

Statutory Instrument No. 23 of 2016

GAMBLING ACT
(Cap. 19:03)

GAMBLING REGULATIONS, 2016
(Published on 26th February, 2016)

ARRANGEMENT OF REGULATIONS

REGULATION

PART I — *Preliminary*

1. Citation and commencement
2. Interpretation

PART II — *Gambling Establishments*

3. Application for gambling establishment licence
4. Grant of licence
5. Renewal of licence
6. Duplicate licence
7. Transfer of licence
8. Licence available due to surrender, expiration, etc.

PART III — *Casinos*

9. Application for casino licence
10. Grant of licence
11. Renewal of licence
12. Duplicate licence
13. Transfer of licence
14. Licence available due to surrender, expiration, etc.
15. Details to be specified on casino licence
16. Stakes and prizes
17. Casino gambling machines
18. Playing cards, dice and roulette balls control
19. Application for approval of chips or tokens
20. Specifications for chips and tokens
21. Use of chips and tokens
22. Redemption and disposal of discontinued chips and tokens
23. Destruction of counterfeit chips and tokens
24. Promotional chips and tokens and other value instruments
25. Receipt of chips and tokens from manufacturer or distributor
26. Inventory of chips and tokens
27. Prohibited transactions by licensees
28. Transactions to be reported
29. Multiple transactions
30. Electronic monitoring requirements

31. Installation of surveillance systems by licensee

PART IV — *Bingos*

32. Application for bingo licence
33. Grant of licence
34. Renewal of licence
35. Duplicate licence
36. Transfer of licence

PART V — *Totalisators and betting pools*

37. Application for totalisator licence
38. Grant of licence
39. Renewal of licence
40. Duplicate licence
41. Transfer of licence

PART VI — *Bookmakers*

42. Application for bookmaker's licence
43. Grant of licence
44. Renewal of licence
45. Duplicate licence
46. Transfer of licence

PART VII — *Racing*

47. Application for racing licence
48. Grant of licence
49. Renewal of licence
50. Duplicate licence
51. Transfer of licence
52. Prohibition on relaying of racecourse commentary or information

PART VIII — *Gambling Machines and Devices*

53. Application for licence to possess, etc., gambling machine or device
54. Grant of licence
55. Renewal of licence
56. Duplicate licence
57. Transfer of licence
58. Registration of gambling machines or devices
59. Register of gambling machines or devices
60. Record of gambling machines or devices
61. Attachment of certificate on gambling machines or devices
62. Transfer of ownership or possession of gambling machine or device
63. Registration of persons selling, repairing or testing gambling machines or devices
64. Application for testing agent licence

- 65. Calibration and certification of gambling machines or devices

PART IX — *Gambling Licences in General*

- 66. Publication of invitations to apply for licences
- 67. Publication of licence applications
- 68. Hearing of applications for licences
- 69. Investigations
- 70. Withdrawal of application for licence
- 71. Disqualifying circumstances
- 72. Opportunity to rectify disqualifying circumstances
- 73. Suspension of licence
- 74. Revocation of licence
- 75. Transfer of licences in general

PART X — *Obligations of Licensees*

- 76. Standards for gambling premises
- 77. Duty to display rules
- 78. Internal control measures
- 79. Licensee to maintain approved banking and payment processing arrangements
- 80. Licensee to maintain proper accounts
- 81. Licensee to submit annual reports
- 82. Authority's power to obtain certain information
- 83. Type approval of gambling machine or device
- 84. Authority not liable

PART XI — *Licensing of Persons Employed in the Gambling Industry*

- 85. Key employees in gambling industry
- 86. Application for employee licence
- 87. Grant of licence
- 88. Duplicate licence

PART XII — *Excluded persons*

- 89. Registration of excluded person
- 90. Maintenance of register of excluded persons
- 91. Prohibition of excluded person in partaking in gambling
- 92. Duty of licensee to keep excluded persons from licensed premises
- 93. Promotional material not to be sent to excluded persons
- 94. Cancellation of registration as excluded person

PART XIII — *Lotteries*

- 95. Application for licence to operate National Lottery
- 96. Grant of licence
- 97. Renewal of licence
- 98. Duplicate licence

- 99. Transfer of licence
- 100. Institutions which can operate lottery other than National Lottery

PART XIV — *Advertising*

- 101. Undesirable advertising
- 102. Statement to be advertised on dangers of gambling
- 103. Facilities where advertising is prohibited
- 104. Relationship with advertising regulator

PART XV — *Addictive and compulsive gambling*

- 105. Recording of problem gambling incidents
- 106. Gambling premises to have gambling contact officer
- 107. Dealing with people with gambling problems

PART XVI — *Financial and Administration provisions*

- 108. Payment of licence levy
- 109. Contribution to the Excessive Gambling Prevention and Rehabilitation Committee
- 110. Imposition of civil penalties by Authority

PART XVII — *Miscellaneous provisions*

- 111. Unlawful winnings
- 112. Prohibition of fraudulent acts
- 113. Prohibition on use of certain devices
- 114. Exclusion of persons from gambling premises for misconduct
- 115. Restriction on number of licences issued
- 116. Resolution of disputes
- 117. Investigations, reporting and powers of entry, etc.
- 118. Competition and consumer protection matters
- 119. Offences and penalties
- 120. Revocation of Cap. 19:01 (Sub. Leg.) and Cap. 19:02 (Sub. Leg.)

SCHEDULES

IN EXERCISE of the powers conferred on the Minister of Trade and Industry by section 135 of the Gambling Act (hereinafter referred to as “the Act”), the following Regulations are hereby made —

PART I — *Preliminary*

- | | |
|---|----------------|
| 1. These Regulations may be cited as the Gambling Regulations, 2016 and shall come into operation on 1st April, 2016. | Citation |
| 2. In these Regulations, unless the context otherwise requires — | Interpretation |
| “cashier’s cage” means a secure room used by cashiers in a casino for all cash-related transactions; | |
| “chip” means a non-metal or partly metal representative of value, redeemable for cash, which is issued or sold by a casino licensee for use at the licensee’s casino; | |
| “drop” means the total amount of money, chips, tokens and credit markers contained in a drop box; | |
| “drop box” means a locked container permanently marked with a game or shift number corresponding to a permanent number of a table into which all currency exchanged for chips or tokens or credit instruments at the table and all other documents pertaining to transactions at the table shall be placed; | |
| “hard count room” means a room in which coins are counted in a casino; | |
| “soft count room” means a room in which notes are counted in a casino; and | |
| “token” means a metal or other representative of value, redeemable for cash which is sold at a casino for use in slot machines, at table games or counter games. | |

PART II — *Gambling Establishments*

- | | |
|---|--|
| 3. (1) A person may make an application to the Authority for a gambling establishment licence, in Form 1 set out in Schedule 1, and such application shall be accompanied by the fee prescribed under Schedule 14. | Application for gambling establishment licence |
| (2) An application under subregulation (1) shall be accompanied by such supporting documents and information as may be required by the Authority. | |
| (3) Where the documents or information supplied by an applicant under this regulation change subsequent to the application being lodged with the Authority but prior to the application being decided by the Authority, the applicant shall notify the Authority, in writing, of the changes in the documents or information. | |
| 4. (1) The Authority shall, where it is satisfied that the applicant meets the requirements for the grant of a gambling establishment licence, grant the applicant such licence in Form 2 set out in Schedule 1, upon payment of the fee prescribed under Schedule 14. | Grant of licence |
| (2) The Authority shall, within seven days after the decision to grant a licence under subregulation (1), notify the applicant, in writing, that the licence has been granted. | |
| (3) Where the Authority has refused to grant a licence to an applicant, the Authority shall notify the applicant, in writing, within seven (7) days of the decision and shall furnish the applicant with reasons for the refusal. | |

C.268

Renewal of licence	<p>5. A licensee under this Part may make an application to the Authority in Form 3 set out in Schedule 1 for the renewal of a gambling establishment licence, and such application shall be accompanied by the fee prescribed under Schedule 14.</p>
Duplicate licence	<p>6. A licensee may make an application to the Authority for a duplicate gambling establishment licence, in Form 4 set out in Schedule 1, upon payment of the fee prescribed under Schedule 14, where the original licence is lost, mutilated or destroyed.</p>
Transfer of licence	<p>7. (1) A licensee may make an application to the Authority in Form 5 set out in Schedule 1 to transfer a gambling establishment licence to another person, or for a gambling establishment licence to be transferred from one premises to another, upon payment of the fee prescribed under Schedule 14.</p> <p>(2) An application made under subregulation (1) shall be subject to the provisions of regulation 74.</p>
Licence available due to surrender, expiration, etc.	<p>8. (1) A person may make an application to the Authority in Form 6 set out in Schedule 1 to the Authority for a gambling establishment licence that has become available due to surrender by a licensee, which has been revoked by the Authority, or which has expired and has not been renewed.</p> <p>(2) An application made in accordance with subregulation (1) shall be accompanied by the fee prescribed under Schedule 14.</p>

PART III — *Casinos*

Application for a casino licence	<p>9. (1) A person may make an application to the Authority for a casino licence in Form 7 set out in Schedule 2, upon payment of the fee prescribed under Schedule 14.</p> <p>(2) An application under subregulation (1) shall be accompanied by such supporting documents and information as may be required by the Authority.</p> <p>(3) Where the documents or information supplied by an applicant under this regulation change subsequent to the application being lodged with the Authority but prior to the application being decided by the Authority, the applicant shall notify the Authority, in writing, of the changes in the documents or information.</p>
Grant of licence	<p>10. (1) The Authority shall, where it is satisfied that the applicant meets the requirements for the grant of a casino licence, grant the applicant such licence in Form 8 set out in Schedule 2, upon payment of the fee prescribed under Schedule 14.</p> <p>(2) The Authority shall, within seven (7) days after the decision to grant a licence under subregulation (1), notify the applicant, in writing, that the licence has been granted.</p> <p>(3) Where the Authority has refused to grant a licence to an applicant, the Authority shall notify the applicant, in writing, within seven days of the decision and shall furnish the applicant with reasons for the refusal.</p>
Renewal of licence	<p>11. A licensee under this Part, may make an application to the Authority in Form 9 set out in Schedule 2, for the renewal of his or her casino licence, and such application shall be accompanied by the fee prescribed under Schedule 14.</p>
Duplicate licence	<p>12. A licensee may make an application to the Authority for a duplicate licence, in Form 10 set out in Schedule 2, upon payment of the fee prescribed under Schedule 14, where the original licence is lost, mutilated or destroyed.</p>

13. Subject to regulation 74, a licensee may make an application to the Authority in Form 11 set out in Schedule 2 for his or her casino licence to be transferred to another person, or to be transferred from one premises to another, upon payment of the fee prescribed under Schedule 14.

Transfer of
licence

14. (1) A person may make an application in Form 12 set out in Schedule 2 to the Authority for a casino licence that has become available due to surrender by a licensee, which has been revoked by the Authority, or which has expired and has not been renewed.

Licence
available due
to surrender,
expiration,
etc.

(2) An application made in accordance with subregulation (1) shall be accompanied by the fee prescribed under Schedule 14.

15. A casino licence shall specify —

Details to be
specified on
casino licence

- (a) such games, tables and gambling machines as are to be played in or on part of the licensed premises;
- (b) the number of tables for the playing of any game and the number of gambling machines; and
- (c) the carrying on by the licensee in the licensed premises of any trade or business specified in the casino licence.

16. (1) The Authority shall determine the minimum and maximum stakes allowed and prizes payable in respect of winning wagers applicable to every licensed game at a casino.

Stakes and
prizes

(2) The minimum and maximum stakes allowed and prizes payable in accordance with subregulation (1) shall be displayed at all times by the licensee on the table or in a conspicuous place adjacent to the table.

(3) A pay-off schedule or an award card in a casino shall state the actual pay-off or award applicable to a particular game and shall not be worded in such a manner as to mislead or deceive the public.

17. (1) A casino gambling machine shall have a theoretical and demonstrable return to the public of not less than 80 per cent.

Casino
gambling
machines

(2) A licensee shall clearly display or make easily accessible to players all winning combinations, together with corresponding prizes, on every casino gambling machine exposed for play.

18. A licensee shall submit to the Authority for approval, procedures that provide security over a casino game and limit the possibility of unauthorised access and tampering including —

Playing cards,
dice and
roulette
balls
control

- (a) a casino game inventory system which includes a record of the following —
 - (i) the balance of playing cards, dice or roulette balls on hand,
 - (ii) playing cards, dice or roulette balls removed from primary storage,
 - (iii) playing cards, dice or roulette balls returned to storage or received from the manufacturer, and
 - (iv) the date when the playing cards, dice or roulette balls were received from the manufacturer;
- (b) a reconciliation on a daily basis of playing cards, dice or roulette balls distributed, destroyed, cancelled and on reserve;
- (c) an audit by an independent auditor of the records kept by the licensee in accordance with paragraphs (a) and (b); and
- (d) procedures for the destruction and cancellation of playing cards, dice or roulette balls.

C.270

Application
for approval of
chips or tokens

19. (1) A licensee shall make an application, in writing, to the Authority for the approval of chips or tokens to be used in the applicant's casino.

(2) A licensee shall make an application, in writing, to the Authority for the approval of modifications to chips or tokens previously approved by the Authority.

(3) An application made under subregulations (1) and (2) shall include —

- (a) an exact drawing, in colour, of each side and the edge of the proposed chip or token, drawn to actual size or drawn to larger than actual size and in scale, and showing the measurements of the proposed chip or token in each dimension;
- (b) specifications for the proposed chips or tokens;
- (c) the names and addresses of the manufacturer of the proposed chips or tokens; and
- (d) the licensee's intended use of the chips or tokens.

(4) Where the Authority is satisfied that the proposed chips or tokens conform to the requirements set out in subregulation (3) and any other information required by the Authority, the Authority shall notify the licensee, in writing, to submit a sample of the proposed chips or tokens in final, manufactured form.

(5) Where the Authority is satisfied that the sample of chips or tokens requested under subregulation (4), conform to the requirements set out in subregulation (3), the Authority shall, in writing, notify the licensee of its approval of the proposed chips or tokens.

(6) A licensee shall not use chips or tokens that are not issued for use at specific tables or counter games.

Specifications
for chips and
tokens

20. (1) A licensee shall not use chips or tokens that deceptively resemble any current or past currency coins used in Botswana or any other country.

(2) A licensee shall ensure that each chip or token used for play at the licensee's casino shall contain the following specifications —

- (a) an inscription of the name of the casino issuing the chip or token on each side of the chip or token, and an inscription of the name of the city or other locality where the casino is located on at least one side of each chip or token, unless the chip or token is used exclusively at roulette;
- (b) an inscription of each side of a chip or token of the value of the chip or token, unless the chip or token is used exclusively at roulette;
- (c) an inscription on at least one side of each chip or token, unless the chip or token is used exclusively at roulette, of the manufacturer's name or a distinctive logo or other mark identifying the manufacturer; and
- (d) each chip or token shall be designed in such a way that when stacked with chips and tokens of other denominations and viewed on closed-circuit television, the denomination of the chips or tokens can be distinguished from that of the other chips or tokens in the stack.

Use of chips
and tokens

21. (1) A licensee who uses chips and tokens shall —

- (a) sell chips and tokens only to patrons of the licensee's casino and only at the patrons' requests;
- (b) promptly redeem the casino's chips and tokens for the casino's patrons;
- (c) post signs conspicuously which contain information on the prohibition of the use of the licensee's chips outside the licensee's casino for any monetary purpose or other purpose; and
- (d) take reasonable steps to ensure that the licensee does not issue chips and tokens to its patrons which were issued by other casino licensees.

(2) A licensee shall accept chips or tokens only as payment for the specific purpose that the chips or tokens were issued for and for the payment of food and beverages offered at the casino.

(3) A licensee shall not offer chips or tokens as change in any other transaction other than for the transaction for which the chips or tokens were issued for.

(4) A licensee shall not knowingly sell, use, permit the use of, accept or redeem chips or tokens issued by another licensee except where the chips or tokens are presented by a patron of the licensee for redemption after showing proof that he or she received the chips or tokens from the gambling machines or from an employee of the licensee.

(5) A licensee may redeem chips whose use is restricted to uses other than at table games or at specified table games for chips issued for use at the table games or specified table games and the redeemed chips shall be placed by the licensee in the table's drop box, separated from other chips and properly accounted for during the count performed in terms of the licensee's internal control system.

(6) A licensee who contravenes the provisions of subregulation (4), commits an offence and is liable to a fine not exceeding P5 000 or to imprisonment for a term not exceeding six months, or to both.

22. (1) A licensee who permanently removes from use or replaces approved chips or tokens at the licensee's casino, or who ceases to operate a casino shall prepare a plan for redeeming discontinued chips and tokens that remain outstanding at the time of the discontinuation.

(2) A licensee shall submit a plan under subregulation (1) to the Authority not later than 30 days before the proposed removal from use, replacement of the chips or tokens or ceasing to operate a casino, unless the cause for the discontinuation of the chips or tokens cannot be reasonably anticipated, in which event the licensee must submit the plan as soon as is reasonably practicable.

(3) The plan referred to under subregulation (1) shall provide for —

- (a) the redemption of outstanding, discontinued chips and tokens for at least 120 days after the removal from use, replacement or cessation of operations, as the case may be;
- (b) the redemption of the chips and tokens at the premises of the casino or such other location as the Authority may approve;
- (c) the publication of a notice for the discontinuance and redemption of the chips and tokens and the locations of the redemption in at least two newspapers circulating in Botswana at least twice during each week of the redemption period;
- (d) the notice under paragraph (c) to be placed conspicuously at the premises of the licensee or other location where the redemption will take place; and
- (e) the destruction or such other disposition of the discontinued chips and tokens.

(4) A licensee who fails to submit a plan in accordance with sub-regulation (2), commits an offence and is liable to a fine not exceeding P5 000 or to imprisonment for a term not exceeding six months, or to both.

23. (1) A licensee shall destroy or otherwise dispose of counterfeit chips and tokens discovered at the licensee's casino in such manner as may be approved by the Authority.

Redemption
and disposal
of
discontinued
chips and
tokens

Destruction
of counterfeit
chips and
tokens

(2) A licensee may dispose of currency coins used in Botswana or any other country discovered to have been unlawfully used at the licensee's casino by including the coins in the casino's coin inventories or in the case of foreign currency coins by exchanging such coins for local currency coins and including the foreign currency coins in the casino's coin inventories or by disposing of them by any other lawful means.

(3) A licensee shall keep a record, in addition to any other information that the Authority may require, of —

- (a) the number and denominations, actual and purported, of the coins and counterfeit chips and tokens destroyed or otherwise disposed of in terms of this regulation;
- (b) the date on which the counterfeit chips, tokens and coins were discovered;
- (c) the place and method of destruction or other disposition, including in the case of foreign coin exchanges, the exchange rate and the name of the bank, exchange company or other business or person with whom the coins were exchanged; and
- (d) the names of the persons carrying out the destruction or other disposition on behalf of the licensee.

Promotional
chips and
tokens and
other value
instruments

24. (1) A licensee shall use promotional chips and tokens that are designed and manufactured in accordance with the following specifications —

- (a) they shall be of such shape and size as to be distinguishable from other chips and tokens as determined by the Authority; and
 - (b) each side of each promotional chip and token shall be clearly inscribed with the words "No Cash Value".
- (2) A licensee shall not use or permit the use of promotional chips and tokens other than for the promotions or tournaments for which they are issued.
- (3) A value instrument shall be of such shape, size and design and have such other specifications as the Authority may approve.
- (4) The Authority may deny approval of value instruments other than chips and tokens or may grant approval subject to such conditions as the Authority considers appropriate.

Receipt of
chips and
tokens from
manufacturer
or distributor

25. (1) A licensee shall keep a record of —

- (a) the denomination of all chips and tokens received from a manufacturer or distributor;
 - (b) the descriptions of the chips or tokens;
 - (c) the date of receipt of the chips or tokens; and
 - (d) the signatures of the persons who received the chips or tokens.
- (2) A deviation between the invoice accompanying the chips or tokens and the actual number of chips or tokens received, or any defects found in such chips or tokens shall be reported by the licensee to the Authority as soon as reasonably practicable.
- (3) A licensee shall store in a separate locked compartment any chips or tokens received in accordance with subregulation (1) which are to be held in reserve, and the licensee shall record such chips or tokens in the chip inventory ledger as reserve chips.
- (4) A licensee who fails to comply with the provisions of subregulation (3) commits an offence and is liable to a fine not exceeding P5 000 or to imprisonment for a term not exceeding six months, or to both.

