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## CONTENTS

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No. Page

### Provincial Notice

199	Western Cape Gambling and Racing Board Rules. In terms of section 82 of the Western Cape Gambling and Racing Law, Law 4 of 1996, as amended, the Western Cape Gambling and Racing Board hereby makes the following Rules .....	2
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**PROVINCIAL NOTICE**

The following Provincial Notice is published for general information.

G. A. LAWRENCE,  
DIRECTOR-GENERAL

Provincial Building,  
Wale Street,  
Cape Town.

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**PROVINSIALE KENNISGEWING**

Die volgende Provinsiale Kennisgewing word vir algemene inligting gepubliseer.

G. A. LAWRENCE,  
DIREKTEUR-GENERAAL

Provinsiale-gebou,  
Waalstraat,  
Kaapstad.

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P.N. 199/2004

23 September 2004

**WESTERN CAPE GAMBLING AND RACING BOARD****RULES**

In terms of section 82 of the Western Cape Gambling and Racing Law, Law 4 of 1996, as amended, the Western Cape Gambling and Racing Board hereby makes the following Rules—

**WESTERN CAPE GAMBLING AND RACING BOARD  
LIMITED GAMBLING MACHINE (“LGM”) RULES****ARRANGEMENT OF RULES****CHAPTER I: DEFINITIONS**

- 1.1 Definitions

**CHAPTER II: ORGANISATIONAL STRUCTURE, JOBS COMPENDIUM AND INTERNAL CONTROL STANDARDS (“ICS”)**

- 2.1 Organisational structure
- 2.2 Jobs compendium
- 2.3 Staffing
- 2.4 LGM premises
- 2.5 Internal audit
- 2.6 ICS

**CHAPTER III: TECHNICAL DEPARTMENT**

- 3.1 LGM and SDL information records
- 3.2 LGM requirements
- 3.3 Commissioning, alteration and de-commissioning of LGMs and SDLs
- 3.4 LGM and communication malfunctions
- 3.5 Maintenance
- 3.6 RAM clear
- 3.7 Additional gambling devices

**CHAPTER IV: ADMINISTRATION DEPARTMENT**

- 4.1 Responsibilities
- 4.2 Journal entries
- 4.3 LGM accounting
- 4.4 Controlled stationery
- 4.5 Monitored keys

**CHAPTER V: COMPLIANCE DEPARTMENT**

- 5.1 Investigations

- 5.2 Audits
- 5.3 Reporting requirements

#### CHAPTER VI: LGM PREMISES

- 6.1 ICS
- 6.2 Minimum requirements for LGM premises
- 6.3 Responsibilities pertaining to LGM premises
- 6.4 Access to LGMs
- 6.5 Licence and signs to be displayed
- 6.6 Monitored keys and controlled stationery
- 6.7 Patron disputes

#### CHAPTER VII: GENERAL PROVISIONS

- 7.1 Offices of the LGM operator
- 7.2 Credit facility
- 7.3 Game features, stakes and prizes
- 7.4 Monetary instruments
- 7.5 SDL controls
- 7.6 Employee cards
- 7.7 LGM premises and employee records
- 7.8 User access rights
- 7.9 Employees to be appropriately licensed
- 7.10 Dispensation

#### CHAPTER VIII: OFFENCES AND PENALTIES

- 8.1 Offences and penalties

### CHAPTER I

#### DEFINITIONS

##### 1.1 Definitions

Any word or expression used in these Rules which is defined in the Law or the Regulations made in terms thereof shall have the meaning ascribed to it in the Law or Regulations, unless it is otherwise defined in these Rules or the context indicates otherwise. In these Rules, unless the context indicates otherwise—

- (1) **“authorised”** means authorised in terms of the Law or ICS.
- (2) **“bet”** means the amount of credits risked or staked by a player at the commencement or during a gambling game.
- (3) **“Board”** means the Western Cape Gambling and Racing Board.
- (4) **“cash or cash equivalent”** means a physical coin, note, token, ticket, other thing of value, magnetic or smart card or any other representation of money used directly or indirectly in the gambling environment.
- (5) **“CEMS”** means the central electronic monitoring system contemplated in section 13(1)(l) of the National Gambling Act.
- (6) **“CEMS operator”** means the entity operating the CEMS and licensed in terms of section 50 of the Law.
- (7) **“credits”** means the number of betting units standing to the credit of a player displayed on the credit meter of an LGM.
- (8) **“data collection”** means the successful transfer of LGM soft meter and significant event information from an SDL to the CEMS database.
- (9) **“designated area”** means the area within an LGM premises where LGMs are authorised to be exposed for play.
- (10) **“dispute”** means any unresolved disagreement between a patron and the holder of an LGM operator licence, CEMS operator licence or an LGM premises relating to a gambling-related procedure, the outcome of a gambling game or the payment of winnings alleged to be due.
- (11) **“double-up”** means a gambling option whereby a player may, during a game, risk a previous win, bet or a portion thereof on the selection of a further outcome.

- (12) **“employee card”** means a card used by a licensed employee to—
  - (a) initiate and terminate gambling on an LGM premises by inserting or removing such card, and
  - (b) record details of persons performing functions on the LGM and SDL.
- (13) **“fair play”** means the conduct of a gambling game in compliance with all procedures and rules approved for such gambling game.
- (14) **“gambling-related”** means having, in the view of the Board or of a licence holder, a direct or indirect influence on gambling tax or fair play.
- (15) **“handle”** means the total rand value of all credits bet on an LGM within a specified period.
- (16) **“ICS”** means the approved internal control standards of the holder of an LGM operator licence containing the gambling-related provisions prescribed by the Law or required by the Board and includes, without limitation, all gambling-related policies, operating, administrative and accounting procedures and standards to be adhered to by the LGM operator or on licensed premises.
- (17) **“incompatible function”** means a function which places any employee or department in a position both to commit an error or irregularity or to perpetrate a fraud and to conceal such error, irregularity or fraud. Employees may be considered to have incompatible functions if such employees are members of separate departments that are not supervised independently of one another.
- (18) **“journal entry”** means any alteration made to gambling-related computerised records.
- (19) **“Law”** means the Western Cape Gambling and Racing Law, 1996 (Law 4 of 1996), as amended.
- (20) **“licensed employee”** means the holder of a key or gambling employee licence contemplated in the Law.
- (21) **“LGM”** means a limited gambling machine in respect of which the stakes and prizes are limited as prescribed by the National Gambling Act.
- (22) **“LGM drop”** means the cash or cash equivalent cleared from an LGM for count purposes.
- (23) **“LGM operator”** means an operator licensed in terms of section 46 of the Law.
- (24) **“LGM premises”** means a licensed premises on which LGMs may be exposed for play in terms of section 47 of the Law.
- (25) **“LOC”** means a letter of certification issued by the SABS, certifying that a device or equipment complies with the national norms and standards applicable thereto.
- (26) **“logic area”** means a secure cabinet within an LGM that houses the master processing unit and electronic components having the potential to influence the outcome of the game or the communication between the LGM and the CEMS.
- (27) **“manufacturer”** means the holder of a licence specified in section 50 of the Law.
- (28) **“multi-game software”** means gaming software that offers more than one LGM game on a single LGM.
- (29) **“National Gambling Act”** means Act 33 of 1996, as amended.
- (30) **“National Gambling Regulations”** means the Regulations in respect of Limited Payout Machines promulgated in terms of the National Gambling Act.
- (31) **“operating hours”** means all hours during which LGMs are exposed for play.
- (32) **“premises owner key employee”** means a natural person, duly authorised to represent the owner of a primary business which has entered into an agreement with an LGM operator to expose LGMs for play on business premises licensed in terms of section 47 of the Law, and licensed as a key employee by the Board.
- (33) **“progressive jackpot”** means the amount advertised and payable for a winning combination of numbers, playing cards, symbols, pictures, figures, events or similar representations capable of being generated by an LGM or the CEMS, with a payout that increases automatically over time or as the machine or game is played.
- (34) **“public area”** means any area to which the public has unrestricted access.
- (35) **“RAM”** means random access memory.
- (36) **“RTP %”** means return to player percentage in respect of LGMs, which is calculated by dividing the total win by the total handle.
- (37) **“SABS”** means the South African Bureau of Standards.
- (38) **“significant events”** means a set of operational conditions recorded by the CEMS for LGMs during a game, during idle mode or during data interchange with another gaming device.
- (39) **“SDL”** means a site data logger.
- (40) **“site data logger”** means a device or other intermediate data collector for the CEMS situated on an LGM premises that collects, stores and sends data.
- (41) **“SKP”** means a smart keypad.

