



GOVERNMENT GAZETTE
OF THE
REPUBLIC OF NAMIBIA

N\$8.16

WINDHOEK — 11 August 1995

No. 1124

CONTENTS

	<i>Page</i>
GOVERNMENT NOTICE	
No. 136 Amendment of Regulations under the Casino's and Gambling Houses Act, 1994	2

GOVERNMENT NOTICE**MINISTRY OF ENVIRONMENT AND TOURISM**

No. 136

1995

**AMENDMENT OF REGULATIONS UNDER THE CASINO'S
AND GAMBLING HOUSES ACT, 1994**

The Minister of Environment and Tourism has, under section 54 of the Casino's and Gambling Houses Act, 1994 (Act 32 of 1994) made the regulations set out in the Schedule.

SCHEDULE

1. In this Schedule "the regulations" means the Regulations Under the Casinos and Gambling Houses Act, 1994 (Act 32 of 1994), promulgated by Government Notice 231 of 2 December 1994, as amended by Government Notice 84 of 1995.

2. Regulation 3 of the regulations is amended by the substitution for paragraph (a) of subregulation (2) of the following paragraph:

"(a) a detailed description of the premises of the accommodation establishment, retail liquor business or bookmaking business in respect of which the application is made;"

3. The following regulation is inserted in the regulations after regulation 3:

"Application for increase of number of gambling machines

3A. (1) The holder of a gambling house licence who, in terms of such licence, is authorized to keep a number of gambling machines being less than the maximum number prescribed by regulation 23A in respect of the type of accommodation establishment or business conducted by such holder, may apply to the Board for authorization to increase the number of gambling machines to be kept by him or her, but subject to the maximum number so prescribed.

(2) An application in terms of subregulation (1) shall be made in the form of Form 9 and shall be submitted in eightfold to the secretary.

(3) Every such application shall be accompanied by -

- (a) in the event where alterations are intended to be made to the licensed premises to accommodate the additional gambling machines, a plan drawn to scale clearly indicating such alterations;
- (b) a power of attorney if the application is signed by a person acting on behalf of the applicant;
- (c) any written representations in support of the application;
- (d) the fee prescribed for an application for the grant of a licence as set out in Part 1 of Annexure B.

(4) Upon receipt of an application in terms of subregulation (1) the secretary shall, at the cost of the applicant, forthwith 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 are situated.

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

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

(6) Any person who wishes to object to an application in terms of subregulation (1), shall not later than 21 days after the date of publication of the notice in the *Gazette* lodge such objection with the secretary in the manner as required by regulation 11.

(7) The secretary shall 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 12, lodge with the secretary any reply which he or she may wish to make to an objection.

(8) An application in terms of subregulation (1) shall be considered by the Board at a meeting of the Board for the purpose of making its recommendation to the Minister.

(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 legal representative.

(10) After the consideration of the application by the board, the secretary of the board shall submit to the Minister -

- (a) the application together with all documents and information which accompanied the application;
- (b) the report of an inspector referred to in subregulation (5);
- (c) a copy of the minutes of the proceedings at the meeting of the board; and
- (d) the recommendation of the board.

(11) The Minister shall decide on every application made in terms of this regulation and may, after consideration of the application and all documents submitted to him or her in terms of subregulation (10), refuse the application or grant it, subject to the provisions of regulation 23A.

(12) If the Minister grants the application, the secretary shall, upon payment to him or her 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 authorized."

4. Regulation 5 of the regulations is amended by the substitution for paragraph (a) of subregulation (2) of the following paragraph:

"(a) a certified copy of the deed of sale or other document in terms of which the accommodation establishment, retail liquor business or bookmaking business in respect of which the licence is held is disposed of to the proposed transferee;" .

5. Regulation 7 of the regulations is amended by the substitution for paragraph (a) of subregulation (2) of the following paragraph:

"(a) a detailed description of the new premises of the accommodation establishment, retail liquor business or bookmaking business, as the case may be;" .

6. Regulation 23 of the regulations is amended -

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

"(2) If an area referred to in subregulation (1) is not a separate room, such area shall at all times be screened off from the remainder of the premises in such a manner that it will not be possible to observe from outside the area the gambling activities carried on therein, and every such room or screened off area shall be provided with a door that can be closed in order to control the entrance of persons thereto: Provided that where gambling machines are kept in a bar conducted on the premises under an on-consumption licence issued under the Liquor Ordinance, 1969 (Ordinance 2 of 1969) or in a bookmaking business, it shall not be required that the

area concerned be so screened off if the gambling machines are so placed inside such bar or the premises of such bookmaking business that it will not be possible to observe from outside the bar or such bookmaking business, as the case may be, the activities carried on therein."; and

- (b) by the substitution for subregulation (4) of the following subregulation:

"(4) The holder of a gambling house licence shall not offer any prize in excess of N\$10 000 to be won by way of gambling in the gambling house, whether by means of the operation of a single gambling machine or two or more gambling machines linked for the purpose of gambling."

7. The following regulations are inserted in the regulations after regulation 23:

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

23A. A gambling house licence shall not be granted -

- (a) in the case of an application relating to an accommodation establishment with a grading of three stars, for more than 25 gambling machines;
- (b) in the case of an application relating to an accommodation establishment with a grading of two stars, for more than 20 gambling machines;
- (c) in the case of an application relating to an accommodation establishment with a grading of one

star, for more than 15 gambling machines; or

- (d) in the case of an application relating to a retail liquor business or bookmaking business, for more than 10 gambling machines.

"Restriction on profit-sharing with respect to gambling machines

23B. (1) Where the Minister has granted authority under section 38 of the Act allowing a person to share in the profits derived from any gambling operations under a licence, it shall be a condition of such authority that no person to whom the authority relates, other than the holder of the licence, shall share in the profits so derived by more than 50 percent 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 38 shall be valid for a period of two years, but may from time to time, upon application made under that section by the parties concerned, 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 from 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;
- (b) to furnish particulars or proof of any income or

expenditure taken into account in the calculation of profits shared or to be shared by the parties involved,

and any person to whom such a notice is directed, shall comply with the requirements thereof within 14 days after the notice has been given.

(4) Without prejudice to any other steps which may be taken in terms of the Act, the Minister may, subject to subregulations (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 made under subregulation (3).

(5) If the Minister proposes to withdraw an authority referred to in subregulation (1), the Minister shall 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 therefor.

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

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

8. The following annexure is hereby substituted for annexure A:

FORM 1

REPUBLIC OF NAMIBIA

CASINOS AND GAMBLING HOUSES ACT, 1994

APPLICATION IN TERMS OF SECTION 16(1) FOR A CASINO LICENCE

The Secretary
Casino Board
Private Bag 13346
WINDHOEK

I hereby apply in terms of section 16(1) of the Casinos and Gambling Houses Act, 1994 (Act 32 of 1994), for the grant of a casino licence.

SIGNATURE OF APPLICANT OR PERSON
AUTHORISED TO SIGN APPLICATION

PLACE

DATE

PARTICULARS OF APPLICANT

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

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 thereof 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 shall be sufficient if only the name, date of birth, nationality and address of each director thereof are furnished]

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[Use an annexure if necessary]

- 3. (a) Is the applicant a person who -
 - (i) is an unrehabilitated insolvent?
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.....

(ii) 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?

.....

(iii) has at any time been convicted of an offence under the Casinos and Gambling Houses Act, 1994 (Act 32 of 1994) and within a period of 5 years after that conviction again been convicted for an offence under that Act?

.....

(iv) is employed in the Public Service?

.....

(v) is the spouse or a parent or child of a person contemplated in subparagraphs (i), (ii), (iii) or (iv).

.....

[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) and (b) have been replied to in the affirmative, provide full details

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[Use an annexure if necessary]

PARTICULARS OF PREMISES

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

(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 is 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

additions or alterations to make them suitable for conducting the casino?

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.....

[Answer yes or no]

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

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

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.....

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

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PARTICULARS OF CASINO

7. State which games will be conducted in the casino

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[Use an annexure if necessary]

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

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[Use an annexure if necessary]

[Note: Regulation 22(5) requires that gambling tables or other devices for playing games and gambling machines be registered with the secretary of the Board.]

9. (a) Will any prize exceeding N\$10 000 in value be offered to be won through the playing of a gambling machine or any one of two or more gambling machines

linked for such purpose?

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(b) If the reply to paragraph (a) is "yes", give full details of the gambling machine or machines 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

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

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ANNEXURES

List all documents attached to this application

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

Date

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*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 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
 Designation
 Area for which appointment is held
 Office held if appointment is *ex officio*

FORM 2

REPUBLIC OF NAMIBIA

CASINO AND GAMBLING HOUSES ACT, 1994

APPLICATION IN TERMS OF SECTION 16(1) FOR A GAMBLING HOUSE LICENCE

The Secretary
Casino Board
Private Bag 13346
WINDHOEK

I hereby apply in terms of section 16(1) of the Casinos and Gambling Houses Act, 1994 (Act 32 of 1994), for the grant of a gambling house licence.

SIGNATURE OF APPLICANT OR PERSON
AUTHORISED TO SIGN APPLICATION

PLACE

DATE

PARTICULARS OF APPLICANT

1. (a) Full name of applicant

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(b) Date of birth if applicant is a natural person

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(c) Nationality if applicant is a natural person or in the case of a company

or close corporation, its registration number

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(d) **Postal address**

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

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(f) **Business address**

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(g) **Telephone number**

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(h) **Facsimile number**

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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 thereof 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 shall be sufficient if only the name, date of birth, nationality and address of each director thereof are furnished]**

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[Use an annexure if necessary]

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

(i) is an unrehabilitated insolvent?

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(ii) 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?

.....
.....

(iii) has at any time been convicted of an offence under the Casinos and Gambling Houses Act, 1994 (Act 32 of 1994) and within a period of 5 years after that conviction again been convicted for an offence under that Act?

.....
.....

(iv) is employed in the Public Service?

.....
.....

(v) is the spouse or a parent or child of a person contemplated in subparagraphs (i), (ii), (iii) or (iv)

.....
.....

[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

.....
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[Answer yes or no]

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

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[Use an annexure if necessary]

PARTICULARS OF PREMISES

4. (a) Name of accommodation establishment, retail liquor business or bookmaking business in which the gambling house will be conducted

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(b) In the case of a retail liquor business, state the type of liquor licence held in respect of such business

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

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

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(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

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[Note: If this is 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 additions or alterations to make them suitable for 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 alterations will be commenced with

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

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: Regulation 23(5) requires that gambling machines be registered with the secretary of the Board.]

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

ANNEXURES

List all documents attached to this application

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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/affirmed 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
 Designation
 Area for which appointment is held
 Office held if appointment is *ex officio*

FORM 3

REPUBLIC OF NAMIBIA

CASINOS AND GAMBLING HOUSES ACT, 1994

APPLICATION IN TERMS OF SECTION 16(2) FOR THE TRANSFER OF A CASINO LICENCE

The Secretary
Casino Board
Private Bag 13346
WINDHOEK

We hereby apply in terms of section 16(2) of the Casinos and Gambling Houses Act, 1994 for the transfer of a casino licence from (holder of licence) to (proposed transferee)

SIGNATURE OF TRANSFEREE OR PERSON AUTHORISED TO SIGN APPLICATION

SIGNATURE OF HOLDER OF LICENCE OR PERSON AUTHORISED TO SIGN APPLICATION

PLACE

PLACE

DATE

DATE

PART A

INFORMATION RELATING TO THE HOLDER OF THE CASINO LICENCE

1. Full name of applicant

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2. Under what name is the casino conducted?

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3. Describe the situation of the premises of the accomodation establishment where the casino is conducted with reference to the erf/farm number, street name and number, local authority area and district

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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/affirmed 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
Designation
Area for which appointment is held
Office held if appointment is *ex officio*.....

PART B
INFORMATION RELATING TO APPLICANT WHO IS THE TRANSFEREE

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

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(g) Telephone number

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(h) Facsimile number

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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 thereof 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 shall be sufficient if only the name, date of birth, nationality and address of each director thereof are furnished]

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[Use an annexure if necessary]

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

(i) is an unrehabilitated insolvent?

.....
.....

(ii) 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?

.....
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(iii) has at any time been convicted of an offence under the Casinos and Gambling Houses Act, 1994 (Act 32 of 1994) and within a period of 5 years after that conviction again been convicted for an offence under that Act?

.....
.....

(iv) is employed in the Public Service?

.....
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(v) is the spouse or a parent or child of a person contemplated in paragraphs (i), (ii), (iii) or (iv)

.....
.....

[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

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

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

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.....

(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

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

PARTICULARS OF CASINO

5. Under what name is the casino to be conducted

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6. State which games will be played in the casino

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[Use an annexure if necessary]

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

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

- 8. (a) Will any prize exceeding N\$10 000 in value be offered to be won through the playing of a gambling machine or any one of two or more gambling machines linked for such purpose?

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- (b) If the reply to paragraph (a) is "yes", give full details of the gambling machine or machines 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

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- 9. Intended date of transfer of the casino licence

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ANNEXURES

List all documents attached to this application

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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 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 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
Designation
Area for which appointment is held
Office held if appointment is *ex officio*.....

FORM 4

REPUBLIC OF NAMIBIA

CASINOS AND GAMBLING HOUSES ACT, 1994

APPLICATION IN TERMS OF SECTION 16(2) FOR THE TRANSFER
OF A GAMBLING HOUSE LICENCE

The Secretary
Casino Board
Private Bag 13346
WINDHOEK

We hereby apply in terms of section 16(2) of the Casinos and Gambling Houses Act, 1994
for the transfer of a gambling house licence from (holder of licence)
to (proposed transferee)

SIGNATURE OF TRANSFEREE OR
PERSON AUTHORISED TO SIGN
APPLICATION

SIGNATURE OF HOLDER OF LICENCE
OR PERSON AUTHORISED TO SIGN
APPLICATION

PLACE

PLACE

DATE

DATE

PART A

INFORMATION RELATING TO THE HOLDER OF THE
GAMBLING HOUSE LICENCE

- 1. Full name of applicant

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.....
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2. Under what name is the gambling house conducted?

.....
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3. Describe the situation of the premises of the accomodation establishment, retail liquor business or bookmaking business where the gambling house is conducted with reference to the erf/farm number, street name and number, local authority area and district

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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/affirmed 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
Designation
Area for which appointment is held
Office held if appointment is *ex officio*

PART B

INFORMATION RELATING TO APPLICANT WHO IS THE TRANSFEREE

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
.....
.....

.....

(f) **Business address**

.....

.....

.....

(g) **Telephone number**

.....

.....

(h) **Facsimile number**

.....

.....

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 thereof 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 shall be sufficient if only the name, date of birth, nationality and address of each director thereof are furnished]**

.....

.....

.....

.....

.....

[Use an annexure if necessary]

3. (a) **Is the applicant a person who -**

(i) **is an unrehabilitated insolvent?**

.....

.....

(ii) **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?**

.....

.....

(iii) has at any time been convicted of an offence under the Casinos and Gambling Houses Act, 1994 (Act 32 of 1994) and within a period of 5 years after that conviction again been convicted for an offence under that Act?

.....

.....

(iv) is employed in the Public Service?

.....

.....

(v) is the spouse or a parent or child of a person contemplated in paragraphs (i), (ii), (iii) or (iv)

.....

.....

[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) and (b) have been replied to in the affirmative, provide full details

.....

.....

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

[Use an annexure if necessary]

- 4. (a) Under what right will applicant occupy the premises referred to in paragraph 3 of Part A of the application?

.....
.....

- (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 is not contained in the lease agreement, the lessor's consent to conduct a gambling house on the premises, must be submitted]

PARTICULARS OF GAMBLING HOUSE

- 5. Under what name is the gambling house to be conducted

.....
.....

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

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

7. Intended date of transfer of the gambling house licence

.....
.....

ANNEXURES

List all documents attached to this application

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.....
.....

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 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 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

Designation

Area for which appointment is held

Office held if appointment is *ex officio*

FORM 5

REPUBLIC OF NAMIBIA

CASINOS AND GAMBLING HOUSES ACT, 1994

APPLICATION IN TERMS OF SECTION 16(3) FOR THE
PERMANENT/TEMPORARY REMOVAL OF A CASINO LICENCE

The Secretary
Casino Board
Private Bag 13346
WINDHOEK

I hereby apply in terms of section 16(3) of the Casinos and Gambling Houses Act, 1994,
for permanent/temporary* removal of a casino 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 conducted?
.....
.....
- (b) (i) Will the name change as a result of the removal? (yes/no)
.....

(ii) If so, state new name

.....

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

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

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

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

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

.....
.....

5. (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 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

.....
.....

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

.....
.....

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/affirmed before me atthis 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
 Designation
 Area for which appointment is held
 Office held if appointment is *ex officio*

FORM 6

REPUBLIC OF NAMIBIA

CASINOS AND GAMBLING HOUSES ACT 1994

APPLICATION IN TERMS OF SECTION 16(3) FOR THE
PERMANENT/TEMPORARY REMOVAL OF A GAMBLING HOUSE LICENCE

The Secretary
Casino Board
Private Bag 13346
WINDHOEK

I hereby apply in terms of section 16(3) of the Casinos and Gambling Houses Act, 1994,
for the permanent/temporary* removal of a gambling house 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 gambling house conducted?

.....
.....

(b) (i) Will the name change as a result of the removal? (Answer yes or no)

.....
.....

(ii) If so, state new name

.....
.....

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

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

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

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

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 is not contained in the lease agreement, the lessor's consent to conduct a gambling house on the premises, must be submitted.]

5. (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 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

.....
.....

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

.....
.....

7. 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

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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/affirmed 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
Designation
Area for which appointment is held
Office held if appointment is *ex officio*

FORM 7

REPUBLIC OF NAMIBIA

CASINOS AND GAMBLING HOUSES ACT, 1994

APPLICATION IN TERMS OF SECTION 38 FOR AUTHORITY TO ALLOW ANY OTHER PERSON IN EFFECT TO CONTROL A CASINO/GAMBLING HOUSE OR TO BECOME A PARTNER THEREIN OR TO SHARE IN THE PROFITS THEREOF

The Secretary
Casino Board
Private Bag 13346
WINDHOEK

We hereby apply in terms of section 38 of the Casinos and Gambling Houses Act, 1994, 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 casino/gambling house* of which ... is the licence holder.

SIGNATURE OF PROPOSED PERSON OR PERSON AUTHORISED TO SIGN APPLICATION

SIGNATURE OF LICENCE HOLDER OR PERSON AUTHORISED TO SIGN APPLICATION

PLACE

PLACE

DATE

DATE

* Delete whichever is not applicable

PART A

INFORMATION RELATING TO HOLDER OF THE LICENCE

- 1. (a) Full name
.....

(b) Business address

(c) Telephone number

(b) Facsimile number

2. (a) State whether application relates to a casino or gambling house business

(b) State the name under which the business is conducted

(b) 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

I declare/affirm that the information furnished in Part A 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 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

Designation

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 proposed person
.....
.....
- (b) Date of birth if proposed person 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

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

(f) Business address

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

(g) Telephone number

.....

(h) Facsimile number

.....

2. If the proposed person 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 thereof and of the nature and extent of his or her financial interest in the proposed person [If the proposed person, or a company who has a financial interest in the proposed person, is a public company it shall be sufficient if only the name, date of birth, nationality and address of each director thereof are furnished]

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.....

[Use an annexure if necessary]

3. (a) Is the proposed person a person who -

- (i) is an unrehabilitated insolvent?
.....

- (ii) 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?
.....
.....

- (iii) has at any time been convicted of an offence under the Casinos and Gambling Houses Act, 1994 (Act 32 of 1994) and within a period of 5 years after that conviction again been convicted for an offence under that Act?
.....
.....

- (iv) is employed in the Public Service?
.....

- (v) is the spouse or a parent or child of a person contemplated in paragraphs (i), (ii), (iii) or (iv)
.....

[Answer yes or no]

(b) If the proposed person 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 AGREEMENT

- 4. State nature of agreement between holder of licence and proposed person (attach a certified 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 proposed person 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 thereof 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 proposed person 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 proposed person/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

Designation

Area for which appointment is held

Office held if appointment is *ex officio*

FORM 8

REPUBLIC OF NAMIBIA

CASINOS AND GAMBLING HOUSES ACT, 1994

APPLICATION IN TERMS OF SECTION 26 FOR
A CERTIFICATE OF APPROVAL

The Secretary
Casino Board
Private Bag 13346
WINDHOEK

I hereby apply in terms of section 26 of the Casinos and Gambling Houses Act, 1994 (Act 32 of 1994) for the grant of a certificate of approval to be employed in a casino and to be engaged in the conducting of gambling operations.

SIGNATURE OF APPLICANT

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 Namibian citizen state the number and date of issue of the permanent residence permit/work permit held by the applicant

.....

4. Postal address

.....
.....

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) Has applicant ever been convicted of an offence in Namibia or elsewhere? (yes/no)

.....

(b) If the reply to paragraph (a) is "yes" give full details, including details of sentence imposed

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

- 8. (a) Has applicant's estate ever been sequestered? (yes/no)
 -
- (b) If the reply to paragraph (a) is "yes", give full details of the sequestration and state whether applicant is rehabilitated
 -
 -
 -
 -
 -

- 9. If applicant is in the employment of the holder of a casino licence or will be so employed, state -
 - (a) the name of the holder of the licence
 -
 - (b) the name and address of the casino where applicant is or will be employed
 -
 -
 -
 -
 -
 - (c) the date of commencement of such employment
 -

I declare/affirm that the information furnished in this application is true.

Date

.....
Signature of the applicant

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

Designation

Area for which appointment is held

Office held if appointment is *ex officio*

FORM 9

REPUBLIC OF NAMIBIA

CASINO'S AND GAMBLING HOUSES ACT

APPLICATION IN TERMS OF REGULATION 3A TO
INCREASE THE NUMBER OF GAMBLING MACHINES GRANTED
ON A GAMBLING HOUSE LICENCE

The Secretary
Casino Board
Private Bag 13346
WINDHOEK

I hereby apply in terms of regulation 3A for the increase of the number of gambling machines granted on my licence.

SIGNATURE OF APPLICANT OR PERSON
AUTHORIZED TO SIGN APPLICATION

PLACE

DATE

1. Name of applicant
.....
2. Number of gambling machines for which the licence has been granted
.....
3. Number of additional gambling machines now applied for
.....
4. Serial numbers and description of additional gambling machines applied for
.....
.....

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

ANNEXURES

List all the documents attached hereto

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.....

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/affirmed 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
Designation
Area for which appointment is held
Office held if appointment is *ex officio*.....

FORM 10

REPUBLIC OF NAMIBIA

CASINOS AND GAMBLING HOUSES ACT, 1994

LICENCE TO CONDUCT A CASINO

A licence is hereby granted in terms of section 22 of the Casinos and Gambling Houses Act, 1994 (Act 32 of 1994) to

.....

to conduct a casino under the name of.....

upon the premises of the accommodation establishment known as situate at

.....

.....

.....

in the district of

The licence is subject to the terms and conditions prescribed by the Casinos and Gambling Houses Act, 1994 and the regulations made thereunder.

SECRETARY OF THE CASINO BOARD

PLACE

DATE

FORM 11

REPUBLIC OF NAMIBIA

CASINOS AND GAMBLING HOUSES ACT, 1994

LICENCE TO CONDUCT A GAMBLING HOUSE

A licence is hereby granted in terms of section 22 of the Casinos and Gambling Houses Act, 1994 (Act 32 of 1994) to

to conduct a gambling house under the name of.....

..... upon the premises of the accommodation establishment/retail liquor business/bookmaking 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 Casinos and Gambling Houses Act, 1994 and the regulations made thereunder.

SECRETARY OF THE CASINO BOARD

PLACE

DATE

FORM 12

REPUBLIC OF NAMIBIA

CASINOS AND GAMBLING HOUSES ACT, 1994

CERTIFICATE IN TERMS OF SECTION 22 FOR THE TRANSFER
OF A CASINO/GAMBLING HOUSE LICENCE

The casino licence/gambling house licence* held by
in respect of the accommodation establishment/retail liquor business bookmaking business
known as
..... conducted on the premises
situated at
.....
.....
....., is hereby transferred to
.....

The business will in future be conducted under the name of

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

SECRETARY OF THE CASINO BOARD

PLACE

DATE

*Delete which is not applicable

FORM 13

REPUBLIC OF NAMIBIA

CASINOS AND GAMBLING HOUSES ACT, 1994

CERTIFICATE IN TERMS OF SECTION 22 FOR THE REMOVAL OF A LICENCE

The casino licence/gambling house licence* held by ... in respect of the accommodation establishment/retail liquor business* bookmaking business conducted on the premises situate at ... in the district of ... is hereby permanently/temporarily* removed to the premises situate at ... where the casino/gamblinghouse 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 thereof be attached to the licence concerned.

SECRETARY OF THE CASINO BOARD

PLACE

DATE

* Delete which is not applicable

FORM 14

REPUBLIC OF NAMIBIA

CASINOS AND GAMBLING HOUSES ACT, 1994

AUTHORITY IN TERMS OF SECTION 38 TO ALLOW ANOTHER PERSON IN EFFECT TO CONTROL A CASINO/GAMBLING HOUSE OR TO BECOME A PARTNER THEREIN OR TO SHARE IN THE PROFITS THEREOF

Under section 38 of the Casinos and Gambling Houses Act, 1994 (Act 32 of 1994), I hereby grant authority to

- (a) to in effect control the casino/gambling house business;*
- (b) to become a partner in the casino/gambling house business;*
- (c) to share in the profits of the casino/gambling house business, *

conducted under the name of in the
 accommodation establishment/retail liquor business/bookmaking business known as

 situate at

 in respect of which a casino licence/gambling house licence number
 issued on
 is held by

MINISTER OF ENVIRONMENT AND TOURISM

PLACE

DATE

* Delete which is not applicable _____

FORM 15

REPUBLIC OF NAMIBIA

CASINOS AND GAMBLING HOUSES ACT 1994

CERTIFICATE OF APPROVAL IN TERMS OF SECTION 29

It is hereby certified in terms of section 29 of the Casinos and Gambling Houses Act, 1994 (Act 32 of 1994) that the Minister of Environment and Tourism has under section 27 of that Act granted approval to

....., identity number

....., residing at

..... to be employed in a casino and to be engaged in the conducting of gambling operations.

PASSPORT
PHOTOGRAPH

SECRETARY OF THE CASINO BOARD

PLACE

DATE
