

CHAPTER 19:01 - CASINO: SUBSIDIARY LEGISLATION
INDEX TO SUBSIDIARY LEGISLATION

Casino (Control) Regulations

CASINO (CONTROL) REGULATIONS

(under section 33)

(9th November, 1984)

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S.I. 102, 1984,
S.I. 64, 1998,
S.I. 20, 2001.

1. Citation

These Regulations may be cited as the Casino (Control) Regulations.

2. Application for issue or renewal of licence

(1) Any person may at any time make an application in writing to the Board for the issue or renewal of a licence in the form prescribed in these Regulations.

(2) An application for the renewal of a licence in the form specified in the Schedule hereto shall be made to the Board not later than six months before the expiry of the existing licence.

3. Particulars to be provided in the application

Every application shall be in a form of a memorandum containing full details and information on all matters specified in section 8(1) of the Act.

4. Publication of application

(1) Every applicant for the issue or renewal of a licence shall at his own expense publish his application in the form prescribed twice in the *Government Gazette* and a local newspaper and shall call upon any person wishing to object to do so by lodging his objection in writing with the Board.

(2) No application for the issue or renewal of a licence shall be considered by the Board except on proof that the applicant has complied with regulation 3 and subregulation (1) of this regulation.

5. Lodging of objection

(1) Any person wishing to object to the issue or renewal of a licence of which notice of application has been given in terms of regulation 4(1) shall within 60 days of the last publication of such notice lodge his grounds of objections in writing with the Board.

(2) Upon receipt of such grounds of objection the Board shall invite the applicant to

comment in writing on the grounds of objection.

6. Further details

The applicant or his representative shall on request by the Board furnish in writing any information that the Board may require or where the Board seeks to interview him or his representative shall attend such interview.

7. Decision of the Board to be notified to the applicant

(1) The Board shall inform the applicant in writing of its decision on the application as soon as practicable having regard to the need for a thorough investigation and evaluation of the application.

(2) The Board's decision on an application for the issue of a licence shall be final and shall not be subject to appeal to a court of law.

(3) Where the Board has refused to renew a licence, the applicant may within 30 days of notification of such refusal lodge an appeal in writing to the Minister whose decision shall be final and conclusive.

8. Exclusion of persons from gaming premises for misconduct

(1) A licensee, his agents or employees may remove and exclude from the gaming area for a period not exceeding 12 months any person whose behaviour offends against decency, dignity, good taste or honesty.

(2) Whenever at any time a licensee decides to exclude any person referred to in subregulation (1) from the gaming area for any period of time, he shall at the time of such exclusion serve the person to be so excluded with a notice in writing informing him of the period and the reasons for such exclusion. A copy of such notice shall be forwarded to the Board and the person appointed in terms of section 25 of the Act within seven days of its issue.

(3) Any person excluded from the gaming area may make written representations to the Board for a review of such exclusion.

(4) Upon receipt of such representation the Board shall afford the licensee the opportunity to comment in writing upon such representations and thereupon shall review the decision of the licensee.

(5) The decision of the Board in any such review shall be final.

9. Licensees to employ holders of certificates

(1) No licensee shall employ any person in an administrative, clerical, technical, security or gaming capacity in any part of the premises used for gaming unless that person is the holder of a valid certificate from the Board authorizing such employment.

(2) Any person wishing to take up such employment shall make application, to the Board, in the form specified in the Schedule.

(3) Each application shall be accompanied by-

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

(4) The Board may grant a certificate in the form specified in the Schedule hereto to an applicant who has not been convicted of any offence of which dishonesty is an element thereof, aggravated assault or contravention of the gaming laws nor dismissed from employment for serious misconduct or dishonesty.

(5) The Board may refuse to grant the certificate and shall notify the applicant and the prospective employer of its decision and shall not be obliged to give any reasons for such refusal to any person whomsoever.

(6) A certificate issued by the Board shall be valid for employment in the casino specified therein for the period only of the applicant's continuous employment with such casino.

(7) The employer of any person holding a certificate issued by the Board shall forthwith inform the Board in writing when such holder is convicted of aggravated assault, an offence of which dishonesty is an element or contravention of the gaming laws or dismissed for dishonesty or misconduct. The certificate held by such person shall thereupon be cancelled by the Board.