- (42) **“smart card”** means an integrated electronic circuit card issued to a patron for use on an LGM premises as an instrument by means of which—
- (a) funds are deposited by such a patron to the credit of such card;
  - (b) funds standing to the credit of such card are withdrawn or redeemed by such patron, or
  - (c) gambling transactions are conducted by such patron against funds standing to the credit of such card.
- (43) **“smart keypad”** means an input device located on an LGM premises used to convey instructions to the SDL.
- (44) **“supplementary prize”** means a payout or award, other than a progressive jackpot, advertised and payable for a winning combination of numbers, playing cards, symbols, pictures, events, figures or any similar representations in a gambling game or such other events, not reflected on the pay table of an LGM, in respect of which the prize is won.
- (44) **“token”** means a token redeemable for specified cash amount and issued or sold by a licence holder to patrons for use when gambling.
- (45) **“win”** means the total rand value of coins, tokens and credits won on an LGM.

## CHAPTER II

### ORGANISATIONAL STRUCTURE, JOBS COMPENDIUM AND INTERNAL CONTROL STANDARDS (“ICS”)

#### 2.1 Organisational structure

- (1) An LGM operator shall implement and maintain an organisational structure diagram reflecting the—
  - (a) executive management of the organisation, each of its departments and functions;
  - (b) segregation of incompatible functions into different departments and functions;
  - (c) direct and indirect lines of authority within the organisation, departments and functions, including the LGM premises, and
  - (d) titles of each position within the organisation and mandatory departments and functions.
- (2) The holder of an LGM operator licence shall not commence any gambling or gambling-related activities prior to the approval of its organisational structure by the Board.
- (3) The holder of an LGM operator licence shall not amend or implement any amendments to its approved organisational structure without the prior written approval of the Board.

#### 2.2 Jobs compendium

- (1) The holder of an LGM operator licence shall prepare and maintain a jobs compendium that complies with the provisions of this Chapter in respect of all personnel and LGM premises employees engaged in gambling and gambling-related activities.
- (2) A jobs compendium shall comprise—
  - (a) a description of each job, reflected on a separate page, organised by department or function, including—
    - (i) the position title and the department or division under which it falls;
    - (ii) the position titles of the relevant employee’s head of the department, immediate supervisor and subordinates;
    - (iii) the duties, responsibilities, authority and the limitations in respect of the relevant job, and
    - (iv) the type of licence required to be issued in respect of the specific position.
- (3) The jobs compendium shall—
  - (a) clearly reflect the segregation of incompatible operational functions—
    - (i) into different departments, and
    - (ii) between the LGM operator and LGM premises, specifying the duties of each such department and function;
  - (b) illustrate by position title, the direct and indirect lines of authority within the operation, clearly reflecting a chain of command in terms of which management and supervisory personnel are held accountable for actions or omissions within their areas of responsibility;
  - (c) reflect primary and secondary supervisory positions, where applicable, within the organisational structures and the operational functions contemplated in paragraph (a), so as to ensure the continuous authorisation or supervision of all gambling and gambling-related transactions at all relevant times, and
  - (d) reflect the division of responsibility and accountability so as to ensure that no area of responsibility or accountability is so extensive that it becomes impractical for one employee to monitor or control.
- (4) The holder of an LGM operator licence shall not commence any gambling or gambling-related activities prior to the approval of its jobs compendium by the Board.

- (5) The holder of an LGM operator licence shall not amend or implement any amendments to its approved jobs compendium without the prior written approval of the Board.

### 2.3 Staffing

- (1) The holder of an LGM operator licence's organisational structure and jobs compendium shall provide for the following independent mandatory departments providing for the following categories of staff—
- (a) in its Technical Department—
    - (i) LGM Technicians, who shall install and maintain LGMs and SDLs and perform such other functions as are prescribed by the Rules and the LGM operator's ICS, and
    - (ii) an LGM Technical Manager, who shall—
      - (aa) supervise and manage the overall operation of the Technical Department, and participate in the appointment and termination of employment of all technical employees, and
      - (bb) ensure that the structure and operation of the Technical Department complies with the LGM operator's ICS and the Law;
  - (b) in its Administration Department—
    - (i) Administration Clerks, who shall—
      - (aa) ensure that gambling-related financial information, including the compilation of monthly tax returns, is accurate and reliable, and
      - (bb) perform such other functions as are prescribed by the Rules and the LGM operator's ICS, and
    - (ii) an Administration Manager, who shall—
      - (aa) supervise and manage the overall operation of the Administration Department, and participate in the appointment and termination of employment of all administration employees, and
      - (bb) ensure that the structure and operation of the Administration Department complies with the LGM operator's ICS and the Law;
  - (c) in its Compliance Department—
    - (i) Compliance Officers, who shall—
      - (aa) monitor, audit and report on compliance with the LGM operator's ICS and the Law, and
      - (bb) perform such other functions as are prescribed by the Rules and the LGM operator's ICS, and
    - (ii) a Compliance Manager, who shall—
      - (aa) supervise and manage the overall operation of the Compliance Department and participate in the appointment and termination of employment of all investigation personnel, and
      - (bb) ensure that the structure and operation of the Compliance Department complies with the LGM operator's ICS and the Law.
- (2) The Board may approve the combination of certain categories of employees, functions or departments if the LGM operator is able to demonstrate that there are no incompatible functions and that the proper conduct and effective supervision and control of gambling and gambling-related activities will not be prejudiced thereby.
- (3) An LGM operator may not outsource any of the functions assigned to its employees by the LGM operator's ICS or the Law without the prior written approval of the Board.
- (4) The holder of an LGM operator licence shall at all times maintain its level of staffing in a manner which ensures the proper operation and effective supervision of all gambling and gambling-related activities.
- (5) The Board may order the holder of an LGM operator licence to utilise higher levels of staffing if, in the opinion of the Board, it is necessary for the proper conduct and effective supervision and control of any gambling-related activity.
- (6) No person shall simultaneously perform incompatible gambling-related functions allocated to more than one position without the prior written approval of the Board.
- (7) The LGM operator shall ensure that only adequately trained and experienced employees are utilised in the positions reflected in the organisational structure.
- (8) This Rule does not preclude the holder of an LGM operator licence from utilising additional categories of employees or the Board from ordering an LGM operator to utilise additional categories of employees where it deems this necessary for the proper conduct and effective supervision and control of any gambling-related activity.

## 2.4 LGM premises

- (1) Licensed employees shall be appointed on each LGM premises, who shall during all operating hours—
  - (a) supervise gambling and gambling-related activities;
  - (b) ensure that all gambling and gambling-related activities are conducted in accordance with the Law and the LGM operator's ICS;
  - (c) ensure the proper functioning of LGMs, insofar as prescribed by the Law and the LGM operator's ICS, and
  - (d) attend to patron disputes.

