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KWAZULU-NATAL PROVINSIE
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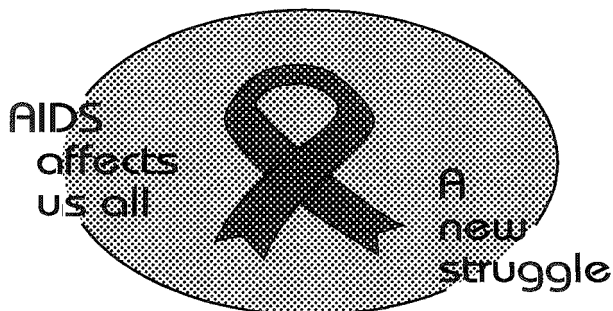
Vol. 4

PIETERMARITZBURG,

16 JULY 2010
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No. 485

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PROVINCIAL NOTICE—PROVINSIALE KENNISGEWING—ISAZISO ZESIFUNDAZWE

No. 104**16 July 2010****OFFICE OF THE PREMIER
REGULATION NOTICE****KWAZULU-NATAL HORSE RACING AND BETTING CONTROL REGULATIONS, 2010**

I hereby make the Regulations contained in the Schedule hereto under section 42 of the Regulation of Racing and Betting Ordinance, 1957 (Ordinance No. 28 of 1957), in order to regulate horse racing and betting matters in the Province.

Given under my hand at Pietermaritzburg on this twenty eighth day of May, Two Thousand and Ten.

.....
ZL MKHIZE

Member of the Executive Council of the Province of KwaZulu-Natal
responsible for Gaming and Betting

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INTRODUCTORY PROVISIONS

Definitions

1. In these Regulations, **“the Ordinance”** means the Regulation of Racing and Betting Ordinance, 1957 (Ordinance No. 28 of 1957), and any word or expression to which a meaning is assigned in the Ordinance bears the meaning so assigned to it, and, unless the context otherwise indicates –

“Chief Executive Officer” means the means the Chief Executive Officer contemplated in regulation 7(8);

“Committee” means the Committee appointed in terms of section 21A of the Ordinance;

“computerised record keeping system” means a record keeping system which involves the use of electronic computer equipment and computer software, utilised by a

bookmaker for the purpose of recording details of all bets laid and details of all take-back bets taken, which automatically generates the prescribed records;

“fixed-odds bet” means a bet in which either a bookmaker or the agent as contemplated in section 28(3) of the Ordinance expressly offers to pay a fixed amount to any person who has made a winning bet with the bookmaker or totalisator less any lawful deductions;

“pari-mutuel bet” means a bet taken in accordance with the system of betting contemplated in paragraph (b) of the definition of totalisator in section 2 of the Ordinance;

“political office bearer” means –

- (a) a member of the National Assembly, the National Council of Provinces or the Cabinet;
- (b) a member of a provincial legislature or of the Executive Council of a province;
- (c) a municipal councilor;
- (d) a diplomatic representative of the Republic who is not a member of the public service;
- (e) a member of a house of traditional leaders; or
- (f) a national or provincial office bearer of a political party, organisation, body, alliance or movement registered in terms of section 15 or 15A of the Electoral Commission Act, 1996 (Act No. 51 of 1996);

“primary betting room premises” means the premises from which the bookmaking business is primarily operated, as specified in the bookmaker's licence and which are open to the public during normal business hours;

“relative” means any of the following, as the case may be:

- (a) a husband or a wife, any partner in a marriage concluded under any tradition or under any system of religious law, or any partner in a relationship where the parties live together in a manner resembling a marital partnership, a marriage concluded under any tradition or under any system of religious law;
- (b) any child born out of any one of the marriages or unions referred to in paragraph (a) or any child born to one of the partners referred to in the said paragraph; or
- (c) the parents of a person referred to in paragraph (a) and the parents of such person's husband, wife or partner referred to in the said paragraph (a);

“secondary betting room premises” means the residential premises at which the bookmaker ordinarily resides, which premises are not open to the public and where authorised activities relating to bookmaking take place; and

“Society” means the Natal Bookmakers' Society (Co-op) Ltd as the association of bookmakers approved by the Minister, as contemplated in section 21(1) of the Ordinance.

Forms

2. The following forms are hereby prescribed for the purpose of matters hereinafter respectively mentioned:

Annexure 1 – Declaration and statements, by a bookmaker or the agent as contemplated in section 28(3) of the Ordinance offering fixed-odds bets, in respect of the taxes to be paid over on bets on horse races and any take-back bets in respect of which a deduction is claimed.

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CHAPTER 1 RACECOURSE LICENCES

Applications for racecourse licence by non-proprietary club or association

3.(1) A non-proprietary club or association intending to obtain a racecourse licence in terms of section 3 of the Ordinance must, after fulfilling the requirements contemplated in subregulations (2) and (3), lodge a written application with the Director General.

(2) A non-proprietary club or association must –

- (a) publish a notice in two or more newspapers in the area in which a proposed race course is to be established; and
- (b) cause the notice contemplated in paragraph (a) to be published at least once a week for four consecutive weeks.

(3) The notice contemplated in subregulation (2)(a) must indicate –

- (a) the intention to make an application for a racecourse licence;
- (b) that interested persons may lodge written objections together with reasons for such objections with the Director-General no later than one week after the last date of publication.

Renewal of racecourse licence

4. Every racing club desiring to renew a racecourse licence issued to it in terms of section 3(1) of the Ordinance must make application to the Director-General not less than two months before expiry of such licence.

Financial returns

5. Every racing club must during each year, immediately after the issue of its balance sheet and income and expenditure account for the preceding financial year to its members, provide a copy to the Director-General.

Gymkhanas

6. An application for the Minister's authority to hold a gymkhana in terms of section 6A of the Ordinance must be addressed to the Director-General and must state –

- (a) the name of the club or association promoting the gymkhana;
- (b) the date of the gymkhana and the place at which it is to be held;

- (c) whether the programme includes any “horse race” defined in section 2 of the Ordinance, and, if so, whether the programme has been approved by the KwaZulu-Natal Executive of the Jockey Club of South Africa;
- (d) the full name and address of the person in whose name authority to hold the gymkhana is to be issued and who will be responsible under section 43(4) of the Ordinance for due compliance with the provisions of the Ordinance;
- (e) whether the promoters of the gymkhana intend to operate a totalisator at the gymkhana; and
- (f) whether the promoters intend to authorise a bookmaker to conduct business at the gymkhana.

CHAPTER II CONTROL OF BOOKMAKERS AND MANAGERS AND CONTROL AND MANAGEMENT OF BETTING ROOM PREMISES

Committee to control bookmakers and to manage and control betting room premises

7.(1) For the purposes of carrying out its functions and duties and exercising its powers in terms of the Ordinance the Committee is –

- (a) known as the KwaZulu-Natal Bookmakers Control Committee;
- (b) a juristic person; and
- (c) vested with the assets and liabilities, if any, of the Committee.

(2) All monies or other income accruing to the Committee from whatsoever source must be paid into a banking account approved by the Minister and opened in the name of the Committee.

(3) Any money standing to the credit of the Committee and available for investment must be invested for, on behalf of and for the benefit of the Committee and in its name in such accounts as may be approved by the Minister.

(4) Whenever immovable property is acquired on behalf of the Committee the Minister may impose such conditions as he or she may think fit, including restrictive conditions of title and require such conditions to be registered against the title deeds of the property.

(5) Any immovable property acquired by the Committee must be registered in its name.

(6)(a) The Committee is not permitted to distribute any of its surplus funds to any person and must utilize its funds solely for investment or the objects for which it has been established: Provided that nothing may prevent the Committee from procuring and paying for goods and services procured for the purpose of attaining the objects for which it has been established.

(b) Upon dissolution of the Committee its assets must be realized by a person appointed by the Minister and after all debts have been settled, the balance, if any, must be paid into the Provincial Revenue Fund.

(7) The Committee may employ such number of persons as it deems fit for the proper exercise of its powers or duties: Provided that the necessary funds are available and that the Committee makes the necessary provision in its annual budget plan for all costs related to the employment of its staff.

(8) The post title of the most senior employee appointed by the Committee is that of Chief Executive Officer and he or she must, in addition to the powers, functions and duties set out in

his or her contract of employment, exercise the powers, functions and duties as set out in these Regulations.

(9) The work performance of all employees of the Committee must be monitored and managed by a performance management policy, which must incorporate the requirement that all employees enter into a performance management agreement.

(10)(a) The books of account relating to the financial affairs of the Committee must be audited annually by an auditor approved by the Minister.

(b) An audited statement of the Committee's financial affairs must be submitted to the Director-General annually within ninety days of the end of the Committee's financial year.

(11) The Minister must determine the claims and remuneration policy and rates of remuneration of the Chairperson, Vice-Chairperson and members of the Committee.

(12) A person is disqualified from being appointed to the Committee or from remaining on the Committee, by reason that –

- (a) he or she is not a South African citizen;
- (b) he or she is not a resident of KwaZulu-Natal;
- (c) he or she is, at the time of the appointment, or during the preceding 12 months was –
 - (i) a person contemplated in section 8(1) of the Public Service Act, 1994 (Proclamation No. 103 of 1994); or
 - (ii) a political office bearer;
- (d) his or her relative is a person contemplated in paragraph (c)(ii);
- (e) he or she is a member of a board of directors of any gambling or fund-raising activity, has a controlling interest or any financial or other interest in any gambling or fund-raising activity or acquires a direct or indirect financial interest in any gambling or fund-raising activity or is employed by any person, company, organisation or other body, whether incorporated or unincorporated, which has an interest contemplated in this paragraph;
- (f) his or her relative is a member of a board of directors of any gambling or fund-raising activity or has any direct or controlling interest in such activity;
- (g) he or she is an unrehabilitated insolvent;
- (h) he or she –
 - (i) is a person under curatorship;
 - (ii) is certified under section 9 of the Mental Health Act, 1973 (Act No. 18 of 1973), and has not been discharged from an institution contemplated under such Act; or
 - (iii) can be conclusively shown to be of unsound mind or suffering from infirmity of body which prevents him or her from the proper execution of his or her duties;
- (i) he or she has at any time been removed from an office of trust on account of misconduct involving theft or fraud;
- (j) he or she has been convicted and sentenced to a term of imprisonment without the option of a fine, except that the Minister may, upon a person who is nominated for appointment disclosing full details of an offence in an affidavit, condone a conviction: Provided that it is not a conviction for an offence involving murder, culpable homicide involving an assault, rape, robbery, theft, fraud, forgery and uttering, perjury, an offence under the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004), the Prevention of Organised Crime Act, 1998 (Act No. 121 of 1998), or the Financial Intelligence Centre Act, 2001 (Act No. 38 of 2001), any serious offence involving dishonesty, an offence involving trafficking in scheduled substances and drugs, an offence relating to proceeds of defined crime as contemplated in the Drugs and Drug

Trafficking Act, 1992 (Act No. 140 of 1992), or any offence under the Ordinance or any other similar law: Provided, further, that –

- (i) any conviction or sentence imposed by a court beyond the borders of the Republic of South Africa must not be taken into account for the purposes of this paragraph unless at that time such offence would have been an offence if committed within the Republic of South Africa; and
- (ii) for the purposes of this paragraph, a person is regarded not to have been convicted and sentenced –
 - (aa) until any appeal noted or lodged against such conviction or sentence has been heard and judgement given on such appeal;
 - (bb) until the time permitted by law for the noting or lodgement of any appeal against such conviction or sentence has lapsed without any such appeal being noted or lodged; or
 - (cc) if he or she has been granted amnesty or a free pardon by the competent authority;
- (k) he or she is an employee of a totalisator, or is a totalisator agent, or is an employee of such agent, as contemplated in the Ordinance;
- (l) he or she or his or her relative has a controlling interest or any financial or other interest in any bookmaker licensee, totalisator, totalisator agent or holder of a racecourse licence, as contemplated in the Ordinance;
- (m) he or she or his or her relative has a controlling interest or any financial or other interest in any undertaking, including a corporate body, which is an owner, breeder or trainer of race horses; or
- (n) he or she is listed in the register of excluded persons, contemplated by section 14(7) of the National Gambling Act, 2004 (Act No. 7 of 2004), by order of court.

(13) If any member of the Committee becomes disqualified during his or her term of office in terms of subregulation (12) he or she must immediately declare the disqualification in writing to the Minister, who must immediately take steps to fill the vacancy.

(14) For the purposes of subregulation (12)(e), (l) and (m), a financial interest does not include an indirect interest held in any fund or investment if the person holding that interest has no control over the investment decisions made in respect of that fund or investment.

Meetings of the Committee

8.(1) The Chairperson or, in his or her absence, the Vice-Chairperson must determine the date, time and place of each meeting of the Committee.

(2) A quorum of the Committee must be four, consisting of four members or alternate members, or four members and alternate members.

(3) Decisions of the Committee must be by vote of the majority; provided that in the case of equality of voting, the Chairperson, or in his or her absence, the Vice-Chairperson or in the absence of both of them, the person elected in terms of sub-regulation (4), has a casting as well as a deliberative vote.

(4) The chair at any meeting must be taken by the Chairperson, or in his or her absence, by the Vice-Chairperson. In the event of neither the Chairperson nor the Vice-Chairperson being present at a meeting of the Committee, the members and alternate members then present must

elect, from their own number, a person who must act as Chairperson for the duration of that meeting.

Exercise of powers to control bookmakers and managers and to manage and control betting rooms

9. The Committee may, subject to –

- (a) the approval of the Minister; and
- (b) publication of the draft rules for public comment, in the *Provincial Gazette*,
make rules for the –
 - (i) control of bookmakers; and
 - (ii) management and control of betting rooms and such other places at which a bookmaker may accept bets as may be prescribed.

Disciplinary powers of Committee

10.(1) The Committee, its delegate, or those of its employees appointed as inspectors, must investigate any allegation relating to a bookmaker, a registered manager, or a registered clerk –

- (a) of conduct contrary to any code of conduct which binds a bookmaker, registered manager or registered clerk;
- (b) of a breach of any duty or obligation imposed upon him or her by the Ordinance, these Regulations, the conditions of his or her licence or the rules referred to in regulation 9;
- (c) that he or she has been party to such conduct or breach referred to in paragraphs (a) or (b) on behalf of any other bookmaker;

and may after such investigation and upon good cause shown serve immediately on the bookmaker, the registered manager or on the registered clerk a written notice of temporary suspension in which must be specified –

- (i) the period for which the bookmaker's licence or the manager's or clerk's certificate of registration is suspended; and
- (ii) the date on which such bookmaker, manager or clerk must appear before the Committee for a hearing as contemplated by subregulation (4):

Provided that the period and date referred to above must not exceed seven days from the date of the notice.

(2) In a case in which a notice of temporary suspension has been issued in terms of this regulation, the person or body who or which issued the notice, must, within 48 hours of issuing the notice, furnish to the Chief Executive Officer, a full report on the circumstances giving rise to the said suspension.

(3) The Committee has the power to set aside a temporary suspension by its delegatee or employee before the date on which the bookmaker, the registered manager, or registered clerk is required to appear before it: Provided that the setting aside of a temporary suspension does not absolve the bookmaker, the manager, or the clerk concerned from appearing before the Committee on the date specified in the Notice of Temporary Suspension, unless the Committee has determined another date for this purpose.

(4) When a bookmaker appears before the Committee for a hearing regarding the matters which gave cause for the temporary suspension of his or her licence, the Committee may, at the conclusion of the hearing, take a decision to –

- (a) set aside the suspension;

- (b) suspend such bookmaker's licence for such further period as it deems fit; or
- (c) impose a fine in any amount not exceeding R25 000-00 for each incident relating to such conduct or breach referred to in subregulation (1) by such bookmaker, with or without the suspension of his or her licence in addition, or as an alternative to payment of such fine: Provided that the total fine imposed for more than 40 incidents relating to such conduct or breaches, may not exceed R1 000 000 - 00.

(5) When a registered manager or a registered clerk appears before the Committee at a hearing contemplated in subregulation (4), the Committee may, at the conclusion of the hearing, take a decision to –

- (a) set aside the suspension;
- (b) suspend such manager's or clerk's certificate of registration for such further period as it deems fit;
- (c) cancel forthwith such manager's or clerk's certificate of registration; or
- (d) impose a fine not exceeding –
 - (i) R5 000-00 for each incident relating to such conduct or breach as is referred to in subregulation (1) by such manager, with or without the suspension or cancellation of his or her certificate of registration in addition, or as an alternative to payment of such fine.
 - (ii) R1 000-00 for each incident relating to such conduct or breach as is referred to in subregulation (1) by such clerk, with or without the suspension or cancellation of his certificate of registration in addition, or as an alternative to payment of such fine.

(6) The Committee, its delegate, or those of its employees appointed as inspectors, also have the power to investigate any conduct and breach contemplated in subregulation (1)(a), (b) and (c) without being required to issue a temporary notice of suspension, in which event the provisions of subregulation (4)(b) and (c) and subregulation (5)(b), (c) and (d) apply *mutatis mutandis*.

(7)(a) Any bookmaker, registered manager or registered clerk in respect of whom an investigation in terms of subregulations (1) and (6) is held, must appear before the Committee in person and be entitled to give evidence and either personally, or through an advocate or attorney, be heard, call witnesses, cross-examine witnesses called by another party or by the Committee and inspect documents and articles produced in evidence.

(b) Before any bookmaker, registered manager or registered clerk contemplated in paragraph (a) or any witness gives evidence before the Committee, he or she must take an oath or make an affirmation, which oath or affirmation must be administered by the Chairperson or the Vice-Chairperson of the Committee, as the case may be.

(c) After having been sworn or having made affirmation, any person who gives false evidence before the Committee on any matter, knowing such evidence to be false or not knowing or believing it to be true, is guilty of an offence.

(d) Should any bookmaker, registered manager or registered clerk fail to appear before the Committee, the Committee may in the absence of such bookmaker, registered manager or registered clerk, exercise the powers referred to in subregulations (4) and (6) in the case of a bookmaker and subregulations (5) and (6) in the case of a manager or a clerk.

(8) The noting of an appeal against the decision of the Committee made in terms of subregulations (4), (5) or (6) hereof, in the case of a decision to impose a fine, does not suspend the enforcement of such decision.

(9) Any fine imposed in terms of this regulation accrues to the Committee.

(10) An investigation conducted in terms of this regulation is not affected by a purported or factual sale by the bookmaker concerned of his or her right to carry on business as a bookmaker, and the Committee's power to deal with such investigation in terms of subregulation (4) or (6) continues and any decision by it in terms thereof is binding on and enforceable against the said bookmaker notwithstanding that he or she is then no longer actively carrying on business as a bookmaker.

(11) Within 7 days of having taken a decision contemplated in subregulation (4) or (5), the Committee must furnish detailed written reasons for its decision to all persons and bodies affected by the decision.

(12) The Committee must determine the format of and manner in which the hearings contemplated in subregulations (4) or (5) hereof are to be conducted, including, *inter alia*, matters such as the admissibility of evidence.

Delegation of powers to sub-committee

11.(1) The Committee must, when exercising its powers to delegate to a sub-committee under section 21A(3) of the Ordinance, designate a member thereof as Chairperson.

(2) The quorum of a sub-committee is two members.

(3) The provisions of regulation 8(3) apply *mutatis mutandis* to sub-committees.

Automatic right of appeal from decision of Committee

12.(1) An appeal in terms of section 21B of the Ordinance must be noted by lodging with the Chief Executive Officer, within 21 days of the decision appealed against, a written notice of appeal setting out the grounds upon which the appeal is based.

(2) An appellant must, when lodging an appeal in terms of subregulation (1), pay to the Committee –

(a) a deposit of R4 000-00; or

(b) where the appellant is a bettor, making appeal to the Minister against a decision of the Committee in terms of regulation 24(9) a deposit of R500-00; or

(c) where the appellant is a bookmaker, making appeal to the Minister against a decision of the Committee in terms of regulation 24(9) a deposit of R5 000-00; or

(d) where the appellant is an employee of the Committee acting in terms of regulation 10 to investigate allegations against a bookmaker, a registered manager, or a registered clerk, no deposit is payable.

(3) In the event of the appeal being to the Minister from a decision of the Committee, the Committee must, within seven days of the noting of an appeal, forward a copy of the notice of an appeal and all other documents and transcripts relevant to the appeal, together with a copy of the Committee's reasons for its decision, to the Director-General, for consideration by the Minister.

(4) In the event of an appeal to the Committee from a decision of its delegatee, the Chairperson must as soon as convenient convene a meeting of the Committee at which meeting the appeal

must be heard by the Committee, excluding such delegatee, unless the Committee cannot remain quorate in the absence of its delegatee, in which case the Committee must refer the appeal to the Director-General for consideration by the Minister.

(5) The Minister must consider the appeal as soon as is practical and after considering the appeal, may –

- (a) disallow an appeal and uphold the decision of the Committee;
- (b) uphold the appeal wholly or partially and substitute his or her decision for or alter the decision of the Committee;
- (c) refer the application back to the Committee for reconsideration and decision with such instructions as he or she may deem fit;
- (d) order that any deposit paid be refunded, after the Minister has heard the appeal, or if the appeal is withdrawn before the Minister hears it, at the time that the notification of the withdrawal of the appeal is received; or
- (e) order forfeiture of any deposit paid if he or she deems an appeal to be frivolous.

(6) The Director-General must notify the Committee of the decision of the Minister.

(7) The Committee may –

- (a) in the event of an appeal to it against a decision of its delegatee, order that any deposit paid be refunded, after the Committee has heard the appeal, or if the appeal is withdrawn before the Committee hears it, at the time that the notification of the withdrawal of the appeal is received; or
- (b) order forfeiture of any deposit paid if it deems an appeal to be frivolous.

Application for new bookmaker's licence

13.(1) An application for a new bookmaker's licence must be addressed to the Director-General in a form determined by the appointed officer and must be lodged in duplicate.

(2) The application must be accompanied by –

- (a) a certified copy of the agreement of sale governing the applicant's proposed acquisition of the whole or a share of the relevant bookmaking business;
- (b) a copy of any partnership agreement, where applicable;
- (c) proof of membership of the Society;
- (d) the application fee prescribed in the First Schedule to the Ordinance, which fee accrues to the Committee;
- (e) the written consent of the applicable racing club if the applicant intends operating on a racecourse;
- (f) the applicant's income tax registration number;
- (g) copies of the applicant's tax assessments or returns for the two tax years immediately preceding the year in which the application is made;
- (h) the applicant's written consent to an investigation being undertaken by the Committee, or by the Committee's agent, consultant or employee, into his or her financial background, financial standing, business history, employment history and any other matter that is required to be disclosed in the licence application form;
- (i) a full set of the applicant's fingerprints, obtained from the South African Police Services; and
- (j) proof of payment to the South African Police Services of the fee in respect of a request for a certificate indicating the applicant's criminal record status.

(3) The grant of a bookmaker's licence applied for in terms of this regulation is subject to the relevant provisions of section 22 of the Ordinance.

(4) An applicant who does not already hold a bookmaker's licence in KwaZulu-Natal may be required to undergo an evaluation of his or her knowledge of the business of bookmaking and of the law applicable to bookmaking.

(5) The evaluation contemplated in subregulation (4) will be administered by the Committee.

Application for temporary bookmaker's licence

14.(1) Application for a temporary bookmaker's licence must be addressed by the applicant to the Director-General and must be accompanied by –

- (a) payment of the temporary licence fee prescribed in the First Schedule to the Ordinance;
- (b) the name and physical address of the bookmaker by whom the applicant is to be employed; and
- (c) a sworn affidavit by the applicant stating that he or she is not disqualified from such employment by virtue of the provisions of section 49 of the National Gambling Act, 2004 (Act No. 7 of 2004).

(2) Application for a temporary bookmaker's licence must be made by using a form approved by the appointed officer, for that purpose.

(3) A temporary bookmaker's licence granted by the Minister and issued by the Director-General in terms of section 22 of the Ordinance must be granted subject to the following conditions –

- (a) that the licensee operate only in the betting room of a licensed bookmaker; and
- (b) that a bookmaker by whom the applicant is to be temporarily employed confirms the employment of the temporary bookmaker.

(4) A temporary bookmaker's licence must reflect –

- (a) the full names of the temporary bookmaker to which such licence refers;
- (b) the period for which the licence is valid; and
- (c) the date of issue.

(5) Every temporary bookmaker's licence is personal to the holder and is not capable of being transferred or otherwise alienated.

(6) Where a bookmaker or a partnership of bookmakers employs a temporary bookmaker, such bookmaker or partners are jointly and severally –

- (a) liable for all the duties and obligations imposed upon a bookmaker by the Ordinance; and
- (b) responsible for all the said temporary bookmaker's actions in connection with the bookmaker's business.

Application for a temporary licence to operate on racecourse

15.(1) An application made by a bookmaker to operate for a single day on a racecourse, must be made to the racing club concerned.

(2) Every application in terms of subregulation (1) must be considered by the racing club concerned which may, upon payment of the fee prescribed in the First Schedule to the Ordinance, issue the relevant licence.

(3) The fee referred to in subregulation (2) must be paid to the Director-General by the racing club concerned within 7 days of the issue of the relevant licence.

Reports on applications

16.(1) On receipt of an application for a new bookmaker's licence contemplated in regulation 13, the Director-General must –

- (a) furnish the Committee and the association contemplated in section 21(1) of the Ordinance, with a copy of the application and of the documents referred to in regulation 13(2);
- (b) simultaneously request that the Committee provide a report, within a specified time, regarding the suitability of the applicant and any other matter deemed relevant by him or her.

(2) The Committee may request an applicant for a new bookmaker's licence to appear before it in which event the provisions of regulation 10(7)(b) and (c) apply *mutatis mutandis* as far as giving evidence is concerned.

(3) The Committee must submit to the Director-General –

- (a) the completed application form for a new bookmaker's licence;
- (b) its report on the investigation into the suitability of the applicant; and
- (c) written notification of its decision to support or oppose the application and in the case of a decision to oppose the application, the full reasons for that decision.

(4) The report on the investigation into the suitability of an applicant for a bookmaker's licence as contemplated in subregulation 3 remains valid for a period of twelve months from the date of its submission to the Director-General.

(5) Where an applicant for a bookmaker's licence contemplated in regulation 13 has been successful and applies for another bookmaker's licence within a period of twelve months from the date of the first submission to the Director-General, the report contemplated in subregulation (3) may be resubmitted by the Committee to the Director-General in support of the fresh application: Provided that the applicant must confirm by way of affidavit that no material information or circumstances reflected in his or her application documentation has changed in a way which is likely to affect the applicant's suitability for the grant of the fresh bookmaker's licence.

(6) Where the applicant is able to provide the required affidavit contemplated in subregulation (5), the documentation in support of the application, as contemplated in regulation 13, remains valid for the same period contemplated in subregulation (4): Provided that the applicant is still liable to pay the application fee and provided further that the applicant is nevertheless bound by the requirements of regulation 13(2)(a), (b) and (e).

Grant and issue of bookmaker's licence

17.(1) The Minister must refuse to grant a licence to an applicant if that person –

- (a) is under the age of 18 years;

- (b) is a public servant or political office bearer;
- (c) is listed on the register of excluded persons as contemplated in the National Gambling Act, 2004 (Act No. 7 of 2004);
- (d) is a member or employee of the Committee;
- (e) is an unrehabilitated insolvent;
- (f) is not a fit and proper person to be involved in the business concerned;
- (g) is subject to an order of a competent court holding that person to be mentally unfit or deranged;
- (h) has ever been removed from an office of trust on account of misconduct relating to fraud or the misappropriation of money;
- (i) has been convicted during the previous ten years, in the Republic or elsewhere, of theft, fraud, forgery or uttering a forged document, perjury, an offence under the Corruption Act, 1992 (Act No. 94 of 1992), or an offence in terms of the Ordinance and has been sentenced to imprisonment without the option of a fine, or to a fine exceeding R3 000-00, unless the person has received a grant of amnesty or free pardon for the offence; or
- (j) is a relative of –
 - (aa) a public servant or political office bearer; or
 - (bb) a member or employee of the Committee.

(2) The Minister must refuse to issue a licence to an applicant if, after conducting the prescribed investigations, the Committee reports that it has reason to believe that the applicant or any manager of the business concerned is –

- (a) a relative of a member of the Committee; or
- (b) a relative of the Minister.

(3) The Director-General must upon –

- (a) the granting of a licence by the Minister;
- (b) compliance by the applicant with any condition imposed as a pre-requisite to the issue of the licence;
- (c) payment of the fee for the licence as laid down in the First Schedule to the Ordinance; and
- (d) the applicant having furnished the securities contemplated in regulations 23, 36 and 48,

issue the appropriate licence in the prescribed form and must endorse thereon or on any annexure thereto any other conditions imposed by the Minister.

Renewal of bookmaker's licence

18.(1) Application for the renewal of a bookmaker's licence must be made –

- (a) in the prescribed form to the Director-General; and
- (b) not earlier than 1 November and not later than 10 December of the year for which the licence was issued.

(2) Where a bookmaker fails to renew a licence as contemplated in subregulation (1) prior to its expiration, the licence lapses.

(3) A bookmaker making application for renewal of his or her licence in terms of subregulation (1) must submit both annual financial statements and certified copies of all income tax returns in respect of the bookmaking business to which the licence relates.

Change of ownership of bookmaker's business

19. An application for a bookmaker's licence upon the change of ownership of an existing bookmaker's business is deemed to be an application for a new licence.

Betting room premises

20.(1) A bookmaker must provide primary betting room premises at his or her own expense and ensure that such premises are located within the area determined by the Minister, as contemplated in terms of section 22(10) of the Ordinance.

(2) No bookmaker may operate from any premises without those premises having been approved by the Committee.

(3) The duties imposed by these Regulations apply jointly and severally where more than one bookmaker operates from the same primary betting room premises.

(4) A bookmaker who is not able to operate from his or her primary betting room premises must make application to the Committee in writing for approval to temporarily operate his or her bookmaking business from other premises and must simultaneously pay the application fee prescribed in Schedule 1 to the Ordinance.

(5) A bookmaker making application contemplated in subregulation (4) must include a motivation and any other information or documentation required by the Committee.

(6) A bookmaker seeking authority to operate from temporary premises while continuing to operate from a primary betting room premises must provide –

- (a) information regarding when and where the major sporting event or other event or contingency is to take place;
- (b) information regarding the physical facilities that will house the temporary bookmaking operation, including the bookmaker's computerised record-keeping system and related equipment;
- (c) documentation proving that the bookmaker has obtained the permission of the organizers of the major sporting event or other event or contingency to operate at a particular space or place at or in close proximity to the venue at which the major sporting event or other event or contingency is to take place;
- (d) written confirmation by the event organisers that employees of the Committee will be able to gain access to the physical facilities that will house the temporary bookmaking operation;
- (e) confirmation that the situation and set-up of the bookmaker's computerised record-keeping system and related equipment comply with these Regulations; and
- (f) any motivation, information and supporting documents as may be required by the Committee.

(7) The Committee may not grant authority to operate from temporary premises, while business operations from the primary betting room premises are temporarily discontinued, for a period of more than 90 days: Provided that in exceptional circumstances, and upon written application by the affected bookmaker, the Committee may grant a further extension.

(8) The Committee may not grant authority to operate from temporary premises while continuing to operate from a primary betting room premises for a period of more than 40 days.

Relocation of bookmaking business to other premises and alteration of betting room premises

21.(1) No bookmaker may –

- (a) relocate; or
- (b) effect any structural alteration or addition to a primary betting room premises, except with the prior written approval of the Committee.

(2) An application for approval as contemplated in subregulation (1)(a) must be in writing and must be accompanied by a map showing the location of the premises and a ground plan of the premises to which it is proposed the bookmaking business relocate, indicating proposed alterations or additions, if applicable.

(3) An application for approval as contemplated in subregulation (1)(b) must be in writing and must be accompanied by a ground plan of the approved primary betting room premises, indicating proposed alterations or additions.

(4) Where a bookmaker wishes to enter into betting transactions from a secondary betting room premises, he or she must first make application, in writing, to –

- (a) the Minister, for the approval of the secondary betting room premises; and
- (b) the Committee, for the approval of the type of equipment to be used for the purpose of entering transactions on the bookmaker's computerised record-keeping system and for the actual installation of such equipment at his or her secondary betting room premises.

(5) Any equipment approved by the Committee in terms of subregulation (4)(b) above, must –

- (a) operate in a manner substantially similar to a computer terminal ordinarily used by the bookmaker for capturing betting transactions at the bookmaker's primary betting room premises; and
- (b) allow the bookmaker to remotely enter betting transactions directly into the bookmaker's computerised record-keeping system, from the bookmaker's secondary betting room premises using the internet.

(6) Approval by the Committee of the installation at and the use of the computerised record-keeping system from the bookmaker's secondary betting room premises must have been communicated to the bookmaker before he or she may enter into betting transactions from any such premises.

(7) A bookmaker may only enter into betting transactions using his or her computerised record-keeping system at his or her secondary betting room premises, once the primary betting room premises have been closed to the public for business.

Betting room hours

22. A bookmaker's primary betting room premises may be kept open for the making and settling of bets during such hours and on such days as the bookmaker may determine in respect of the rooms under his or her control.

Security by bookmakers for betting liabilities

23.(1) A holder of a licence in terms of section 22 of the Ordinance may not carry on the business of a bookmaker unless he or she has lodged security for payment for his or her obligations in respect of betting transactions with such person or body and in such form and amount as the Minister may from time to time direct.

(2) The security referred to in subregulation (1) may not be withdrawn or reduced without the prior sanction of the Director-General and then only upon him or her being satisfied that –

- (a) it is for the purpose of discharging the liabilities of a defaulting bookmaker;
- (b) a bookmaker's liabilities have been discharged; or
- (c) the amount to which his or her security is to be reduced will cover such liabilities.

Betting disputes

24.(1) The Committee may settle any betting dispute between a bookmaker and a bettor or between a bookmaker and another bookmaker.

(2) Any bettor or bookmaker wishing to submit a betting dispute to the Committee must –
(a) do so in writing addressed to the Chief Executive Officer within fourteen days from the date upon which the dispute arose; and
(b) at the same time furnish full particulars of such dispute.

(3) The Chief Executive Officer may require that the bettor contemplated in subregulation (2) pay a deposit of R500-00 to the Committee.

(4) The Chief Executive Officer may require that the bookmaker contemplated in subregulation (2) pay a deposit of R2 000-00 to the Committee.

(5) The Chief Executive Officer must immediately upon receipt of notification of such dispute enter the particulars thereof in a register to be kept for that purpose.

(6) Employees of the Committee must investigate the dispute and prepare a report regarding their findings for submission to the Committee.

(7) The Committee, after receiving a report drafted by its employees as contemplated in subregulation (6) must –

- (a) conduct a hearing regarding the dispute; and
- (b) at the conclusion of the hearing, adjudicate upon the dispute, as contemplated in subregulation (9).

(8) If any party to a betting dispute fails to appear before the Committee after having received not less than 72 hours notice to do so, the Committee may proceed to consider and adjudicate upon the dispute in his or her absence.

(9) The Committee may –

- (a) order that any deposit paid be refunded, after the Committee has heard the dispute, or if the dispute is withdrawn before the Committee hears it, at the time that the notification of the withdrawal of the dispute is received; or
- (b) order forfeiture of any deposit paid if it deems a dispute to be frivolous; and
- (c) make an order determining the manner in which the betting dispute is to be resolved, including, *inter alia*, an order which voids a bet, or voids a selection, or an order which determines the payment of any amount by one party to the other.

(10) The noting of an appeal against the decision or order of the Committee made in terms of subregulation (7) or (9) hereof, does not suspend the enforcement of such decision or order: Provided that where a bookmaker who has been ordered, through a decision made by the Committee on a betting dispute, to pay any winnings or other amount to a bettor, appeals the decision, payment of the winnings or other amount must be made by such bookmaker to the Committee to be held in trust, pending the outcome of the appeal, whereupon the Committee must pay out the winnings or other amount, should the Minister so order.

Ownership and control of bookmaking business

25.(1) Any person wishing to carry on business in partnership with one or more licensed bookmakers must seek approval from the Minister.

(2) The request for approval as contemplated in subregulation (1) must be accompanied by a certified copy of the relevant partnership agreement.

(3) Partners are jointly and severally liable for all the obligations of the partnership and each partner must comply with the requirements regarding security and licences as if he or she were conducting business on his or her own account.

(4) Where a partnership of bookmakers conducts business concurrently in a single betting room premises and at some other approved venue, such partnership must maintain –

- (a) one field sheet –
 - (i) per horse race per venue;
 - (ii) per sporting event per venue; and
 - (iii) per other event or contingency per venue; and
- (b) one desk book.

(5) A bookmaker may not allow any person other than a person who has been granted approval as contemplated in subregulation (1) and who is a licensed bookmaker a financial interest or controlling interest in his or her bookmaking business.

(6) Where two or more bookmakers carry on business in partnership, they must upon demand by –

- (a) a member of the Committee;
- (b) an inspector or officer appointed in terms of sections 33 or 35 of the Ordinance; or
- (c) a person appointed in terms of section 24(2)(d) of the Ordinance, forthwith produce a certified copy of the relevant partnership agreement.

(7) Where a partnership of bookmakers conducts its business from a single betting room premises –

- (a) such partnership must operate and maintain not more than –
 - (i) one field sheet –
 - (aa) per horse race;
 - (bb) per sporting event; and
 - (cc) per other event or contingency.
 - (ii) one desk book; and
 - (iii) one set of the statements contemplated in section 30 of the Ordinance;
- (b) all books, records, statements, returns, betting boards and advertisements of such partnership must reflect the name of the partnership and the names of the partners; and

(c) no bets may be transacted between partners, or by any partner with the partnership.

(8) The Minister may, at his or her sole discretion and by way of endorsement on or by way of an Annexure to the bookmaker's licence or licences issued to the partners in a bookmaking business impose such conditions, limitations and restrictions as he or she deems necessary.

(9) In the event that it is intended to terminate a partnership of licensed bookmakers, the partners concerned must immediately notify the Minister in writing of their intention to do so.

(10) In the event of the death of a licensed bookmaker having carried on business in partnership, any surviving partner or partners within the partnership may continue to operate the bookmaking business.

(11) Notwithstanding subregulation (5), a bookmaker is not precluded from concluding an agreement whereby the bookmaker would be entitled to the intellectual property, know how and business methods of the any other person in operating his or her bookmaking business and where the other person would be entitled to royalties in the form of a fee not exceeding 20 percent of the gross profits of the business.

(12) An agreement as contemplated in subregulation (11) may not be implemented, unless the agreement has been approved by the Minister.

(13) The Minister may not approve the agreement contemplated in subregulation (11), where he or she deems that the said agreement would have the effect of transferring ownership of, or any aspect of control over the bookmaker's business.

(14) A bookmaker may not implement the agreement contemplated in subregulation (11), so as to transfer any aspect of control over the bookmaker's business.

(15) A bookmaker may not implement the agreement contemplated in subregulation (11), in a manner that would depict to the public, through advertising or through any other means, that the business is owned by another person.

(16) A bookmaker may not operate his or her business in a manner that would depict to the public, through advertising or through any other means, that the business is owned by any other person.

Bookmakers' records to be kept in respect of manual record keeping system

26.(1) Every bookmaker not able to utilize his or her computerised record keeping system must keep the following physical books and records disclosing a full and accurate account of his or her betting transactions –

- (a) on a racecourse or gymkhana course –
 - (i) a field book which must provide for an original and two copies of each page thereof by means of carbon sheets; and
 - (ii) a supply of serially numbered tickets, and
- (b) in a betting room or at such other venue approved for the taking of bets on sporting events or any other event or contingency –
 - (i) a field book;
 - (ii) a ticket book;

- (iii) a desk book which must provide for an original and two copies of each page thereof by means of carbon sheets;
- (iv) a take-back bet book; and
- (v) a multiple bet book reflecting all bets taken on horses in races to be run on different race days and all bets taken on sporting events or any other events or contingencies or a combination of races, sporting events or other events or contingencies taking place on different days.

(2) The books and records contemplated in subregulation (1) should be in a form approved by the Director-General and may not be destroyed or otherwise made away with except with the authority of the Director-General.

(3) A bookmaker must ensure that –

- (a) the pages of every book for the recording of bets, except a book consisting of numbered tickets, must be numbered consecutively; and
- (b) every carbon copy of an entry in a book or record must be numbered to correspond with the original thereof.

(4)(a) A bookmaker may not use any book which has not been signed on behalf of the Committee by a duly authorized employee of the Committee.

(b) The Committee must maintain a register of all books signed on its behalf in terms of paragraph (a) and the date that such book was signed.

(5) All betting transactions disclosed in a bookmaker's books and records are deemed to be part of his or her bookmaking business.

Procedures on laying bet where manual record keeping system is utilised

27.(1) Every bookmaker not able to utilise a computerised record keeping system must immediately on laying a bet on a racecourse or a gymkhana course –

- (a) record particulars thereof in a field book or a field sheet as contemplated by regulation 26(1)(a)(i);
- (b) if such bet is a cash bet, issue to the person with whom the bet is made, a numbered ticket contemplated in regulation 26(1)(a)(ii), showing in legible form particulars of such bet; and
- (c) must enter the number of such ticket against the record of the bet in the field book contemplated in paragraph (a).

(2) Every bookmaker not able to utilise a computerised record keeping system, must immediately on laying a bet in a betting room, or at such other venue approved for the taking of bets on sporting events or any other event or contingency –

- (a) issue a numbered ticket from a ticket book contemplated in regulation 26(1)(b)(ii) showing in legible form the date and time the bet was struck and full particulars thereof; including in the case of a telephone or credit bet, the name of the person with whom the bet is made in such detail as to make it possible for any inspector appointed or authorised in terms of the Ordinance or any member of the Committee to identify the said person;
- (b) thereafter record full particulars thereof –
 - (i) in a field book or a field sheet contemplated in regulation 26(1)(b)(i), and
 - (ii) in a desk book contemplated in regulation 26(1)(b)(iii); and

(c) if such bet is a take-back bet, record particulars thereof in a take-back bet book contemplated in regulation 26(1)(b)(iv).

(3) Every bookmaker not able to utilise a computerised record keeping system while conducting business at a race meeting or gymkhana must immediately upon demand deliver to the representative of the racing club or gymkhana club concerned the carbon duplicate or a computer generated copy of such page of the field book or field sheet as may be demanded by such representative.

(4) A bookmaker issuing a ticket in terms of subregulations (1)(b) and (2)(a) must immediately deliver the ticket to the person with whom the bet is made, unless the ticket is issued in consequence of a telephone bet.

Computerised record keeping

28.(1) A bookmaker may not utilise any computerised record keeping system or any amendment to an approved computerised record keeping system until such system or amendment has been approved by the appointed officer and until such bookmaker is in possession of a ticket printer or ticket printers which must be used in conjunction with the computerised record keeping system: Provided that upon the recommendation of the Committee and notwithstanding the requirements of subregulations (2) and (3), the appointed officer may authorise a bookmaker, for a period of not more than 60 days and for the purpose of testing the system, to utilise a computerised record keeping system or an amendment to an approved computerised record keeping system that has not been approved by the appointed officer and has not been submitted to the South African Bureau of Standards as contemplated in subregulation (2).

(2) The supplier of a computerised record keeping system or any amendment to an approved computerised record keeping system must –

- (a) submit such system or amendment to the South African Bureau of Standards for certification in terms of the applicable national standard; and
- (b) upon receipt of the necessary certification, submit same, as well as a written description of the system or amendment and any other documentation which the appointed officer may require, to the appointed officer.

(3) Upon receipt of the documentation contemplated in subregulation (2)(b) the appointed officer may –

- (a) subject to subregulation (4), refuse, or approve, with or without conditions, such system or amendment;
- (b) refer such system or amendment back to the supplier for any changes to such system or amendment; or
- (c) request the supplier to submit additional information.

(4) The appointed officer must refer any computerised record keeping system or any amendment to an approved computerised record keeping system to the Committee, or to any other person or body, for evaluation, prior to taking a final decision on any approval contemplated in subregulation (1).

(5) Any costs incurred by the supplier of a computerised record keeping system or any amendment to an approved computerised record keeping system in meeting the requirements contemplated in subregulations (2) or (4), must be borne by the supplier.

