



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS MADE IN TERMS OF

Gaming and Entertainment Control Act 13 of 2018
section 108

Gambling and Gambling Activities Regulations

Government Notice 254 of 2021

[\(GG 7693\)](#)

came into force on date of publication: 1 December 2021

GN 254/2021 repeals the regulations issued under the Casinos and Gambling Houses Act 32 of 1994. Regulations issued under the 1994 Act were contained in GN 231/1994 (GG 984), as amended by GN 84/1995 (GG 1084), GN 136/1995 (GG 1124), GN 121/1996 (GG 1317), GN 76/2010 (GG 4460), GN 95/2017 (GG 6295) and GN 255/2020 (GG 7361). GN 254/2021 repeals the regulations published in GN 230/1994, but this appears to have been intended to refer to GN 231/1994. GN 254/2021 also neglects to repeal the amendments to these regulations contained in GN 95/2017 and GN 255/2020, but these remaining amendments would have no independent effect.

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[The plural word "ARRANGEMENTS" in the heading above should be the singular word "ARRANGEMENT".]

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PART 1

INTRODUCTORY PROVISION

Definitions

1. In these regulations, a word or an expression defined in the Act has that meaning and unless the context otherwise indicates -

“Income Tax Act” means the Income Tax Act, 1981 (Act No. 24 of 1981);

“Liquor Act” means the Liquor Act, 1998 (Act No. 6 of 1998);

“shebeen” means shebeen as defined in section 1 of the Liquor Act, 1998 (Act No. 6 of 1998); and

“the Act” means the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018).

PART 2

BAR AND SHEBEEN GAMBLING LICENCES

Bar and shebeen gambling licences

2. (1) For the purposes of section 40A(1) of the Act, the Board may, on application made to it under these regulations, issue the following licences -

- (a) a bar gambling licence issued to a person who is authorised to operate a bar in terms of a special liquor licence issued under the Liquor Act; and
- (b) a shebeen gambling licence issued to a person who holds a shebeen licence issued under the Liquor Act.

(2) A bar gambling licence or shebeen gambling licence authorises the keeping or playing of gambling machines or gambling games in or on the premises or part of the premises of the bar or shebeen the gambling machines or gambling games as specified in the respective licence.

[The phrase “gambling machines or gambling games” is unnecessarily repeated in subregulation (2).]

(3) A person who, on the date of commencement of these regulations, is keeping gambling machines or permits or allows the playing of gambling games in the premises in respect of which a licence is now required in terms of this regulation must, within six months from the date of such commencement, apply for the relevant licence to the Board, failing which he or she must cease to keep the machines or permit or allow the playing of such games.

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(4) If an application for a licence is made in accordance with subregulation (3), the applicant may, despite the period specified in that subregulation, continue to keep the gambling machines or permit or allow the playing of the gambling games until such time that a final decision is made on the application by the Board.

(5) A person who contravenes or fails to comply with subregulation (3) commits an offence and is on conviction liable to a fine not exceeding N\$20 000 or to imprisonment for a period not exceeding two years, or to both such fine and such imprisonment.

PART 3

APPLICATIONS

Application for casino licence

3. (1) A person applying for a casino licence must apply in the form of Form 1 in Annexure 2 and submit nine copies of the application to the Board.

(2) An application made under subregulation (1) must be accompanied by -

- (a) a detailed description of the premises of the accommodation establishment in respect of which application is being made;
- (b) a plan drawn to scale of such premise clearly indicating -

[The word “premise” in paragraph (b) should be “premises”.]

- (i) the dimensions and arrangement of the internal structure, including all doors, windows and other means of internal and external communication;
- (ii) the location of the designated area of the casino;
- (iii) if gambling machines will be provided on the premises, the area or areas where such gambling machines will be kept or played; and
- (iv) every area where liquor or other refreshments will be served;
- (c) a certified copy of the liquor licence held by the applicant in respect of the business;
- (d) certified copies of key employee licences issued in terms of section 40(1) of the Act in respect of employees who will be engaged in conducting the casino business;

[The word “in” appears to have been omitted before the phrase “respect of employees”.]

- (e) a certificate of good standing in relation to payment of tax issued under the Income Tax Act;
- (f) a power of attorney, if the application is signed by a person acting on behalf of the applicant; and
- (g) any written representations in support of the application.

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(3) Subject to section 52 and 53 of the Act, if a casino licence is granted to an applicant, the chief executive officer must issue a licence to conduct a casino in the form of Form 2 in Annexure 2.

Application for gambling house licence

4. (1) A person applying for a gambling house licence must apply in the form of Form 3 in Annexure 2 and submit nine copies of the application to the Board.

- (2) An application made under subregulation (1) must be accompanied by -
- (a) a detailed description of the premises of the accommodation establishment or retail liquor business in respect of which the application is made;
 - (b) a plan drawn to scale of such premises clearly indicating -
 - (i) the dimensions and arrangement of the internal structure, including all doors, windows and other means of internal and external communication;
 - (ii) the location of the designated area of the gambling house where gambling machines will be kept or played; and
 - (iii) every area where liquor and other refreshments will be served;
 - (c) if an application is made in respect of a retail liquor business, a certified copy of the liquor licence held by the applicant in respect of that business;
 - (d) certified copies of key employee licences issued in terms of section 40(1) of the Act in respect of employees who will be engaged in conducting the gambling house business;
 - (e) a certificate of good standing in relation to payment of tax issued under the Income Tax Act;
 - (f) a power of attorney, if the application is signed by a person acting on behalf of the applicant; and
 - (g) any written representations in support of the application.

(3) Subject to section 52 and 53 of the Act, if a gambling house licence is granted to an applicant, the chief executive officer must issue a licence to conduct a gambling house in the form of Form 4 in Annexure 2.

[The singular word “section” should be the plural word “sections”.]

Application for bookmaker licence

5. (1) A person applying for a bookmaker licence must apply in the form of Form 5 in Annexure 2 and submit nine copies of the application to the Board.

- (2) An application made under subregulation (1) must be accompanied by -

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- (a) a detailed description of the premises of the bookmaking business in respect of which the application is made;
- (b) a plan drawn to scale of such premises clearly indicating -
 - (i) the dimensions and arrangement of the internal structure, including all doors, windows and other means of internal and external communication;
 - (ii) the location of the designated area of the bookmaking business; and
 - (iii) every area where liquor and other refreshments will be served;
- (c) if an application is made in respect of premises where liquor and other refreshments will be served, a certified copy of the liquor licence held by the applicant in respect of that business;
- (d) certified copies of key employee licences issued in terms of section 40(1) of the Act in respect of employees who will be engaged in conducting the bookmaking business;
- (e) a certificate of good standing in relation to payment of tax issued under the Income Tax Act;
- (f) a power of attorney, if the application is signed by a person acting on behalf of the applicant; and
- (g) any written representations in support of the application.

(3) Subject to section 52 and 53 of the Act, if a bookmaker licence is granted to an applicant, the chief executive officer must issue a licence to conduct a bookmaker business in the form of Form 6 in Annexure 2.

[The singular word “section” should be the plural word “sections”.]

Application for totalizator licence

6. (1) A person applying for a totalizator licence must apply in the form of Form 7 in Annexure 2 and submit nine copies of the application to the Board.

- (2) An application made under subregulation (1) must be accompanied by -
 - (a) a detailed description of the premises of where the totalizator in respect of which the application is made is to be kept or played;
 - (b) a plan drawn to scale of such premises clearly indicating -
 - (i) the dimensions and arrangement of the internal structure, including all doors, windows and other means of internal and external communication;
 - (ii) the location of the designated area of the totalizator; and
 - (iii) every area where liquor and other refreshments will be served;

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- (c) if an application is made in respect of a premises where liquor and other refreshments will be served, a certified copy of the liquor licence held by the applicant in respect of that business;
- (d) certified copies of key employee licences issued in terms of section 40(1) of the Act in respect of employees who will be engaged in conducting the totalizator business;
- (e) a power of attorney, if the application is signed by a person acting on behalf of the applicant; and
- (f) any written representations in support of the application.

(3) Subject to section 52 and 53 of the Act, if a totalizator licence is granted to an applicant, the chief executive officer must issue a licence to conduct a totalizator business in the form of Form 8 in Annexure 2.

[The singular word “section” should be the plural word “sections”.]

Application for bar gambling licence

7. (1) A person applying for a bar gambling licence must apply in the form of Form 9 in Annexure 2 and submit nine copies of the application to the Board.

- (2) An application made under subregulation (1) must be accompanied by -
 - (a) a detailed description of the premises of the bar in respect of which the application is made;
 - (b) a plan drawn to scale of such premises clearly indicating -
 - (i) the dimensions and arrangement of the internal structure, including all doors, windows and other means of internal and external communication;
 - (ii) the location of the designated area of the bar where the gambling machines will kept or played; and

[The word “be” appears to have been omitted before the phrase “kept or played”.]

- (iii) every area where liquor and other refreshments will be served;
- (c) a certificate of fitness in relation to the premises used or to be used as a bar issued by the relevant local authority for the area;
- (d) a certified copy of the liquor licence held by the applicant in respect of the bar business;
- (e) certified copies of key employee licences issued in terms of section 40(1) of the Act in respect of employees who will be engaged in conducting the bar gambling business;
- (f) a certificate of good standing in relation to payment of tax issued under the Income Tax Act;

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- (g) a power of attorney, if the application is signed by a person acting on behalf of the applicant; and
- (h) any written representations in support of the application.

(3) Subject to section 52 and 53 of the Act, if a bar gambling licence is granted to an applicant, the chief executive officer must issue a licence to conduct a bar gambling business in the form of Form 10 in Annexure 2.

[The singular word “section” should be the plural word “sections”.]

Application for shebeen gambling licence

8. (1) A person applying for a shebeen gambling licence must apply in the form of Form 11 in Annexure 2 and submit nine copies of the application to the Board.

- (2) An application made under subregulation (1) must be accompanied by -
 - (a) a detailed description of the premises of the shebeen in respect of which the application is made;
 - (b) a plan drawn to scale of such premises clearly indicating -
 - (i) the dimensions and arrangement of the internal structure, including all doors, windows and other means of internal and external communication;
 - (ii) the location of the designated area of the shebeen where the gambling machines are kept or played; and
 - (ii) every area where liquor and other refreshments will be served;

[The third subparagraph is numbered as (ii) instead of (iii)
in the *Government Gazette*, as reproduced above.]

- (c) a certificate of fitness in relation to the premises used or to be used as a bar issued by the relevant local authority for the area;
- (d) a certified copy of the liquor licence held by the applicant in respect of the shebeen business;
- (e) certified copies of key employee licences issued in terms of section 40(1) of the Act in respect of employees who will be engaged in conducting the shebeen gambling business;
- (f) a certificate of good standing in relation to payment of tax issued under the Income Tax Act;
- (g) a power of attorney, if the application is signed by a person acting on behalf of the applicant; and
- (h) any written representations in support of the application.

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(3) Subject to section 52 and 53 of the Act, if a shebeen gambling licence is granted to an applicant, the chief executive officer must issue a licence to conduct a shebeen gambling business in the form of Form 12 in Annexure 2.

[The singular word “section” should be the plural word “sections”.]

Application for manufacture or supplier licence

[The text below suggests that the heading of this regulation was intended to be
“Application for manufacturer or supplier licence”.]

9. (1) A person applying for a manufacturer or supplier licence must apply in the form of Form 13 in Annexure 2 and submit nine copies of the application to the Board.

- (2) An application made under subregulation (1) must be accompanied by -
- (a) a detailed description of the premises or place where the manufacturer or supplier will be conducting business in Namibia;
 - (b) proof of registration as a business in Namibia, if the manufacturer or supplier will be conducting business from Namibia, or proof of registration as a business in the country where the manufacturer or supplier will be conducting business from;
 - (c) a power of attorney, if the application is signed by a person acting on behalf of the applicant; and
 - (d) any written representations in support of the application.

(3) Subject to section 52 and 53 of the Act, if a manufacturer or supplier licence is granted to an applicant, the chief executive officer must issue a licence to conduct a manufacturer or supplier business in the form of Form 14 in Annexure 2.

[The singular word “section” should be the plural word “sections”.]

(4) A person may not sell, lease, make available, distribute, maintain or repair a gambling machine unless the person to whom the gambling machine is being sold, leased, made available, distributed, maintained or repaired produces a valid licence authorising him or her to keep or keep for playing the gambling machine in question.

(5) A person who contravenes or fails to comply with subregulation (4) commits an offence and is on conviction liable to a fine not exceeding N\$20 000 or to imprisonment for a period not exceeding two years, or to both such fine and such imprisonment.

Application for testing agent licence

10. (1) A person applying for a testing agent licence must apply in the form of Form 15 in Annexure 2 and submit nine copies of the application to the Board.

- (2) An application made under subregulation (1) must be accompanied by -
- (a) proof of accreditation with the Accreditation Board of Namibia as contemplated in section 39(2)(b) of the Act;

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- (b) proof that the applicant is able to conduct tests and calibrations as contemplated in section 39(2)(c) of the Act;
- (c) two recent passport photographs of the applicant; and
- (d) a conduct certificate and a complete set of fingerprints of the applicant taken by a member of the Namibian Police Force in order to investigate and report to the Secretary whether or not the applicant has any previous convictions and the nature of such convictions, if any.

(3) Subject to section 52 and 53 of the Act, if a testing agent licence is granted to an applicant, the chief executive officer must issue a testing agent licence in the form of Form 16 in Annexure 2.

Application for key employee licence

11. (1) A person applying for a key employee licence must apply in the form of Form 17 in Annexure 2 and submit nine copies of the application to the Board.

- (2) An application made under subregulation (1) must be accompanied by -
 - (a) two recent passport photographs of the applicant; and
 - (b) a conduct certificate and a complete set of fingerprints of the applicant taken by a member of the Namibian Police Force in order to investigate and report to the Secretary whether or not the applicant has any previous convictions and the nature of such convictions, if any.

(3) Subject to section 52 and 53 of the Act, if a key employee licence is granted to an applicant, the chief executive officer must issue a key employee licence in the form of Form 18 in Annexure 2.

[The singular word "section" should be the plural word "sections".]

Application for removal of casino, gambling house, bookmaker, totalizator, bar gambling or shebeen gambling licence

12. (1) A person applying for the temporary or permanent removal of a casino, gambling house, bookmaker, totalizator, bar gambling or shebeen gambling licence to any other new premises must make an application in the form of Form 19 in Annexure 2 and submit nine copies of the application to the Board.

- (2) An application made under subregulation (1) must be accompanied by -
 - (a) a detailed description of the new premises of the accommodation establishment, retail liquor business, bookmaker business, totalizator business, bar business or shebeen business;
 - (b) a plan drawn to scale of such new premises clearly indicating -
 - (i) the dimensions and arrangement of the internal structure, including all doors, windows and other means of internal and external communication;

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- (ii) the location of the designated area in the new premises;
 - (iii) if gambling machines will be provided on the new premises, the area or areas where such gambling machines will be kept or played; and
 - (iv) every area where liquor or other refreshments will be served;
- (c) a power of attorney, if the application is signed by a person acting on behalf of the applicant; and
- (d) any written representations in support of the application.

(3) Subject to section 52 and 53 of the Act, if a certificate of removal of a licence is granted to an applicant, the chief executive officer must issue a certificate of removal of a licence in the form of Form 20 in Annexure 2.

[The singular word “section” should be the plural word “sections”.]

(4) A certificate issued by the Board in accordance with subregulation (3) must be attached to the licence in question.

Application for renewal of casino, gambling house, bookmaker, totalizator, bar gambling or shebeen gambling licence

13. (1) A person applying for the renewal of a casino, gambling house, bookmaker, totalizator, bar gambling or shebeen gambling licence must make an application in the form of Form 21 in Annexure 2 and submit nine copies of the application to the Board.

- (2) An application made under subregulation (1) must be accompanied by -
- (a) a power of attorney, if the application is signed by a person acting on behalf of the applicant;
 - (b) any written representations in support of the application; and
 - (c) if any of the details or plans provided in terms of regulation 3(2)(a) or (b), 4(2)(a) or (b), 5(2)(a) or (b), 6(2)(a) or (b), 7(2)(a) or (b), 8(2)(a) or (b), 9(2)(a) or 12(2)(a) or (b) have changed, particulars of the new details or plans must be submitted.

[The words “must be submitted” at the end of paragraph (b) do not fit the introductory phrase of subregulation (2).]

(3) An application for the renewal of a licence must be made within six months before the expiry date of the current licence.

Application for increase of number of gambling machines

14. (1) The holder of a licence who, in terms of such licence, is authorised to keep a number of gambling machines being less than the maximum number prescribed by regulation 42 in respect of the type of accommodation establishment or business conducted by such holder may apply to the Board for authorisation to increase the number of gambling machines to be kept by him or her, but subject to the maximum so prescribed.

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(2) The holder of a licence who makes an application under subregulation (1) must apply in the form of Form 22 in Annexure 2 and submit nine copies of the application to the Board.

(3) An application made under subregulation (2) must be accompanied by -

- (a) in the case where alterations have been made or are intended to be made to the licensed premises to accommodate the additional gambling machines, a plan drawn to scale clearly indicating such alternations;
- (b) a power of attorney, if the application is signed by a person acting on behalf of the applicant; and
- (c) any written representations in support of the application.

(4) On receipt of an application made under subregulation (1), the Board must, at the cost of the applicant, cause a notice of such application to be published in the *Gazette* and in a newspaper circulating in the area in which the premises in question is situated.

(5) The Board must refer an application to an inspector who must report in writing to the Board whether the licensed premises to which the application relates -

- (a) is in a good condition and in all respects suitable for the proper conducting of gambling activities with the increased number of gambling machines; or
- (b) will, where alterations are intended to be made to licensed premises, on completion of such alterations in accordance with the plan submitted be suitable for the proper conducting of gambling activities with the increased number of gambling machines.

(6) Any person who wishes to object to an application made under subregulation (2) must, not later than 21 days after the date of publication of the notice in the *Gazette*, lodge such objection with the Board in the manner required by regulation 17.

(7) The Board must provide the applicant with a copy of every objection lodged in terms of subregulation (6), and the applicant may, within 14 days from the date on which an objection is provided to him or her, and in the manner required by regulation 18, lodge with the Board any reply which he or she may wish to make to an objection.

(8) An application made under subregulation (2) must be considered by the Board at a meeting of the Board for the purpose of making its decision.

(9) The applicant and any person who has lodged an objection to the application may appear before the Board and be heard, either personally or through his or her representative.

(10) After consideration of the application and all documents submitted to it in terms of this regulation, the Board must take a decision on the application and may refuse the application or grant it subject to the provisions of regulation 45.

(11) If the Board grants the application, the chief executive officer must, on payment of the prescribed annual licence fees in respect of the additional gambling machines, endorse the licence of the applicant to show the increased number of gambling machines authorised.

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Application for Minister's authority

15. (1) If a holder of a licence who intends to apply in terms of section 81 of the Act for the written authority of the Minister to allow any other person to -

- (a) have financial control in the business to which a licence relates;
- (b) become a partner in the business; or
- (c) to share in the profits in the business,

the holder of the licence must make such an application jointly with the proposed person in the form of Form 23 in Annexure 2 and submit nine copies of the application to the Board.

(2) An application made under subregulation (1) must be accompanied by a certified copy of the licence and identity document of the licence holder.

(3) If an application for authority made under subregulation (1) is granted the authority must be issued in the form of Form 24 in Annexure 2.

(4) An authority issued in accordance with subregulation (3) must be attached to the licence in question.

Notification of transfer of ownership, lease or transfer of possession of gambling machine

16. (1) A manufacturer or an importer as contemplated in section 86(1) of the Act must give a notification of transfer of ownership, lease or transfer of possession of a registered gambling machine in terms of section 87(1), (2) or (3) of the Act in the form of Form 25 in Annexure 2 and submit nine copies of this notification to the Board.

- (2) A notification made under subsection (1) must be accompanied by -
- (a) proof that the transferor is the owner of the machine;
 - (b) proof of certification of the machine;
 - (c) proof that the proposed transferee holds the licence or authority contemplated in section 87(5)(c) of the Act;
 - (d) a power of attorney, if the application is signed by a person acting on behalf of the applicant; and
 - (e) any written representations in support of the application.

PART 4

OBJECTIONS AND REPLIES

Objections

17. (1) A person who intends to lodge an objection in terms of section 47 of the Act to any application made in terms of section 44 of the Act must lodge such objection in writing and submit nine copies of the objection to the Board.

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- (2) An objection lodged under subregulation (1) must -
- (a) state the full name and address of the objector;
 - (b) clearly identify the application to which the objection relates; and
 - (c) in detail set out the grounds on which the objection is made.

Reply to objection

18. (1) An applicant who replies to an objection lodged in terms of regulation 17 must lodge such a reply in writing and submit nine copies of the reply to the Board.

- (2) A reply lodged under subregulation (1) must clearly identify the objection replied to.

Matters that may be investigated in relation to applicant

19. (1) An investigation contemplated in section 45(4)(a) of the Act may relate to the financial and business affairs of the applicant as well as personal conduct of the applicant.

(2) The chief executive officer may, for purposes of the investigation, request for information or probity reports from a law enforcement agency contemplated in section 19(4)(c) or authority contemplated in section 6(2)(h) of the Act.

[The word “for” after the word “request” is superfluous.]

Consideration of application

20. (1) The Board must consider an application in terms of section 45 of the Act at a meeting of the Board for the purpose of making its decisions.

(2) The applicant and any person who lodged an objection to the application may appear before the Board and be heard, either personally or through his or her legal representative.

Notice to applicant

21. A notice in terms of section 45(2)(b) must be in writing and in the case of the refusal of a licence must state the reasons for the refusal.

PART 5

LICENCES, APPROVALS AND REGISTERS

Duplicate copy of licences and certificates

22. The Board must provide a duplicate copy of every licence or certificate issued in terms of section 53(2) of the Act to the Executive Director of the Ministry responsible for home affairs, immigration and safety security.

[The word “and” appears to have been omitted between the words “safety” and “security”.]

Register of licence holders

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23. The register referred to in section 55 of the Act must be kept at the offices of the Board and made accessible to an authority referred to in section 6(2)(h) of the Act to view, inspect or make copies at a fee to be determined by the Board when necessary.

PART 6

FEES

Application fees

24. (1) An application submitted to the Board in terms of these regulations must be accompanied by the prescribed fee set out in Part 1 of Annexure 1 which must be paid to the Board.

(2) The Board may not refund a fee paid as contemplated in subregulation (1) to the applicant.

Annual licence fees

25. (1) The chief executive officer may not issue any licence under section 53 of the Act unless the appropriate annual fee set out in Part 2 of Annexure 1 is paid to the Board.

(2) After a licence has been issued under section 53 of the Act, the annual licence fee referred to in subregulation (1) must be paid by the holder of the licence to the Board annually not later than the last day of that particular month in which the licence was issued to such holder.

(3) The Board may not refund money paid in respect of the annual fee in the event of the surrender, withdrawal or suspension of the licence in question.

Removal fees

26. The chief executive officer may not issue any certificate of removal of a licence under section 53(2)(b) of the Act unless the appropriate fee set out in Part 3 of Annexure 1 is paid to the Board.

Renewal fees

27. The Board may not renew a licence under section 58 of the Act unless the appropriate fee set out in Part 3 of Annexure 1 is paid to the Board.

PART 7

LEVIES

Percentage to be retained by licence holder

28. (1) A holder of a casino, gambling house, bookmaker, totalizator, bar gambling and shebeen gambling licence may withhold an amount of not more than 20% from the gross takings of any gambling machine and pay out the rest as winnings.

(2) Subregulation (1) does not apply to a gambling machine which is a totalizator.

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Levies payable by casino, gambling house, bar gambling and shebeen gambling licence holders

29. (1) For the purposes of this regulation “nett income” means the gross income derived from gambling operations in the casino, gambling house, bar or shebeen (excluding income from the sale of liquor or food or other commodities on the premises) during the month less only the total amount paid out by such holder as winnings during such period.

[The phrase “such holder” does not relate to anything in subregulation (1), but appears from the title of the regulation to refer to the holder of the relevant casino, gambling house, bar gambling or shebeen gambling licence.]

(2) The levy imposed by section 62 of the Act must be calculated and be payable by the holder of a licence on the nett monthly income which such holder derives from the conduct of the casino or gambling house, at the rate of 10% of such income in respect of each period of 12 months reckoned from the date of issue of the licence.

(3) For the purposes of section 40A(2)(d) of the Act, the levy payable by the holder of a bar gambling and shebeen gambling licence must be calculated and be payable by the holder of the licences on the nett monthly income which such holder derives from the conduct of the bar gambling or shebeen gambling business at the rate of 10% of such income in respect of each period of 12 months reckoned from the date of issue of the licence.

(4) The amount due in respect of the levy calculated and payable in accordance with subregulation (2) and (3) must be -

- (a) paid to the Board not later than 21 days after the end of the month in respect of which the levy is payable; and
- (b) accompanied by a statement showing the gross amount earned from gambling operations during the month and the amount paid out as winnings during such month.

(5) If the holder of a licence ceases to conduct the casino, gambling house, bar, or shebeen business during the course of a month, the levy payable in respect of such month must be calculated on the nett income derived until the date on which such holder ceased to conduct the business, and the amount so payable must be paid to the Board not later than 21 days after the date on which the holder ceased to conduct the business.

Payment of undistributed takings or unclaimed dividends to Board

30. The money representing undistributed benefits and unclaimed benefits referred to in section 63 of the Act must be -

- (a) paid to the Board not later than 21 days after the end of the month in respect of which the money accrued to the totalizator licence holder; and
- (b) accompanied by a statement indicating the gross amount earned from gambling operations during the month and the amount paid out as winnings during such month.

Levy payable by totalizator licence holders

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31. (1) The levy imposed by section 64(1) of the Act must be calculated and be payable by the holder of a totalizator licence on the gross monthly takings which such holder derives from the conduct of the totalizator business at the rate of 10% of such gross takings in respect of each month.

(2) The amount due in respect of the levy calculated and payable in accordance with subregulation (1) must be -

- (a) paid to the Board not later than 21 days after the end of the month in respect of which the levy is payable; and
- (b) accompanied by a statement indicating the gross amount earned from totalizator operations during the month and the amount paid out as winnings during such month.

(3) If the holder of a licence ceases to conduct the totalizator during the course of a month, the levy payable in respect of such month must be calculated on the gross takings derived until the date on which such holder ceased to conduct the business, and the amount so payable must be paid to the Board not later than 21 days after the date on which the holder ceased to conduct the business.

Levy payable by licensed bookmakers

32. (1) A licensed bookmaker must deduct the levy imposed by section 65 of the Act from the money payable to every winner of a prize at the rate of 5% of such winnings before the prize is paid to the winner.

(2) The amount due in respect of the levy calculated and payable in accordance with subregulation (1) must be -

- (a) paid to the Board not later than 21 days after the end of the month in respect of which the levy is payable; and
- (b) accompanied by a statement indicating the gross amount earned from bookmaking business during the month and the amount paid out as winnings during such month.

(3) If the holder of a bookmaker licence ceases to conduct the bookmaking business during the course of a month, the levy payable in respect of such month must be calculated on the gross takings derived until the date on which such holder ceased to conduct the bookmaking business, and the amount so payable must be paid to the Board not later than 21 days after the date on which the holder ceased to conduct the business.

Penalties for late payment of fees or levy

33. If the amount payable in terms of these regulations in respect of the annual licence fee or of the levy imposed under section 40A(2)(d), 62, 64 or 65 of the Act or money payable to the Board in terms of section 63 of the Act is not paid in full to the Board before the expiry of the period allowed by these regulations for the payment of such fee or such levy, the licence holder must pay a penalty equal to 10% of the outstanding amount for each month or part of a month that such amount remains outstanding.

Books of accounts and records to be kept by certain licence holders

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34. (1) The holder of a casino, gambling house, bookmaker, totalizator, bar gambling and shebeen gambling licence, must, in accordance with generally accepted accounting practices, standards or principles -

- (a) keep such books of account and records relating to the operation of the business of the licence holder as are necessary to reflect in respect of each gambling machine the total daily amount paid out;
- (b) in respect of each period of six months ending on 31 March and 30 September of each year prepare financial statements showing the gross takings of the licence holder and the amount paid out as prizes during such period;
- (c) appoint a person registered as an accountant or auditor in terms of the Public Accountants' and Auditors' Act, 1951 (Act No. 51 of 1951) or some other competent person approved by the Board to audit its financial statements; and
- (d) lodge the financial statements with the Board not later than 30 days after the expiry of the period referred to in paragraph (b).

(2) The accountant, auditor or other competent person contemplated in subregulation (1)(c) may not be appointed for a period longer than five years, and such appointment is not renewable within 10 years after the expiration of the initial period of appointment.

PART 8

RESTRICTED PERSONS

Judicial officers that may grant order

35. For the purposes of section 77(4) of the Act, only a judge of the High Court appointed in terms of the Namibian Constitution or a district, regional, divisional, deputy chief magistrate or the chief magistrate appointed as contemplated in section 11 of the Magistrates Act, 2003 (Act No. 3 of 2003) qualifies to perform the functions or exercise the powers entrusted to a court referred to in that section.

Notice by volunteers

36. (1) A person applying to be registered as a restricted person in terms of section 77(1) of the Act must complete a notice in the form of Form 26 in Annexure 2.

- (2) The notice referred to in subregulation (1) must be delivered to -
 - (a) the clerk of any court referred to in regulation 35;
 - (b) the chief executive officer or any official or employee of the Board; or
 - (c) any licence holder, other than a manufacturer or supplier or testing agent licence holder.

(3) A clerk of court or a licence holder who receives a notice contemplated in subregulation (1) must as soon as is reasonably possible submit the notice to the chief executive officer.

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Notice of cancellation

37. A person registered as a restricted person in terms of section 77(1) of the Act may apply for the cancellation of such registration and for the removal of his or her name from the register in terms of section 77(2) of the Act by completing a notice in the form of Form 27 in Annexure 2.

Duties of licence holders in respect of restricted persons

38. In order to ensure that restricted persons do not engage in any of the of the activities listed in section 77(11) of the Act, a licence holder must –

[The phrase “of the” is repeated in the *Government Gazette*, as reproduced above.]

- (a) keep on the licensed premises, a list of restricted persons made available as contemplated in section 77(8)(b) of the Act;
- (b) verify the identity of persons entering the licensed premises to ensure that restricted persons do not enter the designated area; and
- (c) display prominently at the entrance to the licensed premises or designated area a notice to the effect that restricted persons are prohibited from entering the designated area.

Payment of unlawful winnings to Board

39. (1) The money representing winnings of minors or restricted persons or from an unlawful gambling activity referred to in section 80 of the Act must be paid to the Board in the form of Form 28 in Annexure 2, under cover of a memorandum which must reflect, at a minimum -

- (a) the name of the player to whom the winnings accrued;
- (b) the name and licence number of the licence holder of the premises at which the winning bet was struck;
- (c) the grounds on which it is alleged that the winnings cannot lawfully be paid to the player;
- (d) the amount of the winnings; and
- (e) where applicable, proof of payment of the amount referred to in paragraph (d) into the banking account of the Board.

(2) The winnings referred in subregulation (1) must be paid to the Board not later than 21 days after the end of the month in respect of which the money accrued to the licence holder.

PART 9

PROVISIONS ON GAMBLING ACTIVITIES

Games that may be played in casinos

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40. (1) For purposes of section 34(2)(a) of the Act, the games that may be conducted in a casino are -

- (a) American roulette;
- (b) French roulette;
- (c) Black Jack;
- (d) Punto Banco;
- (e) Chemin de Fer;
- (f) Poker;
- (g) Crap;
- (h) Bouhle; and

[This appears to have been intended to refer to the gambling game “Boule”.]

- (i) Big wheel.
- (2) The holder of a casino licence may not -
 - (a) conduct or allow to be conducted any games or keep or allow to be kept any gambling machines for the purpose of gambling in or at any place other than that part of the licensed premises which comprises the casino;
 - (b) in the casino in respect of which such licence is held -
 - (i) conduct or allow to be conducted any games other than games specified in subregulation (1); or
 - (ii) keep, for the purposes of gambling, any gambling machine which does not conform to the requirements of regulation 41.

(3) A person who contravenes or fails to comply with subregulation (1) or (2) commits an offence and is on conviction liable to a fine not exceeding N\$20 000 or to imprisonment for a period not exceeding two years, or to both such fine and such imprisonment.

