

- 16.3 If no petition for consideration is filed within the time prescribed in subregulation (1), the decision shall be deemed final and is not subject to reconsideration by the Board.
- 16.4 The Board shall schedule a hearing in accordance with section 20 of the Act except that notice of the date, time and place of the hearing as well as a copy of a petition shall be provided by the Board to both parties.
- 17. Burden of prove on party seeking reconsideration**
The party seeking reconsideration bears the burden of showing that the Board decision should be reversed or modified.
- 18. Decision of Board**
After the hearing, the Board may uphold, modify or reverse the original decision.
- 19. Payment of claim after the decision of Board**
- 19.1 Except as otherwise provided in regulation 20, a licensee shall pay a patron's claim within seven days after the decision of the Board directing the licensee to do so becomes final.
- 19.2 A patron shall pay a licensee's claim within seven days of the decision of the Board that the patron is liable for the debt, falling which the Board may in terms of Chapter IV, include the patron's name on the list of excluded persons.
- 20. Deposit and withdrawal of amount of claims upon judicial review**
- 20.1 If a licensee intends to take a decision of the Board on judicial review, the licensee must first deposit with the Board, in trust, an amount equal to the amount in dispute.
- 20.2 The Board shall release the amount held in trust—
- to the patron, within seven days after a final, non-appealable order of a court so directs; or
 - to the licensee within seven days after a final non-appealable order of a court that the licensee is not required to pay the claim.

CHAPTER IV

EXCLUDED PERSONS

- 21. List of excluded persons**
- 21.1 The Board may establish a list of persons who are to be excluded or rejected from such licensed premises specified in the list and prohibited from partaking in such games specified in the list.
- 21.2 The criteria to be applied by the Board for inclusion of persons upon such list are—
- contravention of the gaming laws of any country;
 - contravention or conspiracy to contravene the provisions of the Act or any similar act;
 - unsavoury behaviour in any licensed premises or notorious or unsavoury reputation;
 - non-payment of gaming debts;
 - it is desirable in the interest of public order, public morals of fair play;

- (f) any court order prohibiting such person from entering any or specific licensed premises; or

any one for any of which is sufficient for inclusion.

22. Entry of names

22.1 Before a name is placed on the list, the Board shall first review the information and evidence in its possession and make a determination that there is sufficient reason to believe that any one of the criteria specified in regulation 21 is applicable to the candidate.

22.2 No name shall be placed on the list until such time as the person concerned has had notice of the intention of placing his or her name on the list and been given an opportunity to be heard: Provided that the provisions of this sub-regulation shall not be applicable to a person whose name appears in exclusion lists of any other gaming regulatory body: Provided further that such a person's failure to respond to an invitation by the Board to be heard or failure to request the opportunity to be heard shall not result in the Board being prevented from conducting such a hearing in the absence of that person, and from placing that person's name on such a list if the evidence is sufficient.

23. Distribution and contents of the list

23.1 The list shall be open to public inspection during the normal office hours of the board and shall be distributed to—

- (a) the national gaming Board;
- (b) every licensed gaming establishment within the province; and
- (c) all other gaming regulatory bodies in the Republic of South Africa.

23.2 The following information and date shall be provided for each excluded person:

- (a) The full name and all aliases the person is believed to have used;
- (b) description of the person's physical appearance, height, weight, type of build, colour of hair and eyes, and any other physical characteristics which may assist in the identification of the person;
- (c) date of birth, if available;
- (d) the date the person's name was placed on the list;
- (e) a photograph and the date thereof, if available;
- (f) the reason for placing the person's name on the list; and
- (g) the type or types of licenced premises or gaming to which exclusion applies.

24. Notice of candidacy

The notice to be given to a person in terms of regulation 22 (2) shall specify the grounds for inclusion on the list and shall inform the candidate that a request for a hearing may be made within 14 days from the date of the notice.

25. Hearing

The provision of section 20 of the Act and Chapter V of these regulations shall *mutatis mutandis* apply in respect of a hearing held in terms of this chapter.