(6) Upon approval of a computerised record keeping system or amendment to an approved computerised record keeping system by the appointed officer, the appointed officer must register it and notify the supplier concerned of such approval.

(7) A bookmaker is not permitted to use a computerised record keeping system in conjunction with the manual record keeping system contemplated by regulations 26 and 27, except in the event of the total failure of the approved computerised record keeping system to correctly capture betting transactions, in which event –

- (a) he or she must comply with the provisions of regulations 26 and 27 insofar as they relate to a manual record keeping system;
- (b) he or she must revert to the computerised record keeping system immediately on it being possible to do so; and
- (c) the manual records must be retained for inspection purposes.

(8) Any bookmaker who fails to comply with the provisions of subregulation (7) is in breach of a duty or obligation imposed upon him or her by the Ordinance and guilty of an offence.

(9) All transactions disclosed in a bookmaker's computerised record keeping system are deemed to be part of his or her betting business.

(10) Any bookmaker utilising a computerised record keeping system –

- (a) in conjunction with a computerised record keeping system which has not been approved and registered by the appointed officer in terms of this regulation;
 - (b) without a ticket printer; or
 - (c) who is found to have tampered with or in any way interfered with a computerised record keeping system after it has been approved and registered in accordance with this regulation,
- is in breach of a duty or obligation imposed upon him or her by the Ordinance and is guilty of an offence.

Bookmakers' records to be kept in respect of computerised record keeping system

29.(1) Every bookmaker utilising a computerised record keeping system must keep the following records disclosing a full and accurate account of his or her betting transactions –

- (a) a field sheet corresponding with each horse race, sporting event or other event or contingency, in respect of which the bookmaker has entered into a betting transaction;
- (b) a list of each ticket issued or cancelled;
- (c) a list showing details of each bet made;
- (d) a list of each take-back bet taken;
- (e) a list of each multiple bet reflecting all bets taken on horses in races to be run on different race days and all bets taken on sporting events or any other events or contingencies or a combination of races, sporting events or other events or contingencies taking place on different days.

(2) The records contemplated in subregulation (1) must be in a form approved by the Director-General and may not be destroyed or otherwise done away with except with the authority of the Director-General.

(3) All data and the records contemplated in subregulation (1) must be copied onto a suitable and portable electronic recording medium or device at the end of each day and each such electronic recording medium or device and the data saved therein or thereon must be securely retained in chronological order for inspection purposes at premises other than the primary betting room premises.

(4) The Committee must determine whether or not a portable electronic recording medium or device as contemplated in subregulation (3) is suitable for the purpose contemplated in subregulation (3) and must further determine the suitability of the place and manner in which such portable electronic recording medium or device is retained.

Procedures on laying bet where computerised record keeping system is utilised

30.(1) Every bookmaker utilising a computerised record keeping system must, immediately on laying a bet –

- (a) enter onto the system full particulars of the bet made, including the date and time the bet was struck;
- (b) issue to the person with whom the bet is made a serially numbered ticket, generated by a ticket printer, showing the date and time the bet was struck and full particulars thereof: Provided that if the bet is a telephone bet, a ticket need not be printed but the information required by subparagraph (a) must be recorded as well as the name of the person with whom the bet is made in such detail as to make it possible for any inspector appointed or authorised in terms of the Ordinance or any member of the Committee to identify the said person;
- (c) ensure that where such bet is a take-back bet, full particulars of such bet are recorded in the list of take-back bets referred to in regulation 29(1); and
- (d) ensure that full particulars of the bet are recorded in the records described in regulation 29(1).

(2) Every bookmaker utilising a computerised record keeping system and conducting business at a race meeting or gymkhana must immediately upon demand, deliver to the representative of the racing club or gymkhana club concerned, a printer copy of the field sheet.

Registration of manager and clerk

31.(1) Any person who wishes to be registered as a manager must make written application to the Committee, which application the Committee may –

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

(2) The application contemplated in subregulation (1) must be made using a form designed by the Committee for that purpose, which form must include requirements for documentation and information to be supplied by the applicant, including, *inter alia* –

- (a) the full names and identity number of the applicant;
- (b) the applicant's residential and postal addresses;
- (c) a record of the applicant's knowledge of bookmaking practice and procedure and knowledge or experience relevant to employment in the bookmaking industry, if any;
- (d) the applicant's written consent to an investigation being undertaken by the Committee, its employee or agent, into his or her personal history and background and

any other matters or information disclosed in the application form, or in the affidavit contemplated in paragraph (e), or in any related documentation;

(e) an affidavit by the applicant stating whether or not he or she is disqualified from being registered in terms of this regulation, by reason of one or more of the disqualifying factors prescribed in section 49 of the National Gambling Act, 2004 (Act No. 7 of 2004);

(f) the application fee prescribed in the First Schedule to the Ordinance, which fee accrues to the Committee;

(g) a full set of the applicant's fingerprints, obtained from the South African Police Services; and

(h) proof of payment to the South African Police Services of the fee in respect of a request for a certificate indicating the applicant's criminal record status.

(3) The Committee may evaluate an applicant for registration as a bookmaker's manager on his or her knowledge of the law applicable to bookmaking.

(4) After the investigation contemplated in subregulation (2)(d) having been completed and reported upon to the Committee and after having considered the application, the Committee may refuse to register the manager, or may register the manager in which event it must, upon receipt of the registration fee prescribed in the First Schedule to the Ordinance, issue to him or her a certificate of registration, subject to the following conditions –

(a) that the registration lapses on 31 December of each year unless it has been renewed in the manner contemplated in subregulation (7);

(b) that he or she may operate only in the betting room of a licensed bookmaker;

(c) that he or she must, before taking up employment, inform the Committee –

(i) of the name and physical address of the bookmaker by whom he or she is to be employed; and

(ii) of any proposed change of employment in which event the bookmaker concerned must confirm, in writing, the employment and acknowledge that he or she is liable for all the actions of the manager; and

(d) any further conditions which the Committee, in its discretion, decides to impose.

(5) A certificate of registration must reflect –

(a) the full names of the manager concerned;

(b) the year for which it is issued;

(c) the date of issue; and

(d) the conditions referred to in subregulation (4).

(6) Every manager's certificate of registration is personal to the holder and not capable of being transferred or otherwise alienated.

(7) Application for the renewal of a manager's certificate of registration must be made to the Committee by not later than 1 December of each year and must be accompanied by the renewal fee prescribed in the First Schedule to the Ordinance, which fee accrues to the Committee.

(8) Notwithstanding subregulation (4), the Committee may, upon application for a temporary registration certificate, which must be made using a form designed by the Committee for that purpose, issue a temporary registration certificate to an applicant for registration as a manager, prior to the completion of the investigation contemplated in subregulation (2)(d): Provided that the application documentation related to the application for a temporary registration certificate, does not indicate that the applicant may be disqualified from being registered.

(9) Where a bookmaker or a partnership of bookmakers employs a registered manager, such bookmaker or such partnership jointly and severally –

- (a) remain liable for all the duties and obligations imposed upon a bookmaker by this Ordinance; and
- (b) are responsible for all the actions performed by such manager in connection with the bookmaker's business.

(10) The provisions of subregulations (1) to (9) inclusive apply, subject to the necessary modifications, to the registration of clerks.

(11) A bookmaker may not employ, or allow the employment in his or her bookmaking business, any person, in the capacity of a bookmaker's clerk or manager, unless that person is properly registered in terms of these Regulations.

(12) No person may accept employment or work with a bookmaker, in the capacity of a bookmaker's clerk or manager, unless that person is properly registered in terms of these Regulations.

(13) A bookmaker's clerk may transact bets with the public, the totalisator, or with other bookmakers.

- (14) A manager is a class of employee of a bookmaker, or of a partnership of bookmakers,–
- (a) in authority over all registered clerks and other employees of the bookmaker, or partnership of bookmakers;
 - (b) allowed to transact bets with the public, the totalisator, or with other bookmakers; and
 - (c) subject to the criteria outlined in the definition of "**manager**" in section 2 of the Ordinance, responsible for all obligations of the bookmaker when the bookmaker is unavailable.

(15) Every bookmaker or partnership of bookmakers must register at least one employee as a manager, in accordance with this regulation.

Unsettled bets

32.(1) Any person having a valid claim against a bookmaker in respect of a bet which such bookmaker has failed to settle after a request to do so, must report the circumstances in writing to the Chief Executive Officer.

(2) The Chief Executive Officer on receiving notice as contemplated in subregulation (1) must record it forthwith in a register kept for the purpose, and must submit it without delay to the Committee.

(3) If, after enquiry, at which the bookmaker concerned must be given the opportunity to be heard, the Committee is satisfied that the claim should be met by the bookmaker, it may order him or her to do so within 24 hours, and failing compliance with which order it may adjudge him or her to be a defaulter.

Defaulting bookmaker

33.(1) Whenever it is satisfied, after due enquiry at which such bookmaker may be heard, that a bookmaker is unable to pay any of his or her bookmaking debts in respect of bets made by him or her and which are due and payable, the Committee may adjudge him or her to be a defaulter.

(2)(a) Whenever the Committee has adjudged a bookmaker to be a defaulter it must cause a notice to that effect to be exhibited on a notice board in the betting room, which notice must require all claims against and all moneys due to the defaulting bookmaker to be lodged or paid, as the case may be, to the Committee within thirty days from the date on which such bookmaker was adjudged a defaulter.

(b) The Committee is not bound to consider any claim lodged after the expiry of the abovementioned period of thirty days.

(3)(a) On being adjudged a defaulter a bookmaker must at once hand over to the Committee all his or her betting books, books of account and cash in hand and the Committee must retain possession thereof until the bookmaker's liabilities have been discharged.

(b) Any bookmaker adjudged a defaulter by the committee is precluded from betting until such time as his or her liabilities have been discharged and all moneys paid from securities on his or her behalf have been restored by him or her and the Minister considers him or her a fit and proper person to be re-admitted to carry on business as a bookmaker.

(4) Whenever a bookmaker has been adjudged a defaulter, any bets made by him or her at the time of his or her default on a race not then run or a sporting event or other event or contingency not yet taken place or in respect of which there is no result, the Committee may cancel such bet and declare it null and void, in which case any cash deposited in respect of such cancelled bet must be refunded to the person entitled thereto.

(5) In the event of the Committee adjudging a bookmaker a defaulter, it must utilise for the purpose of liquidating his or her liabilities the whole or any part of any security lodged on his or her behalf or on behalf of his or her registered partner, whether such liabilities were incurred in the course of his or her business as a bookmaker in a betting room or on a racecourse or gymkhana course or at such other venue approved for the taking of bets on sporting events or any other events or contingencies: Provided that such security may not be utilised for the payment of any liability incurred with any other bookmaker until all other betting liabilities have been paid.

Defaulting bettor

34.(1) Whenever it is satisfied after due enquiry at which such bettor may be heard, that a bettor has failed to pay a bookmaker any amount due in respect of a bet made by him or her with such bookmaker, the Committee may adjudge such bettor to be a defaulter.

(2) Whenever the Committee has adjudged a bettor to be a defaulter it must send a notice to this effect to every licensed bookmaker and racing club in the Province and every such bookmaker receiving such a notice must display it in a conspicuous place in the betting room in which he or she operates until such time as he or she directed by the Committee in terms of subregulation (4)(b) to remove it, whereupon he or she must comply with such direction without delay.

(3) Upon receipt of a notice contemplated in subregulation (2) any bookmaker to whom such bettor is indebted in respect of bets made with him or her, must forthwith advise the Committee of the details of such indebtedness.

(4)(a) Any bettor who has been adjudged to be a defaulter by the Committee may not enter or be upon any premises –

- (i) licensed as a racecourse in terms of the Ordinance;
- (ii) any premises referred to in section 28(2) or (3) of the Ordinance; or
- (iii) any premises upon which a licensed bookmaker carries on business,

until such time as all his or her liabilities to bookmakers have been discharged and the Committee is satisfied that he or she is a fit and proper person to resume betting.

(b) When the Committee is satisfied as contemplated in paragraph (a), it must forthwith direct every bookmaker referred to in subregulation (2) to remove the relevant notice.

Defaulter: Jockey Club of South Africa

35. No person who has been warned off as a defaulter by the Jockey Club of South Africa may enter or be upon any premises –

- (a) licensed as a racecourse in terms of this Ordinance;
- (b) any premises referred to in section 28(2) and (3) of the Ordinance; or
- (c) any premises upon which a licensed bookmaker carries on business.

**CHAPTER III
TAXES ON BETTING TRANSACTIONS ON HORSE RACES**

Security for tax

36.(1) The security to be lodged by a bookmaker for the payment of tax as prescribed in section 26 of the Ordinance must be for such sum as may be determined by the appointed officer and must consist of –

- (a) a cash deposit;
- (b) a banker's guarantee; or
- (c) such other form of security as the Minister may approve.

(2) The written authority to be furnished by a bookmaker in terms of section 26(3) of the Ordinance must be in the form set out in Annexure 3 to these Regulations.

(3) The appointed officer may require the agent as contemplated in section 28(3) of the Ordinance or a racing club conducting a totalisator for the purpose of taking fixed-odds bets on any horse race to lodge such security as he or she may decide for the payment of tax on the betting transactions concerned and any other monies which may fall due to the Provincial Revenue Fund.

(4) The appointed officer may, from time to time, determine the amount of the security required in terms of subregulation (3) and may at any time require the agent as contemplated in section 28(3) of the Ordinance or a racing club to replace any existing securities with such other securities or furnish such additional securities as he or she may determine.

(5) The appointed officer may sell or realise such amount of the securities lodged as may be necessary to pay any indebtedness to the Provincial Revenue Fund.

(6) In the event that the agent as contemplated in section 28(3) of the Ordinance or a racing club conducting a totalisator under the circumstances contemplated by this regulation, discontinues a fixed-odds system of betting, the appointed officer must return to the racing club

concerned the securities as remain after any taxes or other monies due to the Provincial Revenue Fund have been deducted therefrom.

Taxes on winning bets with bookmakers in respect of horse races

37. The taxes deducted from the amount won by a person who has made a winning bet with a bookmaker in respect of a horse race must be at the percentages reflected in the distribution table as follows, which taxes are exclusive of Value-Added Tax:

	Bets placed with a bookmaker at a racecourse or a gymkhana course in KwaZulu-Natal	Bets placed with a bookmaker at premises other than at a racecourse in KwaZulu-Natal
Provincial Revenue Fund	2%	2%
The agent appointed by a racing club under section 28 (3)(a) of the Ordinance	3%	3%
Committee	1%	1%
TOTAL	6%	6%

Statement for tax purposes

38.(1) The statements referred to in section 30 of the Ordinance must be lodged in duplicate by every bookmaker and must be in the form prescribed in Annexure 1 which must be accompanied by the list of take-back bets in the form prescribed in Annexure 2.

(2) Separate annexures must be lodged in respect of bets made on a racecourse or gymkhana course and in a betting room, respectively.

(3) Statement A of Annexure 1 must show separately in the appropriate columns thereof and in respect of each race covered by the annexure, the total amounts relating to all bets taken with the bookmaker and the taxes payable thereon in terms of section 29(1) and (2) of the Ordinance.

(4) Statement B of Annexure 1 must show in the appropriate columns and in respect of each race covered by the annexure, full details of all take-back bets taken by the bookmaker, the proceeds derived therefrom and the taxes paid thereon in terms of section 29(3) of the Ordinance.

(5) Statement C of Annexure 1 must show the total amount of the taxes as recorded in statement A, from which the bookmaker may deduct the total amount of the taxes paid by him or her on those take-back bets recorded in Statement B which are deductible in terms of proviso (i) to section 29(3) of the Ordinance and which do not exceed his or her liability on a particular horse in a particular race.

(6) Statement D of Annexure 1 must show the total of the bookmaker's winnings or losses, as the case may be.

(7) Annexure 2 must show –

(a) the names of the bookmakers or totalisators with whom the take-back bets recorded in statement B of Annexure 1 were taken;

(b) the name of the race and horse on which the take-back bets were taken; and (c) the number of the take-back bet tickets issued by the book-maker with whom the take-back bet was taken.

(8) Every licensed bookmaker must, within fifteen days of the last day of every month, lodge with the Committee a true copy of Annexure 1, as lodged with the appointed officer, and must simultaneously pay to the Committee the tax determined in terms of regulation 37.

(9) Whenever a race meeting or a gymkhana extends to two or more days, separate statements must be lodged in respect of each day.

Tax statement: Totalisator Agency Board

39. The provisions of regulation 38 apply *mutatis mutandis* to the agent as contemplated in section 28(3) of the Ordinance or a racing club in respect of fixed-odds bets on horse races.

Failure to lodge statement for tax purposes

40.(1) Unless a bookmaker has the written authority of the Director-General authorising him or her to transact business after he or she has failed to lodge the statement contemplated in regulation 38 and to pay the taxes referred to in section 30 of the Ordinance, his or her licence is deemed to have been suspended while and for so long as his or her failure to lodge the said statement and to pay the taxes and any penalties due in terms of the Ordinance continues.

(2) In the event that the agent as contemplated in section 28(3) of the Ordinance or a racing club fails to lodge the statement contemplated in regulation 38 and to pay the prescribed taxes by the dates prescribed in this Chapter, the Minister's approval in terms of the proviso to paragraph (c) of the definition of totalisator in section 2 of the Ordinance is suspended while, and for so long as, such failure to lodge the said statement and to pay the taxes and any penalties due in terms of the Ordinance continues.

(3) The agent as contemplated in section 28(3) of the Ordinance, a racing club or any bookmaker who transacts business contrary to the provisions of this regulation, is guilty of an offence.

Certificate by racing or gymkhana club in respect of bets on horse races

41.(1) The secretary of every racing club must, within seven days after any statement has been lodged with the club in terms of section 30(1) of the Ordinance, deliver it in duplicate to the appointed officer, accompanied by a certificate in the form set out in Annexure 4 to these Regulations, and must at the same time pay over the tax collected from the bookmaker who lodged such statement.

(2) In the case of a gymkhana the person referred to in section 43(4) of the Ordinance is responsible for compliance with subregulation (1).

Minimum return to persons on winning pari-mutuel bets taken with totalisator

42. The minimum amount, in aggregate, to be returned to those persons who have made winning bets on any pari-mutuel bet provided for in the totalisator rules, must not be less than 75 percent of the total amount staked on that category of bet: Provided that the minimum

amount, in aggregate, to be returned to those persons who have made winning bets on the bet type referred to as the Super 8, must not be less than 65 percent of the total amount staked on that category of bet.

Taxes on pari-mutuel bets taken with totalisator

43.(1) The tax contemplated in section 31(1) of the Ordinance must be calculated at the rate of one and a half percent of all monies bet on the totalisator.

(2) The agent appointed by a racing club under section 28(3)(a) of the Ordinance for the purposes of Chapters III, IV of V of these Regulations may retain from the amount of all the monies bet on the totalisator that are not returned to persons in accordance with the provisions of regulation 42, such amount as remains after deduction of the one and a half percent tax contemplated in subregulation (1).

Taxes, percentages or commission on fixed-odds bets taken with totalisator on horse races

44.(1) The taxes, percentages or commission payable in terms of section 31(1A) of the Ordinance by a totalisator in respect of winning fixed odds bets on horse races taken with a totalisator must be at the percentages reflected in the distribution table as follows, which taxes, percentage or commission are exclusive of Value-Added Tax:

	Bets placed with a totalisator at a racecourse or a gymkhana course in KwaZulu-Natal	Bets placed with a totalisator at premises other than at a racecourse in KwaZulu-Natal
Provincial Revenue Fund	2%	2%
The agent appointed by a racing club under section 28(3)(a) of the Ordinance	3%	3%
Committee	1%	1%
TOTAL	6%	6%

(2) The provisions of this regulation apply to the proceeds of all winning take-back bets wagered by a totalisator with a licensed bookmaker: Provided that –

- (a) the totalisator wagering the take-back bet concerned is entitled to claim, in the manner prescribed in the Annexures to these Regulations, a deduction of the taxes payable in terms of this subregulation; and
- (b) any deduction claimed by the totalisator in terms of paragraph (a) is limited to bets which do not exceed the liability of that totalisator on a particular horse in a particular race.

Lodging of return and payment of tax

45.(1) Within seven days after every race meeting or gymkhana where a totalisator has been conducted, the racing club or the promoters of the gymkhana concerned must –

- (a) lodge with the appointed officer a return in the form of Annexure 1 in respect of a fixed-odds system of betting and Annexure 7 in respect of a pari-mutuel system of betting which must show the total amount paid into the totalisator –

- (i) at such race meeting; and
 - (ii) through agents approved in terms of section 28(3) of the Ordinance; and
- (b) pay to the Provincial Revenue Fund the taxes in terms of this Chapter.

(2) The provisions of subregulation (1) apply *mutatis mutandis* to the rendering of returns and payments of taxes, percentages or commission to the Committee in terms of regulation 44, except that a totalisator must lodge with the Committee a certified copy of Annexure 1 as lodged with the appointed officer.

CHAPTER IV GENERAL

Approval procedure: Other events and contingencies

46.(1) Any person who wishes the Minister to make a determination regarding an event or contingency must make application to the Minister in writing.

- (2) A written application contemplated in subregulation (1) must include at least the following –
- (a) the profession, name, postal address and other contact details of the applicant;
 - (b) a clear, complete and concise description of the event or contingency for which the determination is requested;
 - (c) information regarding any organization which in any manner controls the event or contingency for which the determination is requested;
 - (d) motivation that the act of betting on the event or contingency for which the determination is requested, will not offend public morals; and
 - (e) motivation that the act of betting on the event or contingency for which the determination is requested, will not predispose the event or contingency to acts of corruption or manipulation of results.

(3) Any determination made by the Minister must be by way of notice published in the *Provincial Gazette*.

(4) The effective date of a determination by the Minister as contemplated in this regulation is the date of publication of the *Provincial Gazette* in which the relevant notice is published.

Veterinary treatment of horses

47.(1) The record contemplated in section 38(2) of the Ordinance must include –

- (a) the date;
- (b) the name of the racehorse;
- (c) the diagnosis of the ailment;
- (d) the medicine, drug or apparatus used in the treatment;
- (e) whether the medicine or drug was administered orally, via an injection or infusion, or by external application;
- (f) the name of the person who treated the horse;
- (g) the name of the veterinary surgeon who prescribed the medicine or drug;
- (h) details of who supplied the medicine or drugs; and
- (i) the quantity of medicines or drugs supplied.

(2) For the purposes of section 38(2)(b)(ii) of the Ordinance, no residue of any substance, chemical or drug contemplated in section 38(1)(a) of the Ordinance may be present in a

racehorse during the period 48 hours prior to and 24 hours after a race in which such horse is to or did participate: Provided that where a registered veterinary surgeon certifies that such substance, chemical or drug was –

- (a) not administered before the completion of the most recent race in which the horse participated; and
 - (b) necessary for the well-being of the horse in question,
- the prohibition in respect of the aforesaid post-race 24-hour period does not apply.

CHAPTER V TAXES ON BETTING TRANSACTIONS ON SPORTING EVENTS AND OTHER EVENTS OR CONTINGENCIES

Security for sports betting tax

48.(1) The provisions of section 26 of the Ordinance and regulation 36, where such regulation relates to a bookmaker, apply *mutatis mutandis* to every bookmaker who takes bets on any sporting event or other event or contingency.

(2). The provisions of regulation 36, where such regulation relates to the agent as contemplated in section 28(3) of the Ordinance, apply *mutatis mutandis* to every totalisator offering fixed-odds bets on any sporting event or other event or contingency.

Taxation of betting transactions entered into by bookmakers on sporting events or other events or contingencies and in respect of fixed odds bets taken on totalisator on sporting events or other events or contingencies

49.(1) A person who has made a winning bet with a bookmaker on a –

- (a) sporting event; or
- (b) other event or contingency,

is not required to pay any tax on the amount won.

(2) Any racing club conducting a totalisator in the circumstances mentioned in section 28 of the Ordinance may not, in respect of a fixed-odds bet taken on such totalisator on –

- (a) any sporting events;
- (b) other events or contingencies; or
- (c) any combination thereof,

deduct any amount from the total amount won on such bet.

(3) It must be a condition of –

- (a) each existing bookmaker's licence;
- (b) each existing bookmaker's licence that is renewed; and
- (c) the issue of every new bookmaker's licence,

that in respect of all betting transactions entered into by the licensed bookmaker on –

- (i) sporting events;
- (ii) other events or contingencies; or
- (iii) any combination thereof,

the bookmaker must pay into the Provincial Revenue Fund, a betting tax equal to 6.5 percent of such bookmaker's gross profits on such betting transactions.

(4) Any racing club conducting a totalisator in the circumstances mentioned in section 28 of the Ordinance, must, in respect of all fixed-odds bets taken on such totalisator –

- (a) on any sporting events;
 - (b) other events or contingencies; or
 - (c) any combination thereof,pay into the Provincial Revenue Fund, a betting tax equal to 6.5 percent of such racing club's gross profits on such betting transactions.
- (5) For the purposes of this regulation, the gross profits on betting transactions on –
 - (a) sporting events; or
 - (b) other events or contingencies,is calculated to be the difference between –
 - (i) the total amount due to the bookmaker or totalisator in respect of such betting transactions; and
 - (ii) the total amount of winnings paid out to bettors on such betting transactions, during each calendar month of the year.
- (6) Any betting transaction which –
 - (a) constitutes a multiple bet; and
 - (b) includes any selection involving the outcome of a horse race,does not constitute a betting transaction on a sporting event, other event or contingency and the taxation prescribed in regulation 37 is therefore applicable to such multiple bet: Provided that for the purposes of this regulation, "**multiple bet**" means a bet comprising more than one selection, in which all selections must be correctly chosen by the bettor, in order that the bet be won by the bettor.
- (7) The tax return to be used by bookmakers and the totalisator in respect of betting transactions on –
 - (a) sporting events; or
 - (b) other event or contingencies,is the programmatically generated tax return designed for this purpose, which tax return forms part of the computerised record keeping system approved by the appointed officer in terms of regulation 28.
- (8) The tax return to be used in respect of betting transactions on –
 - (a) sporting events; or
 - (b) other event or contingencies,must be lodged with the appointed officer and the Committee within 15 days of the last day of every month.
- (9) The taxes due in terms of this regulation must be paid into the Provincial Revenue Fund within 15 days of the last day of every month.
- (10) If in any calendar month of the year, the amount of gross profits on betting transactions on –
 - (a) sporting events; or
 - (b) other event or contingencies,is less than zero, the loss may be fully offset against gross profits in the succeeding tax periods.
- (11) For the purposes of subregulation (10) "**tax period**" means one calendar month.

Failure to lodge statement for tax purposes or to pay taxes, percentages or commissions by due date

50.(1) The licence of every bookmaker who fails to lodge the prescribed tax return contemplated in subregulation 49(7) and to pay the prescribed taxes contemplated in regulation 49 by the dates prescribed in this Chapter, is suspended forthwith and must remain so suspended until he or she has lodged the said tax return and has paid the taxes and any penalties due in terms of the Ordinance.

(2) In the event that the agent as contemplated in section 28(3) of the Ordinance or a racing club contravenes or fails to lodge the prescribed tax return contemplated in subregulation 49(7) and to pay the prescribed taxes contemplated in regulation 49 by the dates prescribed in this Chapter, the Minister's approval in terms of section 28 of the Ordinance is deemed to be suspended while and for so long as such failure to lodge the said tax return and to pay the taxes and any penalties due in terms of the Ordinance continues.

(3) The agent as contemplated in section 28(3) of the Ordinance, a racing club or any bookmaker who transacts business contrary to the provisions of this regulation, is guilty of an offence.

Utilisation of monies accruing to Committee

51.(1) All monies paid to the Committee in terms of this Chapter or any other income accruing from such monies must be paid into a banking account opened in the name of the Committee for the specific purpose of setting aside funds accruing from betting on sporting events or on any other event or contingency.

(2) The Committee must arrange for the books of account to be subject to audit annually by auditors appointed by the Committee and the costs of such audit must be paid out of monies in the banking account referred to in subregulation (1).

(3) The monies standing to the credit of the banking account referred to in subregulation (1) may not be utilised for any purpose other than that contemplated by subregulation (2).

Repeal of Regulations

52. Any Regulation made under section 42 of the Ordinance and promulgated before the date of publication of these KwaZulu-Natal Horse Racing and Betting Control Regulations, 2010, is hereby repealed.

Short title and commencement

53. These Regulations are called the KwaZulu-Natal Horse Racing and Betting Control Regulations, 2010, and come into operation on the date of their publication in the *Provincial Gazette*.

ANNEXURE 1

**PROVINCE OF KWAZULU-NATAL
REGULATION OF RACING AND BETTING ORDINANCE, 1957 (ORDINANCE NO. 28 OF
1957)**

**DECLARATION AND STATEMENTS, BY A BOOKMAKER OR BY THE TOTALISATOR
OFFERING FIXED-ODDS BETS, IN RESPECT OF THE TAXES TO BE PAID OVER ON BETS
ON HORSE RACES AND ANY TAKE-BACK BETS IN RESPECT OF WHICH A DEDUCTION
IS CLAIMED**

(To be completed in block letters and to be lodged in duplicate in terms of section 30 of the Ordinance as read with regulation 38)

Full name of bookmaker _____

(In case of a partnership, give full names of all partners)

Name under which business conducted _____

Physical address of betting room _____

Postal address _____

Month and year in respect of which return is rendered (in respect of a return on bets made in a betting room)

Name of racing/gymkhana club (in respect of a return on bets made at a racecourse/gymkhana course)

Date of race meeting/gymkhana (in respect of a return on bets made at a racecourse/gymkhana course)

DECLARATION

I, the abovementioned and undersigned bookmaker/partner in the abovenamed partnership*, hereby solemnly declare that –

- (i) the gross amount of any money, security or valuable thing paid or given or to be paid or given by me or to me in fulfilment of all bets made at the abovementioned race meeting or gymkhana is fully and truly disclosed in statement A hereto; and
- (ii) the details of the take-back bets taken by me to cover my liabilities in respect of bets made at the abovementioned race meeting or gymkhana are fully and truly disclosed in Statement B hereto and in the attached Annexure 2.

SIGNATURE OF BOOKMAKER

(Please also print name where a partner signs for a partnership.)

As witness:

Full names

Residential address

Postal address

Telephonic contact details

South African Identification Number:

Signed at on this day of 20.....

.....
Signature

* Delete words which are not applicable

STATEMENT A

Date and no. of race	Column 1 Total stakes on all horses in race	Column 2 Total amount won by punters (excl. stakes)	Column 3 Tax to be paid sec. 29(1)(a)(i) & (2)(a)(i)	Column 4 Tax to be paid sec 29(1)(a)(ii)	Column 5 Tax to be paid sec. 29(1)(a)(iii) & (2)(a)(ii)	Column 6 Total paid to punter (incl. stakes)
	R c	R c	R c	R c	R c	R c
TOTAL						

STATEMENT B

Date and no. of race	Total stakes on take-back bets R c	Amount won (excl. stakes) on take-back bets taken:		Taxes paid in terms of section 29(3) R c
		with a licensed bookmaker R c	with a totalisator R c	

TOTAL				
-------	--	--	--	--

**STATEMENT C
TAXES TO BE PAID**

1.	TOTAL TAX PAYABLE (section 29(1) and (2))	R _____
2.	LESS: Total amount of the taxes paid on take-back bets which are deductible in terms of proviso (i) to section 29(3) and which DO NOT exceed my liability in respect of a particular horse in a particular race	R _____
3.	TOTAL TAX TO BE PAID OVER	R _____
4.(a)	ANALYSIS OF TAXES PAID PER PARAGRAPH 3	
	Total amount of tax payable for the benefit of the Provincial Revenue Fund (Column 3 Statement A)	R _____
(b)	Total amount of tax payable for the benefit of the racing club/promoters of the gymkhana (Column 4 Statement A)	R _____

**STATEMENT D
BOOKMAKER'S WINNINGS/LOSSES**

Total stakes per column 1 (Statement A)	R _____
Less: Total pay-out per column 6 (Statement A)	R _____
TOTAL WON/LOST*	R _____

* Delete whichever is not applicable

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ANNEXURE 2
PROVINCE OF KWAZULU-NATAL
REGULATION OF RACING AND BETTING ORDINANCE, 1957 (ORDINANCE NO. 28 OF
1957)
LIST OF TAKE-BACK BETS TO ACCOMPANY ANNEXURE 1 (IN TERMS OF REGULATION
38)

Full name of bookmaker

 (In case of a partnership, give full names of all partners)

Name under which business conducted**Physical address of betting room****Postal address**

Month and year in respect of which return is rendered (in respect of a return on bets made in a betting room)

Name of racing/gymkhana club (in respect of a return on bets made at a racecourse/gymkhana course)

Date of race meeting/gymkhana (in respect of a return on bets made at a racecourse/gymkhana course)

Name and address of bookmaker/totalisator	Name and No. of race	Horse on which taken	Take-back bet ticket No.

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ANNEXURE 3
PROVINCE OF KWAZULU-NATAL
REGULATION OF RACING AND BETTING ORDINANCE, 1957 (ORDINANCE NO. 28 OF
1957)
AUTHORITY FOR REALISATION OF SECURITY GIVEN BY A BOOKMAKER IN TERMS OF
SECTION 26(3)

I,

(Full names)

hereby authorise the Director-General, at any time, and without requiring any further authority, to sell, realise and give conveyance of so much of the securities deposited by me in terms of section 26 of the Regulation of Racing and Betting Ordinance, 1957, as he or she may deem necessary and to apply the proceeds so far as may be required in payment of any sum for which I or my licensed partner or any relevant bookmaker licensed temporarily in terms of section 22(1) of the Ordinance to carry on my or my partner's business may be indebted to the Provincial Revenue Fund under the terms of the said Ordinance.

Signed at on this day of 20

.....
 Signature

ANNEXURE 4
 (To be lodged in duplicate)
 PROVINCE OF KWAZULU-NATAL
 REGULATION OF RACING AND BETTING ORDINANCE, 1957 (ORDINANCE NO. 28 OF 1957)
 CERTIFICATE BY RACING CLUB OR GYMKHANA CLUB

(Required by regulation 41 and must accompany a bookmaker's return submitted in terms of section 30(1) of Ordinance No. 28 of 1957)

I, _____

(Full names)

being Secretary/Authority-holder* (in terms of section 43(4) of the Ordinance) of _____ (name of racing club or gymkhana club) hereby certify that the statements attached hereto relating to a race meeting/gymkhana* held at _____ on _____ 20 were lodged with me by the respective bookmakers on the dates set out below.

Name of bookmaker	Date on which statement was lodged with me	Tax paid over to me in terms of section 29(1)(b)(i)	
		R	c

Total

The total tax R paid over to me in terms of section 29(1)(b)(i) as detailed herein is remitted herewith in compliance with the provisions of section 29(1)(c) of the Ordinance and regulation 41 of the regulations framed thereunder.

.....
 Signature (Secretary/Authority-holder*)

*Delete words not applicable

ANNEXURE 5
PROVINCE OF KWAZULU-NATAL
REGULATION OF RACING AND BETTING ORDINANCE, 1957 (ORDINANCE NO. 28 OF 1957)
(Section 3)
RACECOURSE LICENCE

Licence valid for the period ending 31 December 20

To whom issued

in his capacity as secretary of the.....Turf Club, a non-proprietary racing club.

Address

Situation of racecourse on which races may be held

Amount paid, receipt of which is hereby acknowledged

Rand

R						
---	--	--	--	--	--	--

Subject to the provisions of the Regulations of Racing and Betting Ordinance, 1957 (Ordinance No. 28 of 1957), the racing club named in this licence may hold horse races on the racecourse specified herein on the days designated as race days in terms of section 4 of the said Ordinance.

.....
Director-General

.....
Date stamp

<p>ANNEXURE 6</p> <p>PROVINCE OF KWAZULU-NATAL</p> <p>REGULATION OF RACING AND BETTING ORDINANCE, 1957 (ORDINANCE NO. 28 OF 1957)</p> <p>(Section 22)</p> <p>BOOKMAKER'S LICENCE</p>

Full names of bookmaker	
Passport no. or South African Identity no.	

Make an x in the appropriate space* and complete the applicable shaded fields:

This licence is valid * for the year ending 31 December

This licence is valid * for the period:- to

This licence is valid * on the following days: _____

This licence authorises * the **primary** betting room premises
the holder to operate at _____
in _____

This licence authorises * the **secondary** betting room
the holder to operate premises at _____
in _____

This licence authorises * on the licensed **racecourse** at _____
the holder to operate _____

Amount paid, receipt of which is hereby acknowledged: R

Receipt no.
Reference no.

Subject to the provisions of the Regulations of Racing and Betting Ordinance, 1957, and to any valid conditions attached to this license by way of annexure or endorsement, the person named in this licence may carry on the calling of a bookmaker at the place(s) this licence authorises him or her to do so, until the date(s) of expiry mentioned in this licence.

DIRECTOR-GENERAL

DATE STAMP

ANNEXURE 7
PROVINCE OF KWAZULU-NATAL
REGULATION OF RACING AND BETTING ORDINANCE, 1957 (ORDINANCE NO. 28 OF 1957)
STATEMENT OF TOTALISATOR TURNOVER

(Regulation 45)

Name of club

Date of race meeting or gymkhana

Place at which held

GROSS TOTALISATOR TURNOVER

- Item 1. Direct turnover:
 - (a) Total amount paid into the totalisator from takings at the abovementioned club's off-course office under section 28(2)(a) of the Ordinance R
 - (b) Total takings at the club's totalisator selling windows on the racecourse or gymkhana course R
- Item 2. Agency Turnover:
 Total amount paid into the totalisator through approved agents under section 28(2)(b) of the Ordinance

Name of agent	Amount paid in
	R
	R
	R
	R
	R
	R
	R
Total	R

SUMMARY

	Turnover	Rate	Amount Tax	
Item 1	R .....	.....%	R	c
Item 2	R .....	.....%	.....
Total				

Certified correct

.....
 Secretary of racing club /Authority-holder of gymkhana club*

*Delete words not applicable

No. 104**16 Julie 2010****KANTOOR VAN DIE PREMIER
REGULASIEKENNISGEWING****KWAZULU-NATAL REGULASIES BETREFFENDE PERDEWEDRENNE EN
WEDDENSCHAPSBEHEER, 2010**

Ek vaardig hiermee die regulasies, soos in die meegaande bylae vervat, uit ingevolge artikel 42 van die Ordonnansie op die Regulering van Wedrenne en Weddery, 1957 (Ordonnansie No. 28 van 1957), ten einde wedrenklub en weddery-aangeleenthede in die provinsie te reguleer.

Gegee onder my hand te Pietermaritzburg op hierdie Agt en Twentig dag van Mei, Tweeduisend-en-tien.

ZL MKHIZE

Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal
verantwoordelik vir dobbelary en weddery

BYLAE**RANGSKIKKING VAN REGULASIES**

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4. Hernuwing van renbaanlisensie
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BYLAES 1 - 7

INLEIDENDE BEPALINGS

Omskrywings

1. In hierdie regulasies beteken "**die Ordonnansie**" die Ordonnansie op die Regulering van Wedrenne en Weddery, 1957 (Ordonnansie No. 28 van 1957), en enige woord of uitdrukking waaraan 'n betekenis in die Ordonnansie geheg is, dra die betekenis daaraan geheg, en tensy uit die konteks anders blyk, beteken –

"familleid" enige van die volgende, na gelang van die geval:

- (a) 'n man of 'n vrou, enige vennoot in 'n huwelik wat kragtens enige tradisie voltrek is of kragtens enige godsdienstige regstelsel, of enige vennoot in 'n verhouding waar die partye saamleef op 'n wyse wat ooreenstem met 'n

huweliksvennootskap, 'n huwelik wat kragtens enige tradisie of kragtens enige godsdienstige regstelsel voltrek is;

(b) 'n kind wat uit enigeen van die huwelike of verbintenisse vermeld in paragraaf (a) gebore word of 'n kind wat uit een van die vennote vermeld in die vermelde paragraaf gebore word; of

(c) die ouers van 'n persoon vermeld in paragraaf (a) en die ouers van sodanige persoon se man, vrou of vennoot vermeld in die vermelde paragraaf (a);

“gerekenariseerde optekenstelsel” 'n optekenstelsel wat die gebruik van elektroniese rekenaartoerusting en rekenaarsagteware behels, gebruik deur 'n beroepswedder vir die doel om besonderhede op te teken van alle weddenskappe wat aangegaan is en besonderhede van alle dekkingsweddenskappe wat aangegaan is, wat outomaties die voorgeskrewe rekords genereer;

“hoof- uitvoerende beampte” die hoof- uitvoerende beampte bedoel in regulasie 7(8);

“komitee” die komitee ingevolge artikel 21A van die Ordonnansie aangestel;

“pari-mutuel weddenskap” 'n weddenskap aangegaan ooreenkomstig die weddenskapstelsel bedoel in paragraaf (b) van die omskrywing van totalisator in artikel 2 van die Ordonnansie;

“politieke ampsdraer” –

(a) 'n lid van die Nasionale Vergadering, die Nasionale Raad van Provinsies of die Kabinet;

(b) 'n lid van 'n provinsiale wetgewer of van die Uitvoerende Raad van 'n provinsie;

(c) 'n munisipale raadslid;

(d) 'n diplomatieke verteenwoordiger van die Republiek wat nie 'n lid van die staatsdiens is nie;

(e) 'n lid van 'n huis van tradisionele leiers; of

(f) 'n nasionale of provinsiale ampsdraer van 'n politieke party, organisasie, liggaam, alliansie of beweging geregistreer ingevolge artikel 15 of 15A van die Wet op die Verkiesingskommissie, 1996 (Wet No. 51 van 1996);

“primêre wedkamerperseel” die perseel waarvandaan die beroepsweddersbesigheid hoofsaaklik bedryf word, soos in die beroepswedderslisensie vermeld en wat gedurende gewone besigheidsure vir die publiek oop is;

“sekondêre wedkamerperseel” die residensiële perseel waar die beroepswedder gewoonlik woon, welke perseel nie oop is vir die publiek nie en waar gemagtigde aktiwiteite ten opsigte van beroepswedderij plaasvind; en

“vereniging” die Natalse Beroepsweddersvereniging (Koöp) Bpk as die vereniging van beroepswedders goedgekeur deur die Minister, soos in artikel 21(1) van die Ordonnansie bedoel; en

“weddenskap met vaste wedprys” 'n weddenskap waarin 'n beroepswedder of die agent soos bedoel in artikel 28(3) van die Ordonnansie uitdruklik aanbied om 'n vasgestelde bedrag aan enige persoon wat 'n wenweddenskap met die beroepswedder of totalisator aangegaan het, te betaal, min enige wettige aftrekkings.

Vorms

2. Die volgende vorms word hiermee voorgeskryf vir die doel van aangeleenthede wat hierna onderskeidelik vermeld word:

Bylae 1 – Verklaring en opgawes deur 'n beroepswedder of die agent, soos in artikel 28(3) van die Ordonnansie bedoel, wat weddenskappe met vaste wedpryse aanbied ten opsigte van die belasting wat oorbetaal moet word op weddenskappe op perdewedrenne en enige dekkingsweddenskappe ten opsigte waarvan 'n aftrekking geëis word

Bylae 2 – Lys van dekkingsweddenskappe wat bylae 1 moet vergesel

Bylae 3 – Magtiging om sekuriteit verskaf deur 'n beroepswedder ooreenkomstig artikel 26(3) van die Ordonnansie te realiseer

Bylae 4 – Sertifikaat deur renklub of sportfeesklub

Bylae 5 – Renbaanlisensie

Bylae 6 – Beroepswedderslisensie

Bylae 7 – Opgawe van totalisatoromset

HOOFSTUK 1 RENBAANLISENSIES

Aansoeke om renbaanlisensie deur nie-geslote klub of vereniging

3.(1) 'n Nie-geslote klub of vereniging wat van voorneme is om 'n renbaanlisensie te bekom ingevolge artikel 3 van die Ordonnansie moet, na voldoening aan die vereistes soos in subregulasies (2) en (3) bedoel, 'n skriftelike aansoek by die Direkteur-generaal indien.

