Western Cape Government • Wes-Kaapse Regering • URhulumente weNtshona Koloni

PROVINCE OF THE WESTERN CAPE

Provincial Gazette Extraordinary

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PROVINSIE WES-KAAP

Buitengewone Provinsiale Koerant

7724

Maandag, 6 Februarie 2017

As 'n Nuusblad by die Poskantoor Geregistreer

IPHONDO LENTSHONA KOLONI

Tsongezelelo kwiGazethi yePhondo

7724

uMvulo, 6 Februwari 2017

Ibhaliswe ePosini njengePhephandaba

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*(*Reprints are obtainable at Room M21, Provincial Legislature Building, 7 Wale Street, Cape Town 8001.)*

Provincial Notice

The isiXhosa translation of the following regulations are published for general information:

40 Western Cape Gambling and Racing Regulations, 1996: Amendment, 2016 2

41 Western Cape Gambling and Racing Regulations (Fees and Costs), 2016 4

The abovementioned regulations were published in English and Afrikaans under Provincial Notices 96/2016 and 97/2016 in *Provincial Gazette Extraordinary* 7591 of 31 March 2016.

INHOUD

*(*Afskrifte is verkrygbaar by Kamer M21, Provinsiale Wetgewer-gebou, Waalstraat 7, Kaapstad 8001.)*

Provinsiale Kennisgewing

Die isiXhosa-vertaling van die volgende regulasies word vir algemene inligting gepubliseer:

40 Wes-Kaapse Regulasies op Dobbelary en Wedrenne, 1996: Wysiging, 2016 2

41 Wes-Kaapse Regulasies op Dobbelary en Wedrenne (Gelde en Koste), 2016 4

Die bogenoemde regulasies is in Engels en Afrikaans gepubliseer onder Provinsiale Kennisgewings 96/2016 en 97/2016 in *Buitengewone Provinsiale Koerant* 7591 van 31 Maart 2016.

IZIQULATHO

*(*Ushicilelo oLutsha lufumaneka kwigumbi M21, kwiSakhiwo sePhondo seNdlu yoWiso-Mthetho, 7 Wale Street, eKapa 8001.)*

ISaziso sePhondo

Inguqulelo yesiXhosa yale migaqo ilandelayo ipapashelwe ukunika ulwazi ngokubanzi:

40 IMigaqo yoNgcakazo neMidyarho ye-Ntshona Koloni, 1996: Izilungiso, 2016 .. 2

41 IMigaqo yoNgcakazo neMidyarho ye-Ntshona Koloni (Imirhumo neeNdleko), 2016 4

Le migaqo ichazwe ngasentla yapapashwa ngesiNgesi nangeSibhulu phantsi kwezi Zaziso zePhondo 96/2016 nesingu-97/2016 kwi*Songezelelo kwiGazethi yePhondo* esingu-7591 zangomhla wama-31 Matshi 2016.

PROVINCIAL NOTICE

The following Provincial Notices are published for general information.

ADV. B. GERBER,
DIRECTOR-GENERAL

Provincial Legislature Building,
Wale Street,
Cape Town.

PROVINSIALE KENNISGEWING

Die volgende Provinsiale Kennisgewings word vir algemene inligting gepubliseer.

ADV. B. GERBER,
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,
Waalstraat,
Kaapstad.

ISAZISO SEPHONDO

Esi saziso silandelayo sipapashelwe ukunika ulwazi ngokubanzi.

ADV. B. GERBER,
UMLAWULI-JIKELELE

ISakhiwo sePhondo,
Wale Street,
eKapa.

I.S. 40/2017

6 Februwari 2017

ISAZISO SEPHONDO

UMTHETHO WONGCAKAZO NEMIDYARHO WENTSHONA KOLONI, 1996 (UMTHETHO 4 KA-1996): IMIGAQO YONGCAKAZO NEMIDYARHO YENTSHONA KOLONI: UKWENZIWA KWEZILUNGISO ZOKUQALA, 2016

UMphathiswa wezeMali wePhondo, ngokwecandelo 81 loMthetho woNgcakazo neMidyarho weNtshona Koloni, 1996 (uMthetho 4 ka-1996), wenza imigaqo echazwe kwiShedyuli.

