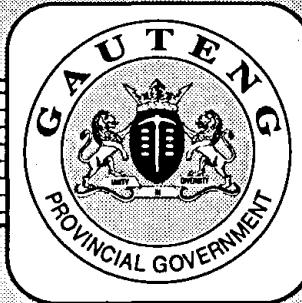


THE PROVINCE OF  
GAUTENG



DIE PROVINSIE  
GAUTENG

# Provincial Gazette Extraordinary Buitengewone Proviniale Koerant

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PRETORIA, 23 DECEMBER 1997  
DESEMBER 1997

No. 433

## GENERAL NOTICE

### NOTICE 4002 OF 1997

#### AMENDMENT OF REGULATIONS MADE UNDER THE GAUTENG GAMBLING AND BETTING ACT, 1995 (ACT NO. 4 OF 1995)

(As amended by Acts Nos. 6 and 9 of 1996)

1. The Member of the Executive Council for Finance and Economic Affairs wishes to propose herewith amendments to the Regulations made under the Gauteng Gambling and Betting Act, 1995 (Act No. 4 of 1995) (as amended by Acts Nos. 6 and 9 of 1996).
2. (a) All interested parties are invited to submit written comment on the proposed amendments as soon as possible. Such comment should be forwarded to:

Department of Finance and Economic Affairs  
Second Floor  
94 Main Street  
JOHANNESBURG

OR

Private Bag X091  
MARSHALLTOWN  
2107

Attention: Mr Mpho Ramafalo.

- (b) Comment should be made by not later than 30 January 1998.
- (c) The name, telephone number or fax number and address of a person who may be contacted in regard to the comment should be stated clearly.

**PROPOSED AMENDMENTS TO REGULATIONS**

1. The following definition to be inserted:

“Amusement machine” means a machine, apparatus or device other than a machine, apparatus or device contemplated in section 1(3) of the Act, which provides as the prize, reward or consideration for successfully playing the game concerned a non-redeemable for cash prize, with a monetary value not greater than R25,00 .

2. The following to be added to the Regulations as

**FEES,TAXES AND LEVIES**

- 240 Applications must be accompanied by the following non-refundable application fees -**

Type of Application	Fee
1 Totalizator licence	R57 000,00
2 Amendment of licence / Additional sites	1 140,00
3 Special totalizator licence	114,00
4 Transfer of licence / consent for procurement of interest in licensee	5 700,00
5 Key employee registration	1 140,00
6 Certificate of suitability (mandatory for TAB agents)	1 140,00

**241 Recovery of investigation expenses**

- (1) All expenses incurred by the board in investigating an applicant, excluding an applicant for employee registration, shall be paid by the applicant in the manner prescribed by this regulation.
- (2) The board shall estimate investigative fees and costs and require a deposit to be paid by the applicant in advance as a condition precedent to beginning or continuing and investigation
- (3) The board may, at any stage during an investigation, require an applicant to pay additional deposits for the payment of investigative fees and costs.
- (4) Upon completion of its investigation, the board shall supply the applicant with a detailed account of investigative fees and costs incurred.
- (5) The board shall not take final action on any application unless all investigative fees and costs have been paid in full.

**242 Licence fees**

- (1) Every holder of a totalizator licence which is not a special totalizator licence contemplated in section 97 of the Act, shall pay a licence fee of R28 500,00 plus R570 per site outlet for every year or part of a year ending on 31 August.

- (2) The licence fee payable in terms of subregulation (1) shall be paid to the board on issuing of the licence and thereafter before 1 September of every year.
- (3) If the licence fee payable in terms of subregulation (1) is not paid in accordance with subregulation (2), the licensee shall pay a penalty on the amount of any licence fee outstanding at a rate of ten percent of the licence fee for each week or part of a week during which the licence fee remains unpaid: Provided that such penalty shall not exceed twice the amount of the licence fee in respect of which such penalty is payable.

#### **243 Totalizer tax**

The holder of a special licence contemplated in section 97 of the Act and the holder of a totalizer licence contemplated in section 53 of the Act shall, in respect of a Totalizer conducted by this a holder pay tax in terms of section 61 of the Act, on the -

- (a) gross takings of that totalizer, and
- (b) takings which remain undistributed either because a fractional part of ten cents was not declared by the holder of a totalizer licence as a dividend payable to punters on such takings; or because no ticket that would have entitled the holder thereof to a refund of the amount staked by him or her was tendered for the refund of this amount; and

- (c) all dividends which have not been claimed within a period of two months after such dividend was declared ,

at the rate as prescribed in regulations 253 to 257.

#### **244 Payment of totalizer tax**

- (1) The holder of a special licence contemplated in section 97 of the Act and the holder of a totalizer licence contemplated in section 53 of the Act shall, within the period of twenty one days contemplated in subregulation (2), submit to the board a return, in the form and in the manner required by the board, in respect of a totalizer which is conducted by this holder in which -
- (a) the gross takings contemplated in regulation 243(a);
- (b) takings which remain undistributed either because a fractional part of 10 cents was not declared by the holder of a totalizer licence as a dividend payable to punters on such takings; or because no ticket would have entitled the holder thereof to a refund of the amount staked by him or her was tendered for the refund of such of such amount; and
- (c) all dividends which have not been claimed within a period of two months after such dividend was declared , are shown, or in which, if there were no such gross takings, undistributed takings or unclaimed dividends, that fact shall be stated.

- (2) The return contemplated in subregulation (1) shall be submitted within twenty-one days after the date of a race-meeting, event or contingency in respect of which a totalizator was conducted and, in the case where dividends or refunds were declared which have remained unpaid for a period of two months after the declarations thereof, within twenty-one days after the expiration of such period of two months.
- (3) The tax payable in terms of subregulation (1) shall be paid simultaneously with the submission of the return contemplated in subregulation (1).

#### **245 Penalty for late payment of tax**

If the tax payable in terms of regulation 243 is not paid in accordance with the provision of regulation 244 by the holder of a special licence contemplated in section 97 of the Act or by the holder of a totalizator licence contemplated in section 53 of the Act, as the case may be, the licensee shall pay a penalty on the amount of any outstanding tax at a rate of ten percent for each week or part of a week during which the tax remains unpaid: Provided that such penalty shall not exceed twice the amount of the tax in respect of which the penalty is payable:

Provided further that where the chief executive officer is satisfied that the failure on the part of any licensee to make payment of the tax within the prescribed period was not due to an intent to avoid or postpone liability for payment of the amount due, the chief executive officer may remit in whole or in part any penalty in terms of this regulation.

#### **246 Minimum Dividend**

The aggregate of the returns contemplated in section 53(3) of the Act to those persons who have made winning bets on any event or combination of events shall not be less than seventy five percent of the total amount staked on that event or combination of events:

Provided that the returns contemplated in terms of section 53(3) of the Act, for the various categories of bet types shall be reflected in the rules of the holder of a totalizator licence contemplated in section 53 of the Act.

#### **247 Levy on certain bets for benefit of Sports Development Fund**

The levy, contemplated in section 61 of the Act, payable for the benefit of the Sports Development Fund contemplated in section 100 of the Act, shall be paid by the holder of totalizator licence contemplated in section 53 of the Act on the gross takings of a totalizator conducted by it, calculated at such percentage and in respect of such bets as prescribed in regulation 254.

**248 Payment of Sports Development Fund Levy**

Within twenty one days from the date on which the event took place the holder of a totalizator licence contemplated in section 53 of the Act shall -

- (a) in the form and in the manner required by the board, submit a return to the board showing the gross takings of the totalizator which the holder of a totalizator licence contemplated in section 53 of the Act conducted, and
- (b) simultaneously pay the amount of the levy on those takings as contemplated in regulation 247 to board.

**249 Penalty for late payment of Sports Development Fund Levy**

The provisions of regulation 245 shall *mutatis mutandis* apply in respect of the late payment of the levy contemplated in regulation 247.

**250 Levy on certain bets for benefit of the board**

In addition to any tax, fee or levy payable in terms of the provisions of the Act, there shall be paid to the board, in terms of section 61 of the Act, by holder of a totalizator licence contemplated in section 53 of the Act, on the gross ratings of a totalizator conducted by it, a levy calculated at such percentage as prescribed in regulation 254.

**251 Payment of Board Levy**

With twenty one days from the date on which the event took place the holder of a totalizator licence contemplated in section 53 of the Act shall -

- (a) in the form and in the manner required by the board, submit a return to the board showing the gross taking of the totalizator which the holder of a totalizator licence contemplated in section 53 of the Act conducted; and
- (b) simultaneously pay the amount of the levy of those takings as contemplated in regulation 247 to the board.

**252 Penalty for late payment of Board Levy**

The provisions of regulation 245 shall *mutatis mutandis* apply in respect of the levy contemplated in regulation 250.

**253 Calculation of totalizator tax**

The taxes payable in terms of regulation 243 shall be calculated in respect of a totalizator conducted by the holder of a totalizator licence contemplated in section 53 of the Act at the rate of five percent of the gross takings of such totalizator.

**254 Calculation of levy for the benefit of Sports Development Fund**

The levy payable in terms of regulation 247 shall be calculated in respect of a totalizator conducted by the holder of a totalizator licence contemplated in section 53 in respect of an event or contingency other than horse racing at a rate of two percent of the gross takings of such totalizator.

**255 Calculation of levy on certain bets for benefit of the board**

The levy payable in terms of regulation 251 shall be calculate in respect of a totalizator conducted by the holder of a totalizator licence contemplated in section 53 in respect of events or contingencies other than horse-racing at a rate of two percent of the gross takings of such totalizator.

**256 Calculation of totalizator tax by holder of a special licence**

The taxes payable in terms of regulation 243 shall be calculated in respect of a totalizator conducted by the holder of a special licence issued in terms of section 97 of the Act, at the rate of ten percent of the gross takings of such totalizator.

**257 Calculation of tax on undistributed taking and unclaimed dividends**

The tax payable in terms of regulation 243 shall be calculated -

- (a) at the rate of ten percent on the takings which remain undistributed either because a fractional part of ten cents was not declared by the holder of a totalizator licence as a dividend payable to punters on such takings; or because no ticket that would have entitled the holder thereof to a refund of the amount staked by him or her was tendered for the refund of such of such amount; and
- (b) at the rate of ten percent on all dividends which have not been claimed within a period of two months after such dividend was declared .

**273 Levy on certain bets for benefit of the holder of a totalizator licence**

(1) The levy, contemplated in section 61 (4) of the Act, payable for the benefit of the holder of a totalizator licence contemplated in section 53 of the Act, shall be paid by a person contemplated in regulation 270, on the amount to which the tax in that regulation 276 refers.

