



**Western Cape
Government**

Provincial Treasury

PUBLIC HEARING ON THE NATIONAL GAMBLING AMENDMENT BILL

Western Cape Provincial Treasury

Portfolio Committee on Trade and Industry

Claire Horton

26 October 2018

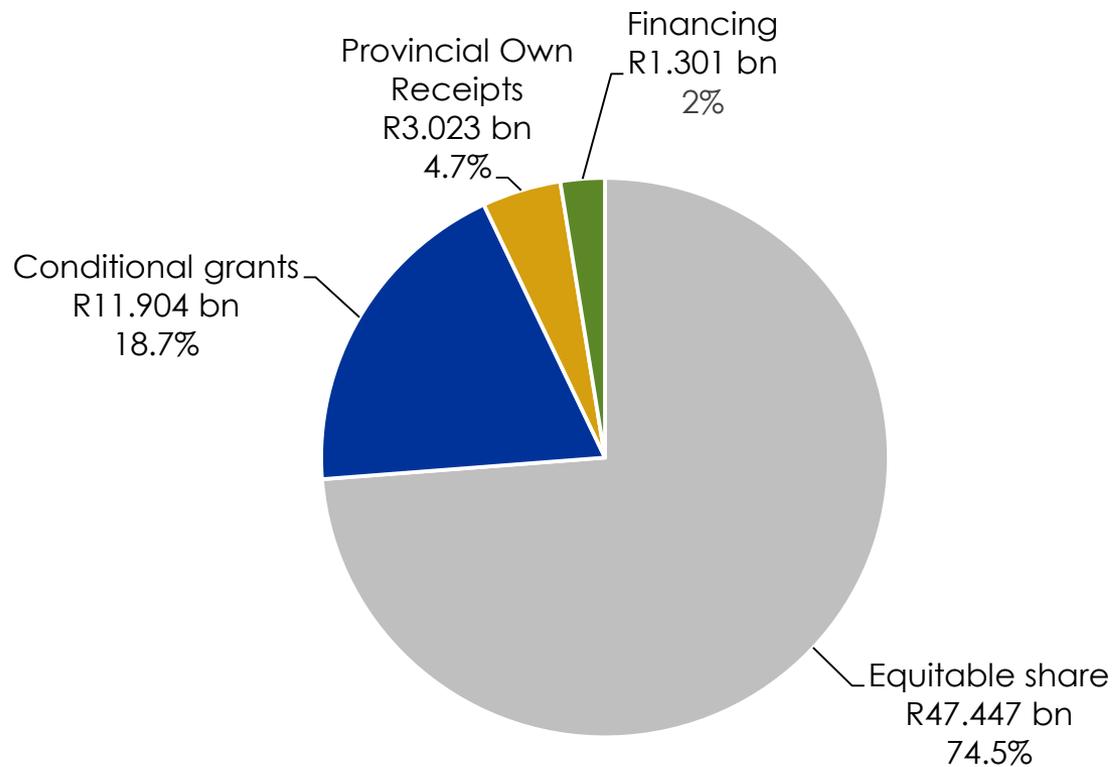
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Background

