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GENERAL NOTICE

NOTICE 102 OF 2012

MPUMALANGA GAMBLING BOARD

MPUMALANGA GAMBLING ACT, 1995 (ACT NO. 5 OF 1995)

AMENDMENT OF THE MPUMALANGA GAMBLING RULES

In terms of section 84 of the Mpumalanga Gambling Act, 1995, (Act No. 5 of 1995), as amended, the Mpumalanga Gambling Board hereby amends and makes the following Rules:

General Explanatory Note:

[**BOLD**] words typed in bold type in square brackets indicate omissions from the existing Rules.

_____ words underlined with a solid line indicate insertions in existing Rules.

MPUMALANGA GAMBLING RULES AMENDMENT, 2011

To amend the Mpumalanga Gambling Rules so as to further regulate Board audit procedures; to further regulate duplication of program storage media; to define certain expressions; to further regulate retention of unclaimed winnings; to further regulate gross revenues computation; to delete certain paragraphs; to further regulate general requirements for central monitoring systems of casino licensees; to further regulate roulette wheels; to further regulate internal control procedures of licensees; to further regulate organisational structures and jobs compendiums of licensees; to further regulate requirements for bingo operators; to further regulate key control measures; and to further regulate surveillance requirements for independent site operators and site licensees.

Amendment of Rule 3.010

1. Rule 3.010 of the Mpumalanga Gambling Rules (hereinafter referred to as the Rules) is hereby amended by the substitution for paragraph (a) of subrule (1) of the following paragraph:

“(a) **[review the accounting methods and procedures used by the licensee in accordance with Generally Accepted Accounting Practice] determine that levies paid are accurate and complete in terms of the Mpumalanga gambling legislation;**”.

Amendment of Rule 4.070

2. Rule 4.070 of the Rules is hereby amended by the substitution for subrule (2) of the following subrule:

“(2) The procedure for performing such duplication shall be contained in the route and casino licensee’s internal control procedures as **[approved by] submitted to the Board.**”.

Amendment of Rule 5.010

3. Rule 5.010 of the Rules is hereby amended by the insertion after the definition of "soft count" of the following definition:

"unclaimed winnings' shall include unclaimed credits, jackpots, cash and/or credits of any instrument of value."

Substitution of Rule 5.030

4. The following rule is hereby substituted for Rule 10.130 of the Rules:

***5.030 Retention of unclaimed [money] winnings**

(1) Every licensee shall maintain a register of all unclaimed [money, unclaimed credits and unclaimed jackpots] winnings which have not been claimed after a period of 24 hours after steps have been taken by the licensee to locate the owner of the unclaimed winnings.

(2) Particulars of unclaimed [money, unclaimed credits and unclaimed jackpots stored by serial number or other access method] winnings are to be secured on [computer disk] document storage media so that the particulars are restricted to authorised personnel only and the following particulars are to be recorded –

- (a) date and time;
- (b) description;
- (c) the amount;
- (d) the name of the employee or person who found the unclaimed winnings; and
- (e) steps taken to identify the owner of the unclaimed winnings.

(3) Access to the particulars of all unclaimed [money, unclaimed credits and unclaimed jackpots] winnings shall be provided to the Board upon request.

~~[(4) The procedures with regards to money, credits or jackpots won by a person who is less than eighteen years old or excluded persons shall be submitted to the Board for approval].~~

~~[(5)](4) After a period of 3 years all unclaimed [money, credits and jackpots] winnings must be written back to the income statement.~~

~~[(6) On a weekly basis, a record of all unclaimed money, credits and jackpots must be entered in a register for inspection by the Board.]".~~

Amendment of Rule 5.040

5. Rule 5.040 of the Rules is hereby amended –

(a) by the substitution for paragraph (a) of subrule (4) of the following paragraph:

"(a) Levies shall be paid at the prescribed rate on all unclaimed [money, unclaimed credits and unclaimed jackpots] winnings and the calculations of such shall be included with calculations of such shall be included with calculations of levies on a monthly or quarterly basis when written back to the income statement.[: **Provided that the quarters are to coincide with the financial year of the Board, the first quarter ending on 30 June.**];"

(b) by the substitution for paragraph (b) of subrule (4) of the following paragraph:

"(b) All reconciliations on unclaimed [credits and jackpots] winnings must be done between the central monitoring system and the accounting system to ensure that if any refunds occur, these be taken into account for the levy calculation."; and

(c) by the substitution for subrule (5) of the following subrule:

"(5) If the amount of gross gambling revenue is less than zero for any particular [week] month for which levies are to be calculated in terms of the Regulations, the licensee may deduct the loss in the subsequent [weeks] months, until that loss is fully offset against gross gambling revenue."

