



MAD ABOUT SIBAYA

Sibaya Casino & Entertainment Kingdom recently participated in a golf day hosted by the *Make a Difference (MAD)* charity organisation and was one of several key sponsors of the event.

The whole idea around MAD is to join a circle of friends who share the same passion for making a difference in the lives of South African youth, to get together and interact on a regular basis, have fun and to do something meaningful and different.

Since its creation in 2003, MAD has aimed with unflagging zeal to make a difference in the lives of disadvantaged yet academically talented young South Africans by creating exceptional educational and related opportunities for them.

MAD held its third fundraising golf day at Durban Country Club on Thursday, May 6, 2010. Players and supporters on the day included former Springboks rugby Captains Francois Pienaar and Gary Teichmann, Sharks fly-half Andy Goode, as well as former Olympic Kayaker, Oscar Chalupsky. Also present on the day were businessmen, friends, family and the events sponsors who all gathered to have fun, and support MAD by doing so.

"There are so many bright young South Africans who are just not in a fortunate enough position to develop their talents," says Francois Pienaar, Chairman of the organization "and we raise funds by hosting these golf days to really make a difference in the lives of these learners."

The Golf Day in Durban raised just over R500,000 which will enable the charity to continue doing the great work that they have been doing. Adding to the excitement of the golf day, the Sibaya Casino team



Melville Vogel (GM) Sibaya Casino, Francois Pienaar (Chairman) Make A Difference, Ian Laird MVG Platinum cardholder

managed to scoop the four ball prize. Congratulations to Melville Vogel and Ian Laird who partnered with Grant Poppesqu and Francois Pienaar. This is the third year in a row that a Sibaya team has won the coveted trophy.

Sibaya contributed to the event by sponsoring three, four balls at a total cost of R24 000. In addition an auction was held and Sibaya won a R23 000 bid for a signed Springbok Rugby jersey by both Francois Pienaar and John Smit (Both World Cup winning captains). The book 'Playing with the Enemy – Nelson Mandela and the

Game that made a Nation' and John Smit's book 'Captain in the Cauldron' and signed picture of the two rugby captains. This will be proudly displayed in the Sibaya suite at ABSA stadium.

"The golf day held by MAD was absolutely thrilling, our MVGs really enjoyed not only participating on the golf course but being able to 'give' to such a dynamic organization which is really changing the lives of many young South Africans" says Melville Vogel, General Manager of Sibaya Casino & Entertainment Kingdom.



"Dear World Cup visitors,

Now that you are safely in our country you are no doubt happily realising you are not in a war zone. This may be in stark contrast to what you have been bracing yourself for should you have listened to Uli Hoeness or are an avid reader of English tabloids, which as we all know are only good for wrapping fish 'n chips and advancing the careers of large-chested teens on page three.

As you emerge blinking from your luxury hotel room into our big blue winter skies, you will surely realise you are far more likely to be killed by kindness than by a stray bullet. Remember that most of the media reports you have read, which have informed your views on South Africa, will have been penned by your colleagues. And you know what journos are like, what with their earnest two thousand word opuses on the op-ed pages designed to fix this country's ills in a heartbeat. Based on exhaustive research over a three-day visit.

Funnily enough, we are well aware of the challenges we face as a nation and you will find that 95% of the population is singing from the same song-sheet in order to ensure we can live up to our own exacting expectations.

At the timing of writing, we are down to the final 8 in the World Cup and the excitement is really palpable – as if the World Cup as a whole hasn't been exciting enough as it is! About a fortnight ago, I came across a letter written by Peter Davies, addressed as an "Open letter to our Foreign Media friends". It perfectly encapsulates my sentiments, so I thought I would take up the space provided by reprinting it here.

We are also here to look after you and show you a good time. Prepare to have your preconceived notions well and truly shattered.

For instance, you will find precious few rhinos loitering on street corners, we don't know a guy in Cairo named Dave just because we live in Johannesburg, and our stadiums are magnificent, world-class works of art.

Which is obviously news to the Sky TV sports anchor who this week remarked that Soccer City looked 'a bit of a mess'. She didn't realize the gaps in the calabash exterior are to allow in natural light and for illumination at night, and not the result of vandalism or negligence.

The fact that England, the nation which safely delivered Wembley Stadium two years past its due date, is prepared to offer us South Africans advice on stadium-readiness should not be surprising. The steadiest stream of World Cup misinformation has emanated from our mates the Brits over the past couple of years.

If it's not man-eating snakes lurking in Rooney's closet at the team's (allegedly half-built) Royal Bafokeng training base, then it's machete-wielding gangs roaming the suburbs in search of tattooed, overweight

Dagenham dole-queuers to ransack and leave gurgling on the pavement.

In fact what you are entering is the world's most fascinating country, in my opinion. I'm pretty sure you will find that it functions far more smoothly, is heaps more friendly and offers plenty more diversions than you could possibly have imagined.

In addition to which, the population actually acts like human beings, and not like they are being controlled by sinister forces from above which turns them into bureaucratically-manipulated robots.