ISHEDYULI

Inkcazelo

1. Kule migaqo, "iMigaqo" ibhekisa kwiMigaqo yoNgcakazo neMidyarho yeNtshona Koloni, 1996 njengoko ipapashiwe phantsi kweSaziso sePhondo 239/1996 somhla we-7 Juni 1996 njengoko senziwe izilungiso ziZaziso 440/1996 (esomhla we-11 Oktobha 1996), 458/1996 (esomhla wama-30 Oktobha 1996), 303/1997 (esomhla wama-29 Agasti 1997), 446/1997 (esomhla we-12 Disemba 1997), 50/1998 (somhla wama-23 Januwari 1998), 285/1998 (somhla wama-29 Meyi 1998), 331/1998 (somhla we-19 Juni 1998), 334/1998 (somhla wama-26 Juni 1998), 363/2000 (somhla we-16 Agasti 2000), 24/2001 (somhla we-2 Februwari 2001), 11/2002 (somhla we-18 Januwari 2002), 358/2002 (somhla we-8 Novemba 2002), 265/2003 (somhla we-8 Agasti 2003), 396/2003 (somhla we-21 Novemba 2003) nesingu-291/2013 (somhla we-2 Septemba 2013).

Ukwenziwa kweZilungiso kumgaqo 1

2. UMgaqo 1 weMigaqo wenziwa izilungiso—

(a) ngokufakela endaweni yamagama aphambi kwenkcazelo "yomatshini wokonwabisa" kwala magama alandelayo:

"Kule migaqo, igama okanye ibinzana elintsingiselo echazwe kuMthetho, likwanentsingiselo efanayo nale ilapha ngaphandle kokuba imeko elisetyenziswe kuyo ithetha enye into—";

(b) ngokucima inkcazelo yalo "Mthetho";

(c) ngokucima igama elithi "kunye" emva kwenkcazelo ethi "uza"; kunye

(d) nokufakela le nkcazelo ilandelayo phambi kwenkcazelo yegama elithi "ithokeni":

"(14A) **'uMthetho'** uthetha uMthetho woNgcakazo neMidyarho weNtshona Koloni, 1996 (uMthetho 4 ka-1996);".

Ukwenziwa kweZilungiso kuMgaqo 7 weMigaqo

3. UMgaqo 7 weMigaqo wenziwa izilungiso ngokufakela emva komgaqwana (1) kwalo mgaqwana ulandelayo:

"(1A) Umfaki-sicelo, ochazwe kumgaqwana (1B), uyakuthi, ngesicelo ngasinye selayisenisi okanye sokuhlaziywa kwelayisenisi yakhe, uya kufaka ifom yesicelo, angenise iifom zezicelo zenkxaso-mali okanye ukuhlaziywa kwelayisenisi yakhe, oko ekwenza ngenxa yoku—

(a) izicelo zelayisenisi ezifakiweyo njengoko zichazwe kumgaqwana (1B); kunye

(b) nezicelo zelayisenisi ezifakelwe bonke abaqeshwa abaphambili nabakwezongcakazo abaza kuqeshwa ngulo mfaki-sicelo endaweni yalowo senziwe ngaye isicelo; ngaphandle kokuba kukho iimeko ezinyanzelisa ukukhatywa okanye ukurhoxiswa kwesicelo saye nawuphi umntu esenziwa egameni lakhe isicelo azibalelwa kuye umfaki-sicelo, ngaphandle kokuba kukho isolotya lomthetho elithi makwenzeke njalo, kodwa oko kuya kwenzeka kuphela kulowo kukho amakhwiniba ngaye.

(1B) Kulo mgaqo, igama elithi "umfaki-sicelo" lithetha naluphi uhlobo lweshishini okanye nawuphi umntu ekufuneka enelayisenisi ngokwamacandelo 45, 46, 48, 50, 51, 53 kunye no-55 alo Mthetho".

Ukucinywa kwemigaqo

4. Imigaqo 27, 27A, 27B kunye no-28 yale Migaqo icinyiwe.

Ukutshintshwa kwamagama

5. Izilungiso kwiMigaqo zenziwa ngokuthi endaweni yegama elithi "uMthetho weNkundla", kusetyenziswe igama elithi "uMthetho".

Isihloko esifutshane nokuqala ukusebenza

6. Le migaqo ibizwa ngokuba yiMigaqo yoNgcakazo neMidyarho yeNtshona Koloni, 1996: Izilungiso zokuQala, 2016, yaye iya kuqala ukusebenza ngowo-1 Epreli 2016.