26. (1) A licensee shall record in the chip inventory ledger the denominations, number and amount of chips and tokens taken from or returned to the chip inventory, together with the date and signatures of the persons carrying out this process.

Inventory
of chips and
tokens

(2) A licensee shall, on a daily basis —

- (a) compute and record the unredeemed liability for each denomination of chips and tokens;
- (b) cause to be made an inventory of chips and tokens in circulation; and
- (c) cause the result of the inventory made under paragraph (b) to be recorded in the chip inventory ledger on a monthly basis.

(3) A licensee shall submit, in writing, the procedures used to compute the unredeemed liability and the procedures used for the inventory of chips and tokens to the Authority for approval.

(4) A licensee shall store, in a vault or cashier's cage, all chips and tokens during non-gambling hours:

Provided that chips representing the table bankroll may be locked in a secure compartment.

27. (1) A licensee shall not exchange chips or tokens for cash except to enable a patron to participate in gambling where cash is used as the stake after the patron has participated in the game or for the purpose of converting such cash.

Prohibited
transactions
by
licensees

(2) A licensee shall not —

- (a) issue cheques or other negotiable instruments; or
- (b) transfer any funds to or on behalf of a patron, in exchange for cash, chips, tokens or other value instruments, unless the licensee is satisfied that the patron has genuinely participated in gambling.

28. (1) A licensee shall keep and maintain a record of the following transactions —

Transactions
to be reported

- (a) exchanging chips or tokens for cash or other negotiable instrument with or on behalf of a patron in any transaction in which the amount of the exchange exceeds P25 000;
- (b) issuing a cheque or other negotiable instrument to a patron, or otherwise effecting any transfer of funds on behalf of a patron, in exchange for cash or other negotiable instrument in any transaction in which the amount of the exchange exceeds P25 000;
- (c) redeeming more than P25 000 worth of the licensee's chips from a patron for cash or other negotiable instrument in any transaction;
- (d) selling or issuing in any transaction more than P25 000 worth of the licensee's chips to a patron for cash or other negotiable instrument;
- (e) receiving more than P25 000 in cash or other negotiable instrument as a deposit for gambling or safekeeping purposes;
- (f) receiving more than P25 000 in cash or other negotiable instrument from a patron as repayment of credit previously extended by the licensee;
- (g) accepting more than P25 000 in cash or other negotiable instrument in that amount as wager at any gambling activity at which chips are not customarily used for wagering; and
- (h) receiving from or disbursing to a patron more than P25 000 in cash, or other negotiable instrument in any transaction not specifically covered under paragraphs (a) to (g).

(2) The amount of cash or other negotiable instrument set under subregulation (1) as the limit for transactions to be reported to the Authority may be reviewed from time to time by the Authority, and the Authority shall notify the Minister, in writing, of such review.

(3) A licensee shall aggregate all cash transactions between the licensee and a patron or a person who the licensee knows or reasonably believes to be the patron's agent, within a 24-hour period of the transactions being made.

(4) A licensee shall lodge a copy of the records to be kept by the licensee in terms of subregulation (1) with the Authority within 14 days after the end of the month to which the records relate.

(5) A licensee who fails to comply with the provisions of sub-regulation (4) commits an offence and is liable to a fine not exceeding P5 000 or to imprisonment for a term not exceeding six months, or to both.

Multiple
transactions

29. (1) A licensee, the licensee's employees or agents shall not knowingly allow, and the licensee shall take all reasonable steps to prevent, the circumvention of the provisions of regulation 28 by engaging in multiple transactions within a 24-hour period with a patron or a patron's agent.

(2) A licensee who contravenes the provisions of subregulation (1) commits an offence and is liable to a fine not exceeding P5 000 or to imprisonment for a term not exceeding six months, or to both.

Electronic
monitoring
requirements

30. (1) A licensee shall install a central computer or such other monitoring system, as approved by the Authority, connected to all gambling machines exposed for play, to record and monitor the activities of such machines.

(2) A licensee shall not alter or modify the approved monitoring system installed in accordance with subregulation (1) without seeking prior approval of the Authority.

(3) The monitoring system installed in accordance with subregulation (1) shall —

- (a) provide for an online monitoring and data acquisition capability in a format and medium approved by the Authority;
- (b) be configured in such a manner that it can be easily linked to the Authority's monitoring system; and
- (c) provide for such other monitoring and data acquisition capability as the Authority may determine.

(4) The monitoring system installed in accordance with subregulation (1), shall be designed and operated to perform and report functions relating to gambling machine meters and other functions by recording —

- (a) the number and total value of tokens or coins placed in each gambling machine for the purpose of activating play;
- (b) the number and total value of tokens or coins deposited in the drop box;
- (c) the number and total value of tokens or coins automatically paid out by each gambling machine;
- (d) the number and total value of tokens or coins to be paid manually; and
- (e) such other information as the Authority may require.

(5) A licensee shall store in a machine readable format, all information required in accordance with subregulation (4) for a period of five years in addition to such other documentation that the Authority may require to be stored.

(6) The Authority shall —

- (a) appoint a suitable service provider for the configuration maintenance of any monitoring system installed by a licensee; and
- (b) allow any existing licensee a grace period of three months to have a monitoring system configured and linked to the Authority's monitoring system.

(7) The Authority may disable any gambling machine through the monitoring system if it does not comply with the provisions of this Regulation.

(8) A licensee who fails to comply with the provisions of subregulations (2) and (5), commits an offence and is liable to a fine not exceeding P5 000 or to imprisonment for a term not exceeding six months, or to both.

31. (1) An applicant for a casino licence shall submit to the Authority a surveillance system plan for approval, at the time of by making an application for a casino licence.

Installation of
surveillance
systems by
licensee

(2) The surveillance system plan under subregulation (1) shall include a casino floor plan that shows the placement of all surveillance equipment in relation to the locations to be covered by the surveillance system, and a detailed description of the surveillance system and its equipment.

(3) An applicant or licensee shall not alter or modify the surveillance system plan approved by the Authority under subregulation (1), without the prior approval of the Authority.

(4) Where an applicant or licensee wishes to alter or modify the surveillance system plan, the applicant or licensee shall submit an amended surveillance system plan to the Authority reflecting any alteration or modification to the surveillance system not later than 30 days prior to the proposed alteration or modification.

(5) A licensee shall install, maintain and operate at all times a surveillance system that monitors and records clear and unobstructed views of the following —

- (a) all areas and transactions within the hard count room and any area where uncounted coins are stored during the drop and count process, including walls, doors, scales, wrapping machines, coin sorters, vaults, safes and general work surfaces;
- (b) all areas and transactions within the soft count room, including walls, doors, drop boxes, vaults, safes and counting surfaces;
- (c) all areas and transactions within a cashier's cage, including customer windows, employees' windows, cash drawers, vaults, safes, counters, chip storages and fill windows;
- (d) all table games and card room areas with sufficient clarity to permit identification of all dealers, patrons, spectators and pit personnel;
- (e) all table games or card table surfaces, including table bank trays, with sufficient clarity to permit identification of all chip, cash, dice and card values, and the outcome of games;
- (f) all roulette tables and wheels, which shall be recorded on a monitor screen;
- (g) all drop boxes and tables numbers;
- (h) all card rooms or podium banks, including any drawers, cabinets contained in such banks, and each table being continuously and individually monitored and recorded by a dedicated fixed camera while the drop box is attached to such table;

- (i) all areas that contain gambling machines with sufficient clarity to identify all patrons and employees; and
 - (j) all slot booths, including cash drawers, counter tops, counting machines, customer windows and employees' windows to permit identification of all transactions, cash, paperwork, patrons and employees.
- (6) The surveillance system shall have the capability to view and record simultaneously —
- (a) all table game areas and surfaces; and
 - (b) all transactions within the hard count rooms, soft count rooms and cashier's cage in order to permit identification of each employee and his or her movements, and to permit identification of all currency, coins and paperwork.
- (7) A licensee's soft and hard count rooms shall have a surveillance system with audio monitoring and recording capabilities.
- (8) The surveillance system installed by a licensee in accordance with subregulation (5) shall cover all areas of any security office where persons may be detained or interrogated by casino security officers, and the security coverage shall include both audio and video recordings.
- (9) A licensee shall retain recordings of surveillance systems installed on the licensee's premises, for a period of at least 30 days from the date of the recordings.
- (10) A licensee shall display conspicuously a sign in every room or office which has a surveillance system, which states that the room or office is under constant audio and video surveillance.
- (11) A licensee shall establish and maintain a written log of all casino surveillance system equipment malfunctions, and retain the log for at least 12 months after the date of the most recent entry in the log.
- (12) A licensee shall ensure that each malfunction of the casino surveillance system equipment is repaired within 24 hours of the malfunction but if a repair is not completed within 24 hours, the licensee shall submit a written report to the Authority immediately, that sets out the reasons for the delay in the repairs.
- (13) The Authority may order that all activities in the area affected by the surveillance system equipment malfunction under subregulation (12) be suspended pending repairs to the equipment.
- (14) A licensee who fails to comply with the provisions of this regulation commits an offence and is liable to a fine not exceeding P5 000 or to imprisonment to a term not exceeding six months, or to both.

PART IV — *Bingos*

Application for
bingo licence

- 32.** (1) A person may make an application for a bingo licence to the Authority in Form 13 set out in Schedule 3, and such application shall be accompanied by the fee prescribed under Schedule 14.
- (2) An application under subregulation (1) shall be accompanied by such supporting documents and information as may be specified or required by the Authority.
- (3) Where the documents or information supplied by an applicant under this regulation changes subsequent to the application being lodged with the Authority but prior to the application being decided by the Authority, the applicant shall notify the Authority, in writing, of the changes in the documents or information.

33. (1) The Authority shall, where it is satisfied that the applicant meets the requirements for the grant of a bingo licence, grant the applicant such licence in Form 14 set out in Schedule 3, upon payment of the fee prescribed under Schedule 14.

Grant of
licence

(2) The Authority shall, within seven days after the decision to grant a licence under subregulation (1), notify the applicant, in writing, that the licence has been granted.

(3) Where the Authority has refused to grant a licence to an applicant, the Authority shall notify the applicant, in writing, within seven days of the decision and shall furnish the applicant with reasons for the refusal.

34. A licensee under this Part, may make an application to the Authority in Form 15 set out in Schedule 3 for the renewal of his or her bingo licence, and such application shall be accompanied by the fee prescribed under Schedule 14.

Renewal
of licence

35. A licensee may make an application to the Authority licence for a duplicate licence, in Form 16 set out in Schedule 3, upon payment of the fee prescribed under Schedule 14, where the original licence is lost, mutilated or destroyed.

Duplicate
licence

36. Subject to regulation 74, a licensee may make an application to the Authority in Form 17 set out in Schedule 3 for his or her bingo licence to be transferred to another person, or to be transferred from one premises to another, upon payment of the fee prescribed under Schedule 14.

Transfer of
licence

PART V — *Totalisators and betting pools*

37. (1) A person may make an application to the Authority in Form 18 set out in Schedule 4 for a totalisator licence, and such application shall be accompanied by the fee prescribed under Schedule 14.

Application
for totalisator
licence

(2) An application under subregulation (1) shall be accompanied by such supporting documents and information as may be specified or required by the Authority.

(3) Where the documents or information supplied by an applicant under this regulation changes subsequent to the application being lodged with the Authority but prior to the application being decided by the Authority, the applicant shall notify the Authority, in writing, of the changes in the documents or information.

38. (1) The Authority shall, where it is satisfied that the applicant meets the requirements for the grant of a totalisator licence, grant the applicant such licence in Form 19 set out in Schedule 4, upon payment of the fee prescribed under Schedule 14.

Grant of
licence

(2) The Authority shall, within seven days after the decision to grant a licence under subregulation (1), notify the applicant, in writing, that the licence has been granted.

(3) Where the Authority has refused to grant a licence to an applicant, the Authority shall notify the applicant, in writing, within seven days of the decision and shall furnish the applicant with reasons for the refusal.

39. A licensee under this Part, may make an application to the Authority in Form 20 set out in Schedule 4 for the renewal of his or her totalisator licence, and such application shall be accompanied by the fee prescribed under Schedule 14.

Renewal of
licence

C.278

Duplicate licence	40. A licensee may make an application to the Authority for a duplicate licence, in Form 21 set out in Schedule 4, upon payment of the fee prescribed under Schedule 14, where the original licence is lost, mutilated or destroyed.
Transfer of licence	41. Subject to regulation 74, a licensee may make an application to the Authority in Form 22 set out in Schedule 4 for his or her totalisator licence to be transferred to another person, or to be transferred from one premises to another, upon payment of the fee prescribed under Schedule 14.

PART VI — *Bookmakers*

Application for bookmaker's licence	42. (1) A person may make an application to the Authority for a bookmaker's licence in Form 23 set out in Schedule 5, and such application shall be accompanied by the fee prescribed under Schedule 14. (2) An application under subregulation (1) shall be accompanied by such supporting documents and information as may be specified or required by the Authority. (3) Where the documents or information supplied by an applicant under this regulation changes subsequent to the application being lodged with the Authority but prior to the application being decided by the Authority, the applicant shall notify the Authority, in writing, of the changes in the documents or information.
Grant of licence	43. (1) The Authority shall, where it is satisfied that the applicant meets the requirements for the grant of a bookmaker's licence, grant the applicant such licence in Form 24 set out in Schedule 5, upon payment of the fee prescribed under Schedule 14. (2) The Authority shall, within seven days after the decision to grant a licence under subregulation (1), notify the applicant, in writing, that the licence has been granted. (3) Where the Authority has refused to grant a licence to an applicant, the Authority shall notify the applicant, in writing, within seven days of the decision and shall furnish the applicant with reasons for the refusal.
Renewal of licence	44. A licensee under this Part, may make an application to the Authority in Form 25 set out in Schedule 5 for the renewal of his or her bookmaker's licence, and such application shall be accompanied by the fee prescribed under Schedule 14.
Duplicate licence	45. A licensee may make an application to the Authority for a duplicate licence, in Form 26 set out in Schedule 5, upon payment of the fee prescribed under Schedule 14, where the original licence is lost, mutilated or destroyed.
Transfer of licence	46. Subject to regulation 74, a licensee may make an application to the Authority in Form 27 set out in Schedule 5 for his or her bookmaker's licence to be transferred to another person, or to be transferred from one premises to another, upon payment of the fee prescribed under Schedule 14.

PART VII — *Racing*

Application for racing licence	47. (1) A person may make an application to the Authority for a licence in Form 28 set out in Schedule 6, and such application shall be accompanied by the fee prescribed under Schedule 14.
--------------------------------	---

(2) An application under subregulation (1) shall be accompanied by such supporting documents and information as may be specified or required by the Authority.

(3) Where the documents or information supplied by an applicant under this regulation changes subsequent to the application being lodged with the Authority but prior to the application being decided by the Authority, the applicant shall notify the Authority, in writing, of the changes in the documents or information.

48. (1) The Authority shall, where it is satisfied that the licence applicant meets the requirements for the grant of a racing licence, grant the applicant such licence in Form 29 set out in Schedule 6, upon payment of the fee prescribed under Schedule 14.

Grant of
licence

(2) The Authority shall, within seven days after the decision to grant a licence under subregulation (1), notify the applicant, in writing, that the licence has been granted.

(3) Where the Authority has refused to grant a licence to an applicant, the Authority shall notify the applicant, in writing, within seven days of the decision and shall furnish the applicant with reasons for the refusal.

49. A licensee under this Part, may make an application to the Authority in Form 30 set out in Schedule 6 for the renewal of his or her racing licence, and such application shall be accompanied by the fee prescribed under Schedule 14.

Renewal of
licence

50. A licensee may make an application to the Authority for a duplicate licence, in Form 31 set out in Schedule 6, upon payment of the fee prescribed under Schedule 14, where the original licence is lost, mutilated or destroyed.

Duplicate
licence

51. Subject to regulation 74, a licensee may make an application to the Authority in Form 32 set out in Schedule 6 for his or her racing licence to be transferred to another person, or to be transferred from one premises to another, upon payment of the fee prescribed under Schedule 14.

Transfer of
licence

52. (1) A person shall not —

- (a) relay contemporaneous racecourse or race meeting commentary without the authority of a licensee;
- (b) by means of a telephone or any similar instrument relay any information provided by a licensee in respect of any race, unless the person is authorised by the licensee to do so; or
- (c) by means of a radio, television, loudspeaker apparatus or any similar instrument receive any commentary or information provided by a licensee at any place other than at a totalisator conducted by the totalisator licensee.

Prohibition
on relaying
racecourse
commentary
or
information

(2) Subject to the provisions of subregulation (1) —

- (a) a person licensed in terms of the Communications Regulatory Authority Act may transmit commentary or information provided by a licensee; and
- (b) information may be relayed by means of a telephone or any similar instrument by a person authorised by a totalisator licensee concerned to relay the information.

Cap. 72:03

PART VIII — *Gambling Machines and Devices*

Application for
licence to
possess, etc.,
gambling
machine
or device

53. (1) A person may make an application in Form 33 set out in Schedule 7 for a licence to own or possess a gambling machine or device or a licence to own, keep or maintain premises where a gambling machine or device is kept, and such application shall be accompanied by the fee prescribed under Schedule 14.

(2) An application under subregulation (1) shall define the gambling machine or device which is the subject of the application.

Grant of
licence

54. (1) The Authority shall, where it is satisfied that the applicant meets the requirements for the grant of a licence to own, or possess a gambling machine or device, or own, keep or maintain any premises on which any gambling machine or device is kept, grant the applicant with such licence in Form 34 set out in Schedule 7, upon payment by the applicant of the fee prescribed under Schedule 14.

(2) The Authority shall, within seven days after the decision to grant a licence under subregulation (1), notify the applicant, in writing, that the licence has been granted.

(3) Where the Authority has refused to grant a licence to an applicant, the Authority shall notify the applicant, in writing, within seven days of the decision and shall furnish the applicant with reasons for the refusal.

Renewal of
licence

55. A licensee under this Part, may make an application to the Authority in Form 35 set out in Schedule 7 for the renewal of his or her licence, and such application shall be accompanied by the fee prescribed under Schedule 14.

Duplicate
licence

56. A licensee may make an application to the Authority for a duplicate licence, in Form 36 set out in Schedule 7, upon payment of the fee prescribed under Schedule 14, where the original licence is lost, mutilated or destroyed.

Transfer of
licence

57. Subject to regulation 74, a licensee may make an application to the Authority in Form 37 set out in Schedule 7 to the Authority for his or her licence to be transferred to another person, or to be transferred from one premises to another, upon payment of the fee prescribed under Schedule 14.

Registration
of
gambling
machines
or devices

58. (1) A person who imports a gambling a gambling machines or device into Botswana, or who manufactures, sells, markets or distributes such machines or devices in Botswana, shall register the machines or devices with the Authority.

(2) A person who wishes to transport or distribute a registered gambling machine or device shall apply to the Authority, 30 days prior to the date of the intended transportation or distribution, for permission to do so.

(3) A person who fails to comply with the provisions of this regulation commits an offence and is liable to the penalty prescribed under section 90 of the Act.

Register of
gambling
machines
or devices

59. (1) The Authority shall establish and maintain a register of every gambling machine and device manufactured in or imported into Botswana in the form set out in Schedule 8.

(2) The register maintained in terms of subregulation (1) shall be kept at the offices of the Authority and shall be open for inspection by any member of the public, during office hours of the Authority.

(3) The register shall clearly describe in respect of each gambling machine or device —

- (a) the name and address of the manufacturer or importer of the machine or device;
- (b) the full name and description of the machine or device;

- (c) the serial number of the machine or device;
- (d) the purpose for which the machine or device was manufactured or imported; and
- (e) the type approval of the machine or device in accordance with regulation 83.

60. A manufacturer of gambling machines or devices shall keep and maintain a written record of every gambling machine or machines or device that the manufacturer acquires, manufactures, sells or devices distributes, which record shall contain the following information —

Record of gambling machines or devices

- (a) the name and description of the machine or device;
- (b) the purpose of the machine or device;
- (c) the date of purchase of the machine or device; and
- (d) the date of transfer of the machine or device.

61. (1) A manufacturer of gambling machines or devices shall attach a certificate containing the information set out in section 93 of the Act, to each gambling machine or device in a prominent place where the information on the certificate is written legibly.

