



INTRODUCTION

The Free State Gambling and Racing Board (Board) is a statutory body established in terms of section 2 of the Free State Gambling and Racing Act, 1996 (Act No. 6 of 1996) (Act) as amended.

Prior to 1996, in those areas of the Province that constituted the former Bophuthatswana, self-regulated casinos existed. In the remainder of the Province, however, the only legal form of gambling was betting on horse races.

During 1996 the Act was promulgated. This Act provided for the establishment of the Board and harmonized legislation so that all forms of gambling contemplated in the Act were permitted throughout the Province, subject to proper licensing.

The Board regulates the following forms of gambling in the Province:

- Casino gambling
- Betting on horseracing and sporting events
- The manufacturing and supply of gambling equipment

Provision is also made in the Act for:

- Bingo
- Limited payout gambling machines (route and site operators)

VISION

The vision of the Board is to be a leading, professional, sustainable and prosperous organization in the regulation of the gambling industry.

MISSION STATEMENT

The mission of the Board is to develop and regulate the gambling industry to ensure economic and social benefits in the Free State Province.

HOW THE FREE STATE GAMBLING AND RACING BOARD WANTS TO BE PERCEIVED

As a regulator of the industry, the Board pursue, without compromise, the goal that South Africa generally, and the Free State Province in particular, should maintain an impeccable status as a gambling regulator in the world.



THE VALUES OF THE FREE STATE GAMBLING AND RACING BOARD

The Board subscribes to the following values:

- Accountability
- Transparency
- Honesty
- Diligence
- Dependability
- Responsibility

STRUCTURE AND FUNCTIONS OF THE FREE STATE GAMBLING AND RACING BOARD (SECTION 4)

The Board

The members of the Board are appointed by the responsible member and must comprise of:

- a legal practitioner
- a qualified chartered accountant
- a member appointed by virtue of his/her knowledge and experience of the tourism industry
- a member representing the Department of Tourism, Environmental & Economic Affairs of the Free State Province
- a member representing the Department of Finance of the Free State Province
- A maximum of 4 members who are appointed by virtue of their proven business acumen or knowledge of the gambling industry or who are suitable for appointment to the Board.
- The Chief Executive Officer, who is an *ex officio* member of the Board

The primary functions of the Board members in terms of section 3 of the Act are:

- To exercise such powers and perform such functions assigned to it in terms of the Act or any other law; and
- To advise the responsible Member or furnish a report or recommendations on any matter referred to the Board by the responsible Member for consideration and arising from the application of the Act or relating to the control over gambling and racing in the Province.



Secretariat

The implementation of the operational policies is discharged through a dedicated staff complement, which is organised as follows:

- **Office of the Chief Executive Officer**

Managing the daily operations of the Board and ensuring the implementation of Board policies.

- **Finance and Administration**

Providing financial and administrative support services.

- **Compliance and Investigations**

Investigation of licence applications. Ensuring compliance by licensees with all regulatory requirements.

Audit of all gambling income due to the Province.

- **Law Enforcement**

Investigation of violations of gambling legislation and liaison with law enforcement agencies.

- **Legal Services and Secretariat**

Rendering of legal and secretarial services of the Board.

- **Racing and Betting**

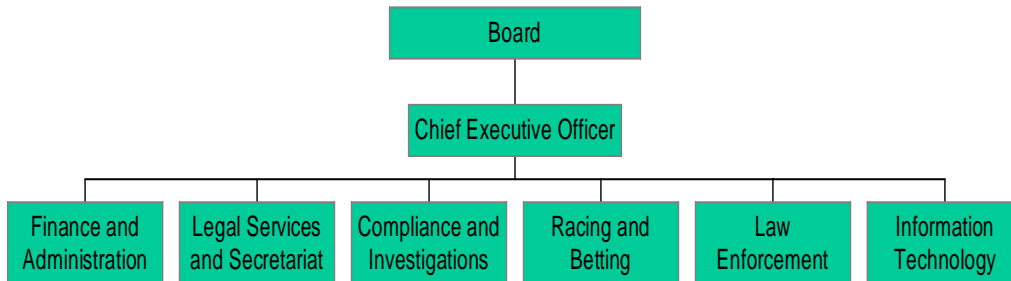
Investigation and ensuring of continued compliance with all regulatory requirements within the Horseracing and Betting industry.

- **Information Technology**

Developing, maintaining and supporting management information systems.



SCHEMATIC DIAGRAM OF THE STRUCTURE OF THE FREE STATE GAMBLING AND RACING BOARD



BOARD CONTACT DETAILS (Section 14(1)(b))

Information officer:

Mr Thami Motsoasele: Acting CEO

motsoat@fsgb.co.za

Deputy information officers:

Mrs E. Rautenbach: Manager - Legal Services and Secretariat

rautene@fsgb.co.za

General information:

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190 Nelson Mandela Drive
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THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION GUIDE [SECTION 4(1)(c)]

The Human Rights Commission has compiled a guide in all official languages of the country. The guide contains amongst others the objects of the Access to Information Act, contact details of various private and public bodies, assistance available from the Human Rights Commission and information officers of public bodies, remedies available in law for non-compliance with the Access to Information Act and procedures for obtaining information in terms of the Access to Information Act.

