



Established in terms of the Limpopo Casino and Gambling Act, Act No. 4 of 1996, and retained in terms of the Limpopo Gambling Act, Act No. 3 of 2013.

ACCESS TO INFORMATION MANUAL
COMPILED IN COMPLIANCE WITH SECTION 14 OF THE PROMOTION OF ACCESS TO
INFORMATION ACT, NO. 2 OF 2000

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1. ABBREVIATIONS AND DEFINITIONS

1.1. ABBREVIATIONS

IO	Information Officer
LGB	Limpopo Gambling Board
PAIA	The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)
POPI	The Protection of Personal Information Act, 2013 (Act No. 4 of 2013)

1.2. DEFINITIONS

<u>Access fee</u>	Fee payable by a requester for search, preparation and reproduction of requested records, as prescribed in section 22(6) of PAIA.
<u>Act</u>	The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).
<u>Guide Document</u>	A book produced by the Information Regulator for the purposes of assisting any person who wishes to exercise any right in terms of PAIA as prescribed in section 10 of PAIA.
<u>Information Officer (IO)</u>	The Chief Executive Officer of the Limpopo Gambling Board as defined in section 1 of PAIA.
<u>Internal appeal</u>	An appeal against a decision to refuse access to information, as stipulated in section 74 of PAIA.
<u>Personal information</u>	Information about an identifiable individual, including, but not limited to, information relating to race, gender, sex, pregnancy, marital status,

national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, wellbeing, disability, religion, conscience, belief, culture, language and birth of the individual as defined in section 1 of PAIA.

Personal requester

A person seeking access to information/records containing personal information about himself/herself as defined in section 1 of PAIA.

Protected records

Records that contain sensitive information and cannot be made accessible to the public as per the provisions of sections 33 to 45 of PAIA.

Record

Any recorded information, in any form or medium under the custody of the LGB as defined in section 1 of PAIA.

Records automatically available

Records that can be accessed without a person having to request access in terms of the Act as stipulated in section 15(1) (a) of PAIA.

Records available on request

Records that can be accessed through following PAIA processes as stipulated in sections 11 and 18 of PAIA; access to these records may be refused on the basis of sections 33 to 45 of the Act.

Request fee

A non-refundable fee payable by a requester when submitting a request for access as per the provisions of section 22(1) of PAIA. (A Personal requester is excluded from paying a request fee).

Requester

Any person making a request for access to

information or records of the LGB or a person acting on behalf of the person requesting information as defined in section 1 of PAIA.

2. INTRODUCTION

- 2.1. PAIA was legislated to give effect to the constitutional right of access to information held by the state or by any other person, where such information is required for the exercise or protection of a right.
- 2.2. The LGB was established in terms of the now repealed Limpopo Gambling Act, 4 of 1996 and retained in terms section 2 of the Limpopo Gambling Act, 3 of 2013, as amended.
- 2.3. The LGB was established to provide for the control over gambling in the Province and to provide for any other matters connected therewith.
- 2.4. The LGB is classified as a provincial public entity in terms of Schedule 3, Part C of the Public Finance Management Act, 1999 (Act No. 1 of 1999), as amended. PAIA requires the LGB, as a public body, to compile a manual that provides information on the categories of records it holds.
- 2.5. The LGB is bound to give effect to the purposes of this legislation and to process a request made in terms of PAIA.
- 2.6. PAIA establishes the following statutory rights of requestors to any record of a public body if the following circumstances are met:
 - 2.6.1. if the record is required for the exercise or protection of any of his or her legal rights.
 - 2.6.2. the requestor complies with all the procedural requirements; and
 - 2.6.3. the access is not refused in terms of any ground referred to in the Act.

3. THE LGB'S VISSION, MISSION AND VALUES

3.1. Vision

To be the leading, exemplary and innovative regulator in the world.

3.2. Mission

To regulate the gambling industry in a responsible and ethical manner for the benefit of the people of the province by ensuring compliance with legislation, promoting responsible gambling, and facilitating sustainable local economic development.

3.3. Values

The LGB has identified the following values as the principles that will govern behaviour of all employees within the organisation:

Integrity	To operate in accordance with the highest moral and ethical standards.
Accountability	To accept responsibility towards our most important resources, our employees and to maximise the development and utilisation thereof.
Consultation	To strive towards a healthy relationship through interactive communication and consultation with our stakeholders.
Transparency	To openly fulfil the commitment to our Stakeholders with honesty and integrity.
Diversity	To accept and respect the uniqueness and difference of all people.
Inclusivity	To create an environment where everyone feels welcome, valued, and respected, regardless of their background or identity. To afford equal opportunity to all.

