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No. 63 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n ordonnansie, waarin die Staatspresident-in-rade toegestem het, af te kondig.

So is dit dat ek hierby die Ordonnansie op Ongemagtigde Uitgawe (1975/76), 1978 wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 23ste dag van Maart, Eenduisend Negehonderd Agt-en-sewentig.

S. G. J. VAN NIEKERK,

Administrateur van die Provinsie Transvaal.
P.R. 4-11 (1978/1)

Ordonnansie No. 1 van 1978.

(Toestemming verleen op 16 Maart 1978.)

(Afrikaanse eksemplaar deur die Staatspresident onderteken.)

'N ORDONNANSIE

Tot aanwending van 'n verdere bedrag geld vir die diens van die Provinsie Transvaal gedurende die jaar geëindig op die 31ste dag van Maart 1976 om sekere ongemagtigde uitgawe te bestry en te dek.

DIE Provinsiale Raad van Transvaal VERORDEN AS VOLG: —

Provinsiale
Inkomste-
fonds
belas met
R1 817 004,68

1. Die Provinsiale Inkomstefonds word hierby belas met 'n bedrag van een miljoen agthonderd en sewentien duisend en vier rand en agt en sestig sent om sekere uitgawe, bo en behalwe die bedrag toegestaan vir die diens van die Provinsie vir die jaar geëindig op die 31ste dag van Maart 1976 te bestry. Hierdie uitgawes word uiteengesit in die Bylae by hierdie Ordonnansie en word nader omskryf op bladsy 2 van die Verslag (wat aan die Provinsiale Raad voorgelê is) van die Provinsiale Ouditeur oor die Rekenings van genoemde jaar.

2. Hierdie Ordonnansie heet die Ordonnansie op Ongemagtigde Uitgawe (1975-76), 1978.

Kort-
titel.

No. 63 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefor, I do hereby promulgate the Unauthorised Expenditure (1975/76) Ordinance, 1978 which is printed hereunder.

Given under my Hand at Pretoria, on this 23rd day of March, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,

Administrator of the Province Transvaal.
P.R. 4-11 (1978/1)

Ordinance No. 1 of 1978.

(Assented to on 16 March, 1978.)

(Afrikaans copy signed by the State President.)

AN ORDINANCE

To apply a further sum of money towards the service of the Province of Transvaal during the year ended on the 31st day of March, 1976, for the purpose of meeting and covering certain unauthorised expenditure.

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

Provincial
Revenue
Fund
charged
with
R1 817 004,68

1. The Provincial Revenue Fund is hereby charged with the sum of one million eight hundred and seventeen thousand and four rand and sixty-eight cents to meet certain expenditure over and above the amount appropriated for the service of the Province for the year ended on the 31st day of March, 1976. Such expenditure is set forth in the Schedule to this Ordinance, and is more particularly specified on page 2 of the Report (which has been submitted to the Provincial Council) of the Provincial Auditor on the Accounts of the said year.

Short
title

2. This Ordinance shall be called the Unauthorised Expenditure (1975-76) Ordinance, 1978.

BYLAE.

No. van Begrotings- pos	Titel van Begrotingspos	Bedrag
	(Op Inkomsterekening)	R
5	Provinsiale Hospitale en Inrigtings	1 698 637,41
9	Natuurbewaring	116 830,50
10	Plaaslike Bestuur	1 536,77
Totaal:		R1 817 004,68

No. 64 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n ordonnansie, waarin die Staatspresident-in-rade toegestem het, af te kondig;

So is dit dat ek hierby die Addisionele Begrotings-ordonnansie, 1978, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 23ste dag van Maart, Eenduisend Negenhonderd Agt-en-sewentig.

S. G. J. VAN NIEKERK,

Administrateur van die Provinsie Transvaal.

P.R. 4-11 (1978/2)

Ordonnansie No. 2 van 1978.

(Toestemming verleen op 16 Maart 1978.)

(Engelse eksemplaar deur die Staatspresident onderteken.)

'N ORDONNANSIE

Tot aanwending van 'n verdere bedrag van hoogstens R17 143 680 tot die diens van die Provinsie Transvaal gedurende die jaar wat op die 31ste dag van Maart 1978 eindig.

Die Provinsiale Raad van Transvaal VERORDEN AS VOLG:

1. Die Provinsiale Inkomstefonds van Transvaal word hierby vir alle geldbedrag gedebiteer wat nodig mag wees vir die diens van die Provinsie gedurende die jaar wat op die 31ste dag van Maart 1978 eindig, tot 'n bedrag van altoos hoogstens sewentien miljoen eenhonderd drie-en-veertig duisend seshonderd en tagtig rand bo en behalwe die bedrag waarvoor by die Begrotingsordonnansie, 1977 (Ordonnansie 9 van 1977) voorsiening gemaak is;

Ter bestryding van normale of terugkerende uitgawe R17 143 680

2. Die geld by artikel 1 toegestaan word aangewend vir die diens soos uiteengesit in die Bylae by hierdie Ordonnansie en wat uitvoeriger omskryf word in die Begroting van Addisionele uitgawe vir genoemde jaar soos deur die Provinsiale Raad goedgekeur en vir geen ander doel nie.

SCHEDULE.

No. of Vote	Title of Vote	Amount
	(On Revenue Account)	R
5	Provincial Hospitals and Institutions	1 698 637,41
9	Nature Conservation	116 830,50
10	Local Government	1 536,77
Total:		R1 817 004,68

No. 64 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefore, I do hereby promulgate the Additional Appropriation Ordinance, 1978, which is printed hereunder.

Given under my Hand at Pretoria, on this 23rd day of March, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,

Administrator of the Province Transvaal.

P.R. 4-11 (1978/2)

Ordinance No. 2 of 1978.

(Assented to on 16 March, 1978.)

(English copy signed by the State President.)

AN ORDINANCE

To apply a further sum not exceeding R17 143 680 towards the service of the Province of Transvaal during the year ending on the 31st day of March, 1978.

IT IS ENACTED by the Provincial Council of Transvaal as follows:—

1. The Provincial Revenue Fund of Transvaal is hereby charged with such sums of money as may be required for the service of the Province during the year ending on the 31st day of March, 1978 not exceeding in the aggregate the sum of seventeen million one hundred and forty-three thousand six hundred and eighty rand in addition to the sums provided for by the Appropriation Ordinance, 1977 (Ordinance 9 of 1977);

To defray normal or recurrent expenditure R17 143 680

2. The money appropriated by section 1 shall be applied to the service as detailed in the Schedule to this Ordinance and more particularly specified in the Estimates of Additional Expenditure for the said year, as approved by the Provincial Council and to no other purpose.

Administrateur kan magtiging tot veranderinge verleen.

3. Met die goedkeuring van die Administrateur, handelende met die toestemming van die Uitvoerende Komitee, kan 'n besparing op enige subhoof van 'n begrotingspos beskikbaar gestel word vir 'n oorskryding van uitgawe op enige ander subhoof of uitgawe op 'n nuwe subhoof van dieselfde begrotingspos: Met dien verstande dat die bedrae wat voorkom in kolom 2 van die Bylae by hierdie Ordonnansie nie oorskry mag word nie en dat besparings daarop vir geen ander doel aangewend mag word as dié waarvoor die geld hierby toegeken word nie.

Kort titel.

4. Hierdie Ordonnansie heet die Addisionele Begrotingsordonnansie, 1978.

BYLAE.

No. van Begrotingspos	Diens	Kolom 1	Kolom 2
1	Algemene Administrasie Met inbegrip van: Toelae vir: Transvaalse Raad vir die Uitvoerende Kunste 10de. Wêreld Org. deë-konferensie Bydrae tot 'n geskenk aan die Regering van Bophuthatswana	R 4 581 280	R —
2	Onderwys	3 250 000	—
3	Werke	2 192 000	—
4	Hospitaal- en Gesondheidsdienste: Administrasie Met inbegrip van: Toelae vir: Suid-Afrikaanse Raad vir Wetenskaplike en Nywerheidsnavorsing	1 800	—
5	Provinsiale Hospitale en Inrigtings	1 680 000	—
6	Paaie en Brûe	4 882 000	—
8	Biblioteek- en Museumdiens	3 000	—
9	Natuurbewaring	393 000	—
10	Plaaslike Bestuur	180 600	—
		R17 143 680	

No. 64 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n ordonnansie, waarin die Staatspresident-in-rade toegestem het, af te kondig;

So is dit dat ek hierby die Ordonnansie op Finansiële Reëlings, 1978, wat hieronder gedruk is, afkondig:

Administrateur may authorize variations.

3. With the approval of the Administrator, acting with the consent of the Executive Committee, a saving on any subhead of a vote may be made available to meet excess expenditure on any other subhead or expenditure on a new subhead of the same vote: Provided that no excess shall be incurred on the sums appearing in Column 2 of the Schedule to this Ordinance, nor shall savings thereon be available for any purpose other than that for which the money is hereby granted.

Short title.

4. This Ordinance shall be called the Additional Appropriation Ordinance, 1978.

SCHEDULE.

No. of Vote	Service	Column 1	Column 2
1	General Administration Including: Grants for: Performing Arts Council, Transvaal 10th World Orchid Congress Contribution towards gift to the Government of Bophuthatswana	R 4 581 280	R —
2	Education	3 250 000	—
3	Works	2 192 000	—
4	Hospitals and Health Services: Administration Including: Grants to: South African Council for Scientific and Industrial Research	1 800	—
5	Provincial Hospitals and Institutions	1 680 000	—
6	Roads and Bridges	4 882 000	—
8	Library and Museum Service	3 000	—
9	Nature Conservation	393 000	—
10	Local Government	180 600	—
		R17 143 680	

No. 65 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefore, I do hereby promulgate the Financial Adjustments Ordinance, 1978, which is printed hereunder.

Gegee onder my Hand te Pretoria op hede die 23ste dag van Maart, Eenduisend Negehoenderd Agt-en-sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11 (1978/3)

Ordonnansie No. 3 van 1978.

(Toestemming verleen op 16 Maart 1978.)

(Engelse eksemplaar deur die Staatspresident onderteken.)

'N ORDONNANSIE

Om voorsiening te maak vir die oordrag van sekere Inkomste van die Provinsie na die Kapitaalrekening.

DIE Provinsiale Raad van Transvaal VERORDEN AS VOLG: —

Woord-
omskry-
wing.

1. In hierdie Ordonnansie beteken —

“Inkomsterekening van die Provinsie”

daardie gedeelte van die Provinsiale Inkomstefonds, gestig ingevolge artikel 88 van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961), waaruit normale of terugkerende uitgawes, soos beoog in artikel 2(a) van die Wet op Provinsiale Finansies en Oudit, 1972 (Wet 18 van 1972), bestry word; en

“Kapitaalrekening van die Provinsie”

daardie gedeelte van die Provinsiale Inkomstefonds, gestig ingevolge artikel 88 van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961), waaruit kapitaal- of nietrugkerende uitgawes, soos beoog in artikel 2(b) van die Wet op Provinsiale Finansies en Oudit, 1972 (Wet 18 van 1972), bestry word.

Oordrag
van sekere
inkomste
na die
Kapitaal-
rekening
van die
Provinsie.

2. Voor of op die 31ste dag van Maart 1978 word daar van die Inkomsterekening van die Provinsie na die Kapitaalrekening van die Provinsie die bedrag van negentien miljoen agt honderd en ses duisend rand oorgedra.

Kort
titel.

3. Hierdie Ordonnansie heet die Ordonnansie op Finansiële Reëlings, 1978.

No. 66 (Administrateurs-), 1978.

PROKLAMASIE

Nademaal by artikel 90 van die Grondwet van die Republiek van Suid-Afrika, 1961, aan my die bevoegdheid verleen word om 'n ordonnansie, waarin die Staatspresident-in-rade toegestem het, af te kondig;

So is dit dat ek hierby die Gedeeltelike Begrotings-ordonnansie, 1978, wat hieronder gedruk is, afkondig.

Gegee onder my Hand te Pretoria op hede die 23ste dag van Maart, Eenduisend Negehoenderd Agt-en-sewentig.

S. G. J. VAN NIEKERK,
Administrateur van die Provinsie Transvaal.
P.R. 4-11 (1978/4)

Ordonnansie No. 4 van 1978.

(Toestemming verleen op 16 Maart 1978.)

(Afrikaanse eksemplaar deur die Staatspresident onderteken.)

Given under my Hand at Pretoria, on this 23rd day of March, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11 (1978/3)

Ordinance No. 3 of 1978.

(Assented to on 16 March, 1978.)

(English copy signed by the State President.)

AN ORDINANCE

To provide for the transfer of certain Revenues of the Province to the Capital Account.

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

Defini-
tions.

1. In this Ordinance —

“Revenue Account of the Province”

means that portion of the Provincial Revenue Fund established under section 88 of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961), from which normal or recurrent expenditure, as contemplated in section 2(a) of the Provincial Finance and Audit Act, 1972 (Act 18 of 1972), is defrayed; and

“Capital Account of the Province”

means that portion of the Provincial Revenue Fund established under section 88 of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961), from which capital or non-recurrent expenditure, as contemplated in section 2(b) of the Provincial Finance and Audit Act, 1972 (Act 18 of 1972), is defrayed.

Transfer
of certain
revenue
to the
Capital
Account
of the
Province.

2. On or before the 31st day of March, 1978 there shall be transferred from the Revenue Account of the Province to the Capital Account of the Province the sum of nineteen million eight hundred and six thousand rand.

Short
title.

3. This Ordinance shall be called the Financial Adjustments Ordinance, 1978.

No. 66 (Administrator's), 1978.

PROCLAMATION

Whereas power is vested in me by section 90 of the Republic of South Africa Constitution Act, 1961, to promulgate an Ordinance, assented to by the State President-in-Council;

Now, therefore, I do hereby promulgate the Part Appropriation Ordinance, 1978, which is printed hereunder.

Given under my Hand at Pretoria, on this 23rd day of March, One thousand Nine hundred and Seventy-eight.

S. G. J. VAN NIEKERK,
Administrator of the Province Transvaal.
P.R. 4-11 (1978/4)

Ordinance No. 4 of 1978.

(Assented to on 16 March, 1978.)

(Afrikaans copy signed by the State President.)

'N ORDONNANSIE

Tot aanwending van 'n bedrag van hoogstens R363 000 000 op rekening van die dienste van die Provinsie Transvaal gedurende die jaar wat eindig op die 31ste dag van Maart 1979.

DIE Provinsiale Raad van Transvaal VERORDEN AS VOLG: —

R359 000 000 kan uit die Provinsiale Inkomstefonds uitgegee word.

1. Op en na die eerste dag van April 1978 kan uit die Provinsiale Inkomstefonds sodanige bedrae uitgegee word, wat altesaam hoogstens drie honderd nege-en-vyftig miljoen rand bedra, as wat van tyd tot tyd nodig mag word vir die diens van die Provinsie vir die jaar wat eindig op die 31ste dag van Maart 1979 tot tyd en wyl die Raad daarvoor voorsiening maak in 'n Begrotingsordonnansie.

Fonds vir Groot Paduitrusting belas met som van hoogstens R4 000 000.

2. Die Fonds vir Groot Paduitrusting, gestig ingevolge artikel 2 van die Ordonnansie op Groot Paduitrusting 1960 (Ordonnansie 10 van 1960), word hierby belas met sodanige bedrae geld as wat nodig mag wees vir die aankoop van groot paduitrusting gedurende die jaar eindigende die 31ste dag van Maart 1979 maar wat altesame hoogstens vier miljoen rand bedra, tot tyd en wyl die Raad daarvoor voorsiening maak in 'n Begrotingsordonnansie.

Uitgifte kragtens artikels 1 en 2 beskou te word as voorlopige voorskotte.

3. Alle bedrae wat kragtens die bepalings van artikels 1 en 2 van hierdie Ordonnansie uitgegee word, word beskou as voorskotte op rekening van toekennings gedoen te word in 'n Begrotingsordonnansie vir die jaar wat eindig op die 31ste dag van Maart 1979 en dadelik by die inwerkingtreding van sodanige Begrotingsordonnansie, hou vermelde bepalings op om van krag te wees, en uitgifte wat reeds kragtens hierdie bepalings geskied het, word dan beskou as uitgifte kragtens daardie Begrotingsordonnansie en moet verantwoord word ooreenkomstig die bepalings daarvan. Met dien verstande dat geen dienste ten aansien waarvan die uitgawe nie behoorlik kragtens 'n Begrotingsordonnansie gedurende die boekjaar wat eindig op die 31ste dag van Maart 1978 gemagtig is nie, of waartoe daar geen wetlike magtiging bestaan nie, beskou moet word as gemagtig kragtens hierdie Ordonnansie nie.

Kort titel.

4. Hierdie Ordonnansie heet die Gedeeltelike Begrotingsordonnansie, 1978.

AN ORDINANCE

To apply a sum not exceeding R363 000 000 on account for the service of the Province of Transvaal during the year ending on the 31st day of March, 1979.

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

R359 000 000 may be issued from the Provincial Revenue Fund.

1. On and after the 1st day of April, 1978 there may be issued from the Provincial Revenue Fund such sums of money not exceeding in the aggregate the sum of three hundred and fifty nine million rand, as may from time to time be required for the service of the Province in respect of the year ending on the 31st day of March, 1979 until such time as provision is made therefor by the Council in an Appropriation Ordinance.

Major Road Plant Fund charged with sum not exceeding R4 000 000

2. The Major Road Plant Fund established in terms of section 2 of the Major Road Plant Ordinance, 1960 (Ordinance 10 of 1960), is hereby charged with such sums of money as may be required for the purchase of major road plant during the year ending on the 31st day of March, 1979 not exceeding in the aggregate the sum of four million rand until such time as provision is made therefor by the Council in an Appropriation Ordinance.

Issues under sections 1 and 2 to be deemed advances in anticipation.

3. All sums issued under the provisions of sections 1 and 2 of this Ordinance, shall be deemed to be advances on account of grants to be made in an Appropriation Ordinance for the year ending on the 31st day of March, 1979, and immediately on the commencement of such Appropriation Ordinance, the said provisions shall cease to have effect, and issues already made thereunder shall be deemed to be issues under that Appropriation Ordinance and shall be accounted for in accordance with the provisions thereof: Provided that no services upon which expenditure has not been duly authorized under an Appropriation Ordinance during the financial year ending on the 31st day of March, 1978 or for which there is no statutory authority shall be deemed to be authorized under this Ordinance.

Short title.

4. This Ordinance shall be called the Part Appropriation Ordinance, 1978.

ALGEMENE KENNISGEWING

KENNISGEWING 120 VAN 1978.

PUBLIKASIE VAN ONTWERPORDONNANSIE OP PERDEWEDRENNE EN WEDDENSAPPE, 1978.

Die Ontwerpordonnansie op Perdewedrenne en Weddensappe, 1978, ter vervanging van die Toegang tot Wedrenterrein (Belasting) Ordonnantie, 1917 (Ordonnansie 18 van 1917), die Lisenasiering van Bookmakers en Belasting Ordonnansie, 1925 (Ordonnansie 26 van 1925), die Perdewedrenne en Weddensappe Ordonnansie, 1927 (Ordonnansie 9 van 1927) en die Ordonnansie op die Raad van Advies insake Perdewedrenne, 1951 (Ordonnansie 22 van 1951) word hieronder vir algemene inligting en kommentaar gepubliseer.

Kommentaar op die Ontwerpordonnansie moet skriftelik aan die Provinsiale Sekretaris, Privaatsak X64, Pretoria, gerig word en moet sy kantoor nie later nie as 14 April 1978 bereik.

I. D. P. BURGER,
Provinsiale Sekretaris.

'N

ONTWERPORDONNANSIE

Om voorsiening te maak vir die heperking, reëling van en beheer oor perdewedrenne en weddensappe, vir die op-
legging van belastinge en gelde in verband daarmee; en om vir bykomstige aangeleenthede voorsiening te maak.

Ingedien deur MNR. DE HAAS, L.U.K.

DE Provinsiale Raad van Transvaal VERORDEN
SOOS VOLG: —

Woord-
onskry-
wing:

1. In hierdie Ordonnansie, tensy uit die samehang anders blyk, beteken —

- (i) "Administrateur" die amptenaar aangestel ingevolge die bepalings van artikel 66 van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961), handelende op die advies en met die toestemming van die Uitvoerende Komitee van die Provinsie; (i)
- (ii) "aansoek", in verband met die Beroepswedderslisensiekomitee, 'n aansoek om 'n beroepswedderslisensie in artikel 17 beoog; (ii)
- (iii) "beroepswedderslisensie" 'n lisensie om die besigheid van 'n beroepswedder in artikel 17 genoem, te dryf; (v)
- (iv) "buitebaanse totalisator" 'n buitebaanse totalisator in artikel 11(1) genoem; (x)

GENERAL NOTICE

NOTICE 120 OF 1978.

PUBLICATION OF HORSE-RACING AND BETTING DRAFT ORDINANCE, 1978.