## 2.5 Internal audit

- (1) An LGM operator shall appoint an independent internal auditor to perform the internal audit function prescribed by this Rule.
- (2) The internal audit function shall comprise—
  - (a) the review and evaluation, on a yearly basis, of the LGM operator's—
    - (i) ICS in order to determine the effectiveness and adequacy thereof, and
    - (ii) fulfilment of its bid commitments;
  - (b) on a six-monthly basis—
    - (i) an assessment of the LGM operator's compliance with its ICS and the Law;
    - (ii) an assessment of the effectiveness and adequacy of the day-to-day gambling-related operations of the Technical, Administration and Compliance Departments;
    - (iii) the compilation and review of an operational risk profile in respect of the mandatory departments;
    - (iv) a determination of whether the gambling and gambling-related financial and operating information is accurate, current, timeously generated, complete, valid and reliable, including the reconciliation of such information with tax returns submitted to the Board;
    - (v) a determination of whether all gambling-related taxes are current and accurate;
    - (vi) an assessment of the integrity, adequacy, accuracy and reliability of all gambling-related information and systems, and
    - (vii) to the degree required by the circumstances, an assessment of the LGM operator's compliance with any operational conditions of the licence imposed by the Board.
- (3) Where an LGM operator utilises an external auditing company to perform the internal audit function, such company may not also perform the external audit function.
- (4) The head of the internal audit function shall report directly to the board of directors of the LGM operator or to a committee of the board of directors.
- (5) An LGM operator must ensure that the persons responsible for the performance of the internal audit function submit and present an internal audit report to the Office of the Board within 28 days of the compilation of each six-monthly audit report.
- (6) The internal audit report contemplated in sub-rule (5) shall address—
  - (a) any contravention of the LGM operator's ICS or the Law revealed by the audit;
  - (b) all the areas of responsibilities referred to in sub-rule (2)(a) and (b), and
  - (c) any weaknesses in the LGM operator's ICS or the Law revealed by the audit.
- (7) In addition to the provisions of sub-rule (6), additional internal audit reports shall be submitted to the Board relating to—
  - (a) gambling and gambling-related operations and activities, and
  - (b) instances of possible non-compliance with the provisions of the LGM operator's ICS or the Law revealed by an audit within 14 days of the compilation of such reports.
- (8) The Board may approve different reporting lines to those prescribed in sub-rule (4) above, upon demonstration by the LGM operator that there are no incompatible functions.
- (9) All reports shall be in writing and shall be kept for a period of at least two (2) years for Board inspection.

## 2.6 ICS

- (1) Every LGM operator shall develop, implement and maintain a written ICS to ensure—
  - (a) the integrity of its gambling operation;

- (b) that adequate controls are in place to effectively manage and minimise gambling-related risks;
  - (c) that gambling-related devices, documents and information are properly controlled and safeguarded;
  - (d) that financial and other gambling-related records are accurate and reliable;
  - (e) that gambling-related transactions are performed with the necessary authorisation;
  - (f) that gambling-related transactions are recorded in sufficient detail;
  - (g) the proper reporting of gambling revenue, taxes and other fees due, and
  - (h) that gambling-related functions, duties and responsibilities are appropriately segregated and performed in accordance with sound practices by competent and appropriately qualified employees.
- (2) The LGM operator's ICS shall contain only those procedures and provisions required in terms of the Law and such further procedures and provisions as the Board may from time to time determine.
- (3) The holder of an LGM operator licence shall not commence any gambling or gambling-related activities prior to the approval of its ICS by the Board.
- (4) The holder of an LGM operator licence shall not amend its ICS or implement any new or revised policies, procedures or standards contained or required to be contained in its ICS without the prior written approval of the Board.
- (5) The holder of an LGM operator licence shall submit amendments to its approved ICS in the manner and format determined by the Board.
- (6) The Board may order the holder of an LGM operator licence to amend its ICS if in the opinion of the Board it does not comply with the requirements of sub-rule (1).
- (7) The holder of an LGM operator licence shall conduct its operations in terms of its ICS.
- (8) If the holder of an LGM operator licence contravenes any provision or procedure of its ICS or omits to amend its ICS within 28 days of receiving an order from the Board to do so, such contravention or omission shall be deemed to be a contravention of these Rules.
- (9) The ICS shall clearly distinguish between the LGM operator's and LGM premises functions.
- (10) The LGM operator shall immediately inform all its LGM premises in the event of an ICS amendment that the Board has determined will have an influence on the operation of the LGM premises.
- (11) At a minimum an LGM operator's ICS shall contain provisions and procedures relating to—
- (a) its organisational structure;
  - (b) its jobs compendium;
  - (c) measures for the maintenance of designated areas to ensure compliance with the provisions of the Law;
  - (d) control measures to preclude persons under the age of 18 years from having access to designated areas;
  - (e) the maintenance of premises and employee records;
  - (f) the management of prescribed LGM information records;
  - (g) the commissioning and de-commissioning of LGMs, including the set up and testing thereof;
  - (h) access to all LGM areas, including LGM logic area and SDL access;
  - (i) the resolution of patron disputes;
  - (j) manual payments, including the recording thereof;
  - (k) the maintenance of LGMs and SDLs, including the detection of LGM, SDL and CEMS malfunctions;
  - (l) the recording and correction of RAM clears, meter wraps and LGM soft meter violations;
  - (m) the detection and investigation of exceptions and unusual events, including—
    - (i) significant events, and
    - (ii) the integrity of CEMS and LGM meters;
  - (n) the clearance and count of LGM drop;
  - (o) the investigation of variances between estimated and actual LGM drop and the reporting thereof;
  - (p) the detection and investigation of LGM RTP percentages that are below 80%;
  - (q) control measures in respect of controlled stationery, including provisions for—

- (i) the ordering thereof;
  - (ii) the receipt thereof;
  - (iii) the storage thereof;
  - (iv) the issue thereof;
  - (v) the method of completing entries in controlled stationery registers;
  - (vi) the personnel involved in controlled stationery transactions;
  - (vii) the comparison of a signature listing to signatures on the controlled stationery documents;
  - (viii) the method of checking for completeness and accuracy of controlled stationery registers;
  - (ix) the collection of completed controlled stationery registers;
  - (x) the method of filing of all controlled stationery, and
  - (xi) the reconciliation and auditing of controlled stationery registers;
- (r) monitored key controls, including provisions for—
- (i) the ordering thereof;
  - (ii) the receipt thereof;
  - (iii) the storage thereof;
  - (iv) the issue thereof;
  - (v) the method of completing entries in monitored key registers;
  - (vi) the personnel involved in monitored key transactions;
  - (vii) procedures in respect of duplicate keys;
  - (viii) procedures in respect of lost keys;
  - (ix) dual control procedures relating to keys;
  - (x) the destruction of keys, and
  - (xi) the reconciliation and auditing of monitored key registers;
- (s) journal entries and any adjustments to stored data on the CEMS;
- (t) controls relating to user access levels and rights assigned to persons authorised to access the CEMS;
- (u) the issue, activation and retrieval of employee cards, including password reset;
- (v) the calculation, compilation and verification of the Monthly Gaming Revenue Tax Return, including the verification and reconciliation of computerised reports used to calculate LGM gambling revenue so as to ensure the integrity and accuracy and the collection thereof;
- (w) the documentation, investigation and manner of reporting of all breaches of procedure and illegal activities;
- (x) the training of licensed employees with regard to the—
- (i) LGM premises procedures;
  - (ii) Responsible Gambling Programme, and
  - (iii) maintenance of LGMs;
- (y) the performance of audits pertaining to—
- (i) game and communication software installed in LGMs;
  - (ii) software installed in SDLs;
  - (iii) user right access levels to the CEMS and other gambling-related software, including password control;
  - (iv) procedural compliance with the Law and the LGM operator's ICS;
  - (v) licensed employees;
  - (vi) monitored keys;