- (2) The provisions of regulation 270 to 272 shall *mutatis mutants* apply to the levy contemplated in subregulation (1).

**276 Calculation of tax and levies on betting transactions with licensed bookmaker**

The taxes and levies payable in terms of the Act on betting transactions with a licensed bookmaker shall be calculated at the following percentages -

- (1) in respect of bets entered into with an on-course bookmaker at a rate indicated hereunder opposite the type of bet mentioned;

Type of Bet	Holder of a Totalizator Licence		Sports Fund levy in terms of regulation		Board levy in terms of regulation	275 Total
	270	contemplated in terms of regulation	274	275		
Horse racing	3	3	-	-		6
Other event or Contingency	3	1	1	1		6

- (2) in respect of bets entered into at a Tattersalls at the rate indicated hereunder opposite the type of bet mentioned:

Type of Bet	Holder of a Totalizator Licence		Sports Fund levy in terms of regulation		Board levy in terms of regulation		275 Total
	Tax in terms of regulation	contemplated in Section 53 of the Act, levy in terms of regulation 273	274	-	-	6	
Horse-racing	3	3	-	-	-	6	
Other event or Contingency	3	-	1	2	6		

## **"PART 11 - AMUSEMENT MACHINES":**

### **CHAPTER 74**

#### **LICENSING AND CONTROL OF AMUSEMENT MACHINES**

##### **290 Licence required to make available amusement machines for play**

- (1) No person shall maintain premises where amusement machines are available to be played or make available amusement machines for play without an amusement machine licence.
- (2) Any person desirous of obtaining an amusement machine licence shall apply to the board for such a licence in the manner and form determined by the board.

**291 Activities authorised by amusement machine licence**

An amusement machine licence shall, subject to any condition imposed under section 32 of the Act, authorise the keeping and operation of the number of amusement machines specified in the licence, on the premises concerned.

**292 Suspension and revocation of licences and other penalties in relation to licensees**

The provisions of section 37 of the Act shall *mutatis mutandis* apply to the holder of an amusement machine licence.

**293 Amusement machines to be registered**

A licensee shall not keep or maintain any amusement machine which has not, on application in the manner and form determined by the board, been separately approved and registered by the board.

## **CHAPTER 75**

### **STAKES AND PRIZES**

#### **294 Stakes and prizes**

- (1) The maximum amount that may be charged to enable a person to play a game on an amusement machine shall not exceed the amount approved by the board.
- (2) Each licensee shall, in such manner as the board may approve or require, keep accurate, complete, legible and permanent records of all its transactions.

## **CHAPTER 76**

### **CREDIT EXTENSION**

#### **295 Credit extension prohibited**

- (1) A licensee shall not, directly or indirectly, whether in his or her own name or that of a third party, extend credit in any form whatsoever to any patron for the purpose of playing on, or operating, an amusement machine.
- (2) Failure by a licensee to deposit for collection a negotiable instrument by the close of the next banking day following receipt shall be deemed an extension of credit.

**CHAPTER 77**  
**ACCOUNTING RECORDS AND RETURNS****296 Accounting records**

Each licensee shall, in such manner as the board may approve or require, keep accurate, complete, legible and permanent records of all its transactions.

**297 Other records**

Each licensee shall keep such other records as the board specifically requires to be maintained.

**298 Returns to be rendered**

Each licensee shall, in the manner and format determined by the board, submit such information at such intervals as the board may determine.

## CHAPTER 78

### FEES AND LEVIES

#### 299 Application fees

Applications must be accompanied by the following non-refundable application fees -Type of application Fee.

1	Amusement machine licence	R2 500,00
2	Amendment of licence	R1 000,00
3	Transfer of licence/consent for procurement of interest in licensee	R1 000,00
4	Certificate of suitability	R500,00

#### 300 Recovery of investigation expenses

(1) All expenses incurred by the board in investigating an applicant shall be paid by the applicant in the manner prescribed by this regulation.

(2) The board shall estimate investigative fees and costs and require a deposit to be paid by the applicant in advance as a condition precedent to beginning or continuing with an investigation.

- (3) The board may, at any stage during an investigation, require an applicant to pay additional deposits for the payment of investigative fees and costs.
- (4) Upon completion of its investigation, the board shall supply the applicant with a detailed account of investigative fees and costs incurred.
- (5) The board shall not take final action on any application unless all investigative fees and costs have been paid in full.

### **301 Licence fees**

- (1). Every holder of an amusement machine licence shall pay a licence fee of R250,00 per registered amusement machine for every year or part of a year ending on 31 March.
- (2). The licence fee payable in terms of subregulation (1) shall be paid to the board on registration of a machine and thereafter before 1 April of every year.

- (3). If the licence fee payable in terms of subregulation (1) is not paid in accordance with subregulation (2), the licensee shall pay a penalty on the amount of any licence fee outstanding at the rate of ten percent of the licence fee for each week or part of a week during which the licence fee remains unpaid: Provided that such penalty shall not exceed twice the amount of the licence fee in respect of which such penalty is payable.

## ALGEMENE KENNISGEWING

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### KENNISGEWING 4002 VAN 1997

#### WYSIGING VAN REGULASIES GEMAAK ONDER DIE GAUTENG WET OP DOBBELLARY EN WEDDERY WET, 1995 (WET No. 4 VAN 1995)

(soos gewysig deur Wette Nos. 6 en 9 van 1996)

1. Die lid van die Uitvoerende Komitee vir Finansies en Ekonomiese sake stel hiermee die volgende wysigings voor tot die Regulasies gemaak onder die Gauteng Wet op Dobbelary en Weddery, 1995 (Wet No. 4 van 1995) (soos gewysig deur Wette Nos. 6 en 9 van 1996).
  2. (a) Al die belanghebende partye word hiermee uitgenooi om geskrewe kommentaar op die voorgestelde wysigings, so spoedig moontlik, in te dien. Kommentaar moet geaddresseer word aan:

Departement van Finansies en Ekonomiese sake  
Tweede Verdieping  
Mainstraat 94  
JOHANNESBURG  
OF  
Privaatsak X091  
MARSHALLTOWN  
2107

Vir aandag: Mn. Mpho Ramafalo.

- (b) Kommentaar moet gelewer word, nie later as **30 Januarie 1998**.
- (c) Die naam, telefoonnummer of faksnommer en adres van die persoon wie gekontak kan word in verband met die kommentaar moet duidelik aangedui word.

## VOORGESTELDE WYSIGINGS AAN REGULASIES

1. Die volgende definisie vir invoeging:

"Vermaakklikheidsmasjien" verwys na 'n masjien, apparaat of toestel anders as 'n masjien, apparaat of toestel beoog in afdeling 1(3) van die Wet, wat as prys, beloning of oorweging vir suksesvolle deelname aan die betrokke spel 'n prys wat nie vir kontant omruilbaar is nie toeken met 'n monetêre waarde nie groter nie as R25,00.

2. Die volgende vir toevoeging tot die Regulasies as

## FOOIE, BELASTINGS EN HEFFINGS

**240 Aansoeke moet vergesel wees van die volgende nie-terugbetaalbare aansoekfooie -**

Tipe aansoek	Fooi
1. Totalisator lisensie	R57 000,00
2. Wysiging van lisensie/Addisionele terreine	R 1 140,00
3. Spesiale totalisator lisensie	R 114,00
4. Oordrag van lisensie / toestemming vir verkryging van belangstelling in gelisensieerde	R 5 700,00
5. Sleutel werknemer registrasie	R 1 140,00
6. Sertifikaat van geskiktheid (verpligtend vir agente)	R 1 140,00
	TAR

**241 Herwinning van ondersoek-uitgawes**

- (1) Alle uitgawes deur die raad aangegaan met die oog op ondersoek van 'n aansoeker, buiten 'n aansoeker om werknemer-registrasie, moet deur die aansoeker betaal word op die wyse voorgeskryf deur hierdie regulasie.
- (2) Die raad sal ondersoekfooie en -kostes beraam en verlang 'n deposito vooraf betaalbaar deur die aansoeker as 'n opskortende voorwaarde vir die aanvang of voortgang van 'n ondersoek.
- (3) Die raad mag, in enige stadium tydens 'n ondersoek, van 'n aansoeker vereis om addisionele depositos vir die verhaling van ondersoekfooie en -kostes te betaal.
- (4) By voltooiing van sy ondersoek sal die raad die aansoeker voorsien van 'n gedetailleerde rekening van die ondersoekfooie en -kostes aangegaan.
- (5) Die raad sal geen aansoek final afhandel alvorens alle ondersoekfooie en -gelde nie ten volle vereffen is nie.

**242 Licensiegelde**

- (1) Elke houer van 'n totalisator lisensie wat nie 'n spesiale totalisator lisensie is soos beoog in afdeling 97 van die Wet nie, sal 'n lisensiefooi van R28 500,00 plus R570 betaal per afsetpunt vir elke jaar of gedeelte van 'n jaar wat eindig op 31 Augustus.
- (2) Die lisensiefooi betaalbaar kragtens subregulasie (1) moet aan die raad betaal word by uitreiking van die lisensie en daarna voor 1 September elke jaar.
- (3) Indien die lisensiefooi betaalbaar kragtens subregulasie (1) nie betaal word ooreenkomsdig subregulasie (2) nie, sal die gelisensieerde 'n boete betaal ten opsigte van die bedrag van enige uitstaande lisensiefooi teen 'n koers van tien persent van die lisensiefooi vir elke week of gedeelte van 'n week waartydens die lisensiefooi onbetaald bly: Op voorwaarde dat sodanige boete nie tweemaal die bedrag van die lisensiefooi ten opsigte waarvan die boete betaalbaar is, oorskry nie.

**243 Totalisator belasting**

Die houer van 'n spesiale lisensie beoog in afdeling 97 van die Wet en die houer van 'n totalisator lisensie beoog in afdeling 53 van die Wet sal, met betrekking tot 'n Totalisator wat deur sodanige houer bedryf word, kragtens afdeling 61 van die Wet belasting betaal ten opsigte van die -

- (a) bruto ontvangste van daardie totalisator, en
- (b) ontvangste wat onuitgekeer bly enersyds omdat 'n breukdeel van tien sent nie deur die houer van 'n totalisator licensie verklaar is as 'n dividend betaalbaar aan beroepswedders op sodanige ontvangste nie; of andersyds omdat geen kaartjie wat die houer daarvan aanspraak sou verleen op die terugbetaling van die bedrag deur hom of haar gewaag, voorgele was vir terugbetaling nie; en
- (c) alle dividende wat nie binne 'n tydperk van twee maande nadat sodanige dividend verklaar is, opgeëis word nie,

teen die koers soos voorgeskryf in regulasies 253 tot 257.

