

GOVERNMENT NOTICE NO. 638 published on 4/11/2022

THE GAMING ACT,
(CAP. 41)

REGULATIONS

(Made under section 85)

THE GAMING (AMENDMENT) REGULATIONS, 2022

Citation
GN. No.
385 of 2003

1. These Regulations may be cited as the Gaming (Amendment) Regulations, 2022 and shall be read as one with the Gaming Regulations, hereinafter referred to as the “principal Regulations”.

Amendment of
regulation 2

2. The principal Regulations are amended in regulation 2(2) by adding in the appropriate alphabetical order the following new definitions:

““polymer notes” means a plastic material or other representative of value redeemable for cash, issued and sold by licensee for use at the licensee’s casino;

“prize competition” means a lottery or scheme whose participation is through the use of product or service offered for the purposes of competing for a prize;”

Amendment of
regulation 3

3. The principal Regulations are amended in regulation 3 by adding immediately after paragraph (g) the following:

“(h) has requisite technology and equipment that has been tested and certified by an accredited institution.”

Addition of
regulation 9A

4. The principal Regulations are amended by adding immediately after regulation 9 the following:

“Authorisation of promotion of new 9A.-(1) An applicant who intends to promote a new gaming product shall

gaming products submit to the Board a proposal for authorisation.

(2) The Board may invite the applicant to demonstrate the intended gaming product.

(3) The Board shall review the applicant's proposal and shall, upon being satisfied, grant a licence.

(4) The applicant shall pay such fees and levy as stipulated in the First Schedule.

Addition of
regulation 14A

5. The principal Regulations are amended by adding immediately after regulation 14 the following:

"Security bond

14A.-(1) The Board shall specify operators or type of gaming activity liable for deposit of security bond.

(2) The security bond may be in the form of cash, bank guarantee or insurance and shall periodically be reviewed by the Board.

(3) The amount of the security bond shall be determined by the Board.

(4) The specified operators or type of gaming activity liable for security bond shall be notified by the Board to make deposit of the security bond

(5) The Board shall have the right of access and use of security bond to settle prize obligations or any statutory obligation as the case may be.

Amendment of
regulation 21

6. The principal Regulations are amended in regulation 21 by adding a proviso as follows:

"Provided that, this regulation shall not apply to applicants for slot machine or route operation in places selling liquor."

Addition of
regulations
22A, 22B and
22C

7. The principal Regulations are amended by adding immediately after regulation 22 the following:

"Key or support
employee licence

22A.-(1) The Board shall issue a licence for key or support gaming

employees engaged in gaming activities.

(2) Notwithstanding the provisions of sub regulation (1), and upon written notification to the licensee, the Board may classify any position or individual as key or support gaming employee.

Gaming
consultancy

22B.-(1) A person who intends to provide gaming consultancy services shall on application and subject to approval by the Board be issued with a gaming consultancy licence.

(2) A person applying for gaming consultancy licence shall have the following qualifications:

- (a) a bachelor degree from a recognised university or higher learning institution;
- (b) a practitioner who is duly registered with a professional body; or
- (c) a person having five years' experience in the gaming industry.

(3) The Board shall assess the application and grant a licence upon satisfaction that the applicant has requisite qualifications.

(4) In addition to the qualifications under subregulation (2), the Board shall assess the good character, knowledge and experience of the applicant.

(5) The Board shall not grant a licence to a person who has been-

- (a) convicted with criminal offence involving fraud or dishonesty; or
- (b) involved in gross professional misconduct.

(6) The gaming consultancy license shall remain valid for a period of

two years from the date of issuance.

Gaming
management
system

22C.-(1) A licensee shall maintain a gaming management system and be required to send gaming transactions on real time basis to the management system.

(2) A licensee shall provide the Board with access to the programs and data in the gaming management system using electronic links or from a facility on the licensed premises.

(3) The casino, slot machine or route operation and forty machine site licensees shall provide and maintain, at their own costs, such device or link that provides the Board with access to the gaming management system.