The Horse-Racing and Betting Draft Ordinance, 1978, in substitution for the Admission to Race-courses Taxation Ordinance, 1917 (Ordinance 18 of 1917), the Licensing of Bookmakers and Taxation Ordinance, 1925 (Ordinance 26 of 1925), the Horse Racing and Betting Ordinance, 1927 (Ordinance 9 of 1927) and the Horse Racing Advisory Board, 1951 (Ordinance 22 of 1951) is published hereunder for general information and comments.

Comments on the Draft Ordinance should be addressed in writing to the Provincial Secretary, Private Bag X64, Pretoria and should reach his office not later than 14 April, 1978.

I. D. P. BURGER,
Provincial Secretary.

A

DRAFT ORDINANCE

To provide for the restriction, regulation and control of horse-racing and betting, for the imposition of taxes and fees in connection therewith; and to provide for matters incidental thereto.

Introduced by MR. DE HAAS M.E.C.

BE IT ENACTED by the Provincial Council of Transvaal as follows: —

INTRODUCTORY

Defini-
tions.

1. In this Ordinance, unless the context otherwise indicates —

- (i) "Administrator" means the officer appointed in terms of the provisions of section 66 of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961), acting on the advice and with the consent of the Executive Committee of the Province; (i)
- (ii) "application", in relation to the Bookmakers' Licensing Committee, means an application for a bookmaker's licence as contemplated in section 17; (ii)
- (iii) "authorized officer" means a provincial inspector in the service of the Transvaal Provincial Administration or any other officer in the service of such Administration designated as an authorized officer in writing by the Provincial Secretary; (vii)

- (v) "gelisensieerde renbaan" 'n gelisensieerde renbaan in artikel 3(3) genoem; (viii)
- (vi) "gelisensieerde beroepswedder" 'n beroepswedder wat die houer is van 'n geldige lisensie wat aan hom ingevolge artikel 25 uitgereik is; (vii)
- (vii) "gemagtigde beampte" 'n provinsiale inspekteur in die diens van die Transvaalse Provinsiale Administrasie of enige ander beampte in diens van sodanige Administrasie as 'n gemagtigde beampte deur die Provinsiale Sekretaris skriftelik aangewys; (iii)
- (viii) "hierdie Ordonnansie" ook enige regulasie; (xx)
- (ix) "Lisensiekomitee" die Beroepswedders-lisensiekomitee in artikel 18(1) genoem; (ix)
- (x) "perdewedren" ook 'n wedren waarin enige soort van die perdefamilie deelneem; (vi)
- (xi) "Raad" die Totalisatoragentskapsraad (Transvaal) ingevolge die bepaling van artikel 11(1) ingestel; (iv)
- (xii) "regulasie" 'n regulasie ingevolge hierdie Ordonnansie uitgevaardig of van krag; (xv)
- (xiii) "Sekretaris van Binnelandse Inkomste" ook 'n ontvanger van inkomste of enige ander beampte aan wie die Sekretaris van Binnelandse Inkomste enige bevoegdhede aan hom ingevolge die bepaling van hierdie Ordonnansie verleen, opgedra het; (xvi)
- (xiv) "Sekretaris van die Lisensiekomitee" die Sekretaris van die Lisensiekomitee in artikel 19 genoem; (xvii)
- (xv) "Tattersalls" 'n wedbeurs wat ingevolge die bepaling van artikel 14 as "Tattersalls" bekend staan; (xviii)
- (xvi) "Tattersallskomitee" die komitee wat vir 'n Tattersalls ingevolge artikel 15 (1) aangestel is; (xix)
- (xvii) "totalisatorpermit" 'n permit om 'n totalisator in artikel 12(1) genoem, te bestuur; (xxi)
- (xviii) "voorgeskryf" of enige dergelike woord, by regulasie voorgeskryf; (xi)
- (xix) "wedrenbyeenkoms" dié wat in artikel 2(2)(a) daaraan toegewys word; (xii)
- (xx) "wedrenbyeenkomslisensie" 'n lisensie om 'n wedrenbyeenkoms in artikel 3 (1) genoem, te hou; (xiii)
- (xxi) "wedrenklub" 'n wedrenklub in artikel 3(1) genoem. (xiv)

- (iv) "Board" means the Totalizator Agency Board (Transvaal) established in terms of the provisions of section 11(1); (xi)
- (v) "bookmaker's licence" means a licence to carry on the business of a bookmaker referred to in section 17; (iii)
- (vi) "horse-race" includes a race in which any equine species participates; (x)
- (vii) "licensed bookmaker" means a bookmaker who is the holder of a valid licence issued to him in terms of section 25; (vi)
- (viii) "licensed race-course" means a licensed race-course referred to in section 3(3); (v)
- (ix) "Licensing Committee" means the Bookmakers' Licensing Committee referred to in section 18(1); (ix)
- (x) "off-course totalizator" means an off-course totalizator referred to in section 11(1); (iv)
- (xi) "prescribed" or any like word means prescribe by regulation; (xviii)
- (xii) "race-meeting" has the meaning assigned thereto in section 2(2)(a); (xix)
- (xiii) "race-meeting licence" means a licence to hold a race-meeting referred to in section 3(1); (xx)
- (xiv) "racing-club" means a racing-club referred to in section 3(1); (xxi)
- (xv) "regulation" means a regulation made or in force in terms of this Ordinance; (xii)
- (xvi) "Secretary for Inland Revenue" includes a receiver of revenue or any other officer to whom the Secretary for Inland Revenue has delegated any powers conferred on him in terms of the provisions of this Ordinance; (xiii)
- (xvii) "Secretary of the Licensing Committee" means the Secretary of the Licensing Committee referred to in section 19; (xiv)
- (xviii) "Tattersalls" means any betting exchange which in terms of section 14(1) shall be known as "Tattersalls"; (xv)
- (xix) "Tattersalls committee" means the committee appointed for a Tattersalls in terms of section 15(1); (xvi)
- (xx) "this Ordinance" includes any regulation; (viii)
- (xxi) "totalizator permit" means a permit to conduct a totalizator referred to in section 12(1). (xvii)

HOOFSTUK I.

PERDEWEDRENNE.

Ongemagtigde wedrenbyeenkoms vir die doeleindes van perdedwedrenne verbied.

2.(1) Niemand hou, vir die doeleindes van perdedwedrenne, enige wedrenbyeenkoms wat nie ingevolge die bepalings van hierdie Hoofstuk gemagtig word nie.

(2) By die toepassing van hierdie Hoofstuk —

(a) beteken 'n wedrenbyeenkoms 'n byeenkoms van persone wat 'n perdedwedren bywoon, hetsy sodanige wedren plaasgevind het of nie, indien die datum en plek van sodanige wedren by openbare advertensie of private uitnodiging bekend gemaak is;

(b) word iemand wat op enige wyse 'n wedrenbyeenkoms organiseer of reël of hulp verleen in die organisering of reëling van 'n wedrenbyeenkoms, geag sodanige byeenkoms te gehou of te gereël het; en

(c) word enige byeenkoms van persone wat 'n wedrenbyeenkoms bywoon, geag as gevolg van openbare advertensie of private uitnodiging plaas te gevind het.

(3) Iemand wat die bepalings van subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Uitreiking van lisensie van wedrenklubs wat die hou van wedrenbyeenkomste op 'n renbaan magtig.

3.(1) Behoudens die bepalings van hierdie Hoofstuk kan die Administrateur, op skriftelike aansoek aan die Provinsiale Sekretaris gerig en die verskaffing van sodanige inligting wat die Administrateur dienstig ag, aan enige nie-eiendomsvereniging van persone, hetsy met regs-persoonlikheid aldan nie (hierna 'n wedrenklub genoem), die uitreiking van 'n lisensie magtig om soveel wedrenbyeenkomste op grond wat in die wettige besit of okupasie van sodanige wedrenklub is, soos in sodanige lisensie gespesifiseer, te hou.

(2) By die toepassing van subartikel (1) beteken "nie-eiendomsvereniging van persone" 'n vereniging van persone

(a) wat slegs vir die hou van perdedwedrenne ingestel is;

(b) wat sy winste en ander inkomste slegs vir die bevordering van perdedwedrenne en die voorsiening van bykomstige geriewe aanwend;

(c) waaruit niemand 'n dividend of ander geldelike voordeel of wins ontvang nie: Met dien verstande dat niks in hierdie paragraaf vervat die betaling belet van —

(i) bedryfskoste;

(ii) toekennings vir liefdadigheidsdoeleindes; of

(iii) rente en delging op lenings en obligasies aangegaan of uitgereik ten einde bates te verkry wat nodig is vir die hou van perdedwedrenne waar sodanige lenings en obligasies en die voorwaardes wat daarop van toepassing is, in-

CHAPTER I.

HORSE-RACING.

Unauthorized race-meeting for purposes of horse-racing prohibited.

2.(1) No person shall, for the purposes of horse-racing, hold any race-meeting which has not been authorized in terms of the provisions of this Chapter.

(2) For the purposes of this Chapter —

(a) a race-meeting means any gathering of persons attending a horse-race, whether or not such race was run, if the date and place of such race have been made known by public advertisement or private invitation.

(b) any person who in any way organizes or arranges or assists in organizing or arranging a race-meeting shall be deemed to hold or have such meeting; and

(c) any gathering of persons attending a race-meeting shall be deemed to have taken place as the result of public advertisement or private invitation.

(3) Any person who contravenes or fails to comply with the provisions of subsection (1) shall be guilty of an offence.

Issue of licence to racing-club authorizing the holding of race-meetings on a race-course.

3.(1) Subject to the provisions of this Chapter, the Administrator may, on written application addressed to the Provincial Secretary and the furnishing of such information as the Administrator may deem expedient, authorize the issue to any non-proprietary association of persons, whether corporate or unincorporate (hereinafter referred to as a racing-club), a licence to hold so many race-meetings on land which is in the lawful possession or occupation of such racing-club as is specified in such licence.

(2) For the purposes of subsection (1), "non-proprietary association of persons" means an association of persons —

(a) which has been formed solely for conducting horse-racing;

(b) which applies its profits and other income solely to the promotion of horse-racing and the provision of any amenity incidental thereto;

(c) from which no person receives any dividend or other pecuniary benefit or gain: Provided that nothing in this paragraph contained shall prohibit the payment of —

(i) running expenses;

(ii) grants for charitable purposes; or

(iii) interest and redemption on loans and debentures raised or issued for the purpose of acquiring the assets necessary for the conduct of horse-racing, where such loans and debentures and the conditions attaching thereto, including the rate of interest,

sluitende die rentekoers, deur die Administrateur goedgekeur is; en

(d) waarvan die memorandum of oprigtingsakte of grondwet bepaal dat by die van die hand sit van die bates van sodanige vereniging of by likwidasië daarvan, die saldo van die opbrengs van die van die hand sit van sodanige bates of die saldo van die bedrag wat verkry is, by sodanige likwidasië na delging van alle laste nie onder die lede van sodanige vereniging verdeel word nie, maar gestort word op 'n suspensierekening onder die beheer van die Administrateur en enige bedrag, aldus gestort, word aangewend vir die bevordering van perdewedrenne op sodanige wyse wat die Administrateur goedgekeur.

(3) Gedurende die geldigheidsduur van 'n wedrenbyeenkomslisensie, is die betrokke grond 'n gelisensieerde renbaan by die toepassing van hierdie Hoofstuk.

(4) Geen wedrenbyeenkomslisensie word aan 'n wedrenklub uitgereik nie totdat die reëls en regulasies ingevolge waarvan 'n wedrenbyeenkoms deur sodanige klub gehou sal word deur die Administrateur goedgekeur is.

(5) Elke wedrenbyeenkomslisensie is geldig vir 'n onbepaalde tydperk.

4. (1) 'n Wedrenbyeenkomslisensie is onderworpe aan die voorwaarde dat die houër daarvan aan die klousules van die Grondwet, reëls en regulasies van die Jockieklub van Suid-Afrika moet voldoen. Met dien verstande dat as die Administrateur enige sodanige klousule, reël of regulasie nie goedgekeur nie, kan hy —

(a) alle wedrenklubs vrystel van die nakoming van enige sodanige klousule, reël of regulasie; en

(b) deur skriftelike kennisgewing aan elke wedrenklub, enige sodanige klousule, reël of regulasie vervang en elke sodanige nuwe klousule, reël of regulasie is op elke sodanige wedrenklub bindend.

(2) Behoudens die bepalinge van subartikel

(3) kan die Administrateur ten opsigte van 'n wedrenbyeenkomslisensie enige ander voorwaarde, op lê of enige verdere voorwaarde byvoeg wat hy dienstig agren hy kanste eniger tyd enige sodanige voorwaarde wysig of intrek.

(3) Dit is 'n voorwaarde van elke wedrenbyeenkomslisensie dat —

(a) geen wedrenbyeenkoms op 'n Sondag, Goëie Vrydag, Hemelvaartsdag, Gelofte-dag of Kersdag of voor 09h00, of na 18h30 op enige ander dag gehou word nie;

(b) wanneer gure weer of enige onvoorsiene omstandighede die hou of voortsetting van 'n wedrenbyeenkoms onwenslik maak, kan sodanige wedrenbyeenkoms, op enige ander dag wat nie 'n dag in paragraaf (a) genoem, is nie deur die betrokke wedrenklub bepaal, na raadpleging van die Jockieklub van Suid-Afrika, gehou of voortgesit word;

have been approved by the Administrator; and

(d) in whose memorandum or articles of association, or constitution provision is made that on disposal of the assets of such association or, upon liquidation thereof, the balance of the proceeds from the disposal of such assets or the balance of the amount realised upon such liquidation, after payment of all liabilities, shall not be distributed amongst the members of such association but shall be paid into a suspense account under the control of the Administrator and any amount so paid in shall be used for the promotion of horse-racing in such manner as the Administrator may approve.

(3) During the period of the validity of a race-meeting licence, the land concerned shall be a licensed race-course for the purposes of this Chapter.

(4) No race-meeting licence shall be issued to a racing-club until the rules and regulations in terms of which a race-meeting will be held by such club have been approved by the Administrator.

(5) Every race-meeting licence shall be valid for an indefinite period.

4. (1) A race-meeting licence shall be subject to the condition that the holder thereof shall comply with the clauses of the Constitution, rules and regulations of the Jockey Club of South Africa: Provided that if the Administrator does not approve of any such clause, rule or regulation, he may —

(a) exempt all racing-club from compliance with any such clause, rule or regulation; and

(b) by written notice to every racing-club substitute for any such clause, rule or regulation, a new clause, rule or regulation and every such new clause, rule or regulation shall be binding on every such racing-club.

(2) Subject to the provisions of subsection

(3) the Administrator may impose any other condition or add any further condition in respect of a race-meeting licence as he may deem expedient and he may at any time amend or withdraw any such condition.

(3) It shall be a condition of every race-meeting licence that —

(a) no race-meeting shall be held on a Sunday, Good Friday, Ascension Day, Day of the Covenant or Christmas Day or before 09h00 or after 18h30 on any other day;

(b) whenever inclement weather or any unforeseen circumstance renders undesirable the holding or continuation of a race-meeting, such race-meeting may be held or continued on any other day, other than a day referred to in paragraph (a), determined by the racing-club concerned after consultation with the Jockey Club of South Africa; and

- (c) elke wedrenklub, op versoek, aan die Provinsiale Sekretaris sodanige aantal kaartjies uitreik wat die houters daarvan in staat stel om kostelose toegang tot 'n gelisensieerde renbaan te verkry om enige ondersoek of enige ander doel uit te voer.

(4) Wanneer enige ander dag ingevolge subartikel (3)(b) bepaal word, stel die betrokke wedrenklub onverwyld die Provinsiale Sekretaris daarvan in kennis.

Opskorting of intrekking van wedrenbyeenkomslisensie.

5. Die Administrateur kan te eniger tyd vir sodanige tydperk wat hy bepaal die geldigheid van enige wedrenbyeenkomslisensie opskort of kan enige sodanige lisensie intrek indien die houer daarvan —

- (a) van enige misdryf skuldig bevind is wat, na die mening van die Administrateur, sodanige opskorting of intrekking regverdig; of
- (b) enige reël of regulasie in artikel 3(4) beoog, oortree of versuim om daaraan te voldoen; of
- (c) enige voorwaarde van sodanige lisensie oortree of versuim om daaraan te voldoen.

Omstandighede waarin wedrenbyeenkomslisensie verval.

6.(1) 'n Wedrenbyeenkomslisensie verval indien die betrokke wedrenklub ophou om 'n nie-eiendomsvereniging van persone te wees.

(2) Die Administrateur kan, waneer hy dit dienstig ag en ondanks die bepalings van artikel 3(5), verklaar dat enige wedrenbyeenkomslisensie verval op 'n datum deur hom bepaal te word en, in so 'n geval, kan die betrokke wedrenklub weer om die uitreiking van 'n wedrenbyeenkomslisensie aansoek doen.

Plig om wedrenbyeenkomslisensie voor te lê.

7. Iemand wat 'n wedrenbyeenkoms hou en op versoek van 'n lid van die Suid-Afrikaanse Polisie of 'n gemagtigde beampte versuim om 'n wedrenbyeenkomslisensie wat die hou van sodanige byeenkoms magtig, te vertoon, is aan 'n misdryf skuldig.

Toegang tot 'n gelisensieerde renbaan.

8.(1) Niemand word tot 'n gelisensieerde renbaan op 'n dag waarop 'n wedrenbyeenkoms op sodanige renbaan gehou is, toegang verleen nie —

- (a) indien, uitgenome in die geval van 'n jockie, hy onder die ouderdom van agtien jaar is;
- (b) tensy hy aan sodanige wedrenklub 'n minimum toegangsgeld van vyftig sent betaal het. Met dien verstande dat die bepalings van hierdie paragraaf nie van toepassing is nie, op —
 - (i) die eienaar of afrigter van 'n perd wat by sodanige wedrenbyeenkoms betrokke is;
 - (ii) 'n jockie;
 - (iii) 'n werknemer van die wedrenklub wat die wedrenbyeenkoms hou of 'n bona

- (c) every racing-club shall, on request, furnish the Provincial Secretary with such number of tickets enabling the holders thereof to gain free admission to a licensed race-course for carrying out any inspection or for any other purpose.

(4) Whenever any other day is determined in terms of subsection (3)(b), the racing-club concerned shall forthwith advise the Provincial Secretary thereof.

Suspension or cancellation of race-meeting licence.

5. The Administrator may at any time suspend for such period as he may determine the validity of any race-meeting licence or may cancel any such licence if the holder thereof —

- (a) is convicted of any offence which, in the opinion of the Administrator, justifies such suspension or cancellation;
- (b) contravenes or fails to comply with any rule or regulation contemplated in section 3(4); or
- (c) contravenes or fails to comply with any condition of such licence.

Circumstances in which race-meeting licence shall lapse.

6.(1) A race-meeting licence shall lapse if the racing-club concerned ceases to be a non-proprietary association of persons.

(2) The Administrator may, whenever he deems it expedient and notwithstanding the provisions of section 3(5), declare that any race-meeting licence shall lapse on a date to be determined by him and, in such event, the racing-club concerned may apply anew for the issue of a race-meeting licence.

Duty to produce race-meeting licence.

7. A person who holds a race-meeting and fails on demand by a member of the South African Police or an authorized officer to produce a race-meeting licence authorizing the holding of such meeting shall be guilty of an offence.

Admission to licensed race-course.

8.(1) No person shall be admitted to a licensed race-course on a day on which a race-meeting is held on such race-course —

- (a) if, except in the case of a jockey, he is under the age of eighteen years;
- (b) unless he has paid to such racing-club a minimum admission fee of fifty cents: Provided that the provisions of this paragraph shall not apply to —
 - (i) the owner or trainer of a horse engaged in such race-meeting;
 - (ii) a jockey;
 - (iii) an employee of the racing-club holding the race-meeting or a person bona

fide-persoon wat in verband met sodanige wedrenbyeenkoms in diens is;

(iv) 'n lid van die wedrenklub wat die wedrenbyeenkoms hou wat aan sodanige klub 'n jaarlikse ledesgeld deur sodanige klub bepaal, betaal het;

(v) iemand wie se toegang tot 'n gelisensieerde renbaan sonder betaling deur die Administrateur, hetsy in die algemeen of in die besonder goedgekeur is; of

(vi) 'n-gemagtigde beampte.

(2) 'n Wedrenklub of iemand deur sodanige klub, daartoe gemagtig, kan enige persoon ingevolge die bepalinge van enige reël of regulasie in artikel 3(4) genoem of van enige voorwaarde in die betrokke wedrenbyeenkomslisensie genoem, of wie se toegang, na die mening van sodanige klub of persoon aldus gemagtig, nadelig sal of kan wees vir die handhawing van goeie orde, uitsluit van sy gelisensieerde renbaan of weier om toegang daartoe te verleen.

(3) 'n Wedrenklub, iemand daartoe deur sodanige klub gemagtig of 'n gemagtigde beampte kan van die gelisensieerde renbaan van sodanige klub iemand wat onwettig op sodanige renbaan bevind word of iemand wie se gedrag, na die mening van sodanige klub, iemand aldus gemagtig of 'n gemagtigde beampte, nadelig vir die handhawing van goeie orde, verwyder of laat verwyder.

