



GAUTENG

LEGISLATURE

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OFFICE OF THE SPEAKER

FINAL VOTING MANDATE

TO: The Chairperson of the National Council of Provinces.

Hon T Modise

NAME OF BILL: National Gambling Amendment Bill

NUMBER OF BILL: [B27B-2018]

DATE OF DELIBERATION: 19 March 2019

VOTE OF THE LEGISLATURE:

The Gauteng Provincial Legislature agreed to mandate the Gauteng Permanent delegate/s to the National Council of Provinces to **vote against** the-

- National Gambling Amendment Bill

HON NTOMBI MEKGWE

SPEAKER

GAUTENG PROVINCIAL LEGISLATURE

Date: 19/03/2019



**ECONOMIC DEVELOPMENT, ENVIRONMENT, AGRICULTURE AND RURAL DEVELOPMENT
PORTFOLIO COMMITTEE**

**COMMITTEE REPORT ON THE FINAL MANDATE
ON THE:
NATIONAL GAMBLING AMENDMENT BILL [B27B—2018]**

19th March 2019

1. INTRODUCTION

The Chairperson of the Economic Development, Environment, Agriculture and Rural Development Portfolio Committee, Mr. Errol Magerman, tabled the Committee's report on the Final Mandate on the National Gambling Amendment Bill [B27B-2018].

2. PROCESS FOLLOWED

The Speaker formally referred the National Gambling Amendment Bill [B27B-2018] Section 76, to the Portfolio Committee on Economic Development, Environment, Agriculture and Rural Development referred to as the Committee, for consideration in terms of Rule 248 (1)(a) read with 250 (1) and 251.

On the 7th Thursday, February 2019 the National Department of Trade and Industry made a presentation on the National Gambling Amendment Bill [B27B-2018]. Subsequently to that, the Gauteng Department of Economic Development made a presentation on the views of the Executive on matters related to the National Gambling Amendment Bill [B27-2018]. The Permanent Delegate was unable to attend the meeting and brief the Committee due to the opening of Parliament.

In the same meeting, a research analysis focusing on the socio-economic impact of the Bill and the legal opinion were presented respectively by the Research Unit and the Legal Unit from the Gauteng Provincial Legislature.

In fulfilling its constitutional mandate, the Committee published adverts in the following newspapers: The Star on Thursday 14th February 2019 and the Sowetan on Tuesday 12th February 2019. The advertorials enabled the Committee to request members of the public and stakeholders to attend the public hearings and make comments on the Bill. Following that, the Committee convened a public hearing at Emperors Palace in Ekurhuleni Metropolitan Municipality on the 16th February 2019.

The Portfolio Committee deliberated and adopted the draft report on the Negotiating Mandate of the National Gambling Amendment Bill [B27B-2018] in a meeting that convened on Thursday, 28th February 2019. On the 19th March 2019 the Committee adopted the Final Mandate on the National Gambling Amendment Bill [B27B-2018]

3. PRINCIPLES AND DETAILS OF THE BILL

The Bill seeks to further amend the principle Act in the following manner; to amend and delete certain definitions; to provide for the procedure for the forfeiture of unlawful winnings to the National Gambling Regulator; to provide for the quorum to make a final decision in the second meeting with the majority of the members present in that meeting; to provide for the dissolution of the National Gambling Board; to provide for the establishment of the National Gambling Regulator; to provide for the appointment of the Chief Executive Officer and Deputy Chief Executive Officer in the National Gambling Regulator; to provide for the powers of the national inspectorate to curb payments emanating from illegal gambling activities; to enhance the powers and duties of the gambling inspector; to provide for transitional arrangements; and to provide for matters connected therewith.

4. OBJECTIVES OF THE BILL

The bill seeks to amend the National Gambling Act, 2004 and the rationale behind this Act, according to its preamble, is that in light of the concurrent competence of both the provincial and national sphere of government in the functional areas of casinos, racing, gambling and wagering it was deemed desirable. In terms of Schedule 4 to the Constitution, casinos, racing, gambling and wagering are within the functional area of concurrent national and provincial legislative competence. The National Gambling Amendment Bill falls within schedule 4.

5. FINAL POSITION ADOPTED BY THE COMMITTEE

After due consideration, the Economic Development, Environment, Agriculture and Rural Development Portfolio Committee in accordance with Rule 117(2)(c), adopted the report to **vote against** the National Gambling Amendment Bill [B27B-2018] Section 76 as referred and recommends its adoption by the House.

Furthermore, in terms of the Section 65 of Constitution, the Portfolio Committee on Economic Development, Environment, Agriculture and Rural Development confer authority on the Gauteng Provincial Delegate/s to National Council of Provinces to **vote against** the National Gambling Amendment Bill [B27B-2018].