4. THE STRUCTURE AND FUNCTIONS OF THE LGB

4.1. Structure of the LGB

4.1.1. Members of the Board are appointed in terms of the Limpopo Gambling Act, No. 3 of 2013 by the Responsible Member in consultation with the Executive Council of the Limpopo Province for periods not exceeding five (5) years and are eligible for reappointment as members of the Board at the expiry of their term of office.

4.1.2. The Board must consist of 9 members, excluding the Chief Executive Officer who is an ex officio member of the Board with no voting powers.

4.1.3. The Board must consist of the following persons:

- a) A person who is qualified and admitted to practice as a legal practitioner in the Republic and has for a cumulative period of at least five years after having so qualified, practised as a legal practitioner or performed services related to the application or administration of the law.

- b) A person who is qualified as a chartered accountant in the Republic and has for a cumulative period of at least five years after having so qualified practised as a chartered accountant.
- c) A person representing the Department responsible for gambling matters in the Province.
- d) A person representing the Department responsible for financial matters in the Province.
- e) A person with proven business acumen and knowledge of the tourism industry.
- f) A person with knowledge and experience in the field of community welfare and socioeconomic development.
- g) A person with qualifications and experience in the field of labour relations.
- h) A person with proven business acumen and experience in the gambling industry,
- i) A person with knowledge and experience in the field of law enforcement.