#### **244 Betaling van totalisator belasting**

- (1) Die houer van 'n spesiale licensie beoog in afdeling 97 van die Wet en die houer van 'n totalisator licensie beoog in afdeling 53 van die Wet sal, binne die periode van een-en-twintig dae beoog in subregulasie (2), aan die raad 'n opgawe voorlê in die vorm en op die wyse deur die raad verlang, ten opsigte waarvan 'n totalisator wat bedryf word deur sodanige houer waarin -
  - (a) die bruto ontvangste beoog in regulasie 243(a);

- (b) ontvangste wat onuitgekeer bly, hetsy omdat 'n breukdeel van tien sent nie deur die houer van 'n totalisator lisensie verklaar is as 'n dividend betaalbaar op sodanige ontvangste aan beroepswedders nie; of omdat geen kaartjie wat die houer daarvan aanspraak sou gee op 'n terugbetaling van die bedrag deur hom of haar gewaag voorgelê was vir die terugbetaling van sodanige bedrag nie; en
- (c) alle dividende wat nie opgeëis is binne 'n tydperk van twee maande nadat sodanige dividend verklaar is nie, aangetoon word, of waarin, indien daar geen sodanige bruto ontvangste was nie, onuitgekeerde ontvangste of onopgeëiste dividende, as sodanig aangetoon sal word.
- (2) Die opgawe beoog in subregulasie (1) moet binne een-en-twintig dae na die datum van 'n wedren-byeenkoms, item of gebeurlikheid ten opsigte waarvan 'n totalisator bedryf is, voorgelê word, en in die geval waar dividende of terugbetalings verklaar is wat onuitbetaald gebly het vir 'n tydperk van twee maande na die verklaring daarvan, binne een-en-twintig dae na die verval van sodanige periode van twee maande.
- (3) Die belasting betaalbaar kragtens subregulasie (1) moet tegelykertyd met die voorlegging van die opgawe beoog in subregulasie (1) betaal word.

**245 Boete vir laat betaling van belasting**

Indien die belasting kragtens regulasie 243 nie betaal word ooreenkomstig die bepaling van regulasie 244 deur die houer van 'n spesiale lisensie beoog in afdeling 97 van die Wet of deur die houer van 'n totalisator lisensie beoog in afdeling 53 van die Wet nie, wat ookal die geval mag wees, moet die gelisensieerde 'n boete betaal ten opsigte van die bedrag van enige uitstaande belasting teen 'n koers van tien persent vir elke week of gedeelte van 'n week waartydens die belasting onbetaald gebly het: Met dien verstande dat sodanige boete nie tweemaal die bedrag van die belasting ten opsigte waarvan die boete betaalbaar is, sal oorskry nie: Met die verdere bepaling dat waar die hoof uitvoerende beampete tevrede is dat die versuim aan die kant van enige gelisensieerde om die belasting binne die voorgeskrewe tydperk te betaal nie toe te skryf is aan 'n voorneme om die verpligting ten opsigte van die betaling van die verskuldigde bedrag te vermy of uit te stel nie, die hoof beampete die totale bedrag van die boete of 'n gedeelte daarvan kragtens hierdie regulasie mag kwytскeld.

**246 Minimum Dividend**

Die somtotaal van die terugbetalings beoog in afdeling 53(3) van die Wet aan daardie persone wat weddenskappe gewen het in enige item of kombinasie van items moet nie minder wees nie as vyf-en-sewentig persent van die totale bedrag wat op daardie item of kombinasie van items gewaag is: Met dien verstande dat die terugbetalings beoog in terme van afdeling 53(3) van die Wet, vir die verskillende kategorieë van weddenskaptipes gereflekteer moet wees in die reëls van die houer van 'n totalisator lisensie beoog in afdeling 53 van die Wet.

**247 Heffing op sekere weddenskappe ten bate van Sport Ontwikkelingsfonds**

Die heffing beoog in afdeling 61 van die Wet, en betaalbaar ten bate van die Sport Ontwikkelingsfonds beoog in afdeling 100 van die Wet, moet betaal word deur die houer van 'n totalisator lisensie beoog in afdeling 53 van die Wet op die bruto ontvangste van 'n totalisator wat daarvolgens bedryf is, bereken teen sodanige persentasie en ten opsigte van sodanige weddenskappe as wat in regulasie 254 voorgeskryf is.

**248 Betaling van Sport Ontwikkelingsfonds Heffing**

Binne een-en-twintig dae vanaf die datum waarop die byeenkoms plaasgevind het moet die houer van 'n totalisator lisensie beoog in afdeling 53 van die Wet -

- (a) in die vorm en wyse deur die raad verlang, 'n opgawe aan die raad voorlê waarin die bruto ontvangste van die totalisator bedryf deur die houer van 'n totalisator lisensie beoog in afdeling 53 van die Wet gereflekteer word, en
- (b) terselfdertyd die bedrag van die heffing op daardie ontvangste aan die raad betaal soos beoog in regulasie 247.

**249 Boete vir laat betaling van Sport Ontwikkelingsfonds Heffing**

Die bepalings van regulasie 245 sal *mutatis mutandis* van toepassing wees ten opsigte van die laat betaling van die heffing beoog in regulasie 247.

**250 Heffing op sekere weddenskappe tot voordeel van die raad**

Behalwe vir belasting, gelde of heffing betaalbaar kragtens die bepalings van die Wet, moet deur die houer van 'n totalisator lisensie beoog in afdeling 53 van die Wet 'n heffing aan die raad betaal ingevolge artikel 61 van die Wet , bereken teen die persentasie soos voorgeskryf in regulasie 254.

**251 Betaling van Raadsheffing**

Binne een-en-twintig dae vanaf die datum waarop die byeenkoms plaasgevind het moet die houer van 'n totalisator lisensie beoog in afdeling 53 van die Wet -

- (a) in die vorm en wyse deur die raad verlang, 'n opgawe aan die raad voorlê waarin die bruto ontvangste van die totalisator bedryf deur die houer van 'n totalisator lisensie beoog in afdeling 53 van die Wet gereflekteer word, en
- (b) terselfdertyd die bedrag van die heffing op daardie ontvangste aan die raad betaal soos beoog in regulasie 247.

**252 Boete vir laat betaling van Raadsheffing**

Die bepalings van regulasie 245 sal *mutatis mutandis* geld ten opsigte van die heffing beoog in regulasie 250.

**253 Berekening van totalisator belasting**

Die belastings betaalbaar kragtens regulasie 243 sal bereken word ten opsigte van 'n totalisator bedryf deur die houer van 'n totalisator lisensie beoog in afdeling 53 van die Wet teen 'n koers van vyf persent van die bruto ontvangste van daardie totalisator.

**254 Berekening van heffing ten bate van Sport Ontwikkelingsfonds**

Die heffing betaalbaar kragtens regulasie 247 sal bereken word ten opsigte van 'n totalisator bedryf deur die houer van 'n totalisator lisensie beoog in afdeling 53 van die Wet ten opsigte van 'n byeenkoms of gebeurlikheid anders as perdewedrenne teen 'n koers van twee persent van die bruto ontvangste van daardie totalisator.

**255 Berekening van heffing op sekere weddenskappe ten bate van die raad**

Die heffing betaalbaar kragtens regulasie 251 sal bereken word ten opsigte van 'n totalisator bedryf deur die houer van 'n totalisator lisensie beoog in afdeling 53 van die Wet ten opsigte van byeenkomste of gebeurlikhede anders as perdewedrenne teen 'n koers van twee persent van die bruto ontvangste van daardie totalisator.

**256 Berekening van totalisatorbelasting deur houer van 'n spesiale lisensie**

Die belasting betaalbaar kragtens regulasie 243 sal bereken word ten opsigte van 'n totalisator bedryf deur die houer van 'n spesiale lisensie uitgereik kragtens afdeling 97 van die Wet, teen 'n koers van tien persent van die bruto ontvangste van daardie totalisator.

**257 Berekening van belasting op nie-uitgekeerde ontvangstes en onopgeëisde dividende**

Die belasting betaalbaar kragtens regulasie 243 moet bereken word -

- (a) teen die koers van tien persent op ontvangste wat onuitgekeer bly, hetby omdat 'n breukdeel van tien sente nie deur die houer van 'n totalisator lisensie verklaar is as 'n dividend betaalbaar op sodanige ontvangste aan beroepswedders nie; of omdat geen kaartjie wat die houer daarvan aanspraak sou gee op 'n terugbetaling van die bedrag deur hom of haar gewaag, voorgelê was vir die terugbetaling van sodanige bedrag nie; en
- (b) teen 'n koers van tien persent op alle dividende wat nie binne 'n tydperk van twee maande opgeëis is nadat sodanige dividend verklaar is nie.

**273 Heffing op sekere weddenskappe ten bate van die houer van 'n totalisator lisensie**

- (1) Die heffing, beoog in afdeling 61(4) van die Wet, betaalbaar ten bate van die houer van 'n totalisator lisensie beoog in afdeling 53 van die Wet, sal deur 'n persoon beoog in regulasie 270 betaal word op die bedrag waarna die belasting in regulasie 276 verwys.
- (2) Die bepalings van regulasie 270 tot 272 sal *mutatis mutandis* van toepassing wees op die heffing beoog in subregulasie (1).

**276 Berekening van belasting en heffings op weddenskapstransaksies met gelisensieerde beroepswedder**

Die belasting en heffings betaalbaar kragtens die Wet op weddenskapstransaksies aangegaan met 'n gelisensieerde beroepswedder moet bereken word teen die volgende persentasies -

- (i) ten opsigte van weddenskappe aangegaan met 'n beroepswedder wat by die baan werk teen 'n koers hieronder aangedui teenoor die vermelde tipe weddenskap:

Tipe weddenskap	Belasting kragtens regulasie 270	Houer van 'n Totalisator Licensie beoog in Afdeling 53 van die Wet, heffing kragtens regulasie 273	Sport Fonds heffing kragtens regulasie 274	Raadsheffing kragtens regulasie 275	Totaal
Perdewedren -ne	3	3	-	-	6
Ander byeenkoms of gebeurlikheid	3	1	1	1	6

- (ii) ten opsigte van weddenskappe aangegaan by 'n Tattersalls teen die koers hieronder aangedui teenoor die vermelde tipe weddenskap:

Tipe weddenskap	Belasting kragtens regulasie 270	Houer van 'n Totalisator Licensie beoog in Afdeling 53 van die Wet, heffing kragtens regulasie 273	Sport Fonds heffing kragtens regulasie 274	Raadsheffing kragtens regulasie 275	Totaal
Perdewedren -ne	3	3	-	-	6
Ander byeenkoms of gebeurlikheid	3		1	2	6

**"DEEL 11 - VERMAAKLIKHEIDSMASJIENE":****HOOFSTUK 74****LISENSIËRING EN BEHEER OOR VERMAAKLIKHEIDSMASJIENE****290 Licensie benodig om vermaaklikheidsmasjiene beskikbaar te stel vir spel**

- (1) Geen persoon mag persele in stand hou waar vermaaklikheidsmasjiene beskikbaar is vir spel of vermaaklikheidsmasjiene beskikbaar maak vir spel sonder 'n vermaaklikheidsmasjien licensie nie.