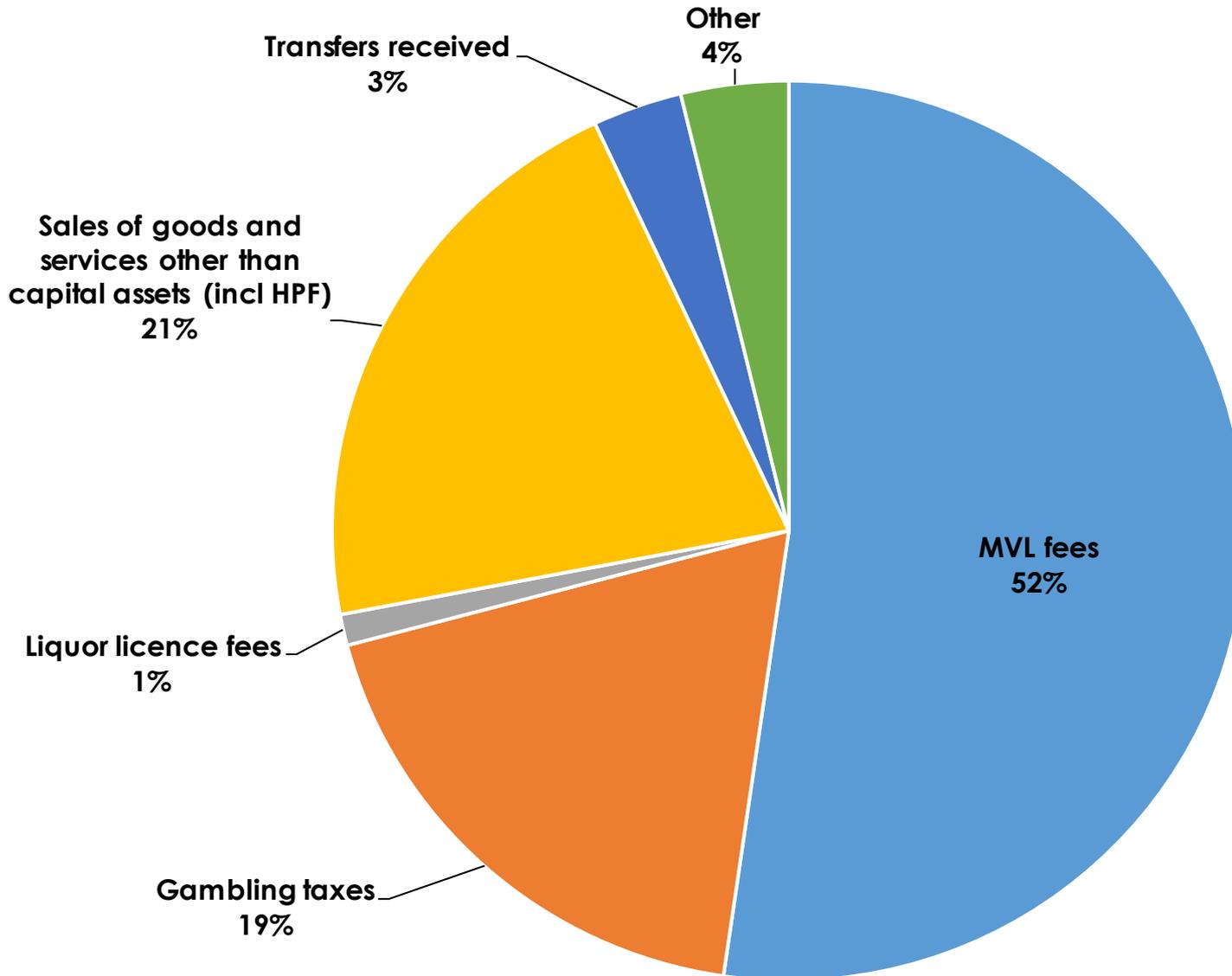
- The Western Cape Provincial Government has submitted comments on the Draft Bill on various occasions, starting in 2016 and ending with the most recent comments in October 2018
- This presentation is not intended to replace the written submission by the MEC of Finance: Western Cape Government, dated 12 October 2018

Provincial Receipts for 2018/19



- Transfers from National Government (PES & Conditional Grants) accounts for 93.2 per cent of total resource envelope in 2018/19

2017/18 Budget Outcome – Importance of Gambling Revenue



Comments on Specific Amendment Provisions

- Schedule 4 of the Constitution lists the various functional areas of concurrent national and provincial legislative competence. Certain gambling matters, namely (casinos, racing, gambling and wagering, excluding lotteries and sports pools) are listed in Schedule 4
- The establishment of norms and standards has been an on-going area of focus with regards to the regulation of gambling matters, the Western Cape Government supports such an approach, however such a provision should not weaken the prerogative of the responsible Provincial Executive Authority to make legislation which empowers the ability to set legislation regarding the maximum permissible number of licences as well as the maximum allowable on a licensed premises. [subject to the maximum allowable as per the national legislation]. This provision is provided or within the Western Cape Gambling and Racing Act, 1996 (Act 4 of 1996)
- It is recommended that the Bill provide for consultation with the relevant Provincial MEC

Comments on Specific Amendment Provisions

- Amendment of **Section 65** relating to the objects and functions of the National Gambling Regulator provides that the National Gambling Regulator **may monitor the socio-economic patterns of gambling activity within the Republic, and in particular, conduct research and identify factors relating to gambling, patterns, causes and consequences.**
 - The in-depth understanding of the socio-economic patterns of gambling activity within the Republic in the context of addictive or compulsive gambling and its broader socio-economic impacts are of critical importance. Indeed the phased roll-out of Limited Payout Machines, as envisaged in the National Gambling Regulations, presupposes such an understanding.
 - It is recommended that the National Gambling regulator must monitor these impacts

Comments on Specific Amendment Provisions

- Insertion of **Section 65A** into the principal Act dealing with the Chief Executive Officer and Deputy Chief Executive Officer
 - The Bill is silent on the type of skill and experience that the Chief Executive Officer (CEO) should possess to be able to hold this important post.
 - It is recommended that the minimum qualifications and experience of the CEO be stipulated in the Bill
 - The wording suggests that the Minister may appoint multiple number of Deputy CEOs. Based on the principles of good governance, it is suggested that the Minister be limited to appointing only one Deputy CEO, who may assist the CEO, in his or her absence, in fulfilling his or her duties.
 - It is recommended that the provision be redrafted to reflect that the Minister may only appoint one Deputy CEO.

Thank you