(4) Enige wedrenklub wat iemand toegang verleen of iemand wat toegang of hertoegang tot 'n gelisensieerde wedrenbaan teenstrydig met die bepalinge van subartikel (1) of iemand wat enige wedrenklub, persoon of gemagtigde beampte in die uitvoering van die bevoegdhede by subartikel (3) verleen, verhinder of belemmer, is aan 'n misdryf skuldig.

9.(1) Ondanks andersluidende bepalinge in hierdie Hoofstuk vervat maar behoudens die bepalinge van subartikels (2) en (3), kan die Administrateur, by aansoek aan die Provinsiale Sekretaris gerig en op sodanige voorwaardes wat die Administrateur dienstig ag, die uitreiking magtig van 'n spesiale lisensie wat die houder daarvan die reg gee om 'n wedrenbyeenkoms op die dag en die grond gespesifiseer in sodanige lisensie te hou. Met dien verstande dat geen sodanige lisensie ten opsigte van 'n Sondag, Goeie Vrydag, Hemelvaartsdag, Geïloftedag of Kersdag uitgereik word nie.

(2) Die bepalinge van hierdie Hoofstuk, uitgenome die bepalinge van artikels 4 en 8, is *mutatis mutandis* van toepassing op enige wedrenbyeenkoms ingevolge die bepalinge van subartikel (1) gehou.

(3) Iemand wat enige voorwaarde van 'n lisensie in subartikel (1) genoem, oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

fide employed in connection with such race-meeting;

(iv) a member of the racing-club holding the race-meeting who has paid to such club an annual membership fee determined by such club;

(v) a person whose admission to a licensed race-course without payment has been approved by the Administrator either generally or specifically; or

(vi) an authorized officer.

(2) A racing-club or any person authorized thereto by such club may exclude from or refuse to admit to its licensed race-course any person in terms of the provisions of any rule or regulation referred to in section 3(4) or of any condition referred to in the race-meeting licence concerned, or whose admission, in the opinion of such club or person so authorized, will or may be detrimental to the maintenance of good order.

(3) A racing-club, a person authorized thereto by such club or an authorized officer may remove or cause to be removed from the licensed race-course of such club any person found to be unlawfully on such race-course or any person whose conduct is, in the opinion of such club, person so authorized or authorized officer, detrimental to the maintenance of good order.

(4) Any racing-club which admits any person or any person who gains admission or re-admission to a licensed race-course in contravention of the provisions of subsection (1) or any person who hinders or obstructs any racing-club, person or authorized officer in the carrying out of the powers conferred by subsection (3) shall be guilty of an offence.

Special licence to hold race-meeting on one day only.

9.(1) Notwithstanding anything to the contrary contained in this Chapter but subject to the provisions of subsections (2) and (3), the Administrator may, upon application addressed to the Provincial Secretary and upon such conditions as the Administrator may deem expedient, authorize the issue of a special licence which shall entitle the holder thereof to hold a race-meeting on the day and the land specified in such licence: Provided that no such licence shall be issued in respect of a Sunday, Good Friday, Ascension Day, Day of the Covenant or Christmas Day.

(2) The provisions of this Chapter, other than the provisions of sections 4 and 8, shall apply *mutatis mutandis* to any race-meeting held in terms of the provisions of subsection (1).

(3) Any person who contravenes or fails to comply with any condition of a licence referred to in subsection (1) shall be guilty of an offence.

HOOFSTUK II.

WEDDENSAPPE.

DEEL 1.

ALGEMENE BEPERKING OP WEDDENSAPPE.

Onge-
magtigde
wedden-
skappe
'n mis-
dryf.

10.(1) Niemand mag op enige gebeurtenis of gebeurlikheid wed nie tensy ingevolge die bepalings van hierdie Ordonnansie aldus gemagtig.

(2) Niemand mag op 'n Sondag, Goeie Vrydag, Hemelvaartsdag, Gelofte dag of Kersdag wed of iemand toelaat om te wed nie.

(3) Iemand wat die bepalings van subartikel (1) of (3) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

DEEL 2.

TOTALISATORWEDDENSAPPE.

Instelling
van To-
talisator-
agent-
skapsraad
(Trans-
vaal).

11.(1) Die Administrateur kan, op skrifte-
like aansoek van twee of meer wedrenklubs, 'n
raad wat bekend staan as die Totalisatoragent-
skapsraad (Transvaal) instel, en die funksie van
die Raad is, onderworpe aan die beheer en
voorskrifte van die Administrateur, om 'n tota-
lisator by enige plek, uitgenome 'n gelisensieer-
de renbaan op 'n dag waarop 'n wedrenbyeen-
koms op sodanige baan gehou word (hierna 'n
buitebaan totalisator genoem), te bestuur na-
mens —

- (a) sodanige wedrenklubs;
- (b) enige ander wedrenklub wat die Adminis-
trateur goedkeur; en
- (c) enige ander persoon deur die Administra-
teur goedgekeur wat 'n wedrenbyeenkoms
in enige ander Provinsie ingevolge enige
wet betreffende perdewedrenne en wedden-
skappe hou.

(2) Die Raad is 'n regspersoon wat in regte
as eiser en verweerder kan optree en, behou-
dens die bepalings van hierdie Ordonnansie, alle
handelinge kan verrig wat nodig is vir, of in
verband staan met, die verrigting van sy funk-
sie ingevolge hierdie Hoofstuk.

(3) Die Raad bestaan uit soveel lede deur die
Administrateur aangestel soos hy bepaal en vir
hierdie doel kan hy sodanige verteenwoordiging
aan die benoemdes van die wedrenklubs in sub-
artikel (1) genoem, verleen wat hy dienstig ag.

(4) Ten opsigte van enige lid in subartikel
(3) genoem, kan die Administrateur 'n plaas-
vervanger aanstel wat die plek van sodanige
lid inneem en sy bevoegdhede uitoefen en sy
pligte uitvoer wanneer daardie lid om enige
rede nie in staat is om aan die verrigtinge van
die Raad deel te neem nie.

(5) 'n Vergadering van die Raad word op so-
danige tyd, en plek wat die Raad van tyd tot
tyd bepaal, gehou.

CHAPTER 2.

BETTING.

GENERAL RESTRICTION ON BETTING.

PART I.

Unauthor-
ized
betting an
offence.

10.(1) No person shall bet on any event or contingency unless so authorized in terms of the provisions of this Ordinance.

(2) No person shall bet or allow any person to make a bet on a Sunday, Good Friday, Ascension Day, Day of the Covenant of Christmas Day.

(3) Any person who contravenes or fails to comply with the provisions of subsection (1) or (2) shall be guilty of an offence.

PART 2.

TOTALIZATOR BETTING.

Establish-
ment of
Totalizator
Agency
Board
(Trans-
vaal).

11.(1) The Administrator may, upon the writ-
ten application of two or more racing-clubs,
establish a board, to be known as the Totaliza-
tor Agency Board (Transvaal) and the function
of the Board shall be, subject to the control
and directions of the Administrator, to conduct
at any place, other than on a licensed race-
course on a day on which a race-meeting is
held on such course, a totalizator (hereinafter
referred to as an off-course totalizator) on be-
half of —

- (a) such racing-clubs;
- (b) any other racing-club approved by the Ad-
ministrator; and
- (c) any other person, approved by the Admin-
istrator, who holds a race-meeting in any
other Province in terms of any law relating
to horse-racing and betting.

(2) The Board shall be a body corporate
capable of suing and being sued and, subject
to the provisions of this Ordinance, of per-
forming all acts which may be necessary for
or ancillary to the exercise of its functions in
terms of this Chapter.

(3) The Board shall consist of so many mem-
bers appointed by the Administrator as he may
determine and for this purpose he may accord
such representation to the nominees of the
racing-clubs referred to in subsection (1) as he
may deem expedient.

(4) In respect of any member referred to in
subsection (3), the Administrator may appoint
an alternate who shall take the place of that
member and exercise his powers and perform
his duties whenever that member is for any
reason unable to take part in the proceedings
of the Board.

(5) A meeting of the Board shall be held at
such time and place as the Board may from
time to time determine.

(6) 'n Kworum vir 'n vergadering van die Raad is 'n meerderheid van die lede van die Raad.

(7) Die Raad verkies een van sy lede as voorsitter. Met dien verstande dat indien die voorsitter van enige vergadering van die Raad afwesig is, 'n waarnemende voorsitter deur die aanwesige lede uit hulle geledere verkies, by sodanige vergadering voorsit.

(8) 'n Beslissing van die meerderheid van die aanwesige lede op enige vergadering van die Raad is die beslissing van die Raad en, in geval van staking van stemme, het die lid wat as voorsitter by sodanige vergadering voorsit 'n beslissende stem behewens sy beraadslagende stem.

(9) 'n Lid van die Raad wat nie in die heeltydse diens van die Staat is nie, kan sodanige vergoeding en sodanige reisuittgawes uit die fondse van die Raad betaal word wat die Administrateur van tyd tot tyd bepaal.

(10) Behoudens die bepalings van hierdie Hoofstuk, kan die Raad sy eie prosedure reël.

(11) Die Raad kan, met die goedkeuring van die Administrateur, reëls in verband met buitebaanse totalisators opstel wat nie met die bepalings van hierdie Ordonnansie onbestaanbaar is nie.

(12) Die fondse van die Raad bestaan uit —

- (a) bydraes of lenings van enige wedrenklub in subartikel (1) genoem;
- (b) enige ander lenings deur die Raad met die toestemming van en onderworpe aan die voorwaardes deur die Administrateur opgelê, aangaan;
- (c) rente op beleggings verkry; en
- (d) gelde uit enige heffing deur die Raad ingevolge hierdie Hoofstuk opgelê of van enige ander bron verkry.

(13) Die Administrateur kan die terugbetaling van enige lening in subartikel (12)(b) genoem, waarborg.

(14) Die Raad kan ten einde sy funksie te verrig —

- (a) sodanige beamptes en werknemers op sodanige voorwaardes en teen sodanige vergoeding en toelae wat die Raad bepaal, aanstel. Met dien verstande dat die vergoeding en toelae van die hoofbeampte van die Raad aan die goedkeuring van die Administrateur onderworpe is; en
- (b) roerende en onroerende eiendom verkry of huur en enige eiendom of gedeelte daarvan verhuur, verkoop, onder verband plaas of andersins vervreem of van die hand sit.

(15) Iemand bly as lid van die Raad aan vir so lank dit die Administrateur behaag.

(16) Waar 'n vakature in die ledetal van die Raad ontstaan, word sodanige vakature onverwylde ooreenkomstig die bepalings van subartikel (3) aangevul.

(6) A quorum for a meeting of the Board shall be a majority of the members of the Board.

(7) The Board shall elect one of its members as chairman. Provided that if the chairman is absent from any meeting of the Board, an acting chairman elected by the members present from among themselves shall preside at such meeting.

(8) A decision of the majority of the members present at any meeting of the Board shall be the decision of the Board and, in the event of an equality of votes, the member presiding as chairman at such meeting shall have a casting vote in addition to his deliberative vote.

(9) A members of the Board who is not in the full-time employ of the State may be paid such remuneration and such travelling expenses from the funds of the Board as the Administrator may from time to time determine.

(10) Subject to the provisions of this Chapter, the Board may regulate its own procedure.

(11) The Board may, with the approval of the Administrator, make rules, not inconsistent with the provisions of this Ordinance, in connection with off-course totalizators.

(12) The funds of the Board shall consist of —

- (a) contributions or loans from any racing-club referred to in subsection (1);
- (b) any other loans raised by the Board with the consent of and subject to the conditions imposed by the Administrator;
- (c) interests derived from investments; and
- (d) moneys derived from any levy made by the Board in terms of this Chapter or from any other source.

(13) The Administrator may guarantee the repayment of any loan referred to in subsection (12)(b).

(14) The Board may for the purpose of performing its function —

- (a) appoint such officers and employees on such conditions and at such remuneration and allowances as the Board may determine. Provided that the remuneration and any allowance of the chief officer of the Board shall be subject to the approval of the Administrator; and
- (b) acquire or hire movable or immovable property and let, sell, mortgage or otherwise alienate or dispose of any property or portion thereof.

(15) A person shall remain a member of the Board during the pleasure of the Administrator.

(16) Where a vacancy occurs in the membership of the Board, such vacancy shall be filled forthwith in accordance with the provisions of subsection (3).

(17) Die Raad betaal enige geld wat hy tot sy krediet het in 'n spesiale fonds deur die Administrateur goedgekeur en sodanige fonds word slegs vir doeleindes waarvoor die Raad ingestel is, onderworpe aan sodanige voorwaardes wat die Administrateur bepaal, aangewend.

(18) Die Administrateur kan die Raad te eniger tyd ontbind.

(19) By ontbinding van die Raad word sy bates te gelde gemaak deur iemand deur die Administrateur aangestel en enige balans wat oor is nadat alle skulde gedelf is, word op sodanige basis en tussen sodanige wedrenklubs verdeel soos die Administrateur bepaal.

(20) Die Totalisatoragentskapsraad (Transvaal) wat by die inwerkingtreding van hierdie Ordonnansie bestaan het, word vir die toepassing van hierdie Hoofstuk geag die Raad te wees.

Bevoegdheid van Administrateur om 'n permit uit te reik vir die instelling van 'n totalisator op of buite 'n renbaan in te stel.

12.(1) Die Administrateur kan, behoudens die bepalings van artikel 11 en onderworpe aan sodanige voorwaardes wat hy bepaal of voorskryf, 'n permit uitreik —

- (a) aan 'n wedrenklub of aan die houer van 'n lisensie ingevolge artikel 9 om 'n totalisator op die betrokke gelisensieerde renbaan op 'n dag waarop sodanige klub of houer 'n wedrenbyeenkoms hou, in te stel; en
- (b) aan die Raad om 'n buitebaanse totalisator op enige plek in die permit gespesifiseer, in te stel,

met die doel om weddenskappe ooreenkomstig die bepalings van hierdie Ordonnansie aan te gaan.

(2) Die Administrateur kan te eniger tyd enige voorwaarde in 'n totalisatorpermit vervat, wysig of enige verdere voorwaarde by enige sodanige permit byvoeg.

(3) Enige permit ten opsigte van 'n totalisator ingevolge die bepalings van enige wet deur hierdie Ordonnansie herroep, word geag ingevolge subartikel (1) uitgereik te gewees het.

(4) Indien die Administrateur van mening is dat die houer van 'n totalisatorpermit versuim het om aan enige voorwaarde daarvan te voldoen of enige bepaling van hierdie Ordonnansie of enige voorskrif ingevolge daarvan uitgereik, oortree of versuim om daaraan te voldoen, kan hy sodanige permit intrek.

(5) Tensy vroeër ingevolge die bepalings van hierdie Ordonnansie uitgereik, is 'n totalisatorpermit geldig vir die tydperk deur die Administrateur bepaal en sodanige tydperk word in die permit vermeld.

(6) 'n Totalisatorpermit is nie oordraagbaar nie.

(7) Die houer van 'n totalisatorpermit hou sodanige boeke, rekeninge en rekords wat voorgeskryf word.

(8) Die nasien, ondersoek en beheer van die boeke, rekeninge en rekords in subartikel (7)

(17) The Board shall pay any money standing to its credit into a special fund approved by the Administrator and such fund shall only be applied for purposes for which the Board has been established subject to such conditions as the Administrator may determine.

(18) The Administrator may at any time dissolve the Board.

(19) Upon the dissolution of the Board, its assets shall be liquidated by a person appointed by the Administrator and any balance remaining after all debts have been settled shall be distributed, on such basis and amongst such racing-clubs as the Administrator may determine.

(20) The Totalizator Agency Board (Transvaal) in existence on the coming into operation of this Ordinance, shall be deemed to be the purpose of this Chapter.

Power of Administrator to issue a permit for the establishment of a totalizator on or off a race-course.

12.(1) The Administrator may, subject to the provisions of section 11 and to such conditions as he may determine or prescribe, issue a permit —

- (a) to a racing-club or to the holder of a licence in terms of section 9, to establish a totalizator at the licensed race-course concerned upon a day whereon such club or holder holds a race-meeting; and
- (b) to the Board to establish an off-course totalizator at any place, specified in such permit,

for the purpose of betting in accordance with the provisions of this Ordinance.

(2) The Administrator may at any time amend any condition contained in a totalizator permit or add any further condition to any such permit.

(3) Any permit in respect of a totalizator, issued in terms of the provisions of any law repealed by this Ordinance shall be deemed to have been issued in terms of subsection (1).

(4) If the Administrator is of the opinion that the holder of a totalizator permit has failed to comply with any condition thereof or has contravened or failed to comply with any provision of this Ordinance or direction given in terms thereof, he may cancel such permit.

(5) Unless cancelled earlier in terms of the provisions of this Ordinance, a totalizator permit shall be valid for the period determined by the Administrator, and such period shall be stated in the permit.

(6) A totalizator permit shall not be transferable.

(7) The holder of a totalizator permit shall keep such books, accounts and records as may be prescribed.

(8) The examination, inspection and control of the books, accounts and records referred to

genoem en die ondersoek van enige totalisator waarvoor 'n permit in daardie subartikel genoem, gehou word, word uitgevoer of uitgeoefen deur 'n gemagtigde beampte.

(9) Enige permit wat 'n wedrenklub, die houer van 'n lisensie ingevolge artikel 9 uitgereik of die Raad, magtig om 'n totalisator te bestuur en wat by die inwerkingtreding van hierdie Ordonnansie geldig is, word geag 'n totalisatorpermit by die toepassing van hierdie Hoofstuk te wees.

Houer van totalisatorpermit kan kommissie op bruto ontvangste hef.

13. Die houer van 'n totalisatorpermit kan ten opsigte van die bruto ontvangste van die betrokke totalisator 'n kommissie hef, bereken teen sodanige persentasie van sodanige ontvangste wat die Administrateur kan voorskryf of van sodanige mindere gedeelte van sodanige ontvangste wat insgelyks voorgeskryf kan word en sodanige kommissie kan deur sodanige houer behou word.

DEEL 3.

WEDDENSAPPE DEUR BEROEPSWEDDER BY TATTERSALLS OF OP RENBAAN AANGEGAAN.

Instelling van Tattersalls.

14.(1) Behoudens die bepalings van hierdie Ordonnansie kan die Administrateur die instelling op sodanige plekke wat hy dienstig ag van 'n wedbeurs magtig waar weddensappe op die uitslag van enige perdewedren aangeaan en vereffen kan word en sodanige beurs vir die betrokke plek staan bekend as Tattersalls.

(2) Die Administrateur kan te eniger tyd enige magtiging in subartikel (1) genoem, intrek.

(3) Gedurende welke ure 'n Tattersalls oopgehou kan word en enige aangeleentheid wat die Administrateur vir die behoorlike bestuur van 'n Tattersalls dienstig ag, is soos voorgeskryf.

Instelling van 'n Tattersalls-komitee en aangeleentheid wat daarby hoort.

15.(1) Die Administrateur stel vir elke Tattersalls 'n komitee in, wat bekend staan as 'n Tattersallskomitee en elke sodanige komitee is 'n regspersoon wat in regte as eiser en verweerder kan optree en, behoudens die bepalings van hierdie Ordonnansie, verantwoordelik is vir die behoorlike beheer en bestuur van die betrokke Tattersalls en kan sodanige bevoegdhede uitoefen en sodanige pligte verrig wat voorgeskryf word.

(2) 'n Tattersallskomitee bestaan uit minstens vyf en hoogstens sewe lede deur die Administrateur aangestel.

(3) 'n Lid van 'n Tattersallskomitee beklee sy amp vir 'n tydperk van hoogstens drie jaar soos die Administrateur bepaal vanaf die datum van sy aanstelling tensy die Administrateur daarna dit dienstig ag om die aanstelling van sodanige lid vroeër te beëindig. Met dien verstande dat 'n lid deur die Administrateur aangestel om 'n vakature op enige sodanige komitee aan te vul, beklee sy amp vir die onverstreke ampstydperk van sy voorganger.

in subsection (7) and the inspection of any totalizator for which a permit referred to in that subsection is held, shall be carried out or exercised by an authorized officer.

(9) Any permit authorizing a racing-club, the holder of a licence issued in terms of section 9 or the Board to conduct a totalizator and which is valid upon the coming into operation of this Ordinance shall be deemed to be a totalizator permit for the purposes of this Chapter.

Holder of totalizator permit may levy commission on gross takings.

13. The holder of a totalizator permit may, in respect of the gross amount of the takings of the totalizator concerned, levy a commission calculated at such percentage of such takings as the Administrator may prescribe or of such lesser amount of such takings as may likewise be prescribed and such commission may be retained by such holder.

PART 3.

BOOKMAKER BETTING AT TATTERSALLS OR ON RACE-COURSE.

Establishment of Tattersalls.

14.(1) Subject to the provisions of this Ordinance, the Administrator may authorize the establishment at such places as he may deem expedient of a betting exchange where bets on the result of any horse-race may be made and settled and such exchange shall be known as Tattersalls for the place concerned.