Plus we have world's most beautiful women. The best weather. Eight channels of SuperSport. Food and wine from the gods themselves. Wildlife galore. (Love the Dutch team's bus slogan: "Don't fear the Big 5; fear the Orange 11").

Having said all that, Jo'burg is undoubtedly one of the world's most dangerous cities. Just ask those Taiwanese tourists who got out of their hire car to take close-up snaps of tawny beasts at the Lion Park a few years back. Actually, ask what's left of them. And did you know the chances of being felled by cardiac arrest from devouring a mountain of meat at one of our world class restaurants has been statistically proven to be 33.3% higher in Jozi than in any

other major urban centre not built upon a significant waterway? It's true. I swear. I read it in a British tabloid.

Having recently spent two years comfortably cocooned in small town America, I'm only too aware of how little much of the outside world knows about this country. The American channel I used to work for has a massive battalion of employees descending on World Cup country. It has also apparently issued a recommendation to its staff to stay in their hotels when not working.

Given that said corporation is headquartered in a small town which many say is "best viewed through the rear-view mirror", I find the recommendation, if it's true, to be utterly astounding. In fact I don't believe it is true.

Contrary to the global stereotype, the best Americans are some of the sharpest people in the world. The fact they have bought most tickets in this World Cup proves the point.

Of course I have only lived in Johannesburg, city of terror and dread, virtually all my life, so don't have the in-depth knowledge of say, an English broadsheet journalist who has been in the country for the weekend, but nevertheless I will share some of my observations gleaned over the years.

Any foreign tourist or media representative who is worried about his safety in South Africa should have a word with the Lions rugby fans from last year, or the Barmy Army cricket supporters (lilywhite hecklers by day, slurring, lager-fuelled lobsters by night). They managed just fine, just like the hundreds of thousands of fans who have streamed into the country over the past fifteen years for various World Cups, Super 14 matches, TriNations tests and other international events. Negligible crime incidents involving said fans over said period of time.

Trivia question: which country has hosted the most global sporting events over the past decade and a half? You don't need me to answer that, do you?

In addition. Don't fret when you see a gaggle of freelance salesmen converge on your car at the traffic lights (or robots as we like to call them) festooned with products. You are not about to be hijacked. Here in Mzansi (nickname for SA) we do a lot of our purchasing at robots. Here you can stock up on flags, coat hangers, batteries, roses for the wife you forgot to kiss goodbye this morning and a whole host of useful merchandise.

Similarly, that guy who runs up as you park the rental car outside the pub intends no malice. He's your car guard. Give him a buck or two and your vehicle will be safe while you refuel for hours on our cheap, splendid beer.

Unless someone breaks into it, of course.

We drive on the left in this country. Exercise caution when crossing the road at a jog-trot with 15 kilograms of camera gear on your back. Exercise common sense full stop. Nothing more. Nothing less. If you want to leave wads of cash in your hotel room like our Colombian friends, don't be surprised if it grows wings.

Bottomline. Get out there and breathe in great lusty lungfuls of this amazing nation. Tuck into our world-class food and wines. Disprove the adage that white men can't dance at our throbbing, vibrant night-clubs. Learn to say hello in all eleven official languages. Watch at least one game in a township. You will not be robbed and shot. You will be welcomed like a lost family member and looked after as if you are royalty. Ask those Bulls rugby fans who journeyed to Soweto recently.

With a dollop of the right attitude, this country will change your life.

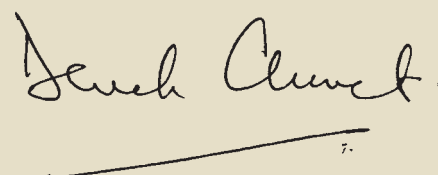
It's Africa's time. Vacate your hotel room. Join the party.

Waka waka eh eh."

That just about has to say it all. We've confounded the critics, both foreign and domestic. Far from being unprepared and at the mercy of the Australians' kind offer to host the World Cup should we fail in our attempts at readiness, we are now officially FIFA's "Plan B" if someone else gets it wrong in the future.

Has anything gone wrong? In the greater scheme of things, nothing. A few complaints about bad reffing, a bit of petty theft and the noise of the vuvuzelas. The truth of it is that the vuvuzela, like it or love it, has become one of South Africa's greatest cultural exports. No football field in Europe or South America will be safe from the B-flat monotony ever again.

The World Cup and everything that it's meant to us as a nation is something of which to be more than proud. It's a legacy, an achievement and a determination for the future, all rolled up into one. It means that we have to take what we've achieved – smiling efficient policemen and women, incredible service in hotels and restaurants, low-crime environments, a fast-moving judicial system, warm and welcoming hosts – and hang onto it for all it's worth when the visitors have returned home. This will forever be our achievement – something to cherish and to use – for all of us.


