

***THE PROVINCE OF
GAUTENG***



***DIE PROVINSIE VAN
GAUTENG***

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No. 99

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DEPARTMENT OF HEALTH

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CONTENTS

Gazette *Page*
No. *No.*

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

523	Gauteng Gambling Act (4/1995): Amendments to Gauteng Gambling Regulations, 1997.....	99	3
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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

NOTICE 523 OF 2019

GAUTENG DEPARTMENT OF ECONOMIC DEVELOPMENT

GAUTENG GAMBLING ACT, 1995
(ACT NO. 4 OF 1995)

AMENDMENTS TO GAUTENG GAMBLING REGULATIONS, 1997

The Member of the Executive Council responsible for Economic, Environment, Agriculture and Rural Development in the Province of Gauteng has, in terms of section 84 of the Gauteng Gambling Act, 1995 (Act No. 4 of 1995), made the Regulations set out in the Schedule.

SCHEDULE

GENERAL EXPLANATORY NOTE:

- [] Words in bold type in square brackets indicate omissions from existing enactments.
- _____ Words underlined indicate insertions in existing enactments.

Definitions

1. In these Regulations, unless the context otherwise indicates—
 "the Regulations" means the Gauteng Gambling Regulations, 1997; and
 "the Act" means the Gauteng Gambling Act, 1995 (Act No. 4 of 1995).

Amendment of regulation 29 of Regulations

2. Regulation 29 is hereby amended by the addition of the following subregulation:
 "(3) A person who has requested or requests the board to place his or her name on the list, in terms of subregulation 2(e) or (f), may, after a period of 6 months from the date of the placement of his or her on the list, submit an application to the board for the revocation of such placement on a form substantially similar to Annexure B, Form GGB 2/2019."

Amendment of regulation 30 of Regulations



3. Regulation 30 is hereby amended by the substitution for paragraph (b) of subregulation (2) of the following paragraph:

"(b) in the case of a person contemplated in regulation 29(2)(e) and (f), unless the person concerned has submitted to the board [the application form prescribed in the accompanying Annexure] an application form substantially similar to Annexure A: Form GGB 1/2019."

Substitution of regulation 82 of Regulations

4. The following regulation is hereby substituted for regulation 82 of the Regulations:

"Application fees

82. Applications must be accompanied by the following non-refundable application fees:

Type of application	Fee
1. Casino licence	[R1 625 972.00]R1 723 530.00
2. Certificate of suitability	[R16 270.00]R17 246.00
3. Transfer of licence or consent for procurement of interest in licensee	[R16 270.00]R17 246.00
4. Amendment of licence	[R16 270.00]R17 246.00
5. Key employee registration	[R3 309.00]R3 508.00
6. Casino employee registration	[R820.00]R869.00."

Amendment of regulation 84 of Regulations

5. Regulation 84 is hereby amended by the substitution for subregulation (1) of the following subregulation:

"(1) Every holder of a casino licence shall pay a licence fee of [R164 215.00]R174 068.00 plus—

- (a) [R3 000.00]R3 180.00 per registered gaming machine exposed for play to the public;
- (b) [R6 000.00]R6 360.00 per licensed casino table;
- (c) [R141.00]R149.00 per licensed bingo seat, for every year or part of a year ending on 31 March."

Substitution of regulation 131 of Regulations

6. The following regulation is hereby substituted for regulation 131 of the Regulations:



"Application fees

131. Applications must be accompanied by the following non-refundable application fees:

Type of application	Fee
1. Bingo licence	[R 325.00] R345.00 per seat with a maximum fee of [R151 034.00] R160 096.00
2. Amendment of licence	[R7 954.00] R8 431.00
3. Transfer of licence or consent for procurement of interest in licensee	[R15 753.00] R16 698.00
4. Key employee registration	[R3 309.00] R3 508.00
5. Bingo employee registration	[R814.00] R863.00
6. Certificate of suitability	[R3 253.00] R3 448.00 ."

Amendment of regulation 133 of Regulations

7. Regulation 133 is hereby amended by the substitution for subregulation (1) of the following subregulation:

"(1) Every holder of a bingo licence shall pay a licence fee of ~~[R141.00]~~[R149.00] per licensed seat for every year or part of a year ending on 31 March."