(2) 'n Nie-geslote klub of vereniging moet –

- (a) 'n kennisgewing in twee of meer koerante publiseer in die gebied waarin 'n voorgestelde renbaan gevestig moet word; en
- (b) die kennisgewing in paragraaf (a) bedoel ten minste een maal per week vir vier opeenvolgende weke laat publiseer.

(3) Die kennisgewing in subregulasie (2)(a) bedoel, moet die volgende aandui –

- (a) die voorneme om aansoek om 'n renbaanlisensie te doen;
- (b) dat belanghebbende persone skriftelike besware saam met redes vir sodanige besware by die Direkteur-generaal kan indien nie later nie as een week na die laaste datum van publikasie.

Hernuwing van renbaanlisensie

4. Elke renklub wat 'n renbaanlisensie aan hom uitgereik ingevolge artikel 3(1) van die Ordonnansie wil hernu, moet aansoek by die Direkteur-generaal doen nie minder nie as twee maande voor die verstryking van sodanige lisensie.

Finansiële opgawes

5. Elke renklub moet elke jaar, onmiddellik na die uitreiking van sy balansstaat en inkomste- en uitgawerekening vir die voorafgaande finansiële jaar aan sy lede, 'n afskrif aan die Direkteur-generaal verskaf.

6

Sportfeeste

6. 'n Aansoek om die Minister se magtiging om 'n sportfees te hou ingevolge artikel 6A van die Ordonnansie moet aan die Direkteur-generaal gerig word en moet die volgende meld –

- (a) die naam van die klub of vereniging wat die sportfees ondersteun;
- (b) die datum van die sportfees en die plek waar dit gehou moet word;
- (c) of die program enige “**perdewedren**” omskryf in artikel 2 van die Ordonnansie insluit, en, indien wel, of die program deur die KwaZulu-Natal Uitvoerende Bestuur van die Jokkieklub van Suid-Afrika goedgekeur is;
- (d) die volle naam en adres van die persoon in wie se naam magtiging om die sportfees te hou, uitgereik moet word en wat kragtens artikel 43(4) van die Ordonnansie verantwoordelik sal wees vir behoorlike nakoming van die bepalings van die Ordonnansie;
- (e) of die promotors van die sportfees van voorneme is om 'n totalisator by die sportfees te bedryf; en
- (f) of die promotors van voorneme is om 'n beroepswedder te magtig om by die sportfees sake te doen.

HOOFSTUK II

BEHEER VAN BEROEPSWEDDERS EN BESTUURDERS EN BEHEER EN BESTUUR VAN WEDKAMERPERSEEL

Komitee om beroepswedders te beheer en om wedkamerperseel te bestuur en beheer

7.(1) Vir die doel van die verrigting van sy funksies en pligte en uitoefening van sy bevoegdhede ingevolge die Ordonnansie is die komitee –

- (a) bekend as die KwaZulu-Natal Beroepsweddersbeheerkomitee;
- (b) 'n regspersoon; en
- (c) beklee met die bates en aanspreeklikhede, indien enige, van die komitee.

(2) Alle gelde of ander inkomste wat uit watter bron ookal aan die komitee toeval, moet in 'n bankrekening wat deur die Minister goedgekeur is en in die naam van die komitee oopgemaak is, betaal word.

(3) Enige gelde tot die komitee se krediet en beskikbaar vir belegging moet belê word vir, namens en ten voordele van die komitee en in sy naam in sodanige rekening soos deur die Minister goedgekeur.

(4) Wanneer vaste eiendom namens die komitee verkry word, kan die Minister sodanige voorwaardes, soos hy of sy met inbegrip van beperkende titelvoorwaardes nodig ag, stel en vereis dat sodanige voorwaardes teen die titelaktes van die eiendom geregistreer word.

(5) Enige vaste eiendom wat deur die komitee verkry word, moet in sy naam geregistreer word.

(6)(a) Die komitee word nie toegelaat om enige van sy surplus fondse aan enige persoon te versprei nie en moet sy fondse alleenlik gebruik vir belegging of vir die doelwitte waarvoor die komitee gestig is: Met dien verstande dat niks die komitee kan verhinder om goedere en dienste wat bekom is vir die doel om die doelwitte te bereik waarvoor hy gestig is, te verkry en daarvoor te betaal nie.

(b) By ontbinding van die komitee moet sy bates deur 'n persoon wat deur die Minister aangestel is, gerealiseer word en nadat alle skulde betaal is, moet die balans, indien enige, in die Provinsiale Inkomstefonds betaal word.

(7) Die komitee kan sodanige aantal persone in diens neem soos hy geskik ag vir die behoorlike uitoefening van sy bevoegdhede of pligte: Met dien verstande dat die nodige fondse beskikbaar is en dat die komitee die nodige voorsiening in sy jaarlikse begrotingsplan maak vir alle kostes wat met die indiensneming van sy personeel verband hou.

(8) Die postitel van die mees senior werknemer aangestel deur die komitee is dié van hoofuitvoerende beampste en hy of sy moet, buiten die bevoegdhede, funksies en pligte soos in sy of haar dienskontrak uiteengesit, die bevoegdhede, funksies en pligte uitvoer soos in hierdie regulasies uiteengesit.

(9) Die werksverrigting van alle werknemers van die komitee moet gemonitor en bestuur word deur 'n prestasiebestuursbeleid, wat die vereiste moet inkorporeer dat alle werknemers 'n prestasiebestuurssooreenkoms aangaan.

(10)(a) Die rekeningboeke wat met die finansiële sake van die komitee verband hou moet jaarliks deur 'n ouditeur wat deur die Minister goedgekeur is, geoudit word.

(b) 'n Geouditeerde staat van die komitee se finansiële sake moet jaarliks aan die Direkteur-generaal voorgelê word binne negentig dae na die einde van die komitee se finansiële jaar.

(11) Die Minister moet die eise-en-vergoedingsbeleid en die vergoedingskale van die voorsitter, adjunkvoorsitter en lede van die komitee bepaal.

(12) 'n Persoon is onbevoeg om op die komitee aangestel te word of om op die komitee aan te bly, indien –

(a) hy of sy nie 'n Suid-Afrikaanse burger is nie;

(b) hy of sy nie 'n inwoner van KwaZulu-Natal is nie;

(c) hy of sy, ten tyde van die aanstelling, of gedurende die voorafgaande 12 maande –

(i) 'n persoon bedoel in artikel 8(1) van die Staatsdienswet, 1994 (Proklamasie No. 103 van 1994); of

(ii) 'n politieke ampsdraer,

is of was;

(d) sy of haar familielid 'n persoon bedoel in paragraaf (c)(ii) is;

(e) hy of sy 'n lid van 'n direksie van enige dobbel- of fondsinsamelingsprojek is, 'n beherende aandeel of enige finansiële of ander belang in enige dobbel- of fondsinsamelingsprojek het of 'n direkte of indirekte finansiële belang in enige dobbel- of fondsinsamelingsprojek verkry of in diens is van enige persoon, maatskappy, organisasie of ander liggaam, hetsy geïnkorporeer of nie geïnkorporeer nie, wat 'n belang bedoel in hierdie paragraaf het;

(f) sy of haar familielid 'n lid van 'n direksie of enige dobbel- of fondsinsamelingsprojek is of enige direkte of beherende aandeel in sodanige aktiwiteit het;

(g) hy of sy 'n ongerehabiliteerde insolvent is;

(h) hy of sy –

(i) 'n persoon onder kuratorskap is;

(ii) kragtens artikel 9 van die Wet op Geestesgesondheid, 1973 (Wet No. 18 van 1973) gesertifiseer is, en nie uit 'n instelling bedoel kragtens sodanige Wet ontslaan is nie; of

(iii) onweerlegbaar bewys word verstuur te wees of wat aan 'n liggaamsgebrek ly wat hom of haar verhoed om die pligte van sy of haar amp behoorlik te verrig;

(i) hy of sy te eniger tyd uit 'n vertrouensamp verwyder is as gevolg van wangedrag wat diefstal of bedrog behels;

(j) hy of sy skuldig bevind en gevonnissen is tot 'n tydperk van gevangenisstraf sonder die keuse van 'n boete, behalwe dat die Minister, ten opsigte van 'n persoon wat by benoeming vir aanstelling volledige besonderhede van 'n misdryf in 'n beëdigde verklaring openbaar, 'n skuldigbevinding kan kondoneer: Met dien verstande dat dit nie 'n skuldigbevinding is nie vir 'n misdryf waarby moord betrokke is, strafbare manslag waarby aanranding betrokke is, verkragting, roof, diefstal, bedrog, vervalsing of uitgifte van 'n vervalste dokument, meened, 'n misdryf kragtens die Wet op die Voorkoming en Bekamping van Korrupte Aktiwiteite, 2004 (Wet No. 12 van 2004), die Wet op die Voorkoming van Georganiseerde Misdaad, 1998 (Wet No. 121 van 1998), of die Wet op Finansiële Intelligensiesentrum, 2001 (Wet No. 38 van 2001), enige ernstige misdryf waarby oneerlikheid betrokke is, 'n misdryf betreffende handel in gelyste stowwe en dwelmmiddels, 'n misdryf wat verband hou met die opbrengs van omskrewe misdaad soos in die Wet op Dwelmmiddels en Dwelmsmokkelary, 1992 (Wet No. 140 van 1992) bedoel, of enige misdryf kragtens die Ordonnansie of enige ander soortgelyke wet: Voorts met dien verstande dat –

(i) enige skuldigbevinding of vonnis wat deur 'n hof buite die grense van die Republiek van Suid-Afrika opgelê is, nie vir die doeleindes van hierdie paragraaf in ag geneem moet word nie, tensy sodanige misdryf op daardie tydstip 'n misdryf sou gewees het indien dit binne die Republiek van Suid-Afrika begaan sou gewees het; en

(ii) geen persoon vir die doeleindes van hierdie paragraaf geag word skuldig bevind en gevonnissen te gewees het nie –

(aa) alvorens enige appèl wat teen sodanige skuldigbevinding of vonnis aangeteken of ingedien is, aangehoor en uitspraak daaroor gelewer is;

(bb) alvorens geen sodanige appèl teen sodanige skuldigbevinding of vonnis aangeteken is binne die tyd wat kragtens wet vir sodanige aantekening of indiening toegelaat word; of

(cc) indien hy of sy amnestie of algehele kwytskelding by die bevoegde gesag ontvang het nie;

(k) hy of sy 'n werknemer van 'n totalisator is, of 'n totalisatoragent, of 'n werknemer van sodanige agent is, soos in die Ordonnansie bedoel;

(l) hy of sy of sy of haar familielid 'n beherende belang of enige finansiële of ander belang in enige beroepswedderlisensiehouer, totalisator, totalisatoragent of houer van 'n renbaanlisensie het, soos in die Ordonnansie bedoel;

(m) hy of sy of sy of haar familielid 'n beherende belang of enige finansiële of ander belang in enige onderneming, met inbegrip van 'n korporatiewe liggaam, wat 'n eienaar, teler of afrigter is of renperde het; of

(n) hy of sy volgens 'n hofbevel gelys is in die register van uitgeslote persone bedoel in artikel 14(7) van die Nasionale Dobbeltwet, 2004 (Wet No. 7 van 1994).

(13) Indien 'n lid van die komitee gedurende sy of haar ampstermyn ingevolge subartikel (12) onbevoeg raak, moet hy of sy onmiddellik die onbevoegdheid skriftelik aan die Minister bekend maak, wat onverwyld stappe moet doen om die vakature te vul.

(14) Vir die doeleindes van subregulasie (12)(e), (l) en (m), sluit 'n finansiële belang nie 'n onregstreekse belang in wat in enige fonds of belegging gehou word nie indien die persoon wat daardie belang hou geen beheer het oor die beleggingsbesluite wat ten opsigte van daardie fonds of belegging gemaak word nie.

Vergaderings van die komitee

8.(1) Die voorsitter of, in sy of haar afwesigheid, die adjunkvoorsitter moet die datum, tyd en plek van elke vergadering van die komitee bepaal.

(2) 'n Kworum van die komitee moet vier wees, bestaande uit vier lede of plaasvervangende lede, of vier lede en plaasvervangende lede.

(3) Besluite van die komitee moet geneem word deur 'n meerderheidstem: Met dien verstande dat, in die geval van 'n staking van stemme, die voorsitter, of in sy of haar afwesigheid, die adjunkvoorsitter of in albei se afwesigheid, die persoon wat ingevolge subregulasie (4) verkies is, 'n beslissende stem asook 'n gewone stem het.

(4) Die voorsitter of in sy of haar afwesigheid, die adjunkvoorsitter, moet by enige vergadering voorsit. Indien die voorsitter sowel as die adjunkvoorsitter by 'n vergadering van die komitee afwesig is, moet die lede en plaasvervangende lede dan teenwoordig uit hul eie geledere 'n persoon verkies om vir die duur van daardie vergadering as voorsitter op te tree.

Uitoefening van bevoegdhede om beroepswedders en bestuurders te beheer en om wedkamers te bestuur en beheer

9. Die komitee kan, behoudens –

- (a) die goedkeuring van die Minister; en
- (b) publikasie van die konsepreëls vir openbare kommentaar, in die *Provinsiale Gazette*,

reëls uitvaardig vir die –

- (i) beheer van beroepswedders; en
- (ii) bestuur en beheer van wedkamers en sodanige ander plekke waarby 'n beroepswedder weddenskappe kan aanvaar soos voorgeskryf mag word.

Dissiplinêre bevoegdhede van komitee

10.(1) Die komitee, sy afgevaardigde of diegene van sy werknemers wat as inspekteurs aangestel is, moet enige bewering ondersoek wat verband hou met 'n beroepswedder, 'n geregistreerde bestuurder of 'n geregistreerde klerk –

- (a) aangaande gedrag teenstrydig met enige gedragskode wat 'n beroepswedder, geregistreerde bestuurder of geregistreerde klerk bind;
- (b) aangaande pligsversuim of versuim om 'n verpligting na te kom wat die Ordonnansie, hierdie regulasies, of die voorwaardes van sy of haar lisensie of die reëls vermeld in regulasie 9 hom of haar opleë; of
- (c) dat hy of sy namens enige ander beroepswedder party was by sodanige gedrag of versuim vermeld in paragraaf (a) of (b);

en kan na sodanige ondersoek en by aanvoering van gegronde redes 'n skriftelike kennisgewing of tydelike opskorting onmiddellik op die beroepswedder, die geregistreerde bestuurder of op die geregistreerde klerk beteken waarin die volgende gespesifiseer moet word –

- (i) die tydperk waarvoor die beroepswedderslisensie of die bestuurder of klerk se registrasiesertifikaat opgeskort word; en
- (ii) die datum waarop sodanige beroepswedder, bestuurder of klerk voor die komitee moet verskyn vir 'n verhoor soos in subregulasie (4) bedoel:

Met dien verstande dat die tydperk en datum waarna hierbo verwys word, nie sewe dae na die datum van die kennisgewing oorskry nie.

(2) In 'n geval waarin 'n kennisgewing van tydelike opskorting ingevolge hierdie regulasie uitgereik is, moet die persoon of liggaam wat die kennisgewing uitgereik het, binne 48 uur na uitreiking van die kennisgewing 'n volledige verslag oor die omstandighede wat aanleiding gegee het tot die vermelde opskorting aan die hoof- uitvoerende beampte verskaf.

(3) Die komitee het die mag om 'n tydelike opskorting deur sy gedelegeerde of werknemer tersyde te stel voor die datum waarop daar van die beroepswedder, die geregistreerde bestuurder, of geregistreerde klerk vereis word om voor hom te verskyn: Met dien verstande dat die tersydestelling van 'n tydelike opskorting nie die beroepswedder, die bestuurder, of die betrokke klerk daarvan vrystel om voor die komitee te verskyn op die datum wat in die kennisgewing van tydelike opskorting vermeld word nie, tensy die komitee 'n ander datum vir hierdie doel vasgestel het.

(4) Wanneer 'n beroepswedder voor die komitee verskyn vir 'n verhoor aangaande die aangeleenthede wat aanleiding gegee het tot die tydelike opskorting van sy of haar lisensie, kan die komitee, aan die einde van die verhoor, 'n besluit neem om –

- (a) die opskorting tersyde stel;
- (b) sodanige beroepswedderslisensie vir sodanige verder tydperk soos hy nodig ag, op te skort; of
- (c) 'n boete op te lê van enige bedrag wat nie R25 000-00 oorskry nie vir elke insident wat met sodanige gedrag of versuim vermeld in subregulasie (1) by sodanige beroepswedder verband hou, met of sonder die opskorting van sy of haar lisensie bykomend tot, of as 'n alternatief vir betaling van sodanige boete: Met dien verstande dat die totale boete opgelê vir meer as 40 insidente wat met sodanige gedrag of versuim verband hou, nie R1 000 000-00 mag oorskry nie.

(5) Wanneer 'n geregistreerde bestuurder of 'n geregistreerde klerk voor die komitee verskyn by 'n verhoor bedoel in subregulasie (4), kan die komitee, aan die einde van die verhoor, 'n besluit neem om –

- (a) die opskorting tersyde te stel;
- (b) sodanige bestuurder of klerk se registrasiesertifikaat vir sodanige verdere tydperk soos hy nodig ag, op te skort;
- (c) sodanige bestuurder of klerk se registrasiesertifikaat onverwyld te kanselleer; of
- (d) 'n boete oplê wat nie –
 - (i) R5 000-00 oorskry nie vir elke insident wat verband hou met sodanige gedrag of versuim soos vermeld in subregulasie (1) deur sodanige bestuurder, met of sonder die opskorting of kansellering van sy of haar registrasiesertifikaat bykomend tot, of as 'n alternatief vir betaling van sodanige boete.
 - (ii) R1 000-00 oorskry nie vir elke insident wat verband hou met sodanige gedrag of versuim soos vermeld in subregulasie (1) deur sodanige klerk, met of sonder die opskorting of kansellering van sy of haar registrasiesertifikaat bykomend tot, of as 'n alternatief vir betaling van sodanige boete.

(6) Die komitee, sy afgevaardigde, of diegene van sy werknemers wat as inspekteurs aangestel is, het ook die mag om enige gedrag en versuim bedoel in subregulasie (1)(a), (b) en (c) te ondersoek sonder dat daar van hulle vereis word om 'n tydelike kennisgewing van opskorting uit te reik, in welke geval die bepalinge van subregulasie (4)(b) en (c) en subregulasie (5)(b), (c) en (d) *mutatis mutandis* van toepassing is.

(7)(a) 'n Beroepswedder, geregistreerde bestuurder of geregistreerde klerk ten opsigte van wie 'n ondersoek ingevolge subregulasies (1) en (6) gehou word, moet persoonlik voor die komitee verskyn en daarop geregtig wees om getuienis af te lê en hetsy persoonlik, of deur 'n advokaat of prokureur, aangehoor te word, getuies te roep, getuies wat deur 'n ander party of deur die komitee geroep word, te kruisondervra en dokumente en items wat as bewysstukke getoon word, te inspekteer.

(b) Voordat 'n beroepswedder, geregistreerde bestuurder of geregistreerde klerk bedoel in paragraaf (a) of enige getuie getuienis voor die komitee aflê, moet hy of sy 'n eed of 'n plegtige verklaring aflê, welke eed of plegtige verklaring deur die voorsitter of die adjunkvoorsitter van die komitee, na gelang van die geval, afgeneem moet word.

(c) Na aflegging van 'n eed of 'n plegtige verklaring, is 'n persoon wat valse getuienis oor enige aangeleentheid voor die komitee aflê, wetende dat sodanige getuienis vals is of indien hy of sy nie weet of glo dat dit waar is nie, skuldig aan 'n misdryf.

(d) Sou 'n beroepswedder, geregistreerde bestuurder of geregistreerde klerk versuim om voor die komitee te verskyn, kan die komitee in die afwesigheid van sodanige beroepswedder, geregistreerde bestuurder of geregistreerde klerk die bevoegdhede vermeld in subregulasies (4) en (6) in die geval van 'n beroepswedder en subregulasies (5) en (6) in die geval van 'n bestuurder of 'n klerk uitoefen.

(8) In die geval van 'n besluit om 'n boete op te lê, stel die aanteken van 'n appèl teen 'n besluit van die komitee wat ingevolge subregulasies (4), (5) of (6) hiervan geneem is, nie die uitvoering van sodanige besluit uit nie.

(9) Enige boete wat ingevolge hierdie regulasie opgelê is, val aan die komitee toe.

(10) 'n Ondersoek wat ingevolge hierdie regulasie uitgevoer word, word nie geraak deur 'n beweerde of tegniese verkoping deur die betrokke beroepswedder van sy of haar reg om besigheid as 'n beroepswedder voort te sit nie, en die komitee se mag om sodanige ondersoek ingevolge subregulasie (4) of (6) te hanteer, duur voort en enige besluit deur hom ingevolge daarvan is bindend en toepaslik op die vermelde beroepswedder nieteenstaande die feit dat hy of sy dan nie meer aktief voortgaan om sake as 'n beroepswedder te doen nie.

(11) Binne sewe dae nadat 'n besluit bedoel in subregulasie (4) of (5) geneem is, moet die komitee gedetailleerde skriftelike redes vir sy besluit aan alle persone en liggame wat deur die besluit geraak word, verskaf.

(12) Die komitee moet die formaat van en die wyse bepaal waarop die verhore bedoel in subregulasies (4) of (5) hiervan uitgevoer moet word, met inbegrip van, onder andere, aangeleenthede soos die toelaatbaarheid van getuienis.

Delegering van bevoegdhede aan subkomitee

11.(1) Die komitee moet, by die uitoefening van sy bevoegdhede om kragtens artikel 21A(3) van die Ordonnansie aan 'n subkomitee te deleger, 'n lid daarvan as voorsitter aanwys.

(2) Die kworum van 'n subkomitee is twee lede.

(3) Die bepaling van regulasie 8(3) is *mutatis mutandis* op subkomitees van toepassing.

Outomatiese reg tot appèl teen besluit van komitee

12.(1) 'n Appèl ingevolge artikel 21B van die Ordonnansie moet aangeteken word deur, binne 21 dae na die besluit waarteen appèl aangeteken word, 'n skriftelike kennisgewing van appèl met uiteensetting van die gronde waarop die appèl gebaseer is, by die hoof- uitvoerende beamppte in te dien.

(2) 'n Appellant moet, wanneer hy of sy appèl ingevolge subregulasie (1) aanteken, aan die komitee –

- (a) 'n deposito van R4 000-00 betaal; of
- (b) 'n deposito van R500-00 betaal indien die appellant 'n wedder is wat appèl by die Minister aanteken teen 'n besluit van die komitee ingevolge regulasie 24(9); of
- (c) 'n deposito van R5 000-00 betaal indien die appellant 'n beroepswedder is wat appèl by die Minister aanteken teen 'n besluit van die komitee ingevolge regulasie 24(9);
- (d) indien die appellant 'n werknemer van die komitee is wat ingevolge regulasie 10 optree om bewerings teen 'n beroepswedder, 'n geregistreerde bestuurder of 'n geregistreerde klerk te ondersoek, geen deposito betaalbaar is nie.

(3) Indien die appèl aan die Minister oor 'n besluit van die komitee is, moet die komitee, binne sewe dae na die aanteken van 'n appèl, 'n afskrif van die kennisgewing van appèl en alle ander dokumente en transkripte wat met die appèl verband hou, saam met 'n afskrif van die komitee se redes vir sy besluit, aan die Direkteur-generaal stuur vir oorweging deur die Minister.

(4) Indien 'n appèl aan die komitee oor 'n besluit van sy gedelegeerde is, moet die voorsitter so gou doenlik 'n vergadering van die komitee belê by welke vergadering die appèl deur die komitee aangehoor word, in die afwesigheid van sodanige gedelegeerde, tensy die komitee nie in die afwesigheid van sy gedelegeerde 'n kworum kan bly nie, in welke geval die komitee die appèl na die Direkteur-generaal moet verwys vir oorweging deur die Minister.

(5) Die Minister moet die appèl so gou doenlik oorweeg en na oorweging van die appèl, kan hy of sy –

- (a) die appèl van die hand wys en die besluit van die komitee bekragtig;
- (b) die appèl in geheel of gedeeltelik bekragtig en sy of haar besluit vervang of die komitee se besluit wysig;
- (c) die aansoek na die komitee terugverwys vir heroorweging en beslissing met sodanige instruksies soos hy of sy toepaslik ag;
- (d) gelas dat enige deposito wat betaal is, terugbetaal word nadat die Minister die appèl aangehoor het, of indien die appèl onttrek is voordat die Minister dit aanhoor, ten tyde van die ontvangs van die kennisgewing van die onttrekking van die appèl; of
- (e) verbeuring gelas van enige deposito betaal indien hy of sy 'n appèl as beuselagtig beskou.

(6) Die Direkteur-generaal moet die komitee van die Minister se besluit in kennis stel.

(7) Die komitee kan –

- (a) in die geval van 'n appèl aan hom teen 'n besluit van sy gedelegeerde, gelas dat enige deposito wat betaal is, terugbetaal word nadat die komitee die appèl aangehoor het of indien die appèl onttrek word voordat die komitee dit aanhoor, ten tyde van die ontvangs van die kennisgewing van die onttrekking van die appèl; of
- (b) verbeuring gelas van enige deposito betaal indien hy 'n appèl as beuselagtig beskou.

Aansoek om nuwe beroepswedderslisensie

13.(1) 'n Aansoek om 'n nuwe beroepswedderslisensie moet aan die Direkteur-generaal gerig word in 'n formaat soos deur die aangestelde beampte bepaal en moet in tweevoud ingedien word.

(2) Die aansoek moet vergesel gaan deur –

- (a) 'n gesertifiseerde afskrif van die verkoopsooreenkoms wat die aansoeker se voorgestelde verkryging van die geheel of 'n gedeelte van die betrokke beroepsweddersbesigheid beheer;
- (b) 'n afskrif van enige vennootskapsooreenkoms, indien van toepassing;
- (c) bewys van lidmaatskap van die vereniging;
- (d) die aansoekgelde wat in die eerste bylae van hierdie Ordonnansie voorgeskryf is, welke gelde aan die komitee toeval;
- (e) skriftelike toestemming van die toepaslike renklub indien die aansoeker van voorneme is om op 'n renbaan sake te doen;
- (f) die aansoeker se inkomstebelasting-registrasienumer;
- (g) afskrifte van die aansoeker se belastingaanslae of opgawes vir die twee voorafgaande belastingjare van die jaar waarin aansoek gedoen is;
- (h) die aansoeker se skriftelike toestemming vir die uitvoer van 'n ondersoek deur die komitee, of deur die komitee se agent, konsultant of werknemer, van sy of haar finansiële agtergrond, finansiële status, besigheidsgeskiedenis, werksgeskiedenis en enige ander aangeleentheid wat in die lisensie-aansoekvorm vereis word;
- (i) 'n volledige stel van die aansoeker se vingerafdrukke, soos vanaf die Suid-Afrikaanse Polisie bekom is; en
- (j) bewys van betaling aan die Suid-Afrikaanse Polisie van die gelde ten opsigte van 'n versoek om 'n sertifikaat wat die aansoeker se kriminele rekordstatus aandui.

(3) Die toestaan van 'n beroepswedderslisensie waarvoor ingevolge hierdie regulasie aansoek gedoen is, is onderhewig aan die toepaslike bepalinge van artikel 22 van die Ordonnansie.

(4) Daar kan van 'n aansoeker wat nie alreeds 'n beroepswedderslisensie in KwaZulu-Natal hou nie, vereis word om 'n evaluasie van sy of haar kennis van die beroepsweddersbesigheid en van die reg wat op beroepswedderij van toepassing is, te ondergaan.

(5) Die evaluasie bedoel in subregulasie (4) sal deur die komitee geadministreer word.

Aansoek om tydelike beroepswedderslisensie

14.(1) Aansoek om 'n tydelike beroepswedderslisensie moet deur die aansoeker aan die Direkteur-generaal gerig word en moet vergesel gaan deur –

- (a) betaling van die tydelike lisensiegelde wat in die eerste bylae van hierdie Ordonnansie voorgeskryf is;
- (b) die naam en fisiese adres van die beroepswedder deur wie die aansoeker in diens geneem word; en
- (c) 'n beëdigde verklaring deur die aansoeker wat vermeld dat hy of sy nie uit hoofde van die bepalinge van artikel 49 van die Nasionale Dobbeltwet, 2004 (Wet No. 7 van 2004) onbevoeg is vir sodanige diens nie.

(2) Aansoek om 'n tydelike beroepswedderslisensie moet gedoen word deur 'n vorm soos wat deur die aangestelde beampte goedgekeur is, vir daardie doel te gebruik.

(3) 'n Tydelike beroepswedderslisensie wat ingevolge artikel 22 van die Ordonnansie deur die Minister toegestaan en deur die Direkteur-generaal uitgereik is, moet behoudens die volgende voorwaardes toegestaan word –

- (a) dat die lisensiehouer slegs in die wedkamer van 'n gelisensieerde beroepswedder sake doen; en
- (b) dat 'n beroepswedder deur wie die aansoeker tydelik in diens geneem word die indiensneming van die tydelike beroepswedder bevestig.

(4) 'n Tydelike beroepswedderslisensie moet die volgende weerspieël –

- (a) die volle naam van die tydelike beroepswedder na wie sodanige lisensie verwys;
- (b) die tydperk waarvoor die lisensie geldig is; en
- (c) die datum van uitreiking.

(5) Elke tydelike beroepswedderslisensie is persoonlik aan die houer en kan nie oorgedra of andersins vervreem word nie.

(6) Indien 'n beroepswedder of 'n vennootskap van beroepswedders 'n tydelike beroepswedder in diens neem, is sodanige beroepswedder of vennote gesamentlik en afsonderlik –

- (a) aanspreeklik vir al die pligte en verpligtinge wat die Ordonnansie 'n beroepswedder oplê; en
- (b) verantwoordelik vir al die vermeldde tydelike beroepswedderswerkzaamhede wat met die beroepsweddersbesigheid verband hou.

Aansoek om tydelike lisensie om op renbaan sake te doen

15.(1) 'n Aansoek deur 'n beroepswedder om vir een dag op 'n renbaan sake te doen, moet aan die betrokke renklub gerig word.

(2) Elke aansoek ingevolge subregulasie (1) moet deur die betrokke renklub oorweeg word wat, by betaling van die gelde wat in die eerste bylae van die Ordonnansie voorgeskryf is, die betrokke lisensie kan uitreik.

(3) Die gelde vermeld in subregulasie (2) moet binne 7 dae na die uitreiking van die betrokke lisensie deur die betrokke renklub aan die Direkteur-generaal betaal word.

Verslae oor aansoeke

16.(1) By ontvangs van 'n aansoek om 'n nuwe beroepswedderslisensie bedoel in regulasie 13, moet die Direkteur-generaal –

- (a) 'n afskrif van die aansoek en van die dokumente vermeld in regulasie 13(2) aan die komitee en die vereniging bedoel in artikel 21(1) van die Ordonnansie verskaf;
- (b) terselfdertyd versoek dat die komitee 'n verslag binne 'n spesifieke tyd verskaf aangaande die geskiktheid van die aansoeker en enige ander aangeleentheid wat hy of sy toepaslik ag.

(2) Die komitee kan 'n aansoeker om 'n nuwe beroepswedderslisensie versoek om voor hom te verskyn, in welke geval die bepalings van regulasie 10(7)(b) en (c) *mutatis mutandis* van toepassing is sover dit die aflê van getuienis aangaan.

(3) Die komitee moet –

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(a) die voltooide aansoek om 'n nuwe beroepswedderslisensie;
 (b) sy verslag oor die ondersoek van die geskiktheid van die aansoeker; en
 (c) skriftelike kennisgewing van sy besluit om die aansoek te ondersteun of teen te staan en in die geval van 'n besluit om die aansoek teen te staan, die volle redes vir daardie besluit,
 aan die Direkteur-generaal voorlê.

(4) Die verslag oor die ondersoek van die geskiktheid van 'n aansoeker om 'n beroepswedderslisensie, soos in subregulasie 3 bedoel, bly geldig vir 'n tydperk van twaalf maande na die datum van die voorlegging daarvan aan die Direkteur-generaal.

(5) Indien 'n aansoeker om 'n beroepswedderslisensie bedoel in regulasie 13 suksesvol was en binne 'n tydperk van twaalf maande na die datum van die eerste voorlegging by die Direkteur-generaal aansoek om 'n ander beroepswedderslisensie doen, kan die verslag in subregulasie (3) bedoel deur die komitee aan die Direkteur-generaal hervoorgelê word ter ondersteuning van die nuwe aansoek: Met dien verstande dat die aansoeker by wyse van 'n beëdigde verklaring moet bevestig dat geen wesentliche inligting of omstandighede wat in sy of haar aansoekdokumentasie weerspieël word, op so 'n wyse verander het dat dit die aansoeker se geskiktheid vir die toestaan van die nuwe beroepswedderslisensie kan beïnvloed nie.

(6) Waar die aansoeker in staat is om die vereiste beëdigde verklaring bedoel in subregulasie (5) te verskaf, bly die dokumentasie ter ondersteuning van die aansoek, soos in regulasie 13 bedoel, geldig vir dieselfde tydperk bedoel in subregulasie (4): Met dien verstande dat die aansoeker steeds aanspreeklik is vir die betaling van die aansoekgelde en voorts met dien verstande dat die aansoeker desondanks gebind is deur die vereistes van regulasie 13(2)(a), (b) en (e).

Toestaan en uitreiking van beroepswedderslisensie

17.(1) Die Minister moet weier om 'n lisensie aan 'n aansoeker toe te staan indien daardie persoon –

- (a) onder die ouderdom van 18 jaar is;
- (b) 'n staatsdiensamptenaar of politieke ampsdraer is;
- (c) gelys is in die register van uitgeslote persone soos in die Nasionale Dobbeltwet, 2004 (Wet No. 7 van 2004) bedoel;
- (d) 'n lid of werknemer van die komitee is;
- (e) 'n ongerehabiliteerde insolvent is;
- (f) nie 'n geskikte en gepaste persoon is om by die betrokke besigheid betrokke te wees nie;
- (g) onderhewig is aan 'n bevel van 'n bevoegde hof ingevolge waarvan daardie persoon geestelik versteurd of ongesteld verklaar is;
- (h) te eniger tyd uit 'n vertrouenspos ontslaan is weens wangedrag ten opsigte van bedrog of geldverduistering;
- (i) gedurende die vorige tien jaar, in die Republiek of elders, skuldig bevind is aan diefstal, bedrog, vervalsing of uitgifte van 'n vervalste dokument, meened, 'n misdryf kragtens die Wet op Korrupsie, 1992 (Wet No. 94 van 1992), of 'n misdryf ingevolge die Ordonnansie en gevonnissen tot gevangenisstraf sonder die keuse van 'n boete, of tot 'n boete wat R3 000-00 oorskry, tensy die persoon amnestie of algehele kwytskelding van die misdryf ontvang het; of
- (j) 'n familielid is van –
 - (aa) 'n staatsdiensamptenaar of politieke ampsdraer; of

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(bb) 'n lid of werknemer van die komitee.

(2) Die Minister moet weier om 'n lisensie aan 'n aansoeker uit te reik indien, na uitvoering van die voorgeskrewe ondersoeke, die komitee verslag doen dat hy rede het om te glo dat die aansoeker of 'n bestuurder van die betrokke besigheid –

- (a) 'n familielid van 'n lid van die komitee; of
- (b) 'n familielid van die Minister is.

(3) Die Direkteur-generaal moet by –

- (a) die toestaan van 'n lisensie deur die Minister;
- (b) nakoming deur die aansoeker van enige voorwaarde wat as 'n voorvereiste vir die uitreiking van die lisensie gestel is;
- (c) betaling van die gelde vir die lisensie soos neergelê in die eerste bylae van die Ordonnansie; en
- (d) die aansoeker se verskaffing van die sekuriteite in regulasies 23, 36 en 48 bedoel, die toepaslike lisensie in die voorgeskrewe formaat uitreik en enige ander voorwaardes wat deur die Minister gestel is, daarop of op enige meegaande bylae aanbring.

Hernuwing van beroepswedderslisensie

18.(1) Aansoek om die hernuwing van 'n beroepswedderslisensie moet gedoen word –

- (a) by die Direkteur-generaal in die voorgeskrewe formaat; en
- (b) nie vroeër nie as 1 November en nie later nie as 10 Desember van die jaar waarvoor die lisensie uitgereik is.

(2) Indien 'n beroepswedder versuim om 'n lisensie te hernu voor die verstryking daarvan soos in subregulasie (1) bedoel, verstryk die lisensie.

(3) 'n Beroepswedder wat aansoek doen om hernuwing van sy of haar lisensie ingevolge subregulasie (1) moet jaarlikse finansiële state, asook gesertifiseerde afskrifte van alle inkomstebelastingopgawes ten opsigte van die beroepsweddersbesigheid waarop die lisensie betrekking het, voorlê.

Verandering van eienaarskap van beroepsweddersbesigheid

19. 'n Aansoek om 'n beroepswedderslisensie by verandering van eienaarskap van 'n bestaande beroepsweddersbesigheid word as 'n aansoek om 'n nuwe lisensie beskou.

Wedkamerperseel

20.(1) 'n Beroepswedder moet 'n primêre wedkamerperseel op sy of haar eie onkoste verskaf en verseker dat sodanige perseel geleë is binne die gebied deur die Minister bepaal, soos ingevolge artikel 22(10) van die Ordonnansie bedoel.

(2) Geen beroepswedder mag van enige perseel af sake doen sonder dat daardie perseel deur die komitee goedgekeur is nie.

(3) Die pligte deur hierdie regulasies opgelê, is gesamentlik en afsonderlik van toepassing waar meer as een beroepswedder vanaf dieselfde primêre wedkamerperseel sake doen.

(4) 'n Beroepswedder wat nie in staat is om vanaf sy of haar primêre wedkamerperseel sake te doen nie, moet skriftelik aansoek by die komitee doen vir goedkeuring om sy of haar beroepsweddersbesigheid tydelik vanaf 'n ander perseel te bedryf en moet terselfdertyd die aansoekgelde voorgeskryf in bylae 1 by die Ordonnansie betaal.

(5) 'n Beroepswedder wat aansoek doen soos in subregulasie (4) bedoel moet 'n motivering en enige ander inligting of dokumentasie vereis deur die komitee insluit.

(6) 'n Beroepswedder wat magtiging verlang om vanaf 'n tydelike perseel sake te doen terwyl hy of sy voortgaan om sake vanaf 'n primêre wedkamerperseel te doen, moet die volgende verskaf

- (a) inligting aangaande waar en wanneer die hoofsportgebeurtenis of ander gebeurtenis of gebeurlikheid sal plaasvind;
- (b) inligting aangaande die fisiese fasiliteite wat die tydelike beroepsweddersoperasie sal huisves, met inbegrip van die beroepswedder se gerekenariseerde rekordhoudingstelsel en verbandhoudende toerusting;
- (c) dokumentasie wat bewys dat die beroepswedder toestemming om sake te doen, bekom het van die organiseerders van die hoofsportgebeurtenis of ander gebeurtenis of gebeurlikheid ten opsigte van 'n bepaalde ruimte of plek by of naby die plek waar die hoofsportgebeurtenis of ander gebeurtenis of gebeurlikheid plaasvind;
- (d) skriftelike bevestiging deur die gebeurtenisorganiseerders dat werknemers van die komitee in staat sal wees om toegang tot die fisiese fasiliteite te verkry wat die tydelike beroepsweddersoperasie sal huisves;
- (e) bevestiging dat die ligging en opset van die beroepswedder se gerekenariseerde rekordhoudingstelsel en verbandhoudende toerusting aan hierdie regulasies voldoen; en
- (f) enige motivering, inligting en stawende dokumente wat deur die komitee vereis word.

(7) Die komitee mag nie magtiging toestaan om vanaf 'n tydelike perseel sake te doen terwyl besigheidsoperasies vanaf die primêre wedkamerperseel tydelik gestaak is, vir 'n tydperk van meer as 90 dae nie: Met dien verstande dat die komitee in buitengewone omstandighede, en by skriftelike aansoek deur die betrokke beroepswedder 'n verdere verlenging kan verleen.

(8) Die komitee mag nie magtiging verleen om vanaf 'n tydelike perseel sake te doen terwyl daar voortgegaan word om vanaf 'n primêre wedkamerperseel sake te doen vir 'n tydperk van meer as 40 dae nie.

Verskuiwing van beroepsweddersbesigheid na ander perseel en wysiging van wedkamerperseel

21.(1) Geen beroepswedder mag –

- (a) verskuif; of
- (b) enige strukturele wysiging of byvoeging aan 'n primêre wedkamerperseel aanbring nie, buiten met die vooraf skriftelike goedkeuring van die komitee.

(2) 'n Aansoek om goedkeuring soos in subregulasie (1)(a) bedoel, moet skriftelik wees en vergesel gaan deur 'n kaart wat die ligging van die perseel aantoon en 'n grondplan van die perseel waarna voorgestel word dat die beroepsweddersbesigheid verskuif, met aanduiding van voorgestelde wysigings of byvoegings, indien van toepassing.

(3) 'n Aansoek om goedkeuring soos in subregulasie (1)(b) bedoel, moet skriftelik wees en vergesel gaan deur 'n grondplan van die goedgekeurde primêre wedkamerperseel, met aanduiding van voorgestelde wysigings of byvoegings.

(4) Waar 'n beroepswedder verlang om wedtransaksies vanaf 'n sekondêre wedkamerperseel aan te gaan, moet hy of sy eers skriftelik aansoek doen by –

- (a) die Minister, vir goedkeuring van die sekondêre wedkamerperseel; en
- (b) die komitee, vir goedkeuring van die soort toerusting wat gebruik moet word vir die doel om transaksies op die beroepswedder se gerekenariseerde rekordhoudingstelsel aan te gaan en vir die fisiese installasie van sodanige toerusting by sy of haar sekondêre wedkamerperseel.

(5) Enige toerusting goedgekeur deur die komitee ingevolge subregulasie (4)(b) hierbo, moet –

- (a) op 'n manier werk wat wesenlik soortgelyk is aan 'n rekenaarterminal wat normaalweg deur die beroepswedder gebruik word vir die invoer van wedtransaksies op die beroepswedder se primêre wedkamerperseel; en
- (b) die beroepswedder toelaat om van 'n afstand af wedtransaksies direk in die beroepswedder se gerekenariseerde rekordhoudingstelsel te voer, deur middel van die internet vanaf die beroepswedder se sekondêre wedkamerperseel.

(6) Goedkeuring deur die komitee van die installasie by en die gebruik van die gerekenariseerde rekordhoudingstelsel vanaf die beroepswedder se sekondêre wedkamerperseel moet aan die beroepswedder gekommunikeer word voordat hy of sy wedtransaksies vanaf enige sodanige perseel mag aangaan.

(7) 'n Beroepswedder mag slegs wedtransaksies deur middel van sy of haar gerekenariseerde rekordhoudingstelsel by sy of haar sekondêre wedkamerperseel aangaan, wanneer die primêre wedkamerperseel vir die publiek vir besigheid gesluit is.

Wedkamerure

22. 'n Beroepswedder se primêre wedkamerperseel mag oopgehou word vir die aangaan en uitbetaling van weddenskappe gedurende sodanige ure en op sodanige dae as deur die beroepswedder bepaal ten opsigte van die kamers onder sy of haar beheer.

Sekuriteit deur beroepswedders vir wedverpligtinge

23.(1) 'n Houer van 'n lisensie ingevolge artikel 22 van die Ordonnansie mag nie voortgaan met 'n beroepsweddersbesigheid nie tensy hy of sy sekuriteit vir betaling van sy of haar verpligtinge ten opsigte van wedtransaksies ingedien het by sodanige persoon of liggaam en in sodanige formaat en bedrag soos die Minister van tyd tot tyd gelas.

(2) Die sekuriteit vermeld in subregulasie (1) mag nie onttrek of verminder word sonder vooraf goedkeuring van die Direkteur-generaal nie en dan slegs indien hy of sy tevrede is dat –

- (a) dit vir die doel is van nakoming van die aanspreeklikhede van 'n beroepswedder wat wanbetaal;
- (b) 'n beroepswedder se aanspreeklikhede nagekom is; of
- (c) die bedrag waartoe sy of haar sekuriteit verminder moet word, sodanige aanspreeklikhede sal dek.

Weddenskapskille

24.(1) Die komitee kan enige weddenskapskille tussen 'n beroepswedder en 'n wedder of tussen 'n beroepswedder en 'n ander beroepswedder besleg.

(2) 'n Wedder of beroepswedder wat 'n weddenskapskille aan die komitee wil voorlê, moet –
(a) dit skriftelik doen, geadresseer aan die hoof- uitvoerende beampte, binne veertien dae vanaf die datum waarop die skille ontstaan het; en
(b) terselfdertyd volle besonderhede van sodanige skille voorsien.

(3) Die hoof- uitvoerende beampte mag vereis dat die wedder bedoel in subregulasie (2) 'n deposito van R500-00 aan die komitee betaal.

(4) Die hoof- uitvoerende beampte mag vereis dat die beroepswedder bedoel in subregulasie (2) 'n deposito van R2 000-00 aan die komitee betaal.

(5) Die hoof- uitvoerende beampte moet onmiddellik by ontvangs van kennisgewing van sodanige skille die besonderhede daarvan in 'n register wat vir daardie doel gehou word, opteken.

(6) Werknemers van die komitee moet die skille ondersoek en 'n verslag aangaande hul bevindings voorberei vir voorlegging aan die komitee.

(7) Die komitee moet, na ontvangs van 'n verslag wat deur sy werknemers opgestel is soos in subregulasie (6) bedoel, –

- (a) 'n verhoor aangaande die skille hou; en
- (b) aan die einde van die verhoor oor die skille beslis, soos in subregulasie (9) bedoel.

(8) Indien enige party by 'n weddenskapskille versuim om voor die komitee te verskyn nadat hy of sy nie minder nie as 72 uur kennisgewing ontvang het om dit te doen, kan die komitee voortgaan om die skille in sy of haar afwesigheid te oorweeg en daarvoor te beslis.

(9) Die komitee kan –

- (a) gelas dat enige deposito wat betaal is, terugbetaal word nadat die komitee die skille aangehoor het, of indien die skille onttrek word voordat die komitee dit aanhoor, ten tyde van die ontvangs van die kennisgewing van die onttrekking van die skille; of
- (b) verbeuring gelas van enige deposito wat betaal is indien hy 'n skille as beuselagtig beskou; en
- (c) 'n bevel gee wat die wyse bepaal waarop die weddenskapskille besleg moet word, met inbegrip van, onder andere, 'n bevel wat 'n weddenskap nietig maak, of 'n keuse nietig maak, of 'n bevel wat die betaling van enige bedrag deur een party aan die ander bepaal.

(10) Die aantekens van 'n appèl teen die besluit of bevel van die komitee geneem ingevolge subregulasie (7) of (9) hiervan, stel nie die uitvoering van sodanige besluit of bevel uit nie: Met dien verstande dat indien 'n beroepswedder, wat deur middel van 'n besluit geneem deur die komitee ten opsigte van 'n weddenskapskille gelas is om enige winste of ander bedrag aan 'n wedder te betaal, teen die besluit appelleer betaling van die winste of ander bedrag deur sodanige beroepswedder aan die komitee gemaak moet word om in trust gehou te word, hangende die uitslag van die appèl, waarop die komitee die winste of ander bedrag moet uitbetaal indien die Minister so gelas.

Eienaarskap en beheer van beroepsweddersbesigheid

25.(1) 'n Persoon wat besigheid in vennootskap met een of meer gelisensieerde beroepswedders wil voortsit, moet goedkeuring van die Minister verkry.

(2) Die versoek om goedkeuring soos in subregulasie (1) bedoel, moet vergesel gaan deur 'n gesertifiseerde afskrif van die betrokke vennootskapsooreenkoms.

(3) Vennote is gesamentlik en afsonderlik aanspreeklik vir al die verpligtinge van die vennootskap en elke vennoot moet aan die vereistes aangaande sekuriteit en lisensies voldoen asof hy of sy besigheid op sy of haar eie verantwoording doen.

(4) Indien 'n vennootskap van beroepswedders gelyktydig in 'n enkel wedkamerperseel en op 'n ander goedgekeurde plek sake doen, moet sodanige vennootskap die volgende byhou –

- (a) een deelnemerstaat –
 - (i) per perdewedren per plek;
 - (ii) per sportgebeurtenis per plek; en
 - (iii) per ander gebeurtenis of gebeurlikheid per plek; en
- (b) een toonbankboek.

(5) 'n Beroepswedder mag geen persoon, buiten 'n persoon aan wie goedkeuring toegestaan is soos in subregulasie (1) bedoel en wat 'n gelisensieerde beroepswedder is, toelaat om 'n finansiële belang of beherende aandeel in sy of haar beroepsweddersbesigheid te hê nie.

(6) Indien twee of meer beroepswedders hul besigheid in vennootskap voortsit, moet hulle onverwyld op versoek deur –

- (a) 'n lid van die komitee;
 - (b) 'n inspekteur of beamppte aangestel ingevolge artikel 33 of 35 van die Ordonnansie; of
 - (c) 'n persoon aangestel ingevolge artikel 24(2)(d) van die Ordonnansie,
- 'n gesertifiseerde afskrif van die betrokke vennootskapsooreenkoms toon.

(7) Indien 'n vennootskap van beroepswedders sy besigheid vanaf 'n enkel wedkamerperseel bedryf –

- (a) moet sodanige vennootskap nie meer nie as –
 - (i) een deelnemerstaat –
 - (aa) per perdewedren;
 - (bb) per sportgebeurtenis; en
 - (cc) per ander gebeurtenis of gebeurlikheid.
 - (ii) een toonbankboek; en
 - (iii) een stel van die state bedoel in artikel 30 van die Ordonnansie,

bedryf en byhou;

(b) moet alle boeke, rekords, state, opgawes, weddenskapborde en advertensies van sodanige vennootskap die naam van die vennootskap en die name van die vennote weerspieël; en

(c) mag geen weddenskappe tussen vennote, of deur enige vennoot in die vennootskap aangegaan word nie.

(8) Die Minister kan, na sy of haar goeiddunke en deur middel van 'n endossement op of deur middel van 'n bylae by die beroepswedderslisensie of lisensies uitgereik aan die vennote in 'n

beroepsweddersbesigheid, sodanige voorwaardes, beperkings en voorbehoude soos hy of sy nodig ag, oplê.

(9) Indien die voorneme is om 'n vennootskap van gelisensieerde beroepswedders te beëindig, moet die betrokke vennote die Minister onmiddellik skriftelik in kennis stel van hul voorneme om dit te doen.

(10) In die geval van die dood van 'n gelisensieerde beroepswedder wat in 'n vennootskap sy besigheid bedryf het, kan enige oorlewende vennoot of vennote binne die vennootskap voortgaan om die beroepsweddersbesigheid te bedryf.

(11) Nieteenstaande subregulasie (5), word 'n beroepswedder nie verhinder om 'n ooreenkoms te sluit waarvolgens die beroepswedder geregtig sou wees op die intellektuele eiendom, kennis en besigheidsmetodes van enige ander persoon in die bedryf van sy of haar beroepsweddersbesigheid nie en waar die ander persoon geregtig sou wees op 'n winsaandeel in die vorm van 'n fooi wat nie 20 persent van die brutowins van die besigheid oorskry nie.

(12) 'n Ooreenkoms soos in subregulasie (11) bedoel, mag nie geïmplementeer word nie, tensy die ooreenkoms deur die Minister goedgekeur is.

(13) Die Minister mag nie die ooreenkoms bedoel in subregulasie (11) goedkeur nie, indien hy of sy van mening is dat die vermelde ooreenkoms oordrag van eienaarskap, of enige aspek van beheer oor die beroepsweddersbesigheid tot gevolg sou hê.

(14) 'n Beroepswedder mag nie die ooreenkoms bedoel in subregulasie (11) implementeer, om sodoende enige aspek van beheer oor die beroepsweddersbesigheid oor te dra nie.

(15) 'n Beroepswedder mag nie die ooreenkoms bedoel in subregulasie (11) implementeer, op 'n wyse wat deur middel van advertensie of deur enige ander middele aan die publiek sou uitbeeld dat die besigheid deur 'n ander persoon besit word nie.

(16) 'n Beroepswedder mag nie sy of haar besigheid bedryf op 'n wyse wat deur middel van advertensie of deur enige ander middele aan die publiek sou uitbeeld dat die besigheid deur 'n ander persoon besit word nie.

Beroepsweddersrekords wat gehou moet word ten opsigte van handoptekenstelsel

26.(1) Elke beroepswedder wat nie sy of haar gerekenariseerde optekenstelsel kan gebruik nie moet die volgende fisiese boeke en rekords byhou wat 'n volledige en juiste weergawe van sy of haar wedtransaksies gee –

(a) op 'n renbaan of sportfeesbaan –

(i) 'n deelnemersboek wat voorsiening maak vir 'n oorspronklike en twee afskrifte van elke bladsy daarvan deur middel van deurslagpapier; en

(ii) 'n voorraad kaartjies wat reeksgewys genommer is, en

(b) in 'n wedkamer of op sodanige ander plek wat goedgekeur is vir die aangaan van weddenskappe op sportgebeurtenisse of 'n ander gebeurtenis of gebeurlikheid –

(i) 'n deelnemersboek;

(ii) 'n kaartjieboek;

(iii) 'n toonbankboek wat voorsiening maak vir 'n oorspronklike en twee afskrifte van elke bladsy daarvan deur middel van deurslagpapier;

(iv) 'n dekkingsweddenskapboek; en

(v) 'n veelvoudige weddenskapboek waarin alle weddenskappe op perde in wedrenne wat op verskillende wedrenndae gehou moet word en alle weddenskappe aangegaan op sportgebeurtenisse of ander gebeurtenisse of gebeurlikhede of 'n kombinasie van wedrenne, sportgebeurtenisse of ander gebeurtenisse of gebeurlikhede wat op verskillende dae plaasvind, weergegee word.

(2) Die boeke en rekords in subregulasie (1) bedoel, moet in 'n formaat soos deur die Direkteur-generaal goedgekeur wees en mag nie vernietig of andersins mee weggedoen word buiten met die Direkteur-generaal se magtiging nie.

(3) 'n Beroepswedder moet verseker dat –

- (a) die bladsye van elke boek vir die opteken van weddenskappe, buiten 'n boek bestaande uit genommere kaartjies, opeenvolgend genommer word; en
- (b) elke deurslag van 'n inskrywing in 'n boek of rekord genommer word om met die oorspronklike ooreen te stem.

(4)(a) Geen beroepswedder mag 'n boek gebruik wat nie, deur 'n behoorlik gemagtigde werknemer van die komitee, namens die komitee geteken is nie.

(b) Die komitee moet 'n register byhou waarin besonderhede opgeteken moet word van alle boeke wat ingevolge paragraaf (a) namens hom geteken is en die datum waarop sodanige boek geteken is.

(5) Alle wedtransaksies wat in 'n beroepswedder se boeke en rekords opgeteken is, word as deel van sy of haar beroepsweddersbesigheid beskou.

Prosedures by die aangaan van 'n weddenskap waar handoptekenstelsel gebruik word

27.(1) Elke beroepswedder wat nie 'n gerekenariseerde optekenstelsel kan gebruik nie, moet onmiddellik wanneer hy 'n weddenskap op 'n wedrenbaan of 'n sportfeesbaan aangaan –

- (a) besonderhede daarvan in 'n deelnemersboek of 'n deelnemerstaat soos in regulasie 26(1)(a)(i) bedoel, aanteken;
- (b) indien sodanige weddenskap 'n kontantweddenskap is, 'n genommere kaartjie bedoel in regulasie 26(1)(a)(ii) uitreik aan die persoon met wie die weddenskap aangegaan is, wat in leesbare vorm besonderhede van sodanige weddenskap aandui; en
- (c) die nommer van sodanige kaartjie teen die rekord van die weddenskap in die deelnemersboek in paragraaf (a) bedoel aanteken.

(2) Elke beroepswedder wat nie 'n gerekenariseerde optekenstelsel kan gebruik nie, moet onmiddellik wanneer hy 'n weddenskap in 'n wedkamer of op enige ander plek wat goedgekeur is vir die neem van weddenskappe by sportgebeurtenisse of enige ander gebeurtenis of gebeurlikheid aangaan –

- (a) 'n genommere kaartjie uit 'n kaartjiesboek bedoel in regulasie 26(1)(b)(ii) met die datum en tyd waarop die weddenskap aangegaan word en volledige besonderhede daarvan in leesbare vorm uitreik; met inbegrip van, in die geval van 'n telefoonweddenskap of 'n kredietweddenskap, die naam van die persoon met wie die weddenskap aangegaan word in soveel besonderhede dat dit vir 'n inspekteur wat ingevolge die Ordonnansie aangestel of gemagtig is of enige lid van die komitee moontlik is om voornoemde persoon te identifiseer;
- (b) daarna volledige besonderhede daarvan opteken –
 - (i) in 'n deelnemersboek of 'n deelnemerstaat bedoel in regulasie 26(1)(b)(i); en

- (ii) in 'n toonbankboek bedoel in regulasie 26(1)(b)(iii); en
- (c) indien sodanige weddenskap 'n dekkingsweddenskap is, besonderhede daarvan opteken in 'n dekkingsweddenskapboek beoog in regulasie 26(1)(b)(iv).

(3) Elke beroepswedder wat nie 'n gerekenariseerde optekenstelsel kan gebruik nie en wat sake by 'n wedrenbyeenkoms of sportfees doen, moet onmiddellik op aanvraag aan die verteenwoordiger van die betrokke wedrenklub of sportfeesklub die koolafskrif of 'n rekenaargegenereerde afskrif van sodanige bladsy van die deelnemersboek of deelnemerstaat lewer soos wat deur sodanige verteenwoordiger aangevra word.

(4) 'n Beroepswedder wat 'n kaartjie ingevolge subregulasies (1)(b) en (2)(a) uitreik, moet, tensy dit ten gevolge van 'n telefoonweddenskap uitgereik is, die kaartjie onmiddellik aan die persoon met wie die weddenskap aangegaan is, lewer.

Gerekenariseerde optekenstelsel

28.(1) Geen beroepswedder mag 'n gerekenariseerde optekenstelsel of enige wysiging aan 'n goedgekeurde gerekenariseerde optekenstelsel gebruik nie totdat sodanige stelsel of wysiging deur die aangestelde beampte goedgekeur is en totdat sodanige beroepswedder in besit is van 'n kaartjiedrukker of kaartjiedrukkers wat tesame met die gerekenariseerde optekenstelsel gebruik moet word: Met dien verstande dat op die komitee se aanbeveling en nieteenstaande vereistes van subregulasies (2) en (3), die aangestelde beampte 'n beroepswedder kan magtig, vir 'n tydperk van nie meer nie as 60 dae en vir die doel om die stelsel te toets, om 'n gerekenariseerde optekenstelsel of 'n wysiging aan 'n goedgekeurde gerekenariseerde optekenstelsel te gebruik wat nie deur die aangestelde beampte goedgekeur is nie en nie aan die Suid-Afrikaanse Buro van Standaarde voorgelê is soos in subregulasie (2) bedoel nie.

(2) Die verskaffer van 'n gerekenariseerde optekenstelsel of enige wysiging aan 'n goedgekeurde gerekenariseerde optekenstelsel moet –

- (a) sodanige stelsel of wysiging na die Suid-Afrikaanse Buro vir Standaarde verwys vir sertifisering ingevolge die toepaslike nasionale standaard; en
- (b) by ontvangs van die nodige sertifisering, dit saam met 'n skriftelike beskrywing van die stelsel of wysiging en enige ander dokumentasie wat die aangestelde beampte mag vereis, aan die aangestelde beampte voorlê.

(3) By ontvangs van die dokumentasie bedoel in subregulasie (2)(b) kan die aangestelde beampte –

- (a) behoudens subregulasie (4) sodanige stelsel of wysiging weier, of met of sonder voorwaardes goedkeur;
- (b) sodanige stelsel of wysiging na die verskaffer terugverwys vir enige veranderinge aan sodanige stelsel of wysiging; of
- (c) die verskaffer versoek om bykomende inligting voor te lê.

(4) Die aangestelde beampte moet enige gerekenariseerde optekenstelsel of enige wysiging van 'n goedgekeurde gerekenariseerde optekenstelsel na die komitee, of na enige ander persoon of liggaam, vir evaluasie verwys voordat 'n finale besluit aangaande enige goedkeuring bedoel in subregulasie (1) geneem word.

(5) Enige kostes aangegaan deur die verskaffer van 'n gerekenariseerde optekenstelsel of enige wysiging aan 'n goedgekeurde gerekenariseerde optekenstelsel ter nakoming van die vereistes bedoel in subregulasie (2) of (4), moet deur die verskaffer gedra word.

(6) By goedkeuring van 'n gerekenariseerde optekenstelsel of wysiging aan 'n goedgekeurde gerekenariseerde optekenstelsel deur die aangestelde beampte, moet die aangestelde beampte dit registreer en die betrokke verskaffer van sodanige goedkeuring in kennis stel.

(7) 'n Beroepswedder word nie toegelaat om 'n gerekenariseerde optekenstelsel te gebruik tesame met die handoptekenstelsel bedoel in regulasies 26 en 27 nie, behalwe in die geval van die totale weiering van die goedgekeurde gerekenariseerde optekenstelsel om wedtransaksies korrek vas te lê, in welke geval –

- (a) hy of sy aan die bepalings van regulasies 26 en 27 moet voldoen in soverre dit met 'n handoptekenstelsel verband hou;
- (b) hy of sy onmiddellik wanneer dit moontlik is om dit te doen, na die gerekenariseerde optekenstelsel moet terugkeer; en
- (c) die handrekords vir inspeksiedoeleindes behou moet word.

(8) Enige beroepswedder wat versuim om aan die bepalings van subregulasie (7) te voldoen, word geag strydig op te tree met 'n plig of verpligting wat die Ordonnansie hom oplê en is aan 'n misdryf skuldig.

(9) Alle transaksies wat in 'n beroepswedder se gerekenariseerde optekenstelsel opgeteken is, word as deel van sy of haar weddenskapbesigheid beskou.

(10) Enige beroepswedder wat 'n gerekenariseerde optekenstelsel gebruik –

- (a) tesame met 'n gerekenariseerde optekenstelsel wat nie deur die aangestelde beampte ingevolge hierdie regulasie goedgekeur en geregistreer is nie;
- (b) sonder 'n kaartjiedrukker; of
- (c) wat met 'n gerekenariseerde optekenstelsel gepeuter het of op enige wyse daarmee ingemeng het nadat dit ooreenkomstig hierdie regulasie goedgekeur en geregistreer is,

word geag strydig op te tree met 'n plig of verpligting wat die Ordonnansie hom of haar oplê, en is aan 'n misdryf skuldig.

Beroepsweddersrekords wat gehou moet word ten opsigte van gerekenariseerde optekenstelsel

29.(1) Elke beroepswedder wat 'n gerekenariseerde optekenstelsel gebruik, moet die volgende rekords byhou wat 'n volledige en akkurate weergawe van sy of haar wedtransaksies gee –

- (a) 'n deelnemerstaat wat ooreenstem met elke perdewedren, sportgebeurtenis of ander gebeurtenis of gebeurlikheid, ten opsigte waarvan die beroepswedder 'n weddenskaptransaksie aangegaan het;
- (b) 'n lys van elke kaartjie wat uitgereik of gekanselleer is;
- (c) 'n lys wat besonderhede van elke weddenskap wat aangegaan is, toon;
- (d) 'n lys van elke dekkingsweddenskap wat aangegaan is;
- (e) 'n lys van elke veelvoudige weddenskap waarin alle weddenskappe op perde in wedrenne wat op verskillende wedrendae gehou moet word en alle weddenskappe aangegaan op sportgebeurtenisse of ander gebeurtenisse of gebeurlikhede of 'n kombinasie van wedrenne, sportgebeurtenisse of ander gebeurtenisse of gebeurlikhede wat op verskillende dae plaasvind, weergegee word.

(2) Die rekords bedoel in subregulasie (1) moet in 'n formaat soos goedgekeur deur die Direkteur-generaal wees en mag nie vernietig of andersins mee weggedoen word buiten met die Direkteur-generaal se magtiging nie.

(3) Alle data en die rekords bedoel in subregulasie (1) moet aan die einde van elke dag op 'n geskikte en draagbare elektroniese opnamemedium of -toestel gekopieer word en elke sodanige elektroniese opnamemedium of -toestel en die data wat daarin of daarop gestoor is, moet veilig in chronologiese orde vir inspeksiedoeleindes op 'n ander perseel as die primêre wedkamerperseel gehou word.

(4) Die komitee moet bepaal of 'n draagbare elektroniese opnamemedium of -toestel soos in subregulasie (3) bedoel, geskik is vir die doel bedoel in subregulasie (3) en moet verder die geskiktheid bepaal van die plek en wyse waarop sodanige draagbare elektroniese opnamemedium of -toestel gehou word.

Prosedures by aangaan van weddenskappe waar gerekenariseerde optekenstelsel gebruik word

30.(1) Elke beroepswedder wat 'n gerekenariseerde optekenstelsel gebruik, moet onmiddellik wanneer 'n weddenskap aangegaan word –

(a) volle besonderhede van die weddenskap wat aangegaan is, met inbegrip van die datum en tyd wanneer die weddenskap aangegaan is, op die stelsel invoer;

(b) aan die persoon met wie die weddenskap aangegaan is 'n kaartjie wat reeksgewys genommer is, deur 'n kaartjiedrukker gedruk is, met die datum en tyd waarop die weddenskap aangegaan is en volledige besonderhede daarvan uitreik: Met dien verstande dat indien die weddenskap 'n telefoonweddenskap is, 'n kaartjie nie gedruk hoef te word nie, maar die inligting vereis deur subparagraaf (a) moet opgeteken word, asook die naam van die persoon met wie die weddenskap aangegaan is, in soveel besonderhede dat dit vir 'n inspekteur wat ingevolge die Ordonnansie aangestel of gemagtig is of enige lid van die komitee moontlik is om voornoemde persoon te identifiseer;

(c) verseker dat waar sodanige weddenskap 'n dekkingsweddenskap is, volle besonderhede van sodanige weddenskap in die lys van dekkingsweddenskappe vermeld in regulasie 29(1) opgeteken word; en

(d) verseker dat volle besonderhede van die weddenskap in die rekords beskryf in regulasie 29(1) opgeteken word.

(2) Elke beroepswedder wat 'n gerekenariseerde optekenstelsel gebruik en wat sake by 'n wedrenbyeenkoms of sportfees doen, moet onmiddellik op aanvraag aan die verteenwoordiger van die betrokke renklub of sportfeesklub 'n gedrukte afskrif van die deelnemerstaat lewer.

Registrasie van bestuurder en klerk

31.(1) Enige persoon wat as 'n bestuurder geregistreer wil word, moet skriftelik by die komitee aansoek doen, welke aansoek die komitee kan –

(a) weier;

(b) toestaan met of sonder voorwaardes; of

(c) terugverwys na die aansoeker vir voorlegging van bykomende inligting.

(2) Die aansoek bedoel in subregulasie (1) moet gedoen word deur 'n vorm te gebruik wat deur die komitee vir daardie doel ontwerp is, welke vorm vereistes vir dokumentasie en inligting wat deur die aansoeker verskaf moet word, moet insluit, met inbegrip van, onder andere –

- (a) die volle naam en identiteitsnommer van die aansoeker;
- (b) die aansoeker se woon- en posadresse;
- (c) 'n rekord van die aansoeker se kennis van beroepswedderspraktyk en prosedure en kennis of ervaring tersaaklik tot indiensneming in die beroepsweddersbedryf, indien enige;
- (d) die aansoeker se skriftelike toestemming vir die uitvoer van 'n ondersoek deur die komitee, of deur die komitee se agent, konsultant of werknemer van sy of haar persoonlike geskiedenis en agtergrond en enige ander aangeleenthede of inligting verskaf in die aansoek om, of in die beëdigde verklaring bedoel in paragraaf (e), of in enige verbandhoudende dokumentasie;
- (e) 'n beëdigde verklaring deur die aansoeker wat meld of hy of sy onbevoeg is om ingevolge hierdie regulasie geregistreer te word of nie, uit hoofde van een of meer van die onbevoegdheidsfaktore voorgeskryf in artikel 49 van die Nasionale Dobbeltwet, 2004 (Wet No. 7 van 2004);
- (f) die aansoekgelde wat in die eerste bylae van die Ordonnansie voorgeskryf is, welke gelde aan die komitee toeval;
- (g) 'n volledige stel van die aansoeker se vingerafdrukke, soos vanaf die Suid-Afrikaanse Polisie diens bekom is; en
- (h) bewys van betaling aan die Suid-Afrikaanse Polisie diens van die gelde ten opsigte van 'n versoek om 'n sertifikaat wat die aansoeker se kriminele rekordstatus aandui.

(3) Die komitee kan 'n aansoeker om registrasie as 'n beroepswedder se bestuurder evalueer volgens sy of haar kennis van die reg wat op beroepswedderij van toepassing is.

(4) Nadat die ondersoek bedoel in subregulasie (2)(d) afgehandel is en aan die komitee verslag gedoen is en na oorweging van die aansoek, kan die komitee weier om die bestuurder te registreer, of die bestuurder registreer in welke geval die komitee, by ontvangs van die registrasiegelde wat in die eerste bylae van die Ordonnansie voorgeskryf is, aan hom of haar 'n registrasiesertifikaat moet uitreik, behoudens die volgende voorwaardes –

- (a) dat die registrasie op 31 Desember van elke jaar verstryk, tensy dit hernu word op die wyse in subregulasie (7) bedoel;
- (b) dat hy of sy slegs in die wedkamer van 'n gelisensieerde beroepswedder sake mag doen;
- (c) dat hy of sy, voor diensaanvaarding, die komitee moet inlig –
 - (i) aangaande die naam en fisiese adres van die beroepswedder deur wie hy of sy in diens geneem word; en
 - (ii) aangaande enige voorgestelde verandering van indiensneming in welke geval die betrokke beroepswedder die indiensneming skriftelik moet bevestig en erken dat hy of sy aanspreeklik is vir al die bestuurder se werksaamhede; en
- (d) enige verdere voorwaardes wat die komitee, na goeddunke, besluit om te stel.

(5) 'n Registrasiesertifikaat moet die volgende weerspieël –

- (a) die volle naam van die betrokke bestuurder;
- (b) die jaar waarvoor dit uitgereik is;
- (c) die datum van uitreiking; en
- (d) die voorwaardes vermeld in subregulasie (4).

(6) Elke bestuurder se registrasiesertifikaat is persoonlik aan die houer en kan nie oorgedra of andersins vervreem word nie

(7) Aansoek om die hernuwing van 'n bestuurder se registrasiesertifikaat moet by die komitee gedoen word teen nie later nie as 1 Desember van elke jaar en moet vergesel gaan deur die hernuwingsgelde wat in die eerste bylae van die Ordonnansie voorgeskryf is, welke gelde aan die komitee toeval.

(8) Nieteenstaande subregulasie (4), kan die komitee, by aansoek om 'n tydelike registrasiesertifikaat wat gedoen moet word deur 'n vorm wat deur die komitee vir daardie doel ontwerp is, te gebruik, 'n tydelike registrasiesertifikaat aan 'n aansoeker uitreik vir registrasie as 'n bestuurder, voor die afhandeling van die ondersoek bedoel in subregulasie (2)(d): Met dien verstande dat die aansoekdokumentasie wat met die aansoek om 'n tydelike registrasiesertifikaat verband hou, nie aandui dat die aansoeker onbevoeg is vir registrasie nie.

(9) Indien 'n beroepswedder of 'n vennootskap van beroepswedders 'n geregistreerde bestuurder in diens neem –

(a) bly sodanige beroepswedder of sodanige vennootskap gesamentlik en afsonderlik aanspreeklik vir alle pligte en verpligtinge wat hierdie Ordonnansie 'n beroepswedder oplê; en

(b) is sodanige beroepswedder of sodanige vennootskap gesamentlik en afsonderlik verantwoordelik vir alle werksaamhede wat deur sodanige bestuurder in verband met die beroepsweddersbesigheid uitgevoer word.

(10) Die bepalings van subregulasies (1) tot (9) is inklusief, behoudens die nodige wysigings, op die registrasie van klerke van toepassing.

(11) Geen beroepswedder mag 'n persoon in die hoedanigheid van 'n beroepswedder se klerk of bestuurder in sy of haar beroepsweddersbesigheid in diens neem of toelaat om in diens geneem te word, tensy daardie persoon behoorlik ingevolge hierdie regulasies geregistreer is nie.

(12) Geen persoon mag diens of werk by 'n beroepswedder in die hoedanigheid van 'n beroepswedder se klerk of bestuurder aanvaar, tensy daardie persoon behoorlik ingevolge hierdie regulasies geregistreer is nie.

(13) 'n Beroepswedder se klerk kan weddenskappe met die publiek, die totalisator of met ander beroepswedders aangaan.

(14) 'n Bestuurder is 'n klas werknemer van 'n beroepswedder, of van 'n vennootskap van beroepswedders –

(a) met gesag oor alle geregistreerde klerke en ander werknemers van die beroepswedder, of vennootskap van beroepswedders;

(b) wat toegelaat word om weddenskappe met die publiek, die totalisator of met ander beroepswedders aan te gaan; en

(c) wat behoudens die kriteria vermeld in die omskrywing van "**bestuurder**" in artikel 2 van die Ordonnansie, verantwoordelik is vir alle verpligtinge van die beroepswedder wanneer die beroepswedder nie beskikbaar is nie.

(15) Elke beroepswedder of vennootskap van beroepswedders moet ooreenkomstig hierdie regulasie ten minste een werknemer as 'n bestuurder registreer.

Onbetaalde weddenskappe

32.(1) Enige persoon wat 'n geldige eis teen 'n beroepswedder het ten opsigte van 'n weddenskap wat sodanige beroepswedder versuim het om te betaal na 'n versoek om dit doen, moet die omstandighede skriftelik aan die hoof- uitvoerende beampte rapporteer.

(2) By ontvangs van kennisgewing soos in subregulasie (1) bedoel, moet die hoof- uitvoerende beampte dit onmiddellik in 'n register wat vir die doel gehou word, opteken en dit onverwyld aan die komitee voorlê.

(3) Indien, na 'n ondersoek waartydens die betrokke beroepswedder die geleentheid kry om aangehoor te word, die komitee tevrede is dat die eis deur die beroepswedder betaal moet word, kan hy hom of haar gelas om dit binne 24 uur te doen, en by versuim om sodanige bevel na te kom, kan hy hom of haar as 'n wanbetaler verklaar.

Beroepswedder wat wanbetaal

33.(1) Wanneer hy tevrede is, na 'n behoorlike ondersoek waartydens sodanige beroepswedder gehoor mag word, dat 'n beroepswedder nie in staat is om enige van sy of haar beroepswedderskulde ten opsigte van weddenskappe wat deur hom of haar aangegaan is en wat verskuldig en betaalbaar is, te betaal nie, kan die komitee hom of haar as 'n wanbetaler verklaar.

(2)(a) Wanneer die komitee 'n beroepswedder as 'n wanbetaler verklaar, moet hy 'n kennisgewing in dier voege op 'n kennisgewingbord in die wedkamer laat vertoon, welke kennisgewing moet vereis dat alle eise teen en alle gelde verskuldig aan die beroepswedder wat wanbetaal by die komitee ingedien of betaal moet word, na gelang van die geval, binne dertig dae na die datum waarop sodanige beroepswedder as 'n wanbetaler verklaar is.

(b) Die komitee is nie daartoe gebind om enige eis ingedien na die verstryking van die bogenoemde tydperk van 30 dae te oorweeg nie.

(3)(a) Wanneer hy of sy as 'n wanbetaler verklaar word, moet 'n beroepswedder onmiddellik al sy of haar weddenskapboeke, rekeningboeke en kontant voorhande aan die komitee oorhandig en die komitee moet dit in besit hou totdat die beroepswedder se aanspreeklikhede nagekom is.

(b) Enige beroepswedder wat as 'n wanbetaler deur die komitee verklaar word, word verhinder om weddenskappe aan te gaan totdat sy of haar aanspreeklikhede nagekom is en alle gelde betaal uit sekuriteite namens of deur hom of haar terugbesorg is en die Minister hom of haar as 'n geskikte en gepaste persoon beskou vir hertoelating om besigheid as 'n beroepswedder voort te sit.

(4) Wanneer 'n beroepswedder as 'n wanbetaler verklaar word, kan die komitee enige weddenskappe wat deur hom of haar aangegaan is ten tyde van sy of haar wanbetaling op 'n wedren of 'n sportgebeurtenis of ander gebeurtenis of gebeurlikheid wat nog nie plaasgevind het nie of met betrekking waartoe daar geen uitslag is nie, kanselleer en dit nietig verklaar, in welke geval enige kontant wat gedeponeer is ten opsigte van sodanige gekanselleerde weddenskap aan die persoon wat daarop geregtig is, terugbetaal moet word.

(5) Indien die komitee 'n beroepswedder as 'n wanbetaler verklaar, moet hy vir die doel van likwidasië van sy of haar aanspreeklikhede, die geheel of enige deel van enige sekuriteit wat namens hom of haar of namens sy of haar geregistreerde vennoot ingedien is, gebruik, hetsy

sodanige aanspreeklikhede aangegaan is in die loop van sy of haar besigheid as 'n beroepswedder in 'n wedkamer of op 'n renbaan of sportfeesbaan of op sodanige ander plek soos goedgekeur vir die aangaan van weddenskappe op sportgebeurtenisse of enige ander gebeurtenisse of gebeurlikhede: Met dien verstande dat sodanige sekuriteit nie gebruik mag word vir die betaling van enige aanspreeklikheid aangegaan met enige ander beroepswedder totdat alle ander wedverpligtinge betaal is nie.

Wedder wat wanbetaal

34.(1) Wanneer hy tevrede is, na 'n behoorlike ondersoek waartydens sodanige wedder aangehoor mag word, dat 'n wedder versuim het om enige bedrag verskuldig ten opsigte van 'n weddenskap wat deur hom of haar met sodanige beroepswedder aangegaan is, aan 'n beroepswedder te betaal, kan die komitee sodanige wedder as 'n wanbetaler verklaar.

(2) Wanneer die komitee 'n wedder as 'n wanbetaler verklaar, moet hy 'n kennisgewing in dier voege aan elke gelisensieerde beroepswedder en renklub in die provinsie stuur en elke beroepswedder wat sodanige kennisgewing ontvang, moet dit op 'n opsigtelike plek in die wedkamer waarin hy of sy sake doen, vertoon totdat hy of sy deur die komitee ingevolge subregulasie (4)(b) gelas word om dit te verwyder, waarop hy of sy onverwyld sodanige bevel moet nakom.

(3) By ontvangs van 'n kennisgewing soos in subregulasie (2) bedoel, moet enige beroepswedder by wie sodanige wedder in die skuld staan ten opsigte van weddenskappe wat met hom of haar aangegaan is, onverwyld die komitee inlig oor die besonderhede van sodanige verpligtinge.

(4)(a) 'n Wedder wat as 'n wanbetaler deur die komitee verklaar word, mag nie –

- (i) 'n perseel gelisensieer as 'n renbaan ingevolge die Ordonnansie;
- (ii) 'n perseel vermeld in artikel 28(2) of (3) van die Ordonnansie; of
- (iii) 'n perseel waarop 'n gelisensieerde beroepswedder sake doen,

betree of daarop wees nie totdat al sy of haar aanspreeklikhede teenoor beroepswedders nagekom is en die komitee tevrede is dat hy of sy 'n geskikte en gepaste persoon is om weddery te hervat.

(b) Wanneer die komitee tevrede is soos in paragraaf (a) bedoel, moet hy onverwyld elke beroepswedder vermeld in subregulasie (2) gelas om die betrokke kennisgewing te verwyder.

Wanbetaler: Jokkieklub van Suid-Afrika

35. Geen persoon wat deur die Jokkieklub van Suid-Afrika as 'n wanbetaler weggewys is, mag –

- (a) 'n perseel gelisensieer as 'n renbaan ingevolge hierdie Ordonnansie;
- (b) 'n perseel vermeld in artikel 28(2) en (3) van die Ordonnansie; of
- (c) 'n perseel waarop 'n gelisensieerde beroepswedder sake doen,

betree of daarop wees nie.

**HOOFSTUK III
BELASTING OP WEDTRANSAKSIES OP PERDEWEDRENNE**

Sekuriteit vir belasting

36.(1) Die sekuriteit wat by 'n beroepswedder ingedien moet word vir die betaling van belasting soos voorgeskryf in artikel 26 van die Ordonnansie moet vir sodanige bedrag wees soos deur die aangestelde beampte bepaal en moet bestaan uit –

- (a) 'n kontantdeposito;
- (b) 'n bankgaransie; of
- (c) sodanige ander vorm van sekuriteit soos deur die Minister goedgekeur.

(2) Die skriftelike magtiging wat deur 'n beroepswedder verskaf moet word ingevolge artikel 26(3) van die Ordonnansie moet in die formaat wees soos in bylae 3 by hierdie regulasies uiteengesit is.

(3) Die aangestelde beampte kan van die agent soos bedoel in artikel 28(3) van die Ordonnansie of van 'n renklub wat 'n totalisator bedryf vir die doel om weddenskappe met 'n vaste wedprys aan te gaan ten opsigte van enige perdewedren vereis om sodanige sekuriteit in te dien soos hy of sy mag besluit vir die betaling van belasting op die betrokke wedtransaksies en enige ander gelde wat aan die Provinsiale Inkomstefonds verskuldig is.

(4) Die aangestelde beampte kan, van tyd tot tyd, die bedrag van die sekuriteit wat ingevolge subregulasie (3) vereis word, bepaal en kan te eniger tyd van die agent soos bedoel in artikel 28(3) van die Ordonnansie of 'n renklub vereis om enige bestaande sekuriteite met sodanige ander sekuriteite te vervang of sodanige bykomende sekuriteite soos hy of sy mag bepaal, te verskaf.

(5) Die aangestelde beampte mag sodanige bedrag van die sekuriteite wat ingedien is, verkoop of realiseer as wat nodig is om enige verpligtinge aan die Provinsiale Inkomstefonds te betaal.

(6) Indien die agent soos bedoel in artikel 28(3) van die Ordonnansie of 'n renklub wat 'n totalisator onder die omstandighede bedoel by hierdie regulasie bedryf, 'n weddenskapstelsel van weddenskappe met vaste wedpryse afskaf, moet die aangestelde beampte die sekuriteite wat oorbly na aftrekking van enige belasting of ander gelde wat aan die Provinsiale Inkomstefonds verskuldig is, aan die betrokke renklub terugbesorg.

Belasting op wenweddenskappe met beroepswedders op perdewedrenne

37. Die belasting afgetrek van die bedrag wat deur 'n persoon gewen is wat 'n wenweddenskap met 'n beroepswedder ten opsigte van 'n perdewedren aangegaan het, moet volgens die persentasies wees wat soos volg in die verspreidingstabel weerspieël word, welke belasting Belasting op toegevoegde Waarde uitsluit:

	Weddenskappe met 'n beroepswedder op 'n renbaan of 'n sportfeesbaan in KwaZulu-Natal aangegaan	Weddenskappe met 'n beroepswedder op 'n ander perseel as 'n renbaan in KwaZulu-Natal aangegaan
Provinsiale Inkomstefonds	2%	2%
Die agent wat deur 'n renklub aangestel is kragtens artikel 28 (3)(a) van die Ordonnansie	3%	3%
Komitee	1%	1%
TOTAAL	6%	6%

Opgawe vir belastingdoeleindes

38.(1) Die opgawes vermeld in artikel 30 van die Ordonnansie moet deur elke beroepswedder in tweevoud ingedien word en moet in die formaat soos voorgeskryf in bylae 1 wees wat vergesel moet gaan deur die lys van dekkingsweddenskappe in die formaat soos in bylae 2 voorgeskryf.

(2) Aparte bylaes moet ingedien word ten opsigte van weddenskappe aangegaan op 'n renbaan of sportfeesbaan en in 'n wedkamer, onderskeidelik.

(3) Opgawe A van bylae 1 moet apart in die toepaslike kolomme daarvan en ten opsigte van elke wedren wat deur die bylae gedek word, die totale bedrae aandui ten opsigte van alle weddenskappe wat met die beroepswedder aangegaan is en die belasting wat ingevolge artikel 29(1) en (2) van die Ordonnansie daarop betaalbaar is.

(4) Opgawe B van bylae 1 moet in die toepaslike kolomme en ten opsigte van elke wedren wat deur die bylae gedek word, volle besonderhede aandui van alle dekkingsweddenskappe wat deur die beroepswedder aangegaan is, die opbrengs daaruit en die belasting wat ingevolge artikel 29(3) van die Ordonnansie daarop betaal is.

(5) Opgawe C van bylae 1 moet die totale belastingbedrag aandui soos in opgawe A vermeld, waarvan die beroepswedder die totale bedrag mag aftrek van die belasting wat deur hom of haar betaal is ten opsigte van daardie dekkingsweddenskappe vermeld in opgawe B wat aftrekbaar is ingevolge voorbehoudsbepaling (i) by artikel 29(3) van die Ordonnansie en wat nie sy of haar aanspreeklikheid op 'n bepaalde perd in 'n bepaalde wedren oorskry nie.

(6) Opgawe D van bylae 1 moet die totale van die beroepswedder se winste of verliese, na gelang van die geval, aandui.

(7) Bylae 2 moet –

(a) die name van die beroepswedders of totalisators waarmee die dekkingsweddenskappe vermeld in opgawe B van bylae 1 aangegaan is;

(b) die name van die wedren en perd waarop die dekkingsweddenskappe aangegaan is; en

(c) die aantal dekkingsweddenskapskaartjies wat deur die beroepswedder met wie die dekkingsweddenskap aangegaan is, uitgereik is,

aandui.

(8) Elke gelisensieerde beroepswedder moet, binne vyftien dae na die laaste dag van elke maand, 'n ware afskrif van bylae 1 by die komitee indien, soos by die aangestelde beampte ingedien, en terselfdertyd die belasting soos bepaal ingevolge regulasie 37 aan die komitee betaal.

(9) Wanneer 'n wedrenbyeenkoms of 'n sportfees oor twee of meer dae strek, moet aparte opgawes vir elke dag ingedien word.

Belastingopgawe: Totalisatoragentskapsraad

39. Die bepalings van regulasie 38 is *mutatis mutandis* van toepassing op die agent soos bedoel in artikel 28(3) van die Ordonnansie of 'n renklub op weddenskappe met 'n vaste wedprys ten opsigte van perdewedrenne.

Versuim om opgawe vir belastingdoeleindes in te dien

40.(1) Tensy 'n beroepswedder skriftelike magtiging van die Direkteur-generaal het wat hom of haar magtig om sake te doen nadat hy of sy versuim het om die opgawe bedoel in regulasie 38 in te dien en om die belasting vermeld in artikel 30 van die Ordonnansie te betaal, word sy of haar lisensie as opgeskort beskou terwyl en vir so lank as wat sy of haar versuim om die vermelde opgawe in te dien en om die belasting en enige boetes verskuldig ingevolge die Ordonnansie te betaal, voortduur.

(2) Indien die agent soos bedoel in artikel 28(3) van die Ordonnansie of 'n renklub versuim om die opgawe bedoel in regulasie 38 in te dien en om die voorgeskrewe belasting te betaal teen die datums soos in hierdie hoofstuk voorgeskryf, word die Minister se goedkeuring ingevolge die voorbehoudsbepaling by paragraaf (c) van die omskrywing van totalisator in artikel 2 van die Ordonnansie opgeskort terwyl, en vir so lank as, sodanige versuim om die vermelde opgawe in te dien en om die belasting en enige boetes verskuldig ingevolge die Ordonnansie te betaal, voortduur.

(3) Die agent soos bedoel in artikel 28(3) van die Ordonnansie, 'n renklub of enige beroepswedder wat sake doen teenstrydig met die bepalings van hierdie regulasie, is skuldig aan 'n misdryf.

