

# Government Gazette Staatskoerant

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Pretoria, 16 September 2010

**No. 33559**

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**GOVERNMENT NOTICE**

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**DEPARTMENT OF TRADE AND INDUSTRY**

No. 827

16 September 2010

**National Gambling Act, No. 7 of 2004 ("the Act")**

By virtue of the powers vested in me in terms of section 87 of the Act, I, Dr Rob Davies, the Minister of Trade and Industry, on the recommendation of the National Gambling Board, hereby amend the National Gambling Regulations No. R.1342 of 12 November 2004 published in Government Gazette No. 26994 ("the Regulations").

Interested persons may submit written comments on the proposed regulations by 4/11/2010 to:

Director-General, Department of Trade and Industry

Private Bag X84

Pretoria

0001

or

77 Meintjies Street

Block B, 1st Floor

Sunnyside

Pretoria

Fax No: 012 394 2504

Email: [MMosing@thedti.gov.za](mailto:MMosing@thedti.gov.za)

For Attention: Mpho Mosing



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DR ROB DAVIES (MP)

MINISTER OF TRADE AND INDUSTRY

## SCHEDULE

### Definitions

1. In these regulations any word or expression to which a meaning has been assigned in the Act bears the same meaning assigned to it in the Act, unless the context indicates otherwise.

The Act means the National Gambling Act, 2004, (Act No 7 of 2004).

### Amendment of regulation 3 of the Regulations

2. Regulation 3 of the Regulations is hereby amended by the insertion of the following regulations after regulation 3:
  - 3(A). All gambling advertisements shall be broadcast only from 20h00 on any particular day until 06h00 on the following day and such advertisements should not be broadcast between programmes where the audience is expected to be below the age of 18 years.

### Advertising

3(B)(1) No person is permitted to:

- (a) advertise interactive game in the Republic until enabling legislation is enacted;
- (b) place signs or advertising material inviting or encouraging the public to enter the premises or gambling internet site or take any other action that may reasonably be regarded as inviting the public to gamble on such internet site;
- (c) place signs or advertising falsely inviting or encouraging the public to enter the premises or gambling internet site or takes other action that may reasonably be regarded as inviting another person to gamble under false pretences or by providing false information or documentation;
- (d) advertise or cause to advertise any gambling activities directed at the public except if such person is a holder of a license issued in terms of the Act, or provincial legislation; and / or
- (e) operate or advertise gambling activities where the gambling operator is licensed in terms of foreign legislation and/ or located outside of the Republic of South Africa.

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**Promotional Material**

3(B)(2) No person is permitted to:

- (a) provide any promotional material or any other benefit derived from gambling products or activities for the purposes of promoting a gambling activity unless such a person is licensed in terms of the laws of the Republic;
  - (b) display, or distribute promotional material that contain gambling related information unless such a person is licensed in terms of the laws of the Republic of South Africa; or
  - (c) provide sponsorships, gifts, prizes or scholarships in exchange for the promotion of a gambling activity, product, trademark, brand or name of a gambling operator/manufacturer or supplier .
- (6) No distance learning through a gambling instructive institution located within the Republic or elsewhere shall offer or cause to offer the South African public any gambling related instruction via the media, internet or promotional material.
- (7) No distance learning through a gambling instructive institution that is licensed in terms of foreign laws or elsewhere shall offer or cause to offer the South African public any gambling related instruction via the media, internet or promotional material.
- (8) Gambling products must have warning statements, labels and responsible gambling information that is conspicuously visible as the advert and promotional material itself.
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