- (vii) controlled stationery, and
  - (viii) the verification of the accuracy and integrity of information on the CEMS.
- (12) At a minimum an LGM operator's ICS shall contain provisions and procedures applicable to an LGM premises, relating to—
- (a) its organisational structure;
  - (b) its jobs compendium;
  - (c) measures for the maintenance of designated areas to ensure compliance with the provisions of the Law;
  - (d) control measures to preclude persons under the age of 18 years from having access to designated areas;
  - (e) the maintenance of premises and employee records;
  - (f) the commissioning and de-commissioning of LGMs, including the set up and testing thereof;
  - (g) access to all LGM areas and the SDLs, including LGM logic area and SDL access;
  - (h) the resolution of patron disputes;
  - (i) manual payments, including the recording thereof;
  - (j) the maintenance of LGMs and attendance to LGM error codes;
  - (k) the detection and reporting of LGM, SDL, SKP and CEMS malfunctions;
  - (l) the recording of RAM clears;
  - (m) the reporting of exceptions and unusual events, including—
    - (i) significant events, and
    - (ii) the integrity of LGM and CEMS meters;
  - (n) the clearance and count of LGM drop;
  - (o) the detection of variances between estimated and actual LGM drop and the reporting thereof;
  - (p) the reporting of LGM RTP percentages that are below 80%;
  - (q) control measures in respect of controlled stationery, including provisions for—
    - (i) the receipt thereof;
    - (ii) the storage thereof;
    - (iii) the return thereof;
    - (iv) the method of completing entries in controlled stationery registers;
    - (v) the personnel involved in controlled stationery transactions, and
    - (vi) the method of checking for completeness and accuracy of controlled stationery registers;
  - (r) monitored key controls, including provisions for—
    - (i) the receipt thereof;
    - (ii) the storage thereof;
    - (iii) the method of completing entries in monitored key registers;
    - (iv) the personnel involved in monitored key transactions;
    - (v) procedures in respect of duplicate keys, and
    - (vi) procedures in respect of lost keys;
  - (s) controls relating to user access levels and rights assigned to persons authorised to access the CEMS;
  - (t) the issue, activation and retrieval of employee cards, including password reset, and
  - (u) the reporting of all breaches of procedure and illegal activities.

**CHAPTER III**  
**TECHNICAL DEPARTMENT**

**3.1 LGM and SDL information records**

- (1) The Technical Department of the LGM operator shall record and maintain accurate and current records in the LGM operator's inventory in respect of —
- (a) each LGM, reflecting—
- (i) the date on which the LGM cabinet and game software was received;
  - (ii) the serial number assigned to that LGM cabinet by the manufacturer thereof;
  - (iii) a unique asset number assigned to that LGM cabinet and game software which shall remain unchanged for the entire duration of the period during which such LGM is owned by or in the possession of the LGM operator;
  - (iv) the location to which the LGM has been assigned;
  - (v) the number assigned to the position of the LGM at the LGM premises;
  - (vi) the name of the licensed manufacturer of the LGM cabinet and game software;
  - (vii) the LGM certified model Board approval number;
  - (viii) the LGM game software memory device number;
  - (ix) the LGM game name;
  - (x) the LGM theoretical and actual return to player percentages;
  - (xi) the LGM denomination;
  - (xii) the method and date of disposal of the LGM cabinet and game software;
  - (xiii) the total number of LGMs in use at LGM premises and in storage, and
  - (xiv) LGM permit numbers, where applicable;
- (b) each SDL, reflecting—
- (i) the date on which the SDL was received;
  - (ii) the serial number assigned to that SDL by the manufacturer thereof;
  - (iii) a unique asset number assigned to that SDL which shall remain unchanged for the entire duration of the period during which such SDL is owned by or in the possession of the LGM operator;
  - (iv) the premises or location to which the SDL has been assigned, and
  - (v) the SDL model number and Board approval number.

**3.2 LGM requirements**

- (1) Each LGM shall electronically record, store and send to the CEMS the meter information specified by the applicable SABS standard.
- (2) Each LGM shall electronically record, store and send to the CEMS the following significant event information—
- (a) authorised and unauthorised LGM cabinet door, drop box door and banknote storage area open and close;
  - (b) authorised and unauthorised access to the LGM logic area while power off;
  - (c) authorised and unauthorised access to the SDL;
  - (d) communication failure to the CEMS, and
  - (e) software validation or signature failure.
- (3) An LGM shall require manual reactivation and shall perform a signature check in the event of—
- (a) unauthorised access to the LGM logic box door;
  - (b) unauthorised access to the SDL, and
  - (c) a signature failure by the LGM and SDL.
- (4) The Technical Department shall maintain all LGMs and SDLs in a good working condition in accordance with the approved norms and standards for such devices.

- (5) The LGM operator or LGM premises shall not possess, install or make available for play any gambling or gambling-related device which has not been approved by the Board.
- (6) All LGMs that are exposed for play shall be linked to the CEMS.
- (7) A number shall be assigned to each LGM at the LGM premises, which shall be clearly visible on the front of the LGM.
- (8) The LGM number referred to in sub-rule (6) shall correspond with the number reflected on the CEMS for that specific LGM.
- (9) A plate shall permanently be affixed to the cabinet of every LGM, reflecting—
  - (a) the unique serial number of the LGM, and
  - (b) the name of the manufacturer of such LGM.

### 3.3 Commissioning, alteration and de-commissioning of LGMs and SDLs

- (1) Whenever an LGM or SDL is commissioned or altered, the Technical Department shall perform tests to ensure that the components of such LGM or SDL have been set up properly in respect of—
  - (a) software validation;
  - (b) coin acceptance;
  - (c) bill acceptance;
  - (d) significant events;
  - (e) soft meter increment, and
  - (f) such other components and tests as the Board may specify prior to any gambling activity taking place on the LGM.
- (2) The Technical Department shall—
  - (a) document the results of the tests conducted in terms of sub-rule (1) in the format determined or approved by the Board and such document shall be signed by a representative from the Technical Department and a licensed employee of the relevant LGM premises, and
  - (b) maintain the significant event and meter test documentation, including system reports in respect of the tests contemplated in sub-rule (1) for a period of at least two (2) years for Board inspection.
- (3) The Technical Department shall immediately update the CEMS reflecting any commissioning, alteration or de-commissioning of LGMs at the time of such occurrence.
- (4) The Technical Manager shall approve the commissioning, alteration or de-commissioning of all LGMs.
- (5) The LGM operator shall ensure that full data collection has been completed by the CEMS prior to de-commissioning an LGM.
- (6) An LGM may not be exposed for play before the tests referred to in sub-rule (1), have been successfully completed and the information on the CEMS has been verified as being correct.
- (7) Any change to an LGM's theoretical RTP percentage shall result in such LGM being treated as a different LGM for purposes of preparing statistical reports.
- (8) In respect of a multi-game LGM, the provisions of this Rule shall apply, with the necessary changes, to each game offered by such LGM.

### 3.4 LGM and communication malfunctions

- (1) The LGM shall be powered down and may not be available for play if a malfunction has occurred which—
  - (a) has a fair play implication, or
  - (b) affects the integrity of the LGM or CEMS informationand which cannot be repaired immediately.
- (2) The LGM shall be removed from the public area in the event that the LGM has been powered down for a period of five (5) working days.
- (3) In the event that data collection has not been performed from an LGM premises over a continuous 72-hour period, the Technical Department shall implement measures to allow the data collection to be performed.
- (4) In the event that the communication malfunction cannot be repaired immediately, the Technical Department shall inform the Board in writing.
- (5) The Technical Department shall, if requested in writing by the Board to do so, immediately disable an LGM for a period determined by the Board or until such time as the malfunction has been repaired.

