



THE NATIONAL ASSEMBLY

QUESTION FOR WRITTEN REPLY

QUESTION NO. 1141

Mr S M Gana (Rise Mzansi) to ask the Minister of Trade, Industry and Competition:

- 1) What were the outcomes of the annual compliance oversight evaluations conducted by the National Gambling Board (NGB) for Provincial Licencing Authorities (PLAs) over the past five financial years;
- 2) What (a) issues of noncompliance were identified and (b) is the breakdown for each identified issue in terms of (i) which PLA was found to be noncompliant, (ii) the nature of their noncompliance, (iii) the date on which the issue was identified and (iv) what steps (aa) have been and (bb) will be taken to remedy the noncompliance;
- 3) Whether the NGB identified any trends and/or continued challenges in the compliance oversight evaluations they have conducted over the past 10 years; if not, what is the position in this regard; if so, what are the relevant details? NW1285E

REPLY:

I have been advised by the National Gambling Board as follows:

- 1) There were twelve (12) non-compliances with Section 11 which relates to interactive gambling and 15 which relates to advertising of the National Gambling Act, 2004 (Act No. 7 of 2004).
- 2) (a) The issues identified were mostly non-compliance with the requirements of the National Gambling Act (NGA).

(b)
 - (i) The PLAs found to be non-compliant are: Gauteng; Mpumalanga Economic Regulator (MER); Western Cape (WC); Limpopo; Northern Cape; North West; and Free State.



(ii) Gauteng

Contravened sections 11, 57(3) of the NGA, National regulations 25, 7, 23, section 30 of Gauteng Gambling Act.

MER

Contravened section 11 of the NGA.

WC

Failure to submit probity reports as required by Section 57(3) of the NGA;

- Non-compliance with Sections 7, 11, and 31 of the NGA relating to unlawful gambling activities;
- Contravention of Section 15 of the NGA and Regulation 3(2) of the National Gambling Regulations regarding gambling advertisements;
- Non-adherence to the licensing requirements for persons in the gambling industry in terms of Section 28 of the NGA.

Limpopo

Failure to submit probity reports in line with section 57(3) of the NGA;

Non-compliance with section 11 of the NGA.

Northern Cape

Non-compliance with sections 15, 11, 31 and 48 of the NGA.

North West

Failure to submit probity reports as required by section 57(3) of the NGA and Regulation 25 of the National Gambling Regulations;

- Incomplete probity assessments of directors and shareholders, contrary to Regulations 15 and 23 of the LPM Regulations;
- Inadequate assessment of suitability of applicants and shareholders, with missing criminal history checks as required by the North West Gambling Act, 2001;
- Deficiencies in site operator applications, including missing floor plans and inadequate assessments of whether LPM operations remain incidental to primary business activities;
- Refusal to allocate PLA inspectors to accompany NGB staff for site inspections, constituting a breach of section 77 of the NGA.



Free State

Repeat non-compliance with Regulation 3 of LPM Regulations 2000.

- Inadequate enforcement of zoning and land use requirements for licensed gambling sites;
- Failure to submit probity reports in line with section 57(3) of the NGA;
- Non-compliance with national LPM regulations concerning site operator licensing, ownership documentation, and tax clearance submissions; and
- Employment of unlicensed individuals in gambling operations contrary to section 28 of the NGA and section 100 of the Free State Gambling, Liquor and Tourism Authority Act.

(iii)

Province	Date/ Financial Year
Gauteng	2021/2022 - 2025/2026
Mpumalanga Economic Regulator	2021/2022 - 2025/2026
Western Cape	2021/ 2022 - 2025/2026
Limpopo	2021/ 2022 - 2025/2026
Northern Cape	2021/2022 - 2025/2026
North West	2021/2022 - 2025/2026
Free State	2021/2022 - 2025/2026

(iv) (aa) The NGB issued non-compliance notices to the PLAs, requiring them to conduct a root cause analysis and provide appropriate remedial actions.

(bb) In the event of disagreements on the findings, the issues are escalated to the National Gambling Policy Council which addresses intergovernmental relations.

- 3) The NGB identified challenges brought by technological changes in the gambling landscape which the Department is currently seized with, working together with PLAs. The other challenges the NGB observed are the high levels of advertising using social media and billboards.

-END-