Gambling machines that may be kept or played in licensed premises

[The heading of regulation 41 in the ARRANGEMENT OF REGULATIONS is “Games that may be kept or played in licenced premises”.]

41. (1) A holder of a licence may not keep a gambling machine a in licensed premises for the purpose of using or playing the machine in a gambling activity or gambling game unless the machine -

[The words “a” and “in” before the phrase “licenced premises” appear to be in the opposite order of what was intended.]

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- (a) operates by means of electrical power;
- (b) is played by means of the insertion of coins or playing chips in a slot in the machine provided for that purpose; and
- (c) is capable of keeping an accurate record of the amounts played and the amounts paid out at prizes.

(2) The holder of a licence may not use or allow the use any gambling machine in a licensed premises unless -

- (a) it bears information on the manufacturer, a unique serial number and date of manufacture in accordance with section 84(2) of the Act; and
- (b) it is registered in the register referred to in section 85 of the Act and bears the registration number assigned to it by the Board.

(3) The holder of a licence may not -

- (a) keep in a licensed premises, for the purpose of gambling, any gambling machines in excess of the number specified in the licence; or
- (b) offer any prize in excess of N\$70 000 to be won, whether by means of the operation of a single gambling machine or two or more gambling machines linked for the purpose of gambling unless the Board has approved the prize which exceeds that amount.

[There should be a comma after the phrase “whether by means of the operation of a single gambling machine or two or more gambling machines linked for the purpose of gambling” to offset that phrase properly.]

(4) A person who contravenes or fails to comply with subregulation (1), (2) or (3) commits an offence and is on conviction liable to a fine not exceeding N\$20 000 or to imprisonment for a period not exceeding two years, or to both such fine and such imprisonment.

Restriction on number of gambling machines for which licence may be granted

42. (1) The holder of casino licence may keep, for playing in the casino, an unlimited number of gambling machines.

[The word “a” appears to have been omitted before the term “casino licence”.]

- (2) The Board may not grant a licence in the case of -
 - (a) a gambling house licence, for more than 20 gambling machines;
 - (b) a bookmaker licence, for more than 10 gambling machines;
 - (c) a bar gambling licence, for more than 10 gambling machines; and
 - (d) shebeen gambling licence, for more than five gambling machines.

[The word “a” appears to have been omitted before the term “shebeen gambling licence”.]

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Categories of work for which key employee licence is required

43. For the purposes of section 40(4) of the Act, the following employees or categories of employees in the gambling industry require key employee licences -

- (a) every director of a licence holder;
- (b) accounting and internal auditing personnel who are directly involved in any recordkeeping or the examination of records associated with winnings from gaming;
- (c) bingo employees;
- (d) boxmen;
- (e) cashiers;
- (f) change personnel;
- (g) counting room personnel;
- (h) dealers and croupiers;
- (i) employees of manufacturers or suppliers of gambling machines whose duties involve the manufacture, repair, importation, or distribution of gaming devices, cashless wagering systems, interactive gaming systems or equipment associated with interactive gaming;
- (j) employees of operators of inter-casino linked systems or interactive gaming systems whose duties include the operational or supervisory control of the systems or the games that are part of the systems;
- (k) floor attendants;
- (l) gaming machine mechanics;
- (m) hosts or other persons empowered to extend credit or complimentary services;
- (n) information technology personnel;
- (o) keno employees;
- (p) odds makers and line setters;
- (q) security personnel directly involved in overseeing the gambling activities;
- (r) shift and pit bosses;
- (s) shills;
- (t) supervisory and management personnel;
- (u) surveillance personnel;

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- (v) ticket writers; and
- (w) any other person connected directly with an operator of a gambling establishment, the operator of a off-track pari-mutuel system, the operator of an inter-casino linked system or a gambling machine manufacturer or supplier or any person connected directly with the operation of a race book or sports pool.

[The word “a” before the phrase “off-track pari-mutuel system” should be “an”.]

Restriction on profit-sharing with respect to gambling machines

44. (1) If the Minister has granted authority under section 81(1) of the Act allowing a person to share in the profits derived from any gambling operations under a licence, it is a condition of such authority that a person to whom the authority relates, other than the holder of the licence, may not share in the profits so derived by more than 50 per cent of those profits, but without prejudice to any agreement between the parties for a lesser ratio of distribution of such profits in favour of such other person.

(2) An authority granted under section 81(1) of the Act is valid for a period of two years, but may from time to time, on application made under that section by the parties, be renewed by the Minister, but not for a period of more than two years at any one time.

(3) The Minister may, at any time by written notice given to the holder of a licence or any other party to whom an authority referred to in subregulation (1) relates, require such holder or other party -

- (a) to submit to the Minister or any other person designated by the Minister for such purpose any records relating to the distribution of profits under such authority; and
- (b) to furnish particulars or proof of any income or expenditure considered in the calculation of profits shared or to be shared by the parties involved,

and any person to whom such a notice is directed must comply with the requirements within 14 days after the notice is given.

(4) Without prejudice to any other steps which may be taken in terms of the Act, the Minister may, subject to subregulation (5), (6) and (7), withdraw an authority referred to in subregulation (1) on the ground of a contravention of the condition imposed by that subregulation or non-compliance with any requirement set out in subregulation (3).

(5) If the Minister proposes to withdraw an authority referred to in subregulation (1), the Minister must give to the holder of the licence and every other party in relation to whom the authority was granted notice in writing of the proposed withdrawal and the reasons.

(6) A notice in terms of subregulation (5) must state that the holder of the licence or any other party referred to in that subregulation may, make representations in writing to the Minister in connection with the matter within 14 days after such notice is given.

[The comma after the word “may” is superfluous.]

(7) On expiry of the period referred to in subregulation (6), the Minister must determine the matter and inform all parties of his or her decision.

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Furnishing of guarantees

45. (1) Where it is indicated in an application for a licence or removal of a licence made in terms of these regulations that the applicant intends to offer in the gambling operation a prize that can be won through the playing of a single gambling machine or two or more gambling machines linked for that purposes, the amount or value of which will exceed N\$ 70 000.

[The word “purposes” should be “purpose” in the phrase “for that purposes”. Subregulation (1) appears to be incomplete; the context suggests that it may have been intended to authorise the Minister to require an applicant to furnish a guarantee for prizes in excess of the stated value.]

(2) If the Minister has under subregulation (1) required that a guarantee be furnished by the applicant, the Board may not, in terms of section 44 of the Act, issue to the applicant the licence or the certificate of removal of the licence unless there is submitted to the Board a guarantee conforming to the requirements as determined by the Minister.

(3) If at any time after the grant or transfer of a licence, the holder of such licence intends to introduce a scheme where a prize as contemplated in subregulation (1) is offered, such licence holder may not introduce such scheme unless he or she has in writing notified the Minister accordingly and, where so required by the Minister on the recommendation of the Board, has furnished to the Board a guarantee as contemplated in subregulation (1).

Prohibitions on transactions between licenced bookmakers or totalizators and bookmakers or totalizators operating outside Namibia

[The heading of regulation 46 in the ARRANGEMENT OF REGULATIONS is “Prohibitions of transactions between licenced bookmakers or totalizators and bookmakers or totalizators operating outside Namibia”.]

46. (1) The holder of a licence may not, for the purpose of offering a cumulative jackpot prize, participate in any scheme where any gambling machine provided by such holder is linked to any gambling machine or machines outside Namibia.

(2) A person who contravenes or fails to comply with subregulation (2) commits an offence and is on conviction liable to a fine not exceeding N\$20 000 or to imprisonment for a period not exceeding two years, or to both such fine and such imprisonment.

Prohibition of certain things on licenced premises

47. (1) The holder of a casino, gambling house, bookmaker, bar gambling or shebeen gambling licence or a person in charge or in control of a licensed premises may not -

- (a) allow any person to enter the designated area of the licensed premises unless the person is properly dressed; or
- (b) permit any persons to remain in the licensed premises, if the person is notably or visibly under the influence of alcohol or a drug having a narcotic effect or, through the use of foul language or disorderly behaviour, causes a nuisance to other persons in the licensed premises.

(2) The holder of a casino, gambling house, bookmaker, bar gambling or shebeen gambling licence may not keep the licensed premises open for gambling or allow any person to

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be present for the purpose of gambling at a time when the sale or supply of liquor is not permitted by the liquor licence which such holder holds in respect of the accommodation establishment or retail liquor business.

(3) The holder of a casino, gambling house, bookmaker, bar gambling or shebeen gambling licence may not offer any prize in excess of N\$70 000 to be won by way of gambling, whether by means of the operation of a single gambling machine or two or more gambling machines linked for the purpose of gambling.

(4) The holder of a casino, gambling house, bookmaker, bar gambling or shebeen gambling licence may not exchange cash for cash except to enable a patron to participate in gambling where cash is used as the stake or for the purpose of converting cash won by the patron while participating in gambling for different denominations of cash.

(5) The holder of a casino, gambling house, bookmaker, bar gambling or shebeen gambling licence may not -

- (a) issue a cheque or other negotiable instrument; or
- (b) transfer any funds to or on behalf of a patron, in exchange for cash, chips, tokens or other value instrument,

unless the licence holder is satisfied that the patron has genuinely participated in gambling.

(6) A person who contravenes or fails to comply with any provision of this regulation commits an offence and is on conviction liable to a fine not exceeding N\$20 000 or to imprisonment for a period not exceeding two years, or to both such fine and such imprisonment.

Restrictions on certain types of advertisements

- 48.** (1) Advertising in respect of gambling may not -
- (a) contain any vulgar or indecent language, images or actions;
 - (b) portray excessive play;
 - (c) imply or portray any illegal activity;
 - (d) present any game, directly or indirectly, as a potential means of relieving financial or personal difficulties;
 - (e) exhort gambling as means of recovering past gambling or other financial losses;
 - (f) contain claims or representations that persons who gamble are guaranteed personal, financial or social success;
 - (g) represent or imply that -
 - (i) gambling is an alternative to employment or a means of acquiring financial security;
 - (ii) winning is the probable outcome of gambling;

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- (iii) gambling primarily involves skill;
 - (iv) gambling is a form of investment;
 - (v) the more or longer one gambles, the greater the chances of winning; or
 - (vi) that gambling is likely to make the dreams of a player a reality;
- (h) portray or contain persons or characters engaged in gambling who are, or appear to be, minors; or
- (i) be placed -
- (i) in media primarily directed at persons who are minors;
 - (ii) at venues where the majority of the audience may reasonably be expected to be minors; or
 - (iii) on outdoor displays directed at schools, youth centres, technikons or university campuses.
- (2) An advertisement of a gambling machine or device, gambling activity or licensed premises at which gambling activities are available must -
- (a) include a statement warning against the dangers of addictive and compulsive gambling, which must -
- (i) in respect of any printed or electronic mail advertisement, be in a font of at least the same size as the font used for the body of the advertisement and must incorporate at a minimum -
 - (aa) the name, toll-free number, and slogan of the responsible gambling programmes; and
 - (bb) a reference to the fact that only persons of the age of majority or older may lawfully participate in gambling;
 - (ii) in respect of any video or television advertisement -
 - (aa) incorporate at a minimum the information contemplated in subparagraph (i); and
 - (bb) be published in visual format so that each slogan appears in a legible and noticeable format for at least three seconds;
 - (iii) in respect of any radio advertisement or voice message on a telephone sent to the public -
 - (aa) incorporate at a minimum the information contemplated in subparagraph (i); and
 - (bb) be in a clearly audible format;

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- (iv) in respect of any hold message on the telephone system of a licence holder -
 - (aa) incorporate at a minimum the information contained in subparagraph (i);
 - (bb) be broadcast at least once every three minutes; and
 - (cc) be in a clearly audible format;
 - (v) in respect of any text message service on a cellular telephone or similar device utilised predominantly for voice communication incorporate at a minimum the information contemplated in subparagraph (i);
 - (vi) in the case of advertisements appearing on billboards, web pages or multi-page pamphlets, contain at a minimum the information contemplated in subparagraph (i), which must be displayed on at least 10% of the surface of the billboard, the home page of the web page or the front page of a multi-page pamphlet; and
- (b) contain such other information as may be required in terms of any other legislation.
- (3) The provisions of subregulation (2) do not apply in respect of any advertisement of -
- (a) gambling machines placed in trade publications targeted by the licensed gambling industry;
 - (b) facilities located or offered in or on licensed premises but which are unrelated to a gambling activity, provided that such advertisement does not make reference to gambling activities; and
 - (c) any promotional material manufactured before the coming into operation of the Act.
- (4) A person who contravenes or fails to comply with subregulation (1) or (2) commits an offence and is on conviction liable to a fine not exceeding N\$20 000 or to imprisonment for a period not exceeding two years, or to both such fine and such imprisonment.

PART 10

GAMBLING PREMISES AND GAMBLING MACHINES

Standards and requirements for licenced premises

49. (1) A person may not keep a gambling machine provided for the purpose of gambling on a licensed premises at any place other than the designated area as indicated on the plan of the premises submitted in terms of these regulations.

(2) If the area referred to in subregulation (1) is not a separate room, such area must at all times be screened off from the remainder of the premises in such manner that it will not be possible to observe from outside such area the gambling activities carried on, and every such room or screened off area must be provided with a door that can be closed in order to control the entrance of persons.

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(3) If gambling machines are kept in any bar conducted on the premises under an on-consumption licence issued under the Liquor Act, it is not required that the area be screened off as described in subregulation (2), if the room or section of the premises comprising the bar is so separated from the remainder of the premises that it will not be possible to observe from outside the bar the activities carried on.

(4) A person may not make any changes regarding -

(a) the number of areas comprising of the designated area in the licensed premises;

[The word “of” after the word “comprising” is superfluous.]

(b) the location of any such area on such premises; or

(c) any other structural alterations to such premises affecting the number of those areas, unless plans indicating the proposed changes or alterations have been approved by the Board.

(5) A person who contravenes or fails to comply with subregulation (1) or (4) commits an offence and is on conviction liable to a fine not exceeding N\$20 000 or to imprisonment for a period not exceeding two years, or to both such fine and such imprisonment.

Permissible distance from cash dispenser to designated area

50. (1) Subject to section 83 of the Act, a person may not place or operate a cash dispensing machine within five metres from any point of public entry to the designated area or areas of the licensed premises.

(2) Subregulation (1) does not apply to a cash dispensing machine which was placed or erected before the commencement of these regulations.

(3) A person may not place or install a cash dispensing machine in such a position that it is visible to patrons from a designated area.

(4) A person may not place direction signs to a cash dispensing machine anywhere in or on designated areas.

(5) A person who contravenes or fails to comply with subregulation (1), (3) or (4) commits an offence and is on conviction liable to a fine not exceeding N\$20 000 or to imprisonment for a period not exceeding two years, or to both such fine and such imprisonment.

[The phrase “...fails to comply with subregulation (1), (3) or commits an offence...” appears to have been intended to be “...fails to comply with subregulation (1) or (3) commits an offence...” or alternatively “...fails to comply with subregulation (1), (3) or (4) commits an offence...”.]

Warnings in premises on dangers of gambling

51. (1) A holder of a casino, gambling house, bookmaker, bar gambling or shebeen gambling licence must, in respect of a gambling activity -

(a) affix visible and legible signage warning of the dangers of addictive or compulsive gambling on the front of every gambling machine and at all points of purchase on

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licensed premises utilised by the licence holder in the format determined by the Board;

- (b) prominently display posters, as determined by the Board, of at least A3 format notifying persons of the availability of assistance with regard to problem gambling; and
 - (c) have available for the public pamphlets or written manuals which educate members of the public on the issues of problem gambling.
- (2) The pamphlets or written manuals contemplated in subregulation (1)(c) must -
- (a) contain -
 - (i) a description of the aims and activities; of the responsible gambling programme;
- [The semicolon after the word “activities” is superfluous.]**
- (ii) an indication of the types of treatment available, and the extent to which these are free of charge; and
 - (iii) all available contact details in respect of the responsible gambling programme referred to in subparagraph (i);
- (b) be located in such a manner as to be easily accessible to the public in all areas in which gambling takes place.

(3) A holder of a casino, gambling house, bookmaker, bar gambling or shebeen gambling licence must display information signs outside any entrance that leads onto or passes by a designated area which must, at a minimum, carry a warning that gambling activities take place through such entrance, and where available, directions to alternate entrances that do not lead onto or pass by designated areas.

(4) A person who contravenes or fails to comply with subregulation (1) or (3) commits an offence and is on conviction liable to a fine not exceeding N\$20 000 or to imprisonment for a period not exceeding two years, or to both such fine and such imprisonment.