Amendment of Rule 6.010

6. Rule 6.010 of the Rules is hereby amended –

(a) by the deletion of paragraph (g) of subrule (3); and

(b) by the renumbering of paragraphs (h), (i) and (j) of subrule (3) as a result of the deletion of paragraph (g).

Amendment of Rule 7.010

7. Rule 7.010 of the Rules is hereby amended by the substitution for paragraph (p) of subrule (1) of the following paragraph:

"(p) collection of individual soft meter data at the game level which will include at a minimum –

(i) in meter;

(ii) out meter;

(iii) coin drop meter to cash box;

(iv) jackpot meter; and

[(v) handle pull meter; and]

[(vi)] (v) bill validator meters reflecting value of notes accepted by denomination."

Amendment of Rule 8.050

8. Rule 8.050 of the Rules is hereby amended by the substitution for subrule (8) of the following subrule:

"(8) Each casino licensee shall redeem promptly its own genuine gambling chips or plaques presented to it by any other legally operated casino licensee. The redemption process for credit plaques from another casino shall be contained in the casino[s] licensee's internal control procedures as [approved by] submitted to the Board. Each casino licensee shall submit to the Board [for approval], a system for chip and plaque exchange between themselves and other legally operated casino licensees of chips and plaques –

(a) that are in its possession and that have been issued by other legally operated casino licensees; and

(b) that it has issued and that are presented to it for redemption by any other legally operated casino licensee."

Amendment of Rule 8.200

9. Rule 8.200 of the Rules is hereby amended –

(a) by the substitution for subrule (1) of the following subrule:

"(1) Roulette wheels to be used in the casinos of the Province shall at all times conform to the [following minimum specifications –

- (a) all the components of the roulette wheel shall be manufactured of non ferrous material;
- (b) the overall diameter of the cylinder bowl of the roulette wheel shall not be less than 32" – 812mm and a minimum of 8 "hazards" shall be fitted alternately horizontal and vertical between the upper ball track and the cylinder edge;
- (c) the bowl liner shall be manufactured from solid metal;
- (d) the overall diameter of the cylinder shall not be less than 21.750" – 552mm. The cylinder of the roulette wheel shall contain 37 or 38 numbers (0-36) or (00-36) which shall each be situated directly above a pocket in the separator ring;
- (e) the roulette wheel shall contain a solid cast separator ring which shall provide 37 or 38 precision engineered equal compartments with a tolerance of not more than 0.02mm;
- (f) the spindle is to be made of specially hardened tip, and shall be machined and ground to a tolerance of not more than 0.02mm. The bore fit of the cylinder bearing shall be a very precise fit with a tolerance of not more than 0.02mm;
- (g) each roulette wheel shall contain a height adjuster;
- (h) the turret shall be machined concentrically; and
- (i) the cylinder bowl and the cylinder of the roulette wheel shall have unique serial numbers which shall correspond with each other]

the requirements of SANS 1718 (Gambling Equipment)."; and

(b) by the substitution for subrule (2) of the following subrule:

"(2) Maintenance [and operations] of roulette wheels shall be meticulously carried out on at least a monthly basis by trained personnel in accordance with the specifications of the manufacturer of the roulette wheel."

Amendment of Rule 9.010

10. Rule 9.010 of the Rules is hereby amended –

(a) by the substitution for subrule (2) of the following subrule:

"(2) Every licensee's internal control procedures shall be [subject] submitted to [approval of] the Board for comments prior to commencement of gambling operations by such licensee.";

(b) by the substitution for subrule (3) of the following subrule:

"(3) Any proposed amendment to a licensee's internal control procedures shall be [subject] submitted to the Board['s approval] for comments prior to the implementation thereof."; and

(c) by the substitution for subrule (4) of the following subrule:

"(4) Every licensee shall conduct its operations in terms of its internal control procedures as [approved by] submitted to the Board and any non-compliance with the internal control procedures may be a ground for disciplinary action against a licensee."

Amendment of Rule 9.020

11. Rule 9.020 of the Rules is hereby amended by the substitution therefor of the following Rule:

"9.020 Gratuities

Subject to the provisions of regulation 13 of the Regulations, the procedures and policies for the payment of gratuities to staff shall be contained in the licensee's internal control procedures as [approved by] submitted to the Board."

Amendment of Rule 9.050

12. Rule 9.050 of the Rules is hereby amended by the substitution for the Rule of the following Rule:

"9.050 Table game standards

Controls relating to the day to day operations of gambling tables (e.g. table opening/closing, dealers' duties, table limits, order of pay-outs, inspectors' duties and change procedures) shall be specified in the licensee's internal control procedures as [approved by] submitted to the Board."