### 3.5 Maintenance

- (1) The Technical Department shall maintain a detailed maintenance register in respect of all malfunctions and maintenance performed on LGMs and SDLs.

- (2) Preventative and routine maintenance on an LGM and SDL may be performed only by—
  - (a) an LGM Technician;
  - (b) an employee of the CEMS operator, and
  - (c) an employee of an LGM manufacturer, licensedin terms of the Law in the presence of a licensed employee of the relevant LGM premises.
- (3) Sub-rule (2) does not preclude a licensed employee of the LGM premises from performing routine maintenance to ensure the proper operation of the LGMs on its premises, including attending to coin-in and coin-out errors, bill disputes, hopper fills and cash collections.
- (4) If a specific malfunction on an LGM recurs on a regular basis, the Technical Department shall attend to the problem.

### 3.6 RAM clear

- (1) Only representatives of the Technical Department and CEMS operator shall be allowed to perform a RAM clear on an LGM and SDL.
- (2) A RAM clear on an LGM or SDL may be performed only by accessing the logic area of such LGM or secure housing of the SDL.
- (3) Prior to and after performing a RAM clear on an LGM, the LGM Technician shall record the LGM soft meter readings on the prescribed RAM Reset Document and shall—
  - (a) forward this information to the Administration Department, or
  - (b) ensure that the LGM soft meters have been archived on the CEMS.
- (4) Representatives from both the relevant LGM premises and the Technical Department shall attest to the accuracy of the information contained in the RAM Reset Document.
- (5) The LGM Technician or representative of the CEMS operator shall ensure that full data collection has been completed by the CEMS prior to performing a RAM clear on the SDL, as prescribed by the operator's ICS.

### 3.7 Additional gambling devices

- (1) The holder of an LGM operator licence may, at its office or such other premises approved for this purpose by the Board, possess an additional number of gambling devices, which—
  - (a) shall not exceed 10% of the total number of gambling devices authorised to be exposed for play in terms of the LGM operator's licence;
  - (b) may not be utilised to conduct gambling, and
  - (c) shall not be located within any public area.
- (2) The holder of an LGM operator licence may possess additional LGMs in excess of the number prescribed in sub-rule (1)(a) only upon the prior written approval of the Board.

## CHAPTER IV

### ADMINISTRATION DEPARTMENT

#### 4.1 Responsibilities

- (1) The Administration Department of the LGM operator shall—
  - (a) develop, implement and review financial controls;
  - (b) reconcile gambling revenue on a monthly basis;
  - (c) prepare and control financial records and data;
  - (d) capture data, other than the data required to be captured by the Technical Department, on the CEMS;
  - (e) store financial records;
  - (f) authorise the allocation of user access rights;
  - (g) order, receive, secure, issue and be responsible for the storage of all controlled stationery and monitored keys;
  - (h) verify the integrity and validity of all financial information, and
  - (i) prepare all financial reports.

#### 4.2 Journal entries

- (1) In the event of incorrect information being reflected on the CEMS, the Administration Department shall make printouts prior to and subsequent to changes being effected thereto, reflecting an audit trail of the amendments made and the reason for such amendments.

- (2) The Administration Department shall request the CEMS operator, in writing on the prescribed Journal Entry Register, to effect the necessary adjustments.
- (3) All journal entries shall be authorised and signed by the Administration Manager.

#### 4.3 LGM accounting

- (1) The Administration Department shall, on a daily basis, review the CEMS reports used for calculating taxable revenue to verify the accuracy thereof.
- (2) The Administration Department shall verify that the data contemplated in Rule 3.2(1) and (2) has been collected in respect of all LGMs within 24 hours of the period allowed for the collection thereof.
- (3) The Administration Department shall immediately inform the Technical Department if the data collection contemplated in sub-rule (2) has been unsuccessful.
- (4) A monthly reconciliation shall be prepared by the Administration Department in respect of the taxable revenue pertaining to all LGMs exposed for play by the LGM operator.
- (5) All LGM reconciliation procedures and any follow-up actions performed in respect thereof, shall be documented and retained for Board inspection.
- (6) The monthly tax return shall be signed by the Administration Manager.

#### 4.4 Controlled stationery

- (1) The Administration Department shall be responsible for ordering, receiving, storing and issuing the following controlled stationery—
  - (a) Machine Book for each LGM, to be used to document each time an LGM is accessed, reflecting the relevant—
    - (i) LGM premises;
    - (ii) LGM number;
    - (iii) date and time of access;
    - (iv) reason for access, and
    - (v) signature and name or employee number of the LGM Technician or licensed LGM premises employee accessing the LGM;
  - (b) Malfunction and Maintenance Register, to be used to document all malfunctions of and maintenance performed on LGMs and SDLs, recording the relevant—
    - (i) LGM premises;
    - (ii) LGM or SDL number;
    - (iii) date and time of the malfunction;
    - (iv) date and time of the maintenance;
    - (v) description of the malfunction and action taken to repair it, and
    - (vi) signatures and names or employee numbers of the LGM Technician and licensed LGM premises employee performing and witnessing the maintenance;
  - (c) RAM Reset Document, to be used in the event of a RAM clear, recording the relevant—
    - (i) date and time;
    - (ii) LGM number;
    - (iii) soft meter readings prior to the RAM clear;
    - (iv) soft meter readings subsequent to the RAM clear, and
    - (v) signatures and names or employee numbers of the LGM Technician and licensed LGM premises employee performing and witnessing the RAM clear;
  - (d) Payout Register, to be used to document all prescribed payouts made by the LGM premises to patrons, recording the relevant—
    - (i) date of payment;
    - (ii) value of the payment;
    - (iii) patron's name, surname and signature, and
    - (iv) signature and name or employee number of the licensed LGM premises employee who made the payout;

- (e) Dispute Register, to be used to document all patron disputes, including resolved disputes, recording the relevant—
  - (i) date and time of the dispute;
  - (ii) nature of the dispute;
  - (iii) the relevant LGM number, where applicable;
  - (iv) the patron's signature and contact details, including telephone number and address;
  - (v) remedial steps taken to resolve the dispute,
  - (vi) details regarding the resolution or referral of the dispute, as the case may be, and
  - (vii) signature and name or employee number of the licensed LGM premises employee to whom the dispute was reported;
- (f) Journal Entry Register, to be used to record the detail of all adjustments made to stored data on the CEMS, recording the relevant—
  - (i) date and time of the entry;
  - (ii) LGM number, where applicable;
  - (iii) LGM premises name;
  - (iv) reason for the adjustment;
  - (v) description of the adjustment made, and
  - (vi) signatures and names or employee numbers of the Administration Department employee requesting the adjustment and the Administration Manager authorising the adjustment;
- (g) User Access Rights Application Form, to be used for the application of user access rights on the CEMS, recording the relevant—
  - (i) date of application;
  - (ii) applicant's name and surname;
  - (iii) position or job function of the applicant;
  - (iv) WCGRB licence number, where applicable;
  - (v) LGM operator's name;
  - (vi) LGM premises name, where applicable;
  - (vii) the user access rights to be allocated to the applicant, and
  - (viii) signature and name or employee number of the Administration Department employee authorising the application;
- (h) Stationery Registers, documenting controlled stationery in stock as well as all controlled stationery issued, recording the relevant—
  - (i) amount of stationery received;
  - (ii) ranges of stationery received;
  - (iii) signature and name or employee number of the employee receiving the stationery;
  - (iv) LGM premises at which the stationery is used, where applicable;
  - (v) date and time issued;
  - (vi) current stock level, and
  - (vii) the signatures and names or employee numbers of the licensees receiving and issuing the controlled stationery;
- (i) Monitored Key Control Registers, documenting each time monitored keys or combinations thereof are issued, duplicated or destroyed, recording the relevant—
  - (i) type of key or combination of keys;
  - (ii) number of keys made, duplicated or destroyed;
  - (iii) signatures of all persons involved in the creation, duplication or destruction of such keys;
  - (iv) date and time issued;
  - (v) relevant LGM premises, where applicable;
  - (vi) signature and name or employee number of the employee issuing the keys;