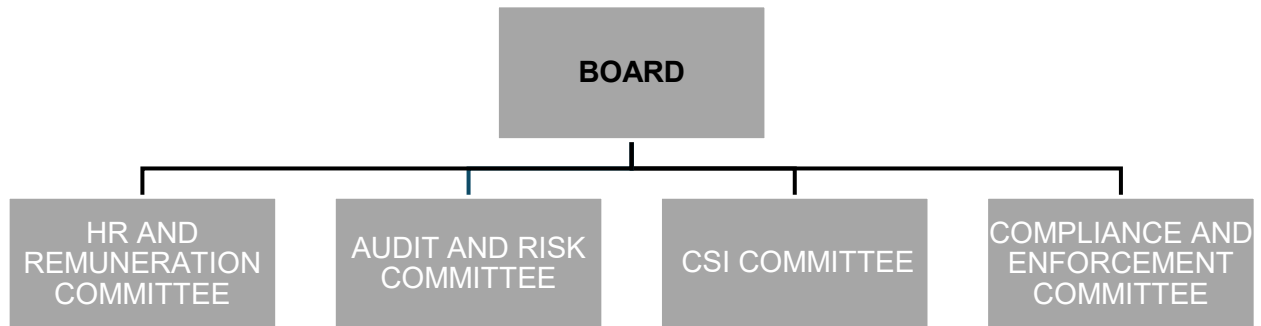
4.2. Organogram

The LGB comprises the following structures, namely

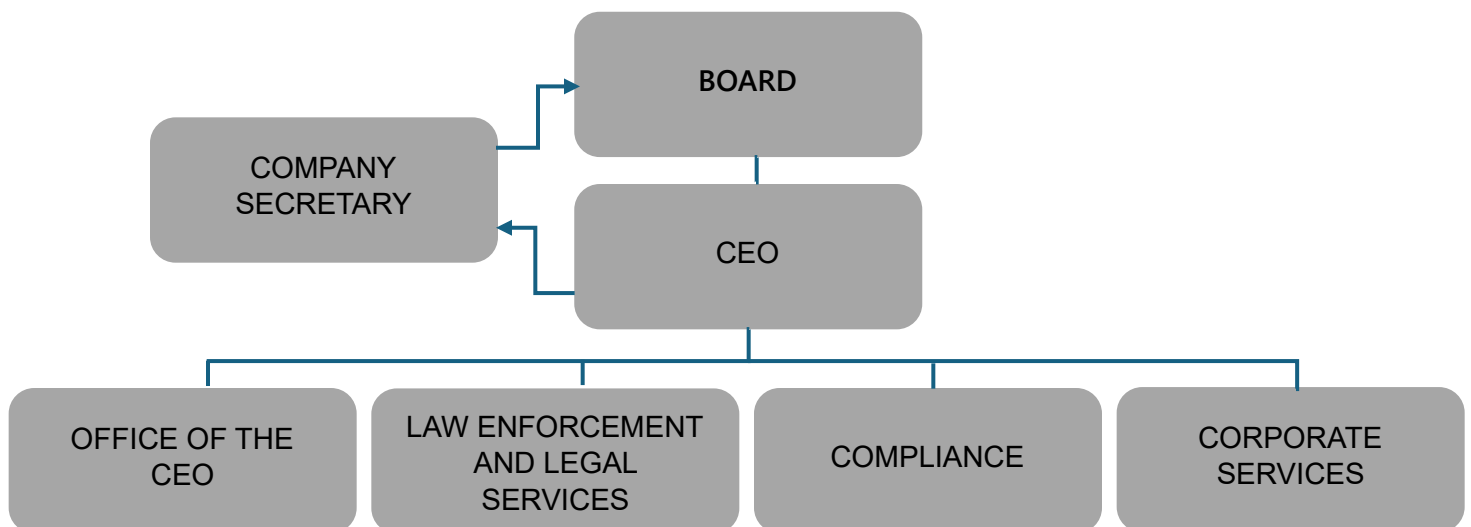
- a) The Board and its Committees

4.3. THE SCHEMATIC DIAGRAM OF THE STRUCTURE OF THE LGB

The Board and its Committees:



Administration:



4.4. Functions of the LGB

The main functions of the LGB are to:

- (a) licence, regulate and control gambling in the province.
- (b) promote awareness on responsible gambling; and
- (c) manage risk and implement internal controls in the gambling industry.

5. CONTACT DETAILS

5.1. Senior Manager: Corporate Services (Information Officer)

Dr. MD. Malesa (malesa@lgb.co.za)

5.2. HR Officer (Assistant : Information Officer)

Mr. J. Singh (singhjh@lgb.co.za)

6. GENERAL INFORMATION

All requests in terms of the Act must be addressed to the designated Information Officer at the address listed below.

Office Address:

8 Hans Van Rensburg Street, Polokwane, 0699, Limpopo, South Africa.

Postal Address:

Private Bag X9520, Polokwane, 0700, Limpopo, South Africa.

Telephone:

(015) 2302300

Facsimile:

086 505 3460

Business Hours:

07h45 to 16h30 Monday to Friday

Website: <http://www.lgb.org.za>

7. THE REMEDIES AVAILABLE IN THE EVENT OF NONCOMPLIANCE WITH PAIA

The remedies available to the requester in the event that provisions of the PAIA Act are not complied with are:

- a) Lodge an appeal with the Board against the decision of the Information Officer.
- b) If the requester is still aggrieved by the decision of the Board, he or she can apply to Court for the appropriate relief.

8. PAIA SECTION 10 GUIDE ON HOW TO USE THE ACT

In order to educate and assist members of the public on how to use the Act, the Information Regulator was mandated to compile and publish a Guide in all South African languages. Members of the public can inspect or make copies of this Guide from the Head Office and any Provincial Offices of the Information Regulator.

Any enquiries regarding this guide should be directed to:

Here are the **contact details for PAIA**:

- **Email:** For routing requests for information related to PAIA, you can contact **info.pai a@dpw.gov.za**.
- **National Helpline:** You can also reach out to the national helpline at **0800 012 322**.
- **WhatsApp Number:** For additional inquiries, you can use the WhatsApp number **06 00 123 456**

9. SUBJECTS AND CATEGORIES HELD BY THE LGB

The subjects and categories of records held by the LGB are as follows:

- a) Public inspection copies of applications for licences, objections and responses thereto.
- b) Board and Board Committee Minutes
- c) Minutes and recordings of the Board, relating to public hearings.
- d) The Limpopo Gambling Board legislation.
- e) National and Provincial licences
- f) Financial Information
- g) Personnel documents and records

10. INFORMATION REQUEST

Records held by the LGB may be accessed on request only once the requirements for access have been met. A requester is any person making a request for access to a record of the LGB and in this regard, the Act distinguishes between two types of requesters:

10.1. Personal Requester

A personal requester is a requester who is seeking access to a record containing personal information about the requester. Subject to the provisions of the Act and applicable law, the LGB will provide the requested information, or give access to any record regarding the requester's personal information. The prescribed fee for reproduction of the information requested will be charged by the LGB.