(4) The licensee shall supply the Board with the necessary hardware, software, other accessories and training to enable the Board to link to, log onto and operate the gaming management system and collect or print any information from the system.

(5) The licensee shall provide on its licensed premises the following to the Board:

- (a) equipment to enable the determination of operational hardware and software version level for the gaming management system; and
- (b) facilities and equipment, including office space, to enable staff members to evaluate the compliance of the gaming management system to the approved minimum operational standards and perform such other functions as may be required from time to time.”

Amendment of
regulation 39

8. The principal Regulations are amended in regulation 39 by adding the word “polymer notes,” immediately before the words “chips” appearing in subregulations (1), (2), (3), (4), (5), (6) and (7).

Amendment of
regulation 40-

9. The principal Regulations are amended in regulation 40-

- (a) by adding the words, “polymer notes,” immediately before the words “chips” or “chip” appearing in subregulations (1) and (2);
- (b) by deleting the word “45 mm” appearing in subregulation (4).and substituting for them the words “50 mm”;
- (c) in subregulation (5), by-
 - (i) deleting the word “and” appearing at the end of paragraph (g);
 - (ii) adding immediately after paragraph (h) the following:
 - “(i) shs 500,000 chip shall be predominantly “orange”;
 - (j) shs 1, 000,000 chip shall be predominantly “white”; and
 - (k) shs 5, 000,000 chip shall be predominantly “cobalt blue”.”

Amendment of
regulation 67

10. The principal Regulations are amended in regulation 67(1) by deleting the words “not more than two”.

Amendment of
regulation 69

11. The principal Regulations are amended in regulation 69, by-

- (a) adding the words “service provider,” immediately after the word “for” appearing in the marginal note and in subsection (1); and
- (b) adding the words “or software” immediately after the word “machine” appearing in subregulation (2).

Amendment of
regulation 81

12. The principal Regulations are amended by adding immediately after subregulation (3) the following:

“(4) The records referred to in this regulation shall be retained for a period of ten years from the date of its

creation or for further period as may be directed by the Board.”.

Amendment of
regulation 86

13. The principal Regulations are amended in regulation 86(5) by deleting the words “gross sales and royalty at the rate of three percent” and substituting for them the words “Gross Gaming Revenue (GGR) and royalty at the rate of three per cent of the Gross Gaming Revenue (GGR)”.

Amendment of
regulation 97

14. The principal Regulations are amended in regulation 97 by-

- (a) designating the contents of regulation 97 as subregulation (1); and
- (b) adding immediately after subregulation (1) as designated the following:

“(2) The Board may impose draw supervision fee to licensee of lotteries.”

Addition of
regulation
111A

15. The principal Regulations are amended by adding immediately after regulation 111 the following:

“Complaints handling

111A.-(1) A licensee shall have a mechanism to handle incidents, concerns or complaints from the players or public.

(2) Every incident, concern or complaint referred to licensee shall not subject the player to any cost.

(3) Where an incident, concern or complaint is referred to the licensee, the licensee shall investigate and resolve the matter and inform the complainant of its decision within fourteen days.

(4) A player who is aggrieved by the decision of the licensee shall lodge a complaint to the Board within fourteen days from the date of decision.”

Amendment of
regulation 112

16. The principal Regulations are amended in regulation 112 by deleting subregulation (1) and

substituting for it the following:

“(1) A dispute between a player and licensee, may be referred to the Board by either party for determination.”.

Amendment of
regulation 113

17. The principal Regulations are amended in regulation 113-

- (a) by adding the words “stop publication or rectify the advertisement” immediately after the words “such advertisement” appearing at the end of subregulation (1);
- (b) in subregulation (2) by deleting paragraphs (a) and (b) and substituting for them the following:
 - “(a) offensive or indecent advertisement;
 - (b) false or misleading advertisement; and
 - (c) advertisement not based on fact or which is deceptive in a material way.”

Dodoma,
21st October, 2022

MWIGULU LAMECK NCHEMBA MADELU,
Minister for Finance and Planning