Sertifikaat deur renklub of sportfeesklub ten opsigte van weddenskappe op perdewedrenne

41.(1) Die sekretaris van elke renklub moet, binne sewe dae nadat enige opgawe ingevolge artikel 30(1) van die Ordonnansie by die klub ingedien is, dit in tweevoud by die aangestelde beampte aflewer, vergesel deur 'n sertifikaat in die formaat soos uiteengesit in bylae 4 van hierdie regulasies, en moet terselfdertyd die belasting wat ingevorder is by die beroepswedder wat sodanige opgawe ingedien het, oorbetaal.

(2) In die geval van 'n sportfees is die persoon vermeld in artikel 43(4) van die Ordonnansie verantwoordelik vir die nakoming van subregulasie (1).

Minimum opbrengs aan persone by die wen van pari-mutuel weddenskappe wat op totalisator aangegaan word

42. Die minimum bedrag wat aan persone terugbetaal moet word wat wenweddenskappe aangegaan het op enige pari-mutuel weddenskap waarvoor in die totalisatorreëls voorsiening gemaak is, moet altesaam nie minder wees nie as 75 persent van die totale bedrag wat op daardie kategorie weddenskap verwed is: Met dien verstande dat die minimum bedrag wat aan persone terugbetaal moet word wat wenweddenskappe op die weddenskap-tipe bekend as die Super 8 aangegaan het, altesaam nie minder moet wees nie as 65 persent van die totale bedrag wat op daardie kategorie weddenskap verwed is.

Belasting op pari-mutuel weddenskappe wat op totalisator aangegaan word

43.(1) Die belasting bedoel in artikel 31(1) van die Ordonnansie moet bereken word teen die koers van een en 'n half persent van alle gelde wat op die totalisator verwed is.

(2) Die agent wat deur 'n renklub aangestel is kragtens artikel 28(3)(a) van die Ordonnansie vir die doeleindes van hoofstuk III, IV of V van hierdie regulasies kan uit die bedrag van al die gelde wat op die totalisator verwed is wat ooreenkomstig die bepalings van regulasie 42 nie aan

persone terugbetaal word nie, sodanige bedrag behou as wat oorbly na aftrekking van die een en 'n half persent belasting bedoel in subregulasie (1).

Belasting, persentasies of kommissie op weddenskappe met 'n vaste wedprys wat op totalisator ten opsigte van perdewedrenne aangegaan word

44.(1) Die belasting, persentasies of kommissie betaalbaar deur 'n totalisator ingevolge artikel 31(1A) van die Ordonnansie ten opsigte van die wen van weddenskappe met 'n vaste wedprys op perdewedrenne wat op 'n totalisator aangegaan is, moet volgens die persentasies wees wat soos volg in die verspreidings tabel weerspieël word, welke belasting, persentasie of kommissie Belasting op toegevoegde Waarde uitsluit:

	Weddenskappe op 'n totalisator op 'n renklub of sportfeesbaan in KwaZulu-Natal aangegaan	Weddenskappe op 'n totalisator op 'n ander perseel as op 'n renbaan in KwaZulu-Natal aangegaan
Provinsiale Inkomstefonds	2%	2%
Die agent deur 'n renklub aangestel kragtens artikel 28(3)(a) van die Ordonnansie	3%	3%
Komitee	1%	1%
TOTAAL	6%	6%

(2) Die bepalings van hierdie regulasie is van toepassing op die opbrengs van alle wendekingsweddenskappe wat deur 'n totalisator met 'n gelisensieerde beroepswedder aangegaan is: Met dien verstande dat –

- (a) die totalisator wat die betrokke dekkingsweddenskap aangaan, geregtig is daarop om, op die wyse soos in die bylaes by hierdie regulasies voorgeskryf, 'n aftrekking van die belasting betaalbaar ingevolge hierdie subregulasie te eis; en
- (b) enige aftrekking wat deur die totalisator ingevolge paragraaf (a) geëis word, beperk is tot weddenskappe wat nie die aanspreeklikheid van daardie totalisator op 'n bepaalde perd in 'n bepaalde wedren oorskry nie.

Indien van opgawe en betaling van belasting

45.(1) Binne sewe dae na elke wedrenbyeenkoms of sportfees waar 'n totalisator bedryf is, moet die renklub of die promotors van die betrokke sportfees –

- (a) 'n opgawe by die aangestelde beamppte indien in die vorm van bylae 1 ten opsigte van 'n weddenskapstelsel van weddenskappe met vaste wedpryse en bylae 7 ten opsigte van 'n pari-mutuel weddenskapstelsel wat die totale bedrag wat aan die totalisator inbetaal is, moet toon –
 - (i) by sodanige wedrenbyeenkoms; en
 - (ii) deur agente goedgekeur ingevolge artikel 28(3) van die Ordonnansie; en
- (b) die belasting ingevolge hierdie hoofstuk aan die Provinsiale Inkomstefonds betaal.

(2) Die bepalings van subregulasie (1) is *mutatis mutandis* van toepassing op die lewering van opgawes en betaling van belasting, persentasies of kommissie aan die komitee ingevolge regulasie 44, behalwe dat 'n totalisator 'n gesertifiseerde afskrif van bylae 1 by die komitee moet indien soos by die aangestelde beamppte ingedien.

HOOFSTUK IV ALGEMEEN

Goedkeuringsprosedure: ander gebeurtenisse en gebeurlikhede

46.(1) Enige persoon wat verlang dat die Minister 'n beslissing aangaande 'n gebeurtenis of gebeurlikheid maak, moet skriftelik by die Minister aansoek doen.

(2) 'n Skriftelike aansoek bedoel in subregulasie (1) moet ten minste die volgende insluit –

- (a) die beroep, naam, posadres en ander kontakbesonderhede van die aansoeker;
- (b) 'n duidelike, volledige en beknopte beskrywing van die gebeurtenis of gebeurlikheid waarvoor die beslissing versoek word;
- (c) inligting aangaande 'n organisasie wat op enige wyse die gebeurtenis of gebeurlikheid waarvoor die beslissing versoek word, beheer;
- (d) motivering dat die handeling van weddery aangaande die gebeurtenis of gebeurlikheid waarvoor die beslissing versoek is, nie aanstoot sal gee vir openbare moreel nie; en
- (e) motivering dat die handeling van weddery aangaande die gebeurtenis of gebeurlikheid waarvoor die beslissing versoek word, nie die gebeurtenis of gebeurlikheid vatbaar maak vir dade van korrupsie of manipulasie van resultate nie.

(3) Enige beslissing wat deur die Minister geneem is, word by wyse van 'n kennisgewing in die *Provinsiale Koerant* gepubliseer.

(4) Die inwerkingtreddingsdatum van 'n beslissing deur die Minister soos in hierdie regulasie bedoel, is die datum van publikasie van die *Provinsiale Koerant* waarin die betrokke kennisgewing gepubliseer word.

Veeartsbehandeling van perde

47.(1) Die rekord bedoel in artikel 38(2) van die Ordonnansie moet –

- (a) die datum;
- (b) die naam van die renperd;
- (c) die diagnose van die siekte;
- (d) die geneesmiddel, verdowingsmiddel of apparaat wat in die behandeling gebruik word;
- (e) hetsy die geneesmiddel of verdowingsmiddel mondeling, deur middel van 'n inspuiting of infusie, of deur eksterne aanwending toegedien is;
- (f) die naam van die persoon wat die perd behandel het;
- (g) die naam van die veearts wat die geneesmiddel of verdowingsmiddel voorgeskryf het;
- (h) besonderhede van wie die geneesmiddel of verdowingsmiddels gelewer het; en
- (i) die hoeveelheid geneesmiddels of verdowingsmiddels wat gelewer is,

bevat.

(2) Vir die doel van artikel 38(2)(b)(ii) van die Ordonnansie mag geen oorblyfsel van enige stof, chemikalie of verdowingsmiddel in artikel 38(1)(a) van die Ordonnansie bedoel in 'n renperd teenwoordig wees gedurende die tydperk agt-en-veertig uur voor en vier-en-twintig uur na 'n wedren waaraan sodanige perd gaan deelneem of deelgeneem het nie: Met dien verstande dat indien 'n geregistreerde veearts sertifiseer dat sodanige stof, chemikalie of verdowingsmiddel –

- (a) nie voor die voltooiing van die mees onlangse wedren waaraan die perd deelgeneem het, toegedien is nie; en
 (b) nodig is vir die welstand van die betrokke perd,
 die verbod ten opsigte van voormelde tydperk van 24 uur na 'n wedren nie van toepassing is nie.”.

HOOFSTUK V BELASTING OP WEDTRANSAKSIES OP SPORTGEBEURTENISSE EN ANDER GEBEURTENISSE OF GEBEURLIKHEDE

Sekuriteit vir sportweddenskapbelasting

48.(1) Die bepalings van artikel 26 van die Ordonnansie en regulasie 36, waar sodanige regulasie op 'n beroepswedder betrekking het, is *mutatis mutandis* van toepassing op elke beroepswedder wat weddenskappe op enige sportgebeurtenis of ander gebeurtenis of gebeurlikheid aangaan.

(2) Die bepalings van regulasie 36, waar sodanige regulasie op die agent betrekking het soos in artikel 28(3) van die Ordonnansie bedoel, is *mutatis mutandis* van toepassing op elke totalisator wat weddenskappe met 'n vaste wedprys op enige sportgebeurtenis of ander gebeurtenis of gebeurlikheid aanbied.

Belastingheffing van wedtransaksies aangegaan deur beroepswedders op sportgebeurtenisse of ander gebeurtenisse of gebeurlikhede en ten opsigte van weddenskappe met 'n vaste wedprys wat op totalisator ten opsigte van sportgebeurtenisse of ander gebeurtenisse of gebeurlikhede aangegaan is

49.(1) Daar word nie van 'n persoon wat 'n wenweddenskap met 'n beroepswedder aangegaan het op 'n –

- (a) sportgebeurtenis; of
- (b) ander gebeurtenis of gebeurlikheid,

vereis om enige belasting op die bedrag wat gewen is, te betaal nie.

(2) 'n Renklub wat 'n totalisator bedryf in die omstandighede vermeld in artikel 28 van die Ordonnansie mag nie, ten opsigte van 'n weddenskap met vaste wedprys wat op sodanige totalisator aangegaan is op –

- (a) 'n sportgebeurtenisse;
- (b) ander gebeurtenisse of gebeurlikhede; of
- (c) enige kombinasie daarvan,

enige bedrag van die totale bedrag wat op sodanige weddenskap gewen is, aftrek nie.

(3) Dit moet 'n voorwaarde vir –

- (a) elke bestaande beroepswedderslisensie;
- (b) elke bestaande beroepswedderslisensie wat hernu word; en
- (c) die uitreiking van elke nuwe beroepswedderslisensie,

wees dat vir alle wedtransaksies deur die gelisensieerde beroepswedder aangegaan op –

- (i) sportgebeurtenisse;
- (ii) ander gebeurtenisse of gebeurlikhede; of
- (iii) enige kombinasie daarvan,

die beroepswedder weddenskapbelasting gelyk aan 6.5 persent van sodanige beroepswedder se brutowins op sodanige wedtransaksies in die Provinsiale Inkomstefonds moet betaal.

(4) 'n Renklub wat 'n totalisator bedryf in die omstandighede vermeld in artikel 28 van die Ordonnansie, moet, ten opsigte van alle weddenskappe met 'n vaste wedprys wat op sodanige totalisator aangegaan is op –

- (a) enige sportgebeurtenisse;
- (b) ander gebeurtenisse of gebeurlikhede; of
- (c) enige kombinasie daarvan,

weddenskapbelasting gelyk aan 6.5 persent van sodanige renklub se brutowins op sodanige wedtransaksies in die Provinsiale Inkomstefonds betaal.

(5) Vir die doel van hierdie regulasie word die brutowins op wedtransaksies op –

- (a) sportgebeurtenisse; of
- (b) ander gebeurtenisse of gebeurlikhede,

bereken as die verskil tussen –

- (i) die totale bedrag verskuldig aan die beroepswedder of totalisator ten opsigte van sodanige wedtransaksies; en
- (ii) die totale bedrag van winste aan wedders uitbetaal ten opsigte van sodanige wedtransaksies, gedurende elke kalendermaand van die jaar.

(6) 'n Weddenskaptransaksie wat –

- (a) 'n veelvoudige weddenskap uitmaak; en
- (b) enige keuse met betrekking tot die uitslag van 'n perdewedren insluit,

maak nie 'n weddenskaptransaksie op 'n sportgebeurtenis, ander gebeurtenis of gebeurlikheid uit nie en die belasting voorgeskryf in regulasie 37 is derhalwe op sodanige veelvoudige weddenskap van toepassing: Met dien verstande dat vir die doel van hierdie regulasie, "**veelvoudige weddenskap**" 'n weddenskap beteken wat uit meer as een keuse bestaan, waarin alle keuses korrek deur die wedder gekies moet word, sodat die weddenskap deur die wedder gewen word.

(7) Die belastingopgawe wat deur beroepswedders en die totalisator gebruik moet word ten opsigte van wedtransaksies op –

- (a) sportgebeurtenisse; of
- (b) ander gebeurtenis of gebeurlikhede,

is die programmatikaal gegenereerde belastingopgawe wat vir hierdie doel ontwerp is, welke belastingopgawe deel uitmaak van die gerekenariseerde optekenstelsel goedgekeur deur die aangestelde beampte ingevolge regulasie 28.

(8) Die belastingopgawe wat gebruik moet word ten opsigte van wedtransaksies op –

- (a) sportgebeurtenisse; of
- (b) ander gebeurtenis of gebeurlikhede,

moet by die aangestelde beampte en die komitee ingedien word binne 15 dae na die laaste dag van elke maand.

(9) Die belasting betaalbaar ingevolge hierdie regulasie moet in die Provinsiale Inkomstefonds betaal word binne 15 dae na die laaste dag van elke maand.

(10) Indien die bedrag van brutowins op wedtransaksies op –

- (a) sportgebeurtenisse; of
- (b) ander gebeurtenis of gebeurlikhede,

in enige kalendermaand van die jaar minder as nul is, kan die brutowins in die opeenvolgende belastingtydperke ten volle vir die verlies vergoed.

(11) Vir die doel van subregulasie (10) beteken "**belastingtydperk**" een kalendermaand.

Versuim om opgawe vir belastingdoeleindes in te dien of om belasting, persentasies of kommissies teen verval dag te betaal

50.(1) Die lisensie van elke beroepswedder wat versuim om die voorgeskrewe belastingopgawe bedoel in subregulasie 49(7) in te dien en om die voorgeskrewe belasting bedoel in regulasie 49 teen die datums voorgeskryf in hierdie hoofstuk te betaal, word onverwyld opgeskort en moet opgeskort bly totdat hy of sy die vermelde belastingopgawe ingedien het en die belasting en enige boetes wat ingevolge die Ordonnansie verskuldig is, betaal het.

(2) Indien die agent soos bedoel in artikel 28(3) van die Ordonnansie of 'n renklub die voorgeskrewe belastingopgawe in subregulasie 49(7) bedoel, oortree of versuim om dit in te dien en om die voorgeskrewe belasting bedoel in regulasie 49 te betaal teen die datums soos in hierdie hoofstuk voorgeskryf, word die Minister se goedkeuring ingevolge artikel 28 van die Ordonnansie as opgeskort beskou terwyl en vir so lank as wat sodanige versuim om die vermelde belastingopgawe in te dien en om die belasting en enige boetes verskuldig ingevolge die Ordonnansie te betaal, voortduur.

(3) Die agent soos bedoel in artikel 28(3) van die Ordonnansie, 'n renklub of 'n beroepswedder wat sake doen teenstrydig met die bepalings van hierdie regulasie, is skuldig aan 'n misdryf.

Benutting van gelde wat aan komitee toeval

51.(1) Alle gelde wat aan die komitee ingevolge hierdie hoofstuk betaal word of enige ander inkomste wat uit sodanige gelde voortspruit, moet in 'n bankrekening betaal word wat in die naam van die komitee oopgemaak is vir die spesifieke doel om fondse wat uit weddery op sportgebeurtenisse of enige ander gebeurtenis of gebeurlikheid voortspruit, opsy te sit.

(2) Die komitee moet reël dat die rekeningboeke jaarliks onderhewig is aan oudit deur ouditeurs wat deur die komitee aangestel is en die koste van sodanige oudit moet betaal word uit gelde in die bankrekening vermeld in subregulasie (1).

(3) Die kredietgelde van die bankrekening vermeld in subregulasie (1) mag nie gebruik word vir enige ander doel as dié bedoel in subregulasie (2) nie.

Herroeping van regulasies

52. Enige regulasie uitgevaardig kragtens artikel 42 van die Ordonnansie en gepromulgeer voor die datum van publikasie van hierdie KwaZulu-Natal Regulasies Betreffende Perdewedrenne en Weddenskapsbeheer, 2010 word hiermee herroep.

Kort titel en inwerkingtreding

53. Hierdie regulasies word genoem die KwaZulu-Natal Regulasies Betreffende Perdewedrenne en Weddenskapsbeheer, 2010 en tree in werking op die datum van die publikasie daarvan in die *Provinsiale Koerant*.

BYLAE 1

PROVINSIE KWAZULU-NATAL
ORDONNANSIE OP DIE REGULERING VAN WEDRENNE EN WEDDERY, 1957
(ORDONNANSIE NO. 28 VAN 1957)

VERKLARING EN OPGAWES DEUR 'N BEROEPSWEDDER OF DIE TOTALISATOR WAT WEDDENSAPPE MET VASTE WEDPRYSE AANBIED TEN OPSIGTE VAN DIE BELASTING WAT OORBETAAL MOET WORD OP WEDDENSAPPE OP PERDEWEDRENNE EN ENIGE DEKKINGSWEDDENSAPPE TEN OPSIGTE WAARVAN 'N AFTREKKING GEËIS WORD

(Moet in blokletters ingevul word en in tweevoud ingedien word ingevolge artikel 30 van die Ordonnansie saamgelees met regulasie 38)

Volle naam van beroepswedder _____

(In die geval van 'n vennootskap, verstrek volle name van alle vennote)

Naam waaronder die besigheid bedryf word _____

Fisiese adres van wedkamer _____

Posadres _____

Maand en jaar ten opsigte waarvan opgawe ingedien word (ten opsigte van 'n opgawe van weddensappe wat in 'n wedkamer aangegaan is)

Naam van renklub/sportfeesklub (ten opsigte van 'n opgawe van weddensappe wat op 'n renbaan/sportfeesbaan aangegaan is)

Datum van wedrenbyeenkoms/sportfees (ten opsigte van 'n opgawe van weddensappe wat op 'n renbaan/sportfeesbaan aangegaan is)

VERKLARING

Ek, die bogenoemde en die ondergetekende beroepswedder/vennoot in bovermelde vennootskap*, verklaar hiermee plegtig dat –

(i) die bruto bedrag van enige gelde, sekuriteit of waardevolle ding wat aan my betaal of gegee is of deur my betaal of gegee moet word ter vereffening van alle weddensappe wat op bovermelde wedrenbyeenkoms of sportfees aangegaan is, volledig en juis in opgawe A hierby opgegee is; en

(ii) die besonderhede van die dekkingsweddensappe wat deur my aangegaan is ter dekking van my aanspreeklikhede ten opsigte van weddensappe wat by bovermelde wedrenbyeenkoms of sportfees aangegaan is, volledig en juis in opgawe B hierby en in die aangehegte bylae 2 opgegee is.

HANDTEKENING VAN BEROEPSWEDDER

39

(Skryf asb. ook die naam in drukskrif indien 'n vennoot namens 'n vennootskap teken.)

As getuie:**Volle name****Woonadres****Posadres****Telefoonkontakbesonderhede****Suid-Afrikaanse Identifikasienommer:**Geteken te op hierdie dag van
20..........
Handtekening

* Skrap woorde wat nie van toepassing is nie

OPGAWA A

Datum en no. van wedren	Kolom 1 Totale wedgeld op alle perde in wedren	Kolom 2 Totale bedrag deur wedders gewen (uitgesonderd wedgeld)	Kolom 3 Belasting ingevolge artikel 29(1)(a)(i) & (2)(a)(i) betaalbaar	Kolom 4 Belasting ingevolge artikel 29(1)(a)(ii) betaalbaar	Kolom 5 Belasting ingevolge artikel 29(1)(a)(iii) & (2)(a)(ii) betaalbaar	Kolom 6 Totale bedrag aan wedder betaal (wedgeld ingesluit)
	R c	R c	R c	R c	R c	R c
TOTAAL						

OPGAWA B

Datum en no. van wedren	Totale wedgeld op dekkingsweddenskappe	Bedrag (uitgesonderd wedgeld) gewen op dekkingsweddenskappe aangegaan:		Belasting betaal ingevolge artikel 29(3)
		by 'n gelisensieerde beroepswedder	by 'n totalisator	
		R c	R c	R c

	R	c		
TOTAAL				

OPGAWE C
BELASTING WAT BETAAL MOET WORD

- | | | |
|-------|---|---------|
| 1. | TOTALE BELASTING BETAALBAAR (artikel 29(1) en (2)) | R _____ |
| 2. | MIN: Totale bedrag van die belasting wat op dekkingsweddenskappe betaal is wat ingevolge voorbehoudsbepaling (i) by artikel 29(3) aftrekbaar is en WAT NIE my aanspreeklikheid ten opsigte van 'n bepaalde perd in 'n bepaalde wedren oorskry nie | R _____ |
| 3. | TOTALE BELASTING WAT OORBETAAL MOET WORD | R _____ |
| 4.(a) | ONTLEDING VAN BELASTING BETAAL KRAGTENS PARAGRAAF 3
Totale bedrag belasting betaalbaar ten voordele van die Provinsiale Inkomstefonds (kolom 3 opgawe A) | R _____ |
| (b) | Totale bedrag belasting betaalbaar ten voordele van die renklub/promotors van die sportfees (kolom 4 opgawe A) | R _____ |

OPGAWE D
BEROEPSWEDDER SE WINSTE/VERLIESE

- | | |
|--|---------|
| Totale wedgeld ingevolge kolom 1 (opgawe A) | R _____ |
| Min: Totale uitbetaling ingevolge kolom 6 (opgawe A) | R _____ |
| TOTAAL GEWEN/VERLOOR* | R _____ |

* Skrap wat nie van toepassing is nie.

41

BYLAE 2
PROVINSIE KWAZULU-NATAL
ORDONNANSIE OP DIE REGULERING VAN WEDRENNE EN WEDDERY, 1957
(ORDONNANSIE NO. 28 VAN 1957)
LYS VAN DEKKINGSWEDDENSAPPE WAT BYLAE 1 MOET VERGESEL (INGEVOLGE
REGULASIE 38)

Volle name van beroepswedder

(In die geval van 'n vennootskap, verstrek volle name van alle vennote)

Naam waaronder die besigheid bedryf word**Fisiese adres van wedkamer****Posadres**

Maand en jaar ten opsigte waarvan opgawe ingedien word (ten opsigte van 'n opgawe van weddenskappe wat in 'n wedkamer aangegaan is)

Naam van renklub/sportfeesklub (ten opsigte van 'n opgawe van weddenskappe wat op 'n renbaan/ sportfeesbaan aangegaan is)

Datum van wedrenbyeenkoms/sportfees (ten opsigte van 'n opgawe van weddenskappe wat op 'n renbaan/ sportfeesbaan aangegaan is)

Naam en adres van beroepswedder/totalisator	Naam en No. van wedren	Perd waarop weddenskap aangegaan is	No. van dekkingsweddenskapskaartjie

BYLAE 3
PROVINSIE KWAZULU-NATAL
ORDONNANSIE OP DIE REGULERING VAN WEDRENNE EN WEDDERY, 1957
(ORDONNANSIE NO. 28 VAN 1957)
MAGTIGING OM SEKURITEIT VERSKAF DEUR 'N BEROEPSWEDDER OOREENKOMSTIG
ARTIKEL 26(3) TE REALISEER

Ek,

(Volle naam)

magtig hiermee die Direkteur-generaal, om te eniger tyd en sonder verdere magtiging soveel van die sekuriteite wat ek ooreenkomstig artikel 26 van die Ordonnansie op die Regulering van

Wedrenne en Weddery, 1957, gedeponeer het, te verkoop, te realiseer en oor te dra soos hy of sy nodig ag en om die opbrengs vir sover nodig aan te wend tot vereffening van enige bedrag wat ek of my gelisensieerde vennoot of enige betrokke beroepswedder wat ooreenkomstig artikel 22(1) van die Ordonnansie tydelik gelisensieer is om my of my vennoot se besigheid te dryf kragtens vermelde Ordonnansie aan die Provinsiale Inkomstefonds verskuldig mag wees.

Geteken te op hierdie dag van 20

.....
Handtekening

43

BYLAE 4

(Moet in tweevoud ingedien word.)

PROVINSIE KWAZULU-NATAL

ORDONNANSIE OP DIE REGULERING VAN WEDRENNE EN WEDDERY, 1957

(ORDONNANSIE NO. 28 VAN 1957)

SERTIFIKAAT DEUR RENKLUB OF SPORTFEESKLUB

(Vereis ingevolge regulasie 41 en moet beroepswedder se opgawe vergesel wat ooreenkomstig artikel 30(1) van Ordonnansie No. 28 van 1957 ingedien word)

Ek,

(Volle naam)

die Sekretaris/Gemagtigde* (ingevolge artikel 43(4) van die Ordonnansie) of (naam van renklub of sportfeesklub) sertifiseer hiermee dat meegaande opgawes in verband met 'n wedrenbyeenkoms/sportfees* gehou te op 20 op ondervermelde datums deur die onderskeie beroepswedders by my ingedien is.

Naam van beroepswedder	Datum waarop opgawe by my ingedien is	Belasting ooreenkomstig artikel 29(1)(b)(i) betaal	
		R	c

Totaal

Die totale belasting ten bedrae van R wat ooreenkomstig artikel 29(1)(b)(i) aan my betaal is en waarvan besonderhede hierin verskyn, word hierby ooreenkomstig artikel 29(1)(c) van die Ordonnansie en regulasie 41 van die regulasies daarkragtens deurgestuur.

.....
Handtekening (Sekretaris/Gemagtigde*)

*Skrap woorde wat nie van toepassing is nie

BYLAE 5

PROVINSIE KWAZULU-NATAL

ORDONNANSIE OP DIE REGULERING VAN WEDRENNE EN WEDDERY, 1957

(ORDONNANSIE NO. 28 VAN 1957)

(Artikel 3)

RENBAANLISENSIE

Lisensie geldig vir die tydperk eindigende 31 Desember 20

Uitgereik aan

in sy hoedanigheid as sekretaris van die.....Renklub, 'n nie-geslote renklub.

Adres**Ligging van renbaan waarop wedrenne gehou mag word**

Bedrag betaal, waarvan ontvangs hiermee erken word

Rand

R							
---	--	--	--	--	--	--	--

Behoudens die bepalings van die Ordonnansie op die Regulering van Wedrenne en Weddery, 1957 (Ordonnansie No. 28 van 1957), kan die renklub wat in hierdie lisensie vermeld word, perdewedrenne hou op die renbaan wat hierin vermeld word op die dae wat ingevolge artikel 4 van bedoelde Ordonnansie as wedrendae bepaal word.

.....
 Direkteur-generaal

.....
 Datumstempel

BYLAE 6
PROVINSIE KWAZULU-NATAL
ORDONNANSIE OP DIE REGULERING VAN WEDRENNE EN WEDDERY, 1957
(ORDONNANSIE NO. 28 VAN 1957)
(Artikel 22)
BEROEPSWEDDERSLISENSIE

Volle naam van beroepswedder	
Paspoortno. of Suid-Afrikaanse Identiteitsno.	

Trek 'n x in die toepaslike ruimte* en voltooi die toepaslike getinte ruimtes:

Hierdie lisensie is * vir die jaar eindigende 31 Desember

Hierdie lisensie is * vir die tydperk:-

	tot	
--	-----	--

Hierdie lisensie is * op die volgende dae: _____

Hierdie lisensie magtig die houer daarvan om sake te doen in * die **primêre** wedkamerperseel te _____

Hierdie lisensie magtig die houer * die **sekondêre** wedkamerperseel te _____

daarvan om sake
te doen in

Hierdie lisensie
magtig die houer
daarvan om sake te
doen

op die gelisensieerde **renbaan** by

Bedrag betaal, waarvan ontvangs hiermee erken word:

R									
---	--	--	--	--	--	--	--	--	--

Kwitansieno.
Verwysingsno.

Behoudens die bepalings van die Ordonnansie op die Regulering van Wedrenne en Weddery, 1957 en enige geldige voorwaardes verbonde aan hierdie lisensie deur middel van aanhangsel of endossement, mag die in hierdie lisensie vermelde persoon die beroep van beroepswedder uitoefen op die plek(ke) waar hierdie lisensie hom of haar dit toelaat tot die vervaldatum(s) wat in hierdie lisensie vermeld word.

--

DIREKTEUR-GENERAAL

--

DATUMSTEMPEL

BYLAE 7
PROVINSIE KWAZULU-NATAL
ORDONNANSIE OP DIE REGULERING VAN WEDRENNE EN WEDDERY, 1957
(ORDONNANSIE NO. 28 VAN 1957)
OPGAWE VAN TOTALISATOROMSET

(Regulasie 45)

Naam van klub

Datum van wedrenbyeenkoms of sportfees

Plek waar gehou

BRUTO TOTALISATOROMSET

- Item 1. Regstreekste omset:
- (a) Totale bedrag aan totalisator inbetaal uit ontvangste by bogenoemde klub se buitebaantotalisator ingevolge artikel 28(2)(a) van die Ordonnansie R
- (b) Totale ontvangste by die verkoopvensters van die klub se totalisator op die renbaan of sportfeesbaan R
- Item 2. Agentskapsomset:
 Totale bedrag deur bemiddeling van goedgekeurde agente kragtens artikel 28(2)(b) van die Ordonnansie aan die totalisator inbetaal

Naam van agent	Bedrag inbetaal
	R
	R
	R
	R
	R
	R
	R
	R
Totaal	R

OPSOMMING

	Omset	Koers	Bedrag Belasting	
Item 1	R .....	.....%	R	c
Item 2	R .....	.....%	.....	.....
Totaal				

As korrek gesertifiseer

.....
 Sekretaris van renklub /Gemagtigde van sportfeesklub*

*Skrap woorde wat nie van toepassing is nie

No. 104**16 kuNtulikazi 2010****IHHOVISI LIKANDUNANKULU
ISAZISO SOMTHETHONQUBO****IMITHETHONQUBO YEMIJAHO YAMAHASHI NOKULAWULWA KOKUBHEJA
YAKWAZULU-NATALI, 2010**

Ngalokhu ngenza iMithethonqubo equkethwe oHlelweni olungezansi ngaphansi kwesigaba 42 se-Odinensi yeMithethonqubo yeMijaho yamaHhashi nokuBheja, 1957 (i-Odinensi No. 28 ka 1957), ukuze kulawulwe izindaba eziphathelele nemijaho yamaHhashi nokubheja esiFundazweni.

Sikhishwe ngaphansi kwesandla sami eMgungundlovu, ngalolu suku zingamashumi amabili nesishiyagalombili ku Nhlaba, oNyakeni weziNkulungwane eziMbili neShumi.

.....
ZL MKHIZE

iLungu loMkhandlu oPhethe esiFundazweni saKwaZulu-Natali
elibhekele imidlalo yemali nokubheja

UHLELO**UKUHLELEKA KWEMITHETHONQUBO**

UMthethonqubo

IZINHLINZEKO ZESINGENISO

1. Izincazelo
2. Amafomu

ISAHLUKO 1**ILAYISENSI YENKUNDLA YOMJAHO**

3. Izicelo zokuthola ilayisensi yenkundla yomjaho zekilabhu noma zenhlangano engenalolungelo lobunikazi
4. Ukuvuselelwa kwamaLayisensi eNkundla yoMjaho
5. Imibiko yezezimali
6. Imidlalo yamahashi

ISAHLUKO II**UKULAWULWA KOBHUKI NEZIMENENJA KANYE NOKULAWULWA NOKUPHATHWA KWEZAKHIWO EZINAMAGUMBI OKUBHEJA**

7. Ikomidi lokulawulwa kobhuki nokulawulwa nokuphathwa kwezakhiwo ezinamagumbi okubheja
8. Imihlangano yeKomidi
9. Ukusetshenziswa kwamandla okulawula obhuki nezimenenja kanye nawokuphatha nokulawula izakhiwo ezinamagumbi okubheja
10. Amandla okuqondisa izigwegwe eKomidi
11. Ukudluliselwa kwamandla ekomidini elincane
12. Ilungelo lokukhalaza ngesinqumo seKomidi
13. Isicelo sokuthola ilayisensi entsha kabhuki
14. Isicelo sokuthola ilayisensi yesikhashana kabhuki
15. Isicelo sokuthola ilayisensi yesikhashana yokusebenza enkundleni yomjaho
16. Imibiko ngezicelo
17. Ukugunyazwa nokukhishwa kwelayisensi kabhuki
18. Ukuvuselelwa kwelayisensi kabhuki
19. Ukushintshwa kobunikazi bebhizinisi likabhuki
20. Izakhiwo ezinegumbi lokubheja
21. Ukuthuthwa kwebhizinisi likabhuki liyiswa kwezinye izakhiwo kanye nokulungiswa kwezakhiwo ezinegumbi lokubheja
22. Izikhathi zokusebenza zegumbi lokubheja
23. Izibambiso zobhuki mayelana nezikweletu zokubheja
24. Izinxushunxushu ezimayelana nokubheja
25. Ubunikazi kanye nokulawulwa kwebhizinisi likabhuki
26. Ukugcinwa kwamarekhodi obhuki ngohlelo lokugcinwa kwamarekhodi abhalwe phansi
27. Izinqubo zokubheja uma kusetshenziswa uhlelo lokugcina amarekhodi abhalwe phansi
28. Uhlelo lokugcina imininingwane ngekhompyutha
29. Ukugcinwa kwamarekhodi obhuki ngohlelo lokugcinwa kwemininingwane ngekhompyutha
30. Izinqubo zokubheja uma kusetshenziswa uhlelo lokugcina imininingwane lwekhompyutha
31. Ukubhaliswa kwemenenja nomabhalane
32. Ukubheja okungakhokhelwe

33. Ukungakhokhi kahle kukabhuki
34. Ukungakhokhi kahle kobhejayo
35. Ukungakhokhi kahle kweKilabhu yoJoki yaseNingizimu Afrika

ISAHLUKO III

IZINTELA EZIMALINI ZOKUBHEJA EMIJAHWENI YAMAHHASHI

36. Isibambiso sentela
37. Izintela mayelana nokubheja okuwinayo kubhuki emijahweni yamahhashi
38. Isitatimende esiqondene nentela
39. Isitatimende sentela: IBhodi ye-Ejensi yeThotho
40. Ukwehluleka ukuthumela isitatimende esiqondene nentela
41. Isitifiketi sekilabhu yomjaho noma yemidlalo yamahhashi mayelana nokubhejela imijaho yamahhashi
42. Imali encane ebuyiselwa abantu ngokuwina uma bebheje ngokuhlanganyela emjahweni wamahhashi ethotho
43. Izintela zokubheja ngokuhlanganyela ethotho
44. Izintela, amaphesenti noma imali yekhomishini yokubheja okwenziwe ethotho emijahweni yamahhashi
45. Ukufakwa kwezimali ezibuyiswayo nokukhokhwa kwezintela

ISAHLUKO IV

OKUJWAYELEKILE

46. Inqubo yokugunyaza: Eminye imidlalo neminye imigubho
47. Ukwelashwa kwamahhashi

ISAHLUKO V

IZINTELA EZIMALINI ZOKUBHEJA EMICIMBINI YEZEMIDLALO NAKWEMINYE IMICIMBI NOMA IMIGUBHO

48. Isibambiso sentela yemidlalo ebhejelwayo
49. Ukubanjwa kwentela ezimalini zokubheja kubhuki emicimbini yezemidlalo noma kweminye imicimbi noma imigubho futhi okumayelana nokubheja okwenziwa ethotho uma kunemicimbi yezemidlalo noma kuneminye imicimbi noma imigubho
50. Ukwehluleka ukuhambisa izitatimende zentela noma ukukhokha intela, amaphesenti athile kanye nekhomishini ngesikhathi
51. Ukusetshenziswa kwezimali ezabelwe iKomidi
52. Ukuchithwa kweMithethonqubo
53. Isihloko esifingqiwe nokuqala kokusebenza koMthetho

ISITHASISELO 1 - 7

IZINHLINZEKO ZESINGENISO

Izincazelo

1. Kule Mithethonqubo, "i-Odinensi" kushiwo i-Odinensi yeMithethonqubo yeMijaho yamaHhashi nokuBheja, 1957 (i-Odinensi No. 28 ka 1957), futhi noma iliphi igama noma isisho esinikezwe incazelo kwi-Odinensi sinaleyo ncazelo esinikezwe yona, ngaphandle uma ingqikithi isho okwehlukile –

“isiKhulu esiPhezulu “ kushiwo isiKhulu esiPhezulu esihlongozwe kumthethonqubo 7(8);

“iKomidi“ kushiwo iKomidi eliqokwe ngokwesigaba 21A se-Odinensi;

“uhlelo lokugcinwa kwamarekhodi ngekhompyutha“ kushiwo uhlelo lokugcinwa kwamarekhodi olubandakanya ukusetshenziswa kwemishini yamakhompyutha kagesi nezinhlelo zekhompyutha, olusetshenziswa ubhuki ngenhloso yokuqopha imininingwane yakho konke ukubheja okwenziwe kanye nayo yonke imininingwane yokubheja okuwiniwe, okube sekwenza amarekhodi adingekayo;

“ukubheja okungashintshi“ kushiwo ukubheja lapho ubhuki noma i-ejenti njengoba kuhlongozwe esigabeni 28(3) se-Odinensi ezibophezela ukukhokhela imali ethile noma imuphi umuntu owinile ngenkathi ebheja kubhuki noma ethotho ngaphandle kokubamba noma iyiphi imali ebanjwa ngokusemthethweni;

“ukubheja okwenziwa ngokuhlanganyela“ kushiwo ukubheja okwenziwa ngokuhambisana nohlelo lokubheja oluhlongozwe kwindima (b) yencazelo yethotho esigabeni 2 se-Odinensi;

“omele iqembu lezopolitiki“ kushiwo –

- (a) ilungu lePhalamende likaZwelonke, loMkhandlu kaZwelonke weziFundazwe noma leKhabhinethi;
- (b) ilungu lesishayamthetho sesifundazwe noma loMkhandlu oPhethe esifundazweni;
- (c) ikhansela likamasipala;
- (d) omele iRiphabhulikhi kwelinye izwe ongeyena umsebenzi kahulumeni;
- (e) ilungu lendlu yabaholi bendabuko; noma
- (f) omele kuzwelonke noma esifundazweni iqembu lezopolitiki, inhlango, umgwamanda, umfelandawonye noma inhlango ebhaliswe ngokwesigaba 15 noma ngokoMthetho weKhomishana yezoKhethe 15A, 1996 (uMthetho No. 51 ka 1996);

“izakhiwo ezakhelwe ukuba negumbi lokubheja“ kushiwo izakhiwo ezakhelwe ukuqhuba ibhizinisi lobubhuki, njengalokhu kubekiwe kwilayisensi kabhuki futhi elivulelekile emphakathini ngezikhathi zokusebenza ezijwayelekile;

“isihlobo“ kushiwo nanoma ikuphi okulandelayo, njengoba kungaba njalo:

- (a) umnyeni noma unkosikazi, nanoma imuphi umlingani emshadweni oboshwe ngaphansi kwanoma iliphi isiko noma ngaphansi kwanoma yimiphi imithetho yezenkolo, nanoma imuphi umlingani ebudlelwaneni lapho abantu ababili behlala ndawonye sabantu abashadile, sabantu abashade ngaphansi kwanoma iliphi isiko noma ngaphansi kwanoma yimiphi imithetho yezenkolo;
- (b) nanoma iyiphi ingane ezalwe phakathi komunye wale mishado noma kwalobu budlelwano okukhulunywe ngakho endimeni (a) nanoma iyiphi ingane ezalwe omunye wabalingani okukhulunywe ngabo ndimeni eshiwoyo; noma
- (c) abazali bomuntu okukhulunywe ngaye endimeni (a) kanye nabazali bomnyeni, bakankosikazi noma bomlingani walowo muntu okukhulunywe ngaye endimeni (a) eshiwoyo;

"izakhiwo zokubheja ezingakhelwanga ukubheja" kushiwo izakhiwo zokuhlala lapho okuhlala khona ubhuki, okuyizakhiwo ezingavulelekile emphakathini futhi lapho imisebenzi egunyaziwe ephathelene nobubhuki iqhutshwa khona; kanti

"iSosayathi" kushiwo i-Natal Bookmakers' Society (Co-op) Ltd njengenhlango yobhuki egunyazwe nguNgqongqoshe, njengalokhu kuhlangozwe esigabeni 21(1) se-Odinensi.

Amafomu

2. La mafomu alandelayo kunqunywa ukuba asetshenziselwe lokhu okulandelayo ngokwahlukana kwawo:

IsiThasiselo 1 – Isimemezelo kanye nezitatimende, ezivela kubhuki noma kwi-ejenti njengoba kuhlangozwe esigabeni 28(3) se-Odinensi ezibeka imivuzo emile yokubheja mayelana nezintela ezizokhokhelwa ukubheja emijahweni yamahashi nakunoma imiphi imihlomulo yokubheja lapho kuba nezimali ezibanjwayo khona

IsiThasiselo 2 – Uhlu lwemihlomulo yokubheja oluhambisana nesiThasiselo 1

IsiThasiselo 3 – Amandla okuqinisekisa isibambiso esikhishwa ubhuki ngokwesigaba 26(3) se-Odinensi

IsiThasiselo 4 – Isitifiketi sekilabhu yemijaho noma sekilabhu yemidlalo yamahashi

IsiThasiselo 5 – Ilayisensi yeNkundla yeMijaho

IsiThasiselo 6 – Ilayisensi kabhuki

IsiThasiselo 7 – Isitatimende senzuzo yethotho

ISAHLUKO 1 AMALAYISENSI ENKUNDLA YOMJAHO

Izicelo zokuthola ilayisensi yenkundla yomjaho zekilabhu noma zenhlango enengalo ilungelo lobunikazi

3.(1) Ikilabhu noma inhlango enengalo ilungelo lobunikazi efuna ukuthola ilayisensi yokusebenza enkundleni yomjaho ngokwesigaba 3 se-Odinensi kumele, ngemuva kokuhlangabezana nezimfuno ezihlongozwe kwisigatshana somthethonqubo (2) no (3), ifake isicelo kuMqondisi-Jikelele.

(2) Ikilabhu noma inhlango enengalo ilungelo lobunikazi kumele –

(a) ishicilele isaziso kumaphephandaba amabili noma ngaphezulu atholakala endaweni lapho kuzokwakhiwa khona inkundla yomjaho ethintekayo; futhi

(b) iqinisekise ukuthi isaziso esihlongozwe endimeni (a) sishicilelwe okungenani kanye ngesonto emasontweni amane alandelayo.

(3) Isaziso esihlongozwe esigatshaneni somthethonqubo 2(a) kumele sibeke –

(a) inhloso yokufaka isicelo sokuthola ilayisensi yenkundla yomjaho;

(b) ukuthi abantu abanentshisekelo bangaphikisa isicelo ngokuthi babhale izincwadi eziphikisayo kanye nezizathu zalokho kuphikisa bazithumele kuMqondisi-Jikelele kungakapheli isonto elilodwa emva kosuku lokugcina kushicilelwe.

Ukuvuselelwa kwelayisensi yenkundla yomjaho

4. Wonke amakilabhu emijaho afisa ukuvuselela ilayisensi yenkundla yomjaho ayinikezwa ngokwesigaba 3(1) se-Odinensi kumele afake isicelo kuMqondisi-Jikelele kusasele izinyanga ezimbili ngaphambi kokuphelelwa isikhathi kwaleyo layisensi.

