

Government Gazette

Vol. 424, No. 21696, 27 October 2000

Regulation Gazette, No. 6908

No. R. 1070

DEPARTMENT OF TRADE AND INDUSTRY

LOTTERIES ACT, 1997

REGULATIONS RELATING TO ALLOCATION OF MONEY IN NATIONAL LOTTERY DISTRIBUTION TRUST FUND

The Minister of Trade and Industry, with the concurrence of the National Lotteries Board, under section 60, read with sections 26, 28, 29, 30 and 31, of the Lotteries Act, 1997 (Act No. 57 of 1997), made the regulations in the Schedule.

SCHEDULE

Definitions

a. In these regulations, unless the context otherwise indicates-

"the Act" means the Lotteries Act, 1997 (Act No. 57 of 1997).

Percentages in respect of allocation of funds (sec 26(1))

b. The balance in the fund as contemplated in section 26(3) of the Act, shall be allocated as follows:

1. For expenditure on or connected with reconstruction and development projects and other programmes referred to in the Reconstruction and Development Programme Fund Act, 1994 (Act No. 7 of 1994), not less than ten per cent;
2. for charitable expenditure, not less than ten per cent;
3. for expenditure on or connected with the development of sport and recreation, not less than ten per cent;
4. for expenditure on or connected with the arts, culture and the national historical, natural, cultural and architectural heritage, not less than ten per cent; and
5. for expenditure in respect of any other matter approved by the Minister for that purpose, not more than ten per cent. Notwithstanding the provision of this regulation, Regulation 2 of Government Notice 3446 of 2000 shall apply to any matter approved by the Minister for urgent funding.

Requirements for the allocation of funds for charities (sec 28)

3. A juristic person applying for a grant in terms of section 28 of the Act shall -

1. be an organisation or institution established for charitable, benevolent or philanthropic purposes, including friendly societies, welfare organisations and conduit organisations or trusts in respect of any such organisation or institution;
2. state that its income and property are not distributable to its members, employees or managers, except as reasonable compensation for services rendered;
3. indicate that changes in the composition of its membership or management will not substantially affect its continued existence;
4. establish that it aims to improve quality of life of people and communities who are disadvantaged by poverty or social exclusion;
5. establish that it-
 - a. funds or intends to fund projects which enable people to become involved in activities which improve the quality of life for the community as a whole;
 - b. funds or intends to fund projects which assist those at greatest disadvantage or excluded from the community, especially projects

- pertaining to elderly people, the disabled and children or;
 - c. provides or intends to provide facilities for the under privileged;
6. indicate that the projects undertaken or to be undertaken shall be for the public good and that there is a clear demand therefor;
 7. indicate that the project intended project produces or will produce significant improvements or new developments which would not otherwise have taken place;
 8. establish that the project or intended project is financially viable and capable of being implemented;
 9. establish that it has adequate measures and procedures for the proper application of sound economic, and effective management;
 10. establish that proper accounting records are kept;
 11. furnish a written report pertaining to its financial state of affairs and activities;
 12. indicate the procedure ,for changing its constitution in respects of its aims.

Requirements for the allocation of funds for sport and recreation (sec 29 (1))

4. A juristic person applying for a grant in terms of section 29 of the Act shall-
 1. be a body established for sport or recreational purposes;
 2. state that its income and property are not distributable to its members, employees or managers except as reasonable compensation for services rendered;
 3. indicate that changes in the composition of its membership or management will not substantially affect its continued existence;
 4. establish that it-
 - a. funds or intends to fund projects which enable people to become involved in activities which contribute to the development of sport or recreation;
 - b. funds or intends to fund projects which assist disadvantaged communities to become involved in sporting or recreational activities,
 - c. provides or intends to provide sporting or recreational facilities which are accessible to communities, including children and the disabled;
 5. indicate that the projects undertaken or to be undertaken shall be for the public good and that there is a clear demand therefor;
 6. indicate that the project or intended project produces or will produce significant improvements or new development in sport or recreation which would not otherwise have taken place;
 7. establish that the project or intended project is financially viable and capable of being implemented;
 8. establish that it has adequate measures and procedures for the proper application of sound, economic, efficient and effective management;
 9. establish that proper accounting records are kept;
 10. furnish a written report pertaining to its financial state of affairs and activities;
 11. indicate the procedure for changing its constitution in respects of its aims.