Attachment of certificate on gambling machines or devices

(2) A manufacturer who fails to comply with the provisions of subregulation (1) commits an offence and is liable to the penalty prescribed under section 93 of the Act.

62. (1) A licensee may make an application to the Authority in Form 38 set out in Schedule 9 for approval to transfer ownership of a gambling machine or device to another person, upon payment of the fee prescribed under Schedule 14.

Transfer of ownership or possession of gambling machine or device

(2) The application for approval under subregulation (1) shall contain the following —

- (a) the name, address and licence number of the licensee that is transferring the machine or device;
- (b) the name, address and licence number of the person that the machine or device is being transferred to;
- (c) the date of transfer of the machine or device; and
- (d) any other information that the Authority may require.

(3) A licensee may make an application to the Authority in Form 39 set out in Schedule 9 for approval to lease or transfer possession of a gambling machine or device to another person while retaining legal title over the machine or device, and such application shall be accompanied by the fee prescribed under Schedule 14.

(4) The Authority shall, within seven days, notify the applicant, in writing, of its decision to approve or not to approve the licensee's application under subsections (1) or (3).

63. A person in the business of selling, leasing, distribution, importation, marketing, maintenance, repair or testing of gambling machines or devices, shall make an application to the Authority for registration, in Form 40 set out in Schedule 10, and such application shall be accompanied by the fee prescribed under Schedule 14.

Registration of persons selling, repairing or testing gambling machines or devices

Application
for testing
agent licence

64. (1) A person who carries out maintenance work on, repairs, tests or calibrates gambling machines or devices shall make an application to the Authority in Form 41 set out in Schedule 10 for a testing agent licence.

(2) An application under subregulation (1) shall be accompanied by the fee prescribed under Schedule 14.

Calibration and
certification
of gambling
machines

65. (1) A licensee under regulation 53 shall submit to the Authority, technical standards for a gambling machine or device to be used by the licensee in the licensee's gambling or devices establishment.

(2) The Authority may approve the technical standards for a gambling machine or device by considering —

- (a) the results of a technical evaluation of the gambling machine or device by a licensed testing agent; and
- (b) any available research on consumer protection and harm minimisation implications of the gambling machine or device proposed to be approved.

(3) Where the Authority has approved the technical standards for a gambling machine or device, the Authority shall publish the standards in the *Gazette*, within 14 days of the approval.

(4) A licensed testing agent shall test the gambling machine or device of a licensee and certify whether such machine or device adheres to the standards as approved by the Authority, before the licensee can operate the gambling machine or device.

(5) A licensee shall, after a period of three years from the last test or certification of a gambling machine or device used in the licensee's gambling establishment, submit the machine or device to a licensed testing agent for testing and certification.

PART IX — *Gambling Licences in General*

Publication
of invitations
to apply for
licences

66. (1) The Authority shall, by notice published in the *Gazette*, Daily News or any private local newspaper, invite any person who qualifies for a licence in terms of section 34 of the Act, to apply for such licence.

(2) The notice referred to in subregulation (1) shall state the —

- (a) type of licence available for application;
- (b) number of licences available for application;
- (c) area where the gambling establishment should be when applying for the licence;
- (d) requirements and conditions for the application for a particular licence;
- (e) evaluation criteria which shall be applied by the Authority; and
- (f) duration of the notice.

(3) A person shall only submit an application for a licence where a notice has been published in accordance with subregulation (1).

Publication of
licence
applications

67. (1) Any member of the public who has an objection to any application for a licence shall notify the Authority within the notice period referred to in section 34 (2) of the Act and such objection shall be heard in accordance with regulation 68.

(2) An applicant may request the Authority to exempt a certain portion of the application or certain documents that have been attached to such application, whose disclosure would be detrimental to the applicant, from being published in accordance with section 34 (2) of the Act, giving justifiable reasons for the exemption.

(3) The Authority shall consider any request made in terms of subregulation (2) and if it deems it appropriate, shall grant the exemption from public inspection.

68. (1) The Authority shall, after 60 days of the investigations conducted in accordance with regulation 69 being completed—

Hearing of
applications
for licences

- (a) determine a date, time and place to hold a hearing in respect of every application for a licence lodged with the Authority; and
- (b) notify every applicant of the hearing date, time and place, in writing, 10 working days before the hearing.

(2) The Authority shall hold a hearing on the date, time and place determined by the Authority.

(3) A party to a hearing shall, at the time of the hearing, be afforded an opportunity by the Authority to be heard in person or be represented.

(4) The proceedings of a hearing shall be determined by the Authority.

(5) Where it is desirable to do so, the Authority may give direction on the aspects that may be covered by a party to a hearing when giving oral representations.

(6) The Authority may, in arriving at a decision, take into consideration, the generally accepted information, whether technical or scientific, within the field of gambling.

(7) The Authority shall cause —

- (a) minutes of the proceedings of a hearing to be kept;
- (b) oral representations to be recorded by such means that shall ensure the preservation of such representations and such recordings shall be retained by the Authority for a period of five years; and
- (c) the oral representations to be transcribed on request by any person, and at the cost of such person.

subject to the provisions of the Act.

(8) The Authority shall, after the completion of a hearing —

- (a) grant a licence; or
- (b) refuse to grant a licence and give reasons for that refusal, in writing, to the applicant.

(9) An applicant who fails to appear and testify before the Authority when summoned to do so under regulation 69 (3) (b), without reasonable excuse, may have his or her application denied, without further consideration of the application by the Authority.

69. (1) The Authority shall conduct a thorough investigation into an applicant's background to determine the applicant's suitability to be granted a licence under these Regulations.

Investigations

(2) The Authority shall request from an applicant, any information and documentation relating to the applicant and its direct or indirect shareholders, if applicable, which shall include —

- (a) the incorporation documentation of the applicant, if the applicant is a company;
- (b) the current financial position of the applicant;
- (c) the solvency history of the applicant; and
- (d) the nature and source of funding of the applicant.

	<p>(3) The Authority or any officer of the Authority may, during an investigation conducted under subregulation (1) —</p> <ul style="list-style-type: none"> (a) direct such inquiries to an applicant as are necessary or relevant in respect of an application; (b) summon the applicant or any person who makes a statement or testifies in support of the application to answer any questions; or (c) inspect the premise where gambling machines or devices will be kept. <p>(4) The Authority may take into consideration a failure or refusal by the applicant to respond to queries or answer questions put to the applicant in its assessment of the application.</p>
Withdrawal of application for licence	<p>70. (1) A person may make an application, in writing, to the Authority at any time prior to a final decision on the application for a licence by the person under these Regulations being made by the Authority, to withdraw the application.</p> <p>(2) The Authority may, in writing, grant the application for withdrawal made under subregulation (1).</p>
Disqualifying circumstances	<p>71. A person may be disqualified from being granted a licence or from retaining or holding a licence already granted if the person, or any person acting as his or her agent is, at the time of making an application for the licence —</p> <ul style="list-style-type: none"> (a) appointed as a member of the Board established under section 7 of the Act; or (b) appointed as an employee of the Authority.
Opportunity to rectify disqualifying circumstances	<p>72. The Authority may, prior to making a decision on whether or not to grant a person a licence under these Regulations, offer such person an opportunity to rectify any disqualifying circumstances that may disqualify him or her from being granted a licence, within a period not exceeding 60 days.</p>
Suspension of licence	<p>73. (1) The Authority may, at any time suspend a licence for such period as it deems necessary.</p> <p>(2) The Authority shall, where it suspends a licence in accordance with subregulation (1) —</p> <ul style="list-style-type: none"> (a) inform the licensee and give reasons, in writing; and (b) give the licensee 30 days written notice within which the licensee should remedy any defect found by the Authority in the licensee's operations under such licence. <p>(3) The Authority may, where there is good cause shown by a licensee, lift the suspension of a licence.</p>
Revocation of licence	<p>74. The Authority shall, where it revokes a licence in accordance with section 41 of the Act —</p> <ul style="list-style-type: none"> (a) request the licensee in writing to make written or oral representations to the Authority within 21 days of receipt of such request; and (b) give the licensee a written response on the representations made by the licensee within 21 days from the date the representations were made.
Transfer of licences in general	<p>75. (1) In considering an application to transfer a licence from one person to another or from one entity to another pursuant to regulations 7, 13, 36, 41, 46, 51, 57 and 99, the Authority may reject the application on any of the following grounds that the —</p> <ul style="list-style-type: none"> (a) person or entity to which the licence is sought to be transferred does not meet the licensing requirements in accordance with the Act or the Regulations; or (b) transfer would be detrimental to the gambling industry and would not facilitate the performance of the functions of the Authority.

(2) Where a licensee is a body corporate, such licensee shall, where there is a change of ownership or control of the body corporate, notify the Authority of the change, in writing, within 30 days of the change of ownership or control of the body corporate.

(3) The Authority may revoke a licence of a body corporate where in its opinion, the change of ownership or control of the body corporate, would —

- (a) be detrimental to the orderly development of the gambling industry; or
- (b) be in contravention of the Companies Act or any other law in Botswana.

Cap. 42:01

PART X — *Obligations of Licensees*

76. (1) A licensee shall not —

- (a) place a cash dispensing machine or operate a cash dispensing machine within a designated area or within five metres of any point of unobstructed public access to a designated area;
- (b) place a cash dispensing machine where it may be visible to patrons from the designated area; or
- (c) place direction signs to cash dispensing machines in or on designated areas.

Standards
for gambling
premises

(2) A licensee shall, in respect of gambling activities —

- (a) affix visible and legible signs warning of the dangers of addictive or compulsive gambling on the front of every gambling machine or device and at all points of purchase on licensed premises;
- (b) prominently display posters of at least A3 size, notifying patrons of the availability of assistance with regard to addictive and compulsive gambling; and
- (c) have available for the public, pamphlets or written manuals which educate members of the public on the issues of addictive and compulsive gambling.

(3) The pamphlets or written manuals referred to in subregulation (2) (c) shall be written in English and Setswana, and shall be located in such manner as to be easily accessible to the public in all areas in which gambling takes place and shall contain —

- (a) a description of the aims and activities of the Excessive Gambling Prevention and Rehabilitation Committee, established under section 13 of the Act;
- (b) information on the types of treatments available and that the treatments are free of charge; and
- (c) the contact details of the Excessive Gambling Prevention and Rehabilitation Committee.

(4) A licensee shall display information signs outside any entrance that leads onto or passes by a designated area which shall, at a minimum, carry a warning sign that gambling activities take place through such entrance and where available, give directions to alternative entrances that do not lead onto or pass by designated areas.

77. (1) A licensee shall ensure that rules for the licensee's premises are so displayed that they may readily be seen by patrons of the premises.

Duty to display
rules

(2) A licensee who fails to comply with the provisions of this regulation commits an offence and is liable to a fine not exceeding P5 000 or to a term not exceeding six months, or to both.

Internal control
measures

78. (1) A licensee shall establish and maintain administrative and accounting procedures for the purpose of exercising effective control over the licensee's internal affairs.

(2) A licensee shall, at least 90 days before the commencement of the licensee's operations, apply to the Authority in writing, for approval of the licensee's internal control systems.

(3) The proposed internal control systems shall include —

- (a) an organisational chart depicting the segregation of functions and responsibilities;
- (b) a description of the duties and responsibilities of each position shown on the organisational chart;
- (c) a detailed, narrative description of the administrative and accounting procedures of the licensee;
- (d) a declaration from an independent chartered accountant registered in accordance with the Accountants Act that the proposed internal control system has been reviewed by the accountant and complies with the requirements of this regulation; and
- (e) such information as the Authority may require.

Cap. 61:05

(4) The Authority, in considering an application under subregulation (2), may —

- (a) consider whether the proposed internal control systems satisfy the requirements of these Regulations;
- (b) consider whether the proposed internal control systems are capable of providing effective control over the conduct of gambling activities operated by the licensee; and
- (c) request for further information and documentation from the licensee.

(5) Where the Authority determines that a licensee's proposed internal control systems do not comply with the requirements of these Regulations, the Authority shall notify the licensee in writing, explaining how the control systems may be amended.

(6) The licensee shall, within 30 days of receiving the notice to amend the proposed internal control systems, submit the amended internal control systems to the Authority.

(7) A licensee may, at any time, submit to the Authority an application, in writing, to amend its approved internal control systems.

Licensee
to maintain
approved
banking
and payment
processing
arrangements

79. (1) A licensee shall maintain banking and payment processing arrangements of a description approved by the Authority at the time the licensee is granted a licence or at the last renewal of the licensee's licence.

(2) A licensee shall not alter the banking or payment processing arrangements without obtaining the approval of the Authority and the Authority shall be notified of any change in the banking or payment processing arrangements, within 30 days of the change.

Licensee to
maintain
proper
accounts

80. (1) A licensee shall keep and maintain proper accounts and records of accounts in respect of every financial year relating to the assets, liabilities, income and expenditure of the licensee, and shall prepare, in each financial year, a statement of such accounts.

(2) The accounts of the licensee in respect of each financial year shall, within two months of the end of each financial year, be audited by a certified auditor registered as such under the Accountants Act.

(3) The auditor shall report in respect of the accounts for each financial year, in addition to any other matter on which the auditor considers pertinent to comment on, whether or not the —

- (a) auditor has received all the information and explanation which, to the best of the auditor's knowledge and belief, were necessary for the performance of the auditor's duties;
- (b) accounts and related records of the licensee have been properly kept; and
- (c) statement of accounts prepared by the licensee was prepared on a basis consistent with that of the preceding year and represents a true and fair view of the transactions and financial affairs of the licensee.

(4) The auditor shall submit to the licensee, a copy of the audit report and a copy of the audited accounts, within 14 days of the completion of the audit.

81. (1) A licensee shall, within a period of three months after the end of the financial year, submit to the Authority, a comprehensive financial report of its operations during such year, together with a copy of the audit report and the audited accounts.

Licensee to
submit annual
reports

(2) Upon receipt of a copy of the annual report, audit report and audited accounts, the Authority shall be entitled to take such actions as it deems appropriate and such actions shall include —

- (a) requesting for further information or explanations from the auditor or the licensee; or
- (b) appointing, where necessary, an independent auditor or investigator, at the expense of the Authority, to review the auditor's report and give advice:

Provided that in the event that the independent auditor or investigator finds substantial or material omissions in the auditor's report, the Authority may require the licensee to contribute to the payment of the fees charged by such independent auditor or investigator.

82. Nothing contained in this Part shall be construed as limiting the Authority's power to —

- (a) obtain any other financial information or information on business operations of a licensee at any time; or
- (b) set out different reporting requirements for the financial statements or business operations for different licensees.

Authority's
power to
obtain certain
information

83. (1) A licensee who wishes to use a gambling machine or device that requires to be type approved shall ensure that the gambling machine or device is type approved in accordance with the provisions of the Communications Regulatory Authority Act or any other law, before such machine or device is installed on the licensee's premises in accordance with the provisions of the Act and these Regulations.

Type approval
of gambling
machine or
device

(2) A licensee shall, after the type approval of a gambling machine or device in accordance with subregulation (1), submit to the Authority, any documents showing proof that the gambling machine or device has been type approved before such gambling machine or device is installed on the licensee's premises in accordance with the provisions of the Act and these Regulations.

(3) Where a licensee fails to comply with the provisions of this regulation, the Authority shall ensure that —

- (a) the licensee removes the gambling machine or device from the licensed premises for storage at a facility or premises approved by the Authority; and

- (b) the gambling machine or device is released upon completion of an investigation and the machine or device is type approved in accordance with subregulation (1).
- (4) Notwithstanding subregulation (3), the Authority may at its discretion either carry out, or order, the destruction of the gambling machine or device.
- 84.** An approval given by the Authority with respect to the use of a gambling machine or device, or the connection of any terminal equipment to a gambling machine or device, shall not, in any way, make the Authority liable for the performance of the gambling machine or device, and a licensee shall be deemed to have indemnified the Authority, its staff and agents.

Authority not
liable

PART XI — *Licensing of Persons Employed in the Gambling Industry*

Key
employees
in gambling
industry

85. (1) The following employees are classified as key employees for the purposes of these Regulations —

- (a) the senior manager of a licensee;
- (b) if the licensee is a company, every director of the company;
- (c) an individual who has the authority to hire or discipline, including the termination of employment of supervisory personnel of a licensee;
- (d) all persons who, individually, or as a group formulate management policies of a licensee; and
- (e) an individual who is considered, by the Authority, to be a key employee or in a key position, for purposes of these Regulations.

(2) The Authority may, in considering whether an individual is a key employee or in a key position in terms of subregulation (1) (e), consider the functions and responsibilities of the individual or the position involved.

Application
for employee
licence

86. (1) A person who wishes to be employed in the gambling industry as a key employee shall make an application for an employee licence to the Authority, in Form 42 set out in Schedule 11, and such application shall be accompanied by the fee prescribed under Schedule 14.

(2) An application under subregulation (1) shall be accompanied by —

- (a) two certified photographs of the applicant; and
- (b) a letter from the prospective employer confirming the offer of employment.

Grant of
licence

87. (1) Where the Authority has approved an application under regulation 86, the Authority may grant an employee licence in Form 43 set out in Schedule 11, to the applicant.

(2) A licensee shall inform the Authority, in writing, within 14 days after the key employee has —

- (a) become employed by the licensee in accordance with these Regulations;
- (b) been assigned to a different job description or position;
- (c) to the knowledge of the licensee, become disqualified to continue being employed by the licensee; or
- (d) left the employment of the licensee.

(3) The Authority may issue an applicant under subregulation (1) with a temporary employee licence pending the outcome of the application for an employee licence where —

- (a) the operation of the licensee's business will be prejudiced or disadvantaged by a delay in the processing of the application for employee licences; and
- (b) the commencement of the employment of the applicant will not prejudice the integrity and proper operation of the licensee's business.

(4) A licensee shall, in respect of every key employee required to be licensed in terms of this regulation, keep copies of the employees' licences on record.

(5) An employee licence issued by the Authority in accordance with this regulation shall be valid for the period that the key employee is in employment in the gambling establishment specified in the licence.

(6) Where the Authority, under reasonable circumstances, has —

- (a) suspended an employee licence of a key employee, the licensee under whose employment the key employee is in, shall suspend the employment of such key employee for the period which the Authority has suspended the employee licence; or
- (b) revoked an employee licence of a key employee, the licensee under whose employment the employee is in, shall terminate the employment of the employee as soon as the licensee becomes aware of the revocation of the employee licence of the employee.

88. An employee may make an application to the Authority, in Form 44 set out in Schedule 11, upon payment of the fee prescribed under Schedule 14, for a duplicate licence where the original licence is lost, mutilated or destroyed.

Duplicate
licence

PART XII — *Excluded persons*

89. (1) A person who wishes to be prevented from engaging in any gambling activity may register as an excluded person by submitting a notice of intention in Form 45 set out in Schedule 12.

Registration
of excluded
persons

(2) The notice of intention under subregulation (1) shall contain —

- (a) the full names of the person;
- (b) certified copies of the applicant's national identity card (*Oman*) or passport, if the applicant is a non-citizen;
- (c) residential and postal address of the person; and
- (d) two identical passport-size photographs of the applicant, taken at the time of the application, on which the features of the applicant are clearly and correctly depicted.

(3) The Authority shall, within seven days after receiving a notice of intention, transmit a copy of the notice to all licensees licensed by the Authority.

(4) Each licensee sent a copy of the notice of intention under subregulation (3) shall within seven days of receipt of the notice, forward written confirmation of receipt to the Authority.

(5) The exclusion of a person from any gambling activity shall take effect upon the date of written confirmation of receipt by all licensees.

(6) A person may apply to the Authority in Form 46 set out in Schedule 12, for the registration of any person listed in section 109 (2) of the Act as an excluded person.

(7) The Authority may include a person in the register of excluded persons where such person has —

- (a) contravened the gambling laws of any country;
- (b) contravened or engaged in a conspiracy to contravene the provisions of the Act;
- (c) not paid his or her gambling debts when requested to do so;
- (d) been prohibited by a court from entering any premises licensed under the Act or these Regulations; or
- (e) acted in such a manner that the Authority considers undesirable.

(8) The Authority shall notify a person of the Authority's intention to register him or her as an excluded person and the person shall be given an opportunity to state his or her case.

(9) A notice of intention given under subregulation (8) shall specify the grounds for inclusion of a person in the register of excluded persons and shall inform the person that he or she may make a request for a hearing within 14 days from the date of the notice.