10. Imposition of financial penalties by the Board

(1) The Board may impose upon a licensee a financial penalty not exceeding 2% of the payable levy for each day that the licensee is in default of submitting reports or financial returns within the period stipulated in the licence or fails to comply within any stipulated period with any directions or orders made under the licence or the Act.

(2) The Board may impose on a licensee financial penalties not exceeding P50,00 for each breach of any of the conditions of the licence.

(3) A licensee shall pay any financial penalty imposed by the Board within seven days of demand by the Board.

11. Recovery of financial penalties

(1) Any financial penalty imposed by the Board which remains unpaid after a period of seven days may be recovered at the suit of the Board in a court of competent jurisdiction.

(2) In any proceedings for the recovery of the financial penalties imposed, the certificate of the Chairman of the Board as to the amount owing shall be conclusive evidence of such amount owing by the licensee.

12. Offences and penalties

Any person who contravenes the provisions of regulation 9(1) shall be guilty of an offence and liable on conviction to a fine not exceeding P500 or to imprisonment for a term not exceeding three months.

SCHEDULE

FORMS

Form 1

NOTICE OF APPLICATION FOR ISSUE/RENEWAL OF CASINO LICENCE

(reg. 2(1))

NOTICE IS HEREBY given that the undersigned intends to apply for the issue/renewal of a Casino Licence in terms of section 8(1) of the Casino Act, (Cap. 19:01) in respect of the premises situated at

.....

Any person who wishes to object to the issue/renewal of such licence should within 60 days of the second publication of this notice, give notice in writing to the Casino Control Board, Private Bag 004, Gaborone, of his intention to oppose such application and state the grounds upon which his objection is based.

.....
Name

Address:
.....
.....

Date:

Form 2

APPLICATION FOR EMPLOYMENT

(reg. 9(2))

CASINO ACT

1. SURNAME
- FORENAMES
2. ADDRESS OF APPLICANT
-
3. NATIONALITY (State name of country)
- Date and place of birth
4. ALL PREVIOUS EMPLOYERS
 - (i) from to
 - Address
 - (ii) from to

Address
 (iii) from to
 Address
 (iv) from to
 Address
 (v) from to
 Address

TESTIMONIAL from each of the last three employers where the applicant has so been employed shall be attached to this application.

5. I hereby solemnly declare that I have never been convicted of aggravated assault, contravention of gaming laws or any offence of which dishonesty is an element, nor have I been dismissed from employment for misconduct or dishonesty except as recorded hereunder:

.....

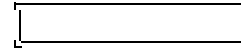
.....
Signature of declarant

Date

**Form 3
 CERTIFICATE OF AUTHORIZATION TO BE EMPLOYED**

CASINO ACT
 CASINO REGULATIONS
 (reg. 9(4))

1. SURNAME
 FORENAMES
 DESIGNATION



Photograph

2. NAME OF EMPLOYER
 3. ADDRESS OF EMPLOYER

N.B. The issue of this certificate in no way relieves the holder from compliance with the IMMIGRATION AND EMPLOYMENT ACTS in relation to residence permits and work permits and has no relation to the competence or qualification of the holder for casino employment in any field.

4. ISSUED this day of 20.....

.....
for Casino Control Board

**Form 4
 LICENCE**

CASINO ACT
 (Cap. 19:01)
 CASINO (CONTROL) REGULATIONS
 (Sub. Leg.)
 CASINO CONTROL BOARD

LICENCE NO.....

1. In terms of Regulation 7(1) of the Casino (Control) Regulations, a licence is hereby granted to:

Name

Address

for the purpose of conducting a casino at

-
2. This licence is subject to the following conditions
-
-
3. Place of issue
4. Date of issue Expiry date.....
5. No additions, alterations or improvements to the premises of a casino, including the addition or alteration of advertisements, gaming rules, gaming equipment, signs and hoardings on the premises, shall be effected without prior approval thereof having been obtained from the Board on written application made to it accompanied by a proper plan and specification of such proposed additions, alterations or improvements.
6. Chairman's full name: Secretary's full name:
-
- Signature Signature.....

OFFICIAL STAMP