Register of gambling machines

52. The register of gambling machines to be maintained by the Board in terms of section 85(1)(a) of the Act, must, at a minimum, contain the information contemplated in Form 25 in Annexure 2.

Records to be kept by manufacturer or supplier of gambling machines

53. The record of gambling machines to be kept by a manufacturer or supplier in terms of section 84(1) of the Act must, at a minimum, contain the information contemplated in Form 25 in Annexure 2.

Gambling machines exempted from some provisions of Act

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

54. (1) All categories of gambling machines or devices are subject to the application of section 71(1)(b) of the Act with the exception of -

- (a) gambling machine cabinets;
- (b) tables manufactured for the purpose of gambling games or are capable in all material respects of being used in the conduct of such games;
- (c) roulette wheels;
- (d) bingo drawing devices; and
- (e) card shufflers,

provided that a licence holder may, for a period of five days prior to submitting an imported or newly manufactured machine for certification, take possession of such machine or device.

(2) The following gambling machines are exempt from the application of section 71(1)(b) of the Act -

- (a) a gambling machine that -
 - (i) is located on a cruise ship visiting the Namibia;

[The word “the” before “Namibia” is superfluous.]
 - (ii) has been seized in Namibia as a result of alleged criminal activity, and is in the possession of the Namibian Police;
 - (iii) is in transit in bond, as contemplated in the Customs and Excise Act, 1998 (Act No. of 1998), through Namibia for the sole purpose of delivery to another country;

[The Act number is omitted in the *Government Gazette*.
The Act referred to is the Customs and Excise Act 20 of 1998.]
 - (iv) has been submitted to a licensed testing agent solely for testing;
 - (v) has been manufactured within the Namibia solely for export and is possessed in compliance with the relevant law of Namibia;

[The word “the” before the first appearance of the word “Namibia” is superfluous.]
 - (vi) is located within Namibia solely for temporary exhibition on the prior written authorisation of the Board; or
 - (vii) is in the possession of the Board; and
- (b) any other gambling machine, except a machine of a category listed in subregulation (2).

[The meaning of paragraph (b) is unclear. It is possible that the cross-reference to “subregulation (2)” may have been intended to refer to “subregulation (1)”]; compare the structure of the similar provisions in regulation 8 of the South African National Gambling Regulations issued under the

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

**South African National Gambling Act 7 of 2004 (SA Government Notice R.1342/2004
in South African Government Gazette 26994).]**

Standards for gambling machines

55. If the standard applicable to a gambling machine is amended or substituted, any type, variation or model of gambling machine certified as complying to the former standard may be exposed for play for a maximum of three years after such substitution or amendment and, if it is to continue to be exposed for play after such period, it must be certified against the amended or substituted standard.

Standards for central monitoring system

56. (1) The central electronic monitoring system referred to in section 90 of the Act must be capable of analysing and reporting data in accordance with the requirements of the standards determined in respect of such system in terms of the Standards Act, 2005 (Act No. 18 of 2005).

(2) A licensed operator of gambling or slot machines must be afforded on-going access to all information on the central electronic system which relate to the operations of that licensee.

[The verb “relate” should be “relates” to be grammatically correct (“information... which relates”).]

PART 11

MISCELLANEOUS

Lodging appeal to Minister

57. A person aggrieved by a decision made or a refusal or failure to make a decision by the Board, referred to in section 101(1) of the Act may appeal to the Minister and such appeal must -

- (a) be in writing;
- (b) identify the decision being appealed against, give particulars of the decision and state the grounds of appeal; and
- (a) be lodged within 60 days after the appellant has been notified of the board’s decision.

[The third paragraph is erroneously lettered as (a) in the *Government Gazette*, as reproduced above. The word “Board’s” in the last subparagraph should be capitalised.]

Lodging appeal to High Court

58. An appeal to the High Court contemplated in section 102 of the Act must be lodged in the same manner that an appeal from a magistrates’ court in a civil matter is lodged with the High Court.

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

ANNEXURE 1

FEES, ANNUALY LEVY AND PENALTIES FOR LATE PAYMENTS

[The word “ANNUAL” is misspelt in the heading in the *Government Gazette*, as reproduced above. The heading of Annexure 1 in the ARRANGEMENT OF REGULATIONS is “Fees, levies and penalties for late payments”.]

PART 1

APPLICATION FEES

Fees Payable	N\$
Application for casino licence	80 000
Application for gambling house licence	50 000
Application for bar gambling licence	25 000
Application for shebeen gambling licence	10 000
Application for bookmaker licence	10 000
Application for totalizator licence	10 000
Application for manufacturer or supplier licence	100 000
Application for testing agent licence	50 000
Application for key employee licence	100
Application for removal of casino licence	15 000
Application for removal of gambling house licence	2 500
Application for removal of bar gambling licence	1 500
Application for removal of shebeen gambling licence	700
Application for removal of totalizator licence	5 000
Application for removal of bookmaker licence	5 000
Application for renewal of casino licence	80 000
Application for renewal gambling house licence	10 000
Application for renewal of bar gambling licence	25 000
Application for renewal of shebeen gambling licence	10 000
Application for renewal of totalizator licence	10 000
Application for renewal of bookmaker licence	10 000
Application for increase of number of gambling games	10 000
Application for Minister’s authority for casino licence	50 000
Application for Minister’s authority for gambling house licence	10 000
Application for Minister’s authority for bar gambling licence	3 500
Application for Minister’s authority for shebeen gambling licence	2 500
Application for transfer of ownership lease or transfer of gambling machine	20 000

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

PART 2

ANNUAL LICENCE FEES

Nature of licence	Fees
Casino licence	100 000
Gambling House licence	50 000
Bar gambling licence	30 000
Shebeen gambling licence	7 000
Bookmaker licence	20 000
Totalizator licence	20 000
Manufacturer /supplier licence	200 000
Testing agent licence	50 000
Key employee licence	500
Provisional key employee licence	50
Annual fee for each gambling machine	1 000

PART 3

OTHER FEES

Issue of license fees	5 000
Removal fee	5 000
Transfer fee	5 000
Renewal fee	5 000
Minister's authority	5 000

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

ANNEXURE 2

To view content without printing, scroll down.

To print at full scale (A4), double-click the icon below.



Forms 1-28

**[The Forms are reproduced as they appear in the *Government Gazette*.
Misspellings and other errors in the Forms are not annotated.]**

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

ANNEXURE 2

FORM 1

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

APPLICATION FOR CASINO LICENCE
(Section 45(1), Regulation 3(1))

The Chief Executive Officer
Gambling Board
Private Bag 13306
WINDHOEK

I hereby apply in terms of section 45 of the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018), for the grant of a casino licence.

SIGNATURE OF APPLICANT OR PERSON
AUTHORISED TO SIGN APPLICATION

PLACE

DATE

PATICULARS OF APPLICANT

1. (a) Full name of applicant
.....
.....
- (b) Date of birth if applicant is a natural person
.....
.....
- (c) Nationality if applicant is a natural person or in the case of a company or close corporation, its registration number
.....
.....
- (d) Postal address
.....
.....
- (e) Residential address or address of registered office
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

- (f) Business address
.....
.....
- (g) Telephone number
.....
.....
- (h) Facsimile number
.....
.....
- (i) E-mail address
.....
.....

2. If applicant is a company, close corporation or partnership or any other form of body corporate or association of persons, state the name, date of birth, nationality and address of each shareholder, member or partner and of the nature and extent of his or her financial interest in the applicant (If the applicant, or a company who has a financial interest in the applicant, is a public company it is sufficient if only the name, date of birth, nationality and address of each director are furnished)

.....
.....
(Use an annexure if necessary)

3. (a) is the applicant a person who -
- (i) is a minor?
.....
.....
 - (ii) is listed on the register of restricted persons?
.....
.....
 - (iii) has at any time during the period of 10 years preceding this application, in Namibia or elsewhere, served a sentence of imprisonment for a period longer than 12 months for any offence without having been given the option of a fine in respect of such offence?
.....
.....
 - (iv) has at any time been convicted of an offence under the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018) and within 5 years after that conviction again been convicted for an offence under that Act?
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

(v) has ever been removed from an office of trust on account of misconduct relating to fraud or the misappropriation of money?

.....
.....

(vi) is not a fit and proper person to be involved in the business of gambling?

.....
.....

(vii) is an unrehabilitated insolvent?

.....

(viii) pursuant to a any law relating to mental health has been declared to be mentally ill?

.....
.....

(ix) is a body corporate or an association of persons of which any director, member or partner is disqualified in terms of paragraphs (i) to (viii)?

.....
.....

[Answer yes or no]

(b) If the applicant is a company, close corporation or partnership, state whether any person contemplated in paragraph (a) -

(i) has a controlling interest in such company or close corporation

.....
.....

(ii) is a partner in such partnership

.....
.....

[Answer yes or no]

(c) If any of the questions in paragraphs (a) of (b) have been replied to in the affirmative, provide full details

.....
.....

[Use an annexure if necessary]

PARTICULARS OF PREMISES

4. (a) Name of accommodation establishment in which casino will be conducted

.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

(b) Describe the situation of the premises where the accommodation establishment is conducted with reference to the erf/farm number, street name and number, local authority area and magisterial district

.....
.....

5. (a) Under what right will applicant occupy the premises referred to in paragraph 4(b)?

.....
.....

(b) If not as owner state the name and address of the owner and attach a certified copy of the agreement or other document disclosing the applicant's right to occupy the premises

.....
.....

[Note: if this not contained in the lease agreement the lessor's consent to conduct a casino on the premises must be submitted]

6. (a) Is application made in respect of premises which:

(i) have not yet been erected?

.....
.....

(ii) are already erected, but require additions or alterations to make them suitable for conducting the casino?

.....
.....

(iii) are already erected and in the applicant's opinion, do not require additional or alterations to make them suitable or conducting the casino?

.....
[Answer yes or no]

(b) If paragraph 6(a)(i) or (ii) applies state -

(i) the date on which such erection, additions or alternatives will be commenced with

.....
.....

(ii) the period which will be required for the completion

.....
.....

PARTICULARS OF CASINO

7. State which games will be conducted in the casino

.....
.....

[Use an annexure if necessary]

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

8. Number and description of gambling machines which will be kept in the casino

[use an annexure if necessary]
[Note: Section 85 of the Act requires that gambling machines be registered with the Board]
9. (a) Will any prize exceeding N\$70 000 in value be offered to be won through the playing of a gambling machine or any of two or more gambling machines linked for such purpose?

- (b) If the reply to paragraph (a) is "yes" give full details of the gambling machine that will be used for such purpose, the method through which such prize can be won and the maximum value of the prize that will be so offered

10. Intended date of commencement of casino business if application is granted

ANNEXURES

List all document of gambling house if application is granted

I declare/affirm that the information in this application and in the documents attached to it is true.

Date

.....
Signature of applicant or person
authorised to sign

I certify that this declaration has been signed and sworn to/affirmed before me at
 this day of by the applicant/person
 authorised to sign the application who acknowledged that-

- (a) he/she know and understand the contents of this declaration;
- (b) he/she has no objection to taking the prescribed oath/affirmation; and
- (c) he/she considers the prescribed oath to be binding on his /her conscience, and that he/she uttered the following words:

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

“I swear that the contents of this declaration are true, so help me God.”/ “I affirm that the contents of this declaration are true.”

.....
Commissioner of Oaths

Full name

Business address

Area for which appointment is held.....

Office held if appointment is *ex officio*

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 2

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

LICENCE TO CONDUCT CASINO
(Section 53)(Regulation 3(3))

A licence is hereby issued in terms of section 53 of the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018) to

.....

to conduct a casino under the name of

.....

on the premises of the accommodation establishment known as

.....

.....

situate at.....

.....

.....in the district of

.....

The number of gambling machines which may be kept in the casino is

.....

The licence is subject to the terms and conditions prescribed by the Gaming and Entertainment Control Act, 2018 and the regulations made thereunder.

CHIEF EXECUTIVE OFFICER

PLACE

DATE

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 3

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

APPLICATION FOR GAMBLING HOUSE LICENCE
(Section 45(1))(Regulation 4(1))

The Chief Executive Officer
Gambling Board
Private Bag 13306
WINDHOEK

I hereby apply in terms of section 45 of the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018), for the grant of a gambling house licence.

SIGNATURE OF APPLICANT OR PERSON
AUTHORISED TO SIGN APPLICATION

PLACE

DATE

PATICULARS OF APPLICANT

1. (a) Full name of applicant
.....
.....
- (b) Date of birth if applicant is a natural person
.....
.....
- (c) Nationality of applicant if a natural person or in the case of a company or close corporation, its registration number
.....
.....
- (d) Postal address
.....
.....
- (e) Residential address or address of registered office
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

- (f) Business address
.....
.....
- (g) Telephone number
.....
.....
- (h) Facsimile number
.....
.....
- (i) E-mail address
.....
.....

2. If applicant is a company, close corporation or partnership or any other form of body corporate or association of persons, state the name, date of birth, nationality and address of each shareholder, member or partner and of the nature and extent of his or her financial interest in the applicant (If the applicant, or a company who has a financial interest in the applicant, is a public company it is sufficient if only the name, date of birth, nationality and address of each director are furnished)

.....
.....
.....

(Use an annexure if necessary)

3. (a) is the applicant a person who -
- (i) is a minor?
.....
.....
 - (ii) is listed on the register of restricted persons?
.....
.....
 - (iii) has at any time during the period of 10 years preceding this application, in Namibia or elsewhere, served a sentence of imprisonment for a period longer than 12 months for any offence without having been given the option of a fine in respect of such offence?
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

(iv) has at any time been convicted of an offence under the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018) and within 5 years after that conviction again been convicted for an offence under that Act?
.....
.....

(v) has ever been removed from an office of trust on account of misconduct relating to fraud or the misappropriation of money?
.....
.....

(vi) is not a fit and proper person to be involved in the business of gambling?
.....
.....

(vii) is an unrehabilitated insolvent?
.....
.....

(viii) pursuant to a any law relating to mental health has been declared to be mentally ill?
.....
.....

(ix) is a body corporate or an association of persons of which any director, member or partner is disqualified in terms of paragraphs (i) to (viii)?
.....
.....

[Answer yes or no]

(b) If the applicant is a company, close corporation or partnership, state whether any person contemplated in paragraph (a)-

(i) has a controlling interest in such company or close corporation
.....
.....

(ii) is a partner in such partnership
.....
.....

[Answer yes or no]

(c) If any of the questions in paragraphs (a) of (b) have been replied to in the affirmative, provide full details
.....
.....
.....

[Use an annexure if necessary]

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

PARTICULARS OF PREMISES

4. (a) Name of accommodation establishment/retail liquor business in which gambling house will be conducted
.....
.....
- (b) In the case of a retail liquor business, state the type of liquor licence held in respect of the business
.....
.....
- (c) Describe the situation of the premises where the accommodation establishment or retail liquor business is conducted with reference to the erf/farm number, street name and number, local authority area and magisterial district
.....
.....
5. (a) Under what right will applicant occupy the premises referred to in paragraph 4(c)?
.....
.....
- (b) If not as owner state the name and address of the owner and attach a certified copy of the agreement or other document disclosing the applicant's right to occupy the premises
.....
.....
- [Note: if this not contained in the lease agreement the lessor's consent to conduct a gambling house on the premises must be submitted]*
6. (a) Is application made in respect of premises which:
- (i) have not yet been erected?
.....
 - (ii) are already erected, but require additions or alterations to make them suitable for conducting the casino?
.....
 - (iii) are already erected and in the applicant's opinion, do not require additional or alterations to make them suitable or conducting the casino?
.....
- [Answer yes or no]*
- (b) If paragraph 6(a)(i) or (ii) applies state -
- (i) the date on which such erection, additions or alternatives will be commenced with
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

(ii) the period which will be required for the completion

.....

PARTICULARS OF GAMBLING HOUSE

7. Number and description of gambling machines which will be kept in the gambling house

.....

[use an annexure if necessary]

[Note: Section 85 of the Act requires that gambling machines be registered with the Board]

8. (a) Will any prize exceeding N\$70 000 in value be offered to be won through the playing of a gambling machine or any of two or more gambling machines linked for such purpose?

.....

(b) If the reply to paragraph (a) is "yes" give full details of the gambling machine that will be used for such purpose, the method through which such prize can be won and the maximum value of the prize that will be so offered

.....