(2) The Administrator may at any time cancel any authority referred to in subsection (1).

(3) The hours during which a Tattersalls may be kept open and any other matter which the Administrator may deem expedient for the proper management of a Tattersalls shall be as prescribed.

Establishment of a Tattersalls committee and matters ancillary thereto.

15.(1) The Administrator shall, for every Tattersalls, establish a committee, to be known as a Tattersalls committee and every such committee shall be a body corporate capable of suing and being sued and shall, subject to the provisions of this Ordinance, be responsible for the proper control and management of the Tattersalls concerned and shall exercise such powers and perform such duties as may be prescribed.

(2) A Tattersalls committee shall consist of not less than five and not more than seven members appointed by the Administrator.

(3) A member of a Tattersalls committee shall hold office for a period not exceeding three years as the Administrator may determine from the date of his appointment of such member sooner: Provided that a member appointed by the Administrator to fill a vacancy on any such committee shall hold office for the unexpired period of office of his predecessor:

(4) 'n Vergadering van 'n Tattersallskomitee word op sodanige tyd en plek en in sodanige omstandighede soos voorgeskryf, gehou.

(5) 'n Kworum vir 'n vergadering van 'n Tattersallskomitee is die meerderheid van die lede van sodanige komitee.

(6) Die Administrateur stel een van die lede van 'n Tattersallskomitee aan as die voorsitter daarvan. Met dien verstande dat as die voorsitter afwesig is van enige vergadering van sodanige komitee, word 'n waarnemende voorsitter deur die aanwesige lede uit hul geleedere verkies, om by sodanige vergadering voor te sit.

(7) 'n Beslissing van die meerderheid van die aanwesige lede by enige vergadering van 'n Tattersallskomitee, is die beslissing van sodanige komitee en, in die geval van 'n staking van stemme, het die lid wat by sodanige vergadering as voorsitter voorsit, 'n beslissende stem benewens sy beraadslagende stem.

(8) 'n Lid van 'n Tattersallskomitee kan sodanige vergoeding en sodanige reisuittgawes uit die fondse van sodanige komitee betaal word, wat die Administrateur van tyd tot tyd bepaal.

(9) Behoudens die bepalinge van hierdie Ordonnansie kan 'n Tattersallskomitee sy eie procedure reël.

(10) 'n Tattersallskomitee kan reëls wat nie onbestaanbaar met die bepalinge van hierdie Ordonnansie is nie, in verband met die betrokke Tattersalls, uitvaardig. Met dien verstande dat die Administrateur enige sodanige reël kan herroep of wysig of dit deur 'n nuwe reël vervang.

(11) Die fondse van 'n Tattersallskomitee bestaan uit sodanige gelde wat aan hom ingevolge die bepalinge van hierdie Ordonnansie verskuldig is.

(12) 'n Tattersallskomitee kan met die doel om sy funksies uit te voer —

(a) 'n sekretaris en sodanige ander beamptes en werknemers aanstel op sodanige voorwaardes en teen sodanige vergoeding en toelaes soos sodanige komitee, onderworpe aan sodanige bedinge en voorwaardes wat voorgeskryf word, bepaal. Met dien verstande dat die aanstelling, vergoeding en toelaes van die sekretaris aan die goedkeuring van die Administrateur onderworpe is;

(b) roerende en onroerende eiendom verkry of huur en enige eiendom of gedeelte daarvan verhuur, verkoop, onder verband plaas of andersins vryreem of van die hand sit. Met dien verstande dat in die geval van onroerende eiendom die goedkeuring van die Administrateur vooraf verkry moet word.

(13) Die Administrateur kan te eniger tyd 'n Tattersallskomitee ontbind.

(14) By ontbinding van 'n Tattersallskomitee word sy bates te gelde gemaak deur iemand deur die Administrateur aangestel en enige ba-

(4) A meeting of a Tattersalls committee shall be held at such time and place and in such circumstances as may be prescribed.

(5) A quorum for a meeting of a Tattersalls committee shall be a majority of the members of such committee.

(6) The Administrator shall appoint one of the members of a Tattersalls committee as the chairman thereof. Provided that if the chairman is absent from any meeting of such committee, an acting chairman elected by the members present from among themselves shall preside at such meeting.

(7) A decision of the majority of the members present at any meeting of a Tattersalls committee shall be the decision of such committee and, in the event of an equality of votes, the member presiding as chairman at such meeting shall have a casting vote in addition to his deliberative vote.

(8) A member of a Tattersalls committee may be paid such remuneration and such travelling expenses from the funds of such committee as the Administrator may from time to time determine.

(9) Subject to the provisions of this Ordinance, a Tattersalls committee may regulate its own procedure.

(10) A Tattersalls committee may make rules, not inconsistent with the provisions of this Ordinance, in connection with the Tattersalls concerned. Provided that the Administrator may repeal or amend any such rule or substitute a new rule therefor.

(11) The funds of a Tattersalls committee shall consist of such moneys as are due to it in terms of the provisions of this Ordinance.

(12) A Tattersalls committee may for the purpose of performing its functions —

(a) appoint a secretary and such other officers and employees on such conditions and at such remuneration and allowances as such committee may, subject to such terms and conditions as may be prescribed, determine. Provided that the appointment, remuneration and allowances of the secretary shall be subject to the approval of the Administrator;

(b) acquire or hire movable or immovable property or let, sell, mortgage or otherwise alienate or dispose of any property or portion thereof. Provided that in the case of immovable property the approval of the Administrator shall first be obtained.

(13) The Administrator may at any time dissolve a Tattersalls committee.

(14) Upon the dissolution of a Tattersalls committee, its assets shall be realized by a person appointed by the Administrator and any balance remaining after all debts have been

lans, wat oorbly nadat alle skulde gedelg is, word in die Provinsiale Inkomstefonds gestort.

(15) Elke Tattersalls en die komitee van sodanige Tattersalls wat by die inwerkingtreding van hierdie Ordonnansie bestaan het, word geag ingevolge die bepalings van hierdie Ordonnansie ingestel te gewees het.

Administrateur bepaal aantal beroepswedders hokkies.

16.(1) Ten opsigte van elke Tattersalls bepaal die Administrateur die aantal hokkies wat 'n Tattersallskomitee vir die dryf van die besigheid van 'n beroepswedder daarin moet oprig of voorsien en hy kan te eniger tyd die aantal aldus bepaal vermeerder of verminder.

(2) Die aantal hokkies wat deur 'n gelisensieerde beroepswedder by die inwerkingtreding van hierdie Ordonnansie geokkupeer word, word geag die aantal deur die Administrateur ingevolge subartikel (1) bepaal, te wees.

Aansoek om 'n beroepswedderslisensie.

17. Iemand wat die besigheid van 'n beroepswedder in enige Tattersalls of op 'n renbaan wil dryf, doen aansoek om 'n beroepswedderslisensie om sodanige besigheid ooreenkomstig die bepalings van hierdie Hoofstuk, te dryf.

Instelling van Beroepswedderslisensie komitee.

18.(1) Die Administrateur stel 'n komitee in, bekend te staan as die Beroepswedderslisensiekomitee (hierna in hierdie Hoofstuk die Lisensiekomitee genoem) met die doel om alle aansoeke om die toestaan van 'n beroepswedderslisensie te oorweeg.

(2) Die Lisensiekomitee bestaan uit vyf lede deur die Administrateur aangestel en hy wys een van die lede as die voorsitter daarvan aan.

(3) 'n Kworum vir 'n vergadering van die Lisensiekomitee is 'n meerderheid van die lede van sodanige Komitee.

(4) 'n Beslissing van die meerderheid van die aanwesige lede by enige vergadering van die Lisensiekomitee, is die beslissing van sodanige Komitee en; in die geval van 'n staking van stemme, het die lid wat by sodanige vergadering as voorisster voorsit 'n beslissende stem benewens sy beraadslagende stem.

(5) Wanneer die voorsitter nie by enige vergadering van die Lisensiekomitee teenwoordig is nie, verkies die aanwesige lede 'n lid om as voorsitter by daardie vergadering op te tree.

(6) 'n Lid van die Lisensiekomitee beklee sy amp vir 'n tydperk van hoogstens drie jaar soos die Administrateur bepaal vanaf die datum van sy aanstelling tensy die Administrateur daarna dit dienstig ag om sy aanstelling as sodanige lid vroeër te beëindig. Met dien verstande dat iemand wat aangestel word om 'n vakature op sodanige komitee te vul, sy amp beklee vir die onverstreke ampstydperk van sy voorganger.

(7) 'n Lid van die Lisensiekomitee wat nie in die heeltydse diens van die Staat is nie, kan sodanige vergoeding en sodanige reisuittgawes uit die Provinsiale Inkomstefonds wat die Administrateur van tyd tot tyd bepaal, betaal word.

settled shall be paid into the Provincial Revenue Fund.

(15) Every Tattersalls and the committee of such Tattersalls in existence on the coming into operation of this Ordinance shall be deemed to have been established in terms of the provisions of this Chapter.

Administrator to determine number of bookmaker's cubicles.

16.(1) The Administrator shall in respect of every Tattersalls determine the number of cubicles which a Tattersalls committee shall erect or provide therein for the carrying on of the business of a bookmaker and he may at any time increase or decrease the number so determined.

(2) The number of cubicles occupied by licensed bookmakers upon the coming into operation of this Ordinance shall be deemed to be the number determined by the Administrator in terms of subsection (1).

Application for bookmaker's licence.

17. Any person who desires to carry on the business of a bookmaker in any Tattersalls or on a race-course, shall apply for a bookmaker's licence to carry on such business in accordance with the provisions of this Chapter.

Establishment of Bookmaker's Licensing Committee.

18.(1) The Administrator shall establish a committee, to be known as the Bookmaker's Licensing Committee (hereinafter in this Chapter referred to as the Licensing Committee) for the purpose of considering all applications for the granting of a bookmaker's licence.

(2) The Licensing Committee shall consist of five members appointed by the Administrator and he shall designate one of the members as the chairman thereof.

(3) A quorum for a meeting of the Licensing Committee shall be a majority of the members of such Committee.

(4) A decision of the majority of the members present at any meeting of the Licensing Committee shall be the decision of such Committee and, in the event of an equality of votes, the member presiding as chairman at such meeting shall have a casting vote in addition to his deliberative vote.

(5) Whenever the chairman is not present at any meeting of the Licensing Committee the members present shall elect a member to act as chairman of that meeting.

(6) A member of the Licensing Committee shall hold office for a period not exceeding three years as the Administrator may determine from the date of his appointment unless the Administrator thereafter deems it expedient to terminate the appointment of such member sooner: Provided that a person appointed to fill a vacancy on such committee shall hold office for the unexpired period of office of his predecessor.

(7) A member of the Licensing Committee who is not in the full-time employ of the State may be paid such remuneration and such travelling expenses from the Provincial Revenue Fund as the Administrator may from time to time determine.

(8)-Die Administrateur kan —

- (a) die wyse waarop 'n kennisgewing van 'n vergadering van die Lisensiekomitee aan sy lede of enige ander persoon gegee moet word;
- (b) die prosedure wat gevolg moet word by enige vergadering van die Lisensiekomitee, voorskryf.

(9) Waar geen prosedure ingevolge subartikel (8)(b) voorgeskryf word, bepaal die voorsitter van die Lisensiekomitee sodanige prosedure.

(10) Die Komitee deur die Administrateur ingevolge artikel 3bis van die Lisensiering van Bookmakers en Belasting-Ordonnansie, 1925 (Ordonnansie 26 van 1925) en die lede daarvan wat by die inwerkingtrekking van hierdie Ordonnansie hulle amp beklee, word geag ingevolge hierdie artikel ingestel en aangestel te gewees het.

Aanstelling van Sekretaris vir Lisensiekomitee.

19. Behoudens die wette betreffende die Staatsdiens van die Republiek stel die Administrateur iemand aan as Sekretaris van die Lisensiekomitee.

Vakature vir beroepswedder geadverteer te word.

20.(1) Wanneer 'n vakature vir 'n beroepswedder in enige Tattersalls of op 'n renbaan ontstaan, adverteer die Tattersallskomitee of die wedrenklub of, indien sodanige klub 'n lid van die Witwatersrandse Vereniging van Wedrenklubs is, sodanige vereniging, na gelang van die geval, sodanige vakature en stel 'n sluitingsdatum vas, wat nie minder as een-en-twintig dae vanaf die datum van sodanige advertensie is nie, waarop sodanige Komitee, klub of vereniging aansoeke om die vulling van sodanige vakatures moet ontvang.

(2) Elke advertensie in subartikel (1) genoem, moet in die voorgeskrewe vorm wees en word gepubliseer eenmaal in 'n nuusblad wat in hierdie Provinsie sirkuleer en die bepalinge van artikel 110 van die Grondwet van die Republiek van Suid-Afrika, 1961 (Wet 32 van 1961) is op sodanige publikasie *mutatis mutandis* van toepassing.

(3) Die Tattersallskomitee, wedrenklub of die Witwatersrandse Vereniging van Wedrenklubs, na gelang van die geval, stuur per aangetekende pos 'n afskrif van elke sodanige advertensie aan die Sekretaris van die Lisensiekomitee binne sewe dae vanaf die datum van publikasie daarvan.

(4) Indien nie aan die bepalinge van subartikel (3) voldoen word nie, word die vakature ingevolge subartikel (1) heradverteer.

Voorlegging van aansoek vir die vulling van vakature vir beroepswedder.

21.(1) Elke aansoek om 'n vakature vir 'n beroepswedder te vul, wat geadverteer is soos in artikel 20 beoog, is in sodanige vorm en voldoen aan sodanige vereistes wat voorgeskryf word.

(2) 'n Tattersallskomitee, 'n wedrenklub of die Witwatersrandse Vereniging van Wedrenklubs, na gelang van die geval, kan van enige aansoeker vereis dat hy hom moet aanmeld vir

(8) The Administrator may prescribe —

- (a) the manner in which notice of a meeting of the Licensing Committee shall be given to its members or any other person;
- (b) the procedure to be followed at any meeting of the Licensing Committee.

(9) Where no procedure is prescribed in terms of subsection (8)(b), the chairman of the Licensing Committee shall determine such procedure.

(10) The Committee appointed by the Administrator in terms of section 3bis of the Licensing and Bookmakers and Taxation Ordinance, 1925 (Ordinance 26 of 1925) and the members thereof in office at the coming into operation of this Ordinance shall be deemed to have been established and appointed in terms of this section.

Appointment of Secretary for Licensing Committee.

19. Subject to the laws relating to the Public Service of the Republic, the Administrator shall appoint a person as the Secretary of the Licensing Committee.

Vacancy for bookmaker to be advertised.

20.(1) Whenever a vacancy for a bookmaker occurs in any Tattersalls or on a race-course, the Tattersalls committee or the racing-club or, if such club is a member of the Witwatersrand Association of Racing Clubs, such association, as the case may be, shall advertise such vacancy and shall fix a closing date, which shall not be less than twenty-one days from the date of such advertisement, by which such committee, club or Association shall receive applications for filling such vacancy.

(2) Every advertisement referred to in subsection (1) shall be in the prescribed form and shall be published once in a newspaper circulating in this Province and the provisions of section 110 of the Republic of South Africa Constitution Act, 1961 (Act 32 of 1961) shall apply, *mutatis mutandis*, to such application.

(3) The Tattersalls committee, racing-club or the Witwatersrand Association of Racing Clubs, as the case may be, shall forward a copy of every such advertisement to the Secretary of the Licensing Committee by registered post within seven days of the date of publication thereof.

(4) If the provisions of subsection (3) are not complied with, the vacancy shall be re-advertised in terms of subsection (1).

Submission of application for filling vacancy for bookmaker.

21.(1) Every application to fill a vacancy for a bookmaker, which has been advertised as contemplated in section 20, shall be in such form and shall comply with such requirements as may be prescribed.

(2) A Tattersalls committee, a racing-club or the Witwatersrand Association of Racing Clubs, as the case may be, may require any applicant to present himself for an interview, may question

'n onderhoud, kan sodanige aansoeker oor enige aangeleentheid betreffende sy aansoek ondervra en kan die voorlegging van enige dokument wat hy as ter sake by sodanige aansoek ag, vereis.

(3) Iemand wat opsetlik of nalatiglik enige valse of misleidende inligting in of in verband met 'n aansoek in subartikel (1) genoem of in antwoord op 'n vraag in subartikel (2) genoem, verskaf, is aan 'n misdryf skuldig.

(4) Die Tattersallskomitee, wedrenklub of Witwatersrandse Vereniging van Wedrenklubs, na gelang van die geval, oorweeg elke aansoek in subartikel (1) genoem en stuur daarna elke sodanige aansoek aan die Sekretaris van die Lisensiekomitee na voldoening aan sodanige vereistes wat voorgeskrif word.

Kennis-
gewing
van aan-
soek ge-
publiseer
te word.

22.(1) Elke persoon wat 'n aansoek ingevolge die bepalings van artikel 21 ingedien het, moet binne veertien dae van die indiening van sodanige aansoek, 'n kennisgewing eenmaal in 'n nuusblad, soos in artikel 20(2) beoog, van die indiening van sodanige aansoek publiseer.

(2) Onmiddellik na die publikasie van die kennisgewing in subartikel (1) genoem, moet die betrokke persoon aan die Sekretaris van die Lisensiekomitee bewys lewer van sodanige publikasie in sodanige vorm wat sodanige Sekretaris vereis.

Beswaar
teen die
toestaan
van 'n
beroeps-
weddens-
lisensie.

23.(1) Enigiemand kan binne veertien dae vanaf die datum van publikasie in artikel 22(1) genoem by die Sekretaris van die Lisensiekomitee —

- (a) 'n skriftelike beswaar teen die toestaan van 'n beroepsweddenslisensie aan enige aansoeker; of
- (b) enige skriftelike inligting betreffende enige aansoeker wat hy wens om onder die aandag van die Lisensiekomitee te bring, indien.

(2) Elke persoon wat 'n beswaar of inligting ingevolge subartikel (1) indien, verskaf sy volle naam en posadres en, in die geval van 'n beswaar, meld volledig die redes vir sodanige beswaar.

(3) Die Sekretaris van die Lisensiekomitee stel elke aansoeker ten opsigte van wie 'n beswaar of inligting ingevolge subartikel (1) ingedien is van die aard van sodanige beswaar of inligting.

Aanhoor
van aan-
soeke
deur Li-
sensie-
komitee.

24.(1) Die Lisensiekomitee oorweeg elke aansoek wat op die wyse soos voorgeskrif aan hom voorgelê is en, behoudens die bepalings van hierdie Hoofstuk, staan sodanige aansoek toe op sodanige voorwaardes wat hy bepaal, insluitende die voorsiening van 'n waarborg vir die betaling van enige weddenskapskulde wat aangegaan is of weier sodanige aansoek.

(2) Die bedrag van enige waarborg in subartikel (1) genoem, is soos deur die Lisensiekomitee bepaal hetsy in die algemeen of in die besonder.

any such applicant on any matter relating to his application and may require the production of any document it considers relevant to such application.

(3) Any person who wilfully or negligently furnishes any false or misleading information in or in connection with an application referred to in subsection (1) or in reply to a question referred to in subsection (2) shall be guilty of an offence.

(4) The Tattersalls committee, racing-club or Witwatersrand Association of Racing Clubs, as the case may be, shall consider every application referred to in subsection (1) and shall thereafter forward every such application to the Secretary of the Licensing Committee after complying with such requirements as may be prescribed.

Notice
of appli-
cation to
be pub-
lished.

22.(1) Every person who has submitted an application in terms of the provisions of section 21, shall, within fourteen days of the submission of such application, publish a notice once in a newspaper as contemplated in section 20(2) of the submission of such application.

(2) Immediately after the publication of the notice referred to in subsection (1), the person concerned shall forward to the Secretary of the Licensing Committee proof of such publication in such form as such Secretary may require.

Objection
to the
granting
of a
book-
maker's
licence.

23.(1) Any person may within fourteen days of the date of publication referred to in section 22(1), lodge with the Secretary of the Licensing Committee —

- (a) a written objection to the granting of a bookmaker's licence to any applicant; or
- (b) any written information regarding any applicant which he wishes to bring to the notice of the Licensing Committee.

(2) Every person lodging an objection or information in terms of subsection (1) shall furnish his full name and postal address and, in the case of an objection, state fully the reasons for such objection.

(3) The Secretary of the Licensing Committee shall inform every applicant in respect of whom an objection or information has been lodged in terms of subsection (1) of the nature of such objection or information.

Hearing
of appli-
cations
by Licen-
sing Com-
mittee.

24.(1) The Licensing Committee shall consider every application which has been submitted to it in the manner prescribed and, subject to the provisions of this Chapter either grant, on such conditions as it may determine, including the provision of a guarantee for the payment of any betting debts which may be incurred, or refuse such application.

(2) The amount of any guarantee referred to in subsection (1) shall be as determined by the Licensing Committee either generally or specifically.