- (vii) signature and name or employee number of the employee receiving the keys, and
  - (viii) date and time returned by the custodian of the monitored key.
- (2) All the unused and completed registers contemplated in sub-rule (1) shall be kept in a secure area controlled by the Administration Department.
  - (3) The issue and receipt of all value or controlled stationery shall be registered in stationery registers.
  - (4) Information required to be reflected on controlled stationery shall be recorded in ink or such other permanent medium as the Board may require or approve.
  - (5) Corrections to information recorded on controlled stationery shall be made by drawing a single line through the error and entering the correct detail whereupon at least one employee involved in the transaction shall append his or her initials alongside the changes, specifying his or her name or employee ID number.
  - (6) All the completed registers contemplated in sub-rule (1) shall be retained—
    - (a) on the relevant LGM premises, for a period of at least 3 months from the date of the last entry therein, and
    - (b) at its registered office, by the LGM operator for a period of at least two (2) years from the date of the last entry therein for Board inspection.
  - (7) Notwithstanding the provisions of this Rule, where an LGM operator utilises a computerised system and electronic signature identification, the Board may approve different requirements and provisions in respect of controlled stationery, upon demonstration by the LGM operator to the satisfaction of the Board that there are sufficient controls in place to ensure the integrity and validity of the computerised system and the reports generated.
  - (8) The LGM operator may combine certain of the registers specified in this Rule with computer-generated reports, provided that the LGM operator is able to prove to the Board—
    - (a) the validity and correctness of the information contained in the registers and reports, and
    - (b) that the integrity of the documentation is not prejudiced by such combination.

#### 4.5 Monitored keys

- (1) The Administration Department shall maintain detailed records in respect of each monitored key that is made, duplicated or destroyed.
- (2) The Administration Department shall receive, secure, issue, control and dispose of the following monitored keys—
  - (a) LGM cabinet door keys;
  - (b) logic area door keys;
  - (c) SDL keys;
  - (d) such other keys that are required to be monitored or controlled in terms of the Law and ICS, and
  - (e) each duplicate key to the keys contemplated in paragraphs (a) to (d) above.
- (3) All monitored keys shall be kept in a secured area, in such a manner as to prevent unauthorised access thereto.
- (4) Access to the secure area referred to in sub-rule (3) shall be limited to representatives of the Administration Department.
- (5) All key transactions shall be registered in key control registers.
- (6) Monitored keys shall at all times remain under the control of the custodian of such keys.
- (7) In addition to the provisions of this Rule, the following provisions shall apply with regard to the control of—
  - (a) Logic area keys—
    - (i) Only authorised representatives from the Technical Department shall be allowed access to the logic area keys.
    - (ii) Logic area keys may not be kept at the LGM premises.
  - (b) SDL keys—
    - (i) The SDL keys shall be issued only to an LGM Technician or a representative of the CEMS operator.
  - (c) LGM cabinet door keys may only be issued to a licensed employee of the LGM premises or a representative of the Technical Department.

**CHAPTER V**  
**COMPLIANCE DEPARTMENT**

**5.1 Investigations**

- (1) The Compliance Department of the LGM operator shall, on a weekly basis, review the CEMS meter readings and significant events in order to detect exceptions and unusual events, including—
  - (a) unauthorised access to secured areas of the LGM and SDL;
  - (b) configuration changes to LGM and SDL software;
  - (c) LGM and SDL software validation or signature failure;
  - (d) meter violations, meter wraps and RAM clears, and
  - (e) variances in excess of R100-00 or 20% per gaming day between actual and metered LGM drop, in the event that the actual LGM drop counted exceeds the metered drop.
- (2) The Compliance Department shall, on a weekly basis, ensure that the exceptions and unusual events referred to in sub-rule (1) are investigated.
- (3) The Compliance Department shall inform the Technical Department of any unresolved exceptions and unusual events referred to in sub-rule (1).
- (4) The Compliance Department shall inform the Administration Department regarding the outcome of the variances contemplated in sub-rules (1)(d) and (e).
- (5) The results of the investigations referred to in this Rule and the actions taken to prevent a recurrence thereof, shall be documented.
- (6) All reports contemplated in this Rule shall be in writing and kept for a period of at least two (2) years for Board inspection.

**5.2 Audits**

- (1) The Compliance Department shall be responsible for the performance of quarterly audits—
  - (a) to verify that only approved game and communication software is installed in LGMs;
  - (b) to verify that only approved software is installed in SDLs;
  - (c) to ensure that access to the CEMS has been allocated to authorised personnel only;
  - (d) assessing procedural compliance by the LGM operator and on LGM premises with the Rules and the LGM operator's ICS;
  - (e) to verify that all employees performing gambling-related functions are correctly licensed;
  - (f) on the LGM RTP percentages which are below 80% over a continuous 12-month period;
  - (g) to ensure that journal entries have been performed correctly and with the necessary authorisation;
  - (h) on monitored key registers for accuracy;
  - (i) on controlled stationery registers for accuracy and stock levels, and
  - (j) to verify the accuracy and integrity of information on the CEMS.
- (2) Any discrepancies found during the audits referred to in sub-rule (1) shall be investigated and the results and actions taken to prevent a recurrence thereof shall be documented.
- (3) All reports contemplated in this Rule shall be in writing and kept for a period of at least two (2) years for Board inspection.
- (4) The Compliance Department shall, on a six-monthly basis, compile or review a risk analysis in respect of the day-to-day gambling and gambling-related activities conducted by the LGM operator and on LGM premises.

**5.3 Reporting requirements**

- (1) The Compliance Manager shall report directly to at least the General Manager or Managing Director of the LGM operator.
- (2) The Board may approve different reporting lines to those prescribed in sub-rule (1) above, upon demonstration by the LGM operator that there are no incompatible functions.
- (3) The Compliance Department shall, on a monthly basis, provide the Board with a report reflecting, in respect of the period reviewed—
  - (a) any contraventions of the LGM operator's ICS or the Law;
  - (b) any discrepancies detected during the prescribed audits and investigations;
  - (c) detail of all journal entries;

- (d) a summary of all patron disputes arising;
  - (e) any cheating activities detected;
  - (f) a summary of all bannings effected, and
  - (g) such other detail as may be required by the Board.
- (4) The monthly reports, referred to in sub-rule (3), shall be submitted within 5 working days after the conclusion of every month.
- (5) In addition to the provisions of sub-rule (3), the Compliance Department shall submit additional reports to the Board relating to—
- (a) gambling-related activities and procedures;
  - (b) any material weaknesses identified in the LGM operator's ICS, and
  - (c) instances of possible non-compliance with the provisions of the LGM operator's ICS or the Law
- within 14 days of compiling such reports.
- (6) All reports contemplated in this Rule shall be in writing and kept for a period of at least two (2) years for Board inspection.

