

Notice from the National Gambling Board

The National Gambling Board is committed to upholding the law and ensuring that the public is well informed.

In terms of the National Gambling Act, No 7 of 2004 ("Act") interactive gambling is illegal. Any member of the public who advertises, facilitates or promotes unlawful gambling activities within the Republic commits an offence.

Section 11 of the Act, provides:

"A person must not engage or make available an interactive game except as authorised in terms of this Act or any other national law"

Section 15 (1) (a) (ii) stipulates thus:

"A person must not advertise or promote any gambling activity that is unlawful in terms of this Act or applicable provincial law"

The High Court of South Africa (Transvaal Provincial Division) has held that only licensed operators may carry out gambling activities within the borders of the province. This extends to the Republic of South Africa as a whole.

The only legal forms of gambling in South Africa are:

1. Pari-mutuel wagering on horse races when conducted within a licensed racetrack enclosure;
2. On line betting or wagering is permitted ***but gambling per se in terms of Exchange Control Regulations is illegal;***
3. Bingo conducted by licensed operators conducted by licensed operators within the Republic;
4. Casino land based gambling conducted by licensed operators within the Republic;
5. Limited payout machines conducted by licensed operators.

Therefore, any South Africans placing bets on horse races via the internet (or telephone) through wagering services are not engaging in unlawful betting.

However, it is illegal for South African residents to participate in foreign lotteries. The use of credit or debit cards to participate in foreign lotteries, sweepstakes and or betting is in contravention of Exchange Control Regulation F2.17.

The National Gambling Board supports the South African Reserve Bank in its endeavour to prosecute persons involved in illegal gambling activities.

Members of the public who have an addiction problem gambling may contact the Responsible Gambling Counsel line at 0800 006 008.