Substitution of regulation 167 of Regulations

8. The following regulation is hereby substituted for regulation 167 of the Regulations:

"Application fees

167. Applications must be accompanied by the following non-refundable application fees:

Type of application	Fee
1. Route operator licence	[R325.00] R345.00 per machine with a minimum of [R81 522.00] R86 413.00 and a maximum of [R328 309.00] R345 888.00
2. Additional gaming machine licence	[R32 646.00] R34 605.00
3. Transfer of licence or consent for procurement of interest in licensee	[R16 320.00] R17 299.00
4. Amendment of licence	[R8 275.00] R8 772.00
5. Key employee registration	[R3 309.00] R3 508.00
6. Gaming employee registration	[R814.00] R863.00
7. Certificate of suitability	[R8 275.00] R8 772.00 ."



Amendment of regulation 169 of Regulations

9. Regulation 169 is hereby amended by the substitution in subregulation (1) for paragraphs (a) and (b) of the following paragraphs:

- "(a) a route operator licence shall pay a fee of ~~[R147 871.00]~~R156 743.00 plus ~~[R1 494.00]~~R1 584.00 per registered gaming machine approved or exposed for play to the public, for every year or part of a year ending on 31 March.
- (b) an additional gaming machine licence shall pay a licence fee of ~~[R44 337.00]~~R46 997.00 plus ~~[R1 494.00]~~R1 584.00 registered gaming machine approved or exposed for play to the public, for every year or part of a year ending on 31 March."

Substitution of regulation 195 of Regulations

10. The following regulation is hereby substituted for regulation 195 of the Regulations:

"Application fees

195. Applications must be accompanied by the following non-refundable application fees:

<i>Type of application</i>		<i>Fee</i>
1.	Gaming machine licence	[R16 326.00] <u>R17 306.00</u>
2.	Amendment of licence	[R3 325.00] <u>R3 525.00</u>
3.	Transfer of licence or consent for procurement of interest in licensee	[R3 325.00] <u>R3 525.00</u>
4.	Certificate of suitability	[R1 829.00] <u>R1 727.00</u>
5.	Key employee registration	[R3 309.00] <u>R 3 508.00</u> "

Amendment of regulation 196 of Regulations

11. Regulation 196 is hereby amended by the substitution for subregulation (1) of the following subregulation:

"(1) Every holder of a gaming machine licence shall pay a licence fee of ~~[R16 326.00]~~R17 306.00 plus ~~[R1 494.00]~~R1 584.00 per registered gaming machine approved or exposed for play to the public, for every year or part of a year ending on 31 March."

Substitution of regulation 220 of Regulations

12. The following regulation is hereby substituted for regulation 220 of the Regulations:

"Application fees

220. Applications must be accompanied by the following non-refundable application fees:

Type of application	Fee
1. Manufacturer licence	[R163 214.00] <u>R173 007.00</u>
2. Maintenance or supplier licence	[R81 405.00] <u>R86 289.00</u>
3. Amendment of licence	[R8 281.00] <u>R8 778.00</u>
4. Consent for procurement of interest in licensee or transfer of licence	[R15 399.00] <u>R16 259.00</u>
5. Key employee registration	[R3 309.00] <u>R3 508.00</u>
6. Service or manufacturing employee registration	[R860.00] <u>R912.00</u>
7. Certificate of suitability	[R8 275.00] <u>R8 772.00</u> ."

Amendment of regulation 222 of Regulations

13. Regulation 222 is hereby amended by the substitution for subregulation (1) of the following subregulation:

"(1) Licence fee for every year or part of a year ending on 31 March—

1. Manufacturer licence	[R81 522.00] <u>R86 413.00</u>
2. Maintenance or supplier licence	[R9 664.00] <u>R10 244. 00</u> ."

