

INSTRUCTIONS

This Notice serves to give an interpretation on exemptions provided for in Regulation 8(5); (6) and (7) of the National Gambling Regulations, 2004.

Contacting the National Gambling Board

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NOTICE 002/2004

INTERPRETATION OF PROVISIONS OF REGULATION 8(5); (6) and (7) – EXEMPTED MACHINES AND/OR DEVICES

1. Gambling machines or devices exposed for play before 01 November 2004 [Regulation 8(5)]:

All these machines or devices that are already exposed for play and were approved by a provincial licensing authority before 01 November 2004 are exempted from:

- registering ownership or possession of such machines or devices [section 9(1)(b)];
- registering and certifying such gambling machines or devices [section 19(1) and (2)];
- registering such machines in the national register of gambling machines or devices [section 21];
- certifying such gambling machines or devices in compliance with the requirements of the relevant standards [section 22(2)];
- approval of transfer of ownership, lease or possession of such gambling machines or devices by a provincial licensing authority if the transferor is the registered owner and such machine or device has been certified; the proposed transferring person (including a juristic person) holds a relevant licence [section 23(6)]; and
- calibration and certification of gambling machines or devices [section 25].

All these exemptions in this regulation will remain valid until the Minister determines a date upon which the provisions of the Act and Regulations must be complied with. Before the determination of that date by the Minister, all the gambling machines or devices specified in this regulation may be continued to be exposed for play provided that they comply with relevant provincial legislation.

2. Gambling machines or devices submitted for testing before 01 November 2004 [Regulation 8(6)]

All gambling machines or devices that were submitted for testing before 01 November 2004 may continue to be tested and are exempted from:

- registering ownership or possession of such machines or devices [section 9(1)(b)];
- registering and certifying such gambling machines or devices [section 19(1) and (2)];
- registering such machines in the national register of gambling machines and devices [section 21];

- certifying such gambling machines or devices in compliance with the requirements of the relevant standards [section 22(2)];
- approval of transfer of ownership, lease or possession of such gambling machines or devices by a provincial licensing authority if the transferor is the registered owner and such machine or device has been certified; the proposed transferring person (including a juristic person) holds a relevant licence [section 23(6)];
- holding a testing agent licence [section 24]; and
- calibration and certification of gambling machines or devices [section 25].

All these exemptions in this regulation will remain valid until the Minister determines a date upon which the provisions of the Act and Regulations must be complied with. Before the determination of that date by the Minister, all the gambling machines or devices specified in this regulation must be approved and registered in accordance with the relevant provincial legislation.

3. General exemption for all gambling machines or devices after 01 November 2004 [Regulation 8(7)]

All gambling machines or devices that are manufactured, distributed or possessed to be exposed for play or submitted for testing after 01 November 2004, such gambling machines or devices are exempted from:

- registering and certifying such gambling machines or devices [section 19];
- identifying such gambling machines or devices (record by manufacturer) [section 20];
- registering such machines in the national register of gambling machines and devices [section 21];
- registering and certifying such gambling machines or devices in compliance with the requirements of the relevant standards [section 22];
- approval for transfer of registered ownership or possession of gambling machines or devices [section 23];
- holding a testing agent licence [section 24]; and
- calibration and certification of gambling machines or devices [section 25].

All these exemptions in this regulation will remain valid until the Minister determines a date upon which the provisions of the Act and Regulations must be complied with. Before the determination of that date by the Minister, all the gambling machines or devices specified in this regulation must comply with the relevant provincial legislation.

CHIEF EXECUTIVE OFFICER THIBEDI MAJAKE

SIGNATURE [Handwritten Signature]

DATE 19 NOVEMBER 2004