Imibiko yezezimali

5. Wonke amakilabhu emijaho kumele njalo ngonyaka, ngemuva kokunikeza amalungu awo umbiko ngezimali kubandakanya ingeniso nezimali ezichithiwe kulowo nyaka wezimali ophelayo, anikeze uMqondisi-Jikelele ikhophi.

IMidlalo yamaHhashi

6. Isicelo sokuthola imvume kuNgqongqoshe yokubamba imidlalo yamahhashi ngokwesigaba 6A se-Odinensi kumele sibhekiswe kuMqondisi-Jikelele futhi kumele sidalule –

- (a) igama lekilabhu noma lenhlangano egqugquzela imidlalo yamahhashi;
- (b) usuku okuzobanjwa ngalo imidlalo yamahhashi kanye nendawo ezobanjelwa kuyo;
- (c) ukuthi ngabe uhlelo luyawubandakanya yini “**umjaho wamahhashi**” ochazwe esigabeni 2 se-Odinensi, futhi, uma kunjalo, nokuthi ingabe uhlelo seluvunyiwe yini yiziPhathimandla zeKilabhu yoJokhi yaseNingizimu Afrika KwaZulu-Natali;
- (d) amagama aphelele nekheli lomuntu okuzokhishwa imvume yokubamba imidlalo yamahhashi egameni lakhe futhi ozoba nesibopho ngokwesigaba 43(4) se-Odinensi sokulandela izinhlinzeko ze-Odinensi;
- (e) ukuthi ngabe abagqugquzeli bemidlalo yamahhashi bahlose ukuvula ithotho emidlalweni yamahhashi; kanye
- (f) nokuthi ingabe abagqugquzeli bahlose ukugunyaza ukuthi ubhuki aqhube ibhizinisi emidlalweni yamahhashi.

ISAHLUKO II

UKULAWULWA KOBHUKI NEZIMENENJA KANYE NOKULAWULWA NOKUPHATHWA KWEZAKHIWO EZINAMAGUMBI OKUBHEJA

IKomidi lokulawula obhuki kanye nokuphatha nokulawula izakhiwo ezinamagumbi okubheja

7.(1) Ukuze liqhube imisebenzi namajoka alo futhi lisebenzise amandla alo ngokwe-Odinensi iKomidi –

- (a) laziwa njengeKomidi laKwaZulu-Natali eliLawula oBhuki;
 - (b) lingumuntu ngokomthetho; futhi
 - (c) linikezwa izimpahla nezikweletu, uma zikhona, zeKomidi.
- (2) Zonke izimali noma ingeniso eyabelwe iKomidi evela noma ikuphi kumele ifakwe kwi-akhawunti yasebhangeni egunyazwe nguNgqongqoshe futhi evulwe egameni leKomidi.
- (3) Noma yiziphi izimali ezisegameni lekomidi futhi ezikhonela ukuba zitshalwe kumelwe zitshalwe, egameni nangenhloso yokuhlomulisa iKomidi futhi kulawo ma-akhawunti njengoba kungagunyaza uNgqongqoshe.
- (4) Uma kunezipahla ezingenakususwa ezisegameni leKomidi uNgqongqoshe angabeka imibandela ngokubona kwakhe abona ifanele, kubandakanya imibandela yetayitela evumelekile futhi afune ukuba leyo mibandela ibhalwe encwadini yetayitela lomhlaba.

(5) Nanoma yini engenakususwa etholwe iKomidi kumele ibhaliswe egameni lalo.

(6)(a) IKomidi alivumelekile ukuba lihlukanisele noma yimuphi umuntu inzuzo ethe xaxa esezikhwameni zalo futhi kumele lisebenzise izimali zalo kuphela ngokuzitshala noma ngezinhloso elinazo: Kuncike ekutheni akukho okungavimba iKomidi ekukhipheni imisebenzi nasekukhokheleni izimpahla nemisebenzi eliyenzelwe ngenhloso yokufeza izinjongo elisungulelwe zona.

(b) Uma kuhlakazwa iKomidi izimpahla zalo kumele zigcinwe umuntu oqokwe uNgqongqoshe uma sekukhokhwe zonke izikweletu, imali esele, uma ikhona, kumele ifakwe esiKhwameni seNgeniso sesiFundazwe.

(7) IKomidi lingaqasha isibalo elisibona sifanele sabantu ukuze kusetshenziswe ngendlela amandla namajoka alo: Kuncike ekutheni izimali ezidingekayo zikhona futhi iKomidi lenza izinhlinzeko ezifanele kwisabelomali salo sonyaka esihlelelwe zonke izindleko eziphathelele nokuqashwa kwabasebenzi balo.

(8) Isikhala somsebenzi osesikhundleni esiphezulu oqokwe iKomidi yileso sokuba isiKhulu esiPhezulu futhi kumele ngaphezu kwamandla, kwemisebenzi namajoka esibekelwe wona encwadini yesivumelwano somsebenzi, sisebenzise amandla, senze imisebenzi futhi sifeze amajoka abekwe kule Mithethonqubo.

(9) Ikhono lokusebenza kubo bonke abasebenzi beKomidi kumele liqashwe futhi lilawulwe yinqubomgomo yokulawulwa kwamakhono okusebenza, okumele ibandakanye isidingo sokuthi bonke abasebenzi bangene esivumelwaneni sokulawulwa kokusebenza.

(10)(a) Amabhuku ama-akhawunti aphathelene nezezemali zeKomidi kumele acwaningwe ngumcwaningimabhuku ogunyazwe nguNgqongqoshe minyaka yonke.

(b) Isitatimende sezimali zeKomidi esicwaningiwe kumele sithunyelwe kuMqondisi-Jikelele minyaka yonke zingakapheli izinsuku ezingamashumi ayisishiyagalolunye kuphele unyaka wezimali weKomidi.

(11) UNgqongqoshe kumele anqume inqubomgomo yezimali ezikhokhwayo namaholo kanye nezilinganiso zeholo likaSihlalo, leSekela likaSihlalo namaholo amalungu eKomidi.

(12) Umuntu ngeke aqokelwe eKomidini noma ngeke aqhubeke nokusebenza eKomidini, uma –

(a) engesona isakhamuzi saseNingizimu Afrika;

(b) engahlali KwaZulu-Natali;

(c) ngesikhathi eqokwa, noma ezinyangeni eziyi-12 ezedlule –

(i) wayengumuntu ohlongozwe esigabeni 8(1) soMthetho weMisebenzi kaHulumeni, 1994 (iSimemezelo No. 103 ka 1994); noma

(ii) ebesebenzela iqembu lezopolitiki;

(d) yena noma isihlobo sakhe singumuntu ohlongozwe endimeni (c)(ii);

(e) eyilungu lebhodi yabaqondisi kunoma iliphi ibhizinisi lokugembula noma labaqoqa izimali, enamandla okulawula noma ehlomla kwezezimali noma ehlomla ngandlela thile kunoma iliphi ibhizinisi lokugembula noma lokuqoqa izimali noma engoqashwe yinoma imuphi umuntu, inkampani, inhlangotho noma omunye umgwamanda, oyibhizinisi elibhaliswe ngokusemthethweni noma elingabhalisiwe ngokusemthethweni, ahlomulayo kulona njengoba kubekwe kule ndima;

- (f) isihlobo sakhe siyilungu lebhodi labaqondisi kunoma iliphi ibhizinisi lokugembula noma labaqoqa izimali noma ehlobo ngqo noma enamandla okulawula kulelo bhizinisi;
- (g) engocwile ezikweletini ngokungenakuhleluka;
- (h) engumuntu –
- (i) osohlelweni lokuphathelwa izinto zakhe umthetho;
 - (ii) oqinisekiswa ngaphansi kwesigaba 9 soMthetho wokuPhila ngokweNqondo, 1973 (uMthetho No. 18 ka 1973), futhi engakaze akhishwe esikhungweni njengoba kuhlangozwe ngaphansi kwalowo Mthetho; noma
 - (iii) okhombisa ukuba nomqondo ongaphilile kahle noma nenokugula emzimbeni okumvimbela ekutheni enze umsebenzi wakhe ngendlela;
- (i) eke waxoshwa ehovisi ngenxa yokungaziphathi kahle okuhlanganisa ukweba noma ukukhwabanisa;
- (j) eke waboshwa futhi wagwetshwa ukubhadla ejele ngaphandle kokukhokhiswa inhlawulo, ngaphandle kokuthi uNgqongqoshe angakhipha ushwele, uma lowo muntu ophakanyiselwa esikhundleni edalula imininingwane egcwele yamacala awenzile ngencwadi efungelwe: Kuncike ekutheni akuwona amacala abandakanya ukubulala, ukubulala ngokungenhloso okubandakanya ukushaya, ukudlwengula, ukubamba inkunzi, ukweba, ukukhwabanisa, ukubhala okungekona nokufungela isitatimende esingamanga, icala elingaphansi koMthetho wokuNqanda noKulwa neZenzo zeNkohlakalo, 2004 (uMthetho No. 12 ka 2004), uMthetho wokuNqanda koBugebengu obuHleliwe, 1998 (uMthetho No. 121 ka 1998), noma uMthetho woPhiko lwezobuNhloli olubhekele zeziMali, 2001 (uMthetho No. 38 ka 2001), noma iliphi icala elibucayi okubandakanya ukungethembeki, ukushushumbiswa kwezimpahla okuhleliwe nezidakamizwa, icala elihlobene nokushushiswa kwamacala ahlangozwe eMthethweni wokuShushumbiswa kweziDakamizwa, 1992 (uMthetho No. 140 ka 1992), nanoma iliphi icala ngaphansi kwe-Odinensi noma komthetho othi awufane nalo mthetho: Futhi kuncike ekutheni –
- (i) noma ikuphi ukulahlwa icala noma isigwebo esikhishwe inkantolo engaphandle kwemingcele yeRiphabhulikhi yaseNingizimu Afrika kumele sishaywe indiva ngokwezinhloso zale ndima ngaphandle uma ngaleso sikhathi lelo cala beliyoba yicala uma lenziwe ngaphakathi kwiRiphabhuliki yaseNingizimu Afrika; futhi
 - (ii) ngokwezinhloso zale ndima, umuntu uthathwa njengongalahliwe yicala
- futhi ongagwetshiwe –
- (aa) kuze kube kulalelwa noma isiphi isikhalazo ngesinqumo esenziwe mayelana nalokho kulahlwa yicala noma mayelana naleso sigwebo futhi kwakhishwa izinqumo ngaleso sikhalazo;
 - (bb) kuze kudlule isikhathi esigunyazwe umthetho sokufaka noma isiphi isikhalazo mayelana nalokho kulahlwa yicala noma nalokho kugwetshwa; noma
 - (cc) uma enikezwe ushwele noma wathola ukuxolelwa kulabo abagunyaziwe;
- (k) eyisisebenzi sasethotho noma i-ejenti okanye isisebenzi saleyo ejenti, njengoba kuhlangozwe kwi-Odinensi;
- (l) yena noma isihlobo sakhe sinamandla okuphatha noma sihlomula kwezezimali noma sihlomula ngenye indlela kunoma iyiphi ilayisensi kabhuki, ithotho, i-ejenti yethotho noma engumnikazi welayisensi yenkundla yomjaho, njengalokhu kuhlangozwe kwi-Odinensi;
- (m) yena noma isihlobo sakhe sinamandla okuphatha noma sihlomula kwezezimali noma sihlomula ngenye indlela kunoma yini eyenziwayo, kubandakanya umgwamanda

webhizinisi anobunikazi kulona, umzalalanisi wamahhashi noma umqeqeshi wamahhashi omjaho; noma
(n) ebhalwe ohlwini lwabantu abangavunyelwe, okukhulunywe ngabo esigabeni 14(7) soMthetho wezokuGembula kaZwelonke, 2004 (uMthetho No. 7 ka 2004), ngokomyalelo wenkantolo.

(13) Uma kwenzeka noma iliphi ilungu leKomidi lixoshwa ngesikhathi lisasebenza ngokwesigatshana somthethonqubo (12) kumele ngokushesha liveze ukuxoshwa kwalo ngokubhalela uNgqongqoshe, okumele futhi ngokushesha athathe izinyathelo zokuvala lesi sikhala somsebenzi.

(14) Ngokwezinhloso zesigatshana somthethonqubo (12)(e), (l) no (m), ukuhlomula kwezezimali ayibandakanyi ukuhlomula ngandlela thile konoma isiphi isikhwama noma izimali ezitshaliwe uma lowo muntu ohlomulayo engenawo amandla okulawula ezinqumweni ezithathwayo zokutshalwa kwezimali mayelana naleso sikhwama noma lokho kutshalwa kwezimali.

Imihlangano yeKomidi

8.(1) USihlalo noma uma engekho, iSekela likaSihlalo kumele banqume usuku, isikhathi nendawo okuzobanjelwa kuyo imihlangano yeKomidi.

(2) Isibalo sabantu abangabamba umhlangano weKomidi kumele kube abantu abane, esakhiwe amalungu amane noma amanye amalungu, noma amalungu amane kanye namanye amalungu.

(3) Izinqumo zeKomidi kumele zithathwe ngokwevoti leningi, kuncike ekutheni lapho kuba nokungalingani kwamavoti, uSihlalo, noma uma engekho, iSekela likaSihlalo noma lapho bengekho khona bobabili, umuntu okhethwe ngokwesigatshana somthethonqubo (4), unevoti lokuthatha isinqumo futhi elingujuqu.

(4) Noma imuphi umhlangano kumele uholwe uSihlalo, noma uma engekho, uholwe iSekela likaSihlalo. Uma bengekho bobabili uSihlalo neSekela lakhe emhlanganweni weKomidi, amalungu namalungu namanye amalungu akhona kumele akhethe phakathi kwabo, umuntu okumele abambeke uSihlalo uma kusaqhubeka umhlangano.

Ukusetshenziswa kwamandla ukulawula obhuki nezimenenja nawokuphatha izakhiwo ezinegumbi lokubheja

9. IKomidi kuncike –

(a) ekugunyazeni kukaNgqongqoshe; kanye

(b) nasekushicilelweni kohlaka lwemithetho ukuze umphakathi ubeke imibono, *kwiGazethi yesiFundazwe*,

lingenza imithetho –

(i) yokulawula obhuki; kanye

(ii) neyokuphatha nokulawula izakhiwo ezinamagumbi okubheja nezinye izindawo lapho ubhuki engabhejisa khona njengoba kunganqunywa.

Amandla eKomidi okuqondisa izigwegwe

10.(1) IKomidi, abajutshwe yilo, noma labo kubasebenzi balo abaqokwe njengabahloli, kumele baphenye noma iziphi izinsolo ezibhekiswe kubhuki, kwimenenja ebhalisiwe, noma kumabhalane obhalisiwe –

(a) zokuziphatha okushayisana nanoma iyiphi inqubo yokuziphatha ebophezela ubhuki, imenenja ebhalisiwe noma umabhalane obhalisiwe;

(b) zokwepulwa kwanoma iliphi ijoka noma isibopho abekelwe sona i-Odinensi, yile Mithethonqubo, yimibandela yelayisensi yakhe noma yimithetho okukhulunywe ngayo kumthethonqubo 9;

(c) zokuthi ubambe iqhaza kulokho kuziphatha noma kulokho kwepulwa komthetho okukhulunywe ngakho ezindimeni (a) noma (b) egameni likanoma imuphi ubhuki;

futhi ngemuva kokwenza lolo phenyo nangesizathu esifanele anganikeza ubhuki, imenenja ebhalisiwe noma umabhalane obhalisiwe incwadi yokumiswa okwesikhashana okumele ibeke –

(i) isikhathi ezomiswa sona ilayisensi kabhuki noma isitifiketi semenenja noma sikamabhalane; kanye

(ii) nosuku okumele lowo bhuki, leyo menenja noma lowo mabhalane avele ngalo ngaphambi kweKomidi ukuze kulalelwe icala njengoba kuhlangozwe esigatshaneni somthethonqubo (4):

Kuncike ekutheni isikhathi kanye nosuku okukhulunywe ngakho ngenhla akumele kweqe ezinsukwini eziyisikhombisa kusukela osukwini okukhishwe ngalo incwadi yesaziso.

(2) Uma kukhishwe incwadi yesaziso sokumiswa isikhashana ngokwalo mthethonqubo, umuntu noma umgwamanda okhiphe isaziso, kumele, ngaphambi kokuphela kwamahora angama-48 ukhiphe isaziso, uhambise esiKhulwini esiPhezulu esiPhethe umbiko opholele ngezimo eziholele kulokho.

(3) IKomidi linamandla okuhoxisa ukumiswa kwesikhashana okwenziwe yizithunywa zalo noma umsebenzi walo ngaphambi kosuku lokuthi ubhuki, imenenja ebhalisiwe, noma umabhalane obhalisiwe avele ngaphambi kwalo: Kuncike ekutheni ukuhoxiswa kokumiswa okwesikhashana akusho ukuthi ubhuki, imenenja, noma umabhalane othintekayo angeke esavela ngaphambi kweKomidi ngosuku olubekwe kwiSaziso sokuMiswa okweSikhashana, ngaphandle uma iKomidi selinqume olunye usuku lwalokhu.

(4) Uma ubhuki evela ngaphambi kweKomidi kuzolalelwa icala eliholele ekutheni kumiswe okwesikhashana ilayisensi yakhe, iKomidi ekusongweni kokulalelwa kwecala, lingathatha isinqumo –

(a) sokuhoxisa ukumiswa;

(b) sokumisa ilayisensi yalowo bhuki isikhathi esithile njengoba lingabona kufanele;

noma

(c) sokukhokhisa ihlawulo yanoma iliphi inani elingeqile ezi-25 000-00 ngesigameko sokungaziphathi kahle ngasinye noma ngokuphula umthetho ngakunye okukhulunywe ngakho esigatshaneni somthethonqubo (1) kukabhuki, imisiwe noma ingamisiwe ilayisensi yakhe ngaphezu kwalokho, noma esikhundleni sokukhokha leyo nhlawulo: Kuncike ekutheni inhlawulo siyonke yezigameko ezingaphezulu kwama-40 eziphatelene nokungaziphathi kahle noma nokwepulwa komthetho, angeke yeqe kwisi-R1 000 000-00.

(5) Uma imenenja noma umabhalane obhalisiwe evela ngaphambi kweKomidi uma sekulalelwa icala elihlongozwe esigatshaneni somthethonqubo (4), iKomidi, esiphethweni sokulalelwa kwecala, lingathatha isinqumo –

(a) sokuhoxisa ukumiswa;

(b) sokumisa leyo menenja noma isitifiketi sikamabhalane isikhathi esithile njengoba lingabona kufanele;

(c) sokwesula ngokuphelele ukubhaliswa kwesitifiketi semenenja noma sikamabhalane; noma

(d) sokunquma inhlawulo engeqile –

(i) ezi-R5 000-00 ngesigameko ngasinye esiphathelene nalokho kuziphatha noma ukwepulwa komthetho njengoba kushiwo esigatshaneni (1) esenziwe ileyo menenja, simisiwe noma singamiswanga, okanye, sesuliwe noma singesulwanga isitifiketi sakhe sokubhaliswa, njengenye yezindlela zokukhokha leyo nhlawulo.

(iii) ezi-R5 000-00 ngesigameko ngasinye esiphathelene nalokho kuziphatha noma ukwepulwa komthetho njengoba kushiwo esigatshaneni (1) esenziwe ilowo mabhalane, simisiwe noma singamiswanga, okanye, sesuliwe noma singesulwanga isitifiketi sakhe sokubhaliswa, njengenye yezindlela zokukhokha leyo nhlawulo.

(6) iKomidi, abajutshwe yilona, noma labo basebenzi balo abasebenza njengabahloli, banamandla okuphenya nganoma ikuphi ukuziphatha ukuphulwa komthetho okuhlongozwe esigatshaneni sothethonqubo (1)(a), (b) no (c) ngaphandle kokuthi kuze kudingeke baveze incwadi yesaziso sokumiswa okwesikhashana, lapho izinhlinzeko zesigatshana somthethonqubo (4)(b) no (c) nesigatshana somthethonqubo (5)(b), (c) no (d) zisebenza ngokulinganayo.

(7)(a) Noma imuphi ubhuki, imenenja ebhalisiwe noma umabhalane obhalisiwe ophenywayo ngokwesigatshana somthethonqubo (1) no (6), kumele avele ngaphambi kweKomidi siqu sakhe futhi anikezwe ithuba lokuveza ubufakazi yena uqobo, noma ngommeli wasemajajini noma ngommeli, alalelwe, abize ofakazi, apheke ngemibuzo ofakazi ababizwe olunye uhlangothi noma iKomidi futhi ahlole izincwadi nemibhalo okukhishwe njengobufakazi.

(b) Ngaphambi kokuba ubhuki, imenenja ebhalisiwe noma umabhalane obhalisiwe ngokuhlongozwe endimeni (a) noma ufakazi ethule ubufakazi ngaphambi kweKomidi, kumele afunge noma enze isitatimende esifungelwe, leso sifungo noma leso sitatimende esifungelwe kumele senziwe ngaphambi kukaSihlalo noma kweSekela likaSihlalo weKomidi, njengoba kungaba njalo.

(c) Ngemuva kokufunga noma kokwenza isitatimende esifungelwe, noma imuphi umuntu onikeza ubufakazi obungamanga ngaphambi kweKomidi nganoma iluphi udaba, ebe azi kamhlophe ukuthi ufakaza amanga noma engazi futhi engakholelwa ekutheni lokhu akufakazayo kuliqiniso, uyolahlwa ngecala.

(d) Uma kwenzeka noma imuphi ubhuki, imenenja ebhalisiwe noma umabhalane obhalisiwe ehluleka ukuvula ngaphambi kweKomidi, iKomidi lingasebenzisa amandla alo okukhulunywe ngawo esigatshaneni somthethonqubo (4) no (6) uma kungubhuki noma isigatshana somthethonqubo (5) no (6) uma kuyimenenja noma kungumabhalane, engekho lowo bhuki, leyo menenja ebhalisiwe noma lowo mabhalane obhalisiwe.

(8) Ukufakwa kwesikhalazo ngesinqumo seKomidi esithathwe ngokwezigatshana zomthethonqubo (4), (5) noma (6) ezikulokhu, uma isinqumo kungukuhlawulisa, akumisi ukusebenza kwaleso sinqumo.

(9) Noma iyiphi inhlawulo ebekwe ngokwalo mthethonqubo idluliselwa eKomidini.

(10) Uphenyo olwenziwe ngokwalo mthethonqubo aluphazanyiswa izinsolo noma iqiniso mayelana nobhuki ocabangela ilungelo lakhe lokuqhuba ibhizinisi njengobhuki, futhi amandla

eKomidi okubhekana nalolo phenyo ngokwesigatshana somthethonqubo (4) noma (6) ayaqhubeka nokuba khona futhi noma isiphi isinqumo salo ngalokho siyambophezela futhi siyamphoqa ubhuki ukuthi angabe esaqhubeka nebhizinisi lobubhuki.

(11) Ezinsukwini eziyi-7 kuthathwe isinqumo esihlongozwe esigatshaneni somthethonqubo (4) noma (5), iKomidi kumele libhalele bonke abantu kanye nemigwamanda ethintekayo ngesizathu sesinqumo elisithathile.

(12) IKomidi kumele linqume indlela nenqubo yokulalelwa kwamacala okuhlongozwe esigatshaneni somthethonqubo (4) noma (5) kubandakanya, phakathi kokunye, izinto ezifana nokwemukeleka kobufakazi.

Ukudluliselwa kwamandla ekomidini elincane

11.(1) IKomidi kumele, uma lisebenzisa amandla alo okudlulisela amandla ekomidini elincane ngaphansi kwesigaba 21A(3) se-Odinensi, liqoke ilungu kulona elizoba uSihlalo.

(2) Isibalo sabantu abangabamba umhlangano wekomidi elincane abantu ababili.

(3) Izinhlinzeko zomthethonqubo 8(3) zisebenza ngendlela efanayo ekomidini elincane.

Ilungelo ngokomthetho lokufaka isikhalazo ngesinqumo seKomidi

12.(1) Isikhalazo ngokwesigaba 21B se-Odinensi kumele senziwe ngokuthi kunikezwe isikhulu esiPhezulu, ezinsukwini ezingama-21 kukhishwe isinqumo okukhalazwa mayelana naso, isaziso esibhalwe phansi sesikhalazo esibeka izizathu ezibangele lesi sikhalazo.

(2) Okhalazayo kumele uma efaka isikhalazo ngokwesigatshana somthethonqubo (1), akhokhele iKomidi –

(a) idiphozi yezi- R4 000-00;

(b) uma okhalazayo kungobhejayo, efaka isikhalazo kuNgqongqoshe esiphikisa isinqumo seKomidi ngokomthethonqubo 24(9) idiphozi yama-R500-00;

(c) uma okhalazayo kungubhuki, efaka isikhalazo kuNgqongqoshe esiphikisa isinqumo seKomidi ngokomthethonqubo 24(9) idiphozi yezi-R5000-00; noma

(d) uma okhalazayo kungumsebenzi weKomidi esebenza ngokomthethonqubo 10 ukuphenya izinsolo ezibhekiswe kubhuki, eyimenenja ebhalisiwe, noma engumabhalane obhalisiwe, ayikho idiphozi okumele ikhokhwe.

(3) Uma kufakwa isikhalazo kuNgqongqoshe mayelana nesinqumo seKomidi, iKomidi kumele, ezinsukwini eziyisikhombisa kufakwe isikhalazo, lihambise ikhophi yesikhalazo nezinye izincwadi nemibhalo ephathelene nesikhalazo, kanye nekhophi yezizathu zesinqumo seKomidi, kuMqondisi-Jikelele, ukuze kucutshungulwe uNgqongqoshe.

(4) Uma isikhalazo sibhekiswe eKomidini ngenxa yesinqumo sojutshwe yilona, uSihlalo kumele ngokushesha abize umhlangano weKomidi lapho iKomidi kumele lilalele khona isikhalazo, engekho lowo ojutshwe yilona, ngaphandle uma iKomidi lingeke libe naso isibalo sabantu esanele ukubamba umhlangano uma engekho lowo ojutshwe yilona, okuyothi uma kunjalo iKomidi lidlulisele isikhalazo kuMqondisi-Jikelele ukuze sicutshungulwe uNgqongqoshe.

(5) UNgqongqoshe kumele acubungule isikhalazo ngokushesha okungenzeka futhi emva kokucubungula isikhalazo –

- (a) angachitha isikhalazo kuqhubeke isinqumo seKomidi;
- (b) angavuna sonke isikhalazo noma ingxenye yaso futhi athathe esakhe isinqumo esikhundleni sesinqumo esithathwe iKomidi;
- (c) angabuyisela isicelo emuva eKomidini ukuze lisicubungule kabusha futhi lithathe isinqumo ngemiyalelo angabona ifanele;
- (d) angayalela ukuthi noma iyiphi idiphozi ekhokhiwe ibuyiselwe kumniniyo, ngemuva kokuthi uNgqongqoshe eselalele isikhalazo, noma uma isikhalazo sihoxiswe ngaphambi kokulalelwa uNgqongqoshe, ngesikhathi okutholakale ngaso isaziso sokuhoxiswa kwesikhalazo; noma
- (e) angayalela ukuthi kudliwe noma iyiphi idiphozi ekhokhiwe uma ebona ukuthi isikhalazo asinasisindo esizwakalayo.

(6) UMqondisi-Jikelele kumele azise iKomidi ngesinqumo sikaNgqongqoshe.

(7) IKomidi –

- (a) uma kunesikhalazo esibhekiswe kulo ngesinqumo esithathwe isithunywa salo, lingabuyisa idiphozi ekhokhiwe, uma iKomidi selisilalele isikhalazo, noma uma isikhalazo sihoxiswa ngaphambi kokuthi silalelwe iKomidi, ngesikhathi okutholakale ngaso isaziso sokuhoxiswa kwesikhalazo; noma
- (b) lingayalela ukuba kudliwe noma yiphi idiphozi ekhokhiwe uma libona ukuthi isikhalazo asinasisindo esizwakalayo.

Isicelo sokuthola ilayisensi entsha kabhuki

13.(1) Isicelo sokuthola ilayisensi entsha kabhuki kumele sibhekiswe kuMqondisi-Jikelele ngefomu elinqunywe lokho isikhulu esiqokiwe futhi kumele sibe nekhophi.

(2) Isicelo kumele sihambisane –

- (a) nekhophi egxiviziwe yesivumelwano sokudayiselana esiqinisekisa ukuthi umfakisiselo uthole ingxenye noma lonke ibhizinisi likabhuki;
- (b) nekhophi yanoma isiphi isivumelwano sokusebenzisana, uma sikhona;
- (c) nobufakazi bokuba ilungu leSosayathi;
- (d) nemali yesicelo enqunywe oHlelweni lokuQala lwe-Odinensi, okuyizimali ezidluliselwa eKomidini;
- (e) nemvume ebhaliwe yekilabhu yemijaho ethintekayo uma kungukuthi umfakisiselo ufuna ukusebenza enkundleni yomjaho;
- (f) nenombolo yomfakisiselo yokubhalisela intela;
- (g) namakhophi omfakisiselo okuhlolwa kwentela noma ezincwadi zentelazeminyaka emibili yentela eyandulela lowo okufakwa ngawo isicelo;
- (h) nemvume ebhalwe phansi yomfakisiselo yokuthi iKomidi, noma i-ejenti yeKomidi, ungoti noma umsebenzi wekomidi enze uphenyo mayelana nomlando wezezimali, isimo sezezimali, umlando kwezamabhizinisi, umlando wokuqashwa nanganoma iluphi udaba okufanele ludalulwe kwifomu lokufaka isicelo sokuthola ilayisensi;
- (i) nokugingqa izithupha izandla zombili okwenziwe uMbutho wamaPhoyisa aseNingizimu Afrika; kanye
- (j) nobufakazi bokukhokha eMbuthweni wamaPhoyisa aseNingizimu Afrika mayelana nesicelo sokuthola isitifiketi esikhombisa amarekhodi amacala omfakisiselo.

(3) Ukukhishwa kwelayisensi kabhuki efakelwe isicelo ngokwalo mthethonqubo kuncike ezinhlinzekweni zesigaba 22 se-Odinensi.

(4) Umfakisicelo ongakabi nelayisensi yokuba ubhuki KwaZulu-Natali kungadingeka ukuba ahlolwe ulwazi analo emsebenzini wokuba ubhuki kanye nolwazi mayelana nemithetho esebenzayo ebhizinisini lokuba ubhuki.

(5) Ukuhlolwa okuhlongozwe esigatshaneni somthethonqubo (4) kuyokwenziwa iKomidi.

Isicelo sokuthola ilayisensi yesikhashana yokuba ubhuki

14.(1) Isicelo sokuthola ilayisensi yesikhashana yokuba ubhuki kumele umfakisicelo asibhekise kuMqondisi-Jikelele futhi kumele sihambisane –

(a) nemali yokukhokhela ilayisensi yesikhashana enqunywe oHlelweni lokuQala kwi-Odinensi;

(b) negama nekheli lendawo yokuhlala likabhuki umfakisicelo azosebenza kuye; kanye
(c) nesitatimende esifungelwe esenziwe umfakisicelo esibeka ukuthi akahoxisiwe ukwenza lowo msebenzi ngokwezinhlinzeko zesigaba 49 zoMthetho wezokuGembula kaZwelonke, 2004 (uMthetho No. 7 ka 2004).

(2) Isicelo sokuthola ilayisensi yesikhashana yokuba ubhuki kumele senziwe ngokusebenzisa ifomu egunyazwe isikhulu esiqokelwe lokho.

(3) Ilayisensi yesikhashana yokuba ubhuki egunyazwe uNgqongqoshe yase ikhishwa uMqondisi-Jikelele ngokwesigaba 22 se-Odinensi kumele igunyazwe ngokuncike kulezi mibandela elandelayo –

(a) yokuthi umnikazi welayisensi uzosebenzela kuphela egumbini lokubheja likabhuki onelayisensi;

(b) nokuthi ubhuki umfakisicelo azomsebenzela okwesikhashana uyakuqinisekisa ukuqashwa kukabhuki wesikhashana.

(4) Ilayisensi yesikhashana yobubhuki kumele ikhombise –

(a) amagama aphelele kabhuki wesikhashana ongumnikazi welayisensi;

(b) isikhathi sokusebenza kwelayisensi; kanye

(c) nosuku lokukhishwa kwayo.

(5) Wonke amalayisensi esikhashana obhuki asetshenziswa umnikazi kuphela futhi akufanele asetshenziswe abanye abantu noma ngezindlela ezingafanele.

(6) Uma ubhuki noma inkampani yobhuki iqasha ubhuki wesikhashana, lowo bhuki noma leyo nkampani yobhuki ngokuhlanganyela futhi ngazwi linye –

(a) babhekele yonke imisebenzi nezibopho okwethweswe ubhuki yi-Odinensi; futhi

(b) babhekele zonke izenzo zikabhuki wesikhashana mayelana nebhizinisi lobubhuki.

Isicelo sokuthola ilayisensi yesikhashana yokusebenza enkundleni yomjaho

15.(1) Isicelo esifakwe ubhuki sokusebenza enkundleni yomjaho ilanga elilodwa, kumele sibhekiswe ekilabhini yomjaho ethintekayo.

(2) Zonke izicelo ngokwesigatshana somthethonqubo (1) kumele zicutshungulwe ikilabhu yomjaho ethintekayo, okungathi uma kukhokhwe zonke izimali ezinqunywe oHlelweni lokuQala lwe-Odinensi ikhiphe ilayisensi efanele.

(3) Imali okukhulunywe ngayo esigatshaneni somthethonqubo (2) kumele ikhokhwe ikilabhu yomjaho ethintekayo kuMqondisi-Jikelele kungakapheli izinsuku eziyi-7 kukhishwe leyo layisensi.

Imibiko ngezicelo

16.(1) Uma ethola izicelo zelayisensi entsha kabhuki ngokuhlongozwe kumthethonqubo 13, uMqondisi-Jikelele kumele –

- (a) anikeze iKomidi kanye nenhlangano ehlongozwe esigabeni 21(1) se-Odinensi, ikhophi yesicelo nemibhalo okukhulunywe ngakho kumthethonqubo 13(2);
- (b) ngaleso sikhathi acele ukuthi iKomidi likhiphe umbiko, ngesikhathi esithile, mayelana nokufaneleka komfakisicelo nokunye okucutshungulwayo okuphathelene naye.

(2) IKomidi lingacela ofaka isicelo selayisensi entsha yokuba ubhuki ukuba avele ngaphambi kwalo uma izinhlinzeko zomthethonqubo 10(7)(b) no (c) zisebenza ngendlela efanayo njengoba kusuke kukhishwa ubufakazi.

(3) IKomidi kumele lihambise kuMqondisi-Jikelele –

- (a) ifomu egcwalisiwe yesicelo selayisensi entsha kabhuki;
- (b) umbiko walo ngophenyo olumayelana nokufaneleka komfakisicelo;
- (c) isaziso esibhaliwe ngesinqumo salo sokweseka noma sokuphikisa isicelo, nezizathu eziphelele zokuthathwa kwaleso sinqumo.

(4) Umbiko mayelana nophenyo lokufaneleka komfakisicelo ukuthola ilayisensi yokuba ubhuki njengoba kuhlongozwe esigatshaneni somthethonqubo 3 usebenza isikhathi esiyizinyanga eziyishumi nambili kusukela osukwini othunyelwe ngalo kuMqondisi-Jikelele.

(5) Uma ofaka isicelo sokuthola ilayisensi yokuba ubhuki ohlongozwe kumthethonqubo 13 ephumelele futhi efaka esinye isicelo sokuthola ilayisensi yokuba ubhuki kungakapheli izinyanga eziyishumi nambili kusukela osukwini lokufakwa kwesicelo sokuqala kuMqondisi-Jikelele, umbiko ohlongozwe esigatshaneni somthethonqubo (3) ungathunyelwa iKomidi kuMqondisi-Jikelele ukweseka isicelo esisha: Kuncike ekutheni umfakisicelo kumele enze isitatimende esifungelwe sokuthi akukho rekhodi elibhaliwe noma izimo ezikhona ezincwadini zokufaka isicelo osekushintshe ngendlela engenza ukuba angafaneleki ukuthola ilayisensi entsha yokuba ubhuki.

(6) Uma umfakisicelo ephumelela ukuletha isitatimende nesifungelwe njengoba kuhlozwe esigatshaneni somthethonqubo (5), imibhalo ehambisana nesicelo, njengalokhu kuhlongozwe esigatshaneni somthethonqubo 13, iyaqhubeka nokusebenza isikhathi esilinganayo nesihlongozwe esigatshaneni (4): Kuncike ekutheni umfakisicelo uyena oyokhokha imali yokufaka isicelo futhi kuncike ekutheni umfakisicelo uyophinde aboshezwe izidingo zomthethonqubo 13(2)(a), (b) no (e).

Ukugunyazwa nokukhishwa kwelayisensi kabhuki

17.(1) UNgqongqoshe kumele enqabe ukunikeza ilayisensi umfakisicelo uma lowo muntu –

- (a) engaphansi kweminyaka eyi-18;
- (b) esebenza kuhulumeni noma esebenzela iqembu lezopolitiki;
- (c) ebhalwe ohlwini lwerejista yabantu abangavumelekile njengoba kuhlongozwe eMthethweni wezokuGembula kaZwelonke, 2004 (uMthetho No. 7 ka 2004);
- (d) eyilungu noma eyisisebenzi seKomidi;

- (e) ecwile ezikweletini ngendlela engenakuhleluka;
- (f) engumuntu ongafanelekile ukungena kulelo bhizinisi;
- (g) engumuntu ngokomyalelo wenkantolo okhombisa onengqondo engasebenzi kahle noma onokugula emzimbeni;
- (h) uma engumuntu oseke wakhishwa ehovisi ngenxa yokungaziphathi ngendlela eyamukelekile okuhlanganisa ukukhwabanisa nokuphatha budlabha kwezimali;
- (i) eke watholakala necala eminyakeni eyishumi eyedlule, eRiphabhulikhi noma ngaphandle, lokweba, lokukhwabanisa, lokuqamba amanga, lokubhala okungekhona ngenhloso yomgunyathi, ebekwe icala ngaphansi koMthetho wokuLwa neNkohlakalo, 1992 (uMthetho No. 94 ka 1992), noma obekwe icala ngokwe-Odinensi futhi eke waboshwa wase egwetshwa ngaphandle kokukhokhiswa inhlawulo, noma inhlawulo engaphezulu kwenani eliyizi-R3 000-00, ngaphandle uma lowo muntu ethola ushwele noma exolelwa ngokwenza lelo cala; noma
- (j) eyisihlobo –
 - (aa) sosebenza kuhulumeni noma sosebenzela iqembu lezezipolitiki; noma
 - (bb) selungu noma somsebenzi weKomidi.

(2) UNgqongqoshe kumele enqabe ukunikeza umfakisiselo ilayisensi uma, ngemuva kophenyo olunqunyiwe, iKomidi libika ukuthi linezizathu ezenza ukuba likhokhelwe ukuthi umfakisiselo nanoma iyiphi imeninja yebhizinisi elithintekayo –

- (a) uyisihlobo selungu leKomidi; noma
- (b) isihlobo sikaNgqongqoshe.

(3) UMqondisi-Jikelele kumele uma –

- (a) uNgqongqoshe egunyaza ukukhishwa kwelayisensi;
- (b) umfakisiselo ehambisana nanoma imiphi imigomo ebekiwe yokufaneleka ukuze kukhishwe ilayisensi;
- (c) kukhokhwa imali yelayisensi njengoba ibekwe oHlelweni lokuQala kwi-Odinensi; futhi
- (d) umfakisiselo esekhiphe iziqinisekiso ezihlongozwe kwimithethonqubo 23, 36 kanye no 48,

akhiphe ilayisensi efanele ngendlela efanelekile futhi kumele akwesekela ukukhishwa kwayo noma kwanoma isiphi isiThasiselo ngalokho nanoma imiphi imibandela ebekwe uNgqongqoshe.

Ukuvuselelwa kwelayisensi kabhuki

18.(1) Isicelo sokuvuselelwa kwelayisensi kabhuki kumele –

- (a) senziwe ngefomu ebekelwe lokho siqondiswe kuMqondisi-Jikelele; futhi
- (b) phakathii komhla lu-1 kuLwezi kuya kumhla ziyi-10 kuZibandlela walowo nyaka ilayisensi neyakhishwa ngawo.

(2) Uma ubhuki ehluleka ukuvuselela ilayisensi njengoba kuhlongozwe esigatshaneni somthethonqubo (1), ilayisensi iphelelwa isikhathi.

(3) Ubhuki ofake isicelo sokuvuselela ilayisensi ngokwesigatshana somthethonqubo (1) kumele athumele izitatimende zezimali kanye namakhophi agxiviziwe azo zonke izincwadi zentela eziqondene nebhizinisi likabhuki eliphathelene naleyo layisensi.

Ukushintshwa kobunikazi bebhizinisi likabhuki

19. Isicelo sikabhuki sokushintsha ubunikazi belayisensi kabhuki ebhizinisini likabhuki sithathwa njengesicelo selayisensi entsha.

Isakhiwo esinegumbi lokubheja

20.(1) Ubhuki kumele ahlinzeke ngezakhiwo ezinegumbi lokubheja ngezindleko zakhe futhi aqinisekise ukuthi lezo zakhiwo zisendaweni enqunywe uNgqongqoshe, njengoba kuhlolongozwe esigabeni 22(10) se-Odinensi.

(2) Akekho ubhuki oyosebenzela kunoma iziphi izakhiwo ngaphandle kokuthi lezo zakhiwo zigunyazwe iKomidi kuqala.

(3) Amajoka abekwe yile Mithethonqubo asebenza kanye kanye futhi ngokuphindaphindeka uma obhuki abangaphezu koyedwa besebenzela ezakhiweni ezinegumbi elilodwa lokubheja.

(4) Ubhuki ongakwazi ukusebenzela ezakhiweni ezinegumbi lokubheja kumele afake isicelo esibhaliwe eKomidini ukuze limnike imvume yesikhashana yokuqhuba ibhizinisi lakhe kwezinye izakhiwo futhi kanye nalokho akhokhe imali yokufaka isicelo ebhalwe oHlelweni 1 kwi-Odinensi.

(5) Ubhuki ofaka isicelo ngokuhlolongozwe esigatshaneni somthethonqubo (4) kumele afake incwadi encomayo nanoma imiphi eminye imininingwane edingwa iKomidi.

(6) Ubhuki ofuna igunya lokusebenza ezakhiweni zesikhashana ngesikhathi eqhubeka nokusebenzela ezakhiweni ezinegumbi lokubheja kumele ahlinzeke –

(a) imininingwane ephathelene nokuthi ukuphi futhi unini umcimbi omkhulu wezemidlalo noma eminye imigubho okuzokuba khona;

(b) imininingwane ephathelene nemishini ezosetshenziswa kuleyo misebenzi yobubhuki yesikhashana, kubandakanya izinhlelo zikabhuki zokugcinwa kwamarekhodi kwikhompyutha neminye imishini yokusebenza;

(c) izincwadi ezifakazisa ukuthi ubhuki uthole imvume kubahleli bemicimbi yemidlalo emikhulu noma beminye imicimbi nemigubho yokusebenza kuleyo ndawo noma bude buduze nendawo lapho kuzobanjelwa khona umcimbi omkhulu wezemidlalo noma umgumbo;

(d) incwadi yesiqinisekiso sabahleli sokuthi abasebenzi beKomidi bazokwazi ukungena ezakhiweni ezinegumbi ubhuki azosebenzela kulo okwesikhashana;

(e) isiqinisekiso sokuthi isimo kanye nokuma kohlelo lokugcinwa kwemininingwane ngekhomyutha lukabhuki neminye imishini ephathelene nalokhokuyahambisana nale Mithethonqubo; kanye

(f) nanoma yiziphi izincwadi zezincomo, zolwazi futhi ezesekeyo njengoba zingadingwa iKomidi.