(3) Die Lisensiekomitee staan nie die aansoek van die aansoeker toe nie wat nie deur die Tattersallskomitee, wedrenklub of die Witwatersrandse Vereniging van Wedrenklubs, na gelang van die geval, aanbeveel is nie totdat hy sodanige komitee, wedrenklub of Vereniging die vertoë aan die Lisensiekomitee ten opsigte van geleentheid verleen het om sodanige verdere sodanige aansoeker te rig.

(4) Die Lisensiekomitee kan meer as een aansoek by enige vergadering oorweeg, kan die aanhoor van enige aansoek tot 'n latere datum uitstel en kan van die aansoeker vereis om sodanige verdere inligting te verskaf of enige ander persoon versoek om sodanige inligting wat hy dienstig ag, te verskaf.

Uitreiking van beroepswedderslisensie.

25. Waar 'n aansoek om 'n beroepswedderslisensie ingevolge artikel 24(1) toegestaan is, reik die Sekretaris van die Lisensiekomitee aan die aansoeker 'n beroepswedderslisensie uit en sodanige lisensie —

- (a) is in die voorgeskrewe vorm;
- (b) is onderworpe aan die voorwaardes daarop geëndosseer;
- (c) se geldigheid tree in werking vanaf die datum waarop die voorgeskrewe lisensiegelde daarvoor by enige kantoor van die Ontvanger van Inkomste op sodanige lisensie aangetoon, betaal is; en
- (d) bly geldig, behoudens die bepalinge van hierdie Hoofstuk, vir die tydperk daarop geëndosseer wat nie strek na die een-en-dertigste dag van Augustus van enige jaar nie.

Gelisenseerde beroepswedder ten opsigte van 'n Tattersalls moet 'n beroepswedderlid daarvan wees.

26.(1) Elke gelisenseerde beroepswedder ten opsigte van 'n Tattersalls word voordat hy sy besigheid in Tattersalls begin, 'n beroepswedderslid daarvan ooreenkomstig sodanige bepalinge wat die Administrateur, ondanks andersluidende bepalinge van hierdie Hoofstuk, voorskryf en, as hy ophou om sodanige lid te wees, hou sy beroepswedderslisensie op om geldig te wees.

(2) Elke persoon wat by die inwerkingtrede van hierdie Ordonnansie 'n bookmakerslid van 'n Tattersalls is, word geag 'n beroepswedderslid van daardie Tattersalls ingevolge die bepalinge van hierdie Hoofstuk te wees.

Gewone lidmaatskap van Tattersalls.

27.(1) Enige persoon bo die ouderdom van agtien jaar kan, behoudens die bepalinge van subartikel (2), toegelaat word tot gewone lidmaatskap van 'n Tattersalls ooreenkomstig sodanige bepalinge wat die Administrateur, ondanks enige ander bepaling van hierdie Hoofstuk voorskryf.

(2) Die Administrateur bepaal ten opsigte van elke Tattersalls of lidmaatskap van sodanige Tattersalls vir persone van een of meer as een ras oop moet wees en slegs persone wat aan enige ras aldus bepaal, behoort, word tot lidmaatskap van sodanige Tattersalls toegelaat.

(3) The Licensing Committee shall not grant the application of any applicant who has not been recommended by the Tattersalls committee, the racing club or the Witwatersrand Association of Racing Clubs, as the case may be, until it has afforded such committee, racing club or Association the opportunity of making further representations to the Licensing Committee in respect of such applicant.

(4) The Licensing Committee may consider more than one application at any meeting, may postpone the hearing of any application to a later date and may require the applicant to furnish such further information or call upon any other person to furnish such information which it may deem expedient.

Issue of bookmaker's licence.

25. Where an application for a bookmaker's licence is granted in terms of section 24(1), the Secretary of the Licensing Committee shall issue to the applicant a bookmaker's licence and such licence shall —

- (a) be in the prescribed form;
- (b) be subject to the conditions endorsed thereon;
- (c) commence to be valid from the date on which the prescribed licence fee therefor has been paid at the office of the Receiver of Revenue indicated on such licence; and
- (d) continue to be valid, subject to the provisions of this Chapter, for the period endorsed thereon which shall not extend beyond the thirty-first day of August of any year.

Licensed bookmaker in respect of a Tattersalls required to be a bookmaker member thereof.

26.(1) Every licensed bookmaker in respect of a Tattersalls shall, before commencing his business in such Tattersalls, become a bookmaker member thereof in accordance with such provisions as the Administrator may, notwithstanding any other provisions of this Chapter, prescribe, and, if he ceases to be such a member, his bookmaker licence shall cease to be valid.

(2) Every person who, at the coming into operation of this Ordinance is a bookmaker member of a Tattersalls shall be deemed to be a bookmaker member of that Tattersalls in terms of the provisions of this Chapter.

Ordinary membership of Tattersalls.

27.(1) Any person over the age of eighteen years may, subject to the provisions of subsection (2), be admitted to ordinary membership of a Tattersalls in accordance with such provisions as the Administrator may, notwithstanding any other provisions of this Chapter, prescribe.

(2) The Administrator shall in respect of every Tattersalls determine whether membership of such Tattersalls shall be open to persons of one or more than one race and only persons belonging to any race so determined shall be admitted to membership of such Tattersalls.

(3) Lidmaatskap van elke Tattersalls by die inwerkingtreëding van hierdie Ordonnansie ingestel, word geag, totdat ingevolge subartikel (2), andersins bepaal word, vir blanke persone soos in artikel 1 van die Bevolkingsregistrasiewet, 1950 (Wet 30 van 1950) omskryf, te wees.

(4) Elke persoon wat by die inwerkingtreëding van hierdie Ordonnansie 'n gewone lid van enige Tattersalls is, word geag 'n gewone lid van sodanige Tattersalls ingevolge die bepalings van hierdie Hoofstuk te wees.

28.(1) Wanneer enige gelisensieerde beroepswedder sy beroepswedderslisensie vir 'n verdere tydperk wil hernu, doen hy opnuut aansoek om 'n beroepswedderslisensie soos in artikel 29 bepaal.

(2) Wanneer enige gelisensieerde beroepswedder in enige Tattersalls of op 'n gelisensieerde renbaan enige ander persoon insluitende 'n gelisensieerde beroepswedder, in vennootskap in sy besigheid wil toelaat, stel sodanige eersgenoemde beroepswedder die sekretaris van die Tattersallskomitee, wedrenklub of Witwatersrandse Vereniging van Wedrenklubs, na gelang van die geval, dienoreenkomstig in kennis, en daarop word 'n vakature soos in artikel 20(1) beoog, geag ten opsigte van sodanige besigheid te ontstaan het. Met dien verstande dat die betrokke gelisensieerde beroepswedder sy besigheid kan dryf totdat hy deur die Sekretaris van die Lisensiekomitee in kennis gestel is van die uitslag van die aansoek vir 'n nuwe beroepswedderslisensie ten opsigte van sodanige vakature.

(3) Wanneer enige vennootskap van gelisensieerde beroepswedders as gevolg van die bedanking of terugtrekking uit sodanige vennootskap van enige van die vennote ontbind word, doen die oorblywende vennoot of vennote afsonderlik aansoek om 'n nuwe beroepswedderslisensie soos in artikel 29 bepaal. Met dien verstande dat, met die vooraf goedkeuring van die Administrateur, kan sodanige oorblywende vennoot of vennote die besigheid vir 'n tydperk van dertig dae of vir sodanige verdere tydperk wat die Administrateur bepaal, voortsit in afwagting van die uitslag van die aansoek vir 'n nuwe beroepswedderslisensie en sodanige goedkeuring word op die betrokke beroepswedderslisensie geëndosseer.

29.(1) Wanneer enige gelisensieerde beroepswedder 'n aansoek om 'n beroepswedderslisensie soos in artikel 28(1) of (3) beoog, moet voorle, word sodanige aansoek aan die Sekretaris van die Lisensiekomitee in sodanige vorm voorgelê en voldoen aan sodanige vereistes wat voorgeskryf word.

(2) Die bepalings van hierdie Hoofstuk, uitgenome die bepalings van artikels 20, 21, 22 en 23 is op 'n aansoek in subartikel (1) genoem, *mutatis mutandis* van toepassing maar subartikel (3) van artikel 24 word uitgelê as sou dit as volg gelui het:

“(3) Die Lisensiekomitee staan nie die aansoek van enige aansoeker toe nie sonder om

(3) Membership of every Tattersalls established at the coming into operating of this Ordinance, shall, until otherwise determined in terms of subsection (2), be deemed to have been determined for white persons as defined in section 1 of the Population Registration Act, 1950 (Act 30 of 1950).

(4) Every person who at the coming into operation of this Ordinance is an ordinary member of any Tattersalls shall be deemed to be an ordinary member of such Tattersalls in terms of the provisions of this Chapter.

28.(1) Whenever any licensed bookmaker desires to renew his bookmaker's licence for a further period he shall apply for a new bookmaker's licence as provided for in section 29.

(2) Whenever any licensed bookmaker in any Tattersalls or on a licensed race-course desires to admit any other person, including a licensed bookmaker, into partnership in his business, such first-mentioned bookmaker shall advise the secretary of the Tattersalls committee, racing-club or Witwatersrand Association of Racing Clubs, as the case may be, accordingly and thereupon a vacancy as contemplated in section 20(1) shall be deemed to have occurred in respect of such business. Provided that the licensed bookmaker concerned may carry on his business until he is advised by the Secretary of the Licensing Committee of the outcome of the application for a new bookmaker's licence in respect of such vacancy.

(3) Whenever any partnership of licensed bookmakers is dissolved by reason of the registration or withdrawal from such partnership of any of the partners, the remaining partner or partners shall apply separately for a new bookmaker's licence as provided for in section 29. Provided that with the prior approval of the Administrator such remaining partner or partners may carry on the business for a period of thirty days or for such further period as the Administrator may determine pending the outcome of the application for a new bookmaker's licence and such approval shall be endorsed on the bookmaker's licence concerned.

29.(1) Whenever any licensed bookmaker is required to submit an application for a bookmaker's licence as contemplated in section 28(1) or (3), such application shall be submitted to the Secretary of the Licensing Committee in such form and shall comply with such requirements as may be prescribed.

(2) The provisions of this Chapter, other than the provisions of sections 20, 21, 22 and 23, shall apply *mutatis mutandis* to an application referred to in subsection (1) but subsection (3) of section 24 shall be construed as if it read as follows:

“(3) The Licensing Committee shall not grant the application of any applicant without afford-

Omstandighede waar- onder gelisen- sieerde beroeps- wedder om 'n beroeps- wedder- lisensie aansoek doen.

Circum- stances in which licensed book- maker required to apply for book- maker's licence.

Voorleg- ging van aansoek om be- roeps- wedders- lisensie soos in artikel 28(1) of (3) beoog.

Submis- sion of applica- tion for book- maker's licence as con- templated in section 28(1) or (3).

die Tattersallskomitee, wedrenklub of die Witwatersrandse Vereniging van Wedrenklubs, na gelang van die geval, die geleentheid te verleen om vertoë tot die Lisensiekomitee ten opsigte van sodanige aansoeker te rig."

Procedure by afsterwe van vennoot.

30. Wanneer enige vennootskap van beroepswedders in 'n Tattersalls of op 'n renbaan ontbind word omrede die afsterwe van enige vennoot, kan die oorblywende vennoot of vennote aan die Sekretaris van die Lisensiekomitee aansoek doen om die naam van sodanige afgestorwe vennoot uit die beroepswedderslisensie te skrap en, onderworpe aan sodanige skrapping, kan die besigheid vir die onverstreke tydperk van geldigheid van sodanige lisensie, voortgesit word.

Gelisensteerde beroepswedder moet voorwaardes van beroepswedderslisensie nakom.

31.(1) Behoudens die bepalings van subartikel (2), is enige gelisensteerde beroepswedder wat sy besigheid andersins as in ooreenstemming met die voorwaardes van sy beroepswedderslisensie dryf, aan 'n misdryf skuldig.

(2) Die Administrateur kan die omstandighede waarin 'n gelisensteerde beroepswedder tydelik die besigheid van enige ander beroepswedder kan dryf, voorskryf.

(3) Enige bookmakerslisensie wat by die inwerkingtreding van hierdie Ordonnansie geldig is, word geag 'n beroepswedderslisensie vir die toepassing van hierdie Hoofstuk te wees.

Opskorting of intrekking van beroepswedderslisensie.

32.(1) Wanneer enige gelisensteerde beroepswedder aan 'n misdryf ingevolge die bepalings van hierdie Ordonnansie skuldig bevind word, kan die voorsittende beampte van die betrokke hof die intrekking van sodanige beroepswedderslisensie beveel.

(2) Waar enige beroepswedderslisensie ingevolge subartikel (1) ingetrek word, stel die klerk of griffier van die betrokke hof, die Administrateur dienoreenkomstig in kennis.

(3) Die Administrateur kan te eniger tyd —

(a) enige beroepswedderslisensie vir sodanige tydperk wat hy goed ag, opskort; of

(b) enige beroepswedderslisensie intrek, indien sodanige beroepswedder —

(i) na die mening van die Administrateur nie 'n gepaste en geskikte persoon is om die besigheid van 'n beroepswedder te dryf nie; of

(ii) skuldig bevind is aan enige misdryf ingevolge die bepalings van hierdie Ordonnansie.

(4) Wanneer die lisensie van enige gelisensteerde beroepswedder wat besigheid in vennootskap met een of meer ander gelisensteerde beroepswedders dryf ingevolge die bepalings van subartikel (1) of (2) opgeskort of ingetrek word, word die beroepswedderslisensie van elke vennoot in sodanige besigheid insgelyks opgeskort of ingetrek.

(5) Wanneer 'n beroepswedderslisensie van enige beroepswedder ingevolge die bepalings

Procedure on death of partner.

ing the Tattersalls Committee, racing-club or the Witwatersrand Association of Racing Clubs, as the case may be, the opportunity of making representation to the Licensing Committee in respect of such applicant."

30. Whenever any partnership of bookmakers in a Tattersalls or on a race-course is dissolved by reason of the death of any partner, the remaining partner or partners may apply to the Secretary of the Licensing Committee for the deletion of the name of such deceased partner from the bookmaker's licence and subject to such deletion, may carry on the business for the unexpired period of validity of such licence.

Licensed bookmaker required to observe conditions of bookmaker's licence.

31.(1) Subject to the provisions of subsection (2) any licensed bookmaker who carries on his business otherwise than in accordance with the conditions of his bookmaker's licence shall be guilty of an offence.

(2) The Administrator may prescribe the circumstances in which a licensed bookmaker may temporarily carry on the business of any other licensed bookmaker.

(3) Any bookmaker's licence which is valid at the commencement of this Ordinance shall be deemed to be a bookmaker's licence for the purposes of this Chapter.

Suspension or cancellation of bookmaker's licence.

32.(1) Whenever any licensed bookmaker is convicted of any offence in terms of the provisions of this Ordinance, the presiding officer of the court concerned may make an order cancelling such bookmaker's licence.

(2) Where any bookmaker's licence is cancelled in terms of subsection (1), the clerk or the registrar of the court concerned shall advise the Administrator accordingly.

(3) The Administrator may at any time —

(a) suspend, for such period as he may deem fit any bookmaker's licence; or

(b) cancel any bookmaker's licence,

if such bookmaker is —

(i) in the opinion of the Administrator not fit and proper person to carry on the business of a bookmaker; or

(ii) convicted of any offence under the provisions of this Ordinance.

(4) Whenever the licence of any licensed bookmaker who carries on his business in partnership with one or more other licensed bookmakers, is suspended or cancelled in terms of the provisions of subsection (1) or (2) the bookmaker's licence of every partner in such business shall likewise be suspended or cancelled.

(5) Whenever the bookmaker's licence of any bookmaker is suspended or cancelled in terms

van subartikel (1) of (2) opgeskort of ingetrek word, geskied geen terugbetaling van enige lisensiegelde of gedeelte daarvan nie.

(6) Wanneer 'n beroepswedderslisensie ingevolge subartikel (1) of (2) ingetrek word, word geen aansoek van die betrokke beroepswedder om 'n nuwe lisensie deur die Lisensiekomitee vir 'n tydperk van drie jaar vanaf die datum van sodanige intrekking oorweeg nie.

Omstandighede waar- onder beroepswedders- lisensie voorgelê word.

33. Iemand wat die besigheid van 'n beroepswedder dryf en op versoek deur 'n lid van die Suid-Afrikaanse Polisie of 'n gemagtigde beampte versuim om 'n beroepswedderslisensie wat die dryf van sodanige besigheid magtig, voor te lê, is aan 'n misdryf skuldig.

Verhinde- ring of belem- mering van ge- lisen- sieerde beroepswedder om sy besigheid te dryf.

34. Enige Tattersallskomitee of 'n wedrenklub wat, behoudens die bepalings van hierdie Ordonnansie, 'n beroepswedder verhoed om sy besigheid te dryf soos in sy beroepswedderslisensie bepaal of iemand wat 'n beroepswedder in die dryf van enige sodanige besigheid verhoed of belemmer, is aan 'n misdryf skuldig.

Verant- woord- elikheid van Tattersallskomitee en wedrenklub.

35.(1) Geen Tattersallskomitee laat enige beroepswedder toe om sy besigheid in 'n Tattersalls te dryf nie en geen wedrenklub laat enige beroepswedder toe om sy besigheid op 'n renbaan te dryf nie tensy sodanige beroepswedder in besit is van 'n geldige beroepswedderslisensie en tensy sodanige besigheid ooreenkomstig die voorwaardes van sodanige lisensie gedryf word.

(2) Enige Tattersallskomitee of 'n wedrenklub wat die bepalings van subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Tattersallskomitee of wedrenklub weddenskapskulde van gelisen- sieerde beroepswedder te beheer.

36.(1) Ondanks die bepalings van artikel 24 betreffende die waarborg vir die betaling van weddenskapskulde, wanneer 'n Tattersallskomitee of 'n wedrenklub van die feit bewus word dat 'n gelisen- sieerde beroepswedder weddenskapskulde aangaan of moontlik sal aangaan, wat die waarborg deur sodanige beroepswedder oorskry, kan hy —

- sodanige beroepswedder beveel om sy skulde te beperk of te verminder; of
- sodanige beroepswedder vereis om 'n bykomstige waarborg van sodanige bedrag wat hy bepaal, te voorsien.

(2) Geen gelisen- sieerde beroepswedder wat 'n bykomstige waarborg ingevolge subartikel (1) (b) moet voorsien, word toegelaat om sy besigheid te dryf totdat sodanige bykomstige waarborg voorsien is nie.

(3) 'n Tattersallskomitee of 'n wedrenklub doen onverwylde verslag oor enige optrede ingevolge die bepalings van subartikel (1) of (2) aan die Provinsiale Sekretaris en die Sekretaris van die Lisensiekomitee.

(4) Enige gelisen- sieerde beroepswedder wat die bepalings van subartikel (2) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

of the provisions of subsection (1) or (3), no refund of any licence fee or part thereof shall be made.

(6) Whenever a bookmaker's licence has been cancelled in terms of subsection (1) or (2), no application from the bookmaker concerned for a new bookmaker's licence shall be considered by the Licensing Committee for a period of three years from the date of such cancellation.

Circum- stances in which book- maker's licence to be pro- duced.

33. Any person who carries on the business of a bookmaker and fails on demand by a member of the South African Police or an authorised officer to produce a bookmaker's licence authorizing the carrying on of such business shall be guilty of an offence.

Prevent- ing or hinder- ing licensed book- maker from carrying on his business.

34. Subject to the provisions of this Ordinance, any Tattersalls committee or racing-club which prevents a bookmaker from carrying on his business as provided for in his bookmaker's licence or any person who hinders or obstructs a bookmaker in the carrying out of any such business shall be guilty of an offence.

Respon- sibility of Tattersalls committee and racing- club.

35.(1) No Tattersalls committee shall permit any bookmaker to carry on his business in a Tattersalls and no racing-club shall permit any bookmaker to carry on his business on a race-course unless such bookmaker is in possession of a valid bookmaker's licence and unless such business is carried on in accordance with the conditions of such licence.

(2) Any Tattersalls committee or racing-club which contravenes or fails to comply with the provisions of subsection (1) shall be guilty of an offence.

Tattersalls committee or racing- club to control betting liabilities of licensed book- maker.

36.(1) Notwithstanding the provisions of section 24 relating to the guarantee for the payment of betting debts, whenever a Tattersalls committee or racing-club becomes aware of the fact that a licensed bookmaker is incurring or likely to incur betting liabilities in excess of the guarantee furnished by such bookmaker, it may —

- order such bookmaker to limit or reduce his liabilities; or
- require such bookmaker to furnish an additional guarantee in such amount as it may determine.

(2) No licensed bookmaker who is required to furnish an additional guarantee in terms of subsection (1)(b) shall be permitted to carry on his business until such additional guarantee has been furnished.

(3) A Tattersalls committee or racing-club shall forthwith report any action taken in terms of the provisions of subsection (1) or (2) to the Provincial Secretary and to the Secretary of the Licensing Committee.