9. Intended date of commencement of gambling house business if application is granted

.....

.....

.....

ANNEXURES

List all document of gambling house if application is granted

.....

.....

.....

.....

I declare/affirm that the information in this application and in the documents attached to it is true.

Date

.....
Signature of applicant or person
authorised to sign

I certify that this declaration has been signed and sworn to/affirmed before me at

.....

this.....day of by the applicant/person

authorised to sign the application who acknowledged that -

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

- (a) he/she know and understand the contents of this declaration;
- (b) he/she has no objection to taking the prescribed oath/affirmation; and
- (c) he/she considers the prescribed oath to be binding on his /her conscience, and that he/she uttered the following words:

“I swear that the contents of this declaration are true, so help me God.”/ “I affirm that the contents of this declaration are true.”

.....

Commissioner of Oaths

Full name

Business address

Area for which appointment is held

Office held if appointment is *ex officio*

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 4

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

LICENCE TO CONDUCT GAMBLING HOUSE
(Section 53, Regulation 4(3))

A licence is hereby issued in terms of section 53 of the Gaming and Entertainment Control Act, 2018 (Act No.13 of 2018) to

.....
.....
.....

to conduct a gambling house under the name of

.....
.....

on the premises of the accommodation establishment/retail liquor business known as

.....
.....
.....

situate at.....
..... in the district of
.....

The number of gambling machines which may be kept in the gambling house is

.....

The licence is subject to the terms and conditions prescribed by the Gaming and Entertainment Control Act, 2018 and the regulations made thereunder.

CHIEF EXECUTIVE OFFICER

PLACE

DATE

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 5

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

APPLICATION FOR BOOKMAKER LICENCE
(Section 45(1), Regulation 5(1))

The Chief Executive Officer
Gambling Board
Private Bag 13306
WHIDHOEK

I hereby apply in terms of section 45 of the Gaming Act and Entertainment Control, 2018 (Act No. 13 of 2018), for the grant of a bookmaker licence.

SIGNATURE OF APPLICANT OR PERSON
AUTHORISED TO SIGN APPLICATION

PLACE

DATE

PATICULARS OF APPLICANT

1. (a) Full name of applicant
.....
.....
- (b) Date of birth if applicant is a natural person
.....
.....
- (c) Nationality of applicant if a natural person or in the case of a company or close corporation, its registration number
.....
.....
- (d) Postal address
.....
.....
- (e) Residential address or address of registered office
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

- (f) Business address
.....
.....
- (g) Telephone number
.....
.....
- (h) Facsimile number
.....
.....
- (i) Email address
.....
.....

2. If applicant is a company, close corporation or partnership or any other form of body corporate or association of persons, state the name, date of birth, nationality and address of each shareholder, member or partner and of the nature and extent of his or her financial interest in the applicant (If the applicant, or a company who has a financial interest in the applicant, is a public company it is sufficient if only the name, date of birth, nationality and address of each director are furnished)
.....
.....
(Use an annexure if necessary)

3. (a) is the applicant a person who -
- (i) is a minor?
.....
.....
 - (ii) is listed on the register of restricted persons?
.....
.....
 - (iii) has at any time during the period of 10 years preceding this application, in Namibia or elsewhere, served a sentence of imprisonment for a period longer than 12 months for any offence without having been given the option of a fine in respect of such offence?
.....
.....
 - (iv) has at any time been convicted of an offence under the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018) and within 5 years after that conviction again been convicted for an offence under that Act?
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

(v) has ever been removed from an office of trust on account of misconduct relating to fraud or the misappropriation of money?

.....
.....

(vi) is not a fit and proper person to be involved in the business of gambling?

.....
.....

(vii) is an unrehabilitated insolvent?

.....
.....

(viii) pursuant to a any law relating to mental health has been declared to be mentally ill?

.....
.....

(ix) is a body corporate or an association of persons of which any director, member or partner is disqualified in terms of paragraphs (i) to (viii)?

.....
.....

[Answer yes or no]

(b) If the applicant is a company, close corporation or partnership, state whether any person contemplated in paragraph (a) -

(i) has a controlling interest in such company or close corporation

.....
.....

(ii) is a partner in such partnership

.....
.....

[Answer yes or no]

(c) If any of the questions in paragraphs (a) of (b) have been replied to in the affirmative, provide full details

.....
.....

[Use an annexure if necessary]

PARTICULARS OF PREMISES

4. (a) Name of place where the bookmaking business will be conducted

.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

(b) Describe the situation of the premises where the bookmaking business is conducted with reference to the erf/farm number, street name and number, local authority area and magisterial district

.....
.....

5. (a) Under what right will applicant occupy the premises referred to in paragraph 4(b)?

.....

(b) If not as owner state the name and address of the owner and attach a certified copy of the agreement or other document disclosing the applicant's right to occupy the premises

.....

[Note: if this not contained in the lease agreement the lessor's consent to conduct a bookmaking business on the premises must be submitted]

6. (a) Is application made in respect of premises which:

(i) have not yet been erected?

.....

(ii) are already erected, but require additions or alterations to make them suitable for conducting the casino?

.....

(iii) are already erected and in the applicant's opinion, do not require additional or alterations to make them suitable or conducting the casino?

.....

[Answer yes or no]

(b) If paragraph 6(a)(i) or (ii) applies state -

(i) the date on which such erection, additions or alternatives will be commenced with

.....

(ii) the period which will be required for the completion

.....

PARTICULARS OF BOOKMAKING BUSINESS

7. State the events on which bets or wagers will be accepted, received or negotiated

.....

[Use an annexure if necessary]

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

8. Number and description of gambling machines which will be kept in the bookmaking business

.....
.....

[use an annexure if necessary]

[Note: Section 85 of the Act requires that gambling machines be registered with the Board]

9. (a) Will any prize exceeding N\$70 000 in value be offered to be won through the playing of a gambling machine or any of two or more gambling machines linked for such purpose?

.....

(b) If the reply to paragraph (a) is "yes" give full details of the gambling machine that will be used for such purpose, the method through which such prize can be won and the maximum value of the prize that will be so offered

.....
.....

10. Intended date of commencement of bookmaking business if application is granted

.....

ANNEXURES

List all document of gambling house if application is granted

.....
.....

I declare/affirm that the information in this application and in the documents attached to it is true.

Date

.....
Signature of applicant or person
authorised to sign

I certify that this declaration has been signed and sworn to/affirmed before me at

.....
..... this day of..... by the

applicant/person authorised to sign the application who acknowledged that -

- (a) he/she know and understand the contents of this declaration;
- (b) he/she has no objection to taking the prescribed oath/affirmation; and
- (c) he/she considers the prescribed oath to be binding on his /her conscience, and that he/she uttered the following words:

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

“I swear that the contents of this declaration are true, so help me God.”/ “I affirm that the contents of this declaration are true.”

.....
Commissioner of Oaths

Full name

Business address.....

Area for which appointment is held.....

Office held if appointment is *ex officio*.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 6

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

LICENCE TO CONDUCT A BOOKMAKER BUSINESS
(Section 53, Regulation 5(3))

A licence is hereby granted in terms of section 53 of the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018) to

.....
.....
.....

to conduct a bookmaker business under the name of

.....

on the premises of the bookmaking business known as

.....

.....situate at

.....

.....in the district of.....

.....

The licence is subject to the terms and conditions prescribed by the Gaming and Entertainment Control Act, 2018 (Act No.13 of 2018) and the regulations made thereunder.

CHIEF EXECUTIVE OFFICER

PLACE

DATE

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 7

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

APPLICATION FOR TOTALIZATOR LICENCE
(Section 45(1), Regulation 6(1))

The Chief Executive Officer
Gambling Board
Private Bag 13306
WINDHOEK

I hereby apply in terms of section 45 of the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018), for the grant of a totalizator licence.

SIGNATURE OF APPLICANT OR PERSON
AUTHORISED TO SIGN APPLICATION

PLACE

DATE

PATICULARS OF APPLICANT

1. (a) Full name of applicant
.....
.....
.....
- (b) Date of birth if applicant is a natural person
.....
.....
- (c) Nationality of applicant if a natural person or in the case of a company or close corporation, its registration number
.....
.....
- (d) Postal address
.....
.....
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

(e) Residential address or address of registered office
.....
.....
.....
.....

(f) Business address
.....
.....

(g) Telephone number
.....
.....

(h) Facsimile number
.....
.....

(i) E-mail address
.....
.....

2. If applicant is a company, close corporation or partnership or any other form of body corporate or association of persons, state the name, date of birth, nationality and address of each shareholder, member or partner and of the nature and extent of his or her financial interest in the applicant (If the applicant, or a company who has a financial interest in the applicant, is a public company it is sufficient if only the name, date of birth, nationality and address of each director are furnished)

.....
.....
.....
(Use an annexure if necessary)

3. (a) is the applicant a person who -
(i) is a minor?
.....
.....
(ii) is listed on the register of restricted persons?
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

(iii) has at any time during the period of 10 years preceding this application, in Namibia or elsewhere, served a sentence of imprisonment for a period longer than 12 months for any offence without having been given the option of a fine in respect of such offence?

.....
.....

(iv) has at any time been convicted of an offence under the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018) and within 5 years after that conviction again been convicted for an offence under that Act?

.....
.....

(v) has ever been removed from an office of trust on account of misconduct relating to fraud or the misappropriation of money?

.....
.....

(vi) is not a fit and proper person to be involved in the business of gambling?

.....
.....

(vii) is an unrehabilitated insolvent?

.....
.....

(viii) pursuant to a any law relating to mental health has been declared to be mentally ill?

.....
.....

(ix) is a body corporate or an association of persons of which any director, member or partner is disqualified in terms of paragraphs (i) to (viii)?

.....
.....

[Answer yes or no]

(b) If the applicant is a company, close corporation or partnership, state whether any person contemplated in paragraph (a) -

(i) has a controlling interest in such company or close corporation

.....
.....

(ii) is a partner in such partnership

.....
.....

[Answer yes or no]

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

- (c) If any of the questions in paragraphs (a) of (b) have been replied to in the affirmative, provide full details

.....
.....
.....
.....

[Use an annexure if necessary]

PARTICULARS OF PREMISES

- 4. (a) Name of place where the totalizator business will be conducted
.....
.....
- (b) Describe the situation of the premises where the totalizator business is conducted with reference to the erf/farm number, street name and number, local authority area and magisterial district
.....
.....

- 5. (a) Under what right will applicant occupy the premises referred to in paragraph 4(b)?
.....
- (b) If not as owner state the name and address of the owner and attach a certified copy of the agreement or other document disclosing the applicant's right to occupy the premises
.....
.....

[Note: if this not contained in the lease agreement the lessor's consent to conduct a totalizator business on the premises must be submitted]

- 6. (a) Is application made in respect of premises which:
 - (i) have not yet been erected?
.....
 - (ii) are already erected, but require additions or alterations to make them suitable for conducting the casino?
.....
 - (iii) are already erected and in the applicant's opinion, do not require additional or alterations to make them suitable or conducting the totalizator business?
.....

[Answer yes or no]

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

- (b) If paragraph 6(a)(i) or (ii) applies state -
 - (i) the date on which such erection, additions or alternatives will be commenced with
.....
 - (ii) the period which will be required for the completion
.....

PARTICULARS OF TOTALIZATOR BUSINESS

- 7. State the events on which bets or wagers will be registered or accepted on the totalizator
.....
.....
[Use an annexure if necessary]
- 8. Number and description of the totalizator which will be operated in the course of the business
.....
.....
[use an annexure if necessary]
[Note: Section 85 of the Act requires that gambling machines be registered with the Board]
- 9. (a) Will any prize exceeding N\$70 000 in value be offered to be won through the playing of a gambling machine or any of two or more gambling machines linked for such purpose?
.....
- (b) If the reply to paragraph (a) is “yes” give full details of the totalizator that will be used for such purpose, the method through which such prize can be won and the maximum value of the prize that will be so offered
.....
.....
- 10. Intended date of commencement of totalizator business if application is granted
.....
.....

ANNEXURES

List all document of gambling house if application is granted
.....
.....
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

I declare/affirm that the information in this application and in the documents attached to it is true.

Date

.....
Signature of applicant or person
authorised to sign

I certify that this declaration has been signed and sworn to/affirmed before me at

.....
..... this day of by the

applicant/person authorised to sign the application who acknowledged that -

- (a) he/she know and understand the contents of this declaration;
- (b) he/she has no objection to taking the prescribed oath/affirmation; and
- (c) he/she considers the prescribed oath to be binding on his /her conscience, and that he/she uttered the following words:

“I swear that the contents of this declaration are true, so help me God.”/ “I affirm that the contents of this declaration are true.”

.....

Commissioner of Oaths

Full name

Business address.....

Area for which appointment is held.....

Office held if appointment is *ex officio*.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 8

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

LICENCE TO CONDUCT TOTALIZATOR BUSINESS
(Section 53, Regulation 6(3))

A licence is hereby granted in terms of section 53 of the Gaming and Entertainment Control Act, 2018 (Act No.13 of 2018) to

.....
.....
.....

to conduct a totalizator business under the name of

.....
.....

upon the premises of the totalizator operator known as

.....
.....

situate at.....

.....
.....in the district of.....

The licence is subject to the terms and conditions prescribed by the Gaming and Entertainment Control Act, 2018 and the regulations made thereunder.

CHIEF EXECUTIVE OFFICER

PLACE

DATE

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 9

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

APPLICATION FOR BAR GAMBLING LICENCE
(Section 45(1), Regulation 7(1))

The Chief Executive Officer
Gambling Board
Private Bag 13306
WINDHOEK

I hereby apply in terms of section 45 of the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018), for the grant of a bar gambling licence.

SIGNATURE OF APPLICANT OR PERSON
AUTHORISED TO SIGN APPLICATION

PLACE

DATE

PATICULARS OF APPLICANT

1. (a) Full name of applicant
.....
.....
- (b) Date of birth if applicant is a natural person
.....
.....
- (c) Nationality of applicant if a natural person or in the case of a company or close corporation, its registration number
.....
.....
- (d) Postal address
.....
.....
- (e) Residential address or address of registered office
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

(f) Business address

.....
.....

(g) Telephone number

.....
.....

(h) Facsimile number

.....
.....

(i) E-mail address

.....
.....

2. If applicant is a company, close corporation or partnership or any other form of body corporate or association of persons, state the name, date of birth, nationality and address of each shareholder, member or partner and of the nature and extent of his or her financial interest in the applicant (If the applicant, or a company who has a financial interest in the application, is a public company it is sufficient if only the name, date of birth, nationality and address of each director are furnished)

.....
.....
.....

(Use an annexure if necessary)

3. (a) is the applicant a person who -

(i) is a minor?

.....
.....

(ii) is listed on the register of restricted persons?

.....
.....

(iii) has at any time during the period of 10 years preceding this application, in Namibia or elsewhere, served a sentence of imprisonment for a period longer than 12 months for any offence without having been given the option of a fine in respect of such offence?

.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

(iv) has at any time been convicted of an offence under the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018) and within 5 years after that conviction again been convicted for an offence under that Act?

.....
.....

(v) has ever been removed from an office of trust on account of misconduct relating to fraud or the misappropriation of money?

.....
.....

(vi) is not a fit and proper person to be involved in the business of gambling?

.....
.....

(vii) is an unrehabilitated insolvent?

.....
.....

(viii) pursuant to a any law relating to mental health has been declared to be mentally ill?

.....
.....

(ix) is a body corporate or an association of persons of which any director, member or partner is disqualified in terms of paragraphs (i) to (viii)?

.....
.....

[Answer yes or no]

(b) If the applicant is a company, close corporation or partnership, state whether any person contemplated in paragraph (a) -

(i) has a controlling interest in such company or close corporation

.....
.....

(ii) is a partner in such partnership

.....
.....

[Answer yes or no]

(c) If any of the questions in paragraphs (a) of (b) have been replied to in the affirmative, provide full details

.....
.....
.....
.....