Maintenance of register of excluded persons

90. (1) The Authority shall maintain a register of excluded persons which shall contain the following information —

- (a) the full names of an excluded person;
- (b) the date of birth of an excluded person;
- (c) the national identity card number, (*Omang*) or passport number, of an excluded person;
- (d) the postal and residential addresses of an excluded person;
- (e) the contact numbers of an excluded person;
- (f) a passport-size photograph of the excluded person, submitted under regulation 89 (2) (d);
- (g) the type of licensed premises or gambling establishment to which the exclusion applies; and
- (h) the date on which a person's name was placed on the excluded person's register.

(2) The register maintained in terms of subregulation (1) shall be kept at the offices of the Authority and shall be open for inspection by any member of the public, during office hours.

Prohibition of excluded person in partaking in gambling

91. An excluded person who knowingly enters the premises of a gambling establishment from which he or she is excluded, or knowingly partakes in any gambling activity from which he or she is excluded, commits an offence and is liable to a fine not exceeding P5 000 or to a term not exceeding six months, or to both.

Duty of licensee to keep excluded person from licensed premises

92. (1) A licensee shall take the following measures with regard to an excluded person —

- (a) place at each entrance to any designated area, a member of staff whose duty shall be to monitor and control the entry of persons into the designated area;
- (b) provide the member of staff contemplated in paragraph (a) with sufficient access to the information contained in the register maintained by the Authority to enable the member of staff to reasonably identify excluded persons; and
- (c) provide the security staff of the licensee with sufficient access to the information contained in the register maintained by the Authority in order for such staff to reasonably identify excluded persons.

(2) Where an excluded person enters or attempts to enter licensed premises from which he or she is excluded, a licensee and its employees shall —

- (a) request the excluded person not to enter, or if he or she is already on the premises, to immediately leave; or
- (b) notify the Botswana Police Service to assist in evicting the excluded person from the premises if the excluded person refuses to comply with the request to leave the premises; and
- (c) notify the Authority of the presence of the excluded person on the premises of the licensee.

(3) A licensee who knowingly allows an excluded person to partake in any gambling activity or to enter the licensee's premises from which the excluded person is excluded, commits an offence.

93. A licensee who sends promotional material on gambling activities played at the licensee's gambling establishment to an excluded person, commits an offence and is liable to a fine not exceeding P5 000 or to a term not exceeding six months, or to both.

Promotional material not to be sent to excluded persons

94. An excluded person may apply to the Authority in Form 47 set out in Schedule 12 for the cancellation of his or her registration as an excluded person where such person was registered as an excluded person by the Authority under regulation 89 (7).

Cancellation of registration as excluded person

PART XIII — Lotteries

95. A person who wishes to operate or conduct the National Lottery shall make an application to the Authority in Form 48 set out in Schedule 13, and such application shall be accompanied by the fee prescribed under Schedule 14.

Application for licence to operate National Lottery

96. Subject to the provisions of section 62 of the Act, the Authority may grant a licence to operate the National Lottery in Form 49 set out in Schedule 13 where the applicant satisfies the following conditions —

Grant of licence

- (a) that the applicant has sufficient knowledge or experience to conduct the National Lottery;
- (b) that the applicant has the necessary financial and other resources to conduct the National Lottery; and
- (c) that the applicant has paid the fee set out in Schedule 14.

97. A person who has been granted a National Lottery licence under regulation 96 shall make an application to the Authority in Form 50 set out in Schedule 13, upon payment of the fee prescribed under Schedule 14 for a renewal of the National Lottery licence.

Renewal of licence

98. (1) A person licensed in terms of this Part may make an application to the Authority in Form 51 set out in Schedule 13 for a duplicate National Lottery licence where the original licence is lost, destroyed or mutilated.

Duplicate licence

(2) An application made in accordance with subregulation (1) shall be accompanied by the fee prescribed under Schedule 14.

99. A person who has been granted a licence to operate the National Lottery, may make an application to the Authority in Form 52 set out in Schedule 13 for the licence to be transferred to another person, upon payment of the fee prescribed under Schedule 14.

Transfer of licence

100. (1) The Authority may, on application, in writing, by an institution or organisation, authorise such institution or organisation to operate a lottery other than the National Lottery.

Institutions which can operate lottery other than National Lottery

(2) The Authority shall determine the category of charitable institutions or organisations that may be authorised to operate a lottery other than the National Lottery.

PART XIV — *Advertising*Undesirable
advertising

- 101.** (1) An advertisement of a gambling activity shall not —
- (a) contain any lewd or indecent language, images or actions;
 - (b) promote 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) portray gambling as a means of recovering past gambling or other financial losses;
 - (f) contain claims or representation that gambling activities guarantee 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,
 - (iii) gambling primarily involves skill,
 - (iv) gambling is a form of investment, or
 - (v) the more or longer one engages in gambling, the greater the chances of winning;
 - (h) portray or contain persons or characters engaged in gambling who are, or who appear to be under the age of 18 years; or
 - (i) be placed in media primarily directed at persons under the age of 18 years.

(2) The Authority may, where it believes that an advertisement, publication or broadcasting of any form is in contravention of this Part, order a licensee to take down the advertisement, publication or broadcasting, pending any dispute that may arise with regards to whether such advertisement, publication or broadcasting is in fact in contravention of this Part.

(3) An order made by the Authority in terms of subregulation (2) may be made in the absence of the licensee or any interested party, and an official appointed in regulation 117 (1) shall execute the order.

(4) A licensee or any interested party who does not execute an order made in terms of subregulation (2) commits an offence.

Statement
to be
advertised
on dangers
of gambling

102. (1) An advertisement of a gambling machine or device, gambling activity or licensed premises at which gambling activities are available shall include a statement warning against the dangers of addictive and compulsive gambling, and the statement shall —

- (a) be in a font of at least the same size as the font used for the body of the advertisement;
- (b) incorporate the name, toll-free number and slogan of the Excessive Gambling Prevention and Rehabilitation Committee;
- (c) in respect of any printed or electronic mail advertisement, contain a reference to the fact that only persons of the age of 18 years or older may lawfully participate in gambling;
- (d) in respect of any video or television advertisement, be published in visual format so that each slogan appears in a legible and noticeable format for a reasonable period of time in the video or television advertisement;

- (e) in respect of a radio advertisement or voice message on a telephone sent to the public, be in a clearly audible format;
 - (f) in respect of an advertisement appearing on a billboard, web page or multi-page pamphlet, be displayed on at least ten per cent of the surface of the billboard, the home page of the web page or the front page of a multi-page pamphlet; and
 - (g) contain such other information as may be applicable in terms of the Act and these Regulations.
- (2) The provisions of subregulation (1) shall not apply to advertisements in respect of —
- (a) gambling machines or devices placed in trade publications targeted at licensees;
 - (b) facilities or amenities located or offered in or on licensed gambling premises but which are unrelated to gambling activities; and
 - (c) promotional items which are exempt in terms of relevant legislation.

103. An advertisement in respect of a gambling activity shall not be placed or displayed —

Facilities where advertising is prohibited

- (a) at venues where the audience may reasonably be expected to be under the age of 18 years; or
- (b) on outdoor displays directed at educational institutions or at facilities where persons under the age of 18 years usually convene.

104. The Authority may refer any matter relating to advertising to the Botswana Communications Regulatory Authority established under the Communications Regulatory Authority Act.

Relationship with advertising regulator

PART XV — *Addictive and compulsive gambling*

- 105.** (1) A licensee under these Regulations shall keep a record of —
- (a) anyone on the premises of the licensee who shows signs of addictive and compulsive gambling; and
 - (b) any action taken by the licensee in relation to the person.
- (2) The record under subregulation (1) shall include the following particulars —
- (a) the date and nature of an incident caused by the person believed to have a gambling problem;
 - (b) the name and address, if known, or description of the person in relation to whom action was taken against; and
 - (c) the action taken against the person.

Recording of problem gambling incidents

106. (1) A licensee under these Regulations shall appoint a gambling contact officer, who may be appointed from among the key employees of the licensee.

Gambling premises to have gambling contact officer

- (2) The functions of a gambling contact officer shall be —
- (a) to record details of complaints being made about persons alleged to have a gambling problem on the licensee's premises; and
 - (b) to refer complaints made about persons alleged to have a gambling problem to the Excessive Gambling Prevention and Rehabilitation Committee.

Dealing with people with gambling problems

- 107.** A gambling contact officer shall take reasonable steps, in relation to a person who is identified as having a possible gambling problem, to —
- (a) discuss the gambling problem with the person as soon as possible; or
 - (b) provide advice or information to the person about counselling and advisory services available from organisations provided for under section 115 of the Act, and any other appropriate action that the person may undertake including the person notifying the Authority of the intention to be registered as an excluded person.

PART XVI — *Financial and Administration provisions*

Payment of licence levy

- 108.** (1) A licensee under these Regulations shall pay a licence levy calculated at a rate specified in Schedule 15 of the licensee's gross gambling revenue derived from gambling activities.
- (2) A licensee shall pay to the Authority the licence levy specified under subregulation (1) during the subsistence of a licensee's licence, on or before the first day of each month that the licence subsists.
- (3) The Authority may impose a penalty on a licensee on the amount of the licence levy outstanding at a rate of two per cent of the licence levy for each week during which the licence levy remains outstanding.
- (4) Subject to subregulation (3), the penalty imposed shall not exceed twice the amount of the licence levy in respect of which such penalty is payable.
- (5) Where the Authority is satisfied that a failure by a licensee to pay the licence levy within the period specified under subregulation (2) is not due to an intention to avoid or postpone liability for payment of the amount due, the Authority may remit in whole or in part, any penalty payable in terms of this regulation.

Contribution to the Excessive Gambling Prevention and Rehabilitation Committee

- 109.** A licensee shall, in addition to the levy provided in Excessive Gambling regulation 108, contribute five per cent of its gross revenue to a programme aimed at supporting responsible gambling monitored by the Excessive Gambling Prevention and Rehabilitation Committee.

Imposition of civil penalties by Authority

- 110.** (1) The Authority may impose upon a licensee, a civil penalty not exceeding two per cent of the payable levy under regulation 108 for each day that the licensee is in default of submitting the auditor's report, annual report and any other reports, required under regulations 80 and 81 within the stipulated period.
- (2) The Authority may impose a civil penalty on a licensee, not exceeding P2 000 for each day that the breach of any of the conditions of a licensee's licence continues.
- (3) A licensee shall pay to the Authority, the penalties imposed under subregulations (1) and (2) within 14 days of the imposition of the penalties.
- (4) Where a licensee fails to pay a civil penalty imposed by the Authority after the period of 14 days has lapsed, the Authority may —
- (a) impose such further terms and conditions on the licence as the Authority may deem appropriate;
 - (b) revoke the licence in accordance with section 41 of the Act; or
 - (c) bring proceedings in any competent court to recover the money owed by the licensee.

(6) In any proceedings for the recovery of a civil penalty imposed under this regulation, the certificate of the Chairperson of the Board as to the amount owing shall be conclusive evidence of such amount owed by the licensee.

PART XVII — *Miscellaneous provisions*

111. (1) A licensee shall remit to the Authority any winnings which the licensee deems unlawful in the form set out under Schedule 16, which form shall specify —

Unlawful
winnings

- (a) the name of the patron to whom the winnings accrued;
- (b) the name and licence number of the licensee of the premises at which the winning bet was struck;
- (c) the reasons for which it is alleged that the winnings cannot be lawfully paid to the patron; and
- (d) the amount of the winnings concerned.

(2) A licensee who remits unlawful winnings to the Authority under this regulation shall provide any further information reasonably required by the Authority to satisfactorily conclude any investigations carried out by the Authority.

112. (1) A person shall not —

Prohibition of
fraudulent acts

- (a) place, increase or decrease a bet or determine the course of play after acquiring knowledge of the outcome of a game or any event that affects the outcome of a game or which is the subject of the bet, which may or may not be available to all players;
- (b) aid any person in acquiring knowledge on the outcome of a game or any event that affects the outcome of a game or which is the subject of a bet for the placing, increasing or decreasing of the bet or determining the course of play contingent upon that event or outcome;
- (c) claim or collect, or attempt to claim or collect money or anything of value in respect of a gambling activity without having made a wager contingent upon the activity, or to claim or collect an amount greater than an amount that such person has won;
- (d) manipulate, with the intent to cheat, any component of a gambling machine or device in a manner contrary to the designed and normal operational purpose of the component, with the knowledge that the manipulation affects the outcome of a game, or with the knowledge of any event that affects the outcome of a game or the amounts to be lost or to be won; or
- (e) reduce the amount wagered or cancel the bet after acquiring knowledge of the outcome of a gambling activity or other event which is the subject of the bet.

(2) A person who contravenes the provisions of subregulation (1), commits an offence and is liable to a fine not exceeding P5 000 or to a term not exceeding six months, or to both.

113. (1) A person shall not, at any licensed premises, use or possess any device which may assist the person in —

Prohibition on
use of certain
devices

- (a) projecting the outcome of a game;
- (b) keeping track of cards played at card games;
- (c) analysing the probability of the occurrence of an event relating to a game; or

Exclusion of persons from gambling premises for misconduct	<p>(d) analysing the strategy for playing or betting to be used in a game, except as approved by the Authority upon the written request of the licensee.</p> <p>(2) A person who contravenes the provisions of subregulation (1) commits an offence and is liable to a fine not exceeding P5 000 or to a term not exceeding six months, or to both.</p> <p>114. (1) A licensee or the licensee's employees may remove and exclude any person from the licensee's premises for a period not exceeding 12 months for behaviour which offends against decency, dignity, good taste or honesty.</p> <p>(2) Where a licensee excludes a person from the licensed premises for any period of time, the licensee shall notify the person, in writing, of the exclusion from the licensed premises and the reasons for the exclusion from the premises, as soon as the decision to exclude the person is made by the licensee.</p> <p>(3) A licensee who excludes a person from the licensed premises under subregulation (1) shall notify the Authority of the decision to exclude such person and in addition shall forward a copy of the notice of exclusion to the Authority, within seven days of the notice being issued to the person.</p> <p>(4) A person excluded from licensed premises may make a written representation to the Authority for a review of the decision of the licensee to exclude such person, within 14 days of the person receiving the notice of exclusion.</p> <p>(5) The Authority may confirm or set aside the decision of the licensee to exclude a person from the licensed premises and either the licensee or the person excluded, may further appeal the decision of the Authority to the Minister, within 14 days of the decision of the Authority.</p>
Restriction on number of licences issued	<p>115. The Authority may restrict the issuance of additional licences to licensees in the gambling industry on the following grounds —</p> <p>(a) by taking into account the existing licensees operating within the country, the duration of the licences under which the licensees operate and the number of licences available to be issued;</p> <p>(b) to address the incidence and social consequences of addictive and compulsive gambling;</p> <p>(c) to promote new entrants to the gambling industry; or</p> <p>(d) to promote job creations, diversity of ownership, efficiency of operations and competition in the gambling industry.</p>
Resolution of disputes	<p>116. (1) Where a dispute arises between a licensee and a patron with regards to the payment of alleged winnings or the precise amount of winnings to be paid to the patron by the licensee, or payment of a gambling debt or the precise amount of a gambling debt owed by the patron to the licensee and both parties are unable to resolve the dispute, either party to the dispute may refer the dispute to the Authority for resolution.</p> <p>(2) Where a dispute is referred to the Authority under subregulation (1), the Authority may conduct such enquiries, inspect any books or documents and interview any person as well as give both parties an opportunity to present their case, as is necessary to resolve the dispute.</p> <p>(3) The Authority shall notify the parties to a dispute, in writing, of its decision regarding the dispute, within seven days, and a party aggrieved by the decision, may within 14 days of the notification of the decision, lodge an appeal, in writing, to the Minister.</p>

(4) A patron or a licensee against whom a decision has been made by the Minister on appeal, shall be obliged to pay the winnings or gambling debt, as the case may be, in terms of the order of the Minister.

117. (1) The Minister may, after consultation with the Authority, appoint an official to conduct an investigation and report on the affairs of any licensee suspected of —

Investigations,
reporting and
powers of
entry, etc.

- (a) contravening the conditions of the licence issued to the licensee;
- (b) contravening the provisions of the Act or these Regulations; or
- (c) acting in any manner which is prejudicial to public interest or to the interests of any other person.

(2) An official appointed under subregulation (1) shall —

- (a) carry an identity card stating the particulars of his or her appointment when exercising his or her powers; and
- (b) on production, if requested, of the identity card and a warrant issued by a magistrate, enter, at any time, the premises of the licensee or any place where the official has reason to believe that gambling activities are conducted, with or without the consent of the licensee.

(3) The official conducting an investigation under this regulation may —

- (a) search all or any part of the licensed premises of the licensee who is the subject of the investigation;
- (b) take any item or a sample of an item found at the licensed premises of the licensee for analysis or testing;
- (c) make copies of any document found at the licensed premises of the licensee;
- (d) access, electronically or by some other means, a system used by the licensee for conducting gambling activities or for administrative purposes related to the licensee's business;
- (e) take onto the licensed premises of the licensee, any equipment or materials which the official requires for exercising his or her powers under this regulation; and
- (f) request an employee of the licensee or an agent of the licensee to give the official information that will assist the official to ascertain whether the licensee is in compliance with the conditions of the licence or the provisions of the Act or these Regulations.

(4) A person who obstructs an official in the exercise of his or her functions under this regulation or otherwise fails to comply with any requirement made on the person under this regulation, commits an offence.

118. (1) The Authority shall —

- (a) refer matters relating to competition or consumer protection to the Competition Authority established under the Competition Act; and
- (b) notify a licensee who is party to the competition or consumer matter of the referral of such matter to the Competition Authority.

Competition
and consumer
protection
matters
Cap. 46:09

(2) Any person who is not satisfied with the decision of the Authority to refer any matter that the Authority considers to be of a competition or consumer protection related matter may appeal such decision to the Minister, within seven days of such decision.

C.298

Offences and
penalties

119. A licensee who —
(a) contravenes the provisions of these Regulations, for which no penalty is provided; or
(b) fails to comply with any direction given or request made by the Authority under these Regulations; or
(c) fails to comply with any condition of the licensee's licence, commits an offence and is liable to the penalties provided for under section 128 of the Act.

Revocation of
Cap. 19:01
(Sub. Leg.)
and
Cap. 19:02
(Sub. Leg.)

120. The Casino (Control) Regulations and the Totalisator Control Regulations are hereby revoked.

SCHEDULES

SCHEDULE 1

FORM 1

Application for a Gambling Establishment Licence
(*regulation 3*)

1. Name of Applicant:
2. Trading name of Applicant (if the Applicant is a company):
.....
3. Physical address:
4. Postal address:
5. Telephone No.: Fax:
E-mail address:
6. Does the applicant currently have an existing gambling establishment licence:
YES/NO

If yes, indicate the locations of the existing gambling establishments:
.....
7. Please provide details of the shareholders of the Applicant (if the Applicant is a company):
(*use separate sheet if necessary*)

Name of Shareholder(s):	Postal address:	% of shares held:
-------------------------	-----------------	-------------------
8. Please provide details of the directors of the Applicant (if the Applicant is a company):

Name of Director:	Postal address:	Telephone No.:
-------------------	-----------------	----------------
9. Please provide details of the Company Secretary (if the Applicant is a company):

Name of Company Secretary:	Residential Address:	Telephone No.:
----------------------------	----------------------	----------------
10. Have any of the directors or the Company Secretary named above ever been convicted of an offence or been involved in any way with personal or company insolvency in Botswana or any other country: YES/NO

If yes, please give details of the nature of the offence, date and the sentence imposed:
.....

C.300

11. Has the Applicant, any subsidiary or associated entity of the Applicant ever been, or is currently being investigated by any law enforcement authority in Botswana or any other country: YES/NO

If yes, please give details below:

.....
.....

12. Please provide the names and addresses of the auditors of the Applicant:

Name:

Address:

.....

Telephone: Email:..... Fax:.....

(NOTE: If there has been a change in auditors during the last five years, also supply details of the previous auditors.)

13. Provide details of all bank accounts, including foreign accounts, held by the Applicant at any time during the last five years:

Bank:	Account No.:	Branch name:
.....
.....
.....

14. Does the Applicant have any interest, financial or otherwise, in any other company, or has the Applicant ever provided any financial assistance or other support to any other company, person, association or other body, involved in the administration or management of a gambling-related business: YES/NO

If yes, provide full details.

.....
.....