(4) Any licensed bookmaker who contravenes or fails to comply with the provisions of subsection (2) shall be guilty of an offence.

Optree-
geld vir
gelisen-
seerde
beroeps-
wedder.

37.(1) Geen wedrenklub, vereniging of ander persoon mag enige gelisenseerde beroepswedder vir die reg of voorreg om sy besigheid op 'n renbaan te dryf nie, 'n geld, gewoonlik bekend as 'n optreegeld, ople of eis, wat sodanige bedrag oorskry wat van tyd tot tyd deur die Administrateur goedgekeur word.

(2) Enige gelde soos in subartikel (1) beoog en geldig ten opsigte van 'n wedrenklub by die inwerkingtreding van hierdie Ordonnansie word geag ingevolge die bepalings van hierdie artikel goedgekeur te gewees het.

(3) Enige wedrenklub, vereniging of ander persoon wat die bepalings van subartikel (1) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Reg van
Jokkie-
klub van
Suid-
Afrika:

38. Niks in hierdie Ordonnansie vervat, word so uitgelê as sou dit die reg van die Jokkieklub van Suid-Afrika verbied om 'n beroepswedder toegang tot 'n renbaan ingevolge die bepalings van enige klousule van die Grondwet of reël of regulasie van die genoemde Klub te belet nie. Met dien verstande dat die Administrateur enige sodanige verbod tersyde kan stel.

DEEL 4.

MISDRYWE TEN OPSIGTE VAN WEDDENS- KAP EN VERWANTE AANGELEENTHEDE.

Bepor-
king op
wedden-
skappe in
sekere
omstan-
dighede.

39.(1) Niemand mag 'n weddenskap op die uitslag van enige perdewedren aangaan nie indien hy onder die ouderdom van agtien jaar is of met iemand onder daardie ouderdom.

(2) Niemand, uitgenome 'n gelisenseerde beroepswedder, mag 'n weddenskap op die uitslag van enige perdewedren aangaan nie indien sodanige weddenskap aangegaan word —

(a) by 'n totalisator ten opsigte waarvan 'n totalisatorpermit uitgereik is;

(b) gedurende 'n wedrenbyeenkoms met 'n gelisenseerde beroepswedder wat besigheid op 'n gelisenseerde renbaan dryf;

(c) met 'n gelisenseerde beroepswedder in 'n Tattersalls en sodanige persoon 'n gewone lid van sodanige Tattersalls is.

(3) Geen gelisenseerde beroepswedder mag 'n weddenskap op die uitslag van 'n perdewedren aangaan nie tensy sodanige weddenskap aangegaan is —

(a) op 'n renbaan gedurende 'n wedrenbyeenkoms by die plek aan sodanige beroepswedder toegewys met iemand wat sodanige byeenkoms bywoon of met enige ander gelisenseerde beroepswedder wat, hetsy binne of buite die Transvaal, besigheid dryf;

(b) in 'n Tattersalls in die hokkie aan sodanige beroepswedder toegewys met 'n gewone lid van sodanige Tattersalls of met enige ander gelisenseerde beroepswedder wat, hetsy binne of buite die Transvaal besigheid dryf; of

Stand-up
fee for
licensed
book-
maker.

37.(1) No racing-club, association or other person shall charge or demand from any licensed bookmaker for the right or privilege to carry on his business on a race-course, a fee, commonly known as a stand-up fee, in excess of such amount as may from time to time be approved by the Administrator.

(2) Any fee as contemplated in subsection (1) and valid in respect of a racing-club on the coming into operation of this Ordinance, shall be deemed to have been approved in terms of the provisions of this section.

(3) Any racing-club, association or other person which or who contravenes or fails to comply with the provisions of subsection (1) shall be guilty of an offence.

Right of
Jockey
Club of
South
Africa:

38. Nothing in this Ordinance contained shall be construed as affecting the right of the Jockey Club of South Africa to prohibit a bookmaker from entering a race-course in terms of the provisions of any clause of the Constitution or rule or regulation of such Club: Provided that the Administrator may set aside any such prohibition.

PART 4.

BETTING OFFENCES AND RELATED MATTERS.

Restriction
on
betting in
certain
circum-
stances.

39.(1) No person shall bet upon the result of any horse-race if he is under the age of eighteen years or with any person under that age.

(2) No person, other than a licensed bookmaker, shall bet upon the result of any horse-race unless such bet is made —

(a) at a totalizator in respect of which a totalizator permit has been issued;

(b) during a race-meeting with a licensed bookmaker carrying on business on a licensed race-course; or

(c) with a licensed bookmaker in a Tattersalls and such person is an ordinary member of such Tattersalls.

(3) No licensed bookmaker shall bet upon the result of a horse-race, unless such bet is made —

(a) on a race-course during a race-meeting at the place allocated to such bookmaker with any person attending such meeting or with any other licensed bookmaker carrying on business either in or outside the Transvaal;

(b) in a Tattersalls in the cubicle allocated to such bookmaker with an ordinary member of such Tattersalls or with any other licensed bookmaker carrying on business either in or outside the Transvaal; or

(c) by 'n totalisator ten opsigte waarvan 'n totalisatorpermit uitgereik is.

(4) Iemand wat die bepalings van subartikel (1), (2) of (3) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

(5) Waar in enige vervolging in subartikel (4) beoog —

(a) daar beweer word dat 'n misdryf gepleeg is ten opsigte van iemand onder die ouderdom van agtien jaar, word daar vermoed dat sodanige persoon onder daardie ouderdom was tensy daar bewys word dat die beskuldigde goeie rede, uitgenome die verklaring van sodanige persoon, gehad het om te glo dat sodanige persoon oor daardie ouderdom was;

(b) daar bewys word dat iemand in 'n Tattersalls gevind was en nie 'n lid van sodanige Tattersalls of 'n lid of werknemer van die Tattersallskomitee was nie, word sodanige persoon geag 'n weddenskap in sodanige Tattersalls aan te gegaan het;

(c) daar bewys word dat 'n gelisensieerde beroepswedder 'n weddenskap in 'n Tattersalls met iemand wat nie 'n gewone lid daarvan of nie 'n gelisensieerde beroepswedder wat besigheid dryf, hetsy binne of buite die Transvaal, is nie, word sodanige eersgenoemde beroepswedder geag bewus te gewees het dat sodanige persoon nie so 'n gewone lid of so 'n gelisensieerde beroepswedder was nie.

(c) at a totalizator in respect of which a totalizator permit has been issued.

(4) Any person who contravenes or fails to comply with the provisions of subsection (1), (2) or (3) shall be guilty of an offence.

(5) Where in any prosecution as contemplated in subsection (4) —

(a) it is alleged that an offence was committed in respect of a person under the age of eighteen years, it shall be presumed that such person was under that age unless it is proved that the accused had good reason, other than the statement of such person, to believe that such person was over that age;

(b) it is proved that a person was found in a Tattersalls and was not a member of such Tattersalls or a member or employee of the Tattersalls committee, such person shall be deemed to have made a bet in such Tattersalls;

(c) it is proved that a licensed bookmaker has made a bet in a Tattersalls with a person who is not an ordinary member thereof or is not a licensed bookmaker carrying on business either in or outside the Transvaal, such first-mentioned licensed bookmaker shall be deemed to have been aware that such person was not such an ordinary member or such a licensed bookmaker.

Weddenskappe in sekere plekke aan-gegaan of enige voertuig gebruik vir weddenskappe verbied.

40.(1) Niemand, hetsy as prinsipaal, agent, bestuurder, eienaar of okkupant of as werknemer van sodanige prinsipaal, agent, bestuurder, eienaar of okkupant en hetsy op een of meer geleenthede —

(a) enige huis, woonstel, kantoor, kamer, winkel of enige ander plek wat ook al gebruik, hou of oophou of toelaat dat dit gebruik, gehou of oopgehou word of enige voertuig gebruik of hou met die doel om weddenskappe aan te gaan of vir enige doel in verband met weddenskappe of as 'n ontvangsdepot om weddenskap te ontvang vir oorplasing na 'n beroepswedder of 'n totalisator;

(b) op enige wyse hulp verleen in verband met enige weddenskappe in paragraaf (a) beoog.

(2) Niemand mag, sonder wettige rede, in, op of by enige plek of in of op enige voertuig wees nie wat vir enige van die doeleindes in subartikel (1) beoog, gebruik, gehou of oopgehou word nie.

(3) Iemand wat die bepalings van subartikel (1) of (2) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete wat nie R2 000 oorskry nie of gevangenisstraf vir 'n tydperk wat nie 2 jaar oorskry nie of beide sodanige boete en sodanige gevangenisstraf.

(4) By skuldigbevinding van iemand vir 'n oortreding van hierdie artikel —

Betting in certain places or using any vehicle for betting prohibited.

40.(1) No person shall, whether as principal, agent, manager, owner or occupier or as employee of such principal, agent, manager, owner or occupier and whether on one or more occasions —

(a) use, keep or keep open or permit to be used, kept or kept open any house, flat, office, room, shop or any other place whatsoever or use or keep any vehicle, for the purpose of betting or, for any purpose connected with betting or as a receiving depot for receiving bets for transmission to a bookmaker or a totalizator;

(b) in any way render assistance in connection with any betting contemplated in paragraph (a).

(2) No person shall without lawful excuse be in, on or at any place or in or on any vehicle which is used, kept or kept open for any of the purposes contemplated in subsection (1).

(3) Any person who contravenes or fails to comply with the provisions of subsection (1) or (2) shall be guilty of an offence and liable on conviction to a fine not exceeding R2 000 or to imprisonment for a period not exceeding 2 years or to both such fine and such imprisonment.

(4) On conviction of any person for a contravention of the provisions of this section —

(a) word alle gelde, muntstukke, tjeks, wissels of skuldbewyse gevind in, op of by enige plek of voertuig in subartikel (1) beoog of by enige persoon wat in, op of by sodanige plek of voertuig was;

(b) word alle boeke, lys, kaarte, dokumente of ander stukke of enige instrument, masjien of ding wat betrekking het op of gebruik of in staat is om gebruik te word in verband met weddenskappe gevind in, op of by enige plek of voertuig in subartikel (1) beoog, of op iemand wat in, op of by sodanige plek of voertuig was; of

(c) word enige voertuig gebruik vir enige doel in subartikel (1) beoog.

aan die Administrateur verbeurd verklaar.

(5) In enige vervolging ingevolge die bepalings van hierdie artikel, word daar geag, tensy die teendeel bewys word dat —

(a) geld of ander teenprestasie ten opsigte van enige weddenskap wat die onderwerp van die aanklag in sodanige vervolging is, gee is;

(b) enige plek of voertuig waarin enige wedrenkaart, dokument, boek, lys of enige ander artikel of ding van watter aard ook al betreffende weddenskappe of enige doel in verband met weddenskappe, gevind word, gebruik, gehou of oopgehou was vir sodanige doeleindes ondanks dat sodanige plek of voertuig gebruik, gehou of oopgehou vir enige ander doel is of kan word; en

(c) iemand in, op of by 'n plek of voertuig in subartikel (1) beoog, gevind was in, op of by sodanige plek of voertuig sonder wetlike rede was.

(6) Die bepalings van hierdie artikel is nie van toepassing op —

(a) 'n gelisensieerde beroepswedder ten opsigte van die plek van besigheid aan hom op enige renbaan of in 'n Tattersalls toegeken of op iemand in sy diens by sodanige plek;

(b) die houer van 'n totalisatorpermit of op iemand in sy diens of op die geboue waarin die totalisator gedryf word of op enige voertuig deur sodanige houer gebruik;

(c) 'n Tattersallskomitee ten opsigte van sy geboue of op 'n wedrenklub ten opsigte van sy gelisensieerde renbaan; of

(d) die houer van 'n lisensie ingevolge die bepalings van artikel 9 ten opsigte van die grond gespesifiseer in sodanige lisensie op 'n dag waarop 'n wedrenbyeenkoms gehou word en op 'n totalisator op sodanige grond bestuur.

41.(1) Niemand mag —

(a) hetsy vir wins of andersins as 'n agent vir 'n beroepswedder met die doel om weddenskappe aan te gaan, optree nie;

(b) vir wins as 'n bemiddelaar tussen enige ander persoon en gelisensieerde beroeps-

(a) all moneys, coins, cheques, bills or promissory notes found in, on or at any place or vehicle contemplated in subsection (1) or on any person who was in, on or at such place or vehicle;

(b) all books, lists, cards, documents or other papers or any instrument, machine or thing relating to or used or capable of being used in connection with betting found in, on or at any place or vehicle contemplated in subsection (1) or on any person who was in, on or at such place or vehicle; or

(c) any vehicle used for any purpose contemplated in subsection (1),

shall be forfeited to the Administrator.

(5) In any prosecution in terms of the provisions of this section, it shall be deemed, unless the contrary is proved that —

(a) money or other consideration was given in respect of any bet which is the subject of the charge in such prosecution;

(b) any place or vehicle in which any race-card, document book, list or any other article or thing of whatever nature relating to betting or any purpose connected with betting is found, was used, kept or kept open for such purposes, notwithstanding such place or vehicle is or may be kept or kept open for any other purpose; and

(c) any person found in, on or at a place or vehicle contemplated in subsection (1), was in, on or at such place or vehicle without lawful excuse.

(6) The provisions of this section shall not apply to —

(a) a licensed bookmaker in respect of the place of business allocated to him on any race-course or in a Tattersalls or to any person in his employ at such place;

(b) the holder of a totalisator permit or any person in his employ or to the premises in which the totalisator is conducted or to any vehicle used by such holder;

(c) a Tattersalls committee in respect of its premises or to a racing-club in respect of its licensed race-course; or

(d) the holder of a licence issued in terms of the provisions of section 9 in respect of the land specified in such licence on a day on which a race-meeting is held and to a totalisator conducted on such land.

41.(1) No person shall —

(a) whether for gain or otherwise, act as an agent for a bookmaker for the purpose of betting;

(b) for gain act as an intermediary between

Beperking op weddenskappe deur agent aangaan.

Restriction on betting through agents.

wedder met die doel om 'n weddenskap aan te gaan, optree nie; of

- (c) vir wins as 'n bemiddelaar tussen enige ander persoon en totalisator met die doel om 'n weddenskap aan te gaan, optree nie.

(2) Geen gelisensieerde beroepswedder mag, hetsy regstreeks of onregstreeks, aan enige persoon enige geld of enigiets wat waardevol is, betaal, skenk of belowe of onderneem om te betaal of skenk nie, uitgenome die bedrag van 'n weddenskap deur sodanige persoon wettiglik aangegaan en gewen, om sodanige persoon oor te haal om met sodanige beroepswedder 'n weddenskap of enige ander gelisensieerde beroepswedder aan te gaan of sodanige persoon oor te haal om enige ander persoon te verkry om 'n weddenskap met sodanige beroepswedder of enige ander beroepswedder aan te gaan.

(3) Iemand wat die bepalings van subartikel (1) of (2) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

(4) By die toepassing van subartikel (1)(b) of (c), word iemand geag 'n bemiddelaar te wees, indien hy met 'n gelisensieerde beroepswedder of by 'n totalisator 'n weddenskap ten behoeve van enige ander persoon aangaan of van enige ander persoon enige geld, kaartjie of dokument ontvang met die doel om by 'n gelisensieerde beroepswedder of by 'n totalisator 'n weddenskap ten behoeve van sodanige ander persoon aan te gaan: Met dien verstande dat die bepalings van hierdie artikel nie van toepassing op 'n wedrenklub, Tattersalls of totalisator of 'n werknemer van sodanige wedrenklub, Tattersalls of totalisator in sodanige omstandighede deur die Administrateur voorgeskryf, is nie.

(5) Enige kaartjie of dokument betreffende weddenskappe en enige geld gevind op enige persoon of in enige voertuig wat deur sodanige persoon vir die vervoer van sodanige kaartjie, dokument of geld gebruik is en sodanige voertuig word, by skuldigbevinding van sodanige persoon aan die bepalings van hierdie artikel, aan die Administrateur verbeurd verklaar.

Bevoegdheid van betreding en visentering deur gemagtigde beampte.

42. Ondanks andersluidende bepalings in enige ander wet vervat, kan 'n gemagtigde beampte wanneer hy redelike gronde het om te vermoed dat 'n oortreding van die bepalings van hierdie Ordonnansie plaasvind of plaasgevind het —

- (a) enige grond, insluitende enige gebou of ander struktuur daarop betree en visenteer en hy kan enige persoon daarin gevind, visenteer;
- (b) enige voertuig en enige persoon in sodanige voertuig gevind, stop en visenteer;
- (c) enigiets wat, na sy mening, tot bewys kon strek van die pleging van 'n misdryf of wat gebruik was of gebruik kon word met die doel om 'n misdryf teen hierdie Ordonnansie te pleeg of in verband met sodanige misdryf, in beslag neem;
- (d) van enige persoon sy naam en adres eis —
 - (i) wat 'n misdryf ingevolge hierdie Ordonnansie gepleeg het of wat redelik

any other person and a licensed bookmaker for the purpose of betting; or

- (c) for gain act as an intermediary between any other person and a totalizator for the purpose of betting.

(2) No licensed bookmaker shall, either directly or indirectly, pay, give or promise or undertake to pay or give to any person any money or valuable thing, other than payment of a bet legally made and won by such person, as inducement for such person to bet with such bookmaker or any other licensed bookmaker or as inducement for procuring any other person to bet with such bookmaker or any other licensed bookmaker.

(3) Any person who contravenes or fails to comply with the provisions of subsection (1) or (2) shall be guilty of an offence.

(4) For the purpose of subsection (1)(b) or (c) a person shall be deemed to be an intermediary if he bets with a licensed bookmaker or at a totalizator on behalf of any other person or accepts from any other person any money, ticket or document for the purpose of betting with a licensed bookmaker or at a totalizator on behalf of such other person: Provided that the provisions of this section shall not apply to a racing-club, Tattersalls or totalizator or an employee of such racing-club, Tattersalls or totalizator in such circumstances as the Administrator may prescribe.

(5) Any ticket or document relating to betting and any money found on any person or in any vehicle used by such person for the conveyance of such ticket, document or money and such vehicle shall, on conviction of such person for a contravention of the provisions of this section, be forfeited to the Administrator.

Power to enter and search by authorized officer.

42.(1) Notwithstanding anything to the contrary in any law contained, whenever any authorized officer has reasonable grounds for suspecting that a contravention of the provisions of this Ordinance is taking place or has taken place, he may —

- (a) enter and search any land, including any building or structure thereon and he may search any person found therein;
- (b) stop and search any vehicle and any person found in such vehicle;
- (c) seize anything which in his opinion may afford evidence of the commission of an offence or which was or could be used for the purpose of the commission of an offence against this Ordinance or in connection with any such offence;
- (d) demand the name and address of any person —
 - (i) who has committed an offence or who is reasonably suspected of having com-

vermoed word 'n misdryf ingevolge daarvan te gepleeg het; of

- (ii) wat, na die mening van sodanige beampte, in staat sou wees om getuienis te lewer in verband met 'n misdryf ingevolge hierdie Ordonnansie gepleeg of redelik vermoed word ingevolge daarvan gepleeg te gewees het; en
- (e) iemand wat, na sy mening, inligting in verband met 'n misdryf of vermoedelike misdryf teen hierdie Ordonnansie besit, beveel om aan hom sodanige inligting te verskaf.

(2) Die bepalings van artikel 29 van die Strafproseswet, 1977 (Wet 51 van 1977) is *mutatis mutandis* van toepassing op 'n betreding en visentering deur 'n gemagtigde beampte ingevolge die bepalings van subartikel (1).

(3) Iemand wat —

- (a) 'n gemagtigde beampte in die uitoefening van enige bevoegdheid aan hom verleen of in die uitvoering van enige funksie of plig op hom gelê ingevolge subartikel (1), opsetlik belemmer, verhinder of dwarsboom;
- (b) weier of versuim om aan enige bevel, voorskrif of vereiste van 'n gemagtigde beampte in die uitvoering van enige bevoegdheid of die uitvoering van enige funksie of plig ingevolge subartikel (1) te voldoen;
- (c) aan 'n gemagtigde beampte valse of misleidende inligting verskaf; of
- (d) valslik voorgee om 'n gemagtigde beampte te wees,

is aan 'n misdryf skuldig.

Middel-
like aansprek-
likeheid van
beroeps-
wedders.

43. Wanneer enige klerk in diens van 'n beroepswedder enige daad verrig of nalaat om dit te verrig wat 'n misdryf ingevolge die bepalings van hierdie Hoofstuk sou wees om te verrig of nalaat om te verrig, word die betrokke beroepswedder, benewens enige aanspreklikeheid van sodanige klerk, geag dat hy self daardie daad verrig het of nagelaat het om dit te verrig.

DEEL 5.

VEREFFENING VAN WEDDENSAPPE.

Plekke
vir ver-
effening
van wed-
denskappe.