## CHAPTER VI

### LGM PREMISES

#### 6.1 ICS

- (1) The provisions and procedures prescribed in an LGM operator's ICS, including its organisational structure and jobs compendium shall be complied with on all licensed LGM premises on which it exposes LGMs for play.
- (2) No gambling or gambling-related activities shall be conducted on an LGM premises prior to the approval of the relevant LGM operator's ICS by the Board.
- (3) All operations on an LGM premises shall be conducted in terms of the relevant LGM operator's ICS.
- (4) A copy of these Rules and the relevant LGM operator's ICS shall, at all times be retained on an LGM premises.
- (5) If any provision or procedure of the LGM operator's ICS is contravened on an LGM premises, such contravention shall be deemed to be a contravention of these Rules, and the LGM operator shall be liable for the penalties prescribed in respect thereof in these Rules, or such penalties together with such other sanction as the Board may impose in terms of the Law; provided that—
- (a) where the holder of the LGM operator licence to which an LGM premises relates does not exercise control over the premises for the purposes of the contravention, the Board may require the premises owner key employee to pay the penalties stipulated in these Rules in respect of such contravention, and
  - (b) where a penalty is imposed pursuant to paragraph (a), the Board may exempt the holder of the relevant LGM operator licence to which the premises relates from paying the penalty specified if it is satisfied that that the holder of the relevant LGM operator licence could not reasonably have prevented the contravention.
- (6) For the purposes of sub-rule (5)(b), an LGM operator may not be regarded as having been unable reasonably to prevent a contravention where—
- (a) the LGM operator has previously been alerted to the commission of a similar contravention on the relevant LGM premises;
  - (b) the LGM operator has undertaken to take steps to prevent a repetition of similar contraventions on the relevant LGM premises, and has not taken sufficient steps to do so, or
  - (c) the same or similar contraventions take place on the relevant LGM premises on a regular basis.
- (7) If any provision of these Rules is contravened on an LGM premises, the provisions of sub-rules (5) and (6) shall apply *mutatis mutandis* in respect of the imposition of penalties regarding such contravention.

#### 6.2 Minimum requirements for LGM premises

- (1) The playing of LGMs on the LGM premises shall constitute the secondary form of business provided on such premises.
- (2) All business conducted on the LGM premises shall be lawful and registered for tax purposes.
- (3) The Board shall approve the floor plan of the LGM premises prior to any gambling activity being conducted on such premises.
- (4) The approved floor plan in respect of an LGM premises may not be altered without the prior written approval of the Board.
- (5) The LGM operator or any other person may not, on an LGM premises, expose for play LGMs in excess of the maximum number authorised for such premises by the Board.
- (6) The designated area of an LGM premises shall be constructed in such a manner as to ensure restricted access thereto.
- (7) The designated area of an LGM premises shall not be less than three (3) square meters per LGM, unless otherwise approved by the Board.

- (8) The wiring to and from the LGM, SDL and SKP shall be installed in a manner as to prevent tampering therewith.
- (9) The LGMs shall not be visible to the general public from outside the LGM premises.
- (10) Advertising of gambling on the exterior of an LGM premises, other than the display of the corporate logo of the LGM operator, or the adoption or use of a name in respect of an LGM premises which promotes or incorporates a reference to gambling is prohibited.
- (11) All LGMs shall be placed and remain within the designated areas approved by the Board, unless otherwise prescribed by these Rules.
- (12) All SDLs and SKPs shall be placed and remain in an area approved by the Board.
- (13) The LGM operator or any other person on an LGM premises shall not expose an LGM for play outside the approved designated area.

### **6.3 Responsibilities pertaining to LGM premises**

- (1) In the event of an LGM or CEMS malfunction that cannot be repaired immediately, the licensed employee on the LGM premises shall immediately inform the LGM operator.
- (2) LGMs that are not exposed for play shall not be stored in a public area.
- (3) An LGM may not be stored on an LGM premises for a period longer than one (1) month without the prior written approval of the Board.
- (4) A licensed employee on an LGM premises shall perform a count of all the LGM drop proceeds at least once every a week and record the value of the drop proceeds on the CEMS.
- (5) All manual payments made by the LGM premises in excess of R100-00, shall be recorded in the prescribed Payout Register.
- (6) All LGMs within the LGM premises shall be monitored, observed and supervised by a licensed employee during operating hours in order to—
  - (a) ensure that no person under the age of 18 years—
    - (i) enters or remains in any designated area with LGMs;
    - (ii) takes part in an LGM game, or
    - (iii) operates an LGM;
  - (b) effectively monitor and control the designated area and areas in which the SDL and SKP are placed, and
  - (c) ensure that all LGMs and the SDL, and their wiring, are not—
    - (i) tampered with or damaged;
    - (ii) altered in any way, or
    - (iii) accessed by unauthorised persons.

### **6.4 Access to LGMs**

- (1) Only an authorised licensed employee of the LGM operator, a licensed employee on an LGM premises and a licensed manufacturer may access an LGM.
- (2) The employee card of the licensed employee of the relevant LGM premises, shall be inserted in the SKP each time an LGM is accessed.
- (3) The licensed employee on an LGM premises shall ensure that all doors of the LGMs and SDL are secured at all times.
- (4) The relevant entries shall be made in the Machine Book each time an LGM is accessed.

### **6.5 Licence and signs to be displayed**

- (1) The following shall be prominently displayed at the entrance of the designated area of each LGM premises—
  - (a) a copy of the licence issued to the LGM premises;
  - (b) a copy of the LGM operator's licence, and
  - (c) signage—
    - (i) stating that no persons under the age of 18 are allowed to enter or remain in the designated area;
    - (ii) that Responsible Gambling Brochures are available on the LGM premises, and
    - (iii) providing the information required by the General Rules of the Board with regard to the National Responsible Gambling Programme.
- (2) The signage referred to in this Rule shall be in the format determined by the Board.
- (3) Responsible Gambling Brochures shall be available at an LGM premises at all times.

- (4) Each LGM shall have Responsible Gambling stickers required or prescribed by the Board located in a place visible to patrons.
- (5) The procedure pertaining to the resolution of patron disputes must be conspicuously displayed in the LGM premises' designated area, specifying—
  - (a) that all disputes should be immediately reported on the LGM premises;
  - (b) the procedure in respect of the completion of the Dispute Register;
  - (c) the helpline number of the LGM operator, and
  - (d) contact details in respect of the Board.

#### **6.6 Monitored keys and controlled stationery**

- (1) All monitored keys and controlled stationery must be kept in a secure area on the LGM premises or in the possession of a licensed employee to prevent unauthorised access thereto.

#### **6.7 Patron disputes**

- (1) A licensed employee at an LGM premises shall record all patron disputes in a Dispute Register and immediately perform such investigations as may be required to resolve the dispute.
- (2) If the investigation contemplated in sub-rule (1) reveals that credits are legally owed to a patron, such credits shall immediately be paid out at the relevant LGM premises.
- (3) The LGM premises shall, within 24 hours, inform the LGM operator of any patron dispute arising on such premises.
- (4) The LGM operator shall make available a helpline number for the purpose of registering patron disputes.
- (5) The LGM operator shall perform weekly follow-ups in respect of all patron disputes to ensure the resolution thereof.
- (6) The LGM operator shall document the information in respect of the follow-ups performed and retain such documentation for a period of at least two (2) years for Board inspection.

## **CHAPTER VII**

### **GENERAL PROVISIONS**

#### **7.1 Offices of the LGM operator**

- (1) The offices of the holder of an LGM operator licence, at which its administrative and accounting functions are conducted, shall be based within the borders of the Western Cape.

#### **7.2 Credit facility**

- (1) The LGM premises, LGM operator or any other person shall not, directly or indirectly, extend credit, in any form whatsoever, to any person, for the purpose of playing on, or operating, an LGM.
- (2) For the purposes of this Rule, credit extension includes the advancement of cash by an LGM premises, LGM operator or any other person against a person's credit card, cheque, travellers cheque, money order or any other negotiable instrument whatsoever.