(7) IKomidi linganakugunyaza ukuba kusetshenzelwe ezakhiweni zesikhashana, uma ukusebenza ezakhiweni ezinegumbi lokubheja kusamisiwe okwesikhashana, isikhathi esiyizinsuku ezingaphezulu kwezingama-90: Kuncike ekutheni ezimweni ezithile, uma ubhuki othintekayo ebhale incwadi yesicelo, iKomidi lingamelulela isikhathi.

(8) IKomidi linganakugunyaza ukusebenzela ezakhiweni zesikhashana ngesikhathi kuqhutshekwa nokusebenzela egumbini elisezakhiweni izinsuku ezingaphezulu kwezingama-40.

Ukuthuthwa kwebhizinisi likabhuki liyiswa kwezinye izakhiwo noma ukulungiswa kwezakhiwo ezinegumbi lokubheja

21.(1) Akekho ubhuki –

- (a) ongathuthela kwenye indawo; noma
- (b) ongalungisa noma isiphi isakhiwo noma ongeze esakhiweni esinegumbi lokubheja, ngaphandle kwemvume ebhalwe phansi yeKomidi.

(2) Isicelo sokuthola imvume ngokuhlongozwe esigatshaneni somthethonqubo (1)(a) kumele sibhalwe phansi futhi sihambisane nebalazwe elikhombisa lapho okukhona khona indawo kanye nomhlaba wezakhiwo okuzothuthela khona ubhuki, elikhombisa okuhloswe ukulungiswa noma ukufakwa, uma kukhona.

(3) Isicelo sokuthola imvume njengoba kuhlongozwe esigatshaneni somthethonqubo (1)(b) kumele sibhalwe phansi futhi sihambisane nepulani yendawo yezakhiwo ezinegumbi lokubheja ezigunyaziwe, ekhombisa okuhloswe ukulungiswa noma ukufakwa.

(4) Uma ubhuki efisa ukungenela ukubhejisa esakhiweni esinegumbini lokubheja elingakhelwe ukubheja, kumele kuqala afake isicelo ngokubhalela –

- (a) uNgqongqoshe, ukuze athole imvume yokusebenzisa isakhiwo esingakhelwe ukuba negumbi lokubheja; kanye
- (b) neKomidi, ukuze kugunyazwe izinhlobo zemishini ezosetshenziswa uma kubhejwa ohlelweni lukabhuki lokugcinwa kwamarekhodi ngekhompyutha nokuthi kuxhunye leyo mishini esakhiweni esingakhelwe ukuba negumbi lokubheja.

(5) Noma iyiphi impahla egunyazwe iKomidi ngokwesigatshana somthethonqubo (4)(b) ngenhla, kumele –

- (a) isetshenziswe ngendlela efana ncimishi naleyo yohlelo lwamakhompyutha olusetshenziswa ubhuki uma eqopha ukubheja esakhiweni esinegumbi lokubheja; futhi
- (b) ivumele ubhuki ukuba abheje kalula ohlelweni lukabhuki lokugcinwa kwamarekhodi ngekhompyutha, olusezakhiweni ezinegumbi lokubheja esebenzisa i-internet.

(6) Imvume yeKomidi yokuxhuma nokusebenzisa uhlelo lukabhuki lokugcinwa kwamarekhodi ngekhompyutha ezakhiweni zingakhelwe ukuba negumbi lokubheja kumele idluliselwe kubhuki kuqala ngaphambi kokuthi aqale ukubheja kunoma isiphi isakhiwo esinjalo.

(7) Ubhuki angaqala ukubheja esebenzisa uhlelo lokugcinwa kwamarekhodi ngekhompyutha ezakhiweni ezingakhelwe ukuba negumbi lokubheja, uma isakhiwo esinegumbi lokubheja sesivaliwe ukuba sisetshenziswe umphakathi.

Izikhathi zokusebenza kwegumbi lokubheja

22. Isakhiwo esinegumbi lokubheja singavulwa ukuze kubhejwe ngalawo mahora futhi ngalezo zinsuku ezinganqunywa ubhuki mayelana namagumbi alawulwa uyena.

Isibambiso sezikweletu zokubheja zikabhuki

23.(1) Umnikazi welayisensi ngokwesigaba 22 se-Odinensi angeke aqhubeke nomsebenzi wokuba ubhuki ngaphandle uma efake imali yesibambiso sokuzobophezela kwakhe ekutheni akhokhele ukubheja kwanoma imuphi umuntu noma umgwamanda futhi kube yisamba esinganqunywa uNgqongqoshe izikhathi gezikhathi.

(2) Imali yesibambiso okukhulunywe ngayo esigatshaneni somthethonqubo (1) angeke ihoxiswe noma yehliswe ngaphandle kokugunyaza kuqala kukaMqondisi-Jikelele futhi uma enelisekile ukuthi –

- (a) kwenziwa ngenhloso yokuqeda izikweletu zikabhuki ongakhokhi kahle;
- (b) izikweletu zikabhuki seziqediwe; noma
- (c) inani esizokwehliswa ngalo isibambiso sakhe sizokwazi ukukhokha lezo zikweletu.

Izinxushunxushu ezimayelana nokubheja

24.(1) IKomidi lingaxazulula noma iziphi izinxushunxushu ezimayelana nokubheja phakathi kukabhuki kanye nobhejayo noma phakathi kukabhuki nomunye ubhuki.

(2) Noma imuphi umuntu obhejayo noma ubhuki ofisa ukudlulisela eKomidini ukungaboni ngasolinye mayelana nokubheja kumele –

- (a) akwenze ngokubhalela isiKhulu esiPhezulu kungakapheli izinsuku ezingamashumi amane kusukela osukwini leyo nxushunxushu eyenzeke ngalo; futhi
- (b) ngaleso sikhathi ahlinzeke yonke imininingwane egcwele mayelana naleyo nxushunxushu.

(3) IsiKhulu esiPhezulu singafuna ukuthi umuntu obhejayo ohlongozwe esigatshaneni somthethonqubo (2) akhokhe idiphozi yama-R500-00 eKomidini.

(4) IsiKhulu esiPhezulu singafuna ukuthi ubhuki ohlongozwe esigatshaneni somthethonqubo (2) akhokhe idiphozi yezi-R2 000-00 eKomidini.

(5) IsiKhulu esiPhezulu kumele ngokushesha uma nje siqeda ukuthola isaziso ngaleyo nxushunxushu sifake imininingwane yayo kwirejista egcina lokho.

(6) Abasebenzi beKomidi kumele benze uphenyo ngenxushunxushu ebese beletha umbiko eKomidini ngalokhu abakutholile.

(7) IKomidi, ngemuva kokwemukela umbiko owenziwe abasebenzi balo njengoba kuhlangozwe esigatshaneni somthethonqubo (6) kumele –

- (a) libize isigcawu sokulalelwa kwaleyo nxushunxushu; futhi
- (b) uma kuphothulwa ukulalelwa kwalolo daba, likhiphe isinqumo mayelana nenxushunxushu, njengoba kuhlangozwe esigatshaneni somthethonqubo (9).

(8) Uma noma iluphi uhlangothi olubandakanyeka enxushunxushwini lwehluleka ukuvela ngaphambi kweKomidi uma seluthole isaziso ngaphambi kwamahora angama-72 esilunqumela ukuba lwenze njalo, iKomidi lingaqhubeka nokukhipha isinqumo ngenxushunxushu lungekhona.

(9) IKomidi –

(a) lingayalela ukuthi noma iyiphi idiphozi esikhokhiwe ibuyiselwe kumniniyo, uma iKomidi selizwile mayelana nenxushunxushu, noma uma inxushunxushu ihoxa ngaphambi kokuthi iKomidi liyizwe, ngesikhathi kufika isaziso sokuhoxisa;

(b) lingayalela ukuthi kudliwe noma iyiphi idiphozi esikhokhiwe uma kungukuthi inxushunxushu ayizwakali kahle; futhi

(c) lingayalela indlela okuzosombululwa ngayo leyo nxushunxushu, kubandakanya, phakathi kokunye, umyalelo wokwesula ukubheja, noma wokwesula ukungenela, noma umyalelo othatha isinqumo semali ezokhokhwa olunye uhlangothi lukhokhela olunye.

(10) Ukufakwa kwesikhalazo esiphikisa isinqumo noma umyalelo weKomidi owenziwe ngokwesigatshana somthethonqubo (7) noma (9) lapha, akumisi ukusebenza kwaleso sinqumo noma kwalowo myalelo: Kuncike ekutheni uma ubhuki oyalelwe yisinqumo seKomidi mayelana nenxushunxushu ebangelwe ukubheja, ukuba akhokhele umuntu obhejayo noma ikuphi okuwiniwe noma isamba esithile semali, ekhalaza ngesinqumo, inkokhelo yokuwiniwe noma yezinye izimali kumele lowo bhuki ayikhokhele iKomidi ukuze igcinwe kwithrasti, kuze kutholakale umphumela wesikhalazo, okuyothi ngemuva kwalokho-ke iKomidi likhokhe lokho okuwiniwe loma lesa samba semali, ngokomyalelo kaNgqongqoshe.

Ubunikazi nokulawulwa kwebhizinisi lobubhuki

25.(1) Nanoma imuphi umuntu ofisa ukusebenza ngokuhlanganyela nomuntu noma nabantu abanamalayisensi njengobhuki kumele azame ukuthola imvume kuNgqongqoshe.

(2) Isicelo sokuthola imvume njengalokhu kuhlongozwe esigatshaneni somthethonqubo (1) kumele sihambisane nekhophi egxiviziwe yesivumelwano sokusebenzisana.

(3) Abalingani ebhizinisini babhekele ngokuhlanganyela nangokulinganayo zonke izibopho zokusebenzisana futhi umlingani ngamunye kumele ahambisane nezidingo eziphathelele nezimali zesibambiso kanye namalayisensi ngokufanayo nanjengoba ubengaqhuba ibhizinisi lakhe yedwa.

(4) Uma obhuki abahlanganyele beqhuba ibhizinisi kanye kanye egunjini lokubheja elilodwa nakwenye indawo egunyaziwe, lokho kuhlanganyela kumele kube –

(a) neshadi lokusebenza elilodwa –

(i) lomjaho ngamunye enkundleni ngayinye;

(ii) lomcimbi ngamunye wemidlalo enkundleni ngayinye; kanye

(iii) neminye imicimbi noma imigubho esenkundleni ngayinye; futhi

(b) nebhuku elilodwa.

(5) Ubhuki angeke avumele noma imuphi umuntu ngaphandle komuntu onemvume njengoba kuhlongozwe esigatshaneni somthethonqubo (1) futhi ongubhuki onelayisensi ukuba ahlomule kwezimali noma abe namandla okulawula ebhizinisini lakhe njengobhuki.

(6) Uma obhuki ababili noma ngaphezulu beqhuba ibhizinisi ngokuhlanganyela, kumele ngokufuna –

(a) kwelungu leKomidi;

(b) komhloli noma komsebenzi oqokwe ngokwezigaba 33 noma 35 ze-Odinensi; noma

(c) komuntu oqokwe ngokwesigaba 24(2)(d) se-Odinensi,

ngalokho aveze isitifiketi esimayelana nesivumelwano sokusebenza ngokuhlanganyela.

(7) Uma obhuki abasebenza ngokuhlanganyela beqhuba ibhizinisi egumbini elilodwa lokubheja ezakhiweni –

(a) lokho kuhlanganyela kumele kusebenze futhi kube –

(i) neshadi elilodwa lenkundla -

(aa) lomjaho ngamunye enkundleni ngayinye;

(bb) lomcimbi ngamunye wemidlalo; kanye

(cc) neminye imicimbi noma imigubho ngayinye;

(ii) nebhuku elilodwa; kanye

(iii) nesethi eyodwa yezitatimende ezihlongozwe esigabeni 30 se-Odinensi;

- (b) onke amabhuku, amarekhodi, iziatimende, izincwadi zentela, amabhodi ezokubheja nezikhangiso zokusebenza ngokuhlanganyela kumele kukhombise igama lebhizinisi elihlanganyele namagama abalingani abasebhizinisini elihlanganyele; futhi
 (c) akukho ukubheja okungenziwa phakathi kwabalingani, noma okuzokwenziwa inoma imuphi umlingani osebhizinisini elihlanganyele.

(8) UNgqongqoshe, ngokubona kwakhe futhi nangendlela evumelekile noma evunwa yisiThasiselo selayisensi kabhuki noma kumalayisensi akhishelwe abalingani ebhizinisini elihlanganyele lobhuki, angabeka lemibandela, imikhawulo nezithibelo abona kufanele.

(9) Uma kuhloswe ukuqeda ubudlelwane bobhuki abanamalayisensi, abalingani abathintekayo kumele ngokushesha bazise uNgqongqoshe ngenhloso yabo yokwenze njalo.

(10) Uma kushona ubhuki onelayisensi obekade esebenza ebhizinisini elihlanganyele, noma imuphi umlingani abalingani abasasele abasebhizinisini elihlanganyele bangaqhubeka nokusebenza ebhizinisini lobhuki.

(11) Ngale kwesigatshana somthethonqubo (5), ubhuki akenqatshelwe ukungena esivumelwaneni lapho ubhuki ezosebenzisa isakhiwo, amasu namaqhinga anoma imuphi umuntu ekuqhubeni ibhizinisi lakhe lokuba ubhuki lapho omunye umuntu ezothola khona imihlomulo okungaba imali engeqile kumaphesenti angama-20 enzuzo engeniswe ibhizinisi.

(12) Isivumelwano esihlongozwe esigatshaneni somthethonqubo (11) angeke siqale ukusebenza, ngaphandle uma sigunyazwe uNgqongqoshe.

(13) UNgqongqoshe angeke asigunyaze isivumelwano esihlongozwe esigatshaneni somthethonqubo (11), uma ebona ukuthi isivumelwano sizodala ukuba kushintshe ubunikazi, nanoma imaphi amandla okulawula ebhizinisini likabhuki.

(14) Ubhuki angeke aqale ukusebenzisa isivumelwano esihlongozwe esigatshaneni somthethonqubo (11), ngendlela yokushintsha noma imaphi amandla okulawula ebhizinisini likabhuki.

(15) Ubhuki angeke aqale ukusebenzisa isivumelwano esihlongozwe esigatshaneni somthethonqubo (11), ngendlela ezovela obala emphakathini noma okanye ngezinye izindlela, sokuthi ibhizinisi selingelomunye umuntu.

(16) Ubhuki angeke asebenze noma aqhube ibhizinisi lakhe ngendlela ezoveza isithombe emphakathini, ngokukhangisa noma ngezinye izindlela, sokuthi ibhizinisi lingelomunye umuntu.

Ukugcinwa kwamarekhodi kabhuki ngokohlelo lokugcinwa kwamarekhodi abhalwe phansi

26.(1) Noma imuphi ubhuki ongakwazi ukusebenzisa uhlelo lokugcinwa kwamarekhodi lwekhompyutha kumele asebenzise la mabhuku namarekhodi alandelayo akhombisa iminingwane engcwele neyiqiniso yokubheja okwenziwe –

(a) enkundleni yomjaho noma yemidlalo yamahhashi –

(i) ibhuku lenkundla okumele lihlinzekele ngekhasi nakhophi amabili ekhasi ngalinye akhiwe ucwazi wokubhala ophumelayo; kanye

(ii) nokukhishwa kwamathikithi anezinombolo ezikhethekile, kanye

(b) nasegunjini lokubheja noma kwezinye izindawo zokubheja ezivunyelwe ukubhejela imicimbi yemidlalo neminye imicimbi kanye nemigubho –

- (i) ibhuku lenkundla;
- (ii) ibhuku lamathikithi;
- (iii) ibhuku lasetafuleni okumele lihlinzeke ikhasi kanye namakhophi amabili ekhasi akhiwe ngocwazi wokubhala ophumelayo; kanye
- (iv) ibhuku lokubheja ngokuhlanganyela; kanye
- (v) nebhuku lokubhejaokwehlukehlukeno elikhombisa ngakho konke ukubhejela amahhashi okufakiwe kwemijaho yezinsuku ezehlukene nakho konke ukubheja okwenziwe emicimbini yemidlalo noma kweminye imicimbi noma imigubho noma imijaho eyehlukehlukeno, imicimbi yemidlalo noma eminye imicimbi noma imigubho ebanjwe ngezinsuku ezehlukene.

(2) Amabhuku namarekhodi ahlangozwe esigatshaneni somthethonqubo (1) kufanele ngendlela yefomu evunye uMqondisi-Jikelele futhi angalahlwa noma okungenani kube nendlela thizeni esetshenziswayo yokuthi agcinwe kwenye indawo ngegunya likaMqondisi-Jikelele.

(3) Ubhuki kumele aqinisekise ukuthi –

- (a) amakhasi awo wonke amabhuku okuqoshwe kuwo konke ukubheja, ngaphandle kwebhuku elinezinombolo zamathikithi, kumele abhalwe ngokulandelana kwezinombolo; futhi
- (b) onke amakhophi ekhadi asekuqaleni kwebhuku kumele abe nezinombolo ezihambelana ne-orijinali yalokho.

(4)(a) Ubhuki angeke asebenzisele noma iliphi ibhuku elingazange lisayinwe egameni lekomidi umsebenzi ogunyaziwe weKomidi.

(b) IKomidi kumele ligcine irejista awo wonke amabhuku asayinswe egameni lekomidi ngokwendima (a) kanye nosuku lelo bhuku elasayinwa ngalo.

(5) Konke ukubheja okuvelayo ebhukwini nakumarekhodi kabhuki kuthathwa ngokuthi kwenziwe yibhizinisi likabhuki.

Izinqubo zokubheja uma kusetshenziswa uhlelo lokugcinwa kwamarekhodi abhalwe phansi

27.(1) Bonke obhuki abangakwazi ukusebenzisa uhlelo lokugcinwa kwamarekhodi lwekhompyutha kumele ngokushesha uma befaka ukubheja enkundleni yomjaho noma enkundleni yemidlalo yamahhashi –

(a) baqophe imininingwane yalokho ebhukwini lenkundla noma kwishadi lenkundla njengoba kuhlongozwe kumthethonqubo 26(1)(a)(i);

(b) uma lokho kubheja kungukubheja kwemali, anikeze umuntu obhejayo, ithikithi elinezinombolo elihlongozwe kumthethonqubo 26(1)(a)(ii), elikhombisa imininingwane efundekayo yalokho kubheja; futhi

(c) kumele afake izinombolo zalelo thikithi kwirekhodi lokubheja ebhukwini lomsebenzi elihlongozwe endimeni (a).

(2) Bonke obhuki abangakwazi ukusebenzisa uhlelo lokugcina amarekhodi lwekhompyutha kumele ngokushesha uma kubhejwa egumbini lokubheja, noma kwenye indawo egunyaziwe yokubhejela imicimbi yemidlalo noma kweminye imicimbi noma imigubho –

- (a) bakhiphe ithikithi elinezinombolo ebhukwini lamathikithi elihlongozwe kumthethonqubo 26(1)(b)(ii) elikhombisa ngendlela efundekayo usuku nesikhathi okubhejwe ngaso neminingwane egcwele yalokho; kubandakanya ukuybheja ngocingo noma ngesikweletu, igama lomuntu obhejile ukuze kube lula ukuthi umhloli oqokwe noma ogunyazie ngokwe-Oinensi nanoma iliphi ilungu leKomidi ukuthi limthole lowo muntu oshiwoyo;
- (b) emva kwalokho aqophe yonke iminingwane egcwele ngalokhu –
- (i) ebhukwini lenkundla noma eshadini lenkundla elihlongozwe kumthethonqubo 26(1)(b)(i), kanye
 - (ii) nasebhukwini lasetafuleni elihlongozwe kumthethonqubo 26(1)(b)(iii); kanti
- (c) uma lokho kubheja kwenziwe ngokuhlanganyela, aqophe iminingwane ngalokho kubheja ngokuhlanganyela ebhukwini elihlongozwe kumthethonqubo 26(1)(b)(iv).

(3) Bonke obhuki abangakwazi ukusebenzisa uhlelo lokuqopha amarekhodi lwekhompyutha uma beqhuba amabhizinisi abo enkundleni yomjaho noma emdlalweni wamahhashi kumele ngokushesha uma kudingeka banikeze abamele ikilabhu yomjaho noma ikilabhu yemidlalo yamahhashi ethintekayo ikhophi eyenziwe ngocwazi ophumelayo noma ikhophi ebhalwe ngekhompuyutha yalelo khasi lwebhuku lenkundla njengoba kungafuna lowo omele ikilabhu.

(4) Ubhuki okhipha ithikithi ngokwesigatshana somthethonqubo (1)(b) no (2)(a) kumele ngokushesha anikeze ithikithi umunti obhejile, ngaphandle uma ithikithi likhishwe ngokubheja ngocingo.

Uhlelo lokugcinwa kwamarekhodi lwekhompyutha

28.(1) Ubhuki angeke asebenzise noma iluphi uhlelo lokugcina amarekhodi lwekhompyutha noma achibiyele uhlelo lokugcina amarekhodi lwekhompyutha olugunyaziwe kuze kube lolo hlelo noma lokho kuchitshiyelwa kugunyazwa isikhulu esiqokiwe futhi aze lowo bhuki abe nomshini noma imishini yokugaya amathikithi okumele isetshenziswe kanye nohlelo lokugcinwa kwamarekhodi lwekhompyutha: Kuncike ekutheni ngezincomo zeKomidi futhi ngale kokulandela izidingo zezigatshana zomthethonqubo (2) no (3), isikhulu esiqokiwe singagunyaza ubhuki, isikhathi esingeqile ezinsukwini ezingama-60 futhi ngezinhliso zokuvivinya uhlelo, ukuba asebenzise uhlelo lokugcinwa kwamarekhodi lwekhompyutha olungagunyaziwe isikhulu esiqokiwe futhi olungahanjiswa kubaQinisekisi bamaZinga baseNingizimu Afrika njengoba kuhlangezwe esigatshaneni somthethonqubo (2).

(2) Abahlinzeka ngohlelo lokugcinwa kwamarekhodi lwekhompyutha nanoma ikuphi ukuchitshiyelwa kohlelo lokugcinwa kwamarekhodi lwekhompyutha olugunyaziwe kumele –

- (a) bahambise lolo hlelo noma leso sichibiyelo kubaQinisekisi bamaZinga baseNingizimu Afrika; futhi
- (b) uma bethola isitifiketi esidingekayo, basihambise esikhulwini esiphezulu, kanjalo nencazelo ebhaliwe yohlelo noma yokuchitshiyelwa nanoma yiziphi ezinye izincwadi ezingadingwa yisikhulu esiqokiwe.

(3) Uma sithola izicwadi ezihlongozwe esigatshaneni somthethonqubo (2)(b) isikhulu esiqokiwe –

- (a) kuncike esigatshaneni somthethonqubo (4), singenqaba, noma sigunyaze, nemibandela noma ngaphandle kwemibandela, lolo hlelo noma kuchibiyela;

- (b) singabuyisela lolo hlelo noma kuchibiyela emuva kumhlinzeki ukuze kuguqulwe noma yini edinga ukuguqulwa kulolo hlelo noma kuchibiyela; noma
 (c) singacela umhlinzeki ukuba alethe imininingwane eyengeziwe.

(4) Isikhulu esiqokiwe kumele sidlulisele nanoma iluphi uhlelo lokugcina amarekhodi lwekhompyutha nanoma ikuphi ukuchitshiyelwa kohlelo lokugcina amarekhodi lwekhompyutha olugunyaziwe eKomidini, noma komunye umuntu noma umgwamanda, ukuze luhlolwe, ngaphambi kokuthatha isinqumo esingumnqamula mayelana nokugunyazwa okuhlongozwe esigatshaneni somthethonqubo (1).

(5) Noma iziphi izindleko ezidalwe umhlinzeki wohlelo lokugcina amarekhodi lwekhompyutha nanoma ikuphi ukuchitshiyelwa kohlelo lokugcina amarekhodi lwekhompyutha olugunyaziwe ukuze abhekane nezidingo ezihlongozwe esigatshaneni somthethonqubo (2) no (4), kumele zibhekane nomhlinzeki.

(6) Ekugunyazweni kohlelo lokugcina amarekhodi lwekhompyutha noma ekugunyazweni kokuchitshiyelwa kohlelo lokugcina amarekhodi lwekhompyutha yisikhulu esiqokiwe, isikhulu esiqokiwe kumele sikubhale kwirejista ebese sazisa umhlinzeki othintekayo ngalokho kugunyazwa.

(7) Ubhuki akavumelekile ukusebenzisa uhlelo lokugcina amarekhodi lwekhompyutha kanye nohlelo lokugcina amarekhodi abhalwe phansi okuhlongozwe kwimithethonqubo 26 no 27, ngaphandle uma kwenzeka kufa uhlelo lokugcina amarekhodi lwekhompyutha olukwazi ukuthatha ngendlela imininingwane yokubheja, uma kunjalo –

- (a) kumele alandele izinhlinzeko zemithethonqubo 26 no 27 njengoba ziphathelene nohlelo lokugcina amarekhodi abhalwe phansi;
 (b) kumele azame ukubuyela ohlelweni lokugcina amarekhodi lwekhompyutha ngokushesha uma selungakwazi ukusebenza; futhi
 (c) kumele amarekhodi abhalwe phansi agcinwe ukuze ahlolwe.

(8) Noma imuphi ubhuki owehluleka ukuhambisana nezinhlinzeko zesigatshana somthethonqubo (7) uphule umthetho wokusebenza noma isibopho asithweswe i-Odinensi futhi unecala.

(9) Konke ukubheja okubekwe ohlelweni lokugcinwa kwamarekhodi lwekhompyutha lukabhuki kuthathwa njengengxenywe yomsebenzi wakhe wokubheja.

(10) Noma imuphi ubhuki osebenzisa uhlelo lokugcina amarekhodi lwekhompyutha –

- (a) oluhambisana nohlelo lokugcina amarekhodi lwekhompyutha olungagunyaziwe futhi olungabhalisiwe isikhulu esiqokiwe ngokwalo mthethonqubo;
 (b) olungenawo umshini wokugaya amathikithi; noma
 (c) okutholakala ukuthi ukokotele noma ushintshe uhlelo lokugcina amarekhodi lwekhompyutha ngemuva kokuba selugunyazwe futhi selubhaliswe ngokuhambisana nalo mthethonqubo,

uphule ijoka noma isibopho abekelwe sona ngokwe-Odinensi futhi unecala.

Amarekhodi kabhuki ayogcinwa ngohlelo lokugcinwa kwamarekhodi lwekhompyutha

29.(1) Noma imuphi ubhuki osebenzisa uhlelo lokugcinwa kwamarekhodi lwekhompyutha kumele bagcine lamarekhodi alandelayo aveza imininingwane egcwele nengenamaphutha yokubheja –

- (a) ishadi lenkundla elihambisana nomjaho ngamunye wamahashi, nomicimbi wezemidlalo noma neminye imicimbi noma imigubho, lapho ubhuki ebhejise khona;
- (b) uhlu lwethikithi ngalinye elikhishiwe noma elesuliwe;
- (c) uhlu olukhombisa imininingwane yokubheja ngakunye;
- (d) uhlu lokubheja ngokuhlanganyele ngakunye;
- (e) uhlu lokubheja okuphindaphindiwe olukhombisa konke ukubheja okwenziwe ehhashini ngalinye emijahweni egijinywa ezinsukwini ezahlukene zomjaho nakho konke ukubheja okwenziwe emicimbini yezemidlalo noma kweminye imicimbi noma imigubho ebanjwe ngezinsuku ezehlukahlukene.

(2) Amarekhodi ahlangozwe esigatshaneni somthethonqubo (1) kumele abe kwifomu egunyazwe uMqondisi-Jikelele futhi angeke alahlwe noma asuswe noma ngayiphi indlela ngaphandle kokugunyaza koMqondisi-Jikelele.

(3) Yonke imininingwane egciniwe namarekhodi ahlangozwe esigatshaneni somthethonqubo (1) kumele akopishwe emshininini ofanelekile nophathekayo ogcina imininingwane eqoshiwe njalo ekupheleni kosuku ngalunye futhi umshini ngamunye wamarekhodi kanye nemininingwane egciniwe ekuwona kumele igcinwe ivikelekile ngokulandelana kwezibalo ngezinhloso zokuhlolwa kwezinye ezikhiwo okungezona ezinegumbi lokubheja.

(4) Ikomidi kumele linqume ukuthi ingabe umshini ophathekayo wokugcina imininingwane egciniwe namarekhodi njengoba kuhlangozwe esigatshaneni somthethonqubo (3) ufanelekile ngokwezinhloso ezihlongozwe esigatshaneni somthethonqubo (3) futhi liphinde liqhubeke nokunquma indawo efanelekile nendlela lowo mshini ophathekayo wemininingwane erekhodiwe okufanele ugcinwe ngayo.

Izinqubo zokubheja lapho okusetshenziswa khona uhlelo lokugcina amarekhodi lwekhompyutha

30.(1) Bonke obhuki abasebenzisa uhlelo lokugcina amarekhodi lwekhompyutha kumele, ngokushehsa uma bebhejisa –

- (a) bafake yonke imininingwane yokubheja kwikhompyutha, kubandakanya usuku nesikhathi okubhejwe ngaso;
- (b) banike umuntu obhejayo ithikithi elinenombolo eyimfihlo, eligaywe umshini okhiqiza amathikithi, elikhombisa usuku nesikhathi okubhejwe ngaso nemininingwane egcwele yalokho: Kuncike ekutheni uma kubhejwe ngocingo, asikho isidingo sokugaya ithikithi kodwa imininingwane edingwa isigatshana sendima (a) kumele iqoshwe kanjalo negama lomuntu obhejile ukuze kube lula ukuthi umhloli oqokiwe noma ogunyazwe ngokwe-Odinensi noma iliphi ilungu leKomidi limthole lowo muntu oshiwoyo;
- (c) baqinisekise ukuthi uma kubhejwe ngokuhlanganyela, imininingwane egcwele yalokho kubheja iyaqoshwa ohlwini lokubheja ngokuhlanganyela okukhulunywe ngalo kumthethonqubo 29(1); futhi
- (d) baqinisekise ukuthi imininingwane egcwele yokubheja iyabhalwa kumarekhodi anqunye kumthethonqubo 29(1).

(2) Noma imuphi ubhuki osebenzisa uhlelo lokugcina amarekhodi lwekhompuyutha abaqhuba ibhizinisi emjahweni noma emidlalweni yamahashi, ngokushesha uma kudingeka, kumele anikeze isithunywa sekilabhu yomjaho noma sekilabhu yomdlalo wamahashi ethintekayo ikhophi egaywe emshininini yeshadi lenkundla.

Ukubhaliswa kwemenenja nomabhalane

31.(1) Nanoma imuphi umuntu ofisa ukubhaliswa njengemenenja kumele afake isicelo ngokubhalela iKomidi, leso sicelo iKomidi –

- (a) lingasenqaba;
- (b) lingasikhipha nemibandela noma ngaphandle kwemibandela; noma
- (c) lingasiphindisela emuva kumfakisicelo ukuze ongeze eminye imininingwane edingekayo.

(2) Isicelo esihlongozwe esigatshaneni somthethonqubo (1) kumele senziwe ngokusebenzisa ifomu eyakhelwe lokho iKomidi, lelo fomu kumele lifakwe izincwadi nemininingwane ehlinzekwa umfakisicelo, kubandakanya, phakathi kokunye –

- (a) imininingwane egcwele nenombolo kamazisi yomfakisicelo;
- (b) ikheli lendawo yokuhlala neleposi lomfakisicelo;
- (c) amarekhodi olwazi analo umfakisicelo emsebenzini wobubhuki kanye nolwazi nesipiliyoni esiphathelene nomsebenzi embonini yobhuki, uma enakho;
- (d) imvume ebhaliwe yomfakisicelo yokuphenywa iKomidi, abasebenzi noma i-ejenti, ngomlando wempilo yakhe nanoma ikuphi okunye noma ulwazi oluvezwe efomini yokufaka isicelo, noma isitatimende esifungelwe esihlongozwe kwindima (e), nanganoma iyiphi imininingwane ephathelene nalokhu;
- (e) isitatimende esifungelwe umfakisicelo esibeka ukuthi uyafaneleka noma akafanelekile ukubhaliswa ngokwalo mthethonqubo, ngesizathu esisodwa noma ngaphezulu sokungafaneleki ezibhalwe esigabeni 49 soMthetho wezokuGembula kaZwelonke, 2004 (uMthetho No. 7 ka 2004);
- (f) imali yokufaka isicelo ebhalwe oHlelweni lokuQala kwi-Odinensi, eyabelwa iKomidi;
- (g) iminwe egingqiwe ngokuphelele yomfakisicelo, eyenziwe uMbutho wamaPhoyisa aseNingizimu Afrika; kanye
- (h) nobufakazi bokukhokha obenziwe kuMbutho wamaPhoyisa aseNingizimu Afrika maqondana nemali ephathelene nesicelo sokuthola isitifiketi esibeka ukuthi umfakisicelo akanalo irekhodi lokuthinteka ebugebengwini.

(3) IKomidi lingahlola umfakisicelo ekutheni abe ngobhaliswa njengemenenja kabhuki ngolwazi analo lomthetho osetshenziswayo wobubhuki.

(4) Emva kokuphuthulwa kophenyo oluhlongozwe esigatshaneni somthethonqubo (2)(d) kwase kuhanjiswa umbiko eKomidini futhi uma selisicubungulile isicelo, iKomidi lingenqaba ukubhalisa imenenja, noma lingayibhalisa imenenja kunoma lapho okuyothi, uma selithole imali yokubhalisa enqunye oHlelweni lokuQala kwi-Odinensi, linikeze umfakisicelo isitifiketi sokubhaliswa, ngokuncike kule mibandela elandelayo –

- (a) yokuthi ukubhalisa kuyaphela mhla zingama-31 kuZibandlela minyaka yonke ngaphandle uma kuvuselelwe ngendlela ehlongozwe esigatshaneni somthethonqubo (7);
- (b) yokuthi angasebenzela kuphela egunjini lokubheja likabhuki onelayisensi;
- (c) yokuthi kumele, ngaphambi kokuqalisa umsebenzi, azise iKomidi –
 - (i) igama nekheli lendawo kabhuki azomsebenzela; futhi
 - (ii) nanganoma iluphi ushintsho oluhlelwayo lomsebenzi lowo bhuki othintekayo awenzayo kumele luqinisekise ngokubhala phansi, umsebenzi nokwazi ukuthi yena kungumthwalo wakhe konke okwenziwa imenenja; kanye
- (d) nangeminye imibandela eyongeziwe, ngokunquma kweKomidi, elifuna ukuba isetshenziswe.

(5) Isitifiketi sokubhaliswa kumele sibe –

- (a) namagama aphelele emenenja ethintekayo;
- (b) unyaka esikhishwe ngawo;
- (c) usuku esikhishwe ngalo; kanye
- (d) nemibandela okukhulunywe ngayo esigatshaneni somthethonqubo (4).

(6) Zonke izitifiketi zokubhaliswa zezimenenja zisetshenziswa umnikazi kuphela futhi azivumelekile ukusetshenziswa omunye umuntu noma ngenye indlela.

(7) Isicelo sokuvuselela isitifiketi sokubhaliswa semenenja kumele sibhekiswe eKomidini ngaphambi kosuku lomhla lu-1 kuZibandlela minyaka yonke futhi kumele sihambisane nemali yokuvuselela enqunywe oHlelweni lokuQala kwi-Odinensi, ebhekiswa eKomidini.

(8) Ngale kokulandela isigatshana somthethonqubo (4), iKomidi, uma kufakwa isicelo sesitifiketi sesikhashana sokubhaliswa, okumele senziwe ngokugcwalisa ifomu ebekwelwe lokho yiKomidi, linikeze isitifiketi sokubhaliswa njengemenenja sesikhashana umfakisicelo, ngaphambi kokuphothulwa kophenyo oluhlongozwe (2)(d): Kuncike ekutheni izincwadi zesicelo esiphathelene nesitifiketi sokubhaliswa kwesikhashana, azikhombisi ukuthi kungenzeka umfakisicelo angafaneleki ukubhaliswa.

(9) Uma ubhuki noma umlingani kabhuki ebhizinisini eqasha imenenja ebhalisiwe, lowo bhuki noma mlingani ebhizinisini ngokuhlanganyela nangasikhathi sinye –

- (a) bahlale benesibopho sokwenza yonke imisebenzi kanye nazo zonke izibopho ezibekelwe ubhuki yile Odinensi umsebenzi onikezwe ubhuki ngokwe-Odinensi; futhi
- (b) babhekele konke okwenziwa yileyo menenja okuqondene nebhizinisi lobubhuki.

(10) izinhlinzeko zesigatshana somthethonqubo (1) kuya ku (9) nazo zisebenza, kuncike ezichibiyelweni ezidingekile, uma kubhaliswa omabhalane.

(11) Ubhuki angeke aqashe, noma avumele ukuthi kuqashwe ebhizinisini lakhe lobubhuki, noma imuphi umuntu, esikhundleni sokuba umabhalane kabhuki noma imenenja, ngaphandle uma lowo muntu ebhaliswe ngokufanele ngokwale Mithethonqubo.

(12) Akekho umuntu ongavuma ukuqashwa noma ukusebenza nobhuki, esikhundleni sikamabhalane kabhuki noma semenenja, ngaphandle uma lowo muntu ebhaliswe ngokufanele ngokwale Mithethonqubo.

(13) Umabhalane kabhuki angaqhubeka nokubhejisa emphakathini, ethotho, noma kwabanye obhuki.

(14) Imenenja iwuhlobo lomsebenzi kabhuki, noma wobhuki abasebenza ngokuhlanganyela –

- (a) ongunya ngaphezu kwabo bonke omabhalane nezinye izisebenzi zikabhuki noma zobhuki abasebenza ngokuhlanganyela;
- (b) ovumelekile ukubhejisa emphakathini, ethotho, noma kwabanye obhuki; futhi
- (b) ngokuncike endleleni esetshenziswayo ebhalwe encazelweni "**yemenenja**" esigabeni 2 se-Odinensi, obhekele yonke imisebenzi kabhuki uma ubhuki engekho.

(15) Bonke obhuki noma obhuki abasebenza ngokuhlanganyela kumele babhalise okungenani umsebenzi oyedwa njengemenenja, ngokuhambisana nale mithethonqubo.

Ukubheja okungakhokhelwe

32.(1) Noma imuphi umuntu onesimangalo esizwakalayo ngobhuki mayelana nokubheja ubhuki angazange akukhokhele ngemuva kokuba emcele ukuba enze njalo, kumele abike loo daba ngencwadi esiKhulwini esiPhezulu.

(2) IsiKhulu esiPhezulu uma sithola isaziso esihlongozwe esigatshaneni somthethonqubo (1) kumele sisiqophe lesa saziwo kwirejista eyakhelwe lokho, futhi kumele ngale kokubambazela sisidlulisele kwiKomidi.

(3) Uma, emva kophenyo, lapho ubhuki othintekayo kumele anikezwe ithuba lokubeka uhlangothi lwakhe, iKomidi leneliseka ngokuthi isimangalo kumele sihlonishwe ubhuki, lingayalela ubhuki ukuba enze lokho kungakapheli amahora angama-24, uma ehluleka ukwenza lokho ngokomyalelo awunikiwe uyotholakala engumuntu ongakhokhi kahle.

Ubhuki ongakhokhi kahle

33.(1) Uma iKomidi lenelisekile, ngemuva kokwenza uphenyo oludingekayo, lapho ubhuki othintekayo eselitholile ithuba lokubeka uhlangothi lwakhe, ukuthi ubhuki uyehluleka ukukhokha noma iziphi izikweletu zakhe eziphathelene nokubheja okwenziwe kuye, iKomidi lingamthola engumuntu ongakhokhi kahle.

(2)(a) Noma nini lapho iKomidi limthola ubhuki engumuntu ongakhokhi kahle kumele likhiphe isaziso salokho sibekwe ebhodini lezaziso egunjini lokubheja, lesa saziwo sifune zonke izimali azikweletayo ubhuki nezimali ahlulekile ubhuki ukuzikhokha azifake noma ukuthi azikhokhe, njengalokhu kungaba njalo, eKomidini kungakapheli izinsuku ezingamashumi amathathu kusukela ngosuku lowo bhuki atholakala ngalo ukuthi ungumuntu ongakhokhi kahle.

(b) IKomidi alibophezekile ukucubungula noma isiphi isimangalo sokukhokhelwa esifakwe ngemuva kokuphela kwezinsuku ezibekwe ngenhla.

(3)(a) Uma etholakala ukuthi ungumuntu ongakhokhi kahle ubhuki kumele ngaleso sikhathi ahambise eKomidini zonke izincwadi zakhe zokubheja, izincwadi zama-akhawonti ezimali kanye nemali engukheshi ekhona futhi iKomidi kumele likugcine lokhu kuze kube izikweletu zikabhuki zikhokhwa zonke.

(b) Nanoma imuphi ubhuki otholakala engumuntu ongakhokhi kahle yiKomidi akavunyelwe ukuqhubeka nokubhejisa kuze kube izikweletu zakhe zikhokhwa zonke futhi zonke izimali ezikhokhwe njengesibambiso egameni lakhe esezikhokhile futhi uNgqongqoshe esembona engumuntu ofanelekile ekutheni aphinde abuyiselwe ekuqhubeni ibhizinisi lobubhuki.

(4) Noma nini lapho ubhuki etholwa engumuntu ongakhokhi kahle, noma ikuphi ukubheja okwenziwe nguyena ngesikhathi engasakhokhi kahle emjahweni ongakagijinywa noma emcimbini wezemidlalo noma eminye imidlalo noma imigubho engakabanjwa noma engakaphumi imiphumela yakhona, iKomidi lingakuhoxisa lokho kubheja ebese likumemezela njengokuhoxisiwe nokwesuliwe, apho noma iyiphi imali efakiwe mayelan nalokho kubheja okuhoxisiwe kumele ibuyiselwe kumnikazi wayo.

(5) Uma iKomidi lithola ubhuki engumuntu ongakhokhi kahle, kufanele lisebenzise yonke noma ingxenye yanoma iyiphi imali yesibambiso esegameni lakhe noma esegameni lomlingani wakhe ngokwebhizinisi, ukuze kukhokhwe zonke izikweletu zakhe, okungaba izikweletu zidaleke ngokuqhuba ibhizinisi lakhe njengobhuki egunjini lokubheja noma enkundleni yomjaho noma yemidlalo yamahashi noma kwenye inkundla esemthethweni yokubheja uma kunemicimbi yemidlalo noma kuneminye imicimbi noma imigubho: Kuncike ekutheni lesa sibambiso angeke

sasetshenziselwa ukukhokha noma iziphi izikweletu ezenziwe kunoma imuphi omunye ubhuki kuze kube zonke izikweletu zokubheja ziyakhokhwa.

Obhejayo ongakhokhi kahle

34.(1) Uma iKomidi lenelisekile, ngemuva kokwenziwa kophenyo lapho obhejayo eyobeka khona uhlangothi lwakhe, ukuthi obhejayo wehlulekile ukukhokhela ubhuki noma imalini ebekufanele ayikhokhe maqondana nokubheja akwenzile kulowo bhuki, lingathola lowo obhejayo engumuntu ongakhokhi kahle.

(2) Noma nini uma iKomidi elithola obhejayo engumuntu ongakhokhi kahle kumele lithumelele bonke obhuki abanamalayisensi isaziso ngalokhu kanye namakilabhu emijaho esiFundazweni futhi wonke ubhuki othole lesa sazi kumele asibeke obala lapho esizobonakala khona egunjini lokubheja lapho esebenzela khona kuze kube isikhathi esithile lapho ezotshelwa khona iKomidi ngokwesigatshana somthethonqubo (4)(b) ukuthi asisuse, futhi okufanele akwenze lokho ngaphandle kokuchitha isikhathi.

(3) Ekutholeni isaziso esihlongozwe esigatshaneni somthethonqubo (2) nanoma imuphi ubhuki okweletwa yilowo muntu obhejayo mayelana nokubheja akwenzile kuyena kumele anikeze ngokushesha iKomidi imininingwane yalezo zikweletu.