- (2) Enige persoon wat verlang om 'n vermaaklikheidsmasjien lizensie te bekom moet by die raad om sodanige licensie aansoek doen in die vorm en op die wyse deur die raad bepaal.

**291 Aktiwiteitie deur vermaaklikheidsmasjien lizensie gemagtig**

'n Vermaaklikheidsmasjien lizensie sal, onderhewig aan enige voorwaarde voorgeskryf onder afdeling 32 van die Wet, die aanhou en bestuur van die aantal vermaaklikheidsmasjiene wat in die licensie gespesifiseer is, op die betrokke perseel magtig.

**292 Opskorting en herroeping van lizensies en ander boetes met betrekking tot lizensies**

Die bepalings van afdeling 37 van die Wet sal *mutatis mutandis* op die houer van 'n vermaaklikheidsmasjien licensie van toepassing wees.

**293 Registrasie van vermaaklikheidsmasjiene**

'n Gelisensieerde mag geen vermaaklikheidsmasjien aanhou of in stand hou wat nie volgens aansoek in die vorm en op die wyse deur die raad bepaal, afsonderlik goedgekeur en deur die raad geregistreer is nie.

**HOOFTUK 75****POTGELDE EN PRYSE****294 Potgelde en pryse**

- (1) Die maksimum bedrag wat van 'n persoon gevorder mag word vir die speel van 'n spel op 'n vermaaklikheidsmasjien mag nie die bedrag deur die raad goedgekeur oorskry nie.
  
- (2) Elke gelisensieerde moet op so 'n wyse as wat die raad mag goedkeur of vereis, akkurate, volledige, leesbare en permanente state van al sy transaksies byhou.

**HOOFTUK 76****KREDIET VERLENGING****295 Kredietverlenging verbied**

- (1) 'n Gelisensieerde mag hoegenaamd nie krediet in enige vorm verleen nie, , hetsy in sy of haar eie naam of in dié van 'n derde party, met die doel om klante in staat te stel om met 'n vermaaklikheidsmasjien te speel of dit te bedryf nie.
  
- (2) Versuim deur 'n gelisensieerde om 'n verhandelbare dokument teen sluitingstyd van die volgende banksakedag na die dag van ontvangs te deponeer vir invordering sal beskou word as die kredietverlenging.

**HOOFTUK 77****REKENINGSTATE EN OPGAWES****296 Rekeningstate**

Elke gelisensieerde moet op so 'n wyse as wat die raad mag goedkeur of vereis, akkurate, volledige, leesbare en permanente state van al sy transaksies byhou.

**297 Ander state**

Elke gelisensieerde moet sodanige ander state byhou as wat spesifiek deur die raad vereis word.

**298 Opgawes vir verslaglewering**

'n Gelisensieerde moet op die wyse en in die form deur die raad bepaal, inligting beskikbaar maak op die tye soos deur die raad bepaal.

**HOOFTUK 78****FOOIE EN HEFFINGS****299 Aansoekfooie**

Aansoeke moet vergesel wees van die volgende nie-terugbetaalbare aansoekfooie:

<b>Tipe aansoek</b>	<b>Fooi</b>
1 Vermaaklikheidsmasjien	R2 500,00
2 Wysiging van lisensie	R1 000,00
3 Oordrag van lisensie / toestemming vir verkryging van belangstelling in gelisensieerde	R1 000,00
4 Sertifikaat van geskiktheid	R 500,00

### **300 Herwinning van ondersoekuitgawes**

- (1) Alle uitgawes wat deur die raad aangegaan word vir die ondersoek van 'n aansoeker moet deur die aansoeker betaal word op die wyse wat deur hierdie regulasie voorgeskryf word.
- (2) Die raad beraam ondersoekfooie en -kostes en verlang 'n vooruitbetaalde deposito van die aansoeker as 'n opskortende voorwaarde vir die aanvang of voortgang van 'n ondersoek.
- (3) Die raad mag, in enige stadium tydens 'n ondersoek, van 'n aansoeker vereis om addisionele depositos vir die verhaling van ondersoekfooie en -kostes te betaal.
- (4) By voltooiing van sy ondersoek sal die raad die aansoeker voorsien van 'n gedetailleerde rekening van die ondersoekfooie en -kostes aangegaan.

- (5) Die raad sal 'n aansoek finaal afhandel alvorens alle ondersoekfooie en -gelde nie ten volle vereffen is nie.

### **301 Licensiefooie**

- (1) Elke houer van 'n vermaakklikheidsmasjien lisensie moet 'n licensiefooi van R250,00 per geregistreerde vermaakklikheidsmasjien betaal vir elke jaar of gedeelte van 'n jaar wat eindig op 31 Maart.
- (2) Die licensiefooi betaalbaar kragtens subregulasie (1) moet aan die raad betaal word by registrasie van 'n masjien en daarna elke jaar voor 1 April.

**NOTICE 4002 OF 1997**  
**DIPHETOŠO TŠE DI ŠIŠINTŠWEGO GO MELAWANA**

**1. Tlhalošišo ye e latelago e swanetše go tsentšhwa:**

"Motšhene wa boithabišo" o ra motšhene, setlabelo goba sedirwa go ena le motšhene, setlabelo goba sedirwa se ukangwego mo go karolo 1(3) ya Molao, yeo e beakanyetšago bjalo ka sefoka, moputso goba tlhokomedišo ya go bapala ka katlego papadi yeo e sa bušego sefoka sa kheše, ka kelo ya tšelete ye e sa fetego R25,00.

**2. Se se latelago se swanetše go oketšwa go melawana bjalo ka**

**DITEFO, METŠHELO LE METŠHELWANA**

**240 Dikgopelo di swanetše go pataganywa le ditefo tša kgopelo tše di sa bušegego tše di latelago-**

<b>Mohuta wa kgopelo</b>	<b>Tefo</b>
1. Laesense ya Thothaliseitha	R57 000,00
2. Phetošo ya laesense/Koketšo ya ditsha	1 140 , 00
3. Laesense ye e sego ya mehleng ya Thothaliseitha	114, 00
4. Tšhutišo yua laesense/ tumelelo ya khwetšo ya lešokotšo go ralaesense	5 700,00
5. Ngwadišo ya Modiredi yo mogolo	1 140,00
6. Sethifikeiti ya maleba ( e a gapeletšwa go bomaditsela ba TAB)	1 140,00

**241 Khwetšo ya ditshenyagalelo tša nyakišišo**

- (1) Ditshenyagalelo ka moka tše di rwelwego ke boto ge e nyakišiša mokgopedi, go sa tsenye we mokgopedi wa ngwadišo ya modiredi, e tla lefša ke mokgopedi ka tsela yeo e beilwego ka go molawana.
- (2) Boto e tla akanyetša ditefo tša nyakišišo le ditshenyagalelo mme e tsoma gore dipotisi e lefše ke mokgopedi pele ga lebaka bjalo ka lebaka la pele ga thomišo goba tšwetšopele le nyakišišo.
- (3) Boto e ka nyaka, legatong lefe goba lefe nakong ya nyakišišo, gore mokgopedi a lefe didipositi tša koketšo mabapi le tefo ya ditefo tša nyakišišo le ditshenyagalelo.
- (4) Ge e feditše nyakišišo ya yona, boto e tla fa mokgopedi akhaonto ye e tletšego ya ditefo le ditshenyagalelo tša nyakišišo tše e bilego natšo.
- (5) Boto e ka se tšee kgato ya mafelelo mabapi le kgopelo efe goba efe ka ntle le ge ditefo le ditshenyagalelo ka moka tša nyakišišo di lefilwe ka botlalo.

**242 Ditefo tša Dilaesense**

- (1) Ralaesense ya thothaliseitha yeo e sego laesense ye e sego ya mehleng ya thothaliseitha ye e ukangwago ka mo go karolo 97 ya Molao, o tla lefa tefo ya laesense ya R28500,00 le R570 setsheng se sengwe le se sengwe ka ngwaga goba karolo ya ngwaga wo o felago ka la 31 Agostose.

- (2) Tefo ya laesense ye e lefšago go ya ka dipeelano tša molawanyana (1) e tla lefša go Boto ge go ntšiwa laesense mme morago ga moo pele ga la 1 Setemere ngwaga wo mongwe le wo mongwe.
- (3) Ge tefo ya laesense yeo e lefšago go ya ka dipeelano tša molawanyana (1) ga se ya lefša go ya ka molawanyana (2), gona ralaesense o tla lefa kotlo serotong se sengwe le se sengwe se se sa šetšego sa laesense ka kelo ya dipersente tše lesome ya tefo ya laesense beke ka beke goba karolo ya beke yeo go yona tefo ya laesense e sego ya lefša: Ge e se ge fela kotlo ya mohuta woo e ka se fete seroto sa laesense yeo kotlo e lefelwago gabedi.

#### **243 Motshelo wa thothaliseitha**

Moswari wa laesense yeo e sego ya mehleng ye e ukangwego ka go karolo 97 ya Molao le ralaesense ya thothaliseitha ye e ukangwego ka mo go karolo 53 ya Molao, o tla, malebana le thothaliseitha ye e sepedišitšwego ke ralaesense yo bjalo, o tla lefa motshelo go ya ka dipeelano tša karolo 61 ya molao, godimo ga -

- (a) ditsenomoka tša thothaliseitha yeo, le
- (b) ditseno tše di sa abjego, mohlomongwe ka lebaka la ge karolwana ya disente tše 10 e se ke ya begwa ke ralaesense ya thothaliseitha bjalo ka karolwea ye e lefiwago babapaladipere mo ditsenong tša mohuta woo; goba mohlomongwe ka gobane go se thekethe yeo e dumelago moswari wa yona go bušetša seroto seo se ntšhitšwego ke yena goba se be se gafilwe go ba sa pušetšo ya seroto sa mohuta woo; le.