Amendment of Rule 9.060

13. Rule 9.060 of the Rules is hereby amended by the substitution for subrule (1) of the following subrule:

"(1) The procedures for call bets shall be contained in the licensee's internal control procedures as [approved by] submitted to the Board."

Amendment of Rule 9.070

14. Rule 9.070 of the Rules is hereby amended by the substitution for the words before paragraph (a) of subrule (1) of the following words:

"(1) Controls relating to table fill and table credits shall be specified in the licensee's internal control procedures as [approved by] submitted to the Board, subject to the following requirements –

Amendment of Rule 9.080

15. Rule 9.080 of the Rules is hereby amended by the substitution for the Rule of the following Rule:

"9.080 Gambling machine standards

Controls relating to the day to day operation of gambling machines (e.g. cash variances, complimentary accounts, customer complaints, documentation, asset registers, jackpot base values and progressive rates, reel tape control, security seals, slot statistics, reports and machine moves) shall be specified in the licensee's internal control procedures as [approved by] submitted to the Board."

Amendment of Rule 9.090

16. Rule 9.090 of the Rules is hereby amended by the substitution for the Rule of the following Rule:

"Controls relating to gambling relating to gambling machine hand payments and jackpot payments shall be specified in the licensee's internal control procedures [as approved by] submitted to the Board, subject to the following requirements –

- (a) hand payment and jackpot documentation shall be in triplicate, in a continuous numerical sequence and shall be pre-numbered or in such computerised format as approved by the Board;

- (b) all hand payment and jackpot documentation shall be completed on stationary approved by the Board; and
- (c) duties allocated to personnel shall be subject to segregation of incompatible functions.”.

Amendment of Rule 9.100

17. Rule 9.100 of the Rules is hereby amended by the substitution for subrule (2) of the following subrule:

“(2) Procedures relating to promotional pay-outs and awards shall be contained in the licensee’s internal control procedures as **[approved by] submitted to the Board.**”.

Amendment of Rule 9.110

18. Rule 9.110 of the Rules is hereby amended –

(a) by the substitution for subrule (4) of the following subrule:

“(4) Procedures for copying of EPROM’s the sealing of EPROM’s into the machines shall be documented in the licensee’s internal control procedures as **[approved by] submitted to the Board.**”; and

(b) by the substitution for subrule (5) of the following subrule:

“(5) Procedures for the controlling of competition and promotional EPROM’s shall be documented in the licensee’s internal control procedures as **[approved by] submitted to the Board.**”.

Amendment of Rule 9.120

19. Rule 9.120 of the Rules is hereby amended by the substitution for paragraph (b) of subrule (2) of the following paragraph:

“(b) casino accounts department shall file the closing fill in accordance with the licensee’s internal control procedures as **[approved by] submitted to the Board.**”.

Amendment of Rule 10.020

20. Rule 10.020 of the Rules is hereby amended by the substitution for subparagraph (viii) of paragraph (d) of subrule (1) of the following subparagraph:

“(viii) the performance of all duties and responsibilities in accordance with these rules or the internal control procedures **[approved by] submitted to the Board; and**”.

Amendment of Rule 10.030

21. Rule 10.030 of the Rules is hereby amended –

(a) by the substitution for subrule (2) of the following subrule:

“(2) Unless otherwise directed by the Board, the jobs compendium referred to in sub-rule (1) shall be submitted to the Board **[for approval]** at least 60 days prior to the projected date of commencing operations.”;

(b) by the substitution for subrule (3) of the following subrule:

“(3) No casino licensee shall and until its jobs compendiums **[is approved by] are submitted to the Board.**”; and

(c) by the substitution for subrule (4) of the following subrule:

"(4) Any proposed amendment to a previously [approved] submitted jobs compendium shall be [subject] submitted to [approval by] the Board before such amendment is implemented by the casino licensee."

Amendment of Rule 10.050

22. Rule 10.050 of the Rules is hereby amended –

(a) by the substitution for the words before paragraph (a) of the following words:

"Controls relating to the day to day operations of the casino accounts department shall be specified in the licensee's internal control procedures as [approved by] submitted to the Board, which shall provide for segregation of duties in accordance with general accounting and auditing practices –"; and

(b) by the substitution for subparagraph (iii) of paragraph (b) of the following subparagraph:

"(iii) the internal control procedures as [approved by] submitted to the Board shall identify all security stationery and the specific controls relating to each form required;"

Amendment of Rule 10.120

23. Rule 10.120 of the Rules is hereby amended by the substitution for subrule (2) of the following subrule:

"(2) The gambling machine accounting/auditing procedures shall be contained in the licensee's internal control procedures as [approved by] submitted to the Board."