15. Please provide a detailed description of the planned operations of the gambling establishment, with regards to the number and types of games to be utilised:

.....
.....

16. Please provide the details of the envisaged employment levels of the proposed operation:

No. of citizen employees:

.....

.....

No. of non-citizen employees:

.....

.....

17. Please provide the job classification of employees noted in (16) above:

	Citizens	Non-citizens
Non-supervisory		
Supervisory		
Middle management		
Senior management		

18. Please provide the financial details of how the proposed business is going to be funded:

.....

.....

I,, certify that the information supplied on this application form
(*please print name clearly*)
is true and correct. I understand that failure to provide true and correct information will result
in the failure of this application.

.....

Signature of Applicant.

THUS SIGNED and sworn to before me this day of , 20.....

.....

Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copy of certificate of incorporation or certificate of registration (if the Applicant is a company);
2. Certified copies of share certificates (if the Applicant is a company);
3. Proof of directorship (certified copies) (if the Applicant is a company);
4. Title deed, lease or sublease agreement of premises to be utilised for the gambling establishment (certified copy);
5. Detailed proposal of the project with sketch plans for the proposed operation;
6. Proof of funding for the gambling establishment;
7. Copies of audited financial statements of the Applicant;
8. Information of any application by the Applicant or any of the Applicant's associates for a gambling establishment licence anywhere in the world, and the outcome of such application;
9. Certified copy of tax clearance certificate of the Applicant; and
10. Proof of shareholding.

FORM 2

Gambling Establishment Licence
(regulation 4)

1. In terms of regulation 4, a licence is hereby granted to:

.....
(Name and Address of Applicant)

for the purpose of establishing or operating a gambling establishment at:

.....

2. This licence is issued subject to the following conditions:

(a)

(b)

(c)

(d)

3. Place of issue:

4. Date of issue:

5. Name of Issuing Officer:

6. Date:

.....
Signature of Issuing Officer

.....
Official Stamp

FORM 3

Application for Renewal of Gambling Establishment Licence
(*regulation 5*)

1. Name of Applicant:
2. Postal address:
3. Physical address:
4. Telephone Number: Fax: Email:
5. Details of licence being renewed:
 Licence No.: Date of issue: Place of issue:
 Date of expiry:
6. Please provide details of any changes to the operations of the business of the Applicant during the subsistence of the licence, i.e. change in employees, shareholders, directors, e.t.c.:

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copies of share certificates (if the Applicant is a company);
2. Proof of directorship (certified copy) (if the Applicant is a company);
3. Title deed, lease or sublease agreement of premises to be utilised for the gambling establishment (certified copy);
4. Copies of audited financial statements of the Applicant;
5. Certified copy of tax clearance certificate of the Applicant; and
6. Proof of shareholding.

FORM 4

Application for Duplicate Gambling Establishment Licence
(regulation 6)

1. I (*Name of Applicant*).....
do hereby make an application in terms of regulation 6 for a duplicate gambling establishment licence.
2. Trading name of the Applicant (if the Applicant is a Company):
.....
3. Postal address:
4. Telephone No.: Fax:
E-mail address:
5. Please provide details of original licence:
Licence No.: Date of issue:
Place of issue: Date of expiry:
6. Please indicate reasons for the application:
.....
.....
.....
.....

I,, certify that the information supplied on this application
(*please print name clearly*)
form is true and correct. I understand that failure to provide true and correct information will
result in the failure of this application.

.....
Signature of Applicant.

THUS SIGNED and sworn to before me thisday of, 20.....

.....
Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Copy of certificate of incorporate or certificate of registration (if the Applicant is a company)
2. Copy of original licence.

FORM 5

Application for Transfer of Gambling Establishment Licence
(*regulation 7*)

1. I, (*Name of Applicant*):

.....
do hereby, in terms of the provisions of the Act and these Regulations, make an application
for the transfer of the gambling establishment licence issued to me, being licence No.:

..... to

.....
(*Name of transferee*)

and confirm being aware of and understanding the provisions of the Act and these
Regulations, insofar, as they pertain to this application.

2. Physical address of the gambling establishment:

.....

.....

3. Postal address of the gambling establishment:

.....

.....

4. Contact details of the Applicant:

Telephone No.: Email address: Fax:.....

5. Please provide details of the shareholders of the Applicant (if the Applicant is a company): (*use separate sheet if necessary*)

Name of Shareholder:

No. of Shares:

Address:

ID or Passport No.:

C.306

6. Please provide details of the directors of the Applicant (if the Applicant is a company):

Name of Director:

No. of Shares:

Address:

ID or Passport No.:

7. Please provide details of the shareholders of the transferee (if the transferee is a company):

Name of Shareholder:

No. of Shares:

Address:

ID or Passport No.:

8. Please provide details of the directors of the Transferee (if the transferee is a company):

Name of Director:

No. of Shares:

Address:

ID or Passport No.:

9. Please provide a full description of the impact of the transfer of the licence on the business of the licensee, with specific reference to the following (*separate sheet to be used*):

- (a) Management structure;
- (b) Financial operations of the licensee; and
- (c) Operations of the licensee.

.....
Signature of Applicant

.....
Official stamp

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

- 1. Certified copies of share certificates of the transferee (if the transferee is a company);
- 2. Proof of directorship (certified copies) of the transferee (if the transferee is a company);
- 3. Title deed, lease or sublease agreement of premises to be utilised for the gambling establishment (certified copy);
- 4. Certified copies of the agreements governing the transfer of the licence;
- 5. Copies of audited financial statements of the transferee;
- 6. Certified copy of a tax clearance certificate of the transferee; and
- 7. Proof of shareholding.

FORM 6

Application for Licence Available Due to Surrender, Expiration, e.t.c.
(*regulation 8*)

1. Name of Applicant:
2. Trading Name of Applicant (if the Applicant is a company):
.....
3. Physical address:
.....
4. Postal address:
5. Contact details of the Applicant:

Telephone No.: Email address: Fax:.....
6. Does the Applicant currently have an existing gambling establishment licence: YES/NO
If yes, indicate the locations of the existing business or businesses:
.....
7. Please provide details of the shareholders of the Applicant (if the Applicant is a company): (*use separate sheet if necessary*)

Name of Shareholder:	No. of Shares:
Address:	ID or Passport No.:
8. Please provide details of the directors of the Applicant (if the Applicant is a company):

Name of Director:	Address:
ID or Passport No.:	
9. Please provide details about the Company Secretary, (if the Applicant is a company):
.....
.....
10. Have any of the directors or the Company Secretary of the Applicant ever been convicted of an offence or been involved in any way with personal or company insolvency in any country: YES/NO

C.308

If yes, please give details of the nature, date and the sentence imposed:

.....
.....

11. Has the Applicant, any subsidiary or associated entity of the Applicant, ever been or is currently being investigated by any law enforcement authority in Botswana or any other country: YES/NO

If yes, please give details below:

.....
.....

12. Please provide the names and addresses of the auditors of the Applicant:

Name:

Address:

Telephone No.: Email address: Fax:.....

(NOTE: If there has been a change in auditors during the last five years, also supply details of the previous auditors.)

13. Is the Applicant intending to alter the existing gambling establishment which falls under the licence being applied for: YES/NO

If yes, please provide details of the proposed alterations:

.....
.....

I,, certify that the information supplied
(please print name clearly)

on this application form is true and correct. I understand that failure to provide true and correct information could result in the failure of this application.

.....
Signature of Applicant

THUS SIGNED and sworn to before me thisday of, 20....

.....
Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copies of share certificates (if the Applicant is a company);
2. Proof of directorship (certified copies) (if the Applicant is a company) ;
3. Title deed, lease or sublease agreement of premises to be utilised for the gambling establishment (certified copy);
4. Copies of audited financial statements of the Applicant;
5. Documentation or proof of any application by the Applicant or any of the Applicant's associates for a gambling-related licence anywhere in the world, and the outcome of such application;
6. Certified copy of the tax clearance certificate of the Applicant; and
7. Proof of shareholding.

SCHEDULE 2

FORM 7

Application for Casino Licence (regulation 9)

1. Name of Applicant:
2. Trading name of Applicant (if the Applicant is a company):
.....
3. Physical address:
4. Postal address:
5. Telephone No.: Fax:
E-mail address:
6. Does the Applicant currently have an existing casino licence: YES/NO
If yes, indicate the locations of the existing casinos:
.....
7. Please provide details of the shareholders of the Applicant (if the Applicant is a company): *(use separate sheet if necessary)*

Name of Shareholder(s): Postal address:

% of shares held:

C.310

8. Please provide details of the directors of the Applicant (if the Applicant is a company):

Name of Director:

Postal address:

Telephone No.:

9. Please provide details of the Company Secretary (if the Applicant is a company):

Name of Company Secretary:

Residential address:

Telephone No.:

10. Have any of the directors or the Company Secretary named above, ever been convicted of an offence or been involved in any way with personal or company insolvency in Botswana or any other country: YES/NO

If yes, please give details of the nature, date and the sentence imposed:

.....

11. Has the Applicant, any subsidiary or associated entity of the Applicant ever been, or is currently being investigated by any law enforcement authority in Botswana or any other country: YES/NO

If yes, please give details below:

.....

.....

12. Please provide the names and addresses of the auditors of the Applicant:

Name:

Address:

.....

Telephone No.:..... Email address:..... Fax:.....

(NOTE: If there has been a change in auditors during the last five years, also supply details of the previous auditors.)

13. Provide details of all bank accounts, including foreign accounts, held by the Applicant at any time during the last five years:

Bank:

Account No.:

Branch name:

.....

.....

.....

.....

.....

.....

.....

.....

.....

14. Does the Applicant have any interest, financial or otherwise, in any other company, or has the Applicant ever provided any financial assistance or other support to any other company, person, business, association or other body, involved in the administration or management of a gambling-related business: YES/NO

If yes, provide full details.

.....

15. Please provide a detailed description of the planned casino operation with regards to the number and types games to be utilised:

.....

.....

16. Please provide the details of the envisaged employment levels of the proposed operation:

No. of citizen employees:

No. of non-citizen employees:

.....

.....

17. Please provide the job classification of employees noted in (16) above:

	Citizens	Non-citizens
Non-supervisory		
Supervisory		
Middle management		
Senior management		

18. Please provide the financial details of how the proposed business is going to be funded:

.....

.....

I,, certify that the information supplied on this application form
(please print name clearly)
is true and correct. I understand that failure to provide true and correct information will result
in the failure of this application.

.....

Signature of Applicant

C.312

THUS SIGNED and sworn to before me thisday of, 20.....

.....
Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copy of certificate of incorporation or certificate of registration (if the Applicant is a company);
2. Certified copies of share certificates (if the Applicant is a company);
3. Proof of directorship (certified copies) (if the Applicant is a company);
4. Title deed, lease or sublease agreement of premises to be utilised for the casino operation (certified copy);
5. Detailed proposal of the project with sketch plans for the proposed operation;
6. Proof of funding for the establishment of the casino;
7. Copies of audited financial statements of the Applicant;
8. Documentation or proof of any application by the Applicant or any of the Applicant's associates for a casino licence anywhere in the world, and the outcome of such application;
9. Certified copy of tax clearance certificate of the Applicant; and
10. Proof of shareholding.

FORM 8

Casino Licence
(*regulation 10*)

1. In terms of regulation 10, a licence is hereby granted to:

.....
(*Name of Applicant*)

for the purpose of operating or establishing a casino at:

.....
(*Physical and Postal Address of Applicant*)

2. This licence is issued subject to the following conditions:

(a)

(b)

(c)

(d).....

3. Place of issue:
4. Date of issue:
5. Name Of Issuing Officer:
6. Date:

.....
Signature of Issuing Officer

.....
Official Stamp

FORM 9

Application for Renewal of Casino Licence (regulation 11)

1. Name of Applicant:
2. Postal address:
3. Physical address:
4. Telephone No.: Email address:..... Fax:.....
5. Details of licence being renewed:
Licence No.: Date of issue: Place of issue:
Date of expiry:
6. Please provide any details of any changes to the operations of the business of the Applicant during the subsistence of the licence, i.e. change in employees, shareholders, directors, e.t.c.:

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

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copies of share certificates (if the Applicant is a company);
2. Proof of directorship (certified copy) (if the Applicant is a company);
3. Title deed, lease or sublease agreement of premises to be utilised for the casino operation (certified copy);
4. Copies of audited financial statements of the Applicant;
5. Certified copy of tax clearance certificate (if the Applicant is a company); and
6. Proof of shareholding.

FORM 10

Application for Duplicate Casino Licence
(*regulation 12*)

1. I
(*Name of Applicant*)

do hereby make an application in terms of regulation 12 for a duplicate casino licence.

2. Trading Name of Applicant (if the Applicant is a company):

.....

3. Physical address:

.....

4. Postal address:

5. Telephone No.:Fax:

.

E-mail address:

6. Please provide details of original licence:

Licence No.: Date of issue:

Place of issue: Date of expiry:

7. Please indicate reasons for the application:

.....

.....

I,, certify that the information supplied on this application
(*please print name clearly*)

form is true and correct. I understand that failure to provide true and correct information will result in the failure of this application.

.....
Signature of Applicant

THUS SIGNED and sworn to before me thisday of, 20.....

.....
Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Copy of certificate of incorporation or certificate of registration (if the Applicant is a company)
2. Copy of original licence.

FORM 11

Application for Transfer of Casino Licence
(*regulation 13*)

1. I, (*Name of Applicant*):

.....
do hereby in terms of the provisions of the Act and these Regulations, make an application for the transfer of the casino licence issued to me, being licence Number:

..... to

.....
(*Name of transferee*)

2. Physical Address of the casino:

.....
.....

3. Postal Address of the casino:

.....
.....

4. Contact details of the Applicant:

Telephone No.: Email address: Fax:

C.316

5. Please provide details of the shareholders of the transferee (if the transferee is a company):

Name of Shareholder:

No. of Shares:

Address:

ID or Passport No.:

6. Please provide details of the directors of the transferee (if the transferee is a company):

Name of Director:

No. of Shares:

Address:

ID or Passport No.:

7. Please provide a full description of the impact of the transfer of the licence on the business of the licensee, with specific reference to the following (*separate sheet to be used*):

- (a) Management structure;
- (b) Financial operations of the licensee; and
- (c) Operations of the licensee.

.....
Signature of Applicant

.....
Official Stamp

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

- 1. Certified copies of share certificates of the transferee (if the transferee is a company);
- 2. Proof of directorship (certified copies) of the transferee (if the transferee is a company);
- 3. Title deed, lease or sublease agreement of premises to be utilised for the casino (certified copy);
- 4. Certified copies of the agreements governing the transfer of the licence;
- 5. Copies of audited financial statements of the transferee;
- 6. Documentation or proof of any application by the Applicant or any of the Applicant's associates for a casino licence anywhere in the world, and the outcome of such application;
- 7. Certified copy of a tax clearance certificate of the transferee; and
- 8. Proof of shareholding.

FORM 12

Application for Casino Licence Available Due to Surrender, Expiration, e.t.c.
(*regulation 14*)

1. Name of Applicant:
2. Trading Name of Applicant (if Applicant is a company):
.....
3. Physical Address:
.....
4. Postal Address:
5. Contact details of Applicant:
Telephone No.: Email address: Fax:.....
6. Does the Applicant currently have an existing casino licence: YES/NO
If yes, indicate the locations of the existing business or businesses:
.....
7. Please provide details of the shareholders of the Applicant (if the Applicant is a company):
(*use separate sheet if necessary*)
Name of Shareholder: No. of Shares:
Address: ID or Passport No.:
8. Please provide details of the directors of the Applicant (if the Applicant is a company):
Name of Director: Address:
ID or Passport No.:
9. Please provide details about the Company Secretary (if the Applicant is a company):
.....
.....
10. Have any of the directors or the Company Secretary of the Applicant ever been convicted of an offence or been involved in any way with personal or company insolvency in any country: YES/NO

C.318

If yes, please give details of the nature, date and the sentence imposed:

.....

11. Has the Applicant, any subsidiary or associated entity of the Applicant ever been, or is currently being investigated by any law enforcement authority in Botswana or any other country: YES/NO

If yes, please give details below:

.....

.....

12. Please provide the names and addresses of the auditors of the Applicant:

Name:

Address:

Telephone No.:Email address:.....Fax:.....

(NOTE: If there has been a change in auditors during the last five years, also supply details of the previous auditors.)

13. Is the Applicant intending to alter the existing casino establishment which falls under the licence being applied for: YES/NO

If yes please provide details of the proposed alterations:

.....

.....

I, certify that the information supplied
(please print name clearly)

on this application form is true and correct. I understand that failure to provide true and correct information could result in the failure of this application.

.....

Signature of Applicant

THUS SIGNED and sworn to before me thisday of, 20.....

.....

Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copies of share certificates (if the Applicant is a company);
2. Proof of directorship (certified copies) (if the Applicant is a company) ;
3. Title deed, lease or sublease agreement of premises to be utilised for the casino establishment (certified copy);
4. Copies of audited financial statements;
5. Documentation or proof of any application by the Applicant or any of the Applicant's associates for a casino licence anywhere in the world, and the outcome of such application;
6. Certified copy of the tax clearance certificate of the Applicant; and
7. Proof of shareholding.

SCHEDULE 3

FORM 13

Application for a Bingo Licence
(*regulation 32*)

1. Name of Applicant:
2. Trading name of Applicant (if the Applicant is a company):
.....
3. Physical address:
4. Postal address:
5. Telephone No.: Fax:
E-mail address:
6. Does the Applicant have an existing bingo licence: YES/NO
If yes, please indicate the number of the existing bingo operations:
.....
7. Please provide details of the shareholders of the Applicant (if the Applicant is a company): (*use separate sheet if necessary*)

Name of Shareholder(s):	Postal Address:
 % of shares held:	

C.320

8. Please provide details of the directors of the Applicant (if the Applicant is a company):

Name of Director:

Postal address:

Telephone No:

9. Please provide details of the Company Secretary (if the Applicant is a company):

Name of Company Secretary:

Residential address:

Telephone No.:

10. Have any of the directors or the Company Secretary been convicted of an offence or been involved in any way with personal or company insolvency in Botswana or any other country: YES/NO

If yes, please give details of the nature, date and the sentence imposed:

.....

11. Has the Applicant, any subsidiary or associated entity of the Applicant ever been, or is currently being investigated by any law enforcement authority in Botswana or any other country: YES/NO

If yes, please give details below:

.....

.....

12. Please provide the names and addresses of the Applicant's auditors:

Name:

Address:

.....

Telephone No.:..... E-mail address:..... Fax:.....

(NOTE: If there has been a change in auditors during the last five years, also supply details of the previous auditors.)

13. Provide details of all bank accounts, including foreign accounts, held by the Applicant at any time during the last five years:

Bank:

Account No.:

Branch name:

.....

.....

.....

.....

.....

.....

.....

.....

.....

14. Does the Applicant have any interest, financial or otherwise, in any company or with any person or business, or has the Applicant ever provided financial assistance or other support to any company, person, business, association or other body, involved in the administration or management of a gambling-related business: YES/NO

If yes, provide full details.

.....

15. Please provide the details of the envisaged employment levels of the proposed operation:

No. of citizen employees:

No. of non-citizen employees:

.....

.....

16. Please provide the job classification of employees noted in (15) above:

	Citizens	Non-citizens
Non-supervisory		
Supervisory		
Middle management		
Senior management		

17. Please provide the financial details of how the proposed business is going to be funded:

.....

.....

I,, certify that the information supplied on this application form
(*please print name clearly*)
is true and correct. I understand that failure to provide true and correct information will result
in the failure of this application.

.....

Signature of Applicant

THUS SIGNED and sworn to before me thisday of, 20.....

.....

Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copy of certificate of incorporation or certificate of registration (if the Applicant is a company);
2. Certified copies of share certificates (if the Applicant is a company);
3. Proof of directorship (certified copies) (if the Applicant is a company) ;
4. Title deed, lease or sublease agreement of premises to be utilised for the bingo operation (certified copy);
5. Detailed proposal of the project with sketch plans for the proposed operation;
6. Proof of funding for the operation of the bingo;
7. Copies of audited financial statements (if the Applicant is a company);
8. Information of any application by the Applicant or any of the Applicant's associates for a bingo licence anywhere in the world, and the outcome of such application;
9. Certified copy of tax clearance certificate; and
10. Proof of shareholding.

FORM 14

Bingo Licence
(*regulation 33*)

1. In terms of regulation 33, a licence is hereby granted to:

.....
(*Name and address of Applicant*)

for the purpose of operating a bingo at:

.....