(c) dikarolo ka moka tše di sego tša kleimiwa lebakeng la dikgwedi tše pedi morago ga ge karolo ya mohuta woo e begilwe.

ka kelo yeo e beilwegoi mo go melawana 253 go ya go 257.

#### 244 Tefo ya motshelo wa thothaliseitha

- (1) ralaesene yeo e sego ya mehleng ye e ukangwago ka go karolo 97 ya Molao le ralaesense ya thothaliseitha ye e ukangwego ka go karolo 53 ya Molao, o tla, lebakeng la matšatši a 21 ao a ukangwego ka go molawanyana (2), hlagiša pele ga boto pegelo, sebopegong le ka tsela yeo e nyakwago ke boto, malebana le thothaliseitha yeo e sepetšwago ke moswari wa mohuta woo yeo ka go yona-
- (a) ditsenomoka tše di ukangwego ka go molawana 243 (a) :
- (b) ditseno tše di šalago di sa abja mohlomongwe ka lebaka la ge karolwana ya disente tše 10 e se ya begwa ke ralaesense ya thothaliseitha bjalo ka karolo yeo e lefšago barolokadipere godimo ga ditseno tše; goba ka gobane go be go se na le thekete yeo e tlogo dumelela moswari wa yona pušetšo ya seroto seo se beeleditšwego ke yena goba se beetšwego pušetšo ya seroto sa mohuta woo; le
- (c) dikarolo ka mokla tše di sego tša kleimiwa lebakeng la dikgwedi tše pedi morago ga pego ya karolo ya mohuta wo, di laeditšwe, goba tše go tšona, ge go be go se ditsenomoka tša mohuta woo, ditseno tše sa abjago goba dikarolo tše sa kleingwago, taba yeo e tla hlagišwa.

- (2) Poelo yeo e ukangwago ka go molawanyana (1) e tla hlaigišwa gare ga matšatši a masomepeditee morago ga tšatšikgwedi la mokato; tiragalo goba sentšwelakae seo mabapi le sona thothaliseitha e bego e sepetšwa le, lebakeng la ge dikarolo goba dipušetšo di begilwe mme di dutšego di sa lefša lebaka la dikgwedi tše pedi morago ga go begwa, gare ga matšatši a masomepedi tee morago ga go fela lebaka le bjalo la kgwedi tše pedi.
- (3) Motšhelo wo o lefšago go ya ka dipeelano tša molawanyana (1) o tla lefša ka nako e tee le phihlišo ya dipoelo tše di ukangwego ka go molawanyana (1).

#### 245 Kotlo mabapi le tefo ye e šaletšego ya motšhelo.

Ge motšhelo wo o lefšago go ya ka dipeelano tša molawana 243 o se wa lefša go ya ka peakanyetšo ya molawana wa 244 ke moswari wa laesense yeo e sego ya mehleng ye e ukangwago ka go karolo 97 ya Molao, ge go ka b jalo, moswaralaesense o tla lefa kotlo godimo ga seroto se se šaletšego sa motšhelo ka kelo ya dipersente tše lesome bekeng ye nngwe le ye nngwe goba karolo ya beke yeo go yona motšhelo o tla bego o se wa lefša: Ge fela kotlo ya mohuta woo e ka se fete seroto seo kotlo e le felwago sona gabedi:

Ge feela, go iša pele, moo molaodimogolo a kgotosofetše gore tšitego ka lehlakoreng la ralaesense ya go lefa motšhelo lebakeng le le beilwego e be e se ka lebaka la go leka go efoga motšhelo goba go šutišetša pele molato wa go lefa seroto se nyakegago, molaodimogolo a ka se fediša ka moka goba karolo mo kotlong go ya ka dipeelano tša molawana wo.

**246, Karolo ya Minimamo**

Palomoka ya dipoelo tše di ukangwego ka go karolo 53 (3) ya Molao go batho bao ba dirilego matengwa a go thopa sefoka tiragalong efe le efe, goba kopanyo ya ditiragalo e ka se be ka fase ga dipersente tše masomešupahlano tša serotomoka se beilwego godimo ga tiragalo yeo goba kopanyo ya ditiragalo;

Ge e se fela ge dipoelo tše di ukangwego go ya ka dipeelano tša karolo 53 (3) ya Molao, mabapi le mahlakore a go fapan a mehuta ya matengwa di tla laetswa ka go melao ya ralaesense ya thothaliseitha ye e ukangwego ka go karolo 53 ya Molao.

**247 Motšhelwana godimo ga matengwa a itšego go hola Sekhwama sa Thabollo ya Dipapadi.**

Motšhelwana woo o ukangwego ka go karolo 61 ya Molao, woo o lefšago go thuša Sekhwama sa Thabollo ya Dipapadi ye e ukangwago ka go karolo 100 ya Molao, e tla lefša ke ralaesense ya thothaliseitha yo a ukangwego ka go karolo 53 ya Molao godimo ga ditsenomoka tša thothaliseitha ye e sepedišitšwego ke yena mme e baletšwe ka persente yeo le mabapi le matengwa a mohuta woo go ya ka moo go beilwego ka go molawana 254.

**248 Tefo ya Motšhelwana wa Sekhwama sa Tlhabollo ya Dipapadi**

Lebakeng la matšatši a 21 morago ga tšatšikgwedi leo tiragalo e phethagetšego ka lona, ralaesense ya thothaliseith yo a ukangwago ka go karolo 53 ya Molao o tla -

- (a) ka sebopego le ka tsela yeo e nyakwago ke boto, hlagiša pele ga boto, a laetša ditsenomoka tša thothaliseitha yeo ralaesense ya thothaliseitha yo a ukangwego ka go karolo 53 ya Molao a di sepedišitšwego; le
- (b) go lefa sammaletee seroto sa motšhelwana go ditseno tše di ukangwego ka go molawana 247 go boto.

**249 Kotlo mabapi le tefo ye e šaletšego ya Motšhelwana wa Sekhwama sa Tlhabollo ya Dipapadi**

Dipeakanyetšo tša molawana 245 di tla šoma ka kamano mabapi le motšhelwana wo o ukangwego ka go molawana wa 250.

**250 Motšhelwana godimo ga matengwa a itšego go hola boto.**

Godimo ga motšhelo ofe le ofe, tefo goba motšhelwana woo o lefšago go ya ka dipeelano tša dipeakanyetšo tša Molao go tla lefša go boto, go ya ka dipeelano tša karolo 61 ya Molao, ke ralaesense ya thothaliseitha yo a ukangwego ka go karolo 53 ya Molao, godimo ga dikelomoka tša thothaliseitha ye e phethagaditšwego ke yena, motšhelwana woo o baletšwego ka persente yeo e beilwego ka go Molawana 254.

**251 Tefo ya Motšhelwana wa Boto.**

Lebakeng ka matšatši a 21 morago ga tšatšikgwedi leo tiragalo e phethagaditšwego ka lona, ralaesense ya thothaliseitha yo a ukangwago ka go karolo 53 ya Molao o tla -

- (a) ka sebopego le ka tsela yeo e nyakwago ke boto, o tla hlagiša pele ga boto pego yeo e laetšago ditsenomoka tša thothaliseitha, tšeо ralaesense ya thothaliseitha yo a ukangwego ka go karolo 53 ya Molao a di sepedišago, le
- (b) go lefa sammaletee seroto sa motšhelwana wa ditseno tšeо go ya ka moo di ukangwego ka go molawana wa 247 go Boto.

**252 Kotlo mabapi le tefo ye e šaletšego ya Motšhelwana wa Boto.**

Dipeakanyetšo tša molawana 245 di tla šoma ka kamano mabapi le motšhelwana wo o ukangwago ka go molawana wa 250.

**253 Palelo ya Motšhelo wa Thothaliseitha**

Metšhelo ye e lefšago go ya ka dipeelano tša 243 e tla balelwā mabapi le thothaliseitha ye e sepetšwago ralaesense ya thothaliseitha yo a ukagwego ka go karolo 53 ya Molao ka kelo ya 5% ya ditsenomoka tša thothaliseitha ye bjalo.

**254 Palelo ya Motšhelwana wa go hola Sekhwama sa Thabollo ya Dipapadi**

Motšhelwana woo o lefšago go ya ka dipeelano tša Molawana 247 o tla balelwa malebana le thothaliseitha ye e sepetšwagpo ke ralaesense ya thothaliseitha yo a ukangwego ka go karolo 53 mabapa le tiragalo goba dintšwelakae ka ntle le tša Mokato wa dipere ka kelo ya 2% ya ditsenomoka tša thothaliseitha ye bjalo.

**256 Palelo ya motšhelo wa thothaliseitha ke moswaralaesense yeo e sego ya mehleng.**

Metšhelo ye e lefšago go ya ka dipeelano tša Molawana 243 e tla balelwa mabapi le thothaliseitha ye e sepedišwago ke moswaralaesense ye e sego ya mehleng ye e ntšhitšwego go ya ka dipeelano tša karolo 97 ya Molao, ka kelo ya 10% ya ditsenomoka tša thothaliseitha ye bjalo.

**257 Palelo ya Motšhelo godimo ga ditseno tše di sa abjago le dikarolo tše di sa kleingwago.**

Motšhelo wo o lefšago go ya ka dipeelano tša molawana 243 e tla balelwa -

- (a) ka kelo ya dipersente tše lesome godimo ga ditseno tše di sego tša abja, mohlomongwe ka gobane karolwana ya disente tše 10 ga se ya begwa ke ralaesense ya thothaliseitha bjalo ka karolo ye e lefšago baralokadipere go ditseno tše bjalo, goba ka gobane go se thekete yeo e bego e tlo dumelela moswari go hwetša pušetšo ya seroto se beilwego ke yena goba se beetšwego pušetšo ya seroto seo; le
- (b) ka kelo ya dipersente tše lesome godimo ga dikarolo ka moka tše di šetšego di kleimilwe lebakeng la dikgwedi tše pedi morago ga gore karolo ye bjalo e begwe.

**273 Motšhelwana godimo ga matengwa a itšego go hola Ralaesense wa thothaliseitha**

- (1) Motšhelwana woo o ukangwego ka go karolo 61 (4) ya Molao, mme o lefšago go hola moswaralaesense ya thothaliseitha yo a ukangwego ka go karolo 53 ya Molao o tla lefša ke motho yo a ukangwego ka go molawana 270, godimo ga seroto seo go sona motšhelo wo o ukangwego ka go molawana 276.