The guide is available from:

The South African Human Rights Commission

Postal Address	Private Bag 2700 HOUGHTON 2041
Telephone	+27 (11) 484-8300
Fax	+27 (11) 484-1360
Website	www.sahrc.org.za

RECORDS HELD BY THE BOARD (INCLUDING CONFIDENTIAL RECORDS) [SECTION 14(1) (d) AND (e)]

Records that may be requested:

- Public inspection copies of applications for licences and registrations
- Board investigation reports
- Minutes of the Board
- Statutory reports and information supplied by licensees
- Research documents on gambling matters
- Details of registrants and licensees
- Details of registered equipment
- Applications and approvals in terms of the Act or licence conditions
- Other information of a kind held by a gambling regulator or contemplated in the Act, Regulations or Rules
- Other information of a general administrative nature

Automatic Disclosures:

- The Act, Regulations and Rules



- Copies of gambling licenses issued by the Board
- List of all licensed gambling operators or entities
- List of licensed venues
- Taxes collected
- Public display copies of bids and applications
- Lists of persons excluded from gambling
- Public Notices
- Press Releases
- Annual Report of the Board
- Other information made publicly available by the Board

PROCEDURE FOR OBTAINING RECORD

- A requester must use the form that has been printed in the *Government Gazette* (Govt. Notice R187-15 February 2002).
- The requester must also state whether he or she requires a copy of the record or only wants to view the record [section 29(2)].
- The requestor will get access to the information in the manner that he/she has asked for, unless doing so would interfere unreasonably with the operations of the Free State Gambling and Racing Board, or damage the record, or infringe a copyright not owned by the Board/State [Section 29(3)]. If for practical reasons access cannot be given in the required form but in an alternate manner, then the fee will be calculated according to the way that the requester first asked for it [Section 29(4)].
- If, in addition to a written reply to their request for the record, the requester wants to be told about the decision in any other way, e.g. telephone, this must be specified [section 18(2)(e)].
- If a requester is asking for the information on behalf of somebody else, he or she must show in what capacity the request is being made [section 18(2)(f)].
- If requesters are unable to read or write, or if they have a disability, then they can make the request for the record orally. The information officer must then fill in the form for them and give them a copy of the completed form [section 18(3)].
- The requester will be notified of the prescribed fee payable before the request for information is further processed. [Section 22]
- The requester may lodge an internal appeal or an application to the court against the tender or payment of the request fee. [Sections 74,75]
- The information officer will deal with the request for information within 30 days after the receipt of the request or as soon as is reasonable. [Section 25]



- The requester will be notified whether or not he or she will be granted access to the information requested. [Section 25]

SERVICES AVAILABLE [SECTION 14(1)(f)]

PROTECTION OF THE PUBLIC

The Board regards the protection of the public as one of its primary functions. This is accomplished by means of the following:

1. Ensuring integrity of gambling activities

- Licensing of credible operators and ensuring the continued suitability of all persons (juristic and natural) who enter into and participate in the Gambling Industry;
- Ensuring regulatory compliance by licensees on an ongoing basis;
- Setting and regulating of gaming equipment standards;
- Approval and registration of gaming equipment;
- Registration of suitable persons to be engaged in gambling occupations; and
- Registration of suppliers of gambling equipment.

2. Eradication of illegal gambling activities

This is done in order to protect the public from unfair business practices, as illegal operators are not subject to regulatory control to ensure fair business practices.

3. Disputes resolution and punter assistance

The Board receives and adjudicates complaints received from the public arising from gambling disputes or other gambling related activities.

4. Tax collections

The Board collects on behalf of the Free State Provincial Government gambling tax levied on gambling transactions.

5. Measures to promote responsible gambling and minimisation of incidences of problem gambling

Problem gamblers are generally defined as persons who no longer have rational control of their gambling behaviour to the detriment of their personal well-being and that of their families and dependants. It is usually not easy to identify problem gamblers, as they will usually go out of their way to disguise or hide their problem.



The Free State Gambling and Racing Board recognises that opportunities for gambling entail particular risks for the public. To this end, the Board co-operates with other relevant organisations to assist people who fall prey to gambling addiction.

The following assistance is available to any person who has a gambling problem:

Self-exclusion:

All licensed gambling operators in the Province operate a system of self-exclusion in terms whereof a gambler can voluntarily request to be excluded from a gambling outlet.

As an alternative, persons seeking self-exclusion can apply to the Board to be placed on an exclusion list whereafter operators must exclude them from their premises.

Professional assistance:

A general practitioner can assist by referring persons to clinics specialising in the treatment of addiction. There are various voluntary organisations, which may be approached for free counselling.

The **National Responsible Gambling Programme** has a help-line for treatment and counselling of problem gamblers. Contact the National Problem Gambling **help-line** on **0800 006 008 toll free**.

HOW TO GAIN ACCESS TO THESE SERVICES

Enquires regarding the services of the Free State Gambling and Racing Board or assistance may be directed to the CEO who is the Information Officer. For contact details, please refer to page 4 above.

PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY AND THE EXERCISE OF POWERS [SECTION 14(1)(g)].

The Board involves the public in the process of considering and awarding licences as follows:

- Applications for licences are published in both the *Provincial Gazette* and in newspapers circulating in the relevant district;
- Interested parties are invited to lodge written representations, indicating whether or not they wish to make oral representations at the hearing of the licence application; and
- The Board holds public hearings prior to adjudication of specific applications for licences.



Provision is also made for public participation in the legislative process. Whenever amendments are proposed in respect of the Act or Regulations, the proposed amendments are advertised in the *Provincial Gazette* for purposes of public comment. The Provincial Legislature in the evaluation of the proposed amendments takes these comments into consideration. A similar process of public participation is followed with regard to amendments to the Rules.

REMEDIES AVAILABLE IN THE EVENT OF NON-COMPLIANCE

A requester for information has the following remedies in the event that the provisions of the Promotion for Access to Information Act are not complied with:

- A requestor may lodge an appeal to the Board against the decision of the Information Officer; and
- If he or she is still aggrieved by the decision of the Board, the requestor may apply to court for appropriate relief.