2. This licence is issued subject to the following conditions:

(a)

(b)

(c)

(d)

3. Place of issue:

4. Date of issue:

5. Name of Issuing Officer:

6. Date:

.....
Signature of Issuing Officer

.....
Official stamp

FORM 15

Application for Renewal of Bingo Licence
(*regulation 34*)

1. Name of Applicant:
2. Postal address:
3. Physical address:
4. Telephone No.: E-mail address:..... Fax:.....
5. Details of licence being renewed:
 Licence No.: Date of issue: Place of issue:
 Date of expiry:
6. Please provide any details of any changes to the operations of the business of the Applicant during the subsistence of the licence, i.e. change in employees, shareholders, directors, e.t.c.

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copies of share certificates (if the Applicant is a company);
2. Proof of directorship (certified copy) (if the Applicant is a company);
3. Title deed, lease or sublease agreement of premises to be utilised for the bingo operation (certified copy);
4. Copies of audited financial statements of the Applicant;
5. Certified copy of tax clearance certificate of the Applicant; and
6. Proof of shareholding.

FORM 16

Application for Duplicate Bingo Licence
(regulation 35)

1. I,
(Name of Applicant)

do hereby make an application in terms of regulation 35 for a duplicate bingo licence.
2. Trading name of Applicant (if the Applicant is a company):
.....
3. Physical address of proposed business:
.....
4. Postal address:
5. Telephone No.: Fax:
E-mail address:
6. Please provide details of original licence:

Licence No.: Date of issue:
Place of issue: Date of expiry:

I,certify that the information supplied on this application
(please print name clearly)
form is true and correct. I understand that failure to provide true and correct information will
result in the failure of this application.

.....
Signature of Applicant

THUS SIGNED and sworn to before me thisday of, 20.....

.....
Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Copy of certificate of incorporation or certificate of registration (if the Applicant is a company)
2. Copy of original licence

FORM 17

Application for Transfer of Bingo Licence
(*regulation 36*)

1. I, (*Name of Applicant*):

.....
do hereby in terms of the provisions of the Act and these Regulations make an application
for the transfer of the bingo licence issued to me, being Licence No.:

.....to
(*Name of transferee*)

2. Physical address of the bingo operation:

.....
.....

3. Postal address of the bingo operation:

.....
.....

4. Contact details of the Applicant:

Telephone No.: E-mail address: Fax:

5. Please provide details of the shareholders of the Applicant (if the Applicant is a company)
(*use separate sheet if necessary*):

Name of Shareholder: No. of Shares:

Address: ID or Passport No.:

6. Please provide details of the directors of the Applicant (if the Applicant is a company):

Name of Director: No. of Shares:

Address: ID or Passport No.:

C.326

7. Please provide details of the shareholders of the transferee (if the transferee is a company):

Name of Shareholder:

No. of Shares:

Address:

ID or Passport No.:

8. Please provide details of the directors of the transferee (if the transferee is a company):

Name of Director:

No. of Shares:

Address:

ID or Passport No.:

9. Please provide a full description of the impact of the transfer of the licence on the business of the licensee, with specific reference to the following (*separate sheet to be used*):

- (a) Management structure;
- (b) Financial operations of the licensee; and
- (c) Operations of the licensee.

.....
Signature of Applicant

.....
Official stamp

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

- 1. Certified copies of share certificates of the transferee (if the transferee is a company);
- 2. Proof of directorship (certified copies) of the transferee (if the transferee is a company);
- 3. Title deed, lease or sublease agreement of premises to be utilised for the bingo operation (certified copy);
- 4. Certified copies of the agreements governing the transfer of the licence;
- 5. Copies of audited financial statements of the transferee;
- 6. Information of any application by the Applicant or any of its associated entities for a bingo licence anywhere in the world, and the outcome of such application;
- 7. Certified copy of a tax clearance certificate of the transferee; and
- 8. Proof of shareholding.

SCHEDULE 4

FORM 18

Application for a Totalisator Licence
(regulation 37)

1. Name of Applicant:
2. Trading name of Applicant (if the Applicant is a company):
.....
3. Physical address:
.....
4. Postal address:
5. Telephone No.: Fax:
E-mail address:
6. Does the Applicant currently have an existing totalisator licence: YES/NO
If yes, please indicate the number of the existing totalisator or betting pool operations:
.....
7. Please provide details of the shareholders of the Applicant (if the Applicant is a company):
(use separate sheet if necessary)

Name of Shareholder(s):	Postal Address:
% of shares held:	
8. Please provide details of the directors of the Applicant (if the Applicant is a company):

Name of Director:	Postal Address:
Telephone No.:	
9. Please provide details of the Company Secretary (if the Applicant is a company):

Name of Company Secretary:	Residential Address:
Telephone No.:	
10. Have any of the directors or the Company Secretary named above been convicted of an offence or been involved in any way with personal or company insolvency in Botswana or any other country: YES/NO

C.328

If yes, please give details of the nature, date and the sentence imposed:

.....
.

11. Has the Applicant, any subsidiary or associated entity of the Applicant ever been, or is currently being investigated by any law enforcement authority in Botswana or any other country: YES/NO

If yes, please give details below:

.....
.....

12. Please provide the names and addresses of the Applicant's auditors:

Name:

Address:

.....

Telephone No.:..... Email address:..... Fax:.....
(NOTE: If there has been a change in auditors during the last five years, also supply details of the previous auditors.)

13. Provide details of all bank accounts, including foreign accounts, held by the company at any time during the last five years:

Bank:	Account No.:	Branch name:
.....
.....
.....

14. Does the Applicant have any interest, financial or otherwise, in any company or with any person or business, or has the Applicant ever provided any financial assistance or other support to any other company, person, business, association or other body, involved in the administration or management of a gambling-related business: YES/NO

If yes, provide full details:

.....

15. Please provide a detailed description of the planned totalisator or betting pool operation with regards to the number and types of games to be utilised:

.....

16. Please provide the details of the envisaged employment levels of the proposed business:

No. of citizen employees:

No. of non-citizen employees:

.....

17. Please provide the job classification of employees noted in (16) above:

	Citizens	Non-citizens
Non-supervisory		
Supervisory		
Middle management		
Senior management		

18. Please provide the financial details of how the proposed business is going to be funded:

.....

I,, certify that the information supplied on this application form
 (please print name clearly)
 is true and correct. I understand that failure to provide true and correct information will result
 in the failure of this application.

.....
Signature of Applicant

THUS SIGNED and sworn to before me thisday of, 20.....

.....
Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copy of certificate of incorporation or certificate of registration (if the Applicant is a company);
2. Certified copies of share certificates (if the Applicant is a company);
3. Proof of directorship (certified copies) (if the Applicant is a company);
4. Title deed, lease or sublease agreement of premises to be utilised for the totalisator or betting pool operation (certified copy);
5. Detailed proposal of the project with sketch plans for the proposed operation;
6. Proof of funding for the operation of the totalisator or betting pool;
7. Copies of audited financial statements;
8. Information of any application by the Applicant or any of the Applicant's associates for a totalisator licence anywhere in the world, and the outcome of such application;
9. Certified copy of tax clearance certificate; and
10. Proof of shareholding.

FORM 19

Totalisator licence
(*regulation 38*)

1. In terms of regulation 38, a licence is hereby granted to:

.....
(*Name and address of Applicant*)

for the purpose of operating a totalisator or betting pool at:

.....

2. This licence is issued subject to the following conditions:

(a)

(b)

(c)

(d)

3. Place of issue:

4. Date of issue:

5. Name of Issuing Officer:

6. Date:

.....
Signature of Issuing Officer

.....
Official stamp

FORM 20

Application for Renewal of Totalisator Licence
(*regulation 39*)

1. Name of Applicant:
2. Postal address:
3. Physical address:
4. Telephone Number: E-mail address: Fax:
5. Details of licence being renewed:
 Licence No.: Date of issue: Place of issue:
 Date of expiry:
6. Please provide any details of any changes to the operations of the business of the Applicant during the subsistence of the licence, i.e. change in employees, shareholders, directors, e.t.c.:

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copies of share certificates (if the Applicant is a company);
2. Proof of directorship (certified copy) (if the Applicant is a company);
3. Title deed, lease or sublease agreement of premises to be utilised for the totalisator or betting pool operation (certified copy);
4. Copies of audited financial statements of the Applicant;
5. Certified copy of tax clearance certificate of the Applicant; and
6. Proof of shareholding.

FORM 21

Application for Duplicate Totalisator Licence
(regulation 40)

1. I
(Name of Applicant)

do hereby make an application in terms of regulation 40 for a duplicate totalisator licence.
2. Trading name of Applicant (if the Applicant is a company):
.....
3. Physical address:
.....
4. Postal address:
5. Telephone No.: Fax:
E-mail address:
6. Please provide details of original licence:
Licence No.: Date of issue:
Place of issue: Date of expiry:
7. Please indicate reasons for this application:
.....

I,, certify that the information supplied on this application
(please print name clearly)
form is true and correct. I understand that failure to provide true and correct information will
result in the failure of this application.

.....
Signature of Applicant

THUS SIGNED and sworn to before me thisday of, 20.....

.....
Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Copy of certificate of incorporation or certificate of registration (if the Applicant is a company)
2. Copy of original licence.

FORM 22

Application for Transfer of Totalisator Licence
(*regulation 41*)

1. I, (*Name of Applicant*):

.....

do hereby, in terms of the provisions of the Act and these Regulations, make an application for the transfer of the totalisator licence issued to me, being Licence No.:

..... to

.....
(*Name and address of transferee*)

2. Physical address of totalisator or betting pool operation:

.....

.....

3. Postal address of totalisator or betting pool operation:

.....

.....

4. Contact details of the Applicant:

Telephone No.: E-mail address: Fax:

5. Please provide details of the shareholders of the Applicant (if the Applicant is a company):
(*use separate sheet if necessary*)

Name of Shareholder:

No. of Shares:

Address:

ID or Passport No.:

C.334

6. Please provide details of the directors of the Applicant (if the Applicant is a company):

Name of Director:

No. of Shares:

Address:

ID or Passport No.:

7. Please provide details of the shareholders of the transferee (if the transferee is a company):

Name of Shareholder:

No. of Shares:

Address:

ID or Passport No.:

8. Please provide details of the directors of the transferee (if the transferee is a company):

Name of Director:

No. of Shares:

Address:

ID or Passport No.:

9. Please provide a full description of the impact of the transfer of the licence on the business of the licensee, with specific reference to the following (separate sheet to be used):

- (a) Management structure;
- (b) Financial operations of the licensee; and
- (c) Operations of the licensee.

.....
Signature of Applicant

.....
Official stamp

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

- 1. Certified copies of share certificates of the transferee (if the transferee is a company);
- 2. Proof of directorship (certified copies) of the transferee (if the transferee is a company);
- 3. Title deed, lease or sublease agreement of premises to be utilised for the totalisator or betting pool operation (certified copy);
- 4. Certified copies of the agreements governing the transfer of the licence;
- 5. Copies of audited financial statements of the transferee;
- 6. Information of any application by the transferee or any of its associated entities for a totalisator licence anywhere in the world, and the outcome of such application;
- 7. Certified copy of a tax clearance certificate of the transferee; and
- 8. Proof of shareholding.

SCHEDULE 5

FORM 23Application for a Bookmaker's Licence
(*regulation 42*)

1. Name of Applicant:
2. Trading name of Applicant (if the Applicant is a company):
.....
3. Physical address:
4. Postal address:
5. Telephone No.: Fax:
.
E-mail address:
6. Does the Applicant currently have an existing bookmaker's licence: YES/NO
If yes, please indicate the number of the existing bookmaking operations:
.....
7. Please provide details of the shareholders of the Applicant (if the Applicant is a company): (*use separate sheet if necessary*)

Name of Shareholder(s): Postal address:

% of shares held:
8. Please provide details of the directors of the Applicant (if the Applicant is a company):

Name of Director: Postal address:

Telephone No.:
9. Please provide details of the Company Secretary (if the Applicant is a company):

Name of Company Secretary: Residential address:

Telephone No.:
10. Have any of the directors or the Company Secretary named above been convicted of an offence or been involved in any way with personal or company insolvency in Botswana or any other country: YES/NO

C.336

If yes, please give details of the nature, date and the sentence imposed:

.....

11. Has the Applicant, any subsidiary or associated entity of the Applicant ever been, or is currently being investigated by any law enforcement authority in Botswana or any other country: YES/NO

If yes, please give details below:

.....
.....

12. Please provide the names and addresses of the Applicant's auditors:

Name:

Address:

Telephone No.: E-mail address:..... Fax:.....

(NOTE: If there has been a change in auditors during the last five years, also supply details of the previous auditors.)

13. Provide details of all bank accounts, including foreign accounts, held by the Applicant at any time during the last five years:

Bank:	Account No.:	Branch name:
.....
.....
.....

14. Does the Applicant have any interest, financial or otherwise, in any other company or with any person or business, or has the company ever provided any financial assistance or other support to any other company, person, business, association or other body, involved in the administration or management of a gambling-related business: YES/NO

If yes, provide full details:

.....

15. Please provide a detailed description of the planned bookmaking operation with regards to the number and types games to be utilised:

.....
.....

16. Please provide the details of the envisaged employment levels of the proposed business:

No. of citizen employees:

No. of non-citizen employees:

.....

.....

17. Please provide the job classification of employees noted in (16) above:

	Citizens	Non-citizens
Non-supervisory		
Supervisory		
Middle management		
Senior management		

18. Please the financial details of how the proposed business is going to be funded:

.....

.....

I,, certify that the information supplied on this application form
(*please print name clearly*)
is true and correct. I understand that failure to provide true and correct information will result
in the failure of this application.

.....

Signature of Applicant

THUS SIGNED and sworn to before me thisday of, 20.....

.....

Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copy of certificate of incorporation or certificate of registration (if the Applicant is a company);
2. Certified copies of share certificates (if the Applicant is a company);
3. Proof of directorship (certified copies) (if the Applicant is a company);
4. Title deed, lease or sublease agreement of premises to be utilised for the bookmaking operation (certified copy);
5. Detailed proposal of the project with sketch plans for the proposed operation;
6. Proof of funding for the bookmaking operation;
7. Copies of audited financial statements;
8. Information of any application by the Applicant or any of the Applicant's associates for a bookmaker's licence anywhere in the world, and the outcome of such application;
9. Certified copy of tax clearance certificate; and
10. Proof of shareholding.

FORM 24

Bookmaker's Licence
(*regulation 43*)

1. In terms of regulation 43, a licence is hereby granted to:

.....
(*Name and address of Applicant*)

for the purpose of operating a bookmaking business at:

.....

2. This licence is issued subject to the following conditions:

(a)

(b)

(c)

(d)

3. Place of issue:

4. Date of issue:

5. Name of Issuing Officer:

6. Date:

.....
Signature of Issuing Officer

.....
Official stamp

FORM 25

Application for Renewal of Bookmaker's Licence
(*regulation 44*)

1. Name of Applicant:
2. Postal address:
3. Physical address:
4. Telephone Number: E-mail address: Fax:
5. Details of licence being renewed:
 Licence No.: Date of issue: Place of issue:
 Date of expiry:
6. Please provide any details of any changes to the operations of the business of the Applicant during the subsistence of the licence, i.e. change in employees, shareholders, directors, e.t.c.:

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copies of share certificates (if the Applicant is a company);
2. Proof of directorship (certified copy) (if the Applicant is a company);
3. Title deed, lease or sublease agreement of premises to be utilised for the bookmaking operation (certified copy);
4. Copies of audited financial statements of the Applicant;
5. Certified copy of tax clearance certificate of the Applicant; and
6. Proof of shareholding.

FORM 26

Application for Duplicate Bookmaker's Licence
(regulation 45)

1. I,
(Name of Applicant)
do hereby make an application in terms of regulation 45 for a duplicate bookmaker's licence.
 2. Trading name of Applicant (if the Applicant is a company):
.....
 3. Physical address:
.....
 4. Postal address:
 5. Telephone No.: Fax:
E-mail address:
 6. Please details of original licence:
Licence No.: Date of issue:
Place of issue: Date of expiry:
 7. Please indicate reasons for this application:
.....
.....
- I,, certify that the information supplied on this application
(please print name clearly)
form is true and correct. I understand that failure to provide true and correct information will
result in the failure of this application.

.....
Signature of Applicant

THUS SIGNED and sworn to before me thisday of, 20.....

.....
Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Copy of certificate of incorporation or certificate of registration (if the Applicant is a company); and
2. Copy of original licence.

FORM 27

Application for Transfer of Bookmaker's Licence
(*regulation 46*)

1. I, (*Name of Applicant*):

.....
do hereby in terms of the provisions of the Act and these Regulations make an application
for the transfer of the bookmaker's licence issued to me, being Licence No.:

..... to

.....
(*Name and address of transferee*)

2. Physical address of the bookmaking operation:

.....
.....

3. Postal address of the bookmaking operation:

.....
.....

4. Contact details of the Applicant:

Telephone No.: E-mail address: Fax:

5. Please provide details of the shareholders of the Applicant (if the Applicant is a company):
(*use separate sheet if necessary*)

Name of Shareholder:

No. of Shares:

Address:

ID or Passport No.:

C.342

6. Please provide details of the directors of the Applicant (if the Applicant is a company):

Name of Director:

No. of Shares:

Address:

ID or Passport No.:

7. Please provide details of the shareholders of the transferee (if the transferee is a company):

Name of Shareholder:

No. of Shares:

Address:

ID or Passport No.:

8. Please provide details of the directors of the transferee (if the transferee is a company):

Name of Director:

No. of Shares:

Address:

ID or Passport No.:

9. Please provide a full description of the impact of the transfer of the licence on the business of the licensee, with specific reference to the following (*separate sheet to be used*):

- (a) Management structure;
- (b) Financial operations of the licensee; and
- (c) Operations of the licensee.

.....
Signature of Applicant

.....
Official stamp

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

- 1. Certified copies of share certificates of the transferee (if the transferee is a company);
- 2. Proof of directorship (certified copies) of the transferee (if the transferee is a company);
- 3. Title deed, lease or sublease agreement of premises to be utilised for the bookmaking operation (certified copy);
- 4. Certified copies of the agreements governing the transfer of the licence;
- 5. Copies of audited financial statements of the transferee;
- 6. Information of any application by the Applicant or any of its associated entities for a bookmaker's licence anywhere in the world, and the outcome of such application;
- 7. Certified copy of a tax clearance certificate of the transferee; and
- 8. Proof of shareholding.

SCHEDULE 6

FORM 28

Application for a Racing Licence
(*regulation 47*)

1. Name of Applicant:
2. Trading name of Applicant (if the Applicant is a company):
.....
3. Physical address:
.....
4. Postal address:
5. Telephone No.: Fax:
E-mail address:
6. Does the Applicant currently have an existing racing licence: YES/NO
If yes, please indicate the number of the existing racecourse operations:
.....
8. Please provide details of the shareholders of the Applicant (if the Applicant is a company):
(*use separate sheet if necessary*)

Name of Shareholder(s):	Postal address:
%	
of shares held:	
9. Please provide details of the directors of the Applicant (if the Applicant is a company):

Name of Director:	Postal address:
Telephone No.:	
10. Please provide details of the Company Secretary (if the Applicant is a company):

Name of Company Secretary:	Residential address:
Telephone No.:	

C.344

11. Have any of the directors or the Company Secretary named above been convicted of an offence or been involved in any way with personal or company insolvency in Botswana or any other country: YES/NO

If yes, please give details of the nature, date and the sentence imposed:

.....

12. Has the Applicant, any subsidiary or associated entity of the Applicant ever been, or is currently being investigated by any law enforcement authority in Botswana or any other country: YES/NO

If yes, please give details below:

.....

.....

13. Please provide the names and addresses of the Applicant's auditors:

Name:

Address:

Telephone No.: E-mail address:..... Fax:.....

(NOTE: If there has been a change in auditors during the last five years, also supply details of the previous auditors.)

14. Provide details of all bank accounts, including foreign accounts, held by the Applicant at any time during the last five years:

Bank:	Account No.:	Branch name:
.....
.....
.....

15. Does the Applicant have any interest, financial or otherwise, in any other company or with any person or business, or has the Applicant ever provided any financial assistance or other support to any other company, person, business, association or other body, involved in the administration or management of a gambling-related business: YES/NO

If yes, provide full details.

.....