(4)(a) Noma imuphi umuntu obhejayo otholwe iKomidi njengomuntu owehlulwa ukukhokha angeke angene noma atholakale kunoma iziphi izakhiwo –

(i) ezinelayisensi yokusebenza njengenkundla yomjaho ngokwe-Odinensi;

(ii) nanoma iziphi izakhiwo okukhulunywe ngazo esigabeni 28(2) noma (3) se-Odinensi; noma

(iii) nanoma iziphi izakhiwo ubhuki onikezwe ilayisensi aqhuba kuzo ibhizinisi, kuze kube zonke izikweletu zikabhuki uyazikhokha futhi neKomidi liyeneliseka ngokuthi usengumuntu ofanelekile ekutheni usengaphinde aqale futhi ukubheja.

(b) Uma iKomidi selinelisekile njengalokhu kuhlongozwe kwindima (a), kumele lazise bonke obhuki okukhulunywe ngabo esigatshaneni somthethonqubo (2) ukuba basuse lesa sazi.

Ukungakhokhi kahle: IKilabhu yoJokhi yaseNingizimu Afrika

35. Akekho umuntu osekukhishwe isexwayiso sokuthi ungumuntu owehluleka ukukhokha iKilabhu yoJokhi yaseNingizimu Afrika ongangena noma ongatholakala –

(a) ezakhiweni ezinelayisensi yenkundla yemijaho ngokwale-Odinensi;

(b) kunoma iziphi izakhiwo okukhulunywe ngazo esigabeni 28(2) no (3) se-Odinensi; noma

(c) kunoma iziphi izakhiwo ubhuki onelayisensi aqhuba kuzo ibhizinisi.

ISAHLUKO III IZINTELA ZOKUHWABA NGOKUBHEJISA IMIJAHO YAMAHASHI

Isibambiso seNtela

36.(1) isibambiso sokukhokhela intela esifakwa ubhuki njengoba kunqunywe esigabeni 26 se-Odinensi kumele sibe isamba esithile esinganqunywa isikhulu esiqokiwe futhi kumele siqukathe –

(a) idiphosithi engukheshi;

(b) isiqinisekiso sasebhangi; noma

(c) ezinye izibambiso njelokhu kungagunyaza uNgqongqoshe.

(2) Incwadi yegunya eyokhishwa ubhuki ngokwesigaba 26(3) se-Odinensi kumele ifakwe kwifomu elibekwe kwisiThasiselo 3 soMthethonqubo.

(3) Isikhulu esiqokiwe singafuna i-ejenti ehlongozwe esigabeni 28(3) se-Odinensi noma ikilabhu yezomjaho eqhuba ithotho ngezinhloso zokubheja ngemivuzo emile yokubheja kunoma imuphi umjaho wamahhashi ukuthi ifake isibambiso noma ngendlela enganqunywa isona ukuze kukhokhwe intela ephathelene nokubheja kanye nezinye izimali ezingangena esiKwameni seNgeniso yesiFundazwe.

(4) Isikhulu esiqokiwe, ngezikhathi ezehlukene singanquma inani lemali eyisibambiso edingekayo ngokwesigatshana somthethonqubo (3) futhi noma ngasiphi isikhathi singadinga i-ejenti njengoba kuhlongozwe esigabeni 28(3) se-Odinensi noma ikilabhu yezomjaho ukuba ishintshe noma yengeze ezinye izibambiso ezinganqunywa isona.

(5) Isikhulu esiqokiwe singadayisa noma sidedele leso samba sezibambiso ezifakiwe uma kuba nesidingo sokukhokha izikweletu esiKhwameni seNgeniso yesiFundazwe.

(6) Uma i-ejenti e kuhlongozwe esigabeni 28(3) se-odinensi noma ikilabhu yomjaho enethotho ngaphansi kwemibandela ehlongozwe yilo mthethonqubo, inqamula uhlelo lokubheja ngemivuzo emile, isikhulu esiqokiwe kumele sibuyisele ekilabhini yezomjaho ethintekayo isibambiso esisalile emva kokubanjwa kwentela noma kwezinye izimali ezikhokhwa esiKhwameni seNgeniso yesiFundazwe.

Ukukhokhwa kwentela ekubhejeni okuwinile kubhuki emjahweni wamahhashi

37. Izintela ezibanjwa emalini ewinwe umuntu owine ngenkathi ebheja kubhuki emjahweni wamahhashi kumele zibe iphesenti elikhonjiswe kwitebhula ngale ndlela elandelayo, okuyizintela ezihlanganisa intela yentengo:

	Ukubheja okwenziwe kubhuki enkundleni yemijaho noma enkundleni yemidlalo yamahhashi KwaZulu-Natali	Ukubheja okufakwe kubhuki ezakhiweni ngaphandle kwenkundl yemijaho KwaZulu-Natali
IsiKhwama seNgeniso yesiFundazwe	2%	2%
I-ejenti oqokwe ikilabhu yezomjaho ngaphansi kwesigaba 28 (3)(a) se-Odinensi	3%	3%
IKomidi	1%	1%
ISAMBA	6%	6%

Isitatimende esiqondene nentela

38.(1) Izitatimende okukhulunywe ngazo esigabeni 30 se-Odinensi kumele zithunyelwe namakhophi ibona bonke obhuki futhi kumele zifakwe kwifomu ebhalwe kwisiThasiselo 1 okumele zihambisane nohlu lokubheja ngokuhlanganyela kwifomu ebhalwe kwisiThasiselo 2.

(2) IziThasiselo ezihlukene eziphathelene nokubheja okwenziwa enkundleni yemijaho noma enkundleni yemidlalo yamahhashi nasegunjini lezokubheja kufanele zithunyelwe ngokwahlukana.

(3) Isitatimende A sesiThasiselo 1 kumele sikhombise eceleni ohlwini olufanele lwaso futhi emjahweni ngamunye ongena ngaphansi kwaleso siThasiselo, isamba senani esiphathelene nakho kone ukubheja okufakwe kubhuki kanye nezintela ezikhokhwayo ngokubheja ngokwesigaba 29(1) no (2) se-Odinensi.

(4) Isitatimende B sesiThasiselo 1 kumele sikhombise eceleni futhi okuphathelene nomjaho ngamunye ongaphansi kwesiThasiselo, imininingwane egcwele yokubheja ngokuhlanganyela okwenziwe kubhuki, inzuzo eyenziwe ikhona nezintela ezikhokhwe ngakho ngokwesigaba 29(3) se-Odinensi.

(5) Isitatimende C sesiThasiselo 1 kumele sikhombise isamba senani lezintela njengoba sibhalwe esitatimendeni A, lesa ubhuki angabamba kuso imali yentela ekhokhwa nguye ngokubheja ngokuhlanganyela okurekhodwe kwiSitatimende B ezibanjwa ngokwezinhlinzeko (i) esigabeni 29(3) se-Odinensi futhi esingeqile kwisibambiso sakhe ngehashi elithile emjahweni othile.

(6) Isitatimende D sesiThasiselo 1 kumele sikhombise isibalo sonke sokuwina nokudliwa kukabhuki, njengalokhu kungaba njalo.

(7) IsiThasiselo 2 kumele sikhombise –

(a) amagama obhuki noma amathotho okubhejwe kuwo ngokuhlanganyela okwarekhodwa esitatimendeni B sesiThasiselo1;

(b) igama lomjaho nehhashi elabhejelwa ngokuhlanganyela; kanye (c) nesibalo sokubheja ngokuhlanganyela okukhishwe ubhuki okwenziwe kuye.

(8) Bonke obhuki abanamalayisensi kumele ngaphambi kokuthi kuphele izinsuku eziyishumi nanhlanu enyangeni yokugcina, bahambise ikhophi yangempela yesiThasiselo 1 kwiKomidi, njengalokhu ifakwe esikhulwini esiphezulu, futhi ngasikhathi sinye bakhokhe intela kwiKomidi enqunywe ngokomthethonqubo 37.

(9) Noma nini lapho umhlangano womjaho noma wemidlalo enhlobonhlobo welulwa ngezinsuku ezimbili noma ngaphezulu, kumele kufakwe izitatimende ezehlukene eziqondene nosuku ngalunye.

Isitatimende sentela: IBhodi ye-Ejenti yeThotho

39. Izinhlinzeko zomthethonqubo 38 zifaka ngendlela efanayo kwi-ejenti njengalokhu kuhlangozwe esigabeni 28(3) se-Odinensi noma sekilabhu yezemijaho ephathelene nokubheja ngemivuzo emile emijahweni yamahhashi.

Ukwehluleka ukuthumela isitatimende esiqondene nentela

40.(1) Ngaphandle uma ubhuki enegunya elibhaliwe alithole kuMqondisi-Jikelele lokuqhuba ibhizinisi ngemuva kokwehluleka ukuthumela izitatimende ezihlongozwe kumthethonqubo 38 nokukhokha izintela okukhulunywe ngazo esigabeni 30 se-Odinensi, ilayisensi yakhe ithathwa njengemisiwe sonke isikhathi angazithumelile ngaso izitatimende nangakhokhile ngaso izintela nezinhlawulo azikweletayo ngokwe-Odinensi.

(2) Uma i-ejenti njengoba kuhlangezwe esigabeni 28(3) se-Odinensi noma ikilabhu yezomjaho yehluleka ukuthumela isitatimende esihlongozwe kumthethonqubo 38 nokukhokha izintela ezinqunywe ngosuku olubekwe kulesi Sahluko, imvume kaNgqongqoshe ngokwezinhlinzeko zendima (c) yezincazelo ngamathotho esigabeni 2 se-Odinensi iyamiswa ngesikhathi, noma uma esahluleka ukuletha izitatimende nokukhokha izintela nezinhlawulo azikweletayo ngokwe-Odinensi.

(3) I-ejenti njengoba kuhlangezwe esigabeni 28(3) se-Odinensi, ikilabhu yezomjaho noma nanoma imuphi ubhuki owenza ibhizinisi lokuhweba ngokuphikisana nezinhlinzeko zalo mthethonqubo, unecala lokwephula umthetho.

Isitifiketi somjaho noma sekilabhu yemidlalo yamahhashi esiphathelene nokubhejela amahhashi

41.(1) Onobhala bawo onke amakilabhu ezomjaho, ngaphambi kokuphela kwezinsuku eziyisikhombisa emva kokulethwa kwanoma iziphi izitatimende ekilabhini ngokwesigaba 30(1) se-Odinensi, balethe amakhophi esikhulwini esiqokiwe, ezihambisana nesitifiketi kwifomu ebekwe kwisiThasiselo 4 kule Mithethonqubo, futhi kumele ngaleso sikhathi bakhokhe intela eqoqwe kubhuki ofake isitatimende.

(2) Uma kuyinkundla yemidlalo yamahhashi umuntu okukhulunywe ngaye esigabeni 43(4) se-Odinensi ubhekele ukuhambisana nesigaba somthethonqubo (1).

Imali encane ebuyiselwa abantu ngokuwina ukubheja okufakwa ngokuhlanganyela

42. Imali encane, seyionke, ezobuyiselwa kulabo bantu abawine kunoma ikuphi ukubheja ngokuhlanganyela okuhlinzekelwe emithethweni yamathotho, kumele ingabi ngaphansi kuka-75 wamaphesenti emali isiyonke eyisiteki kulolo hlu lokubheja: Kuncike ekutheni leyo mali encane, isamba sesisonke, esizobuyiselwa abantu abawine ukubheja kuhlobo lokubheja okukhulunywe ngalo njenge-Super 8, kumele ingabi ngaphansi kuka-65 wamaphesenti emali isiyonke eyisiteki kulolo hlu lokubheja.

Izintela zokubheja okuhlanganyele okwenziwe ethotho

43.(1) Izintela ezihlongozwe esigabeni 31(1) se-Odinensi kumele zibalwe zibe yisilinganiso sephesenti elilodwa nohhafu lazo zonke izimali okubhejwe ngazo ethotho.

(2) I-jenti eqokwe ikilabhu yezomjaho ngaphansi kwesigaba 28(3)(a) se-Odinensi ngokwezinhloso zeZahluko III, IV ze-V zale Mithethonqubo ingacina zonke izimali okubhejwe ngazo ethotho ezingabuyiselwanga kubantu ngokuhambisana nezinhlinzeko zomthethonqubo 42, leyo mali esale ngemuva kokubanjwa kwesilinganiso sephesenti elilodwa nohhafu sentela ehlongozwe esigatshaneni somthethonqubo (1).

Izintela, amaphesenti noma imali yekhomishini yemivuzo emile yokubheja okwenziwa kumnikazi wethotho emijahweni yamahhashi

44.(1) Izintela, amaphesenti noma imali yekhomishini ekhokhwa ngokwesigaba 31(1A) se-Odinensi ngumqhubi wethotho ngokuwinwa kwemivuzo emile yokubheja okwenziwa kumnikazi wethotho uma kubhejelwa amahhashi kumele zibe iphesenti elikhonjiswe kwitebhula

ngalendlela elandelayo, lezo zintela, maphesenti noma leyo mali yekhomishini ayifakiwe iNtela yeNtengo:

	Ukubheja kumnikazi wethotho enkundleni yemijaho noma enkundleni yemidlalo yamahhashi KwaZulu-Natali	Ukubheja kumnikazi wethotho okufakwa ezakhiweni ezingekho enkundleni yemijaho KwaZulu-Natali
IsiKhwama seNgeniso	2%	2%
yesifundazwe l-ejenti oqokwe ikilabhu yezomjaho ngaphansi kwesigaba 28 (3)(a) se-Odinensi	3%	3%
IKomidi	1%	1%
ISAMBA	6%	6%

(2) Izinhlinzeko zale mithethonqubo efakwa kuyo yonke inzuzo yokuwiniwe ekubhejeni ngokuhlenganyela okubheja okufakwa umnikazi wethotho kubhuki onelayisensi: Kuncike ekutheni –

- (a) Umnikazi wethotho obheja ngokuhlenganyela unelungelo lokufuna inkokhelo, ngendlela ebekwe kwisiThasiselo kule Mithethonqubo, yokubanjwa kwezintela ezikhokhwa ngokwesigatshana semithethonqubo; futhi
- (b) noma iziphi izimali ezibanjwayo ezifunwa ngumnikazi wethotho ngokwendima (a) zivunyelwe ekubheja okugcina ezingeni elithile okungeqile emalini eyisibambiso salowo umnikazi wethotho ngehashi elithile emjahweni othile.

Ukuthunyelwa kwezincwadi zentela nokukhokhwa kwentela

45.(1) Ezinsukwini eziyisikhombisa ngemuva komjaho noma komdlalo wamahhashi lapho kunethotho khona, ikilabhu yezomjaho noma abagqogquzeli bemidlalo enhlobonhlobo abathintekayo kumele –

(a) bathumele esikhulwini esiqokiwe izincwadi zentela kwifomu yesiThasiselo 1 maqondana nohlelo lwemivuzo emile lokubheja nesiThasiselo 7 maqondana nohlelo lokubheja okuhlenganyele okumele lukhombise isamaba semali yonke ekhokhwe kumnikazi wethotho –

- (i) kulowo mhlangotho womjaho; kanye
 - (ii) nakwi-ejenti evunyelwe ngokwesigaba 28(3) se-Odinensi; futhi
- (b) bakhokhele isiKhwama seNgeniso yesiFundazwe izintela ngokwalesi Sahluko.

(2) Izinhlinzeko zesigatshana somthethonqubo (1) sifakwa uma sekwenziwe izinguquko ezifanele evezweni kwezimali ezibuyiswayo nasekukhokhweni kwezintela, amaphesenti noma imali yekhomishini kwiKomidi ngokomthethonqubo 44, ngaphandle kokuthi umnikazi wethotho kumele afake kwiKomidi ikhophi egxiviziwe yesiThasiselo 1 njengalokhu ifakwa esikhulwini esiqokiwe.

ISAHLUKO IV OKWEJWAYELEKILE

Inqubo yokugunyaza: Eminye imicimbi kanye nemigubho

46.(1) Noma imuphi umuntu ofisa ukuthi uNgqongqoshe athathe isinqumo mayelana nomcimbi noma nomgubho kumele afake isicelo ngokuthi abhalele uNgqongqoshe.

(2) Isicelo esibhaliwe esihlongozwe esigatshaneni somthethonqubo (1) kumele sibandakanye okungenani lokhu okulandelayo –

- (a) uhlobo lomsebenzi, igama, ikheli laseposini neminye imininingwane yokuxhumana nomfakisicelo;
- (b) incazelo ecacile, ephелеle nefingqiwe ngomcimbi noma umgubho okufakwe isicelo semvume yawo;
- (c) imininingwane yolwazi ephathelene nanoma iyiphi inhlango enokulawula ngandlela thile kulowo mcimbi noma mgubho ofakelwe isicelo semvume;
- (d) incwadi yezincomo zokuthi ukubheja emcimbini noma egubhweni ofakelwe isicelo semvume, angeke kuwhlukumeze umphakathi; kanye
- (e) nencwadi yezincomo zokuthi ukubheja emcimbini noma emgubhweni ofakelwe isicelo semvume, angeke kuphoxe umcimbi noma umgubho ngokuthi kube nezenzo zenkohlakalo noma zokuphekwa kwemiphumela.

(3) Noma isiphi isinqumo esithathwe uNgqongqoshe kumele senziwe ngesaziso esiyoshicilelwa kwiGazethi yesiFundazwe.

(4) Usuku lokuqala kokusebenza kwesinqumo sikaNgqongqoshe njengoba kuhlangozwe kulo mthethonqubo kuyoba usuku okushicilelwe ngalo lesa saziso kwiGazethi yesiFundazwe.

Ukwelashwa kwamahhashi

47.(1) Irekhodi elihlongozwe esigabeni 38(2) se-Odinensi kumele libandakanye –

- (a) usuku;
- (b) igama lomjaho wamahhashi;
- (c) isifo esitholakele;
- (d) umuthi, umshanguzo noma izinto ezisetshenzisiwe uma kwelashwa;
- (e) okanye umuthi noma umshanguzo wafakwa emlonyeni, noma ngomjovo noma ngokushuthekwa, noma ngokugcoba ngaphandle;
- (f) igama lomuntu olaphe ihhashi;
- (g) igama likadokotela wezilwane okhiphe umyalelo obhaliwe wemithi noma imishanguzo ezosetshenziswa;
- (h) imininingwane yomhlinzeki wemithi noma wemishanguzo; kanye
- (i) nesibalo semithi noma imishanguzo ayilethile.

(2) Ngokwenhloso yesigaba 38(2)(b)(ii) se-Odinensi, akukho nsalela yanoma iyiphi ikhemikhali noma umshanguzo okuhlangozwe esigabeni 38(1)(a) se-Odinensi ongaba khona emjahweni wamahhashi emahoreni angama-48 ngaphambi komjaho nasemahoreni angama-24 emva komjaho lelo hhashi elizowugijima noma eliwugijimile: Kuncike ekutheni uma udokotela wezilwane eqinisekisa ukuthi lolu ketshezi, ikhemikhali noma umshanguzo –

- (a) akuzange ukhishwe ngaphambi kokuphuthulwa komjaho obubanjwe maduzane nalowo lelo hhashi ebeliwugadula; futhi
 - (b) udingekela impilo yehhashi okukhulunywa ngalo,
- ukwenqatshelwa mayelana naleso sikhathi samahora angama-24 ngemuva komjaho ngeke kusebenze.

ISAHLUKO V

IZINTELA ZOKUBHEJA EMICIMBINI YEZEMIDLALO NAKWEMINYE IMICIMBI NOMA IMIGUBHO

Isibambiso sentela yokubhejela ezemidlalo

48.(1) Izinhlinzeko zesigaba 26 se-Odinensi nomthethonqubo 36, lapho lowo mthethonqubo uphathelene khona nobhuki, usebenza ngendlela efanayo kubo bonke obhuki ababhejayo kunoma imuphi umcimbi wemidlalo noma kweminye imidlalo noma imigubho.

(2) Izinhlinzeko zomthethonqubo 36, lapho lowo mthethonqubo uphathelene khona ne- ejenti njengobakhu kuhlangozwe esigabeni 28(3) se-Odinensi, usebenza ngendlela efanayo kubo bonke abanikazi bamathotho abakhipha imivuzo emile yokubheja kunoma imiphi imicimbi yemidlalo noma eminye imicimbi noma imigubho.

Ukubanjwa kwentela yokubheja kubhuki ngesikhathi somcimbi wezemidlalo noma seminye imicimbi noma imigubho futhi emaqondana nemivuzo emile yokubheja okwenziwa ethotho uma kunemicimbi yezemidlalo noma kuneminye imicimbi noma imigubho

49.(1) Umuntu owinile ebheja kubhuki –

- (a) emcimbini wezemidlalo; noma
- (b) komunye umcimbi noma umgubho,

akudingeki ukuba akhokhe nanoma iyiphi intela emalini ayiwinile.

(2) Nanoma iyiphi ikilabhu yomjaho enethotho ezimweni ezibalulwe esigabeni 28 se-Odinensi, mayelana nokubheja okunemivuzo emile okwenziwe kuleyo thotho, angeke -

- (a) kunoma imiphi imicimbi yezemidlalo;
- (b) kweminye imicimbi noma imigubho; noma
- (c) kunoma iyiphi okuyingxubevange yalokhu,

ibambe imali kwisamba esiwiniwe kulokho kubheja.

(3) Kumele kube nombandela –

- (a) kwilayisensi ngayinye kabhuki;
- (b) kwilayisensi ngayinye kabhuki evuselelwe; kanye
- (c) nalapho kukhishwa noma iyiphi ilayisensi entsha kabhuki,

wokuthi mayelana nakho konke ukubheja okwenziwe ubhuki onelayisensi –

- (i) emicimbini wezemidlalo;
- (ii) kweminye imicimbi noma imigubho; noma
- (iii) kunoma ikuphi kwalokhu okungasenhla kuhlange,

ubhuki kumele akhokhele isiKhwama seNgeniso yesiFundazwe, intela yokugebhula engamaphesenti ayi-6.5 emali yenzuzo etholwa ubhuki ngokuhweba ngokubheja.

(4) Noma iyiphi ikilabhu yomjaho enethotho esimweni esibalulwe ngenhla esigabeni 28 se-Odinensi, kumele, maqondana nakho konke ukubheja okunemivuzo emile okwenziwe kulowo bhuki –

- (a) kunoma imiphi imicimbi yemidlalo;
- (b) kweminye imicimbi noma imigubho; noma
- (c) kunoma ikuphi okungasenhla kuhlange,

ikhokhele isiKhwama seNgeniso yesiFundazwe, intela yokugebhula engamaphesenti ayi-6.5 emali yonke yenzuzo etholwa ubhuki ngokuhweba ngokubheja.

(5) Ngokwezinhloso zalo mthethonqubo, imali yonke yenzuzo etholwa ngokuhweba ngokubheja –

- (a) emicimbini yemidlalo; noma
 - (b) kweminye imidlalo noma imigubho,
- ibalwa ibe umahluko phakathi –
- (i) kwemali yonke eya kubhuki noma umnikazi wethotho mayelana nalokho kubheja; kanye
 - (ii) nesamba esiwiniwe esikhokhela ababhejile kulokho kubheja,
- ngenyanga ngayinye onyakeni.

(6) Noma ikuphi ukubheja –

- (a) okuqukethe ukubheja okuphindaphindiwe; futhi
 - (b) okubandakanya noma ikuphi ukukhetha okubandakanya imiphumela yomjaho wamahhashi,
- akuqukethe ukuhweba ngokubheja, kwemicimbi yemidlalo, kweminye imicimbi noma imigubho kanye nezintela erzibekwe kumthethonqubo 37 ngalokho okungena ekubhejeni okunhlobonhlobo: Kuncike ekutheni ngokwezinhloso zalo mthethonqubo, **“ukubheja okuphindaphindiwe”** kushiwo ukubheja okuqukethe imikhakha yokubheja engaphezulu kowodwa, kuyo yonke imikhakha efakiwe kumele kuqikelelwe ukuthi kukhethwe ngokucophelela obhejile ukuze akwazi ukuwina.

(7) Izincwadi zentela ezisetshenziswa ubhuki noma umnikazi wethotho mayelana nokubheja –

- (a) emicimbini yezemidlalo; noma
 - (b) kweminye imicimbi noma imigubho,
- ziyizincwadi zentela ezakhiwe ngokwezinhloso zokubala ngemishini ezakhelwe lokho, futhi lezo zincwadi zentela zingena ohlelweni lokugcinwa kweminingwane lwekhompyutha olugunyazwe isikhulu esiqokiwe ngokomthethonqubo 28.

(8) Izincwadi zentela ezisetshenziswa maqondana nokubheja –

- (a) emicimbini yemidlalo; noma
 - (b) kweminye imicimbi noma imigubho,
- kumele zithunyelwe esikhulwini esiqokiwe naseKomidini zingakedluli izinsuku eziyi-15 kuphele inyanga ngayinye.

(9) Izintela ezikweletwayo ngokomthethonqubo kumele zikhokhwe esiKhwameni seNgeniso yesiFundazwe singakedluli izinsuku eziyi-15 kuphele inyanga ngayinye.

(10) Uma kunoma iyiphi inyanga onyakeni, inani lenzuzo yokubheja –

- (a) emicimbini yemidlalo; noma
 - (b) kweminye imicimbi noma imigubho,
- lingaphansi kukaziro, ukulahlekelwa kungaba yiyio yonke inzuzo esikhathini ezilandelayo zentela.

(11) ngokwezinhloso zesigatshana somthethonqubo (10) **“isikhathi sokukhokhwa kwentela”** kushiwo inyanga eyodwa onyakeni.

Ukuhluleka ukuthumela izitatimende zentela noma ukukhokha intela, iphesenti nekhomishini ngesikhathi esifanele

50.(1) Ilayisensi yanoma imuphi ibhuki ohlulekayo ukuthumela izincwadi zentela ezihlongozwe kwisigatshana somthethonqubo 49(7) nokukhokha izintela ezinqunyiwe ezihlongozwe

kumthethonqubo 49 ngosuku olunqunywe kulesi Sahluko, iyamiswa ngenxa yalokho futhi kumele ihlale imisiwe kuze kuthunyelwe lezo zincwadi zentela futhi kwakhokhwa nezinhlawulo ngokwe-Odinensi.

(2) Uma i-ejenti njengoba kuhlangezwe esigabeni 28(3) se-Odinensi noma ikilabhu yomjaho iphule umthetho noma ihluleke ukuthumela izincwadi zentela ezinqunyiwe ezihlongozwe kwisigatshana somthethonqubo 49(7) nokukhokha izintela ezinqunyiwe ezihlongozwe kumthethonqubo 49 ngosuku olunqunywe kulesi Sahluko, imvume ekhishwe uNgqongqoshe ngokwesigaba 28 se-Odinensi ithathwa njengemisiwe ngesikhathi noma uma kusaqhubeka lokho kwehluleka ukuthumela izincwadi zentela ezishiwoyo kanye nokukhokha izintela nezigwebo ezidingekayo ngokwe-Odinensi.

(3) I-ejenti njengoba kuhlangezwe esigabeni 28(3) se-Odinensi, ikilabhu yomjaho nanoma imuphi ubhuki oqhuba ibhizinisi ngokushayisana nezinhlizeko zalo mthethonqubo, uyothweswa icala.

Ukusetshenziswa kwezimali ezabelwe iKomidi

53.(1) Zonke izimali ezikhokhwe eKomidini ngokwalesi Sahluko nanoma iyiphi inzuzo eyakheke ngaleyo mali kumele ikhokhwe kwi-akhawunti yasebhangwe evulwe egameni leKomidi ngenhloso yokuthi kugcinwe izimali ezitholakale ekubhejeni emicimbini yezemidlalo noma kweminye imicimbi noma imigubho.

(2) IKomidi kumele lilungisele amabhuku ama-akhawunti ukuba acwaningwe minyaka yonke ngabacwaningimabhuku abaqokwe iKomidi futhi izindleko zalokho kumele zikhokhwe ngemali ekwi-akhawunti yasebhangwe okukhulunywe ngayo esigatshaneni somthethonqubo (1).

(3) Izimali ezivela kwi-akhawunti yasebhangwe okukhulunywe ngazo esigatshaneni somthethonqubo (1) angeke zisetshenziselwe noma yini ngaphandle kwalokho okuhlangezwe isigatshana somthethonqubo (2).

Ukuchithwa kweMithethonqubo

54. Noma imuphi uMithethonqubo owenziwe ngaphansi kwesigaba 42 se-Odinensi futhi waphasiswa ngaphambi kosuku lokushicilelwa kwale Mithethonqubo yeMijaho yamaHashi nokuLawulwa kokuBheja waKwaZulu-Natali, 2010, ngalokhu, uyachithwa.

Isihloko esifingqiwe nokuqaliswa

55. Le Mithethonqubo ibizwa ngeMithethonqubo yokuLawulwa kweMijaho yamaHashi nokuBheja yaKwaZulu-Natali, 2010, futhi iyoqala ukusebenza ngosuku eyoshicilelwa ngalo kwiGazethi yesiFundazwe.

ISITHASISELO 1

ISIFUNDAZWE SAKWAZULU-NATALI
I-ODINENSI YOKULAWULWA KWEMIJAHO NOKUBHEJA, 1957 (I-ODINENSI NO. 28 KA
1957)
ISIMEMEZELO NEZITATIMENDE, EZIVELA KUBHUKI NOMA ETHOTHO EHLINZEKA
UKUBHEJA OKUNEMIVUZO EMILE, MAQONDANA NEZINTELA EZIZOKHOKHELWA
UKUBHEJA EMIJAHWENI YAMAHHASHI LAPHO KUBANJWA KHONA IZIMALI

(Igcwaliswa ngokubhala ngamagama agqagqene futhi ithunyelwe nekhophi ngokwesigaba 30 se-Odinensi njengoba sifundwa nomthethonqubo 38)

Igama eligcwele likabhuki

(Uma kunabalingani kwezehhizinisi, nikeza amagama agcwele abalingani) _____

Igama okuqhutshwa ngalo ibhizinisi _____

Ikheli lendawo yegumbi lokubheja _____

Ikheli lePosi _____

Inyanga nonyaka wencwadi yokukhokhwa kwentela (maqondana nezincwadi zentela ekhokhwa ngokubheja okwenziwe egunjini lokubheja)

Igama lekilabhu yomjaho/ yemidlalo yamahhashi (maqondana nezintela zokubheja ezikhokhwa ngokwenziwe enkundleni yomjaho /enkundleni yemidlalo yamahhashi)

Usuku lomhlangano womjaho/lwemidlalo wamahhashi (mayelana nezincwadi sentela ekhokhelwa ukubheja enkundleni yomjaho/yemidlalo yamahhashi)

ISIMEMEZELO

Mina, bhuki/mlingani ebhizinisini obalulwe ngenhla futhi osayine ngezansi*, ngalokhu ngiqinisekisa isimemezelo sokuthi –

(i) isamba semali etholakele kunoma iziphi izimali, izibambiso noma izinto zemali eshisiwe ekhokhiwe noma enikezwe yimina noma enikezelwe mina ukuze ngifeze konke ukubheja okwenziwe emhlanganweni womjaho obalulwe ngenhla noma emhlanganweni wemidlalo enhlobonhlobo ngokugcwele futhi ngikuveze ngokweqiniso okusesitatimendini A lapha; kanye

(ii) neminingwane yokubhejelana okwenziwe yimina ukuze ngikhokhe izikweletu zami eziqondene nokubheja okubalulwe emjahweni ongenhla noma enkundleni yomdlalo onhlobonhlobo ingegcwele futhi ivezwe ngekweqiniso iminingwane yokubhejelana okwenziwe yinima emhlanganweni womjaho noma wemidlalo enhlobonhlobo ebalulwe

ngenhla ingegcwele futhi ivezwe ngokweqiniso esitatimendini B lapha nakwisiThasiselo 2 eifakiwe.

ISIGINESHA KABHUKI

(Sicela nigaye amagama lapho umlingani ngokwebhizinisi asayinele khona ukuba ngumlingani ngokwebhizinisi.)

Ofakazi:

Amagama agcwele

Ikheli lendawo

Ikheli lePosi

Ucingo

Amagabela kaMazisi waseNingizimu Afrika:

Isayinwe e..... ngalolu suku ku oNyakeni weziNkulungwane eziMbili neShumi

.....
Isiginesha

* Susa amagama angafakwa

ISITATIMENDE A

Usuku nesibalo semijaho	Ikhalamu 1 Isamba sesiteki esibekelwe yonke imijaho yamahhasi	Ikhalamu 2 Isamba senani eliwintwe amaphanta (kungahlanganisi isiteki)	Ikhalamu 3 Intela ekhokhwa ngokwesigaba 29(1)(a)(i) no (2)(a)(i)	Ikhalamu 4 Intela ekhokhwa ngokwesigaba 29(1)(a)(ii)	Ikhalamu 5 Intela ekhokhwa ngokwesigaba 29(1)(a)(iii) no (2)(a)(ii)	Ikhalamu 6 Isamba sonke esikhokhelwa amaphanta (kuhlanganisa isiteki)
	R c	R c	R c	R c	R c	R c
ISAMBA						

ISITIMENDE B

Usuku nesibalo semijaho	Isamba sesiteki sokubhejelana R c	Inani lemali ewiniwe (kungahlangisi isiteki) ngokubhejelana okufakiwe:		Izintela ezikhokhwe ngokwesigaba 29(3) R c
		Kubhuki onelayisensi R c	Kumqhubi wethotho R c	
ISAMBA				

**ISITIMENDE C
IZINTELA EZIZOKHOKHWA**

1. ISAMBA SENTELA EKHOKHWE (ngokwesigaba 29(1) no (2)) R _____
2. ENGAPHANSI: Isamba senani lezintela ezikhokhwe ngokubhejelana ezibanjwa ngokwezinhlinzeko (i) esigabeni 29(3) futhi EZINGEQI ezikweletini zami maqondana nehhashi elithile emjahweni othile R _____
3. ISAMBA SONKE SENTELA EZOKHOKHWA NGAPHEZULU R _____
- 4.(a) UCWANINGO NGEZINTELA EZIKHOKHWE NGOKWENDIMA 3 NGAYINYE
Isamba senani lezintela ezikhokhwe ukuze kuzuze isiKhwama seNgeniso yesiFundazwe (Ikhalamu 3 kwiSitatimende A) R _____
- (b) Isamba senani lentela ekhokhwe ukuze kuzuze ikilabhu yomjah/nabagqugquzeli bemidlalo enhlobonhlobog (Ikhalamu 4 kwiSitatimende A) R _____

**ISITIMENDE D
UKUWINA/UKUDLIWA KUKABHUKI**

- Isamba sesiteki kwikhalamu 1 ngayinye (Isitatimende A) R _____
- Engaphansi: Isamba esikhokhelwe ikhalamu 6 ngayinye (Isitatimende A) R _____
- ISAMBA ESIWINIWE/ESIDLIWE* R _____

*Susa noma ikuphi okungasebenzi

ISITHASISELO 2
ISIFUNDAZWE SAKWAZULU-NATALI
I-ODINENSI YOKULAWULWA KWEMIJAHO NOKUBHEJA, 1957 (I-ODINENSI NO. 28 KA
1957)
UHLU LOKUBHEJELANA OLUZOHAMBA NESITHASISELO 1 (NGOKOMTHETHONQUBO
38)

Igama eligcwele likabhuki _____
 (Uma kunabalingani kwezibhizinisi, nikeza amagama agcwele abalingani)

Igama okuqhutshwa ngalo ibhizinisi _____

Ikheli lendawo yegumbi lokubheja _____

Ikheli lePosi _____

Inyanga nonyaka maqondana nokukhokhwa kwentela (maqondana nezintela zokubheja ezikhokhwa ngokwenziwe egunjini lokubheja)

Igama nekheli likabhuki/lomqhubi wethotho	Igama nesibalo semijaho	Ihashi elifakelwe	Inombolo yethikithi lokubhejelana

ISITHASISELO 3
ISIFUNDAZWE SAKWAZULU-NATALI
I-ODINENSI YOKULAWULWA KWEMIJAHO NOKUBHEJA, 1957 (I-ODINENSI NO. 28 KA
1957)
IGUNYA LOKUKHULULWA KWEZIBAMBISO EZIKHISHWE UBHUKI NGOKWESIGABA 26(3)

Mina, _____

(Amagama agcwele)

ngalokhu ngiqunyaza uMqondisi Jikele, noma ngasiphi isikhathi, futhi ngaphandle kokuthandabuza nokufuna nanoma iliphi igunya kwabanye, lokudayisa, lokukhulula nokuhambisa okwesibambiso esifakwe yimina ngokwesigaba 26 soMthethonqubo weMijaho ne-Odinensi yezokuBheja, 1957, njengalokhu engabona kudingekile futhi ukusebenzisa inzuzo uma kungadingeka ekukhokhweni kwanoma isiphi isamba semali mina noma umlingani wami ngokwebhizinisi noma ubhuki othintekayo onelayisensi yesikhashana ngokwesigaba 22(1) se-

Odinensi ukuba aqhubeke ebhizinisi lami noma kwelomlingani ukukhokha izikweletu zami esiKhwameni seNgeniso yesiFundazwe ngaphansi kwemibandela ye-odinensi eshiwoyo.

Isayinwe e..... ngalolu suku ku oNyakeni
weziNkulungwane eziMbili neShumi

.....
Ukusayina

ISITHASISELO 4
(Sifakwa namakhophi)
ISIFUNDAZWE SAKWAZULU-NATALI
I-ODINENSI YOKULAWULWA KWEMIJAHO NOKUBHEJA, 1957 (I-ODINENSI NO. 28 KA 1957)
ISITIFIKETI SAMAKILABHU OMJAHO NOMA IKILABHU YEMIDLALO ENHLOBONHLOBO

(Sidingwa umthethonqubo 41 futhi kumele sihambisane nentela ehanjiswe ubhuki ngokwesigaba 30(1) se-Odinensi No. 28 ka 1957)

Mina,

(Amagama agcwele)

njengoNobhala/oGunyaziwe* (ngokwesigaba 43(4) se-Odinensi) we (igama lekilabhu yomjaho noma lekilabhu yemidlalo enhlobonhlobo) ngalokhu ngiqinisekisa ukuthi izitatimende ezifakwe lapha eziphathelene nomhlangano womjaho/nomhlangano wemidlalo enhlobonhlobo * ebibanjelwe mhlaka 20 zazifakwe kimina ngubhuki othintekayo ngosuku olubekwe ngenzansi.

Igama likabhuki	Usuku okwafakwa ngalo isitatimende kimina	Intela eyakhokhwa kimina ngokwesigaba 29(1)(b)(i)
		R c

Isamba

Isamba senani lentela R ekhokhwe kimina ngokwesigaba 29(1)(b)(i) njengalokhu kubekiwe lapha ikhokhwa ngokuhambisana nezinhlizeko zesigaba 29(1)(c) se-Odinensi nomthethonqubo 41 wemithethonqubo ebekwe ngaphansi.

.....
Ukusayina (uNobhala/oGunyaziwe*)

* Susa noma ikuphi okungadingekile

ISITHASISELO 5
ISIFUNDAZWE SAKWAZULU-NATALI
I-ODINENSI YOKULAWULWA KWEMIJAHO NOKUBHEJA, 1957 (I-ODINENSI NO. 28 KA
1957)
(Isigaba 3)
ILAYISENSI YENKUNDLA YOMJAHO

Ilayisensi isebenza kuze kube umhla zinga-31 kuZibandlela 20.....

Ekhishelwe yena

esikhundleni sakhe njengonobhala we.....i-Turf Club, ikilabhu engenagunya lobunikazi.

Ikheli

Isimo senkundla yomjaho okungenzeka kubanjelwa kuyo imijaho

Inani lemali ekhokhiwe, emukelwe libonakala lapha

IRandi

R

Kucike ezinhlinzekweni zeMithethonqubo yeMijaho ne-Odinensi yezokuBheja, 1957 (I-Odinensi No. 28 ka 1957), ikilabhu yomjaho igama layo elikule layisensi ingabamba umjaho wamahashi enkundleni yemijaho ebekwe lapha ngezinsuku esikhethwe njengezinsuku zomjaho ngokwesigaba 4 se-Odinensi.

.....
uMqondisi Jikelele

.....
Usuku lwesitembu

ISITHASISELO 6

ISIFUNDAZWE SAKWAZULU-NATALI
I-ODINENSI YOKULAWULWA KWEMIJAHO NOKUBHEJA, 1957 (I-ODINENSI NO. 28 KA
1957)
(Isigaba 22)
ILAYISENSI KABHUKI

Amagamagcwele kabhuki
 Inombolo yephasiphothi noma
 Inombolo kaMazisi waseNingizimu
 Afrika

Yenza uphawu luka-x esikhaleni esifanele* ugqwalise ngokuphelele isicelo lapho okumakwe khona ngombala:

Le layisensi isebenza * Kuphela unyaka

31 kuZibandlela

kuze kube

Le layisensi isebenza kuze kube * esikhathini:-

	ku	
--	----	--

Le layisensi isebenza kuze kube * ngalezi ezilandelayo: zinsuku

Le layisensi igunyaza ukuthi umnikazi asebenzele * ezakhiweni ezakhelwe ukubheja ezise

Le layisensi igunyaza ukuthi umnikazi asebenzele * ezakhiweni ezingakhelwe ukubheja ezise

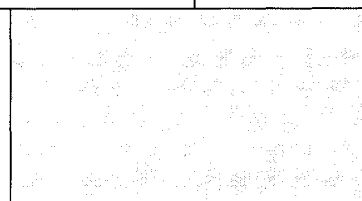
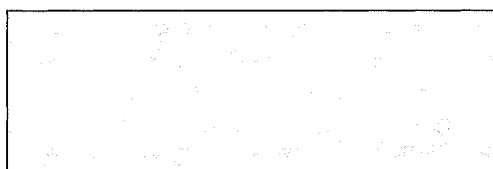
Le layisensi igunyaza ukuthi umnikazi asebenzele * ezinkundleni ezinelayisensi ezise zomjaho

Inani lemali ekhokhiwe, emukelwe libonakala lapha: R

--	--	--	--	--	--	--	--	--	--

Inombolo yeRisidi Inkomba yefayela.

Kuncike ezinhlinzekweni zeMithethonqubo ne-Odinensi yezokuBheja, 1957, kanye nokunoma imiphi imibandela esasetsenziswa ngendlela yesiThasiselo noma evunyiwe, umuntu igama lakhe elikule layisensi angaqhubeka ngokubizwa ngobhuki ezindaweni le layisensi agunyazelwe zona ukuthi enze kuzo umsebenzi, kuze kube izinsuku zokuphela kwelayisensi eshiwoyo.



ISITHASISELO 7
ISIFUNDAZWE SAKWAZULU-NATALI
I-ODINENSI YOKULAWULWA KWEMIJAHO NOKUBHEJA, 1957 (I-ODINENSI NO. 28 KA
1957)
ISITATIMENDE SENZUZO YOMQHUBI WETHOTHO

(UMthethonqubo 45)

Igama lekilabhu

Usuku lomjaho noma lwemidlalo enhlobonhlobo

Indawo ozobanjelwa kuyo

ISAMBA SENZUZO YOMQHUBI WETHOTHO

Uhlamvu 1.

Inzuzo eza ngqo:

- (a) Isamba semali esiya kumqhubi wethotho sivele ngokufakwe emahhovisi amakilabhu abalulwe ngenhla ngaphansi kwesigaba 28(2)(a) se-Odinensi R
- (b) Isamba esifakwe ngokudayiswe ewindini umqhubi wethotho enkundleni yomjaho noma enkundleni yemidlalo yamahhashi R

Item 2.

Inzuzo ye-Ejenti:

Isamba semali ekhokhwe kumnikazi wethotho ama-ejenti avumelekile ngaphansi kwesigaba 28(2)(b) se-Odinensi

Igama le-ejenti

Inani lemali ekhokhiwe

R

R

R

R

R

R

R

Isamba

OKUFINGQIWE

	Inzuzo	Izinga	Inani lemali Intela	
			R	c
Uhlamvu 1	R.....	.....%	.....	.....
Uhlamvu 2	R.....	.....%	.....	.....
Isamba				

Igunyazwe njengeyamukelekile

.....
 uNobhala wekilabhu yomjaho/UMnikazi osemthethweni wekilabhu yemidlalo yamahhashi *

*Cisha amagama angadingekile