(2) Dipeakanyetšo tša molawana 270 go ya go 272 ka kamantšhanao o tla šoma go motšhelwana wo o ukangwego ka go molawanyana (1)

**276 Palelo ya motšhelo le metšhelwana ya dipapatšišano tša matengwa/dipetšho ka moperšiši yo a nago le laesense.**

Metšhelo le metšhelwana ye e lefšago go ya ka Molao wa dipapatšišano tša matengwa ka moperšiši yo a nago le laesense e tla balelwa go ya ka dipersente tše di latelago -

(1) mabapi le matengwa/dipetšho tše di tsenelwago le moperšiši yo a lego lebaleng la mokatyo ka kelo yeo e laeditšwego ka mo fase go lebana le mohuta wa petšho/matengwa.

Motšhelo go ya ka dipeelano tša molawana wa	Moswari wa laesense ya Thothaliseitha ye e ukangwego ka go karolo 53 ya Molao, motšhelwana go ya ka dipeelano tša Molawana wa	Motšhelwana wa Sekhwama sa Dipapadi go ya ka dipeelano tša molawana wa	Motšhelwana wa Boto go ya ka dipeelano tša molawana wa
270	273	274	275
Mohuta wa Petšho			Palomoka
Mokato wa dipere 3 Tiragalo ye nngwe goba Leano la tšhoganetšo 3	3	-	- 6
	1	1	1 6

(ii) mabapi le matengwa/dipetšho tšeoo di tsenelwago kua bopetšapereng/Thathasaleng ka kelo yeo e laeditšwego ka mo fase go lebana le mohuta wa petšho woo o boletšwego:

Motšhelwana wa Boto go ya ka go ya ka dipeelano tša molawana wa	Motšhelwana wa Sekhwama sa sa Dipapadi go ya ka dipeelano tša molawana wa	Ralaesense ya Thothaliseitha yo a ukangwego ka go karolo 53 ya Molao, motšhelwana go ya ka dipeelano tša moiawana wa	274	275	Palomoka
270 3	273 3	-	-	-	6
Mohuta wa Petšo Mokato wa dipere Tiragalo ye nngwe goba			1	2	
Leano la tšogonetšo	3	-			6

### **“KAROLO 11 - METŠHENE YA BOITHABIŠO”**

#### **KGAOLO 74**

#### **GO FA DILAESENSE LE GO LAOLA METŠHENE YA BOITHABIŠO**

**290 Laesense ye e nyakegago gore metšhene ya boithabišo e hwetšagale go ka bapadišwa**

- (1) Ga go motho yoo a tlogo ba le lefelo leo go lona go nago le metšhene ya boithabišo ya go bapadišwa goba a dire gore metšhene ya boithabišo e hwetšagale moo e ka bapalwago a se na le laesense ya metšhene ya boithabišo.
- (2) Motho mang le mang yo a nyakago go hwetša laesense ya motšhene wa boithabišo o tla kgopela Boto go hwetša laesense ya mohuta woo ka tsela le sebopego se se tlogo bewa ke boto.

**291 Ditiragalo tše di dumelitšwego ke laesense ya motšhene wa boithabišo**

Laesense ya motšhene wa boithabišo e tla, ka taolo ya lebaka le, bewago ka tlase ga karolo 32 ya Molao, dumelela le go swara le go diriša palo ye itšego ya metšhene ya boithabišo yeo e laeditšwego mo laesenseng, mo lefelong leo le angwago.

**292 Phego le phumolo ya dilaesense le dikotlo tše dingwe tše di amanago le boradilaesense.**

Dipeakanyetšo tša karolo 37 ya Molao, di tla dirišwa ka kamantšhano go ralaesense wa motšhene wa boithabišo.

**293 Metšhene ya boithabišo e swanetše go rejistarwa**

Ralaesense a ka se kgone go ba le goba go lota motšhene ofe le ofe wa boithabišo wo o sego, mo kgopelong ka tsela le sebopego tše di laeditšwego ke boto, wa amogelwa ka bowona le go rejistarwa ke boto.

**KGAOLO 75****DIROTO LE DIFOKA****294 Diroto le difoka**

(1) Seroto sa maksimamo seo motho a ka se bitšwago gore a bapale papadi motšheneng wa boithabišo e ka se fete seroto seo se amogetšwego ke boto.

(2) Ralaesense yo mongwe le yo mongwe o tla, ka tsela yeo boto e tlogo e amogela goba go e nyaka, lota ka nepagalo, direkoto tša dipapatšano ka moka tše di tletšego tša go balega le gona tša go ya go ile.

**KGAOLO 76****KOKETŠO YA KREDITI****295 Koketšo ya kredirti ga e dumelwelwe.**

(1) Ralaesense a ka se kgone, thwii goba ka tharedi, ka leina la gagwe goba la motho wa boraro, go fetišetša krediti ka tsela efe goba efe go pheitrone efe le efe ka nepo ya go bapala, goba go sepediša motšhene wa boithabišo.

(2) Go šitwa ga ralaesense go tsenya dipositi ye e tlogo tšewa pele ga ge letšatši le le latelago la go panka le feta morago ga kamogelo, go tla tšewa gore ke koketšo ya krediti.

**KGAOLO 77**  
**DIREKOTO TŠA TŠHUPAMATLOTLO LE DIPEGELO**

**296 Direkoto tša tšhupamatlotlo**

Ralaesense yo mongwe le yo mongwe o tla, ka tsela yeo boto e tlogo amogela goba go nyaka, swara direkoto tše di nepagetšego, tše di tletšego, tša go balega tša dipapatšišano ka moka tša gagwe.

**297 Direkoto tse dingwe**

Ralaesense yo mongwe le yo mongwe o tla lota direkoto tše dingwe gape, go ya ka moo boto e nyakago gore di lotwe.

**298 Dipegelo di swanetše go tlišwa**

Ralaesene yo mongwe le yo mongwe o tla, ka tsela le sebopego se se laeditšwego ke boto, tliša tshedimošo ka mabaka ao a tlogo ba a beilwe ke boto.

**KGAOLO 78****DITEFO LE METŠHELWANA****299 Ditefo tsaa kgopelo**

Dikgopelo di swanetše go pataganywa le ditefo tše di sa bušwego tša kgopelo tše di latelago - Mohuta wa Tefo ya kgopelo

1. Laesense ya motšhene wa boithabišo	R2 500, 00
2. Phetošo ya laesense	1 000. 00
3. Tšhutišo ya laesense/tumelelo ya khwetšo ya lešokotšo ka laesense	R1 000, 00
4. Setifikheti sa maswanedi	500, 00

**300 Khwetšo ya ditshenyagalelo tša nyakišišo**

- (1) Ditshenyagalelo ka moka tše di rwelwego ke boto ge e nyakišiša mokgopedi di tlo lefša ke mokgopedi ka tsela yeo e beilwego ke molawana wo.
- (2) Boto e tla akanyetša ditefo le ditshenyagalelo tša nyakišišo mme e nyaka mokgopedi a lefa dipositi pele ga lebaka e le lebaka leo, le tlago pele ga go thoma goba go tšwetša pele nyakišišo.

- (3) Boto e ka, kgatong efe le efe, nakong ya nyakišišo, nyaka gore mokgopedi a lefe dipositi tše dingwe gape tša koketšo go lefela ditefo le ditshenyagalelo tša nyakišišo.
- (4) Ge nyakišišo e fela, boto e tla fa mokgopedi akhaonto ye e tletšego ya ditefo le ditshenyagalelo tšeо e bilego natšo.
- (5) Boto e ka se tšeе sephetho sa mafelelo kgopelong efe le efe, ge e se fela ge ditefo le ditshenyagalelo tša nyakišišo di lefilwe ka botlalo.

### 301 Ditefo tša laesense

- (1) Ralaesense yo mongwe le yo mongwe wa motšhene wa boithabišo o tla lefa tefo ya laesense ya R250,00 motšheneng wo mongwe le wo mongwe wo o rejistarilwego ka ngwaga goba karolo ya ngwaga wo o felelago ka la 31 Matšhe.
- (2) Tefo ya laesense ye e le lefšago go ya ka dipeelano tša molawanyana (1) e tla lefša go boto ge go rejistarwa motšhene mme morago ga moo pele ga la 1 Aprele ngwaga ka ngwaga.

## NOTICE 4002 OF 1997

### IZINGUQUKO EZIPHAKANYISIWE KUZIMISELO

#### 1. Lencazelo elandelayo ifakiwe:

"Umshini ojabulisayo" usho umshini, i-apharetha noma into esetshenziswa kokuthile ngaphandle komshini, i-apharetha noma into esetshenziswa kokuthile echazwe kusigaba 1(3) salo Mthetho, okunikeza imali, isipho noma ukunakwa ukuthi umdlalo lowo udlalwe ngempumelelo imali yokuphumelela engeko ngaphezu kuka-R25,00.

#### 2. Lokhu okulandelayo kuzokwengezwa kuZimiselo njenge-

### IMALI EKHOKHWAYO IZINTELA NEMITHELO

#### 240 Izicelo kufuze zize kanye nalezimali zezicelo ezingabuyiselwa kumninisicelo ezilandelayo -

Uhlobo lwesicelo	Imali
1 Ilayisense yethothalayiza	R57 000,00
2 Ukuguqula ilayisense/Ukwengeza indawo	1 140,00
3 Ilayisense yethothalayiza eyisipesheli	114,00
4 Ukunikezela ilayisense/ukuvuma ukuthola inzalo	ngelayi sense 5 700,00
5 Ukubhaliswa komsebenzi ophezulu	1 140,00
6 Isitifiketi esifanele (esiphogelelw kubathengisi beTAB)	1 140,00
241 Ukukhokhwa kwezindleko zophenyo	
(1) Zonke izindleko ezenziwe yibodi ngokuphenya umceli, ngaphandle komceli wokubhalisa umsebenzi, zizobhadalwa ngumceli ngendlela echazwa yilesi simiselo.	
(2) Ibodi lizonikeza isilinganiso sezimali namanani ophenyo bese lifuna isibekelo esizobhadalwa wumceli lungakaqali uphenyo njengesimiso esandulela ukugala noma ukuqubeka kophenyo.	
(3) Ibodi, noma kukusiphi isigaba, lingadinga ukuba umceli akhokhe ezinye izibekelo zokukhokha izimali namanani ophenyo.	
(4) Ekuqedeni uphenyo lwalo, le bhodi lizonikezela kumceli uhla lokusetshenziswa kwezimali namanani kulolu phenyo.	
(5) Le bhodi ayisoze yathatha isinqumo sokugcina noma kukumuphi umceli ngaphandle kokuba zonke izimali namanani ophenyo asabhadalwe ngokuphelele.	
242 Izimali zamalayisense	
(1) Wonke umuntu onelayisense lethothalayiza okungelona ilayisense yethothalayiza eyisipesheli njengoba ichazwe kusigaba 97 salo Mthetho, uzokhokhela ilayisense imali engu-R28 500,00 kanye ne-R570 ngendawo eyodwa ngonyaka noma ngengcenyne yomnyaka	

ophela ngo-Agasti 31.