Substitution of regulation 240 of Regulations

14. The following regulation is hereby substituted for regulation 240 of the Regulations:

"Application fees

240. Applications must be accompanied by the following non-refundable application fees:

Type of application	Fee
1. Totalizator licence	[R163 214.00] <u>R173 007.00</u>
2. Amendment of licence or additional sites	[R8 764.00] <u>R9 290.00</u>
3. Special totalizator licence	[R325.00] <u>R345.00</u>
4. Transfer of licence or consent for procurement of interest in licensee	[R16 326.00] <u>R17 306.00</u>
5. Key employee registration	[R3 309.00] <u>R3 508.00</u>
6. Certificate of suitability (mandatory for TAB agents)	[R3 410.00] <u>R3 615.00</u> ."



Amendment of regulation 242 of Regulations

15. Regulation 242 is hereby amended by the substitution for subregulation (1) of the following subregulation:

"(1) Every holder of a totalizator licence which is not a special totalizator licence contemplated in section 97 of the Act shall, pay a licence fee of ~~[R163 214.00]~~R173 007.00 plus ~~[R1 834.00]~~R1 944.00 per site outlet for every year or part of a year ending on 31 August."

Substitution of regulation 268 of Regulations

16. The following regulation is hereby substituted for regulation 268 of the Regulations:

"Application fees

268. Applications must be accompanied by the following non-refundable application fees:

Type of application	Fee
1. Bookmaker's licence	[R16 314.00] <u>R17 293.00</u>
2. Transfer of licence or consent for procurement of interest in licensee	[R6 522.00] <u>R6 913.00</u>
3. Amendment of licence	[R1 640.00] <u>R1 738.00</u>
4. Bookmaker's manager registration	[R814.00] <u>R863.00</u>
5. Certificate of suitability	[R3 247.00] <u>R3 442.00</u>
6. Key employee registration	[R3 309.00] <u>R3 508.00</u>

Amendment of regulation 269 of Regulations

17. Regulation 269 is hereby amended by the substitution for subregulation (1) of the following subregulation:

"(1) Every holder of a bookmaker's licence shall pay a licence fee of ~~[R16 314.00]~~R17 293.00 for every year or part of a year ending on 31 August."

Substitution of regulation 276 of Regulations

18. The following regulation is hereby substituted for regulation 276 of the Regulations:

"Calculation of tax and levies on betting transactions with licensed bookmaker



276. The taxes and levies payable in terms of the Act on betting transactions with a licensed bookmaker shall be calculated as the following percentages—

[(1)] In respect of bets entered into with a bookmaker at a rate indicated hereunder opposite the type of bet mentioned:

Type of Bet	Tax in terms of regulation 270	[Holder of a Totalizator Licence contemplated in Section 53 of the Act, levy in terms of Regulation 273]	Total
Horse racing	[3]6	[3]	6"

Substitution of regulation 282 of Regulations

19. The following regulation is hereby substituted for regulation 282 of the Regulations:

"Application fees

282. Applications must be accompanied by the following non-refundable application fees:

Type of application	Fee
1. Race-meeting licence	[R163 214.00]R173 007.00
2. Special licence to hold race-meeting	[R325.00]R345.00
3. Transfer of licence or consent for procurement of interest in licensee	[R8 281.00]R8 778.00
4. Amendment of licence	[R8 281.00]R8 778.00"

Amendment of regulation 284 of Regulations

20. Regulation 284 is hereby amended by the substitution for subregulation (1) of the following subregulation:

"(1) A holder of a race-meeting licence which is not a special race-meeting licence as contemplated in section 97 of the Act, shall pay a licence fee of [R81 528 .00]R86 420.00 for every year or part of a year ending on 31 August."

Substitution of regulation 299 of Regulations

21. The following regulation is hereby substituted for regulation 299 of the Regulations:

"Application fees



299. Applications must be accompanied by the following non-refundable application fees:

Type of application	Fee
1. Amusement machine licence	[R8 281.00] <u>R8 778.00</u>
2. Amendment of licence	[R3 325.00] <u>R3 525.00</u>
3. Transfer of licence or consent for procurement of interest in licensee	[R3 325.00] <u>R3 525.00</u>
4. Certificate of suitability	[R1 629.00] <u>R1 727.00</u> .

Amendment of regulation 301 of Regulations

22. Regulation 301 is hereby amended by the substitution for subregulation (1) of the following subregulation:

"(1) Every holder of an amusement machine licence shall pay a licence fee of [~~R831.00~~]R881.00 per registered amusement machine for every year or part of a year ending on 31 March."