[Use an annexure if necessary]

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

PARTICULARS OF PREMISES

4. (a) Name of retail liquor business in which gambling will be conducted
.....
.....
- (b) State the type of liquor licence held in respect of the business
.....
.....
.....
- (c) Describe the situation of the premises where the retail liquor business is conducted with reference to the erf/farm number, street name and number, local authority area and magisterial district
.....
.....
5. (a) Under what right will applicant occupy the premises referred to in paragraph 4(c)?
.....
.....
- (b) If not as owner state the name and address of the owner and attach a certified copy of the agreement or other document disclosing the applicant's right to occupy the premises
.....
.....
[Note: if this not contained in the lease agreement the lessor's consent to conduct the gambling on the premises must be submitted]
6. (a) Is application made in respect of premises which:
- (i) have not yet been erected?
.....
- (ii) are already erected, but require additions or alterations to make them suitable for conducting the bar gambling business?
.....
- (iii) are already erected and in the applicant's opinion, do not require additional or alterations to make them suitable or conducting the bar gambling business?
.....
[Answer yes or no]

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

- (b) If paragraph 6(a)(i) or (ii) applies state-
 - (i) the date on which such erection, additions or alternatives will be commenced with
.....
 - (ii) the period which will be required for the completion
.....

PARTICULARS OF BAR

- 7. Number and description of gambling machines which will be kept in the bar
.....
.....
[use an annexure if necessary]
[Note: Section 85 of the Act requires that gambling machines be registered with the Board]
- 8. (a) Will any prize exceeding N\$70 000 in value be offered to be won through the playing of a gambling machine or any of two or more gambling machines linked for such purpose?
.....
- (b) If the reply to paragraph (a) is "yes" give full details of the gambling machine that will be used for such purpose, the method through which such prize can be won and the maximum value of the prize that will be so offered
.....
.....
.....
- 9. Intended date of commencement of bar gambling business if application is granted
.....
.....
.....

ANNEXURES

List all document of bar gambling if application is granted
.....
.....
.....
.....

I declare/affirm that the information in this application and in the documents attached to it is true.

Date

Signature of applicant or person
authorised to sign

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

I certify that this declaration has been signed and sworn to/affirmed before me at
thisday of by the applicant/person
authorised to sign the application who acknowledged that -

- (a) he/she know and understand the contents of this declaration;
- (b) he/she has no objection to taking the prescribed oath/affirmation; and
- (c) he/she considers the prescribed oath to be binding on his /her conscience, and that he/she uttered the following words:

“I swear that the contents of this declaration are true, so help me God.”/ “I affirm that the contents of this declaration are true.”

.....
Commissioner of Oaths
Full name
Business address
Area for which appointment is held
Office held if appointment is *ex officio*

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 10

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018
LICENCE TO CONDUCT BAR GAMBLING BUSINESS
(Section 53, Regulation 7(3))

A licence is hereby granted in terms of section 53 of the Gaming and Entertainment Control Act, 2018 (Act No.13 of 2018) to

.....
.....

to conduct a bar gambling business under the name of

.....
.....

upon the premises of the bar gambling business known as

.....
.....

situate at.....

.....
.....in the district of

The licence is subject to the terms and conditions prescribed by the Gaming and Entertainment Control Act, 2018 and the regulations made thereunder.

CHIEF EXECUTIVE OFFICER

PLACE

DATE

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 11

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018
APPLICATION FOR SHEBEEN GAMBLING LICENCE
(Section 45(1), Regulation 8(1))

The Chief Executive Officer
Gambling Board
Private Bag 13306
WINDHOEK

I hereby apply in terms of section 45 of the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018), for the grant of a shebeen gambling licence.

SIGNATURE OF APPLICANT OR PERSON
AUTHORISED TO SIGN APPLICATION

PLACE

DATE

PATICULARS OF APPLICANT

1. (a) Full name of applicant
.....
.....
- (b) Date of birth if applicant is a natural person
.....
.....
- (c) Nationality of applicant if a natural person or in the case of a company or close corporation, its registration number
.....
.....
- (d) Postal address
.....
.....
- (e) Residential address or address of registered office
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

- (f) Business address
.....
.....
- (g) Telephone number
.....
.....
- (h) Facsimile number
.....
.....
- (i) E-mail address
.....
.....

2. If applicant is a company, close corporation or partnership or any other form of body corporate or association of persons, state the name, date of birth, nationality and address of each shareholder, member or partner and of the nature and extent of his or her financial interest in the applicant (If the applicant, or a company who has a financial interest in the applicant, is a public company it is sufficient if only the name, date of birth, nationality and address of each director are furnished)

.....
.....
.....
.....

(Use an annexure if necessary)

3. (a) is the applicant a person who -
- (i) is a minor?
.....
.....
 - (ii) is listed on the register of restricted persons?
.....
.....
 - (iii) has at any time during the period of 10 years preceding this application, in Namibia or elsewhere, served a sentence of imprisonment for a period longer than 12 months for any offence without having been given the option of a fine in respect of such offence?
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

(iv) has at any time been convicted of an offence under the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018) and within 5 years after that conviction again been convicted for an offence under that Act?
.....
.....

(v) has ever been removed from an office of trust on account of misconduct relating to fraud or the misappropriation of money?
.....
.....

(vi) is not a fit and proper person to be involved in the business of gambling?
.....
.....

(vii) is an unrehabilitated insolvent?
.....
.....

(viii) pursuant to a any law relating to mental health has been declared to be mentally ill?
.....
.....

(ix) is a body corporate or an association of persons of which any director, member or partner is disqualified in terms of paragraphs (i) to (viii)?
.....
.....

[Answer yes or no]

(b) If the applicant is a company, close corporation or partnership, state whether any person contemplated in paragraph (a) -

(i) has a controlling interest in such company or close corporation
.....
.....

(ii) is a partner in such partnership
.....
.....

[Answer yes or no]

(c) If any of the questions in paragraphs (a) of (b) have been replied to in the affirmative, provide full details
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

.....
.....
[Use an annexure if necessary]

PARTICULARS OF PREMISES

4. (a) Name of retail liquor business in which gambling will be conducted
.....
.....
- (b) State the type of liquor licence held in respect of the business
.....
.....
.....
- (c) Describe the situation of the premises where the retail liquor business is conducted with reference to the erf/farm number, street name and number, local authority area and magisterial district
.....
.....
.....
5. (a) Under what right will applicant occupy the premises referred to in paragraph 4(c)?
.....
- (b) If not as owner state the name and address of the owner and attach a certified copy of the agreement or other document disclosing the applicant's right to occupy the premises
.....
.....
- [Note: if this not contained in the lease agreement the lessor's consent to conduct the gambling business on the premises must be submitted]*
6. (a) Is application made in respect of premises which:
- (i) have not yet been erected?
.....
- (ii) are already erected, but require additions or alterations to make them suitable for conducting the shebeen gambling business?
.....
- (iii) are already erected and in the applicant's opinion, do not require additional or alterations to make them suitable or conducting the gambling?
.....
- [Answer yes or no]*

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

- (b) If paragraph 6(a)(i) or (ii) applies state-
 - (i) the date on which such erection, additions or alternatives will be commenced with
.....
 - (ii) the period which will be required for the completion
.....

PARTICULARS OF SHEBEEN

- 7. Number and description of gambling machines which will be kept in the shebeen
.....
.....
[use an annexure if necessary]
[Note: Section 85 of the Act requires that gambling machines be registered with the Board]
- 8. (a) Will any prize exceeding N\$70 000 in value be offered to be won through the playing of a gambling machine or any of two or more gambling machines linked for such purpose?
.....
.....
- (b) If the reply to paragraph (a) is "yes" give full details of the gambling machine that will be used for such purpose, the method through which such prize can be won and the maximum value of the prize that will be so offered
.....
.....
- 9. Intended date of commencement of gambling business if application is granted
.....
.....
.....

ANNEXURES

List all document of shebeen if application is granted
.....
.....
.....
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

I declare/affirm that the information in this application and in the documents attached to it is true.

Date

Signature of applicant or person
authorised to sign

I certify that this declaration has been signed and sworn to/affirmed before me at

..... this day of..... by the
applicant/person authorised to sign the application who acknowledged that -

- (a) he/she know and understand the contents of this declaration;
- (b) he/she has no objection to taking the prescribed oath/affirmation; and
- (c) he/she considers the prescribed oath to be binding on his /her conscience, and that he/she uttered the following words:

“I swear that the contents of this declaration are true, so help me God.”/ “I affirm that the contents of this declaration are true.”

.....
Commissioner of Oaths

Full name

Business address.....

Area for which appointment is held.....

Office held if appointment is *ex officio*.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 12

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

LICENCE TO CONDUCT SHEBEEN GAMBLING BUSINESS
(Section 53, Regulation 8(3))

A licence is hereby granted in terms of section 53 of the Gaming and Entertainment Control Act, 2018 (Act No.13 of 2018) to

.....
.....

to conduct a shebeen gambling business under the name of

.....
.....

upon the premises of the shebeen business known as

.....
.....

situate at.....

.....
.....

.....in the district of

.....

The licence is subject to the terms and conditions prescribed by the Gaming and Entertainment Control Act, 2018 and the regulations made thereunder.

CHIEF EXECUTIVE OFFICER

PLACE

DATE

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 13

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

APPLICATION FOR MANUFACTURER OR SUPPLIER LICENCE
(Section 45(1), Regulation 9(1))

The Chief Executive Officer
Gambling Board
Private Bag 13306
WINDHOEK

I hereby apply in terms of section 45 of the Gambling and Gaming Act, 2018 (Act No. 13 of 2018), for the grant of a manufacturer or supplier licence.

SIGNATURE OF APPLICANT OR PERSON
AUTHORISED TO SIGN APPLICATION

PLACE

DATE

PATICULARS OF APPLICANT

1. (a) Full name of applicant
.....
.....
- (b) Date of birth if applicant is a natural person
.....
.....
- (c) Nationality if applicant is a natural person or in the case of a company or close corporation, its registration number
.....
.....
- (d) Postal address
.....
.....
- (e) Residential address or address of registered office
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

- (f) Business address
.....
.....
- (g) Telephone number
.....
.....
- (h) Facsimile number
.....
.....
- (i) E-mail address
.....
.....

2. If applicant is a company, close corporation or partnership or any other form of body corporate or association of persons, state the name, date of birth, nationality and address of each shareholder, member or partner and of the nature and extent of his or her financial interest in the applicant (If the applicant, or a company who has a financial interest in the applicant, is a public company it is sufficient if only the name, date of birth, nationality and address of each director are furnished)

.....
.....
.....
(Use an annexure if necessary)

3. (a) is the applicant a person who -
- (i) is a minor?
.....
.....
 - (ii) is listed on the register of restricted persons?
.....
.....
 - (iii) has at any time during the period of 10 years preceding this application, in Namibia or elsewhere, served a sentence of imprisonment for a period longer than 12 months for any offence without having been given the option of a fine in respect of such offence?
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

(iv) has at any time been convicted of an offence under the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018) and within 5 years after that conviction again been convicted for an offence under that Act?

.....
.....

(v) has ever been removed from an office of trust on account of misconduct relating to fraud or the misappropriation of money?

.....
.....

(vi) is not a fit and proper person to be involved in the business of gambling?

.....
.....

(vii) is an unrehabilitated insolvent?

.....
.....

(viii) pursuant to a any law relating to mental health has been declared to be mentally ill?

.....
.....

(ix) is a body corporate or an association of persons of which any director, member or partner is disqualified in terms of paragraphs (i) to (viii)?

.....
.....

[Answer yes or no]

(b) If the applicant is a company, close corporation or partnership, state whether any person contemplated in paragraph (a) -

(i) has a controlling interest in such company or close corporation

.....
.....

(ii) is a partner in such partnership

.....
.....

[Answer yes or no]

(c) If any of the questions in paragraphs (a) of (b) have been replied to in the affirmative, provide full details

.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

.....
.....
[Use an annexure if necessary]

PARTICULARS OF PREMISES

4. (a) Name of place where the manufacturer or supplier will conduct business
.....
.....
- (b) Describe the situation of the premises where the manufacturing or supply business is conducted with reference to the erf/farm number, street name and number, local authority area and magisterial district
.....
.....

5. (a) Under what right will applicant occupy the premises referred to in paragraph 4(b)?
.....
- (b) If not as owner state the name and address of the owner and attach a certified copy of the agreement or other document disclosing the applicant's right to occupy the premises
.....
.....

[Note: if this not contained in the lease agreement the lessor's consent to conduct a manufacturing or supply of gambling machines business on the premises must be submitted]

6. (a) Is application made in respect of premises which:
- (i) have not yet been erected?
.....
- (ii) are already erected, but require additions or alterations to make them suitable for conducting the manufacturing or supply business?
.....
- (iii) are already erected and in the applicant's opinion, do not require additional or alterations to make them suitable or conducting the manufacturing or supply?
.....

[Answer yes or no]

- (b) If paragraph 6(a)(i) or (ii) applies state -
- (i) the date on which such erection, additions or alternatives will be commenced with
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

(ii) the period which will be required for the completion

.....

PARTICULARS OF MANUFACTURER OR SUPPLIER BUSINESS

7. State the types of gambling machines which will be manufactured, imported, sold, leased, distributed, maintained or repaired

.....

[Use an annexure if necessary]

[Note: Section 85 of the Act requires that gambling machines be registered with the Board]

8. Intended date of commencement of the manufacture or supplier business if application is granted

.....

.....

ANNEXURES

List all document of manufacturing or supply if application is granted

.....

.....

I declare/affirm that the information in this application and in the documents attached to it is true.

Date

.....
Signature of applicant or person
authorised to sign

I certify that this declaration has been signed and sworn to/affirmed before me at

.....

..... this day

..... of by
the applicant/person authorised to sign the application who acknowledged that -

- (a) he/she know and understand the contents of this declaration;
- (b) he/she has no objection to taking the prescribed oath/affirmation; and
- (c) he/she considers the prescribed oath to be binding on his /her conscience, and that he/she uttered the following words:

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

“I swear that the contents of this declaration are true, so help me God.”/ “I affirm that the contents of this declaration are true.”

.....
Commissioner of Oaths

Full name

Business address.....

Area for which appointment is held.....

Office held if appointment is *ex officio*.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 14

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2011

LICENCE TO CONDUCT MANUFACTURER OR SUPPLIER BUSINESS
(Section 53, Regulation 9(3))

A licence is hereby granted in terms of section 53 of the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018) to

.....
.....

to conduct a manufacturer or supplier business under the name of

.....
.....

upon the premises of the manufacturer or supplier known as

.....
.....

situate at.....

.....
..... in the district of.....

The licence is subject to the terms and conditions prescribed by the Gaming and Entertainment Control Act, 2018 and the regulations made thereunder.

CHIEF EXECUTIVE OFFICER

PLACE

DATE

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 15

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

APPLICATION FOR TESTING AGENT LICENCE
(Section 45(1), Regulation 10(1))

The Chief Executive Officer
Gambling Board
Private Bag 13306
WINDHOEK

I hereby apply in terms of section 45 of the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018), for the grant of a testing agent licence.

SIGNATURE OF APPLICANT OR PERSON
AUTHORISED TO SIGN APPLICATION

PLACE

DATE

PATICULARS OF APPLICANT

1. (a) Full name of applicant
.....
.....
- (b) Date of birth if applicant is a natural person
.....
.....
- (c) Nationality if applicant is a natural person or in the case of a company or close corporation, its registration number
.....
.....
- (d) Postal address
.....
.....
- (e) Residential address or address of registered office
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

- (f) Business address
.....
.....
- (g) Telephone number
.....
.....
- (h) Facsimile number
.....
.....
- (i) E-mail address
.....
.....

2. If applicant is a company, close corporation or partnership or any other form of body corporate or association of persons, state the name, date of birth, nationality and address of each shareholder, member or partner and of the nature and extent of his or her financial interest in the applicant (If the applicant, or a company who has a financial interest in the applicant, is a public company it is sufficient if only the name, date of birth, nationality and address of each director are furnished)

.....
.....
(Use an annexure if necessary)

3. (a) is the applicant a person who -
- (i) is a minor?
.....
.....
 - (ii) is listed on the register of restricted persons?
.....
.....
 - (iii) has at any time during the period of 10 years preceding this application, in Namibia or elsewhere, served a sentence of imprisonment for a period longer than 12 months for any offence without having been given the option of a fine in respect of such offence?
.....
.....
 - (iv) has at any time been convicted of an offence under the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018) and within 5 years after that conviction again been convicted for an offence under that Act?
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

(v) has ever been removed from an office of trust on account of misconduct relating to fraud or the misappropriation of money?

.....
.....

(vi) is not a fit and proper person to be involved in the business of gambling?

.....
.....

(vii) is an unrehabilitated insolvent?

.....
.....

(viii) pursuant to a any law relating to mental health has been declared to be mentally ill?