I.S. 41/2017 6 Februwari 2017

ISAZISO SEPHONDO

UMTHETHO WONGCAKAZO NEMIDYARHO WENTSHONA KOLONI, 1996 (UMTHETHO 4 KA-1996): IMIGAQO YONGCAKAZO NEMIDYARHO YENTSHONA KOLONI (IMIRHUMO NEENDLEKO), 2016

UMphathiswa wezeMali wePhondo, ngokwecandelo 81 loMthetho woNgcakazo neMidyarho weNtshona Koloni, 1996 (uMthetho 4 ka-1996), wenze imigaqo echazwe kwiShedyuli.

ISHEDYULI

Inkcazelo

1. Kule migaqo, igama okanye ibinzana elintsingiselo echazwe kuMthetho, likwanentsingiselo efanayo nalapha ngaphandle kokuba imeko elisetyenziswe kuyo ithetha enye into—

"umfaki-sicelo" uthetha naluphi uhlobo lwequmrhu lweshishini okanye nawuphi na umntu ekufuneka enelayisenisi ngokwamacandelo 45, 46, 48, 50, 51, 53 no-55 oMthetho;

"uMthetho" uthetha uMthetho woNgcakazo neMidyarho weNtshona Koloni, 1996 (uMthetho 4 ka-1996);

"iMigaqo yoNgcakazo neMidyarho yeNtshona Koloni" ithetha iMigaqo yoNgcakazo neMidyarho yeNtshona Koloni, 1996, epapashwe phantsi kweSaziso sePhondo 239 *kwiGazethi yePhondo* 5054 yowe-7 Juni 1996, njengoko yenziwe izilungiso.

Ukufunyanwa kweendleko zonikezo okanye zohlaziyo lwelayisenisi

2. (1) Lo mgaqo usebenza kwisicelo selayisenisi esixelwe kumacandelo 45, 46, 48, 50, 51, 53, 55, 56 okanye 57 oMthetho.

(2) Zonke izicelo zokunikezwa okanye zokuhlaziywa kwelayisenisi kufuneka zikhatshwe yidiphozithi njengoko kuchaziwe kwiSihlomelo A, okanye enye idiphozithi egqitywe yiBhodi, yokubuyisa iindleko ekungenwe kuzo okanye ezenziwe egameni leBhodi xa bekumanyelwe izimvo, kusenziwa uphando okanye kulandelelwa imibuzo emalunga nonikezo okanye uhlaziyo lwelayisenisi.

(3) Isixamali esihlawulwe kwiBhodi ngokomgaqwana (2) kufuneka sihlawulwe kwiakhawunti enenzala, ekufuneka yahluke kwezinye iingxowa-mali zeBhodi, kwibhanki yomfaki-sicelo okhankanyiweyo.

(4) Inzala, ukuba ikhona, kwimali ediphozithiweyo ngokomgaqwana (2), iya kunikwa umfaki-sicelo.

(5) Igosa eliyiNgqonyela yeSigqeba lingamane litsala kwiidiphozithi ezihlawulwe ngumfaki-sicelo ukuhlawula zonke iindleko ezixelwe kumgaqwana (2).

(6) Igosa eliyiNgqonyela yeSigqeba kufuneka ligcine iirekhodi ezizizo zoniko-nkcaza ngemali ezineenkcukacha zazo zonke iimali ezingenileyo, ezigciniweyo okanye ezihlawulwe lilo okanye ekwiakhawunti yomfaki-sicelo.

(7) Ukuba idiphozithi iyaphela, iBhodi ingafuna enye idiphozithi yemali elingana okanye engaphantsi kwediphozithi yokuqala.

(8) De kungene enye idiphozithi exelwe kumgaqwana (7), kusenokungabanjwa ngxoxo, lusenokuyekwa lonke uphando okanye isenokurhoxiswa imibuzo malunga nomfaki-sicelo.

(9) Ingxelo yeemali ezitsaliweyo kwidiphozithi, iintlawulo ezenziweyo yiBhodi nentsalela yemali kufuneka zifumaneke xa umfaki-sicelo ezifuna, oko kwenzeke kwiintsuku ezili-14 ukusuka kumhla weso sicelo.

(10) IBhodi kufuneka, kwiintsuku ezingama-90 zemvume yeBhodi kwisicelo okanye emva kokwala isicelo, okanye emva kokurhoxiswa kwesicelo ngumfaki-sicelo—

(a) inike umfaki-sicelo ingxelo ebonisa zonke iimali ezitsalwe kwidiphozithi, iintlawulo ezenziwe yiBhodi kunye nebhalansi emayihlawulwe kumfaki-sicelo; ze

(b) ibuyisele kumfaki-sicelo nayiphi ibhalansi yekhredithi yediphozithi ehlawulweyo.