Amendment of Rule 10.130

24. Rule 10.130 of the Rules is hereby amended by the substitution for the words before paragraph (a) of subrule (3) of the following words:

"User identity in respect of passwords shall be controlled as follows, unless otherwise addressed in the licensee's internal control procedures as [approved by] submitted to the Board –".

Amendment of Rule 10.140

25. Rule 10.140 of the Rules is hereby amended by substitution for the words before paragraph (a) of the following words:

"The following aspects shall be addressed in the licensee's internal control procedures as [approved by] submitted to the Board –".

Amendment of Rule 11.070

26. Rule 11.070 of the Rules is hereby amended by the substitution for subrule (3) of the following subrule:

"(3) The detailed count procedures and uniforms worn in the count rooms shall be contained in the licensee's internal control procedures as [approved by] submitted to the Board."

Amendment of Rule 11.090

27. Rule 11.090 of the Rules is hereby amended by the substitution for Rule 11.090 of the following Rule:

"11.090 Emergency clearance : Gambling machines

In certain instances an emergency clearance of gambling machines may be required. The procedures required to perform such clearances shall be contained in the internal control procedures of the licensee [and] as [approved by] submitted to the Board."

Amendment of Rule 11.100

28. Rule 11.100 of the Rules is hereby amended by the substitution for subrule (9) of the following subrule:

"(9) The total coins counted per machine will be compared with the meter readings obtained from the machine on a daily basis. Investigations and reporting procedures with regard[s] to variances will be contained in the licensee's internal control procedures [as approved] submitted to the Board."

Amendment of Rule 11.110

29. Rule 11.110 of the Rules is hereby amended –

(a) by the substitution for subrule (7) of the following subrule:

"(7) The notes counted will be compared to the gambling machine's meter reading on a daily basis. Investigations and reporting procedures with regard[s] to variances will be contained in the licensee's internal control procedures [as approved] submitted to the Board."; and

(b) by the substitution for subrule (8) of the following subrule:

"(8) Corrections to information originally recorded by the count team on currency acceptor count documentation shall be made in accordance with the licensee's internal control procedures [as approved] submitted to the Board."

Amendment of Rule 11.120

30. Rule 11.120 of the Rules is hereby amended by the substitution for paragraph (a) of subrule (4) of the following paragraph:

"(a) At least two count team members are required to be present when count room and other keys are necessary to conduct the soft count issued. Key control measures shall be included in the licensee's internal control procedures [as approved] submitted to the Board."

Amendment of Rule 12.010

31. Rule 12.010 of the Rules is hereby amended by the substitution for subrule (3) of the following subrule:

"(3) Reports documenting the procedures above shall be developed and documented in the internal control procedures [as approved] submitted to the Board."

Amendment of Rule 14.010

32. Rule 14.010 of the Rules is hereby amended by the substitution for paragraph (e) of Rule 14.010 of the following paragraph:

"(e) a closed circuit television system or other devices / systems approved by the Board, of which at least one of the monitors or devices shall be clearly visible from all positions which may be occupied by a player, on which the numbers, pictures or symbols being selected or distributed are clearly displayed;"

Amendment of Rule 18.020

33. Rule 18.020 of the Rules is hereby amended –

(a) by the substitution for subrule (2) of the following subrule:

"(2) Unless otherwise directed by the board, the jobs compendium referred to in subrule (1) shall be submitted to the Board [for approval] at least 60 days prior to the projected date of commencing operations.";

(b) by the substitution for subrule (3) of the following subrule:

"(3) No bingo operator shall commence with operations unless and until its jobs compendium is [approved by] submitted to the Board."; and

(c) by the substitution for subrule (4) of the following subrule:

"(4) Ant proposed amendment to a previously [approved] submitted jobs compendium shall be [subject to approval by] submitted to the Board before such amendment is implemented by the bingo operator."

Amendment of Rule 18.040

34. Rule 18.040 of the Rules is hereby amended –

(a) by the deletion of subrule (3); and

(b) by the renumbering of subrule (4) as a result of the deletion of subrule (3).