.....
.....

(ix) is a body corporate or an association of persons of which any director, member or partner is disqualified in terms of paragraphs (i) to (viii)?

.....
.....

[Answer yes or no]

(b) If the applicant is a company, close corporation or partnership, state whether any person contemplated in paragraph (a) -

(i) has a controlling interest in such company or close corporation

.....
.....

(ii) is a partner in such partnership

.....
.....

[Answer yes or no]

(c) If any of the questions in paragraphs (a) or (b) have been replied to in the affirmative, provide full details

.....
.....
.....
.....
.....

[Use an annexure if necessary]

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

PARTICULARS OF PREMISES

4. (a) Name of place where the person will conduct the testing agency business
.....
.....
- (b) Describe the situation of the premises where the testing agency business is conducted with reference to the erf/farm number, street name and number, local authority area and magisterial district
.....
.....
5. (a) Under what right will applicant occupy the premises referred to in paragraph 4(b)?
.....
.....
- (b) If not as owner state the name and address of the owner and attach a certified copy of the agreement or other document disclosing the applicant's right to occupy the premises
.....
.....
.....
[Note: if this not contained in the lease agreement the lessor's consent to conduct a testing agency business on the premises must be submitted]
6. (a) Is application made in respect of premises which:
- (i) have not yet been erected?
.....
- (ii) are already erected, but require additions or alterations to make them suitable for conducting the testing agency business?
.....
- (iii) are already erected and in the applicant's opinion, do not require additional or alterations to make them suitable or conducting the testing agency business?
.....
[Answer yes or no]
- (b) If paragraph 6(a)(i) or (ii) applies state -
- (i) the date on which such erection, additions or alternatives will be commenced with
.....
- (ii) the period which will be required for the completion
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

PARTICULARS OF THE TESTING AGENCY BUSINESS

- 7. State the types of gambling machines which will be tested by the agency
.....
.....
- 8. Indicate particulars of accreditation with the Accreditation Board of Namibia
.....
.....
.....
- 9. Proof that applicant is able to test and calibrate gambling machines in accordance with the standards set by the Namibia Standards Institution
.....
.....
- 10. Intended date of commencement of the testing agency business if application is granted
.....
.....
.....

[Use an annexure if necessary]

ANNEXURES

List all document of gambling house if application is granted
.....
.....
.....

I declare/affirm that the information in this application and in the documents attached to it is true.

Date

.....
Signature of applicant or
person authorised to sign

I certify that this declaration has been signed and sworn to/affirmed before me at
.....
..... this day of
..... by the applicant/person authorised to sign the application

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

who acknowledged that -

- (a) he/she know and understand the contents of this declaration;
- (b) he/she has no objection to taking the prescribed oath/affirmation; and
- (c) he/she considers the prescribed oath to be binding on his /her conscience, and that he/she uttered the following words:

“I swear that the contents of this declaration are true, so help me God.”/ “I affirm that the contents of this declaration are true.”

.....
Commissioner of Oaths
Full name
Business address.....
Area for which appointment is held.....
Office held if appointment is *ex officio*.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 16

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

TESTING AGENT LICENCE
(Section 53, Regulation 10(3))

A licence is hereby granted in terms of section 53 of the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018) to

.....

to test and calibrate gambling machines under the name of

.....

on the premises of the business known as

.....

.....

situate at.....

.....

.....in the district of

.....

The licence is subject to the terms and conditions prescribed by the Gaming and Entertainment Control Act, 2018 and the regulations made thereunder.

CHIEF EXECUTIVE OFFICER

PLACE

DATE

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 17

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

APPLICATION FOR KEY EMPLOYEE LICENCE
(Section 45(1), Regulation 11(1))

I hereby apply in terms of section 45 of the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018), for the grant of a key employee licence to be employed in the gambling industry and to be engaged in the conducting of gambling activities.

CHIEF EXECUTIVE OFFICER

PLACE

DATE

PARTICULARS OF APPLICANT

1. Full name of applicant
.....
.....
2. Date of Birth
.....
.....
3. (a) Nationality
.....
(b) Identity number
.....
(c) If applicant is not a Namibia citizen state the number and date of issue of the permanent residence permit/work permit held by the applicant
.....
.....
4. Postal address
.....
.....
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

5. Residential address

.....
.....

6. Give details, if any, of previous training or experience of the applicant in conducting gambling operations

.....
.....
.....

[Use an annexure if necessary]

7. (a) is the applicant a person who -

(i) is a minor?

.....
.....

(ii) is a public servant or political office-bearer?

.....
.....

(iii) is listed on the register of restricted persons?

.....
.....

(iv) has at any time during the period of 10 years preceding this application, in Namibia or elsewhere, served a sentence of imprisonment for a period longer than 12 months for any offence without having been given the option of a fine in respect of such offence?

.....
.....

(v) has at any time been convicted of an offence under the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018) and within 5 years after that conviction again been convicted for an offence under that Act?

.....
.....

(vi) has ever been removed from an office of trust on account of misconduct relating to fraud or the misappropriation of money?

.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

(vii) pursuant to a any law relating to mental health has been declared to be mentally ill?

.....
.....
[Answer yes or no]

(b) If any of the questions in paragraph (a) have been replied to in the affirmative, provide full details

.....
.....
[Use an annexure if necessary]

8. If applicant is in the employment of the holder of a licence or will be so employed, state -

(a) the name of the holder of the licence

.....
.....

(b) the name address of the licensed business where applicant is or will be employed

.....
.....
.....

(c) the date of commencement of such employment

.....
.....

I declare /affirm that the information furnished in this applications true

Date.....

.....
Signature of the applicant who is the holder
of the licence or person authorised to sign

I certify that this declaration has been signed and sworn to/affirmed before me at

.....
thisday of by the applicant/person
authorised to sign the application who acknowledged that -

- (a) he/she knows and understand the contents of this declaration;
- (b) he/she has no objection to taking the prescribed oath/affirmation, and
- (c) he/she considers the prescribed oath to be binding on his/her conscience,

and that he/she uttered the following words

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

“I swear that the contents of this declaration are true so help me Go.” / “I affirm that the contents of this declaration are true”.

.....
Commissioner of Oaths
Full name.....
Business address.....
Designation.....
Area for which appointment is held.....
Office held if appointment is *ex officio*.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 18

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

KEY EMPLOYEE LICENCE
(Section 53)(Regulation 11(3))

This is to certify that the board has in terms of section 53 of the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018) granted a key employee licence to

.....

.....

identity numberresiding at

.....

.....

to be employed in the gambling industry as a.....and to be engaged in the conducting of gambling activities.

PASSPORT
PHOTOGRAPH

CHIEF EXECUTIVE OFFICER

PLACE

DATE

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 19

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

**APPLICATION FOR REMOVAL OF CASINO, GAMBLING HOUSE, BOOKMAKER,
TOTALIZATOR, BAR GAMBLING OR SHEBEEN GAMBLING LICENCE**
(Section 45(2), Regulation 12(1))

The Chief Executive Officer
Gambling Board
Private Bag 13306
WINDHOEK

I hereby apply in terms of section 45 of the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018), for permanent/temporary removal of a casino/gambling house/bookmaker/totalizator/bar gambling/shebeen gambling licence.

SIGNATURE OF APPLICANT OR PERSON
AUTHORISED TO SIGN APPLICATION

PLACE

DATE

Delete whichever is not applicable

PARTICULARS OF APPLICANT

1. Full name of applicant
.....
.....
2. (a) Under what name is the casino /gambling house/bookmaker/totalizator/bar gambling/shebeen gambling business conducted?
.....
.....
- (b) (i) Will the name change as a result of the removal? (yes/no)
.....
.....
- (ii) If so, state new name
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

3. (a) Describe the situation of the existing premises where the casino/gambling house/
bookmaker/totalizator/bar gambling/shebeen gambling business is conducted, with
reference to the erf/farm number, street name and number, local authority area and
magisterial district

.....
.....

(b) Describe the situation of the new premises where the casino /gambling house/
bookmaker/totalizator/ bar gambling/shebeen gambling business is to be conducted,
with reference to the erf/farm number, street name and number, local authority area
and magisterial district

.....
.....
.....

4. (a) Under what right will applicant occupy the premises referred to in paragraph 3(b)?

.....
.....

(b) If not as owner, state the name and address of the owner and attach a certified copy
of the agreement or other document disclosing the applicant's right to occupy the
premises

.....
.....

*[Note: if this not contained in the lease agreement the lessor's consent to conduct
a casino/gambling house/bookmaker/totalizator/ bar gambling/shebeen gambling
business on the premises must be submitted]*

5. (a) Is applicant made in respect of premises which -

(i) have not yet been erected?

.....
.....

(ii) are already erected, but require additions or alterations to make them
suitable for the purposes of the proposed business?

.....
.....

(iii) are already erected and, in the applicant's opinion, do not require additions
or alterations in order to make them suitable for such purposes?

.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

- (b) If paragraph 5(a)(i) or (ii) applies state -
 - (i) the date on which such erection, additions, or alterations will be commenced with
.....
.....
 - (ii) the period which will be required for the completion
.....
.....

6. In the case of an application for the temporary removal of a licence, state for what period such removal is desired
.....
.....

ANNEXURES

List all documents attached to this application

.....

I declare /affirm that the information furnished in this application and in the documents attached to it is true.

Date

.....
Signature of applicant or person
authorised to sign

I certify that this declaration has been signed and sworn to/affirm before me at

Thisday ofby the applicant/person authorised to sign the application who acknowledged that -

- (a) he/she knows and understands the contents of this declaration;
- (b) he/she has no objection to taking the prescribed oath/affirmation; and
- (c) he/she considers the prescribed oath to be binding on his/her conscience, and that he /she uttered the following words:

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

“I swear that the contents of this declaration are true, so help me God.”/ “I affirm that the contents of this declaration are true”.

.....
Commissioner of Oaths
Full name
Business address.....
Area for which appointment is held.....
Office held if appointment is *ex officio*.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 20

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

CERTIFICATE OF REMOVAL OF LICENCE
(Section 53(2), Regulation 12(3))

The casino/gambling house/bookmaker/totalizator/bar gambling/shebeen gambling/manufacturere
or supplier/testing agency licence held by

.....
.....
.....

In respect of the accommodation establishment/retail liquor /bookmaker totalizator/bar gambling/
shebeen gambling/manufacturere or supplier/testing agency business conducted on the premises
situate at

.....
.....
.....

in the district of is hereby permanently/temporarily
removed to the premises situate at

.....

where the casino/gambling house /bookmaker/totalizator/ bar gambling /shebeen gambling/
manufacturere or supplier/testing agency business will be conducted under the name of

.....

The temporary removal is permitted for the period of

.....
.....

This certificate must at all times during the currency be attached to the licence

CHIEF EXECUTIVE OFFICER

PLACE

DATE

Delete which is not applicable

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 21

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

**APPLICATION FOR RENEWAL OF CASINO, GAMBLING HOUSE, BOOKMAKER,
TOTALIZATOR, BAR GAMBLING OR SHEBEEN GAMBLING LICENCE**
(Section 58, Regulation 13(1))

The Chief Executive Officer
Gambling Board
Private Bag 13306
WINDHOEK

I hereby apply in terms of section 58 of the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018), for renewal of a casino/gambling house/bookmaker/totalizator /bar gambling or shebeen gambling licence.

SIGNATURE OF APPLICANT OR PERSON
AUTHORISED TO SIGN APPLICATION

PLACE

DATE

Delete whichever is not applicable

PARTICULARS OF APPLICANT

1. Full name of applicant
.....
.....
2. (a) Under what name is the casino/gambling house/bookmaker/totalizator/bar gambling or shebeen gambling business conducted?
.....
.....
- (b) (i) Will the name change after the renewal? (yes/no)
.....
.....
- (ii) If so, state new name
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

(c) What is the date of expiry of the current licence?

.....
.....

3. Describe the situation of the existing premises where the casino /gambling house/ bookmaker/totalizator/ bar gambling or shebeen gambling business is conducted, with reference to the erf/farm number, street name and number, local authority area and magisterial district

.....
.....
.....

4. (a) Under what right will applicant occupy the premises referred to in paragraph 3?

.....
.....

(b) If not as owner, state the name and address of the owner and attach a certified copy of the agreement or other document disclosing the applicant's right to occupy the premises

.....

[Note: if this not contained in the lease agreement the lessor's consent to conduct a casino /gambling house/bookmaker/totalizator/ bar gambling or shebeen gambling business on the premises must be submitted]

5. (a) Is applicant made in respect of premises which -

(i) have not yet been erected?

.....
.....

(ii) are already erected, but require additions or alterations to make them suitable for the purposes of the proposed business?

.....
.....

(iii) are already erected and, in the applicant's opinion, do not require additions or alterations in order to make them suitable for such purposes?

.....
.....

(b) If paragraph 5(a)(i) or (ii) applies state -

(i) the date on which such erection, additions, or alterations will be commenced with

.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

(ii) the period which will be required for the completion

.....
.....

ANNEXURES

List all documents attached to this application

.....
.....
.....
.....

I declare/affirm that the information furnished in this application and in the documents attached to it is true.

Date

.....
Signature of applicant or person
authorised to sign

I certify that this declaration has been signed and sworn to/affirm before me at

.....

This.....day.....of.....by.....

the applicant/person authorised to sign the application who acknowledged that -

- (a) he/she knows and understands the contents of this declaration;
- (b) he/she has no objection to taking the prescribed oath/affirmation; and
- (c) he/she considers the prescribed oath to be binding on his/her conscience, and that he/she uttered the following words:

“I swear that the contents of this declaration are true, so help me God.”/ “I affirm that the contents of this declaration are true”.

.....
Commissioner of Oaths

Full name

Business address

Area for which appointment is held

Office held if appointment is *ex officio*

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 22

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

APPLICATION FOR INCREASE IN NUMBER OF GAMBLING MACHINES
(Regulation 14(2))

The Chief Executive Officer
Gaming Board
Private Bag 13306
WINDHOEK

I hereby apply in terms of regulation 14, for an increase in the number of gambling machines to be kept and played in licensed premises.

SIGNATURE OF APPLICANT OR PERSON
AUTHORISED TO SIGN APPLICATION

PLACE

DATE

1. Name of applicant
.....
.....
2. Number of gambling machines for which the licence has been granted
.....
.....
3. Number of gambling machines now applied for
.....
.....
4. Particulars (serial no, description etc) of additional gambling machines applied for
.....
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

ANNEXURES

List all documents attached to this application

.....
.....
.....

I declare /affirm that the information furnished in this application and in the documents attached to it is true.

Date

.....
Signature of applicant or person
authorised to sign

I certify that this declaration has been signed and sworn to/affirm before me at

.....

Thisday ofby the applicant/person
authorised to sign the application who acknowledged that -

- (a) he/she knows and understands the contents of this declaration;
- (b) he/she has no objection to taking the prescribed oath/affirmation; and
- (c) he/she considers the prescribed oath to be binding on his/her conscience, and that he /she uttered the following words:

“I swear that the contents of this declaration are true, so help me God.”/ “I affirm that the contents of this declaration are true”.

.....
Commissioner of Oaths

Full name

Business address

Area for which appointment is held

Office held if appointment is *ex officio*

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 23

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

APPLICATION FOR MINISTER'S AUTHORITY
(Section 81(2), Regulation 15(1))

The Chief Executive Officer
Gambling Board
Private Bag 13306
WINDHOEK

We hereby apply in terms of section 81(2) of the Gaming and Entertainment Control Act, 2018 (Act No.13 of 2018), for authority to allow

.....
.....
.....
.....

(hereinafter referred to as the proposed person) in effect to control/become a partner in/share in the profits of the business of which

.....
.....

.....
is the licence holder.

