvo, xa ibisenza uphando okanye ilandelele imibuzo malunga nomntu ekubhekiswe kuye kumgaqwana (1), okanye xa isenza nawuphi umsebenzi ohlanganisene nalo mntu, ngaphandle kwaleyo yonikezo okanye yohlaziyo lwelayisenisi, kufuneka ibhale ingxelo echaza zonke iindleko engene kuzo.
 (3) Umntu ekubhekiswe kuye kumgaqwana (1) kufuneka, kwiintsuku ezingama-30 zokufumana ingxelo ekubhekiswe kuyo kumgaqwana (2), abuyisele iBhodi zonke iindleko engene kuzo.
 (4) Ukuba umntu lowo unengxaki ngeendleko ezichithiweyo, angacela ingcaciso ebhaliweyo kwiBhodi malunga nombala anengxaki ngawo.

Isihloko esifutshane nokuqala ukusebenza

7. Le migaqo iya kubizwa ngokuba yiMigaqo yoNgcakazo neMidyarho yeNtshona Koloni (Imirhumo neNdleko), 2015 yaye iya kuqala ukusebenza ngowe-1 Epreli 2016.

**ISIHLOMELO A
IIDIPHOSITHI**
(Icandelo 34 loMthetho nomgaqo 2)

Iintlobo zeelayisenisi	Idiphosithi
	R
Ilayisenisi yekhasino	250 000,00
Ilayisenisi yoomatshini bongcakazo olubekelwe imida	150 000,00
Ilayisenisi yamasango oomatshini bongcakazo	20 000,00
Ilayisenisi yebhingo	100 000,00
Ilayisenisi yamasango ebhingo	20 000,00
Ilayisenisi yomququzeleli	10 000,00
Ilayisenisi yomvelisi	50 000,00
Ilayisenisi yomhambisi	50 000,00
Ilayisenisi yoomatshini bokubala imali yabadlali	150 000,00
Ilayisenisi yamasango oomatshini bokubala imali	10 000,00
Ilayisenisi yombhejisi	20 000,00
Ilayisenisi yamasango ombhejisi	20 000,00
Ilayisenisi yomsebenzi ophambili	1 800,00
Ilayisenisi yomsebenzi yokungcakaza	1 400,00

**ISIHLOMELO B
IMIRHUMO YEZICELO ZELAYISENISI EZINTSHA**
(Amacandelo 32 no-44 oMthetho nomgaqo 4)

Iintlobo zeelayisenisi	Umrhumo wesicelo selayisenisi entsha
	R
Ilayisenisi yekhasino	408 980,00
Ilayisenisi yoomatshini bongcakazo olubekelwe imida	204 490,00
Ilayisenisi yamasango oomatshini bongcakazo	10 220,00
Ilayisenisi yebhingo	102 250,00
Ilayisenisi yamasango ebhingo	10 220,00
Ilayisenisi yomququzeleli	10 220,00
Ilayisenisi yomvelisi	10 220,00
Ilayisenisi yomhambisi	10 220,00
Ilayisenisi yoomatshini bokubala imali yabadlali	204 490,00
Ilayisenisi yamasango oomatshini bokubala imali	10 220,00
Ilayisenisi yombhejisi	10 220,00
Ilayisenisi yamasango ombhejisi	10 220,00
Ilayisenisi yomsebenzi ophambili	415,00
Ilayisenisi yomsebenzi yokungcakaza	110,00

ISHLOMELO C
UMRHUMO WONYAKA NEMIRHUMO YOKUPHANDA
(Amacandelo 32 no-44 oMthetho nomgaqo 5)

Iintlobo zeelayisenisi	Umrhumo welayisenisi wonyaka	Umrhumo wokuphanda
	R	R
Ilayisenisi yekhasino	204 490,00	6 135,00 ngetafile ngaye yokungcakaza kunye ne-4 090,00 ngomatshini ngamnye
Ilayisenisi yoomatshini bongcakazo olubekelwe imida	102 250,00	2 050,00 ngomatshini ngamnye wokungcakaza onemida
Ilayisenisi yamasango oomatshini bongcakazo	1 020,00	4 090,00
Ilayisenisi yebhingo	4 090,00	10 220,00
Ilayisenisi yamasango ebhingo	1 020,00	4 090,00
Ilayisenisi yomququzeleli	415,00	1 020,00
Ilayisenisi yomvelisi	4 090,00	20 455,00
Ilayisenisi yomhambisi	4 090,00	20 455,00
Ilayisenisi yoomatshini bokubala imali yabidlali	4 090,00	102 250,00
Ilayisenisi yamasango oomatshini bokubala imali	415,00	1 020,00
Ilayisenisi yombhejisi	2 050,00	8 185,00
Ilayisenisi yamasango ombhejisi	415,00	1 020,00
Ilayisenisi yomsebenzi ophambili	110,00	415,00
Ilayisenisi yomsebenzi yokungcakaza	110,00	110,00

