

Gambling Bill does not herald major changes

Regarding the report „Major gambling changes on cards“ (The Mercury, July 19) in which I was quoted, I would like to correct some misperceptions.

In general, the contents of the KwaZulu-Natal Gaming and Betting Bill, 2007 do not herald major changes in gambling policy. By and large, the overall effect is that two existing pieces of legislation will be amalgamated.

As a case in point, the current laws, being the Regulation of Racing and Betting Ordinance, 1957 and the KwaZulu-Natal Gambling Act, 1996, already provide that casinos can grant credit to patrons under certain conditions and that gambling debts incurred within the regulated gambling industry are legally enforceable.

Furthermore, regulation 4(1) of the regulations made under the National Gambling Act, 2004, states: „The holder of a casino licence, a bookmaker licence or a totalisator operator licence may extend credit to a patron only after obtaining sufficient information regarding the patron's identity, credit history and financial capabilities in terms of the credit being requested.“

In fact, a strict interpretation of the KZN Gaming and Betting Bill, 2007, would see the future removal of the current rights of bookmakers and the totalisator operator to extend credit to punters.

This is because the Bill only explicitly provides that casino operators may extend credit, meaning that route and site operators, bingo operators, bookmakers and the totalisator operator may not do so, when Clause 141 (allowing casinos to extend credit) is read with Clause 3(1), which states as

follows: „No person may perform any act pertaining to gambling, or assist any persons in such activity except in accordance with the provisions of this Act.“

Regarding the concern that casinos will cause social problems by being allowed to extend credit, it needs to be recognised that aside from the new credit control legislation, various gambling laws govern the manner in which gambling operators can grant credit, for the purpose of mitigating possible social problems. Should the casinos not comply with these laws, they could face stiff penalties.