10.2. Other Requester

This requester (other than a personal requester) is entitled to request access to information pertaining to third parties. However, the LGB is not obliged to grant access prior to the requester

fulfilling the requirements for access in terms of the Act. The prescribed fee for reproduction of the information requested will be charged by the LGB.

11. REQUEST FOR INFORMATION PROCEDURE

11.1. Automatic disclosures

The records listed in below are automatically available without a person having to request access in terms of the Act. The records listed below may be obtained from the LGB, 8 Hans van Rensburg Street, Polokwane, Limpopo. Where there are sufficient copies available, the record request may be free of charge, however a re-production fee is payable. Some of these records are also available for free on the LGB website at <http://www.lgb.org.za>.

11.2. For inspection

- a) Gambling licences, certificates of approval and certificates of suitability with conditions, if any.
- b) The Limpopo Gambling Act, its Regulations and Rules.
- c) Public notices.
- d) List of gambling equipment approved by the Board.

11.3. For purchase or copying

- a) The Limpopo Gambling Act, Regulations and Rules
- b) Extracts from public inspection documents of applications for licences.
- c) LGB Tender Documents.

11.4. Free of charge

- a) LGB Annual Reports.
- b) LGB Information Brochures and Material.
- c) Application Forms – licences, certificates of approval and suitability, procurement of interest.
- d) Business and personal history disclosure forms.
- e) Gambling performance statistics.
- f) Gambling levies remittance form.

- g) Licensees' Jobs Compendium Submission form.
- h) Application form – Registration as a LGB Supplier.
- i) List of LGB vacant posts.
- j) Public Notices.

11.5. The re-production fees for automatically available records are as follows:

For every photocopy of an A4-size or part thereof	R0.60
For every printed copy of an A4-size page or part thereof held on a computer or in electronic or machine-readable form	R0.40
For a copy in a computer-readable form on - Compact disc	R40.00
For a transcription of visual images, for an A4-size page or part thereof	R22.00
For a copy of visual images	R60.00
For a transcription of an audio record, for an A4-size page or part thereof	R12.00
For a copy of an audio record	R17.00

11.6. Oral requests

If an individual is unable to complete the prescribed form because of illiteracy or a disability, such person may make the request orally to the IO. The IO must reduce the oral request to writing in the prescribed form and provide a copy thereof to the requester.

12. FORMAL REQUEST: APPLICATION PROCESS

12.1. Step 1: The Request

Where a requester wishes to access information held by the LGB, other than records listed in paragraph 11 above, the requester must make a request for access to the relevant information in the prescribed form available on the LGB website at <http://www.lgb.org.za>, or may be obtainable upon request from the IO. The requester must submit the application form to the IO at the address, fax number or email address provided in this manual.

12.2. Step 2: The Payment

The request form should be accompanied by proof of payment for the request fee. Proof of payment is not required to be attached by people qualifying for exemption, but the reasons for exemption should be clearly stated on the form. A request fee of R35-00, or proof of payment thereof, must accompany the request for information. Payment of the request fee must be made and deposited at:

ACCOUNT NAME	: Limpopo Gambling Board
BANK	: Standard Bank
ACCOUNT NUMBER	:030171008
BRANCH CODE	:051001
BRANCH NAME	: Polokwane
REFERENCE	: PAIA/ (Name of Requester)

12.3. Step 3: Turnaround times for attending to requests

In terms of section 25 of the Act, the IO must decide whether to grant or refuse a request and give notice with reasons to that effect within 30 days of receipt of the request. The 30 days within which the IO has to decide whether to grant or refuse the request may be extended once for a period of not more than 30 days if the request is for large amounts of information. If the request cannot be reasonably obtained within the original 30 days, the LGB must notify the requester in writing should an extension be required.

12.4. Step 4: Validation and Acknowledgement

The IO receives and validates the request to see whether the required information is available within the LGB. The request is then accepted, rejected or transferred to the rightful keepers of the required information. An acknowledgement is then forwarded to the requester to confirm the status of the request.

12.5. Step 5: Final Notification

If the request is granted, then a further access fee must be paid for the search, preparation and reproduction and for any time that has exceeded the prescribed hours to search and prepare the record for disclosure. The requester will be informed of the completion of the request as well as the outstanding fees payable to the LGB.