16. Please provide the details of the envisaged employment levels of the proposed operation:

No. of citizen employees:

No. of non-citizen employees:

.....

.....

17. Please provide the job classification of employees noted in (16) above:

	Citizens	Non-citizens
Non-supervisory		
Supervisory		
Middle management		
Senior management		

18. Please provide the financial details of how the proposed business is going to be funded:

.....

.....

I, certify that the information supplied on this application form
(*please print name clearly*)
is true and correct. I understand that failure to provide true and correct information will result
in the failure of this application.

.....

Signature of Applicant

THUS SIGNED and sworn to before me thisday of, 20.....

.....

Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copy of certificate of incorporation or certificate of registration (if the Applicant is a company);
2. Certified copies of share certificates (if the Applicant is a company);
3. Proof of directorship (certified copies) (if the Applicant is a company);
4. Title deed, lease or sublease agreement of premises to be utilised for the racecourse operation (certified copy);
5. Detailed proposal of the project with sketch plans for the proposed operation;
6. Proof of funding for the operation of the racecourse;
7. Copies of audited financial statements;
8. Information of any application by the Applicant or any of the Applicant's associates for a racing licence anywhere in the world, and the outcome of such application;
9. Certified copy of tax clearance certificate of the Applicant; and
10. Proof of shareholding.

.....
Signature of Issuing Officer

.....
Official stamp

FORM 29

Racing Licence
(*regulation 48*)

1. In terms of regulation 48, a licence is hereby granted to:

.....
(Name and address of Applicant)

for the purpose of operating a racecourse at:

.....

2. This licence is issued subject to the following conditions:

(a)

(b)

(c)

(d)

3. Place of issue:

4. Date of issue:

5. Name of Issuing Officer:

6. Date:

.....
Signature of Issuing Officer

.....
Official stamp

FORM 30

Application for Renewal of Racing Licence (regulation 49)

1. Name of Applicant:

2. Postal address:

3. Physical address:

4. Telephone No.: E-mail address: Fax:

5. Details of licence being renewed:

Licence No.: Date of issue: Place of issue:

Date of expiry:

6. Please provide any details of any changes to the operations of the business of the Applicant during the subsistence of the licence, i.e. change in employees, shareholders, directors, e.t.c:

.....
.....

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copies of share certificates (if the Applicant is a company);
2. Proof of directorship (certified copy) (if the Applicant is a company);
3. Title deed, lease or sublease agreement of premises to be utilised for the racecourse operation (certified copy);
4. Copies of audited financial statements of the Applicant;
5. Certified copy of tax clearance certificate of the Applicant; and
6. Certified copies of identity documents (Oman or passport) of shareholders.

FORM 31

Application for Duplicate Racing Licence
(regulation 50)

1. I,
(Name and address of Applicant)

do hereby make an application in terms of regulation 50 for a duplicate racing licence.
 2. Trading name of Applicant (if the Applicant is a company):
.....
 3. Physical address:
.....
 4. Postal address:
 5. Telephone No.: Fax:
E-mail address:
 6. Please details of original licence:
Licence No.: Date of issue:
Place of issue: Date of expiry:
 7. Please indicate reasons for this application:
.....
- I,, certify that the information supplied on this application
(please print name clearly)
form is true and correct. I understand that failure to provide true and correct information will
result in the failure of this application.

.....
Signature of Applicant

THUS SIGNED and sworn to before me thisday of, 20.....

.....
Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Copy of certificate of incorporation or certificate of registration (if the Applicant is a company); and
2. Copy of original licence.

FORM 32

Application for Transfer Racing Licence
(*regulation 51*)

1. I, (*Name of Applicant*):

.....
do hereby in terms of the provisions of the Act and these Regulations make an application
for the transfer of the racing licence issued to me, being Licence No.:

..... to

.....
(*Name and address of transferee*)

2. Physical address of the racecourse operation:

.....
.....

3. Postal address of the racecourse operation:

.....
.....

4. Contact details of the Applicant:

Telephone No.: E-mail address: Fax:

5. Please provide details of the shareholders of the Applicant (if the Applicant is a company): (*use separate sheet if necessary*)

Name of Shareholder:

No. of Shares:

Address:

ID or Passport No.:

C.350

6. Please provide details of the directors of the Applicant (if the Applicant is a company):

Name of Director:

No. of Shares:

Address:

ID or Passport No.:

7. Please provide details of the shareholders of the transferee (if the transferee is a company):

Name of Shareholder:

No. of Shares:

Address:

ID or Passport No.:

8. Please provide details of the directors of the transferee (if the transferee is a company):

Name of Director:

No. of Shares:

Address:

ID or Passport No.:

9. Please provide a full description of the impact of the transfer of the licence on the business of the licensee, with specific reference to the following (*separate sheet to be used*):

- (a) Management structure;
- (b) Financial operations of the licensee; and
- (c) Operations of the licensee.

.....
Signature of Applicant

.....
Official stamp

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

- 1. Certified copies of share certificates of the transferee (if the transferee is a company);
- 2. Proof of directorship (certified copies) of the transferee (if the transferee is a company);
- 3. Title deed, lease or sublease agreement of premises to be utilised for the racecourse operation (certified copy);
- 4. Certified copies of the agreements governing the transfer of the licence;
- 5. Copies of audited financial statements of the transferee;
- 6. Information of any application by the Applicant or any of its associated entities for a racing licence anywhere in the world, and the outcome of such application;
- 7. Certified copy of a tax clearance certificate of the transferee; and
- 8. Proof of shareholding.

SCHEDULE 7

FORM 33

Application for Licence to own, possess, e.t.c, gambling machine or device
(*regulation 53*)

1. Name of Applicant:
2. Trading name of Applicant (if the Applicant is a company):
.....
3. Physical address of premises where the gaming machine(s) or device(s) will be kept:
.....
4. Postal address of premises where the gaming machine(s) or device(s) will be kept:
.....
5. Telephone No.: Fax:
6. E-mail address:
7. Tax Registration Number:
8. Description of the gambling machine or device:
.....
9. Purpose for which the gambling machine or device is being acquired:
.....
.....
10. Please provide details of the shareholders of the Applicant (if the Applicant is a company): (*use separate sheet if necessary*)

Name of Shareholder:	Postal address:
%	
of shares held:	
11. Please provide details of the directors of the Applicant (if the Applicant is a company):

Name of Director:	Postal address:
Telephone No.:	

C.352

12. Please provide details of the Company Secretary (if the Applicant is a company):

Name of Company Secretary:

Residential address:

Telephone No.:

13. Have any of the directors or the Company Secretary named above been convicted of a criminal offence or been involved in any way with personal or company insolvency in any country: YES/NO

If yes, please give details of the nature, date and the sentence imposed:

.....

14. Has the property of the Applicant ever been sequestered: YES/NO

If yes, please give details:

.....

15. I,

(please print name clearly)

certify that the information supplied on this application form is true and correct. I understand that failure to provide true and correct information could result in the failure of this application.

.....

Signature of Applicant

THUS SIGNED and sworn to before me thisday of,20.....

.....

Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certificate of incorporation or certificate of registration (if the Applicant is a company);
2. Certified copy of identity documents (Oman or passport) of the Applicant or directors of the Applicant;
3. Proof of directorship;
4. Tax clearance certificate or equivalent from country of origin;
5. Bank statements of the Applicant for the last three months;
6. Certified copies of share certificates;
7. Original set of fingerprints of the Applicant or directors of the Applicant;
8. Criminal clearance in respect of foreign applicants from law enforcement authorities in the respective countries of applicants; and
9. Copies of tax returns and assessments of the individual for the previous five years.

FORM 34

Licence to own, possess, e.t.c, gambling machine or device
(*regulation 54*)

1. In terms of regulation 54, a licence is hereby granted to:

.....
(*Name and address of Applicant*)

for the purpose of owning or having in his or her possession a gambling machine or device.

2. This licence is issued subject to the following conditions:

(a)

(b)

(c)

(d)

3. Place of issue:

4. Date of issue:

5. Name of Issuing Officer:

6. Date:

.....
Signature of Issuing Officer

.....
Official stamp

FORM 35

Application for Renewal of Licence to own, possess, e.t.c,
gambling machine or device
(*regulation 55*)

1. Name of Applicant:
2. Postal address:
3. Physical address:
4. Telephone No.: E-mail address: Fax:
5. Details of licence being renewed:

Licence No.: Date of issue: Place of issue:

Date of expiry:
6. Please provide any details of any changes to the operations of the business of the Applicant during the subsistence of the licence, i.e. change in employees, shareholders, directors, e.t.c.:

.....

.....

.....

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copies of share certificates (if the Applicant is a company);
2. Proof of directorship (certified copy) (if the Applicant is a company);
3. Title deed, lease or sublease agreement of premises or establishment where the gambling machine or device is to be kept (certified copy);
4. Copies of audited financial statements of the Applicant;
5. Certified copy of tax clearance certificate of the Applicant; and
6. Proof of shareholding.

FORM 36

Application for Duplicate Licence to own, possess, e.t.c, gambling machine or device
(*regulation 56*)

1. I,
(*Name of Applicant*)

do hereby make an application in terms of regulation 56 for a duplicate licence to own, possess, etc., a gambling machine or device.

2. Trading name of Applicant (if the Applicant is a company):

.....

3. Physical address of proposed business:

.....
.

4. Postal address:

5. Telephone No.: Fax:

E-mail address:

6. Please provide details of the original licence:

Licence No.: Date of issue:

Place of issue: Date of expiry:

7. Please indicate reasons for this application:

.....
.....

I,, certify that the information supplied on this application
(*please print name clearly*)

form is true and correct. I understand that failure to provide true and correct information will result in the failure of this application.

.....
Signature of Applicant

THUS SIGNED and sworn to before me thisday of,20.....

.....
Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Copy of certificate of incorporation or certification of registration (if the Applicant is a company); and
2. Copy of original licence.

FORM 37

Application for Transfer of Licence to own, possess, etc, gambling machine or device
(*regulation 57*)

1. I, (*Name of Applicant*):

.....
do hereby in terms of the provisions of the Act and these Regulations make an application
for the transfer of the licence to own, possess etc, gambling machine or device issued to
me, being Licence No.:
.....

2. Physical address of the premises or establishment where the gambling machine or
device is going to be kept:

.....
.....

3. Postal address of the premises or establishment where the gambling machine or device
is going to be kept:

.....
.....

4. Contact details of the Applicant:

Telephone No.: E-mail address: Fax:

5. Please provide details of the previous shareholders of the Applicant (if the Applicant is
a company): (*use separate sheet if necessary*)

Name of Shareholder:

No. of Shares:

Address:

ID or Passport No.:

6. Please provide details of the previous directors of the Applicant (if the Applicant is a company):

Name of Director:

No. of Shares:

Address:

ID or Passport No.:

7. Please provide details of the shareholders of the transferee (if the transferee is a company):

Name of Shareholder:

No. of Shares:

Address:

ID or Passport No.:

8. Please provide details of the new directors of the transferee (if the transferee is a company):

Name of Director:

No. of Shares:

Address:

ID or Passport No.:

9. Please provide a full description of the impact of the transfer of the licence on the business of the licensee, with specific reference to the following:
(*separate sheet to be used*)

- (a) Management structure;
- (b) Financial operations of the licensee; and
- (c) Operations of the licensee.

.....
Signature of Applicant

.....
Official stamp

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

- 1. Certified copies of share certificates of the transferee (if the transferee is a company);
- 2. Proof of directorship (certified copies) of the transferee (if the transferee is a company);
- 3. Title deed, lease or sublease agreement of premises or establishment where the gambling machine or device is going to be kept (certified copy);
- 4. Certified copies of the agreements governing the transfer of the licence;
- 5. Copies of audited financial statements of the transferee;
- 6. Information of any application by the Applicant or any of its associated entities for a licence to own, possess etc, a gambling machine or device anywhere in the world, and the outcome of such application;
- 7. Certified copy of a tax clearance certificate of the transferee; and
- 8. Proof of shareholding.

SCHEDULE 8

Register of Gambling Machines or Devices Manufactured into or
Imported into Botswana
(*regulation 59*)

Name and address of manufacturer or importer of machine or device	Name and description of machine/device	Serial No.	Purpose of machine or device

SCHEDULE 9

FORM 38

Application for Transfer of Ownership of a Gambling Machine or Device
(*regulation 62 (1)*)

1. I, (*Name of Applicant*):

.....
do hereby, in terms of the provisions of the Act and these Regulations, make an application for the transfer of gambling machine(s) or device(s) owned by me, under Licence No.:

..... to

.....
(*Name of transferee*)

and confirm being aware of and understanding the provisions of the Act and these Regulations, insofar, as they pertain to this application.

2. Physical address of the premises where the gambling machine(s) or device(s) is/are kept:

.....

.....

3. Postal address of the premises where the gambling machine(s) or device(s) is/are kept:

4. Contact details of the Applicant:
 Telephone No.: E-mail address: Fax:
5. Please provide details of the shareholders of the Applicant (if the Applicant is a company): *(use separate sheet if necessary)*
 Name of Shareholder: No. of Shares:
 Address: ID or Passport No.:
6. Please provide details of the directors of the Applicant (if the Applicant is a company):
 Name of Director: No. of Shares:
 Address: ID or Passport No.:
7. Please provide the contact details of the person or company to which ownership or possession of the machine(s) or device(s) is/are being transferred:
 Postal address:

 Telephone No.: Fax:.....
 E-mail address:
8. Please provide details of the shareholders of the transferee (if the transferee is a company):
 Name of Shareholder: No. of Shares:
 Address: ID or Passport No.:
9. Please provide details of the directors of the transferee (if the transferee is a company):
 Name of Director: No. of Shares:
 Address: ID or Passport No.:

C.360

10. Please provide a full description of the impact of the transfer of the licence on the business of the licensee, with specific reference to the following:
(*separate sheet to be used*)
- (a) Management structure;
(b) Financial operations of the licensee; and
(c) Operations of the licensee.
11. Please provide the details of the gambling machine(s) or device(s) that is/are being transferred below:

Name and description of the machine or device	Serial No.	Purpose of the machine or device	Date of purchase of the machine or device	Date of transfer of the machine or device

12. Please state the reasons for the transfer of ownership of the machine(s) or devices(s):

.....
.....

I,
(*please print name clearly*)

certify that the information supplied on this application form is true and correct. I understand that failure to provide true and correct information could result in the failure of this application.

.....
Signature of Applicant

.....
Official stamp

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copies of share certificates of the transferee (if the transferee is a company);
2. Proof of directorship (certified copies) of the transferee (if the transferee is a company);
3. Title deed, lease or sublease agreement of premises to be utilised for the gambling establishment (certified copy);
4. Certified copies of the agreements governing the transfer of the licence;
5. Copies of audited financial statements of the transferee;
6. Certified copy of a tax clearance certificate of the transferee; and
7. Proof of shareholding.

FORM 39

Application for Lease or Transfer of Possession of a Gambling Machine or Device
(*regulation 62 (3)*)

1. I, (*Name of Applicant*):
.....
do hereby, in terms of the provisions of the Act and these Regulations, make an application for the lease/transfer of the gambling machine(s) or device(s) held by me, under Licence No.:

..... to

.....
(*Name of lessee/transferee*)

and confirm being aware of and understanding the provisions of the Act and these Regulations, insofar, as they pertain to this application.
2. Physical address of the premises where the gambling machine or device is kept:

.....

.....
3. Postal address of the premises where the gambling machine or device is kept:

.....

.....
4. Contact details of the Applicant:

Telephone No.: E-mail address: Fax:

C.362

5. Please provide details of the shareholders of the Applicant (if the Applicant is a company): *(use separate sheet if necessary)*

Name of Shareholder: No. of Shares:

Address: ID or Passport No.:

6. Please provide details of the directors of the Applicant (if the Applicant is a company):

Name of Director: No. of Shares:

Address: ID or Passport No.:

7. Please provide the contact details of the person or company to which ownership or possession of the machine or device is being transferred:

Postal address:

.....

Telephone No.:

Fax:

E-mail address:

8. Please provide details of the shareholders of the lessee/transferee (if the lessee/transferee is a company):

Name of Shareholder: No. of Shares:

Address: ID or Passport No.:

9. Please provide details of the directors of the lessee/transferee (if the lessee/transferee is a company):

Name of Director: No. of Shares:

Address: ID or Passport No.:

10. Please provide a full description of the impact of the transfer of the licence on the business of the licensee, with specific reference to the following:

(separate sheet to be used)

- (a) Management structure;
- (b) Financial operations of the licensee; and
- (c) Operations of the licensee.

11. Please provide the details of the gambling machine(s) or device(s) that is/are being transferred below:

Name and description of the machine or device	Serial No.	Purpose of the machine or device	Date of purchase of the machine or device	Date of transfer of the machine or device

12. Please state the reasons for the transfer of ownership of the machine(s) or devices(s):

.....

I,
 (please print name clearly)

certify that the information supplied on this application form is true and correct. I understand that failure to provide true and correct information could result in the failure of this application.

.....
Signature of Applicant

.....
Official stamp

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copies of proof of the acquisition of the gambling machine or device; and
2. Copy of the agreement of lease or transfer of possession of the machine or device.

SCHEDULE 10

FORM 40

Application for Registration as Seller, Lessor, Distributor, e.t.c of
Gambling Machines or Devices
(*regulation 63*)

1. I, (*Name and address of Applicant*)

.....
in terms of the provisions of the Act and these Regulations, make an application to register as a seller, lessor, distributor, marketer, maintenance provider repairer or testing agent of gambling machines or devices and confirm being aware of and understanding the provisions of the Act and these Regulations.

2. Contact details of the Applicant:

.....

Physical address:

.....

Postal address:

.....

Telephone No.: Fax:

E-mail address:

Tax Registration Number:

3. Please provide details of the shareholders of the Applicant (if the Applicant is a company): (*use separate sheet if necessary*)

Name of Shareholder:

Postal address:

% of shares held:

4. Please provide details of the directors of the Applicant (if the Applicant is a company):

Name of Director:

Postal address:

Telephone No.:

5. Have any of the directors of the Applicant been convicted of a criminal offence or been involved in any way with personal or company insolvency in any country: YES/NO

If yes, please give details of the nature, date and the sentence imposed:

.....

6. Provide details of experience of the Applicant:

.....

7. Please provide the names and contact details of professional referees:

- (a)
 (b)
 (c)
 (d)

I,
 (*print name clearly*)

certify that the information supplied on this application form is true and correct. I understand that failure to provide true and correct information could result in the failure of this application.

.....
Signature of Applicant

THUS SIGNED and sworn to before me thisday of20.....

.....
Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certificates of incorporation and certificate of registration (if the Applicant is a company);
2. Valid tax clearance certificate; and
3. Proof of shareholding.

FORM 41

Application for a Testing Agent Licence
(*regulation 64 (1)*)

1. I, (*Name and address of Applicant*)

.....
in terms of the provisions of the Act and these Regulations, do hereby make an application to register as a testing agent of gambling machines or devices and confirm being aware of and understanding the provisions of the Act and these Regulations.

2. Contact details of the Applicant:

Physical address:

Postal address:

Telephone No.: Fax:

E-mail address:

Tax Registration number:

3. Please provide details of the shareholders of the Applicant (if the Applicant is a company): (*use separate sheet if necessary*)

Name of Shareholder:

Postal address:

% of shares held:

4. Please provide details of the directors of the Applicant (if the Applicant is a company):

Name of Director:

Postal address:

Telephone No.:

5. Have any of the directors of the Applicant ever been convicted of a criminal offence or been involved in any way with personal or company insolvency in Botswana or any other country: YES/NO

If yes, please give details of the nature, date and the sentence imposed:

.....

6. Is the agent registered with the Authority as a testing agent of gambling machines or devices: YES/NO

If yes, please provide details of the dates of registration and registration numbers:

.....

7. Please provide details of the Applicant's experience in the testing of gambling machines or devices:

.....

8. Please provide the names and contact details of professional referees:

(a)

(b)

(c)

(d)

I,

(please print name clearly)

certify that the information supplied on this application form is true and correct. I understand that failure to provide true and correct information could result in the failure of this application.

.....

Signature of Applicant

THUS SIGNED and sworn to before me thisday of, 20.....

.....

Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certificates of incorporation and certificate of registration of the company (if the Applicant is a company);
2. Proof of registration as a testing agent;
3. Valid tax clearance certificate; and
4. Proof of shareholding.