(11) Ukuba umfaki-sicelo unengxaki ngeentlawulo ezenziweyo okanye malunga nokuba afake enye idiphozithi, umfaki-sicelo angacela ingcaciso ebhaliweyo kwiBhodi malunga nomba anengxaki ngawo.

(12) IBhodi ayinakukhupha ilayisenisi de umfaki-sicelo ahlawulele zonke indleko ezixelwe kumgaqwana (2).

(13) Xa umfaki-sicelo esenza isicelo esenzela iqela labantu, zonke iidiphozithi ekufuneka zihlawulwe ngokomgaqwana (2) nezihlawulwe ngumfaki-sicelo kufuneka zibe zidiphozithwe zonke kwiakhawunti enye,

yaye kungabikho bhalansi yezo diphozithi, ukuba ikhona, ekufuneka ibuyiselwe kumfaki-sicelo de zonke iingxoxo, lonke uphando okanye imibuzo ngomntu ngamnye ofakelwa isicelo ibe igqityiwe.

Ukugcinwa kwebhalansi yekhredithi

3. (1) Noxa kukho umgaqo 2(10), ukuba iBhodi ivuma isicelo selayisenisi, iBhodi ingathi, ngesicelo somfaki-sicelo, igcine ibhalansi yekhredithi yediphozithi, kangangesithuba ekuvunyelwene ngaso phakathi komfaki-sicelo neBhodi, ukuze kuhlawulwe nayiphi imirhumo okanye iindleko emazihlawulwe kumfaki-sicelo okanye umnini-layisenisi, xa kufanelekile, ngokoMthetho, ngokweMigaqo yoNgcakazo neMidyarho yeNtshona Koloni kunye nangokwale Migaqo.

(2) Ukuba iBhodi igcine ibhalansi yekhredithi exelwe kumgaqwana (1), kufuneka ilawule iimali ngendlela exelwe kumgaqo 2(3), (4), (5), (6) no-(9).

(3) IBhodi kufuneka, kwiintsuku ezingama-90 zokuphela kwesithuba esixelwe kumgaqwana (1) okanye zesicelo somfaki-sicelo—

(a) inike umnini-layisenisi ingxelo ebonisa zonke iimali ezitsalwe kwidiphozithi, iintlawulo ezenziwe yiBhodi kunye nebhalansi emayihlawulwe kumfaki-sicelo; ze

(b) ibuyisele ikhredithi yebhalansi yediphozithi exelwe kumgaqwana (1), okanye ibhalansi yayo kumfaki-sicelo.

Imirhumo yokufaka isicelo selayisenisi entsha

4. Imirhumo yokufaka isicelo selayisenisi entsha ngokwamacandelo 32 no-44 oMthetho injengokuba ichaziwe kwiSihlomelo B.

Umrhumo wonyaka nemirhumo yokuphanda

5. Umrhumo wonyaka nemirhumo yokuphanda ehlawulwayo ngokwamacandelo 32 no-44 oMthetho injengokuba ichaziwe kwiSihlomelo C.

Ukubuyiswa kweendleko ngaphandle kwezegranti okanye zohlaziyo lweelayisenisi

6. (1) IBhodi, phambi kokuba imamele naziphi na izimvo, yenze uphando okanye ilandelele imibuzo ngaphandle kwaleyo yonikezo okanye yohlaziyo lwelayisenisi echazwe kumgaqo 2(2), kufuneka yazise umntu lowo unelayisenisi ongulowo uphandwayo okanye kubuziswa ngaye malunga nomamelo-zimvo, uphando okanye ubuziso ngaye yaye axelelwe nangeendleko ezibandakanyekayo.

(2) Ukuze iBhodi ifumane iindleko zayo ezichithileyo xa ibimamele naziphi izimvo, xa ibisenza uphando okanye ilandelela imibuzo malunga nomntu ekubhekiswa kuye kumgaqwana (1), okanye xa isenza nawuphi umsebenzi ohlanganisene naloo mntu ngaphandle kwaleyo yonikezo okanye yohlaziyo lwelayisenisi, kufuneka ibhale ingxelo echaza zonke iindleko engene kuzo.

(3) Umntu ekubhekiswa kuye kumgaqwana (1) kufuneka, kwiintsuku ezingama-30 zokufumana ingxelo ekubhekiswe kuyo kumgaqwana (2), abuyisele iBhodi zonke iindleko engene kuzo.