Insertion of Annexures A and B into Regulations

23. Application Form GGB 1/2019 and Application Form GGB 2/2019 entitled "Application for Exclusion from Gambling Areas in terms of Regulation 29(2)(e) or (f)" and "Application for Revocation from self-Exclusion Register in terms of Regulation 30(2)(b)" are hereby inserted after regulation 301 of the Regulations as Annexures A and B, respectively.

Short title and commencement date

24. These Regulations are called the Gauteng Gambling Amendment Regulations, 2018, and comes into operation on 1 April 2019.



**ANNEXURE A****FORM GGB 1/2019****APPLICATION FOR EXCLUSION FROM GAMBLING AREAS IN TERMS OF REGULATION 29(2)(e) and (f) OF THE GAUTENG GAMBLING REGULATIONS**

This application form may not be altered and must be signed before a Commissioner of Oaths, an authorised employee or agent of a Licensee or an official of the Gauteng Gambling Board. A clear and legible copy of the page on which the applicant's photograph appears in his/her identity book/passport used for this application must accompany this application, together with one (1) photograph (head and shoulders) of at least postcard size.

If your request for exclusion is granted—

- (a) your name will be placed on the list of excluded persons maintained by the Gauteng Gambling Board ("the list");
- (b) you may be refused access to all the gambling areas within the Gauteng Province that are listed or referred to in the application from which you seek to be excluded; and
- (c) a request for consideration to the Gauteng Gambling Board for the upliftment of the exclusion by the Board will not be accepted within six (6) months from the date of being placed on the list, and in the absence of counselling and/or treatment, and proof thereof, from the South African Responsible Gambling Foundation ("SARGF"), or a psychologist or a psychiatrist that is registered with the Health Professions Council of South Africa.



Initials

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APPLICATION FOR EXCLUSION FROM GAMBLING AREAS IN TERMS OF REGULATION 29(2)(e) AND (f) OF THE GAUTENG GAMBLING REGULATIONS

Page
2 of 8

I, _____ (FULL NAMES) hereby apply to the Gauteng Gambling Board ("the Board") to be excluded from the gambling areas of the Licensees of the Board selected below:

(a)	ALL LICENSEES	
(b)	ALL LICENSED CASINOS	
(c)	ALL LICENSED TOTALISATOR OUTLETS	
(d)	ALL LICENSED BOOKMAKER PREMISES	
(e)	ALL LICENSED BINGO HALLS	
(f)	ALL LICENSED LIMITED GAMBLING MACHINE SITES	
(g)	THE SPECIFIC GAMBLING AREA(S) INDICATED BELOW	

In the case of (g) above, please indicate the specified gambling area(s) from which you seek to be excluded:

(a)	
(b)	
(c)	
(d)	
(e)	
(f)	
(g)	
(h)	
(i)	
(j)	
(k)	
(l)	

Use an additional page if necessary



Initials _____



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APPLICATION FOR EXCLUSION FROM GAMBLING AREAS IN TERMS OF REGULATION 29(2)(e) AND (f) OF THE GAUTENG GAMBLING REGULATIONS

Page
3 of 8

1. My details are as follows:

FULL NAMES:			
SURNAME			
DO YOU HAVE ANY OTHER NAMES OR ALIASES?	YES	NO	
IF YES, LIST THESE NAMES OR ALIASES:			
DATE OF BIRTH:			
IDENTIFICATION NUMBER:			
ADDRESS:			
POSTAL CODE:			
TELEPHONE NO.:	(HOME)		
	(WORK)		
	(CELL)		
E-MAIL ADDRESS:			
GENDER:	Male	Female	
	<input type="checkbox"/>	<input type="checkbox"/>	



Initials _____



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APPLICATION FOR EXCLUSION FROM GAMBLING AREAS IN TERMS OF REGULATION 29(2)(e) AND (f) OF THE GAUTENG GAMBLING REGULATIONS

Page
3 of 1

HEIGHT:	
WEIGHT:	
HAIR COLOUR:	
EYE COLOUR:	
DISTINGUISHING MARKS	

HEAD AND SHOULDERS

(Staple photograph here)