#### **7.3 Game features, stakes and prizes**

- (1) No bets in respect of which the stake exceeds the maximum amount prescribed in terms of the Law, may be offered or accepted on an LGM premises.
- (2) The LGM premises, LGM operator or any other person may not, in their own name or on behalf of any third party, offer any prize in excess of or in addition to the maximum prize prescribed in terms of the Law.
- (3) Progressive jackpots and double-up features are not permitted in respect of LGMs.
- (4) All prizes shall be paid in cash or a cash equivalent approved by the Board.

#### **7.4 Monetary instruments**

- (1) Betting on LGMs may only take place by means of cash or a cash equivalent approved by the Board.
- (2) Any cash equivalent used by an LGM premises for betting is evidence of a debt which that LGM premises owes to the person legally in possession of such cash equivalent.
- (3) The LGM premises shall immediately redeem its monetary instrument used for betting, including credits registered on the LGM, for cash or a cash equivalent upon request of a patron, unless the monetary instrument was obtained or is being used unlawfully.

#### **7.5 SDL controls**

- (1) The SDL shall be designed and constructed in a manner to reveal any attempt at tampering therewith.

## 7.6 Employee cards

- (1) Employee cards shall be issued to and used only by authorised licensed employees.
- (2) Prior to accessing an LGM or SDL, a licensed employee shall insert his or her employee card in the SKP.
- (3) Employee cards issued to licensed employees at an LGM premises shall be valid only in respect of the specific LGM premises.
- (4) Employee cards issued to licensed employees of an LGM operator shall be valid only in respect of the specific LGM premises linked to such LGM operator.
- (5) An employee shall insert a password prior to performing any function or maintenance on an LGM or SDL.
- (6) Employee cards shall not be left unattended in the SKP.
- (7) An employee card shall immediately be deactivated in the event that it is lost or when the employee to which it relates has resigned.
- (8) Employee cards shall contain the following printed information—
  - (a) a photograph of the relevant employee;
  - (b) the name of the employee to whom the card relates;
  - (c) the name of the licensed LGM premises to which the card relates;
  - (d) the name of the relevant LGM operator;
  - (e) the job description of the LGM operator employee to whom the card relates, where applicable, and
  - (f) the licence number assigned to the relevant employee by the Board.

## 7.7 LGM premises and employee records

- (1) The holder of an LGM operator licence shall, in respect of each premises at which it has been authorised to expose LGMs for play, maintain current and accurate LGM premises records reflecting—
  - (a) the business name of the premises;
  - (b) the physical address of the premises;
  - (c) the postal address of the premises;
  - (d) all other available contact details in respect of the premises, and
  - (e) details of each licensed employees at the premises, including the employee's—
    - (i) name and surname;
    - (ii) type of licence, and
    - (iii) Board licence number.
- (2) The LGM operator shall, within 5 working days after the conclusion of every month, submit an LGM premises and employee movement report to the Board specifying, in respect of the preceding month—
  - (a) the details of all newly appointed gambling-related employees;
  - (b) new LGM licensed premises;
  - (c) all licence renewals in respect of gambling-related employees and LGM premises licences;
  - (d) details of all LGM premises licences whose contracts were terminated;
  - (e) details of all gambling-related employees who left the employment of the LGM operator or ceased employment on an LGM premises, and
  - (f) all promotions or demotions in respect of gambling-related employees of the LGM operator or persons licensed to be employed on an LGM premises.
- (3) A licensed employee on an LGM premises shall immediately inform the LGM operator of any employee resignations.

## 7.8 User access rights

- (1) All application forms for access to any gambling-related software, including amendments thereto, shall be signed by a representative of the Administration Department.
- (2) The User Access Rights Application Form shall clearly indicate the user access rights for which the applicant has applied.
- (3) The LGM operator shall request user access rights on the CEMS to be allocated to authorised licensed employees only.

- (4) The user access rights matrix shall indicate all types of user groups registered on the CEMS and all the user rights allocated to such users.
- (5) The user access rights matrix shall be approved and signed by the General Manager of the LGM operator, the Administration Manager and a representative of the Board.
- (6) Any amendments to the pre-approved user access rights matrix shall be signed by the persons prescribed in sub-rule (5).
- (7) The Administration Department shall request the CEMS operator, in writing, to allocate the employee's user rights in terms of the pre-approved user access rights matrix by supplying the following information—
  - (a) the applicant or employee's name and surname;
  - (b) user access rights to be allocated;
  - (c) LGM operator name;
  - (d) LGM premises name, where applicable, and
  - (e) Board licence number.
- (8) User access rights on the CEMS shall be allocated to appropriately licensed employees and in terms of the user access rights matrix.
- (9) The prior written approval of the Board is required in respect of all other persons for whom user access rights are requested on the CEMS.
- (10) The LGM operator shall immediately inform the CEMS operator of the resignation of any employee, whereupon the relevant employee's user access rights shall be immediately disabled on the CEMS.

### 7.9 Employees to be appropriately licensed

- (1) Only appropriately licensed persons may perform gambling-related functions on behalf of an LGM operator, CEMS operator or on licensed LGM premises.
- (2) Any person who has the authority to—
  - (a) perform journal entries;
  - (b) allocate user access rights on the CEMS, and
  - (c) perform maintenance or change the functionality of the CEMS
 shall be licensed as a key employee in terms of the Law.

### 7.10 Dispensation

- (1) The Board may approve alternative criteria or procedures other than those prescribed in these Rules, if the LGM operator is able to prove to the Board that, notwithstanding such criteria or procedures, there are sufficient controls in place to ensure the integrity of the operation.

## CHAPTER VIII

### OFFENCES AND PENALTIES

#### 8.1 Offences and penalties

- (1) The LGM operator and a site owner key employee, where applicable, shall be guilty of an offence and be liable to—
  - (a) a penalty of R 10 000,00 per offence if—
    - (i) it fails to comply with the provisions of these Rules or its ICS relating to its organisational structure and jobs compendium or to implement the organisational structure and jobs compendium approved by the Board;
    - (ii) it fails to comply with the provisions of these Rules or its ICS relating to the keeping or maintaining of any book, account, record, register, ledger, inventory or other document required to be kept or maintained in terms of these Rules or its ICS or if such books, accounts, records, registers, ledgers, inventories or other documents are not up to date or in the correct format, or
    - (iii) it fails to comply with the provisions of these Rules or its ICS relating to any procedure to be followed;
  - (b) a penalty of R 20 000,00 per offence if—
    - (i) notwithstanding the provisions of sub-rule (1)(a), it fails to comply with the provisions of these Rules or its ICS relating to—
      - (aa) minors found in the designated LGM areas;
      - (bb) resolution of patron disputes;
      - (cc) signs and information to be displayed at the LGM premises;
      - (dd) credit extension;

- (ee) maximum stakes and prizes;
  - (ff) investigations and audits to be performed, and
  - (gg) journal entries;
- (c) a penalty of R 50 000,00 per offence if—
- (i) it fails to maintain LGMs and the CEMS in accordance with the provisions of the Rules, and
  - (ii) it fails to maintain or produce financial records utilised for the purpose of calculating taxable revenue.
- (2) In the event of—
- (a) a second offence, the penalty referred to in sub-rule (1) shall double, and
  - (b) a third offence, the penalty referred to in sub-rule (1) shall treble.
- (3) For the purposes of this Rule an LGM operator's ICS shall be limited to those provisions of its ICS that are required to be incorporated into its ICS in terms of the Law.
- (4) The imposition of any penalty in terms of this Rule shall not preclude the Board from instituting any further or alternative disciplinary action against an LGM operator or other licence holder.
- (5) All penalties imposed in terms of this Rule shall be payable within 30 days of the imposition of such penalty.
- (6) The Chief Executive Officer of the Board shall have the competency to impose any penalty in terms of this Rule.

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