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PROVINSIE OOS-KAAP

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PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 193 OF 2020The logo for the Eastern Cape Gambling Board features a stylized wave graphic above the text "GAMBLING BOARD".
GAMBLING BOARD**NOTICE OF LODGEMENT OF APPLICATIONS FOR AMENDMENT OF LICENCE CONDITIONS IN TERMS OF THE EASTERN CAPE GAMBLING ACT, 1997**

NOTICE IS HEREBY GIVEN that applications for amendment of conditions of licence in terms of section 35 of the Eastern Cape Gambling Act, 1997, particulars of which are set out in the Schedule hereunder, have been lodged with the Eastern Cape Gambling Board (“the Board”).

The applications may be inspected by any person at the offices of the Board, ECGB Building, Quenera Park, Quenera Drive, Beacon Bay, East London and at the applicant’s premises located as shown in the schedule hereunder. The applications will also be uploaded on the Eastern Cape Gambling Board’s website (www.ecgb.org.za).

Any objection, petition or representation (“the submission”) shall be lodged with the Chief Executive Officer of the Board within one (1) month of the date of this notice, which commences on **09 November 2020 until 08 December 2020**.

All submissions shall specify: the application to which the submission relates; the grounds on which the submission is founded; full particulars or facts in substantiation of a submission; the name, address, telephone and fax number of the person making the submission; whether the person making the submission wishes to make oral representations when the application is heard by the Board.

A person lodging a submission may request the Board to determine that his or her identity should not be divulged on good cause shown.

The under-mentioned figures used in brackets in the Schedules have the following meaning:

- (1) = The name and address of the applicant;
- (2) = If the applicant is a company or other corporate body, the names of all persons who have a financial or other interest of 5% or more in the applicant;
- (3) = In the case of a company the initials and surnames of all directors of the company;
- (4) = The type of application applied for; and
- (5) = The address of the premises from which the applicant intends to operate from.



SCHEDULE A - AMENDMENT OF LICENCE CONDITIONS

A1

- (1) Tsogo Sun Emonti (Pty) Ltd (1998/017777/07) trading as Hemingways Casino, Corner of Western Avenue and Two Rivers Drive, Vincent, East London, Eastern Cape;
- (2) Tsogo Sun Gaming Investment (Pty) Ltd (2002/006402/07), Tsogo Sun Hotels, Gaming and Entertainment (Pty) Ltd (2002/006556/07), Tsogo Sun Gaming Ltd (1989/002108/06), Hosken Consolidated Investments Limited (1973/00711/06), TIHC Investments (Pty) Ltd (2012/224250/07), TIH Prefco (Pty) Ltd (2011/142270/07), South African Clothing & Textile Workers Union, Ritztrade 159 (Pty) Ltd (1998/011130/07), Quickstep 33 (Pty) Ltd (1998/012234/07), SN Leisure Investments (Pty) Ltd (2009/004150/07) and Sango Siviwe Ntsaluba;
- (3) SS Ntsaluba, GA Joseph, G Lunga, SM Madala, D Mphafa and DR Seaton;
- (4) Amendment of Licence Conditions as proposed/detailed below:

<i>Current condition of licence the Applicant seeks to amend:</i>	<i>Proposed amendment:</i>
6.1 "The Licensee shall comply to the satisfaction of the ECGBB with all undertakings made in the Application and with any directives or guidelines issued by the ECGBB on the aforesaid undertakings in accordance with Applicable Laws."	Refer to the Public Inspection copy available on our website: www.ecgb.org.za
20.2 "The Licensee shall ensure that the Resort employs, following the completion of the Casino Development Project and thereafter throughout the remainder of the Licence Period, 665 (six hundred and sixty-five) permanent Resort employees."	
29.1 "The Licensee shall comply with all the undertakings in respect of Corporate Social Investment and Enterprise Development made in the Application."	

- (5) Corner of Western Avenue and Two Rivers Drive, Vincent, East London, Eastern Cape.



A2

- (1) Zitolor (Pty) Ltd (2015/367881/07) trading as Queens Casino and Hotel, 63 Ebden Street, Queenstown, Eastern Cape;
- (2) African Pioneer Gaming (Pty) Ltd (2005/006193/07), Kat Leisure Gaming (Pty) Ltd (2003/001427/07), Kaschula Family Trust (IT1028/97), Mzukisi Stephen Dondolo, Vuyisa Nomkhitha Mfono, Kat Leisure Investments (Pty) Ltd (1985/090617/07), Alistair Osner Family Trust (IT 1866/99/4), Russel Osner Family Trust (IT 1870/99), Mark Edwin Osner Family Trust (IT 63/200), Michael William Osner Trust (IT 64/2000/2), John Thompson Family Trust (IT 536/98) and Avril Kaschula Family Trust (IT 1028/97);
- (3) MS Dondolo, AD Kaschula, VN Mfono, AB Osner and N Mtyu;
- (4) Amendment of Licence Conditions as proposed/detailed below:

<i>Current condition of licence the Applicant seeks to amend:</i>	<i>Proposed amendment:</i>
<p>10.2 "The Applicant has further committed to develop additional sixteen (16) hotel rooms on the second floor for no less than R10,207,000.00 (ten million two hundred and seven thousand rand) as part of the Casino Development Project."</p>	<p>Refer to the Public Inspection copy available on our website: www.ecgb.org.za</p>
<p>13.1.2 "The Casino is authorised for the playing of gaming devices, making use of gambling machines and tables and such ancillary devices as the Board may from time to time approve, which consists of-</p> <p>A minimum of six (6) tables;"</p>	
<p>17.2 "The Licensee shall ensure that at least sixty percent (60%) of goods and services will be procured from the Local PDI Suppliers annually."</p>	



GAMBLING BOARD

<p>22.2 <i>“The Licensee shall, following the completion of the Casino Development Project and for the duration of the licence period, not reduce the number of employees below one hundred and sixty (160) without the prior written consent of the Board.”</i></p>	
<p>22.3 <i>“The number of the permanent employees, once attained, may not drop below ninety percent (90%) of the number of permanent Casino and Hotel employees contemplated in Condition 0.”</i></p>	
<p>29.2.1 <i>“The Licensee shall, in order to comply with the aforesaid, inter alia:</i></p> <p style="padding-left: 40px;"><i>contribute zero-point five percent (0.5%) of GGR towards the projects to be supervised by the Zulukama Community Investment Trust; and</i></p>	
<p>29.2.2 <i>contribute zero-point five percent (0.5%) of GGR towards the projects to be supervised by African Pioneer Foundation Trust.”</i></p>	
<p>30.4 <i>“The Licensee is required to submit a guarantee for an amount of up to R2,000,000.00 (Two Million Rand) from a first line financial institution as security to procure the due fulfilment of all the Licensee’s obligations to the ECGBB relating to the Licence including, but not limited to, the nature, scope and specifications set out in the RFP and the Proposal, the conditions of licence, the Act and the Rules and Regulations issued in terms thereof, including taxes lost as a result of non-compliance with the aforesaid. This guarantee (Appendix J) shall endure for the Licence Period, subject to review by the Board and shall be provided by the Licensee within thirty (30) days of the Commencement Date.”</i></p>	



(5) 63 Ebden Street, Queenstown, Eastern Cape.

RM Zwane
Chief Executive Officer
Eastern Cape Gambling Board
ECGB Building, Quenera Park, Quenera Drive
Beacon Bay
East London
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