SIGNATURE OF PROPOSED PERSON
OR PERSON AUTHORISED TO
SIGN APPLICATION

SIGNATURE OF LICENCE HOLDER
AUTHORISED TO SIGN APPLICATION

PLACE

PLACE

DATE

DATE

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

PART A

INFORMATION RELATING TO HOLDER OF THE LICENCE

1. (a) Full name
.....
.....
- (b) Business address
.....
.....
- (c) Telephone number
.....
.....
- (d) Facsimile number
.....
.....
- (e) E-mail address
.....
.....
2. (a) State whether application relates to a casino/gambling house/bookmaker/totalizator/
bar gambling/ shebeen gambling/manufacture or supplier/testing agency business
.....
.....
- (b) State the under which the business is conducted
.....
.....
- (c) State the number and date of issue of the licence held in respect of such business
.....
.....
3. Describe the situation of the premises where the business is conducted with reference to the
erf/farm number, street name and number, local authority area and magisterial district
.....
.....
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

I declare/affirm that the information furnished in Part A and B of this application in so far as it relates to me/the applicant on whose behalf I am authorised to sign the application, is true

Date

.....
Signature of the applicant who is the holder
of the licence or person authorised to sign

I certify that this declaration has been signed and sworn to/affirm before me at

.....
thisday of by the applicant/person
authorised to sign the application who acknowledged that -

- (a) he/she knows and understands the contents of this declaration
- (b) he/she has no objection to taking the prescribed oath/affirmation; and
- (c) he/she considers the prescribed oath to be binding on his/her conscience,

And that he/she uttered the following words:

“I swear that the contents of this declaration are true, so help me God”. / “I affirm that the contents of this declaration are true”.

.....
Commissioner of Oaths

Full name

Business address.....

Area for which appointment is held.....

Office held if appointment is *ex officio*.....

PART B

INFORMATION RELATING TO PROPOSED PERSON

- 1. (a) Full name of applicant
.....
.....
- (b) Date of birth if applicant is natural person
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

(c) Nationality if applicant is a natural person or in the case of a company or close corporation, its registration number

.....
.....

(d) Postal address

.....
.....

(f) Business address

.....
.....

(g) Telephone number

.....
.....

(h) Facsimile number

.....
.....

(i) E-mail address

.....
.....

2. If applicant is a company, close corporation or partnership or any other form of body corporate or association of person, state the name, date of birth, nationality and address of each shareholder, member or partner and of the nature and extent of his or her financial interest in the applicant {if the applicant, or a company who has a financial in the applicant, is a public company it is sufficient if only the name, date of birth, nationality and address or each director are furnished}

.....
.....

[Use on annexure if necessary]

3. (a) is the applicant a person who -

(i) is a minor?

.....
.....

(ii) is listed on the register of restricted persons?

.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

(iii) has at any time during the period of 10 years preceding this application, in Namibia or elsewhere, served a sentence of imprisonment for a period longer than 12 months for any offence without having been given the option of a fine in respect of such offence?

.....
.....

(iv) has at any time been convicted of an offence under the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018) and within 5 years after that conviction again been convicted for an offence under that Act?

.....
.....

(v) has ever been removed from an office of trust on account of misconduct relating to fraud or the misappropriation of money?

.....
.....

(vi) is not a fit and proper person to be involved in the business of gambling?

.....
.....

(vii) is an unrehabilitated insolvent?

.....
.....

(viii) pursuant to a any law relating to mental health has been declared to be mentally ill?

.....
.....

(ix) is a body corporate or an association of persons of which any director, member or partner is disqualified in terms of paragraphs (i) to (viii)?

.....
.....

[Answer yes or no]

(b) If the applicant is a company, close corporation or partnership, state whether any person contemplated in paragraph (a) -

(i) has a controlling interest in such company or close corporation

.....
.....

(ii) is a partner in such partnership

.....
.....

[Answer yes or no]

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- (c) If any of the questions in paragraphs (a) or (b) have been replied to in the affirmative, provide full details

.....
.....
[Use an annexure if necessary]

PARTICULARS OF AGREEMENT

- 4. State nature of agreement between holder of licence and proposed person (attach a true copy of the agreement)

.....
.....
.....
.....

- 5. State the name date of birth, nationality and address of each person who will be a shareholder, member or partner of the holder of the licence and the nature and extent of his or her interest, if the application is granted. [If any such person is a public company it will be sufficient if only the name, date of birth, nationality and address of each director are furnished]

.....
.....
{Use an annexure if necessary}

I declare/affirm that the information furnished in Part B of this application in so far as it relates to me/ the applicant on whose behalf I am authorised to sign the application, is true.

Date

.....
Signature of the applicant who is the holder of the licence or person authorised to sign.

I certify that this declaration has been signed and sworn to/affirmed before me at.....

.....

Thisday ofby the applicant/person authorised to sign the application who acknowledged that -

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- (a) he/she knows and understands the contents of this declaration;
- (b) he/she has no objection to taking the prescribed oath/affirmation; and
- (c) he/she considers the prescribed oath to be binding on his/her conscience, and that he/she uttered the following words:

“I swear that the contents of this declaration are true, so help me God”. / “I affirm that the contents of this declaration are true”.

.....

Full name

Business address.....

Area for which appointment is held.....

Office held if appointment is *ex officio*.....

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FORM 24

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

MINISTER'S AUTHORITY
(Section 81, Regulation 15(3))

Under section 81 of the Gaming and Entertainment Control Act, 2018 (Act No. 13 of 2018), I hereby grant authority to

- (a) to in effect control the licence holder's business;
- (b) to become a partner in the licence holder's business;
- (c) to share in the profits of the licence holder's business;

conducted under the name of
.....
.....

in the accommodation establishment/retail liquor store/bookmaking/totalizator/bar gambling/shebeen gambling/manufacture or supplier/testing agency business known as

situate at.....
.....
.....
.....
.....

in respect of which a licence number..... issued on.....
..... is held by

MINISTER OF ENVIRONMENT,
FORESTRY AND TOURISM

PLACE

DATE

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FORM 25

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

**NOTIFICATION OF TRANSFER OF OWNERSHIP, LEASE OR TRANSFER OF
POSSESSION OF A GAMBLING MACHINE**
(Section 87, Regulation 16)

The Chief Executive Officer
Gambling Board
Private Bag 13306
WINDHOEK

I hereby apply in terms of section 87 of the Act, for the transfer of ownership/lease/transfer of possession of a gambling machine.

SIGNATURE OF APPLICANT OR PERSON
AUTHORISED TO SIGN APPLICATION

PLACE

DATE

REGULATIONS
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PARTICULARS GAMBLING MACHINE	
1. Name Manufacturer:	_____
2. Address:	_____ _____
3. Full Name and Description of Gambling Machine/Device:	_____ _____ _____
4. Serial No	_____
5. Date of Manufacture/Acquisition	_____
6. Purpose of Manufacturer/Acquisition:	_____ _____
7. Date of Sale or Other Distribution:	_____
8. Date of Transfer	_____
9. Name, Address and Licence Number of Person Transferring from (where applicable)	_____ _____ _____
10. Name, Address and Licence Number of Person Transferring to (where applicable)	_____ _____ _____ _____

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Gambling and Gambling Activities Regulations

FORM 26

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

**NOTICE TO BE INCLUDED IN
REGISTER OF RESTRICTED PERSONS**
(Section 77(1), Regulation 36(1))

The Chief Executive Officer
Gambling Board
Private Bag 13306
WINDHOEK

I hereby give notice in terms of section 77(1) of the Act, for my name to be included on the register of persons who are prevented from engaging in gambling activities.

SIGNATURE OF APPLICANT OR PERSON
AUTHORISED TO SIGN APPLICATION

PLACE

DATE

PARTICULARS OF APPLICANT

1. (a) Full name of applicant
.....
.....
- (b) Any other names or aliases
.....
.....
- (c) Date of birth and identity number
.....
.....
- (d) Gender
.....
.....
- (e) Postal address
.....
.....

REGULATIONS
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- (f) Residential or physical address
.....
.....
- (g) Telephone number (home) (work) (cell)
.....
.....
- (h) Facsimile number
.....
.....
- (i) E-mail address
.....
.....
- (j) Height
.....
.....
- (k) Weight
.....
.....
- (l) Hair colour
.....
.....
- (m) Eye colour
.....
.....
- (n) Distinguishing marks
.....
.....

2. Does your employment require that you enter designated areas? Yes No
If yeas, please fumish proof: _____
Employer: _____
Job title/Description: _____
Location(s) at which access is needed: _____

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
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PASSPORT
PHOTOGRAPH

Please Note:

1. Your name and address must be printed on the back of the photograph.
2. Photograph must be taken not more than 1 month before submission of the application
3. Do not paste the photograph onto this form. Please use stapler

If required I will also allow the licence holder/board to photograph me in digital format for purpose only of allowing such licence holder/board to comply with my request.

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

QUESTIONARE

1	Yes	No	Have you read the application provided to you, and do you understand its contents?
2	Yes	No	Do you understand that by asking to be placed on the register of restricted persons that you are accepting that you are a problem gambler and that you are unable to gamble responsibly?
3	Yes	No	Do you understand that the licence holder/board recommends that you seek treatment for your gambling problem?
4	Yes	No	Do you understand that if you are placed on the register of restricted persons, it will be your responsibility to stay out of designated areas?
5	Yes	No	Do you understand that, despite the provisions contained in the legislation according to the terms of the application before you, it is your responsibility to not enter designated areas?
6	Yes	No	Do you understand that, if you complete the application before you, the consequence of you being discovered in a designated area is that you will be arrested for trespassing?
7	Yes	No	Do you understand that, if you complete the application before you, a further consequence of you being discovered in a designated area is that you will not be eligible to win a gambling game and therefore will be denied winnings you may attempt to claim while visiting designated areas?
8	Yes	No	Do you understand that by completing the application before you, you are authorising a licence holder/the board to release the contents of your application including your name and ID number to all licence holders, their agents and affiliates? (This information can be used only to enforce the provisions of the restriction policy. No one else may access the information in your application including your family members, employer, or prospective employer)
9	Yes	No	Do you understand that releasing the information in your application to the licence holder/board may result in your being denied service at designated areas nationally?
10	Yes	No	Do you understand that you may receive mailings from licence holders for several weeks after completing this application? (Licence holders generally print these mailings several weeks prior to distribution. However, your name will be removed from the mailing list following notification of your placement on the register and you will not be included in future printings.)
11	Yes	No	Do you understand that by completing the application before you, you are requesting to be placed on the register of restricted persons and that such placement is valid until such time that an application to revoke the exclusion has been received and approved?
12	Yes	No	Is it clear to you that you are agreeing to stay off all designated areas until approval to revoke the exclusion is granted, and the consequence of you violating the agreement is that you will be arrested for trespassing and you will forfeit any winnings in your possession at the time of your arrest?

I acknowledge/accept that I am a problem gambler and that I am unable to gamble responsibly.

 (Signature required)

 (date)

 (year)

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

WITNESS

SIGNED at _____ on this _____ day of _____

Waiver/Release

I, _____ wish to be placed on the register of restricted persons and have filed with the licence holder/regulatory authority this application for replacement on the register of restricted persons. By filing such application, I understand that I am a problem gambler and that I am assuming the responsibility of refraining from visiting designated areas nationally. Furthermore, I understand that if I visit a designated areas after completing this application and I am discovered that I will be ejected from such premises.

I also understand that my presence in designated areas constitutes trespassing and the licence holder will request that I be arrested for such. Moreover, I understand that by filing an application for placement on the register of restricted persons and by signing this Waiver/Release, I agree that I am not eligible to place a legal wager and that I will be denied the winning based on any wager that I might place.

I authorize any licence holder or its employees to deny me access to a designated area. By signing this release and acknowledging receipt of good and valid consideration, I hereby release, remise and forever discharge the gambling industry members, agents and employees from any and all manners of actions, causes of action, suits, debts, judgments, executions, claims and demands whatsoever, known or unknown, in law or equity, which I, the undersigned, and my heirs, successors, administrators, executors, and assigns ever had, now has, may have, or claim to have against any or all of said entities or individuals arising out of or by reason of the processing, enforcing or other action or omission relating to this application including but not limited to, the release of the contents of my application to any licence holder, its agents or employees.

I understand that a licence holder, in conduction with my placement on the register of restricted persons, will submit a plan for approval for removing my name from all mailing lists which may generate marketing offers being sent specifically to me and to deny me credit (if applicable), and any club memberships. I will notify the licence holder of any errant mailing or marketing offer I might receive.

I understand the Responsible Gambling Programme or its agents or employees may contact me from time to time to conduct research necessary to evaluate the Voluntary Exclusion Programme and determine appropriate methos of addressing problem gambling issues.

I have read this Waiver/Release and understand all its terms. I executive it voluntary and with full knowledge of its consequences and significance.

APPLICANT

WITNESS

SIGNED at _____ on this _____ day of _____

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
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TO BE COMPLETED BY THE OFFICIAL ASSISTING IN COMPLETION OF THIS APPLICATION:

- (a) I have positively confirmed the identity of the applicant utilising _____
 _____ (FILL IN).
- (b) The applicant's appearance accords with the photographs sent herewith.
- (c) The applicant has signed the above form in my presence.
- (d) When signing the application:
 - (i) The applicant appeared to do so voluntarily and without duress; and
 - (ii) The applicant to be his full and sober senses.

DESIGNATION:		INTERPRETER	Yes	No
FULL NAMES:		FULL NAMES		
ADDRESS:		ADDRESS:		
OFFICE:		OFFICE		
SIGNATURE:		SIGNATURE		

Additional Notes by the Interviewer:

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 27

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

**NOTICE OF CANCELLATION FROM
REGISTER OF RESTRICTED PERSONS**
(Section 77(2), Regulation 37)

The Chief Executive Officer
Gambling Board
Private Bag 13306
WINDHOEK

I hereby give notice in terms of section 77(2) of the Act, for my name to be removed from the register of persons who are prevented from engaging in gambling activities.

SIGNATURE OF APPLICANT OR PERSON
AUTHORISED TO SIGN APPLICATION

PLACE

DATE

PARTICULARS OF APPLICANT

1. (a) Full name of applicant
.....
.....
- (b) Any other names or aliases
.....
.....
- (c) Date of birth and identity number
.....
.....
- (d) Gender
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

- (e) Postal address
.....
.....
- (f) Residential or physical address
.....
.....
- (g) Telephone number (home) (work) (cell)
.....
.....
- (h) Facsimile number
.....
.....
- (i) E-mail address
.....
.....
- (j) Registration number
.....
.....

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

QUESTIONARE

1	Yes	No	Have you read the application provided to you and do you understand its contents?
2	Yes	No	Do you understand that by asking to be removed from the register of restricted persons that you are accepting that you are a responsible gambler and will be liable for all the consequences of your gambling?
3	Yes	No	Do you understand that if you are removed from the register of restricted persons, it will be your responsibility to gamble responsibly?
4	Yes	No	Do you understand that the licence holder/board requires that you undergo treatment before being removed from the register of restricted persons?
5	Yes	No	Have you complied with any requirements of rehabilitation programmes developed for you. (Attach documentary proof)

I acknowledge/accept that I am now a responsible gambler and have been rehabilitated from all gambling problems I had.

_____ (Signature required) _____ (date) _____ (year)

SIGNED at _____ on this _____ day of _____

REGULATIONS
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TO BE COMPLETED BY THE OFFICIAL ASSISTING IN COMPLETION OF THIS APPLICATION.

I have positively confirmed the identity of the applicant utilising _____
 _____ (fill in).

The applicant has signed the above form in my presence.

When signing the application:

- (i) the applicant appeared to do so voluntarily and without duress; and
- (ii) the applicant appeared to be in his sound sober senses.

			Yes	No
DESIGNATION:		INTERPRETER		
FULL NAMES:		FULL NAMES		
ADDRESS:		ADDRESS:		
OFFICE:		OFFICE		
SIGNATURE:		SIGNATURE		

Additional Notes by the Interviewer:

REGULATIONS
Gaming and Entertainment Control Act 13 of 2018
Gambling and Gambling Activities Regulations

FORM 28

REPUBLIC OF NAMIBIA
GAMING AND ENTERTAINMENT CONTROL ACT, 2018

PAYMENT OF UNLAWFUL WINNINGS TO BOARD
(Section 80, Regulation 39)

The Chief Executive Officer
Gambling Board
Private Bag 13306
WINDHOEK

I hereby in terms of section 80 of the Act, remit the proceeds from unlawful winnings as detailed below.

SIGNATURE OF APPLICANT OR PERSON
AUTHORISED TO SIGN APPLICATION

PLACE

DATE

1. Name, Physical Address and Licence Number of Licensee:

2. Full Names of Player: _____

3. Date of Birth and ID No: _____

4. Physical Address and Postal Address: _____

5. Tel No: _____

6. Mobile No: _____

7. Fax No: _____

8. Email Address: _____

9. Amount won: _____

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Gaming and Entertainment Control Act 13 of 2018
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10. Gambling activity (Tables, Slots etc): _____

11. Reasons for winning deemed unlawful: _____