2. Please find herewith a colour head and shoulders photograph of myself.

If required I shall also allow the Gauteng Gambling Board or an authorised a licence holder, to photograph me in digital format for purposes only of allowing the Board or such licence holder to comply with my application



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APPLICATION FOR EXCLUSION FROM GAMBLING AREAS IN TERMS OF REGULATION 29(2)(e) AND (f) OF THE GAUTENG GAMBLING REGULATIONS

Page 5 of 8

3. Waiver and Release

a) I hereby release and forever discharge:

- (i) the Gauteng Gambling Board to whom this form is submitted;
- (ii) all gambling licensees from whom I seek to be excluded, and their directors, employees and agents from any liability to me or my heirs, administrators, executors and assigns for any harm, monetary or otherwise, which may arise out of or by reason of any act or omission relating to this request for exclusion or my request for removal from the exclusion list, including its processing and enforcement, the failure of a licence holder to withhold gambling privileges from or restore gambling privileges to me, permitting me to engage in gambling activity within gambling areas, and entering and or remaining within gambling areas, whilst on the list of excluded persons and disclosure of information on the exclusion application or list, except for a wilfully unlawful disclosure of such information.

b) I confirm that I wish to be excluded from the gambling area(s) specified herein by filing this application with the Board.

c) I understand that the Board recommends that I seek free counselling and/or treatment as soon as possible from the South African Responsible Gambling Foundation ("SARGF"), or a psychologist or a psychiatrist that is registered with the Health Professions Council of South Africa, which counselling and/or treatment, and proof thereof, is required should I wish to apply to uplift this self-exclusion in the form and manner determined by the Board.

d) I understand that I am a problem gambler and that I am assuming the responsibility of refraining from visiting gambling area(s) of the gambling premises specified in the form and from participating in any gambling activities at these premises.

e) Furthermore, I understand that if I visit the specified gambling area(s) after being placed on the list and I am discovered, that I will be removed from such area or evicted where necessary. I acknowledge that my presence within the specified gambling areas constitutes trespassing and that the casino may implement criminal charges against me for such conduct.

f) I also understand that, by being placed on the list, a further consequence is that I will not be eligible to place a legal wager and will be denied winnings accrued or prizes won at a gambling game and any such winnings or prizes will be subject to forfeiture.

g) I also understand that, by being placed on the list, a further consequence is that I will not be entitled to any losses incurred whilst being excluded and included on the list.



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APPLICATION FOR EXCLUSION FROM GAMBLING AREAS IN TERMS OF REGULATION 29(2)(e) AND (f) OF THE GAUTENG GAMBLING REGULATIONS

Page
6 of 8

- h) I also give consent for the further processing and/or releasing of my personal information contained in this application to relevant third parties in order to give effect to my application. In addition, I also consent to the Board and relevant gambling establishments retaining my personal information for any period it deems fit for historical, statistical and research purposes.
- i) I authorise the above gambling establishments, its employees or agents to deny me access to the specified gambling areas and from precluding me from participating in any club memberships and promotional competitions at their establishments, which promote gambling or where any prize of a promotional competition is of a gambling nature.
- j) Furthermore, by being placed on the list, I accept that any entries made into affected promotional competitions prior to being placed on the list will become null and void without any compensation. I also accept that I will be denied any club membership benefits I may have been entitled to at the specified gambling establishments without compensation.
- k) Whilst I request that the specified gambling establishments take all reasonable steps to give effect to my self-exclusion, I accept that the final and sole responsibility to refrain from gambling or accessing gambling areas is my own.
- l) I accept that whilst the specified gambling establishments will take reasonable steps to remove me from their marketing mailing lists, I may receive marketing mail or collateral which may have been processed prior to being placed on the list. In such cases, and where errant mails are received, I take full responsibility to notify the gambling establishments concerned thereof as soon as possible. Furthermore, I accept that the specified gambling establishments will not honour any offers or benefits made to me prior to being placed on the list.
- m) I am also aware that the SARGF or its agents or employees may contact me from time to time to conduct research to evaluate the voluntary exclusion programme and determine appropriate methods of addressing exclusions and or problem gambling issues.

