
PROVINCIAL NOTICE

No. 33

5 April 2011

KWAZULU-NATAL LEGISLATURE**CORRECTION NOTICE - PUBLICATION OF SECTIONS 94 AND 95 OF THE KWAZULU-NATAL GAMING AND BETTING ACT, ACT NO. 08 OF 2010**

Section 94 (3), (4), (5), (6), (7), (8) and Section 95 (1), (2), (3) are hereby published as these were erroneously omitted in the KwaZulu-Natal Gaming and Betting Act, Act No. 08 of 2010 when it was published in the Government Gazette No. 541 of 03 February 2011.

N Naidoo
Secretary: KwaZulu-Natal Legislature

SECTION 94**Application for, granting and renewal of, bookmaker's licence**

94.(1) An application for a bookmaker's licence must be made to the Board in the manner prescribed by the Board and must be accompanied by the relevant application and investigation fees prescribed in Schedule 2, which fees are payable to the Board.

(2) The Board may, after it has satisfied itself that the applicant is not disqualified from holding such licence –

- (a) grant such licence with or without conditions;
- (b) refuse such licence; or
- (c) refer the application back to the applicant for the submission of additional information.

(3) Where an application is refused, the Board must furnish the unsuccessful applicant with written reasons for the refusal of such application.

(4) A bookmaker's licence may be issued to a natural person or a corporate body.

(5) A corporate body must nominate a natural person to represent it and such person is regarded as being the bookmaker for purposes of this Act: Provided that the corporate body is, at all times, jointly and severally liable for all the obligations imposed upon a bookmaker by this Act.

(6) A bookmaker's licence must specify –

- (a) the name of the person to whom the licence has been issued and, in the case of a corporate body, the name of the person contemplated in subsection (5) must also be specified on the licence;
- (b) the activities that the licence permits the licensee to engage in, conduct or make available to the public;
- (c) the area, determined by the Board in terms of section 7(2)(c), in respect of which the licence is issued;
- (d) the duration of the licence; and
- (e) by way of an addendum to the licence, the premises at, in or from which the licensee is permitted to operate.

(7) Unless cancelled earlier in terms of section 99, a bookmaker's licence expires on the thirty-first day of December of the year for which it was issued but may be renewed, in the manner prescribed by the Board, from year to year in the discretion of the Board and on payment of the licence renewal fee prescribed in Schedule 2.

(8) When considering an application made in terms of subsection (1), the Board must consider the economic, social development and competition issues contemplated in sections 53 and 54 of the National Gambling Act.

SECTION 95

Disqualification of natural persons

95.(1) Subject to the provisions of section 133, a bookmaker's licence may not be issued to or held by any person who is or becomes subject to a disqualification contemplated in section 32.

(2) A person is disqualified from being granted a licence if he or she, or any person acting as his or her principal does not have access to financial resources that are, in the opinion of the Board, adequate to ensure the financial viability of the business to which the licence relates and either sufficient experience in the management and operation of such business or access to the services of persons with such experience.

(3) The provisions of this section apply, with the necessary changes, to the natural person nominated by a corporate body in terms of section 94(5).