44.(1) Ondanks andersluidende bepalings in hierdie Ordonnansie vervat —

- (a) kan die houder van 'n totalisatorpermit weddenskappe by 'n totalisator aangegaan by die plek in sodanige permit gespesifiseer, vereffen;
- (b) kan die Administrateur, onderworpe aan sodanige voorwaardes wat hy goed ag, 'n skriftelike magtiging aan enige persoon uitreik om die plek in sodanige magtiging gespesifiseer, oop te hou waar weddenskappe aangegaan by 'n wedrenbyeenkoms op 'n renbaan vereffen kan word, ongeag of sodanige wedrenbyeenkoms binne of buite hierdie Provinsie gehou is; en

mitted an offence against this Ordinance; or

- (ii) who, in the opinion of such officer, would be able to give evidence in connection with an offence committed or reasonably suspected to have been committed against this Ordinance; and
- (e) order any person who, in his opinion, has information in connection with an offence or suspected offence against this Ordinance to furnish him with such information.

(2) The provisions of section 29 of the Criminal Procedure Act, 1977 (Act 51 of 1977) shall apply *mutatis mutandis* to an entry and search by an authorized officer in terms of the provisions of this section.

(3) Any person who —

- (a) wilfully obstructs, hinders or interferes with an authorized officer in the exercise of any power conferred on him or in the performance of any function or duty imposed on him in terms of subsection (1);
- (b) refuses or fails to comply with any order, direction or requirement given or made by an authorized officer in the exercise of any power or the performance of any function or duty in terms of the provisions of this section;
- (c) wilfully furnishes an authorized officer with false or misleading information; or
- (d) falsely pretends to be an authorized officer, shall be guilty of an offence.

Vicarious
responsi-
bility of
book-
maker.

43. Whenever any clerk in the employ of a bookmaker does, or omits to do, any act which it would be an offence in terms of the provisions of this Chapter to do or omit to do, the bookmaker concerned shall, in addition to any liability of such clerk, in respect thereof, be deemed himself to have done or omitted to have done that act.

PART 5.

SETTLEMENT OF BETS.

Places
for
settling
of bets.

44.(1) Notwithstanding anything to the contrary contained in this Ordinance —

- (a) the holder of a totalisator permit may settle bets made at a totalisator at the place or places specified in such permit;
- (b) the Administrator may, subject to such conditions as he may deem fit, issue a written authorization to any person to keep open a place or places specified in such authorization at which bets made at a race-meeting on a race-course may be settled, irrespective of whether such race-meeting is held in or outside this Province; and

(c) enige weddenskappe by enige Tattersalls aangegaan, word by die betrokke Tattersalls soos in artikel 14(1) beoog, vereffen onderworpe aan sodanige voorwaardes wat voorgeskryf word.

(2) Iemand aan wie 'n magtiging ingevolge subartikel (1)(b) uitgereik is, kan enige plek daarin gespesifiseer gebruik vir enige ander doel in verband met perdewedrenne indien sodanige gebruik nie op 'n oortreding van die bepalings van hierdie Ordonnansie of enige ander wet neerkom nie.

(3) Die Administrateur kan te eniger tyd —

(a) enige voorwaarde ingevolge subartikel (1)(b) opgelê, wysig of intrek; of

(b) enige magtiging ingevolge subartikel (1)(b) uitgereik, intrek, indien die houër van sodanige magtiging enige bepaling van 'n wet betreffende perdewedrenne en weddenskappe oortree.

(4) Tensy ingevolge die bepalings van hierdie Ordonnansie vroeër ingetrek, is 'n magtiging ingevolge die bepalings van subartikel (1)(b) uitgereik, geldig vir die tydperk daarin vermeld.

(5) Iemand wat versuim om aan enige voorwaarde van 'n magtiging ingevolge subartikel (1)(b) uitgereik, te voldoen, is aan 'n misdryf skuldig.

HOOFSTUK 3.

BELASTING EN HEFFINGS.

Belasting op toegang tot gelisensieerde renbaan.

45.(1) Elke wedrenklub betaal aan die Sekretaris van Binnelandse Inkomste ten bate van die Provinsiale Inkomstefonds 'n belasting bereken teen die koers van 33½ persent van die bruto bedrag deur sodanige wedrenklub in gelde as toegang tot sy gelisensieerde renbaan ontvang.

(2) Elke wedrenklub moet —

(a) by die Sekretaris van Binnelandse Inkomste sekuriteit vir die betaling van die belasting in subartikel (1) beoog in sodanige vorm en sodanige bedrag wat hy van tyd tot tyd vereis, indien;

(b) sodanige rekord hou en sodanige reëlings tref, insluitende die oprigting van afsluitings en draaihekke wat sodanige Sekretaris bepaal om die aantal persons toegelaat na sy gelisensieerde renbaan en die bedrag deur sodanige persone betaal vir toegang tot sodanige renbaan, te bepaal;

(c) binne vier dae vanaf die hou van 'n wedrenbyeenkoms sodanige Sekretaris van 'n beëdigde verklaring voorsien wat —

(i) die naam van die wedrenklub en die gelisensieerde renbaan;

(ii) die datum waarop die wedrenbyeenkoms gehou is;

(iii) die bruto bedrag ten opsigte van alle betalings vir toegang tot sodanige

(c) any bets made at any Tattersalls shall be settled at the Tattersalls concerned as contemplated in section 14(1) subject to such conditions as may be prescribed.

(2) A person to whom an authorization has been issued in terms of the provisions of subsection (1)(b) may use any place specified therein for any other purpose in connection with racing if such use does not amount to a contravention of the provisions of this Ordinance or any other law.

(3) The Administrator may at any time —

(a) amend or cancel any condition imposed in terms of the provisions of subsection (1)(b); or

(b) cancel any authorization issued in terms of the provisions of subsection (1)(b) if the holder of such authorization contravenes any provision of a law relating to horse-racing and betting.

(4) Unless sooner cancelled in terms of the provisions of this Ordinance, an authorization issued in terms of subsection (1)(b) shall be valid for the period stated therein.

(5) Any person who fails to comply with any condition of an authorization issued in terms of this section shall be guilty of an offence.

CHAPTER 3.

TAXATION AND LEVIES.

Tax on admission to licensed race-course.

45.(1) Every racing-club shall pay to the Secretary for Inland Revenue for the benefit of the Provincial Revenue Fund a tax calculated at the rate of 33½ per cent of the gross amount received by such racing-club in fees for admission to its licensed race-course.

(2) Every racing-club shall —

(a) lodge with the Secretary for Inland Revenue security for the payment of the tax contemplated in subsection (1) in such form and in such amount as he may from time to time require;

(b) keep such record of, and make such arrangements, including the erection of barriers and turnstiles, for determining the number of persons admitted to its licensed race-course and the amount paid by such persons for admission to such race-course as such Secretary may determine;

(c) within four days of the holding of a race-meeting furnish such Secretary with a sworn statement showing —

(i) the name of the racing-club and the licensed race-course;

(ii) the date on which the race-meeting was held;

(iii) the gross amount received in respect of all payments for admission to such race-course on such date; and

wedrenbaan op sodanige datum, ontvang; en

(iv) die bedrag van belasting verskuldig, aantoon en betaal terselfder tyd sodanige belasting.

(3) Die Sekretaris van Binnelandse Inkomste kan enige sekuriteit of gedeelte daarvan by hom ingevolge subartikel (2)(a) ingedien ter vereffening of gedeeltelike vereffening van enige belasting ingevolge hierdie artikel verskuldig, gebruik.

(4) Enige gemagtigde beampte en enige beampte skriftelik deur die Sekretaris van Binnelandse Inkomste daartoe gemagtig, kan te eniger redelike tyd —

(a) 'n gelisensieerde renbaan vir die doeleindes om te bepaal of aan die bepalings van hierdie artikel voldoen word of is, betree; of

(b) enige boek, dokument, stuk, masjien of draaihek in verband met die toegang van persone tot 'n gelisensieerde renbaan, ondersoek.

(5) Enige wedrenklub wat die bepalings van hierdie artikel oortree of versuim om daaraan te voldoen en iemand wat 'n beampte in subartikel (4) beoog, belet, verhinder of belemmer om 'n gelisensieerde renbaan te betree of 'n ondersoek in die genoemde artikel beoog, uit te voer is aan 'n misdryf skuldig.

Totalisator-belasting.

46.(1) 'n Wedrenklub betaal ten opsigte van 'n totalisator wat deur hom of namens hom deur die Raad bestuur word, en 'n houer van 'n lisensie uitgereik ingevolge artikel 9 betaal ten opsigte van 'n totalisator deur hom bestuur, en die Raad betaal, ten opsigte van 'n totalisator deur hom bestuur namens 'n persoon genoem in artikel 11(1)(c), aan die Sekretaris van Binnelandse Inkomste ten bate van die Provinsiale Inkomstefonds, 'n belasting, behoudens die bepalings van subartikel (5), bereken —

(a) teen sodanige persentasie van die bruto ontvangste van sodanige totalisator wat die Administrateur voorskryf of van sodanige mindere gedeelte van sodanige ontvangste wat insgelyks voorgeskryf word;

(b) teen 'n tarief van vyftig persent van die netto ontvangste by sodanige totalisator wat, nadat 'n dividend op sodanige ontvangste verklaar is, nie uitgekeer is nie omdat geen breukgedeelte van tien sent as dividend verklaar is nie of omdat geen kaartjie wat die houer daarvan op 'n dividend geregtig sou maak, van die hand gesit is nie; en

(c) teen 'n tarief van vyftig persent van alle sodanige dividende wat drie maande nadat dit verklaar is nog nie uitbetaal is nie;

Met dien verstande dat die bepalings van paragrafe (b) en (c) nie op die Raad van toepassing is nie, ten opsigte van 'n totalisator deur hom namens 'n persoon genoem in artikel 11(1)(c), bestuur.

(iv) the amount of tax due,

and shall at the same time pay such tax.

(3) The Secretary for Inland Revenue may utilise any security or part thereof lodged with him in terms of subsection (2)(a) in settlement or part settlement of any tax due in terms of this section.

(4) Any authorized officer and any officer authorized thereto in writing by the Secretary for Inland Revenue may at any reasonable time —

(a) enter a licensed race-course for the purpose of determining whether the provisions of this section are being or have been complied with, or

(b) inspect any book, document, paper, machine or turnstile used in connection with the admission of persons to a licensed race-course.

(5) Any racing-club which contravenes or fails to comply with the provisions of this section and any person who prevents, hinders or obstructs an officer contemplated in subsection (4) from entering a licensed race-course or carrying out an inspection contemplated in that subsection shall be guilty of an offence.

Totalisator tax.

46.(1) A racing-club shall in respect of a totalizator conducted by it or by the Board on its behalf, and the holder of a licence issued in terms of section 9, shall in respect of a totalizator conducted by him, and the Board shall in respect of a totalizator conducted by it on behalf of the person referred to in section 11(1)(c), pay to the Secretary for Inland Revenue for the benefit of the Provincial Revenue Fund a tax, calculated, subject to the provisions of subsection (5) —

(a) at such percentage of the gross takings of such totalizator as the Administrator may prescribe or of such lesser portion of such takings as may likewise be prescribed;

(b) at the rate of fifty per cent of the net takings at such totalizator which, after a dividend on such takings has been declared, are undistributed because no fractional part of ten cents is declared as a dividend or no ticket which would entitle the holder thereof to a dividend, was disposed of; and

(c) at the rate of fifty per cent of all such dividends as are unpaid three months after they were declared:

Provided that the provisions of paragraphs (b) and (c) shall not apply to the Board in respect of a totalizator conducted by it on behalf of a person referred to in section 11(1)(c).

(2) 'n Wedrenklub moet ten opsigte van 'n totalisator wat deur hom of namens hom deur die Raad bestuur word, en 'n houer van 'n lisensie uitgereik ingevolge artikel 9 moet ten opsigte van 'n totalisator deur hom bestuur, en die Raad moet ten opsigte van 'n totalisator wat deur hom namens 'n persoon genoem in artikel 11(1)(c) bestuur word, aan die Sekretaris van Binnelandse Inkomste binne die tydperk in subartikel (3) vermeld, 'n beëdigde verklaring op die wyse deur genoemde Sekretaris bepaal, voorlê waarin vermeld word vir sover dit die betaling van die belasting in subartikel (1) genoem, raak —

- (a) die bruto ontvangste van elke totalisator en die totale bedrag van onuitgekeerde netto ontvangste by sodanige totalisator soos in subartikel (1)(b) beoog; en
- (b) die totale bedrag aan onbetaalde dividende soos in subartikel (1)(c) beoog; of
- (c) waar daar geen ontvangste of geen onbetaalde dividende was nie, sodanige feit.

(3) Die in subartikel (2) vermelde beëdigde verklaring moet voorgelê word binne een-en-twintig dae na die datum van elke wedrenbyeenkoms ten opsigte waarvan sodanige totalisator bestuur is en, in die geval waar dividende verklaar is wat na 'n tydperk van drie maande na sodanige verklaring nog nie uitbetaal is nie, binne een-en-twintig dae na die verstryking van die vermelde tydperk van drie maande.

(4) Die belasting verskuldig ingevolge subartikel (1) moet tegelykertyd met die voorlegging van die verklaring in subartikel (2) vermeld, betaal word.

(5) Die bedrag van die belasting kragtens subartikel (1)(a) betaalbaar tesame met die bedrag van die kommissie in artikel 13 genoem, mag nie sodanige persentasie van die bruto ontvangste by sodanige totalisator wat die Administrateur voorskryf, oorskryf nie.

(6) By die toepassing van subartikel (1)(b), beteken "netto ontvangste" die verskil tussen bruto ontvangste by 'n totalisator en die totale bedrag van die kommissie genoem in artikel 13 en die belasting genoem in subartikel (1).

(7) Indien enige bedrag van die belasting ingevolge subartikel (1) verskuldig, nie binne die tydperk in subartikel (3) genoem, betaal word nie, betaal die wedrenklub of die houer van 'n lisensie ingevolge artikel 9 of die Raad, na gelang van die geval, 'n boete op die bedrag van sodanige belasting soos in artikel 7 van die Wet op Finansiële Verhoudings, 1976 (Wet 65 van 1976) bepaal.

(8) 'n Wedrenklub of 'n houer van 'n lisensie uitgereik kragtens artikel 9 is verplig om —

- (a) binne sewe dae nadat 'n wedrenbyeenkoms deur sodanige klub of houer gehou is, al die besonderhede in subartikel (2)(a) en (b) beoog, in 'n boek wat vir die doel gehou word, aan te teken of te laat aanteken; en
- (b) te alle redelike tye aan 'n gemagtigde beampte of deur iemand wat behoorlik deur

(2) A racing-club shall in respect of a totalizator conducted by it or by the Board on its behalf, and a holder of a licence issued in terms of section 9 shall, in respect of a totalizator conducted by him, and the Board shall, in respect of a totalizator conducted by it on behalf of a person referred to in section 11(1)(c), submit to the Secretary for Inland Revenue, within the period stated in subsection (3), a sworn statement in the manner determined by such Secretary, stating in so far as it is relevant to the payment of the tax referred to in subsection (1) —

- (a) the gross takings of each totalizator and the total amount of undistributed net takings at such totalizator as contemplated in subsection (1)(b); and
- (b) the total amount of unpaid dividends as contemplated in subsection (1)(c); or
- (c) where there have been no takings or no unpaid dividends, such fact.

(3) The sworn statement referred to in subsection (2) shall be submitted within twenty-one days after the date of every race-meeting in respect of which such totalizator was conducted and, in the case where dividends were declared which have remained unpaid for a period of three months after such declaration, within twenty-one days after the expiration of the said period of three months.

(4) The tax due in terms of subsection (1) shall be paid simultaneously with the submission of the sworn statement referred to in subsection (2).

(5) The amount of the tax payable in terms of subsection (1)(a) together with the commission referred to in section 13 shall not exceed such percentage of the gross takings at such totalizator as the Administrator may prescribe.

(6) For the purposes of subsection (1)(b), "net takings" means the difference between the gross totalizator takings and the sum total of the commission referred to in section 13 and the tax referred to in subsection (1)(a).

(7) If any amount of the tax due in terms of subsection (1) is not paid within the period referred to in subsection (3), the racing-club or the holder of a licence in terms of section 9 or the Board, as the case may be, shall pay a penalty on the amount of such tax as provided for in section 7 of the Financial Relations Act, 1976 (Act 65 of 1976).

(8) A racing-club or the holder of a licence issued in terms of section 9 shall —

- (a) within seven days after a race-meeting has been held by such club or holder enter or cause to be entered in a book kept for that purpose all such particulars as are contemplated in subsection (2)(a) and (b); and
- (b) permit the inspection of such book at all reasonable times by an authorized officer

die Provinsiale Sekretaris of die Sekretaris van Binnelandse Inkomste skriftelik daartoe gemagtig is, insae in sodanige boek te verleen.

(9) 'n Wedrenklub of houer van 'n lisensie uitgereik ingevolge artikel 9 wat die bepalings van subartikel (8) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

(10) As die Administrateur van mening is dat 'n wedrenklub of die houer van 'n lisensie uitgereik ingevolge artikel 9 die bepalings van subartikel (2), (3) of (4) oortree of versuim het om daaraan te voldoen of in die verklaring beoog in subartikel (2), opsetlik inligting verstrek het wat vals is of bedoel is om te bedrieg, kan hy enige lisensie of permit of magtiging wat aan sodanige klub of houer ingevolge die bepalings van hierdie Ordonnansie uitgereik is, intrek.

Belasting
op wed-
denskap-
transak-
sies.

47.(1) Daar word ten bate van die Provinsiale Inkomstefonds sodanige belastinge wat hierna genoem word, gevorder, gehef en ingevorder en betaalbaar —

(a) deur elke persoon, insluitende 'n beroepswedder, wat 'n weddenskap by 'n beroepswedder aangegaan het op die bedrag wat aan so 'n persoon deur die beroepswedder betaalbaar is ten opsigte van daardie weddenskap, met uitsondering van die bedrag wat die bedrag van die inset verteenwoordig —

(i) op enige renbaan; of

(ii) by enige Tattersalls,

bereken teen sodanige persentasie van sodanige bedrag wat ten opsigte van sodanige renbaan of Tattersalls voorgeskryf word;

(b) op die bedrag van sy netto-winst uit weddenskappe wat aangegaan is —

(i) op enige gelisensieerde renbaan; of

(ii) by enige Tattersalls,

bereken teen sodanige persentasie van sodanige bedrag wat ten opsigte van sodanige renbaan of Tattersalls voorgeskryf word.

(2) 'n Gelisensieerde beroepswedder wat daarvoor aanspreeklik is om aan enige persoon 'n bedrag te betaal waarop die belasting in subartikel (1)(a) genoem, betaalbaar is, moet die betaalbare belasting aftrek van sodanige bedrag en moet dit stort op die Provinsiale Inkomstefonds tesame met die bedrae deur hom betaalbaar ingevolge subartikel (1)(b). Met dien verstande dat geen gelisensieerde beroepswedder ten opsigte van enige besondere wedren 'n groter bedrag aan belastinge in subartikel (1)(a) en (b) op die Provinsiale Inkomstefonds hoef te stort nie as wat betaalbaar sou wees indien die totaal van die betaalbare belastinge bereken word op die bedrag wat verkry word deur van die totale bedrag wat by hom verwed is ten opsigte van alle weddenskappe op sodanige wedren, af te trek —

or by any person duly authorized thereto in writing by the Provincial Secretary or by the Secretary for Inland Revenue.

(9) A racing-club or the holder of a licence issued in terms of section 9 which or who contravenes or fails to comply with the provisions of subsection (8) shall be guilty of an offence.

(10) If the Administrator is of the opinion that a racing-club or the holder of a licence issued in terms of section 9 has contravened or failed to comply with the provisions of subsection (2), (3) or (4), or has in the statement contemplated in subsection (2) intentionally furnished information which is false or intended to deceive, he may cancel any licence, permit or authorization issued to such club or holder in terms of the provisions of this Ordinance.

Tax on
betting
transac-
tions.

47.(1) There shall be charged, levied and collected for the benefit of the Provincial Revenue Fund, such taxes as are hereinafter referred to and payable —

(a) by every person including a bookmaker who has made a bet with a bookmaker on the amount payable to such person by the bookmaker in respect of that bet excluding the amount representing the amount staked —

(i) at any licensed race-course; or

(ii) at any Tattersalls,

calculated at such percentage of such amount as may be prescribed in respect of such race-course or Tattersalls;

(b) by every licensed bookmaker on the amount of his net winnings arising from bets made —

(i) at any licensed race-course; or

(ii) at any Tattersalls,

calculated at such percentage of such amount as may be prescribed in respect of such race-course or Tattersalls.