SCHEDULE 11

FORM 42

**Application for Employee Licence
(*regulation 86*)**

1. First name(s) of Applicant:
.....
2. Surname (incl. maiden surname where applicable):
3. Date of Birth:
4. Place of Birth:
5. Gender:
6. Nationality:
7. Omang No.: Place of issue: Expiry date:
8. Passport No.: Place of issue: Expiry date:
9. Postal address:
10. Residential address:
11. Contact Telephone No.(s):
12. E-mail address:
13. Current employment:
14. Employer's contact details:
Physical address:

Postal address:

Telephone No.: Fax No.:

E-mail address:

15. Previous employer's details:

Name of employer	Employment Period	Address of employer

16. Academic information (Including all schools i.e. primary, secondary and tertiary etc.):

Date (Year to year)	Name and address of academic institution	Qualification obtained

17. Have you ever been convicted of a criminal offence: YES/NO

If yes, please give details below:

.....

.....

18. Have you ever been declared legally insolvent or bankrupt or have you ever filed a petition for any type of bankruptcy or insolvency under any bankruptcy or insolvency law: YES/NO

C.370

If yes, please provide details of whether you have been rehabilitated, including date of rehabilitation:

.....
.....

I,

(please print name clearly)

certify that the information supplied on this application form is true and correct. I understand that failure to provide true and correct information could result in the failure of this application.

.....
Signature of Applicant

THUS SIGNED and sworn to before me thisday of, 20.....

.....
Commissioner of Oaths

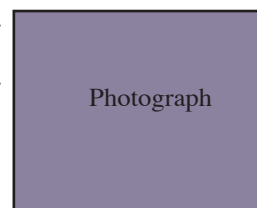
DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copy of identity document (Oman or passport);
2. Original set of fingerprints from the Botswana Police Service;
3. Income tax clearance certificate or equivalent from country of origin;
4. Criminal clearance from a law enforcement agency in the country of origin, in respect of foreign applicants;
5. Two recent passport-size photos of the Applicant (not more than a month old);
6. References from the last three employers where the applicant has been employed; and
7. A letter from the prospective employer confirming the employment offer.

(NB: Each page should be signed by the applicant at the bottom. The Authority may in writing request for additional information during the investigation process).

FORM 43Employee Licence
(regulation 87)

1. First name(s):
2. Surname:
3. Designation:
4. Name of Employer:
5. Contact details of Employer:
6. Period of employment:
7. Date of expiry of licence:



Issued this..... day of, 20.....

.....
Chief Executive Officer

FORM 44Application for Duplicate Employee Licence
(regulation 88)

1. I,
(Names of Applicant)
do hereby make an application in terms of regulation 82 for a duplicate employee licence.
2. Contact details of the Applicant:
Physical address:
Postal address:
Telephone No.: Fax:
E-mail address:

C.372

3. Please provide details of the original licence:

Licence No.: Date of issue:

Place of issue: Date of expiry:

4. Please indicate reasons for this application:

.....

I, certify that the information supplied on this application
(*please print name clearly*)
form is true and correct. I understand that failure to provide true and correct information will
result in the failure of this application.

.....
Signature of Applicant

THUS SIGNED and sworn to before me thisday of, 20.....

.....
Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copy of identity document (Oman or passport); and
2. Copy of original licence.

SCHEDULE 12

FORM 45

Notice of Intention to Register as an Excluded Person
(regulation 89 (1))



1. I, *(Names of Applicant)*

.....
in terms of the provisions of the Act and these Regulations, do hereby notice my intention to be registered as an excluded person.

2. Contact details of the Applicant:

Residential address:

Postal address:

Telephone No.:

Fax:

E-mail address:

3. State the reason(s) for the application:

.....

.....

I,

(please print name clearly)

certify that the information supplied on this application form is true and correct.

.....

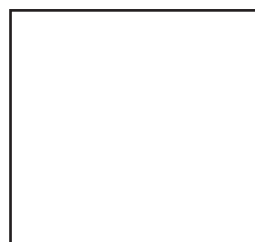
Signature of Applicant

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Two identical and recent coloured passport-size photos of the person to be excluded; and
2. Certified copy of identity document (Omag or passport).

FORM 46

Application of a Third Party to Register a Person as an Excluded Person
(*regulation 89 (6)*)



1. I, (*Names of Applicant*)
.....
do hereby, in terms of the provisions of the Act and these Regulations, apply for the
exclusion of
(*Names of person to be excluded*)
from entering any gambling premises.
2. Contact details of the Applicant:
Residential address:
Postal address:
Telephone No.:
Fax:
E-mail address:
3. State the reason(s) for the application:
.....
4. State the relationship of the Applicant to the person to be excluded:
.....

I,
 (please print name clearly)

certify that the information supplied on this application form is true and correct.

.....
Signature of Applicant

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Two identical and recent coloured passport-size photos of the person to be excluded; and
2. Certified copy of identity document (Oman or passport) of the person to be excluded and the Applicant.

FORM 47

Application for Cancellation of Registration of Excluded Persons (regulation 94)

1. I, (*Names of Applicant*)

.....
 do hereby, in terms of the provisions of regulation 94, apply for the cancellation of my registration as an excluded person.

2. Contact details of the Applicant:

Residential address:

Postal address:

Telephone No.:

Fax:

E-mail address:

3. Registration Number as excluded person:

4. State the reason(s) for the application:

.....

.....

C.376

I,
(please print name clearly)

certify that the information supplied on this application form is true and correct.

.....
Signature of Applicant

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copy of identity document (Omang or passport) of the Applicant; and
2. Proof of rehabilitation of the Applicant.

SCHEDULE 13

FORM 48

Application for National Lottery Licence
(regulation 95)

1. Name of Applicant:
2. Trading name of Applicant (if the Applicant is a company):
.....
3. Contact details of the Applicant:
Physical address:
Postal address:
Telephone No.: Fax:
E-mail address:
4. Please provide details of the shareholders of the Applicant (if the Applicant is a company): (use separate sheet if necessary)

Name of Shareholder: Postal address:

% of shares held:

5. Please provide details of the directors of the Applicant (if the Applicant is a company):

Name of Director:

Postal address:

Telephone No./Fax No.:

6. Please provide details about the Company Secretary (if the Applicant is a company):

.....

7. Have any of the directors or the Company Secretary been convicted of an offence or been involved in any way with personal or company insolvency in Botswana or any other country: YES/NO

If yes, please give details of the nature, date and the sentence imposed:

8. Has the Applicant, a subsidiary or associated entity of the Applicant ever been, or is currently being investigated by any law enforcement authority in Botswana or any other country: YES/NO

If yes, please give details below:

.....

9. Provide details of how the Applicant will be financing the operations of the National Lottery:

.....

10. Please provide details of the experience of the Applicant in conducting lotteries:

.....

11. Please provide the details of the envisaged employment levels of the National Lottery:

No. of citizen employees

No. of non-citizen employees

.....

.....

C.378

12. Please provide the job classification of employees noted in (11) above:

	Citizens	Non-citizens
Non-supervisory		
Supervisory		
Middle management		
Senior management		

13. Please provide the names and contact details of four professional referees:

(a)

(b)

(c)

(d)

I,
(please print name clearly)

certify that the information supplied on this application form is true and correct. I understand that failure to provide true and correct information could result in the failure of this application.

.....
Signature of Applicant

THUS SIGNED and sworn to before me thisday of, 20.....

.....
Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copy of certificate of incorporation and certificate of registration of the company (if the Applicant is a company);
2. Certified copies of share certificates (if the Applicant is a company);
3. Proof of directorship (certified copies) (if the Applicant is a company);
4. Title deed, lease or sublease agreement of premises to be utilised for the operation of the National Lottery (certified copy);
5. Detailed proposal of the project;
6. Proof of funding for the project;
7. Copies of audited financial statements of the Applicant;
8. Certified copy of tax clearance certificate; and
9. Proof of shareholding.

FORM 49

National Lottery Licence
(regulation 96)

1. In terms of regulation 96, a licence is hereby granted to:

.....
(Name and Address of Applicant)

for the purpose of operating a National Lottery at:

.....

2. This licence is issued subject to the following conditions:

(a)

(b)

(c)

(d)

3. Place of issue:

4. Date of issue:

5. Name of Issuing Officer:

6. Date:

.....
Signature of Issuing Officer

.....
Official Stamp

FORM 50

Application for Renewal of National Lottery Licence
(*regulation 97*)

1. Name of Applicant:
2. Contact details of the Applicant:

Postal address:

Physical address:

Telephone No.: E-mail address: Fax:.....
3. Details of licence being renewed:

Licence No.: Date of issue: Place of issue:

Date of expiry:
4. Please provide any details of any changes to the operations of the business of the Applicant during the subsistence of the licence, i.e. change in employees, shareholders, directors, e.t.c.:
.....
.....
.....

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copies of share certificates (if the Applicant is a company);
2. Proof of directorship (certified copy) (if the Applicant is a company);
3. Title deed, lease or sublease agreement of premises to be utilised for the operation of the National Lottery (certified copy);
4. Copies of audited financial statements of the Applicant;
5. Certified copy of tax clearance certificate of the Applicant; and
6. Proof of shareholding.

FORM 51

Application for Duplicate National Lottery Licence
(regulation 98)

1. I,
(Name of Applicant)

do hereby make an application in terms of regulation 98 for a duplicate National Lottery licence.
 2. Trading name of Applicant (if Applicant is a company):
.....
 3. Contact details of the Applicant:
Physical address:
Postal address:
Telephone No.: Fax:
E-mail address:
 4. Please provide details of the original licence:
Licence No.: Date of issue:
Place of issue: Date of expiry:
 5. Please indicate reasons for this application:
.....
.....
- I,, certify that the information supplied on this application
(please print name clearly)
form is true and correct. I understand that failure to provide true and correct information will
result in the failure of this application.

.....
Signature of Applicant

THUS SIGNED and sworn to before me thisday of, 20.....

.....
Commissioner of Oaths

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Copy of certificate of incorporation or certificate of registration (if the Applicant is a company); and
2. Copy of original licence.

FORM 52

Application for Transfer of National Lottery Licence
(*regulation 99*)

1. I, (*Name of Applicant*):

.....

do hereby in terms of the provisions of the Act and these Regulations make an application for the transfer of the National Lottery issued to me, being Licence No.:

.....

2. Contact details of the Applicant:

Physical address:

.....

Postal address:

.....

Telephone No.: E-mail address: Fax:

3. Please provide details of the previous shareholders of the Applicant (if the Applicant is a company): (*use separate sheet if necessary*)

Name of Shareholder:

No. of Shares:

Address:

ID or Passport No.:

4. Please provide details of the directors of the Applicant (if the Applicant is a company):

Name of Director:

No. of Shares:

Address:

ID or Passport No.:

5. Please provide details of the shareholders of the transferee (if the transferee is a company):

Name of Shareholder:

No. of Shares:

Address:

ID or Passport No.:

6. Please provide details of the directors of the transferee (if the transferee is a company):

Name of Director:

No. of Shares:

Address:

ID or Passport No.:

7. Please provide details about the impact of the transfer of the licence on the business of the licensee, with specific reference to the following: *(separate sheet to be used)*

- (a) Management structure;
- (b) Financial operations of the licensee; and
- (c) Operations of the licensee.

.....
Signature of Applicant

.....
Official stamp

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION

1. Certified copies of share certificates of the transferee (if the transferee is a company);
2. Proof of directorship (certified copies) of the transferee (if the transferee is a company);
3. Title deed, lease or sublease agreement of premises to be utilised for the operation of the National Lottery (certified copy);
4. Certified copies of the agreements governing the transfer of the licence;
5. Copies of audited financial statements of the transferee;
6. Information of any application by the transferee or any of the transferee's associated entities for a National Lottery licence anywhere in the world, and the outcome of such application;
7. Certified copy of a tax clearance certificate of the transferee; and
8. Proof of shareholding.

SCHEDULE 14

FEES

(regulations 3 (1), 4 (1), 5, 6, 7 (1), 8 (2), 9 (1), 10 (1), 11, 12, 13, 14 (2), 32 (1), 33 (1), 34, 35, 36, 37 (1), 38 (1), 39, 40, 41, 42 (1), 43 (1), 44, 45, 46, 47 (1), 48 (1), 49, 50, 51, 53 (1), 54 (1), 55, 56, 57, 62 (1), 62 (3), 63, 64 (2), 86 (1), 88, 95, 96 (c), 97, 98 (2) and 99)

<i>Type of</i>	<i>Application fees</i>	<i>Annual fees</i>	<i>Renewal fees</i>	<i>Transfer fees</i>	<i>Duplicate fees</i>
Casino	P 250 000	P 100 000	P 100 000	P 100 000	P 7 500
Betting	P 50 000	P 25 000	P 25 000	P 25 000	P 5 000
Bingo	P 100.00/seat P 50 000 max	P 100 /seat P 50 000 max	P 100/seat P 50 000 max	P 5 000	P 5 000
Bookmakers	P 5 000	P 5 000	P 5 000	P 1 000	P 1 000
Racing	P 50 000	P 50 000	P 50 000	P 50 000	P 50 000
National Lottery	P 1 000 000	P 1 000 000	-	-	P 10 000
Lottery machine	P 10 000	P 2 000/ machine	P 1 500/ machine	P 1 500/ machine	P 500/ machine
Promotional competitions	P 50 000	-	-	-	-
Gambling establishment	P 50 000	P 25 000	P 50 000	P 5 000	P 2 000
Gambling machine/table game	P 250	P 250	P 250	P 250	P 50
Testing/ supplier/ maintenance Provider	P 50 000	P 25 000	P 25 000	P 25 000	P 5 000
Totalisator	P 50 000	P 25 000	P 25 000	P 25 000	P 5 000
Employee	P 500/employee	P 500/employee	-	-	P150/employee

SCHEDULE 15

LEVIES
(*regulation 108*)

Type of operation	Rate of levy
1. Casinos	10 per cent of the monthly gambling revenue
2. Bingo	8 per cent of the monthly bingo revenue
3. Gambling establishment	10 per cent of the gambling revenue
4. Totalisators	2.5 per cent of the totalisator gross revenue
5. Bookmakers	6.5 per cent of the bookmakers gross revenue

SCHEDULE 16

REMITTANCE OF UNLAWFUL WINNINGS
(*regulation 111*)

1. I, (*Names of Applicant*)
in my capacity as of (name of
licensee), in terms of these Regulations make an application to remit unlawful winnings
amounting to
P..... which were won by..... whose
(*Name of patron*)
Omang or passport No. is:..... on(*date*) at
..... (*physical address of premises*).
2. Licence No. of premises where the winning bet was struck:
.....
3. Contact details of winner (telephone, postal address, physical address):
.....
.....

C.386

4. Please state the reason why the winnings were deemed unlawful:

.....
.....

I,certify that the information supplied on this application
(*please print name clearly*)
form is true and correct.

.....
Signature of Applicant

THUS SIGNED and sworn to before me thisday of,20.....

.....
Commissioner of Oaths

MADE this 3rd day of February, 2016.

VINCENT T. SERETSE
Minister of Trade and Industry.

Statutory Instrument No. 24 2016

INCOME TAX ACT
(Cap. 52:01)

**BOTSWANA-MAURITIUS DOUBLE TAXATION AVOIDANCE AGREEMENT
(AMENDMENT) ORDER, 2016**
(Published on 26th February, 2016)

ARRANGEMENT OF PARAGRAPHS

PARAGRAPH

1. Citation
2. Amendment of Schedule to S.I. 84 of 1995
3. Approval and effective date of commencement

SCHEDULE

WHEREAS in the exercise of the powers conferred on him by section 53 (3) of the Income Tax Act (Cap. 52:01), the Minister of Finance and Development Planning has, on behalf of the Government, entered into a Protocol amending the Double Taxation Agreement with the Republic of Mauritius;

AND WHEREAS in accordance with the provisions of section 53 (3) of the Income Tax Act, the said Agreement shall be laid before the National Assembly, and shall not take effect unless approved by resolution of the National Assembly;

NOW THEREFORE the following Order is hereby made —

- | | |
|--|--|
| <p>1. This Order may be cited as the Botswana-Mauritius Double Taxation Avoidance Agreement (Amendment) Order.</p> | <p>Citation</p> |
| <p>2. The Botswana-Mauritius Double Taxation Avoidance Agreement Order, 1995, is amended as set out in the Schedule hereto.</p> | <p>Amendment
of Schedule to
S.I. 84 of 1995</p> |
| <p>3. The Protocol amending the Double Taxation Agreement Order set out in the Schedule hereto between the Government of the Republic of Botswana with the Government of the Republic of Mauritius is presented to the National Assembly for approval and shall, upon approval, take effect from the date specified in the Agreement.</p> | <p>Approval
and effective
date of
commencement</p> |

SCHEDULE

The Government of the Republic of Botswana and the Government of the Republic of Mauritius desiring to amend the Convention between the Republic of Botswana and the Republic of Mauritius for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and on capital gains, signed at Port Louis on 26th September, 1995 (hereinafter referred to as “the Convention”), have agreed as follows:

ARTICLE 1

The definition of the term “competent authority” in paragraph (1)(i) in Article 3 of the Convention is amended as follows:

- (a) in sub-paragraph (i) by deleting the words “the Commissioner of Taxes” and replacing them with the words “the Minister of Finance and Development Planning represented by the Commissioner General of the Botswana Unified Revenue Service”, and
- (b) in sub-paragraph (ii) by deleting the words “the Commissioner of Income Tax” and replacing them with the words “the Minister to whom responsibility for the subject of finance is assigned”.

ARTICLE 2

Article 27 of the Convention shall be deleted and replaced by the following:

“ARTICLE 27

EXCHANGE OF INFORMATION

1. The competent authorities of the Contracting States shall exchange such information as is foreseeably relevant for carrying out the provisions of this Convention or to the administration or enforcement of the domestic laws concerning taxes of every kind and description imposed on behalf of the Contracting States, or of their political subdivisions in particular for the prevention of fraud or evasion of such taxes, in so far as the taxation thereunder is not contrary to the Convention. The exchange of information is not restricted by Articles 1 and 2.

2. Any information received under paragraph 1 by a Contracting State shall be treated as secret in the same manner as information obtained under the domestic laws of that State and shall be disclosed only to persons or authorities (including courts and administrative bodies) concerned with the assessment or collection of, the enforcement or prosecution in respect of, the determination of appeals in relation to the taxes referred to in paragraph 1, or the oversight of the above. Such persons or authorities shall use the information only for such purposes. They may disclose the information in public court proceedings or in judicial decisions. Notwithstanding the foregoing, information received by a Contracting State may be used for other purposes when such information may be used for such other purposes under the laws of both States and the competent authority of the supplying State authorises such other use.

3. In no case shall the provisions of paragraphs 1 and 2 be construed so as to impose on a Contracting State the obligation:

- (a) to carry out administrative measures at variance with the laws and administrative practice of that or of the other Contracting State;
- (b) to supply information which is not obtainable under the laws or in the normal course of the administration of that or of the other Contracting State;
- (c) to supply information which would disclose any trade, business, industrial, commercial or professional secret or trade process, or information the disclosure of which would be contrary to public policy (*ordre public*).

4. If information is requested by a Contracting State in accordance with this Article, the other Contracting State shall use its information gathering measures to obtain the requested information, even though that other State may not need such information for its own tax purposes. The obligation contained in the preceding sentence is subject to the limitations of paragraph 3 but in no case shall such limitations be construed to permit a Contracting State to decline to supply information solely because it has no domestic interest in such information.

5. In no case shall the provisions of paragraph 3 be construed to permit a Contracting State to decline to supply information solely because the information is held by a bank, other financial institution, nominee or person acting in an agency or a fiduciary capacity or because it relates to ownership interests in a person."

ARTICLE 3

Each of the Contracting States shall notify the other in writing, through the diplomatic channel, of the completion of the procedures required by its law for the bringing into force of this Protocol, which shall form an integral part of the Convention. The Protocol shall enter into force on the date of receipt of the later of those notifications and shall have effect from that date.

ARTICLE 4

This Protocol shall remain in force as long as the Convention remains in force.

IN WITNESS WHEREOF the undersigned, being duly authorised by their respective Governments, have signed this Protocol in two originals in the English language.

DONE at Gaborone on the 15th day of August in the year 2015.

HON. O. K. MATAMBO,
*for the Government of the
Republic of Botswana.*

HON. M. J. N. ETIENNE GHISLAIN SINATAMBOU,
*for the Government of the
Republic of Mauritius.*

MADE this 14th day of February, 2016.

O.K. MATAMBO,
*Minister of Finance and Development
Planning.*