Requirements for the allocation funds for arts, culture and national heritage (sec 30(1))

5. A juristic person applying for a grant in terms of section 30 of the Act shall-
 1. be a body established to promote the arts, culture or the national historical, natural, cultural or architectural heritage;
 2. state that its income and property are not distributable to its members, employees or managers, except as reasonable compensation for services rendered;
 3. indicate that changes in the composition of its membership or management will not substantially affect its continued existence;
 4. establish that it aims-
 - a. to enable people throughout the Republic to enjoy a range of art activities both as audiences and participants;
 - b. to make the arts accessible to more people
 - c. to help remove barriers to enjoyment of the arts which may be caused by inadequate facilities in particular artforms or areas; or
 - d. to promote consciousness of, or to preserve, culture or the national

historical, natural or architectural heritage;

5. establish that it-

- a. funds or intends to fund projects-
 - aa. which address the under-provision of facilities outside the principal centres of population;
 54. to improve or refurbish existing venues;
 81. within artforms which are inadequately provided for;
 108. which extend access to the arts; or
 135. which promote consciousness and aim to preserve culture or the national historical, natural, cultural or architectural heritage;
- b. enables people to become involved in activities which contribute to the development of the arts, culture or the national historical, natural, cultural or architectural heritage;
- c. funds or intends to fund projects which assist disadvantage communities to become involved in the arts, culture or the national historical, natural or architectural heritage; or
- d. provides or intends to provide facilities in respect of the arts, culture or the national historical, natural, cultural or architectural heritage which are accessible to communities.
- e. Indicate that the projects undertaken or to be undertaken shall be for the public good and that there is a clear demand therefor;
- f. Indicate that the projects undertaken or to be undertaken shall safeguard and enhance the natural, cultural or architectural heritage of South Africa;
- g. Indicate that the project or intended project produces or will produce historical, natural or architectural heritage which would not otherwise have taken place;
- h. Establish that the project or intended project is financially viable and capable of being implemented;
- i. Establish that it has adequate measures and procedures for the proper application of sound, economic, efficient and effective management;
- j. Establish that proper accounting records are kept;
- k. Furnish a written report pertaining to its financial state of affairs and activities;
- l. Indicate the procedure for changing its constitution in respects of its aims.

Requirements for the allocation of funds for miscellaneous purposes (sec 31 (2))

6. A juristic person applying for a grant in terms of section 31 of the Act, in respect of any matter approved by the Minister as contemplated in section 26(3)(e) of the Act, shall-
 - a. state that its income and property are not distributable to its members, employees or managers, except as reasonable compensation for services rendered;
 - b. indicate that changes in the composition of its membership or management will not substantially affect its continued existence;
 - c. establish that it aims to improve the quality of life of people and communities who are disadvantaged by poverty or social or social exclusion;
 - d. indicate that the projects undertaken or to be undertaken shall be for the public good and that there is a clear demand therefor;
 - e. indicate that the projects undertaken or to be undertaken shall promote social inclusion and encourage community involvement;
 - f. indicate that the project or intended project produces or will produce significant improvements or new developments which would not otherwise have taken place;
 - g. establish that project or intended project is financially viable and capable of being implemented;
 - h. establish that it has adequate measures and procedures for the proper application of sound, economically efficient and effective management;
 - i. establish that proper accounting records are kept;

- j. furnish a written report pertaining to its financial state of affairs and activities;
- k. indicate the procedure for changing its constitution in respects of its aims.

Application forms for grant (secs 28(5), 29(5), 30(5) and 31(6))

- 7. Any application for a grant in terms of sections 28(5), 29(5) and 31(6) of the Act shall be made to the distributing agency on the form in the Annexure.

Commencement

- 8. These regulations shall come into operation on 27 October 2000.
-

Form Annexed to this Notice

- [Application for Grant in terms of the Lotteries Act, 1997 \(Act No. 57 of 1997\)](#)