12.6. Step 6: Payment and delivery

Once the payment is received (following the same payment process as stipulated in Step 2); the information will be released to the requester.

12.7. General Information

The prescribed form must be duly completed to enable the IO to identify a)

The record or records requested.

- b) The identity of the requester.
- c) Which form of access is required, if the request is granted; and
- d) The postal address or fax number of the requester.

The LGB will process the request within 30 days, unless the requester has stated special reasons, which would satisfy the IO that circumstances dictate that the above time periods should not be complied with.

13. FEES

The Act provides for two types of fees:

13.1. Non-Refundable Request Fee

A requester, other than a personal requester, requesting access to information held by the LGB will be required to pay the prescribed request fee of R35.00, as specified on Form A, before the request is processed further. The IO will withhold a record until the requester concerned has paid the applicable fees (if any).

13.2. Access Fee

An access fee is payable in all instances where a request for access to information is granted for reproduction costs and, if applicable, the postal fee and the time reasonably required to search for and prepare the record for disclosure.

A requester requesting copies of records that are publicly available does not have to pay the request fee of R35.00, but will pay an access fee for reproduction, if applicable. The IO will withhold a record until the requester has paid the applicable fees (if any). The actual postage is payable when a copy of a record must be posted to a requester.

The access fees payable are as follows:

For every photocopy of an A4-size page or part thereof	R0.60
For every printed copy of an A4-size page or part thereof, held on a computer or in electronic or machine-readable form	R0.40
For a copy in a computer-readable form on compact disc	R40.00
For a transcription of visual images, for an A4- size page or part thereof	R22.00
For a copy of visual images	R60.00
For a transcription of an audio record, for an A4-size page or part thereof	R12.00
For a copy of an audio record	R17.00
To search for and prepare the record for disclosure (per hour or part of an hour, excluding the first hour, reasonably required for such search and preparation)	R15.00

13.3. Deposits

If the search for a record and the preparation of the record for disclosure, including arrangements to make it available in the requested format, would require more than the hours prescribed for this purpose in the regulations, the IO must by notice require the requester to pay as a deposit the prescribed portion (being not more than a third) of the access fee which would be payable if the request is granted. If a deposit has been paid in respect of a request for access that was refused, the IO will refund the deposit to the requester.

14. REFUSED ACCESS AND GROUNDS FOR REFUSAL

The LGB may refuse a request to information if it relates to the:

- a) Mandatory protection of the privacy of a third party who is a natural person, which would involve the unreasonable disclosure of personal information of that natural person.
- b) Mandatory protection of the commercial information of a third party, if the record contains:
 - (i) trade secrets of that third party.
 - (ii) financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of that third party, and/or

- (iii) information disclosed in confidence by a third party to the LGB, if the disclosure could put that third party at a disadvantage in negotiations or commercial competition.
- c) Mandatory protection of confidential information of third parties if it is protected in terms of any agreement.
- d) Mandatory protection of the safety of individuals and the protection of property.
- e) Mandatory protection of records which would be regarded as privileged in legal proceedings.
- f) Operations of the LGB.
- g) The commercial activities of the LGB, which may include:
 - (i) trade secrets of LGB.
 - (ii) financial, commercial, scientific or technical information which disclosure could likely cause harm to the financial or commercial interests of the LGB.
 - (iii) information which, if disclosed could put the LGB at a disadvantage in negotiations or commercial competition, and/or
 - (iv) a computer programme which is owned by the LGB, and which is protected by copyright.
- h) Research information of the LGB or a third party, if its disclosure would disclose the identity of the LGB, the researcher or the subject matter of the research and cause a serious disadvantage.
- i) Requests for information that are clearly frivolous or vexatious, or which involve an unreasonable diversion of resources shall be refused.

15. SERVICES AVAILABLE

The LGB offers services particularly to the Limpopo Provincial Government, licensees of the LGB and the gambling industry at large, as well as the public, by fulfilling the following functions:

- a) To ensure the continued suitability of all persons (juristic and natural) who wish to enter or participate in the gambling industry within the Limpopo Province.
- b) To ensure that gambling is conducted in compliance with the Limpopo gambling legislation and in an honest and fair manner.
- c) To receive, investigate and adjudicate complaints received from the public arising from gambling disputes and/or other gambling related activities.
- d) To regulate and ensure that gambling equipment complies with national standards.