(2) A licensed bookmaker who is liable to pay to any person an amount on which the tax referred to in subsection (1)(a) is payable, shall deduct the tax payable from such amount and pay it over to the Provincial Revenue Fund together with the amount payable by him in terms of subsection (1)(b). Provided that no licensed bookmaker shall be required to pay over to the Provincial Revenue Fund in respect of any one race any greater amount in taxes referred to in subsection (1)(a) and (b) than would be payable if the total of the taxes payable were calculated upon a sum arrived at by deducting from the aggregate amount staked with him in respect of all bets on such race —

- (a) die totale bedrag wat by hom verwed is ten opsigte van weddenskappe deur hom op sodanige wedren verloor; en
- (b) die totale bedrag deur hom verwed ten opsigte van weddenskappe deur hom verloor op sodanige wedren en geplaas —
 - (i) op 'n gelisensieerde totalisator in die Transvaal; en
 - (ii) by 'n gelisensieerde beroepswedder wat in die Transvaal besigheid dryf:

Met dien verstande voorts dat die bedrag in subartikel (1)(b) genoem nie die totale bedrag wat by hom verwed is ten opsigte van alle weddenskappe op sodanige wedren, oorskry nie.

(3) By die toepassing van hierdie artikel beteken die uitdrukking "netto-winst" die bruto bedrag van geld, sekuriteit of waardevolle ding gedeponeer of ooreengekom om gedeponeer te word as 'n inset by 'n beroepswedder deur enige persoon ten opsigte van elke weddenskap wat sodanige persoon met sodanige beroepswedder aangegaan het min enige bedrag wat deur sodanige beroepswedder aan enige persoon betaalbaar is ter vereffening van enige weddenskap op 'n perd wat gewen het met inbegrip van die bedrag gedeponeer as 'n inset ten opsigte van sodanige weddenskap op 'n perd wat gewen het.

(4) Elke beroepswedder moet, nie later as Dinsdag van elke week of, indien enige Dinsdag 'n openbare feesdag is, nie later as die eerste werksdag wat op sodanige Dinsdag volg, by die Sekretaris van Binnelandse inkomste 'n bedigde verklaring in sodanige vorm en bevattende sodanige inligting betreffende sy weddenskaptransaksies gedurende die vorige week wat voorskryf word, indien en hy moet terselfdertyd die belasting verskuldig op sodanige transaksies betaal: Met dien verstande dat indien daar geen transaksies was nie, moet hierdie feit insgelyks verklaar word.

(5) Indien enige bedrag van die belasting ingevolge subartikel (1) verskuldig, nie binne die tydperk in subartikel (4) genoem, betaal word nie, betaal die beroepswedder 'n boete op die bedrag van sodanige belasting soos in artikel 7 van die Wet op Finansiële Verhoudings, 1976 (Wet 65 van 1976) bepaal.

(6) Enige beroepswedder wat —

- (a) versuim om 'n verklaring ingevolge subartikel (4) in te dien;
- (b) versuim om die belasting ingevolge subartikel (4) te betaal; of
- (c) 'n valse of misleidende verklaring indien, is aan 'n misdryf skuldig.

(7) Wanneer enige beroepswedder versuim om binne sewe dae 'n verklaring in te dien of die belasting te betaal soos vereis ingevolge subartikel (4), word die beroepswedderslisensie van sodanige beroepswedder geag opgeskort te wees en sodanige beroepswedder dryf nie die besigheid van 'n beroepswedder of word toegelaat om sodanige besigheid te dryf totdat soda-

- (a) the aggregate amount staked with him in respect of bets lost by him on such race; and
- (b) the aggregate amount staked by him in respect of bets lost by him on such race and placed —

(i) on a licensed totalizator in the Transvaal; and

(ii) with a licensed bookmaker carrying on business in the Transvaal:

Provided further that the amount referred to in subsection (1)(b) shall not exceed the aggregate amount staked with him in respect of all bets on such race.

(3) For the purposes of this section the term "net winnings" means the gross amount of money, security or valuable thing deposited or agreed to be deposited as a stake with a bookmaker by any person in respect of every bet made by such person with such bookmaker less any amount payable to any such person by such bookmaker in settlement of any winning bet inclusive of the amount deposited as a stake in respect of such winning bet.

(4) Every bookmaker shall, not later than Tuesday in each week or, if any Tuesday is a public holiday, not later than the first working day following such Tuesday, lodge with the Secretary for Inland Revenue a sworn declaration in such form and containing such information in regard to his betting transactions during the preceding week as may be prescribed, and he shall at the same time pay the tax due on such transactions: Provided that if there were no transactions this fact shall likewise be declared.

(5) If any amount of the tax due in terms of subsection (1) is not paid within the period referred to in subsection (4), the bookmaker shall pay a penalty on the amount of such tax as provided for in section 7 of the Financial Relations Act, 1976 (Act 65 of 1976).

(6) Any bookmaker who —

- (a) fails to lodge a declaration in terms of subsection (4);
- (b) fails to pay the tax in terms of subsection (1); or
- (c) lodges a false or misleading declaration, shall be guilty of an offence.

(7) Whenever any bookmaker fails within seven days to lodge a declaration or to pay the tax as required by subsection (4) the bookmaker's licence of such bookmaker shall be deemed to have been suspended and such bookmaker shall not carry on the business of a bookmaker or be permitted to carry on such

nige verklaring ingedien en enige boete betaal is nie.

(8) Die Administrateur kan —

- (a) die wyse waarop 'n gelisensieerde beroepswedder weddenskappe deur hom aangegaan, moet aanteken;
- (b) die boeke en rekords wat deur 'n gelisensieerde beroepswedder gehou moet word; en
- (c) die opgawes deur 'n gelisensieerde beroepswedder, wedrenklub of 'n Tattersallskomitee betreffende weddenskappe verskaf moet word,

voorskryf.

Gelisensieerde beroepswedder sekeriteit te verskaf.

48.(1) Ondanks andersluidende bepalings in hierdie Ordonnansie vervat, dryf geen gelisensieerde beroepswedder sy besigheid totdat hy die Sekretaris van Binnelandse Inkomste van sekuriteit vir die betaling van enige belasting ingevolge die bepalings van hierdie Hoofstuk verskuldig, verskaf het in sodanige vorm en in sodanige bedrag wat sodanige Sekretaris bepaal.

(2) Die Sekretaris van Binnelandse Inkomste kan te eniger tyd 'n gelisensieerde beroepswedder versoek om hom van bykomstige sekuriteit, hetsy vir 'n spesifieke tydperk of andersins, te verskaf en sodanige bykomstige sekuriteit is insgelyks in sodanige vorm en in sodanige bedrag wat sodanige Sekretaris bepaal.

(3) Die Sekretaris van Binnelandse Inkomste kan na goeie dinge enige sekuriteit vir die vereffing of gedeeltelike vereffening van enige onbetaalde belasting ingevolge die bepalings van hierdie Hoofstuk verskuldig, gebruik.

(4) Enige beroepswedder wat die bepalings van subartikels (1) of (2) oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig.

Boeke voorgelê te word.

49.(1) 'n Gemagtigde beampte of enige beampte deur die Sekretaris van Binnelandse Inkomste skriftelik daartoe gemagtig, kan te eniger tyd die voorlegging eis van enige boek, dokument, kaartjie of enige ander stuk of instrument, masjien of artikel deur sodanige beroepswedder in verband met sy besigheid gebruik en hy kan enige sodanige boek, dokument, kaartjie of stuk, of instrument, masjien of artikel ondersoek of vir ondersoek verwyder.

(2) Enige beroepswedder wat versuim of weier om aan 'n eis soos in subartikel (1) beoog of wat 'n gemagtigde beampte of ander beampte in die uitvoering van sy pligte hinder of belemmer is aan 'n misdryf skuldig.

Verhaal van belasting.

50. Enige belasting ingevolge die bepalings van hierdie Ordonnansie betaalbaar, is 'n skuld aan die Transvaalse Provinsiale Administrasie en kan deur sodanige Administrasie of deur die Sekretaris van Binnelandse Inkomste namens sodanige Administrasie in enige bevoegde hof verhaal word.

business until such declaration has been lodged and such tax and any penalty has been paid.

(8) The Administrator may prescribe —

- (a) the manner in which a licensed bookmaker shall record bets made by him;
- (b) the books and records which shall be kept by a licensed bookmaker; and
- (c) the returns to be furnished by a licensed bookmaker, a racing-club or a Tattersalls committee relating to betting.

Licensed bookmaker to furnish security.

48.(1) Notwithstanding anything to the contrary contained in this Ordinance, no licensed bookmaker shall carry on his business until he has furnished the Secretary for Inland Revenue with security for the payment of any tax due in terms of the provisions of this Chapter, in such form and in such amount as such Secretary may determine.

(2) The Secretary for Inland Revenue may at any time require any licensed bookmaker to furnish him with additional security, whether for a specified period or otherwise, and such additional security shall likewise be in such form and in such amount as such Secretary may determine.

(3) The Secretary for Inland Revenue may in his discretion utilise any security for the settlement or part settlement of any unpaid tax due in terms of the provisions of this Chapter.

(4) Any bookmaker who contravenes or fails to comply with the provisions of subsection (1) or (2) shall be guilty of an offence.

Books to be produced.

49.(1) An authorized officer or any officer authorized thereto in writing by the Secretary for Inland Revenue, may at any time demand the production by a bookmaker of any book, ticket or other paper or instrument, machine or article used by such bookmaker in connection with his business and he may inspect or remove for inspection any such book, document, ticket or paper or instrument, machine or article.

(2) Any bookmaker who fails or refuses to comply with a demand as contemplated in subsection (1) or who hinders or obstructs an authorized officer or other officer in the execution of his duties shall be guilty of an offence.

Recovery of tax.

50. Any tax payable in terms of the provisions of this Ordinance shall be a debt due to the Transvaal Provincial Administration and may be recovered in any competent court by such Administration or by the Secretary for Inland Revenue on behalf of such Administration.

HOOFSTUK 4.

ALGEMEEN.

Boetes, gelde en verbeurdverklaringe. 51.(1) Alle boetes en gelde betaal en enige geld verbeurdverklaar ingevolge die bepalings van hierdie Ordonnansie, word op die Provinsiale Inkomstefonds gestort.

(2) Wanneer enige voertuig of ander waardevolle ding ingevolge die bepalings van hierdie Ordonnansie aan die Administrateur verbeurdverklaar word, kan die Administrateur behoudens die bepalings van enige regulasie betreffende die inwin van tenders, sodanige voertuig of waardevolle ding ten bate van die Provinsiale Inkomstefonds, verkoop.

(3) Wanneer enige boek, dokument, kaartjie of enige ander stuk of enige ander artikel van geen geldelike waarde ingevolge die bepalings van hierdie Ordonnansie aan die Administrateur verbeurdverklaar word, kan hy die van die hand sit of vernietiging daarvan op sodanige wyse wat hy goed ag, beveel.

Beloning aan aanbinger. 52. Ondanks andersluidende bepalings in enige ander wet vervat, kan die Provinsiale Sekretaris uit die Provinsiale Inkomstefonds, die betaling magtig aan enige persoon, uitgenome 'n persoon in diens van die Staat, wat inligting wat lei tot die skuldigbevinding van enige persoon vir 'n oortreding van enige bepaling van hierdie Ordonnansie en die oplegging van 'n boete of enige verbeurdverklaring, van 'n geldelike beloning wat nie een-derde van beide sodanige boete en sodanige verbeurdverklaring oorskry nie waar sodanige verbeurdverklaring uit geld bestaan, of die waarde wat die Provinsiale Sekretaris van oordeel is dat sodanige verbeurdverklaring in enige ander geval het.

Algemene strafbepaling. 53. Iemand wat aan 'n misdryf ingevolge die bepalings van hierdie Ordonnansie skuldig bevind word, waarvoor geen straf bepaal is nie, is strafbaar met 'n boete van hoogstens eenduisend rand of gevangenisstraf vir 'n tydperk van hoogstens een jaar of met beide sodanige boete en sodanige gevangenisstraf.

Regulasies. 54.(1) Die Administrateur kan regulasies uitvaardig wat nie onbestaanbaar met die bepalings van hierdie Ordonnansie is nie, ten opsigte van enige aangeleentheid wat ingevolge die bepalings van hierdie Ordonnansie uitgevaardig moet of kan word of vir die beter uitvoering van die beperkings van hierdie Ordonnansie.

(2) Enige regulasie in subartikel (1) beoog, kan verskil ten opsigte van die omstandighede of die plekke waarop dit van toepassing is.

(3) In enige regulasie ingevolge subartikel (1) of (2) uitgevaardig, kan 'n straf vir 'n oortreding daarvan wat nie 'n boete van vyfhonderd rand oorskry nie of gevangenisstraf vir 'n tydperk wat nie ses maande oorskry nie of beide sodanige boete en gevangenisstraf bepaal word.

CHAPTER 4.

GENERAL.

Fines, fees and forfeitures. 51.(1) All fines and fees paid and any money forfeited in terms of the provisions of this Ordinance shall be paid into the Provincial Revenue Fund.

(2) Whenever any vehicle or other valuable thing has in terms of the provisions of this Ordinance been forfeited to the Administrator, the Administrator may, subject to the provisions of any regulations relating to the calling of tenders, sell such vehicle or valuable thing for the benefit of the Provincial Revenue Fund.

(3) Whenever any book, document, ticket or other paper or any other thing of no monetary value is in terms of the provisions of this Ordinance forfeited to the Administrator, he may order the disposal or the destruction thereof in such manner as he may deem fit.

Rewards to informers. 52. Notwithstanding anything to the contrary in any law contained, the Provincial Secretary may authorize payment from the Provincial Revenue Fund, to any person, other than a person in the service of the State, who gives information leading to the conviction of any person for a contravention of any provision of this Ordinance and to the imposition of a fine or any forfeiture, of a monetary reward not exceeding one-third of both such fine and such forfeiture where such forfeiture consists of money or the value which the Provincial Secretary considers such forfeiture has in any other case.

General penalty. 53. Any person who is convicted of an offence in terms of the provisions of this Ordinance for which no penalty is provided, shall be liable to a fine not exceeding one thousand rand or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

Regulations. 54.(1) The Administrator may make regulations, not inconsistent with the provisions of this Ordinance, in respect of any matter which shall or may be prescribed in terms of the provisions of this Ordinance or for the better carrying out of the provisions of this Ordinance.

(2) Any regulation contemplated in subsection (1) may differ in respect of the circumstances or places to which it applies.

(3) Any regulation made in terms of subsection (1) or (2), may provide for a penalty for a contravention thereof not exceeding a fine of five hundred rand or imprisonment for a period not exceeding six months or to both such fine and imprisonment.

Herroeping van wet.

55. Die wette in die Bylae by hierdie Ordonnansie word hierby herroep.

Kort titel en datum van inwerking-treding.

56. Hierdie Ordonnansie heet die Ordonnansie op Perdewedrenne en Weddenskappe, 1978, en tree in werking op die eerste dag van Januarie 1979.

BYLAE.

WETTE HERROEP (ARTIKEL 55).

No. en jaar van Wet	Titel
18 van 1917	Toegang tot Wedrenterreinen (Belasting) Ordonnantie, 1917.
26 van 1925	Lisensiëring van Bookmakers en Belasting Ordonnansie, 1925.
9 van 1927	Perdewedrenne en Weddenskappe Ordonnansie, 1927.
21 van 1930	Perdewedrenne en Weddenskappe Wysigings Ordonnansie, 1930.
6 van 1932	Perdewedrenne en Weddenskappe Wysigings-ordonnansie, 1932.
5 van 1935	Perdewedrenne en Weddenskappe Wysigings-ordonnansie, 1935.
6 van 1938	Perdewedrenne en Weddenskappe Wysigings-ordonnansie, 1938.
11 van 1939	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1939.
14 van 1940	Perdewedrenne en Weddenskappe Wysigings-ordonnansie, 1940.
17 van 1940	Lisensiëring van Bookmakers en Belasting Wysigingsordonnansie, 1940.
5 van 1941	Lisensiëring van Bookmakers en Belasting Wysigingsordonnansie, 1941.
7 van 1941	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1941.
6 van 1942	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1942.
9 van 1944	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1944.
18 van 1944	Wysigingsordonnansie op Lisensiëring van Bookmakers en Belasting, 1944.
8 van 1946	Wysigingsordonnansie op die Lisensiëring van Bookmakers en Belasting, 1946.
9 van 1946	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1946.
13 van 1946	Wysigingsordonnansie op die Toegang tot Wedrenterreine (Belasting), 1946.
9 van 1947	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1947.
13 van 1951	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1951.
22 van 1951	Ordonnansie op die Raad van Advies insake Perdewedrenne, 1951.
15 van 1952	Wysigingsordonnansie op die Lisensiëring van Bookmakers en Belasting, 1952.
18 van 1952	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1952.
5 van 1953	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1953.
6 van 1953	Wysigingsordonnansie op die Lisensiëring van Bookmakers en Belasting, 1953.

Repeal of laws.

55. The laws specified in the Schedule to this Ordinance are hereby repealed.

Short title and date of commencement.

56. This Ordinance shall be called the Horse-racing and Betting Ordinance, 1978, and shall come into operation on the first day of January, 1979.

SCHEDULE.

LAWS REPEALED (SECTION 55).

No. and year of Law	Title
18 of 1917	Admission to Racecourses (Taxation) Ordinance, 1917.
26 of 1925	Licensing of Bookmakers and Taxation Ordinance, 1925.
9 of 1927	Horse Racing and Betting Ordinance, 1927.
21 of 1930	Horse Racing and Betting Amendment Ordinance, 1930.
6 of 1935	Horse Racing and Betting Amendment Ordinance, 1932.
5 of 1935	Horse Racing and Betting Amendment Ordinance, 1935.
6 of 1938	Horse Racing and Betting Amendment Ordinance, 1938.
11 of 1939	Horse Racing and Betting Amendment Ordinance, 1939.
14 of 1940	Horse Racing and Betting Amendment Ordinance, 1940.
17 of 1940	Licensing of Bookmakers and Taxation Amendment Ordinance, 1940.
5 of 1941	Licensing of Bookmakers and Taxation Amendment Ordinance, 1941.
7 of 1941	Horse Racing and Betting Amendment Ordinance, 1941.
6 of 1942	Horse Racing and Betting Amendment Ordinance, 1942.
9 of 1944	Horse Racing and Betting Amendment Ordinance, 1944.
18 of 1944	Licensing of Bookmakers and Taxation Amendment Ordinance, 1944.
8 of 1946	Licensing of Bookmakers and Taxation Amendment Ordinance, 1946.
9 of 1946	Horse Racing and Betting Amendment Ordinance, 1946.
13 of 1946	Admission to Racecourses (Taxation) Amendment Ordinance, 1946.
9 of 1947	Horse Racing and Betting Amendment Ordinance, 1947.
13 of 1951	Horse Racing and Betting Amendment Ordinance, 1951.
22 of 1951	Horse Racing Advisory Board Ordinance, 1951.
15 of 1952	Licensing of Bookmakers and Taxation Amendment Ordinance, 1952.
18 of 1952	Horse Racing and Betting Amendment Ordinance, 1952.
5 of 1953	Horse Racing and Betting Amendment Ordinance, 1953.
6 of 1953	Licensing of Bookmakers and Taxation Amendment Ordinance, 1953.

No. en jaar van Wet	Titel	No. and year of Law	Title
4 van 1954	Wysigingsordonnansie op die Lisensiëring van Bookmakers en Belasting, 1954.	4 of 1954	Licensing of Bookmakers and Taxation Amendment Ordinance, 1954.
16 van 1954	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1954.	16 of 1954	Horse Racing and Betting Amendment Ordinance, 1954.
4 van 1958	Wysigingsordonnansie op die Lisensiëring van Bookmakers en Belasting, 1958.	4 of 1958	Licensing of Bookmakers and Taxation Amendment Ordinance, 1958.
9 van 1959	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1959.	9 of 1959	Horse Racing and Betting Amendment Ordinance, 1959.
11 van 1961	Wysigingsordonnansie op Weddery (Perdewedrenne), 1961.	11 of 1961	Betting (Horse Racing) Amendment Ordinance, 1961.
15 van 1962	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1962.	15 of 1962	Horse Racing and Betting Amendment Ordinance, 1962.
19 van 1962	Wysigingsordonnansie op die Lisensiëring van Bookmakers en Belasting, 1962.	19 of 1962	Licensing of Bookmakers and Taxation Amendment Ordinance, 1962.
13 van 1966	Perdewedrenne en Weddenskappe Wysigingsordonnansie, 1966.	13 of 1966	Horse Racing and Betting Amendment Ordinance, 1966.
11 van 1967	Wysigingsordonnansie op die Lisensiëring van Bookmakers en Belasting, 1967.	11 of 1967	Licensing of Bookmakers and Taxation Amendment Ordinance, 1967.
12 van 1968	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1968.	12 of 1968	Horse Racing and Betting Amendment Ordinance, 1968.
16 van 1971	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1971.	16 of 1971	Horse Racing and Betting Amendment Ordinance, 1971.
8 van 1972	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1972.	8 of 1972	Horse Racing and Betting Amendment Ordinance, 1972.
5 van 1976	Wysigingsordonnansie op Lisensiëring van Bookmakers en Belasting, 1976.	5 of 1976	Licensing of Bookmakers and Taxation Amendment Ordinance, 1976.
6 van 1976	Wysigingsordonnansie op Perdewedrenne en Weddenskappe, 1976.	6 of 1976	Horse Racing and Betting Amendment Ordinance, 1976.

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