- (2) Imali yelayisense ekhokhwa ngokwesimiselwana (1) izobhalwa kuyibhodi uma kukhishwa ilayisense emva kwalokho izokhokhwa ngaphambi kuka Septemba 1 ngonyaka.
- (3) Uma imali yelayisense ekhokhwa ngokwesimiselwana (1) ingakhokhiwe ngokulandela isimiselwana (2), umninilayisense uzokhokha inhlawulo emalini yelayisense engakhokhiwe ngenani eliyishumi ekhulwini lemali yelayisense ngeviki noma ingcenye yeviki ngaleso sikhathi imali yelayisense solo ingakhokhiwe: Kuphela nje inhlawulo asoze yaba ngaphezulu ngokuphindwe kabili emalini ekhokhelwa ilayisense lelo elikhokhelwa inhlawulo.

**243 Intel a yethothalayiza**

Umninilayisense eliyisipesheli elichazwe kusigaba 97 salo Mthetho nomninilayisense lethothalayiza elichazwe kusigaba 53 salo Mthetho, ngokwethothalayiza equtshwa wumniniyo uzokhokha intela ngokulandela Isigaba 61 salo Mthetho,

- (a) ngesamba semali yonke etholakala ngaleyo thothalayiza, futhi
- (b) ngemali yonke esala inganikezwanga abayiwinile mhlawumbe ngoba ingcenyana yamasenti ali-10 ayinikezwanga wumninilayisense lethothalayiza njengemali eyahlukaniselwa ababheji kuleyo mali; noma ngoba ithikithi elaligunyaza umninilo ngalokho-ke ukuba athole imali efakwe wuyena alizange lathulwa kumninilayesense ukuba umbheji anikwe leyo mali; futhi
- (c) ngazo zonke izimali ezahlukanisiweyo ezingaceliwe phakathi kwesikhathi esingaba yizinyanga ezimbili izimali ezahlukanisiweyo zethulwa,

ngenani njengoba lichazwe kuzimiselo 253 kuya ku-257.

**244 Ukukhokha intela yethothalayiza**

- (1) Umninilayisense eliyisipesheli elichazwe kusigaba 97 salo Mthetho nomninilayisense lethothalayiza elichazwe kusigaba 53 salo Mthetho, phakathi kwesikhathi esiyizinsuku eziwu-21 njengoba sichazwe kusimiselwana (2), uzoletsha phambi kwale bhodi izinombolo zemali ayitholile, ngesimo nangendlela ibhodi ezifuna ngayo, ngethothalayiza equtshwa wumninilayisense lapho -

- (a) sonke isamba semali etholakele echazwe kusimiselo 143 (a);
- (b) imali yonke esala inganikezwanga abayiwinile mhlawumbe ngoba ingcenyana yamasenti ali-10 ayinikezwanga wumninilayisense lethothalayiza njengemali eyahlukaniselwa ababheji kuleyo mali; noma ngoba ithikithi elaligunyaza umninilo ngalokho-ke ukuba athole imali efakwe wuyena alizange lathulwa kumninilayesense ukuba umbheji anikwe leyo mali; futhi

- (c) zonke izimali ezahlukanisiweyo ezingaceliwe phakathi kwesikhathi esingaba yizinyanga ezimbili emva kokwathulwa kwezimali ezahlukanisiweyo, ziboniswa khona, noma lapho, uma sasingekho isamba semali enjalo eyatholakala, imali enganikezwanga abanikazi noma abacelile izimali zabo, lokho kufanele kushiwo kulo mbiko.
- (2) Imali etholakele njengoba ichazwe kusimiselwana (1) izokwathulwa kule bhodi phakathi kwezinsuku eziyi-21 emva kosuku lomjaho wamahhashi, umdlalo noma isehlakalo ngokulandela ukuqutshwa kwethothalayiza futhi noma lapho ukwahlukaniswa kwezimali noma izimali zethulwa lezo ezasala zingakhokhiwe isikhathi esingaba yizinyanga ezimbili emva kwalokhu kwathulwa, phakathi kwezinsuku eziwu-21 emva kokuphela kwesikhathi esiyizinyanga ezimbili.
- (3) Intel a ekhokhwa ngokulandela isimiselwana (1) izokhokhwa kanye kanye nokwathulwa kwezimali ezitholakele njengoba kuchazwe kusimiselwana (1).
- 245** Inhlawulo yokukhokha intel a emva kwesikhathi esinqunyiwe Uma intel a ekhokhwa ngokulandela isimiselo 243 ingakhokhiwe ngokulandela isijubo esigaguliwe sesimiselo 244 wumninilayisense eliyisipesheli elichazwe kusigaba 97 salo Mthetho, noma wumninilayisense lethothalayiza elichazwe kusigaba 53 salo Mthetho, noma kukuphi kwalokhu, umninilayisense uzokhokha inhlawulo yemali esasele yentela ngenani leshumi ekhulwini ngeviki linye noma ingcenye yeviki ngesikhathi intel a solo ingakhokhiwe: Kuphela nje inhlawulo asoze yaba ngaphezulu ngokuphindwe kabili emalini ekhokhelwa ilayisense lelo elikhokhelwa inhlawulo: Kuphela nje futhi ukuthi lapho isiphathimandla sanelisekile ukuba ukwahluleka komninilayisense ukukhokha intel a phakathi kwesikhathi esinqunyiwe akuzange kwensiwe ngamabomu noma kuqutshelwe phamabili ukukhokha imali efanele ikhokhwe, isiphathimandla singayithatha yonke noma ingcenye yanoma iyiphi inhlawulo ngokulandela lesi simiselo.
- 246** Ukwahlukanisela okuphansi Izinga elimaphakathi lezimali ezitholakele ezichazwe kusigaba 53(3) salo Mthetho kulabo bantu abathole izimali ngokubheja kunoma wumuphi umjaho noma inhlanganisela yemijaho asoze laba ngaphansi kwa-75 ekhulwini yesamba sesisonke semali okubhejwe ngayo kulovo mjaho noma kuleyo nhlanganisela yemijaho: Kuphela nje uma izimali ezitholakele njengoba zichazwe ngokwesigaba 53(3) salo Mthetho, yezinhlolo ezahlukene zokubheja zizoboniswa emitthethweni yomninilayisense lethothalayiza njengoba kuchazwe kusigaba 53 salo Mthetho.
- 247** Umthelo emikhakheni yokubheja ngenhoso yeSikhwama sokuThuthukiswa kezeMidlalo Umthelo, njengoba kuchazwe kusigaba 61 salo Mthetho, okhokhwa ngenhoso yeSikhwama sokuThuthukiswa kwezeMidlalo njengoba kuchazwe kusigaba 100 salo Mthetho uzokhokhwa wumninilayisense njengoba kuchazwe kusigaba 53 salo Mthetho

- kusamba sesisonke semali etholakele ngethothalayiza equtshwa ngalo, ebalwa ngalawo maphesenti futhi ngokulandela lokho kubheja okuchazwe kusimiselo 254.
- 248 Ukukhokhwa koMthelo weSikhwama sokuThuthukiswa kwezeMidlalo Phakathi kuka-21 wezinsuku ukusuka osukwini lokwenzenka komjaho umnininlaysense lethothalayiza njengoba kuchazwe kusigaba 53 salo Mthetho -
- (a) ngesimo nangendlela efunwa yile bhodi, uzokwathula ezithebeni zale bhodi izimali ezitholakele lapho ekhombisa khona isamba semali sesisonke esitholakele ngale thothalayiza umnininlaysense lethothalayiza ayiqubayo okuchazwe kusigaba 53 salo Mthetho, futhi
- (b) uzokhokha kanye kanye imali yomthelo kulezo zimali ezitholakele okuchazwe kusimiselo 247 kule bhodi.
- 249 Inhlawulo ekhokhwa isikhathi esinqunyiwe sokukhkhela uMthelo weSikhwama sokuThuthikiswa kwezeMidlalo sesiphelile. Isijubo esigaguliwe sesimiselo 245 sizosetshenziswa ngokufanele mayelana nokukhokha umthelo isikhathi sesiphelile njengoba kuchazwe kusimiselo 247.
- 250 Umthelo kwezinye izinhlobo zokubheja okhokhelwa le bhodi Ngaphezu kwentela noma iyiphi, imali noma umthelo okhokhwa ngokulandela izijubo ezigaguliwe zalo Mthetho, uzokhokhelwa le bhodi, ngokwesigaba 61 salo Mthetho, umnininlaysense lethothalayiza okuchazwe kusigaba 53 salo Mthetho, kusamba sonke sethothalayiza equtshwa ngalo, umthelo obalwa ngephesenti echazwe kusimiselo 254.
- 251 Ukukhokhwa koMthelo weBhodi Ngaphakathi kwezinsuku eziwu-21 kusuka osukwini okwenziwa ngawo umdlalo umnininlaysense lethothalayiza elichazwe kusigaba 53 salo Mthetho -
- (a) ngesimo nangendlela efunwa yile bhodi, uzokwathula ezithebeni zale bhodi izimali ezitholakele lapho ekhombisa khona isamba semali sesisonke esitholakele ngale thothalayiza umnininlaysense lethothalayiza ayiqubayo okuchazwe kusigaba 53 salo Mthetho, futhi
- (b) uzokhokha kanye kanye imali yomthelo kulezo zimali ezitholakele okuchazwe kusimiselo 247 kule bhodi.
- 252 Inhlawulo ekhokhwa isikhathi esinqunyiwe sokukhkhela uMthelo weBhodi sesiphelile Isijubo esigaguliwe sesimiselo 245 sizosetshenziswa ngokufanele mayelana nokukhokha umthelo isikhathi sesiphelile njengoba kuchazwe kusimiselo 247.
- 253 Ukubalwa kwentela yethothalayiza Izintela ezikhokhwa ngokulandela isimiselo 243 zizobalwa ngokwethothalayiza equtshwa wumninilaysense lethothalayiza njengoba kuchazwe kusigaba 53 salo Mthetho ngenani eliwu-5% lesamba sesisonke esitholakala ngale

thothalayiza.