- e) To grants approval for the use of gambling equipment in the province.
- f) To provide the Board and the Limpopo Provincial Government with the assurance that gambling revenue and levies are accurately calculated and timeously paid; as well as to assure that the computer monitoring systems and peripheral gambling systems used by the licensees are reliable and functioning according to the gambling legislative framework and specifications.
- g) To ensure that licensees maintain a level of continual financial suitability and compliance with the Limpopo gambling legislation.
- h) To investigate and combat illegal gambling activities within the Province to protect the public from illegal operators and to ensure fair business practices.
- i) To ensure that measures are in place to promote responsible gambling. Therefore, the LGB, together with the South African National Responsible Gambling Foundation, are working on ways to help people who fall prey to problem gambling and gambling addiction.

Access to the aforementioned services can be obtained by contacting the Chief Executive Officer of the LGB, who is the Information Officer. For contact details please refer to paragraph 6 above.

16. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY, EXERCISE OF POWERS OR PERFORMANCE OF DUTIES

The Board involves the public in the process of considering and awarding licences as follows:

- a) Applications for licences are published both in the Provincial Gazette and in newspapers circulating in the relevant district.
- b) Interested parties are invited to lodge written objections to licence applications, indicating whether they wish to make oral representations at the public hearings in respect of licence applications.

In addition to the above, members of the public can, at any time make representations to the LGB regarding matters on which they consider gambling legislation can be improved. These will be considered by the LGB, who will then advise the responsible Member for purposes of legislative amendments.

Furthermore, in the process of amendments of provincial gambling legislation, the Department of Economic Development, Environment and Tourism and/ Provincial Legislature invites comments from the public on the proposed amendments to the Limpopo Gambling Act and Regulations. The LGB invites comments from the general public on proposed amendments to all gambling Rules.

17. PROCESSING OF PERSONAL INFORMATION

17.1 PURPOSE OF PROCESSING

The LGB uses the Personal Information under its care in the following ways:

- a) To adjudicate on all licence applications by natural and juristic persons.
- b) To adjudicate on post licence applications by natural and juristic persons.
- c) Staff administration
- d) Procurement of goods and services
- e) Keeping of accounts and records
- e) Complying with tax laws

17.2 CATEGORIES OF DATA SUBJECTS AND THEIR PERSONAL INFORMATION

17.2.1 Personal Information Processed.

The LGB may possess records relating to licensees and their employees, shareholders, service providers, LGB board members and staff:

Entity Type	Personal Information Processed
Licensees: Natural Persons, Employees	Names; contact details; physical and postal addresses; date of birth; ID number; Tax related information; criminal records, nationality; gender; confidential correspondence
Licensees: Juristic Persons/ Entities, Directors, Shareholders	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number; Founding documents; Tax related information; authorised signatories, beneficiaries, criminal records.

Licensees: Foreign shareholders – Persons/ Entities	Names; contact details; physical and postal addresses; date of birth; Passport number Tax related information; nationality; gender; confidential correspondence, criminal records.
Contracted Service Providers	Names of contact persons; Name of Legal Entity; Physical and Postal address and contact details; Financial information; Registration Number; Founding documents; Tax related information; authorised signatories, beneficiaries,
Board members and Employees	Gender, Race, Pregnancy; Marital Status; Age, Language, Education information; Financial Information; Employment History; ID number; Physical and Postal address; Contact details. Criminal record;

17.2.2 Categories of Recipients for Processing the Personal Information

The LGB may supply the Personal Information to service providers who render the following services:

- a) Conducting due diligence checks.
- b) Conducting criminal history checks.
- c) Investment and medical aid schemes administered by the LGB for its employees.

17.2.3 Actual or Planned Transborder Flows of Personal Information

The LGB has no planned Transborder Flows of Personal Information.

17.2.3 General Description of Information Security Measures

The LGB employs up to date technology to ensure the confidentiality, integrity and availability of the Personal Information under its care. Measures include a) Firewalls.

- b) Virus protection software and update protocols.
- c) Logical and physical access control.
- d) Secure setup of hardware and software making up the IT infrastructure.

- e) Outsourced service providers who process personal information on behalf of the LGB are contracted to implement security controls.

SIGNATURES:

INFORMATION OFFICER:



DR MD MALESA

SENIOR MANAGER: CORPORATE SERVICES

APPROVAL

MR. M.G. MAKOKO

CHIEF EXECUTIVE OFFICER

_____ **END** _____