(4) Ukuba umntu unengxaki ngeendleko ezibalelwa kuye, angacela ingcaciso ebhaliweyo kwiBhodi malunga nomba anengxaki ngawo.

Isihloko esifutshane nokuqala ukusebenza

7. Le migaqo iya kubizwa ngokuba yiMigaqo yoNgcakazo neMidyarho yeNtshona Koloni (Imirhumo neeNdleko), 2016 yaye iya kuqala ukusebenza ngowo-1 kwekaTshazimpuzi 2016.

ISIHLOMELO A

IIDIPHOZITHI

(Icandelo 34 loMthetho nomgaqo 2)

Iintlobo zeelayisenisi	Idiphozithi
	R
Ilayisenisi yomnini wekhasino	250 000,00
Ilayisenisi yomnini boomatshini bongcakazo olubekelwe imida	150 000,00
Ilayisenisi yomnini wamasango oomatshini bongcakazo olubekelwe imida	20 000,00
Ilayisenisi yebhingo	100 000,00
Ilayisenisi yamasango ebhingo	20 000,00
Ilayisenisi yomququzeleli ongummeli	10 000,00
Ilayisenisi yomvelisi	50 000,00
Ilayisenisi yomhambisi	50 000,00
Ilayisenisi yombhejisi	150 000,00
Ilayisenisi yebala lemidyarho yamahashe	10 000,00
Ilayisenisi yoomatshini bemali yokubheja	20 000,00
Ilayisenisi yamasango oomatshini bemali yokubheja	20 000,00
Ilayisenisi yomsebenzi ophambili	1 800,00
Ilayisenisi yomsebenzi wongcakazo	1 400,00

ISIHLOMELO B

IMIRHUMO YEZICELO ZELAYISENISI EZINTSHA

(Amacandelo 32 no-44 oMthetho nomgaqo 4)

Iintlobo zeelayisenisi	Umrhumo wesicelo selayisenisi entsha
	R
Ilayisenisi yomnini wekhasino	408 980,00
Ilayisenisi yomnini boomatshini bongcakazo olubekelwe imida	204 490,00
Ilayisenisi yomnini wamasango oomatshini bongcakazo olubekelwe imida	10 220,00
Ilayisenisi yebhingo	102 250,00
Ilayisenisi yamasango ebhingo	10 220,00
Ilayisenisi yomququzeleli ongummeli	10 220,00
Ilayisenisi yomvelisi	10 220,00
Ilayisenisi yomhambisi	10 220,00
Ilayisenisi yombhejisi	204 490,00
Ilayisenisi yebala lemidyarho yamahashe	10 220,00
Ilayisenisi yoomatshini bemali yokubheja	10 220,00
Ilayisenisi yamasango oomatshini bemali yokubheja	10 220,00
Ilayisenisi yomsebenzi ophambili	415,00
Ilayisenisi yomsebenzi wongcakazo	110,00

ISIHLOMELO C

UMRHUMO WONYAKA NEMIRHUMO YOKUPHANDA

(Amacandelo 32 no-44 oMthetho nomgaqo 5)

Iintlobo zeelayisenisi	**Intlawulo yelayisenisi yonyaka**	**Umrhumo wokuphanda**
	R	**R**
Ilayisenisi yomnini wekhasino	204 490,00	6 135,00 ngetafile yongcakazo ngaye kunye ne-4 090,00 ngomatshini wokufaka imali ngamnye
Ilayisenisi yomnini boomatshini bongcakazo olubekelwe imida	102 250,00	2 050,00 ngomatshini ngamnye wokungcakaza onemida
Ilayisenisi yomnini wamasango oomatshini bongcakazo olubekelwe imida	1 020,00	4 090,00
Ilayisenisi yebhingo	4 090,00	10 220,00
Ilayisenisi yamasango ebhingo	1 020,00	4 090,00
Ilayisenisi yomququzeleli ongummeli	415,00	1 020,00
Ilayisenisi yomvelisi	4 090,00	20 455,00
Ilayisenisi yomhambisi	4 090,00	20 455,00
Ilayisenisi yombhejisi	4 090,00	102 250,00
Ilayisenisi yebala lemidyarho yamahashe	415,00	1 020,00
Ilayisenisi yoomatshini bemali yokubheja	2 050,00	8 185,00
Ilayisenisi yamasango oomatshini bemali yokubheja	415,00	1 020,00
Ilayisenisi yomsebenzi ophambili	110,00	415,00
Ilayisenisi yomsebenzi wongcakazo	110,00	110,00

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