



NATIONAL COUNCIL OF PROVINCES

WRITTEN REPLY

PARLIAMENTARY QUESTION 98

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Ms H S Boshoff (Mpumalanga: DA) to ask the Minister of Trade and Industry:

- (1) Whether his department has any (a) reports, (b) research and/or (c) information on the impact that betting firms have on the youth through the use of social media platforms; if not, why not; if so, what are the relevant details;
- (2) whether he has conducted an in-depth study on social media posts to determine if they were in contravention of any regulations (details furnished); if not, why not; if so, what are the relevant details;
- (3) whether his department has a commission in place to ensure that posts on social media from gambling accounts include warnings in the text and give advice on responsible use; if not, why not; if so, what are the relevant details;
- (4) whether his department has any age-verification tools and technology in place to protect children from gambling advertisements and to pursue those who break the rules; if not, why not; if so, what are the relevant details? CW181E

REPLY

The National Gambling Board is empowered in terms of section 65 of the National Gambling Act, 2004 (Act No 7 of 2004) to monitor the socio-economic patterns of gambling activity within the country through research.

I am informed that in 2017, the National Gambling Board undertook research on the socio-economic impact of gambling in South Africa. One of the recommendations emanating from the focus group qualitative perspective is that social media, amongst others appeared to be one of the most preferred modes to deliver gambling related educational messages and campaigns. The National Gambling Board's research has predominantly focused on the socio-economic impact of gambling in South Africa, transformation and growth.

Social media is a new phenomenon in the gambling environment and **the dti** has noted that section 15 of the National Gambling Act needs to be improved. The section deals with advertising, and prohibits any person from advertising or promoting any gambling activity in a false or misleading manner; or that is unlawful in terms of this Act or applicable provincial law. Gambling machines or devices must warn against the dangers of addictive and compulsive gambling. It also prohibits enticing excluded persons to gamble. The department will consider an amendment of section 15 to prohibit unsolicited short message service,

multi-media messaging service or facsimile enticing a person to participate in gambling activities.

The department does not have a commission to regulate posts on social media from gambling accounts that require they include warnings in the text. These gambling messages are regulated through the licensing conditions issued to operators by Provincial Gambling Boards. Section 15 (2)(a) requires that all adverts contain a prescribed statement that warns against addictive or compulsive gambling.

In terms of section 15(b) of the National Gambling Act, 2004 (Act No 7 of 2004) (NGA), a person must not advertise or promote any gambling activity, other than an amusement game, in a manner intended to target or attract minors. In order to pursue those that break the rules, Section 82 of the NGA stipulates it is a statutory offence to breach Section 15 of the NGA. Section 83 of the NGA further stipulates that "any person convicted of an offence in terms of this Act is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both a fine and such imprisonment." The Provincial Licensing Authorities approve the advert, verify the content and responsible gambling messages which should contain the restriction that no underage gambling should be permitted.

Responsible DDG: Evelyn Masotja (Consumer and Corporate Regulation Division)

Recommended / not recommended

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**Mr Lionel October
Director General**

Date:

Approved/ Not Approved

Comments: _____

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**Mr Ebrahim Patel
Minister of Trade and Industry**

Date: