



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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WINDHOEK - 27 April 2017

No. 6295

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Government Notice

MINISTRY OF ENVIRONMENT AND TOURISM

No. 95

2017

AMENDMENT OF REGULATIONS UNDER THE CASINOS AND GAMBLING HOUSES ACT, 1994

Under section 54 of the Casinos Gambling Houses Act, 1994 (Act N 32 of 1994), I have amended the Regulations Under the Casinos and Gambling Houses Act, 1994 as set out in the Schedule.

P. SHIFETA

MINISTER OF ENVIRONMENT AND TOURISM

Windhoek, 4 April 2017

SCHEDULE

Definitions

1. In these regulations “the Regulations” means the Regulations Under the Casinos and Gambling Houses Act, 1994 (Act No. 32 of 1994) published under Government Notice No. 231 of 2 December 1994 as amended by Government Notices No. 84 of 15 May 1995, 136 of 11 August 1995, 121 of 27 May 1996 and 76 of 15 April 2010.

Substitution of regulation 18 of Regulations

2. The Regulations are amended by the substitution for regulation 18 of the following regulation:

“Issue of licence, transfer and removal fees

18. The secretary shall not in terms of section 22 of the Act issue any licence or any certificate of transfer or removal of a licence, unless the appropriate fee set out in Part III of Annexure B has been paid by the applicant to the secretary.”.

Amendment of regulation 20 of Regulations

3. Regulation 20 of the Regulations is amended by the substitution for subregulation (1) of the following subregulation:

“(1) The levy imposed by section 41 of the Act shall be calculated and be payable by the holder of a licence at a rate of 10 per cent of the nett monthly income which such holder derives from conducting the casino or gambling house, as the case may be.”.

Amendment of regulation 22 of Regulations

4. Regulation 22 of the Regulations is amended -

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

“(1) The area or areas comprising the casino in licensed premises shall be as indicated on the plan contemplated in regulation 2(2)(b) and no alteration to the premises, structural or otherwise, affecting the number, size or location of such areas shall be carried out unless a plan showing the proposed alteration has been submitted to the secretary and the Minister, on the recommendation of the board, has approved that plan.”; and

(b) by the insertion of the following subregulation after the subregulation (4):

“(4A) If a gambling machine or device used for gambling is fitted with two or more panels of control which -

(a) work independently of each other; and

(b) allow for a separate game of gambling to be played independently from the others,

each panel of control constitutes a separate gambling machine for purposes of determining the number of gambling machines permitted by the casino licence.”.

Amendment of regulation 23 of Regulations

5. Regulation 23 of the Regulations is amended -

(a) by the insertion of the following subregulation after subregulation (5):

“(5A) If a gambling machine or device used for gambling is fitted with two or more panels of control which -

- (a) work independently of each other; and
- (b) allow for a separate game of gambling to be played independently from the others,

each panel of control constitutes a separate gambling machine for purposes of determining the number of gambling machines permitted by the gambling house licence.”;

- (b) by the substitution for subregulation (10) of the following subregulation:

“(10) The holder of a gambling house licence shall not keep the gambling house open for gambling or allow any person to be present therein for the purpose of gambling at any time, if -

- (a) in the case of a retail liquor business or an accommodation establishment, the sale or supply of liquor is not permitted by the liquor licence held in respect of that business or accommodation establishment; or
- (b) in the case of a bookmaker business, the business is not open to the public for betting.”.

Amendment of regulation 23A of Regulations

- 6. Regulation 23A of the Regulations is amended by -

- (a) the substitution for paragraph (d) of the following paragraph:

“(d) in the case of an application relating to a retail liquor business or bookmaking business, for more than 10 gambling machines but in the case of an application relating to the retail liquor business by a holder of a shebeen liquor licence issued under the Liquor Act, 1998 (Act No. 6 of 1998), for more than five gambling machines; and”;

- (b) the addition of the following paragraph after paragraph (d):

“(e) to a holder of the following liquor licence -

- (i) a temporary liquor licence;
- (ii) a parks liquor licence;
- (iii) a vineyard liquor licence; or
- (iv) a grocery liquor licence,

issued under the Liquor Act, 1998 (Act No. 6 of 1998).”.

Substitution of Annexure B of Regulations

- 7. The following annexure is substituted for Annexure B:

“ANNEXURE B

**PART I
APPLICATION FEES
(Regulation 16)**

Nature of Application	Fees payable N\$
Application for casino licence	80 000
Application for gambling house licence	10 000
Application for transfer of casino licence	10 000
Application for transfer of gambling house licence	2 500
Application for removal of casino licence	15 000
Application for removal of gambling house licence	2 500
Application for authority to allow another person in effect to control a Casino or gambling house, or to become a partner therein or to share in profits thereof	50 000
Application for authority to allow another person in effect to control a gambling house, or to become a partner therein or to share in profits thereof	10 000
Application for a certificate of approval	2 000

**PART II
ANNUAL LICENCE FEES
(Regulation 17)**

	N\$
Casino Licence	100 000
Gambling house Licence	10 000
For each gambling machine or device	1 000

**PART III
ISSUE OF LICENCE, TRANSFER AND REMOVAL FEES
(Regulation 18)**

	N\$
Issue of licence fees	5 000
Transfer fees	5 000
Removal fees	5 000

**PART IV
FEE FOR CERTIFICATE OF APPROVAL
(Regulation 19)**

	N\$
Fee for certificate of approval	500”.