- 254 Ukubalwa komthelo weSikhwama sokuTHuthukiswa kwezeMidlalo Umthelo okhokhwa ngokulandela isimiselo 247 uzobalwa ngokwethothalayiza equtshwa wumninilayisense lethothalayiza njengoba kuchazwe kusigaba 53 solo Mthetho mayelana nomdlalo noma izehlakalo ngaphandle komjaho wamahhashi ngenani eliu-2% lesamba sesisonke esitholakala ngale thothalayiza.
- 255 Ukubalwa komthelo wezinhlobo zokubheja wale bhodi Umthelo okhokhwa ngokulandela isimiselo 251 uzobalwa ngokwethothalayiza equtshwa wumninilayisense lethothalayiza njengoba kuchazwe kusigaba 53 solo Mthetho mayelana nomdlalo noma izehlakalo ngaphandle komjaho wamahhashi ngenani eliu-2% lesamba sesisonke esitholakala ngale thothalayiza.
- 256 Ukubalwa kwentela yethothalayiza wumninilayisense eliyisepesheli Izintela ezikhokhwa ngokwesimiselo 243 zizobalwa ngokwethothalayiza equtshwa umnininayisense eliyisipesheli elikhishwe ngokwesigaba 97 solo Mthetho, ngezinga eliu-10% lesamba sesisonke semali yale thothalayiza.
- 257 Ukubalwa kwentela yemali etholakele engahlukanisiwe nemali eyahlukanisiweyo engacelwanga  
Intelala ekhokhwa ngokwesimiselo 243 izobalwa -
- (a) ngenani eliu-10% lemali yonke esala inganikezwanga abayiwinile mhlawumbe ngoba ingcenyana yamasenti ali-10 ayanikezwanga wumninilayisense lethothalayiza njengemali eyahlukaniselwa ababheji kuleyo mali; noma ngoba ithikithi elaligunyaza umniniilo ngalokho-ke ukuba athole imali efakwe wuyena alizange lathulwa kumninilayesense ukuba umbheji anikwe leyo mali; futhi
  - (b) ngenani eliu-10% lazo zonke izimali ezahlukanisiweyo ezingaceliwe phakathi kwesikhathi esingaba yizinyanga ezimbili emva kokwathulwa kwezimali ezahlukanisiweyo.
- 273 Umthelo kwezinye izinhlobo zokubheja womninilayisense lethothalayiza
- (1) Umthelo, ochazwe kusigaba 61(4) solo Mthetho, okhokhelwa umnininayisense yethothalayiza echazwe kusigaba 53 solo Mthetho, uzokhokhwa wumuntu ochazwe kusimiselo 270, kusamba semali leso umthelo oshiwo kusimiselo 276.
  - (2) Isijubo esigaguliwe sezimiselo 270 kuya ku-272 sizosetshenziswa ngokufanele mayelana nokukhokha umthelo ochazwe kusimiselwana (1).
- 276 Ukubalwa kwentela nemithelo yokuthengiselana ngokubheja nabaqagelisi abanelayisense  
Izintela nemithelo ekhokhwa ngokwalo Mthetho ngokuthengiselana kokubheja nabaqagelisi abanelayisense

izokhokhwa ngokulandela lama phesenti -

(i) mayelana nokubheja okungenwe kuko nomqagelisi  
okhona lapho emdlalweni ngezinga eliboniswe  
ngaphansi elibhekene nohlobo lokubheja olushiwo;

	Intela ngokwesimi selo 270	Umnini layisense lethothala yiza elichazwe kusigaba 53 salo Mthetho, umthelo ngokwesimi selo 273	Umthelo weSikhwama sezeMidlal o ngokwesimi selo 274	Umthelo weBhodi ngokwesimi selo 275
Uhlobo lokubheja				Isamba
Umjaho wamahhashi	3	3	-	- = 6
Eminye imidlalo noma izehlakalo	3	1	1	1 = 6

(ii) mayelana nokubheja okungenelwe kumaTattersalls ngezinga  
eliboniswe ngaphansi elibhekene nohlobo lokubheja olushiwo:

	Intela ngokwesimi selo 270	Umnini layisense lethothala yiza elichazwe kusigaba 53 salo Mthetho, umthelo ngokwesimi selo 273	Umthelo weSikhwama sezeMidlal o ngokwesimi selo 274	Umthelo weBhodi ngokwesimi selo 275
Uhlobo lokubheja				Isamba
Umjaho wamahhashi	3	3	-	- = 6
Eminye imidlalo noma izehlakalo	3	1	1	1 = 6

"INGCENYE 11 - IMISHINI EJABULISAYO":

ISAHLUKO 74

UKUNIKEZWA ILAYISENSE NOKUPHATHWA KWEMISHINI EJABULISAYO

290 Ilayisense elidingekayo ukwenza imishini ejabulisayo ibe khona ukuba kudlalwe ngayo

- (1) Akukho umuntu ozoba nezindawo lapho imishini ejabulisayo izoba khona ukuba idlalwe noma enze ukuba imishini ejabulisayo ibe khona ukuba idlalwe ngaphandle kokuba nelayisense lomshini ojabulisayo.
- (2) Umuntu ofuna ukuthola ilayisense lomshini ojabulisayo uzofaka isicelo kule bhodi acele leli layisense ngesimo nangendlala enqunywa yile bhodi.

291 Izinto ezigunyazwa yilayisense lomshini ojabulisayo

Ilayisense lomshini ojabulisayo, ngokulandela imibandela ephoqelevwe ngaphansi kwesigaba 32 salo Mthetho, lizogunyaza ukugcinwa nokusebenza kwamanani emishini ejabulisayo achazwe kuleli layisense, kulezo zindawo ezifanele.

292 Ukumiswa okwesikhashana nokususwa kwelayisense kanye nezinye izinhlawulo mayelana nabaninilayisense

Isijubo esigaguliwe sesimiselo 37 sizosetshenziswa ngokufanele kumninilayisense lomshini ojabulisayo.

293 Imishini ejabulisayo ezobhaliswa

Umninilayisense angevunyelwe ukuba noma ukugcina noma yimuphi umshini ojabulisayo, ngethuba lokufaka isicelo ngendlela enqunywe yile bhodi, ongavunyelwanga ngokwahlukana futhi ongabhaliswanga yile bhodi.

#### ISAHLUKO 75 IZITEKI NOKUWINWAYO

294 Iziteki nokuwinwayo

- (1) Inani lemali ephezulu ebekiwe ukuba umuntu adlale umdlalo emshinini ojabulisayo asoze laba ngaphezu kwenani elivunye yile bhodi.
- (2) Ngamunye umninilayisense, ngendlela engavunywa yile bhodi noma iyidinge, uzogcina iminininingwane yokuthengiselana eyenziwe ngokuseqophelweni eliphezulu, ebhalwe ngokuphelele, ngendlela ebonakalayo futhi nengasuleki.

#### ISAHLUKO 76 UKUVUMELA IZIKWELUTHU

295 Ukunikeza izikwelethu akuvunyelwe

- (1) Umninilayisense, ngokuqonde ngqo noma ngokungaondile, noma ngegama lakhe noma ngegama lomuntu wesithathu, akavunyelwe ukinikeza isikwelethu noma esaluphi uhlobo noma kukumuphi umdlali ngenhoso yokuba adlale noma asebenzise umshini ojabulisayo.

(2) Ukwahluleka komnininlaysense ukubeka imali okuvunyelwene ngayo kuze kuvalwe amabhangi ngelanga elilandelayo emva kokuthola imali kuzothathwa ngokuthi yisikwelethu.

## ISAHLUKO 77

## UKUGCINWA KWEMINININGWANE KANYE NEZIMALI EZITHOLAKELE

## 296 Ukugcinwa kwemininingwane

Umninilaysense ngamunye, ngendlela engavunywa yile bhodi noma iyidinge, uzogcina iminininingwane yokuthengiselana eyenziwe ngokuseqophelweni eliphezulu, ebhalwe ngokuphelele, ngendlela ebonakalayo futhi nengasuleki.

## 297 Eminye iminininingwane

Umninilaysense ngamunye uzogcina le mininingwane njengoba le bhodi idinga ukuba igcinwe.

## 298 Izimali ezitholakele okufanele zethulwe

Umninilaysense ngamunye, ngendlela nangesimo esinqunywa yile bhodi, uzokwathula ngaphambi kwale bhodi ulwazi noma iminininingwane ngezikhathi ezithize ezizonqunywa yile bhodi.

## ISAHLUKO 78

## IZIMALI NEMITHELO

## 299 Izimali zokufaka isicelo

Izicelo kufuze zize kanye nalezi zimali zezicelo ezingabuyiselwa kumninisicelo ezilandelayo -

		Imali
1	Ilayisense yomshini ojabulisayo	R2 500,00
2	Ukuguqula ilayisense	R1 000,00
3	Ukunikezela ilayisense/ukuvuma ukuthola inzalo ngelayisense	R1 000,00
4	Isitifiketi esifanele	R500,00

## 300 Ukutholwa kwezindleko zophenyo

(1) Zonke izindleko ezenziwe yibodi ngokuphenya umceli zizobhadalwa ngumceli ngendlela echazwa yilesi simiselo.

(2) Ibodi lizonikeza isilinganiso sezimali namanani ophenyo bese lifuna isibekelo esizobhadalwa wumceli lungakaqali uphenyo njengesimiso esandulela ukuqala noma ukuqubeka kophenyo.

(3) Ibodi, noma kukusiphi isigaba, lingadinga ukuba umceli akhokhe ezinye izibekelo zokukhokha izimali namanani ophenyo.

- (4) Ekuqedeni uphenyo lwalo, le bhodi lizonikezela kumceli uhla lokusetshenziswa kwezimali namanani kulolu phenyo.
- (5) Le bhodi ayisoze yathatha isinqumo sokugcina noma kukumuphi umceli ngaphandle kokuba zonke izimali namanani ophenyo asabhadalwe ngokuphelele.

### 301 Izimali zelayisense

- (1) Wonke umuntu onelayisense lomshini ojabulisayo uzokhokhela ilayisense imali engu-R250,00 ngomshini owodwa obhalisiwe ngonyaka noma ngengcenye yonyaka ophela ngoMashi 31.
- (2) Imali yelayisense ekhokhwa ngokwesimiselwana (1) izobhalwa kule bhodi uma kukhishwa ilayisense emva kwalokho izokhokhwa ngaphambi kuka-Aphreli 1 ngonyaka.

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