Amendment of Rule 19.010

35. Rule 19.010 of the Rules is hereby amended –

(a) by the substitution for subrule (2) of the following subrule:

"(2) Every licensee's internal control procedures shall be [subject] submitted to [approval of] the Board for comments prior to commencement of gambling operations by such licensee.";

(b) by the substitution for subrule (3) of the following subrule:

"(3) Any proposed amendment to a licensee's internal control procedures shall be [subject] submitted to the Board['s approval] for comments prior to the implementation thereof."; and

(c) by the substitution for subrule (4) of the following subrule:

"(4) Every licensee shall conduct its operations in terms of its internal control procedures as [approved by] submitted to the Board and any non-compliance with the internal control procedures may be a ground for disciplinary action against a licensee."

Amendment of Rule 19.020

36. Rule 19.020 of the Rules is hereby amended by the substitution therefor of the following Rule:

***19.020 Gratuities**

Subject to the provisions of regulation 13 of the Regulations, the procedures and policies for the payment of gratuities to staff shall be contained in the licensee's internal control procedures as [approved by] submitted to the Board."

Amendment of Rule 20.010

37. Rule 20.010 of the Rules is hereby amended by the substitution for the definition of "ICP" of the following definition:

"ICP' means the [approved or] adopted and submitted internal control procedures, required in terms of either Regulation 182 or Regulation 207 of the Regulations;"

Amendment of Rule 21.010

38. Rule 21.010 of the Rules is hereby amended –

(a) by the substitution for subrule (2) of the following subrule:

"(2) A Route Operator shall not commence any gambling or gambling-related activities prior to the [approval] submission of its organisational structure [by] to the Board."; and

(b) by the substitution for subrule (3) of the following subrule:

"(3) A Route Operator shall not amend or implement any amendments to its [approved] submitted organisational structure without [the] prior written [approval of the] notification to the Board."

Amendment of Rule 21.020

39. Rule 21.020 of the Rules is hereby amended –

(a) by the substitution for subrule (2) of the following subrule:

"(2) Unless otherwise directed by the Board, the jobs compendiums referred to in subrule (1) shall be submitted to the Board [for approval] at least 60 days prior to the projected date of commencing operations."; and

(b) by the substitution for subrule (3) of the following subrule:

"(3) Any proposed amendment of previously [approved] submitted jobs compendiums shall be [subject to approval by] submitted to the Board before such amendment is implemented by the Route Operator or Site Licensee."

Amendment of Rule 23.010

40. Rule 23.010 of the Rules is hereby amended –

(a) by the substitution for subrule (2) of the following subrule:

"(2) Every licensee's ICP shall be [subject] submitted to [approval of] the Board prior to commencement of gambling operations by such licensee.";

(b) by the substitution for subrule (3) of the following subrule:

"(3) Any proposed amendment to a licensee's ICP shall be [subject] submitted to the Board['s approval] for comments prior to the implementation thereof.";

(c) by the substitution for subrule (4) of the following subrule:

"(4) Every licensee shall submit amendments to its [approved] ICP in the manner and format determined by the Board.";

(d) by the substitution for subrule (5) of the following subrule:

"(5) Every licensee shall conduct its operations in terms of its ICP as [approved by] submitted to the Board and any non-compliance with the ICP may be a ground for disciplinary action."; and

(e) by the substitution for subrule (8) of the following subrule:

"(8) A Route Operator shall immediately inform all its Site Licensees of the amendment to the ICP ~~[that]~~ as submitted to the Board [has approved], that will have an impact on the operations of the Site Licensees."

Amendment of Rule 25.040

41. Rule 25.040 of the Rules is hereby amended by the substitution for subparagraph (i) of paragraph (b) of subrule (7) of the following subparagraph:

"(i) key control measures with regard to the SDL keys shall [be issued only to a LPM technician or a representative of the CEMS operator] be included in the licensee's ICP as submitted to the Board; and".

Amendment of Rule 27.050

42. Rule 27.050 is hereby amended by the substitution for paragraph (a) of subrule (16) of the following paragraph:

"(a) such licensee shall establish and maintain a written log of any and all surveillance system equipment malfunctions, and gambling operations shall be suspended pending the repair of the malfunction, unless the Board approves otherwise."

Commencement

43. With the exception of the amendments to Rules 4.070, 9.010, 9.020, 9.050, 9.060, 9.070, 9.080, 9.090, 9.100, 9.110, 9.120, 10.020, 10.030, 10.050, 10.120, 10.130, 10.140, 11.070, 11.090, 11.100, 11.110, 11.120, 12.010, 18.020, 19.010, 19.020, 20.010, 21.010, 21.020 and 23.010 of the Rules, which shall come into operation after the amendment of the Mpumalanga Gambling Regulations on a date fixed by the Board by notice in the *Provincial Gazette*, the amendments to the Rules shall come into operation 90 days after the date of publication in the *Provincial Gazette*.

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