I also understand and accept, that this exclusion will become effective not later than 7 (seven) days after the Board has notified all affected Licensees of my name being placed on the list.



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APPLICATION FOR EXCLUSION FROM GAMBLING AREAS IN TERMS OF REGULATION 29(2)(e) AND (f) OF THE GAUTENG GAMBLING REGULATIONS

Page
7 of 8

4. I confirm that -

- (a) the application is made voluntarily;
- (b) I know and understand the contents of this application;
- (c) I know and understand the implications of being placed on the list;
- (d) in making this application I am of my full sober mind and senses;
- (e) I am primarily responsible for my exclusion from the gambling areas from which I seek exclusion;
- (f) the information I have provided above is true and correct;
- (g) I have read, understand and agree to the waiver and release included in this application;
- (h) the signature below authorises the Gauteng Gambling Board to which this form is submitted to include my name on a list of excluded persons maintained by it to be excluded from gambling areas within its jurisdiction as specified herein; and
- (i) I have received a signed copy of this application form.

SIGNED at _____ on this _____ day

of _____, 20_____

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APPLICATION FOR EXCLUSION FROM GAMBLING AREAS IN TERMS OF REGULATION 29(2)(e) AND (f) OF THE GAUTENG GAMBLING REGULATIONS

Page
8 of 8

To be completed by a Commissioner of Oaths, an authorised employee or agent of a Licensee or an official of the Gauteng Gambling Board.

I confirm that -

- (a) I have positively confirmed the identity of the applicant;
- (b) the applicant's appearance accords with the photographs sent herewith;
- (c) the applicant has signed this application form in my presence; and
- (d) when signing this application form -
 - (i) the applicant appeared to do so voluntarily and without duress; and
 - (ii) the applicant appeared to be in his full and sober senses.

SIGNED at _____ on this _____ day
of _____, 20_____

DESIGNATION	
FULL NAMES	
ADDRESS	
OFFICE	

To be completed by a Commissioner of Oaths, an authorised employee or agent of a Licensee or an official of the Gauteng Gambling Board.



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ANNEXURE B
FORM GGB 2/2019

**APPLICATION FOR REVOCATION FROM THE SELF-EXCLUSION REGISTER IN TERMS OF
REGULATION 30(2)(b) OF THE GAUTENG GAMBLING REGULATIONS**

I _____ (FULL NAMES)
hereby apply to the Gauteng Gambling Board to be removed from the Provincial Register of excluded persons.

PERSONAL DETAILS:

Full Names:	
Date of Birth:	
Identification/ Passport Number:	
Physical Address:	



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Postal Address:	
Contact Number:	
Email Address:	
Gender:	
Where did you apply your self-exclusion?	
Do you understand that by asking to be removed from the Provincial Register of excluded persons you are accepting that you are now a responsible gambler and you will be liable to consequences of your gambling?	
Do you understand that if you are removed from the exclusions list it will be your responsibility to gamble responsibly?	
Do you understand that the Regulator (GGB) requires that you attend treatment and counselling programme before being removed from the Provincial Register of excluded persons?	

NB: Please submit a copy of the letter confirming participation of the treatment and counselling programme as per the requirements to have your self-exclusion uplifted. Further note that GGB has a maximum of 30 days to consider the application.

Have you read and understood the contents of the application form before you	
--	--

I acknowledge/accept that I am now a responsible gambler and have been rehabilitated from all the gambling problems.

Signature: _____

Date _____

Witness: _____

Signed at: _____

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Waiver/Release

I understand that by filing an application for removal from the Provincial Register of Excluded persons and signing this waiver/Release; I am a responsible gambler.

I further understand that by signing this form; I will not be entitled to pursue legal action against any gambling operator/Board as a result of my participation in gambling.

I have participated in the treatment and counselling programme; by signing this form I am fully aware of the risks associated with gambling and I have attached a letter confirming the participation.

Applicant Signature: _____ Date: _____

Witness: _____

TO BE COMPLETED BY THE OFFICIAL ADMINISTERING THE APPLICATION

Full names of the Official	
Name of the Licensee or Board	
Designation	
Telephone numbers	
Signature	

Email the request to info@ggb.org.za

Initials



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