Derek Clumet



CONFIDENTIALITY VERSUS DISCLOSURE: MAKING THE PROMOTION OF ACCESS TO INFORMATION ACT WORK FOR YOU

In Issue Eighteen, attention was given to the Promotion of Administrative Justice Act, Act 3 of 2000 ("PAJA"), and the extent to which that legislation confers upon persons materially and adversely affected by the decisions or actions of public bodies, the clear right to be apprised of those decisions or actions before they are taken, as well as to seek, and to be given, adequate reasons for those decisions or actions after they have been taken.

One of the core principles underpinning PAJA is that administrative justice must not only be done, but also must be seen to be done. However, PAJA is not the only piece of national legislation designed to achieve the institutional transparency which is such a vital ingredient in any constitutional democracy. Importantly, PAJA is supplemented by another key piece of legislation, in the form of the Promotion of Access to Information Act, Act 2 of 2000 ("PAIA"), which is equally important to the public in general, but more so to persons and entities who find themselves in a regulatory relationship with public entities whose decisions, which are typically taken behind closed doors, can potentially advance, severely limit or even completely terminate, the continued operation of their licensed businesses.

PAIA proceeds from the acknowledgement that the system of government in South Africa prior to 1994 "resulted in a secretive and unresponsive culture in public and private bodies which often led to an abuse of power and human rights violations". The express purpose

of the legislation is to reverse this trend, in order to "foster a culture of transparency and accountability in public and private bodies by giving effect to the right of access to information" so as "actively [to] promote a society in which the people of South Africa have effective access to information to enable them to more fully exercise and protect all of their rights". The source of the legislation can be found in section 32(1)(a) of the Constitution, which confers on all South Africans the right of access to information held by the State. PAIA is intended to give substance and clarity to the ambit of this right, and achieves this goal in very express terms, by putting in place both procedural and substantive mechanisms on which reliance can be placed on a day-to-day, practical level.

In the context of licensed casino (and other gambling sector) operations, from a procedural point of view, PAIA may be employed both to promote access to information held by public entities such as gambling boards by licensees and to prevent the disclosure of certain proprietary information concerning licensees by such entities to other parties. As far as the promotion of access to information is concerned, each public entity must draw up a manual in at least three official languages, broadly describing the public body, the records it holds, the functions it performs its public participation mechanisms, and related information. This manual is to be made accessible to the public, deposited at the place of public deposit prescribed by section 6 of the Legal Deposit Act

and retained for public reference at the offices of the public entity. This enables the public to determine the nature of the records to which access may be sought and to request same. The information officer of the relevant public entity (who is ex officio its Chief Executive Officer) has a positive legal duty to process all requests for records received within defined timeframes, without reference to the actual or possible reasons for the request, and in this process must revert to the party affected by the possible disclosure of the records and, taking into account the response of such party and the provisions of the Act, must decide whether or not the relevant records may be made available. It is important to note, in this regard, that PAIA provides for the mandatory protection of certain information. Accordingly, for example, when the record requested contains trade secrets, or other financially or commercially sensitive information, the disclosure of which would be likely to harm the commercial or financial interests of the party to which it pertains, or information supplied in confidence to the public entity, the disclosure of which could reasonably put that party at a disadvantage in a contractual context or from the point of view of commercial competition, the information officer must refuse to disclose such record, unless the relevant information is already publicly available or consent has been furnished for its disclosure.

From a substantive point of view, and taking into account that most

Sibaya brings Prospect Farm Primary into the 21st Century



Clockwise from front left: Nombuso Puleni, Bongonakho Mabaso, Jimmy Stewart, Mrs Sibisi (Principal), Ntokozo Mbonambi, Ngobani Mdluli

Inspired by the dedication and enthusiasm of the staff and learners of Prospect Farm Primary School in Madundube, Sibaya Casino & Entertainment Kingdom donated a new computer room to this rural school.

In 2008 and 2009 Afrisun Community Development Trust (a shareholder of Afrisun KZN (Pty) Ltd) and Sibaya Casino & Entertainment Kingdom worked together with Project Build, a non-profit charitable trust, to build two new classrooms, a kitchen and storeroom and modern toilet facilities at Prospect Farm Primary School.

"Following the handover of the classrooms and other buildings, we were very impressed by the standards set by the principal and teachers at this school as well as the learners' level of eagerness to participate and learn. With very little they had achieved so much and it was clear that the learners' interests were at heart here. "We trust these new facilities will expose these young learners to technology that has not been available to them bringing them up to speed with their urban counterparts, says Jimmy Stewart, Human Resources Manager at Sibaya."

Sibaya donated a new 64 square metre computer room to the school valued at more than R230 000.00 and 20 refurbished computers were donated by the Council of KwaZulu-Natal Jewry.

Sibaya Casino & Entertainment Kingdom has donated a total of R8.1million to date to various projects in and around Durban since the inception of their corporate social investment initiative five years ago. Among the organisations who have received donations include Phumelela Senior Primary School, Bootlaces Soccer Academy, Tongaat Youth Development Centre, Greenwood Park Community Police Forum, Golden Gateway Special Needs School and the Reach for a Dream Foundation.

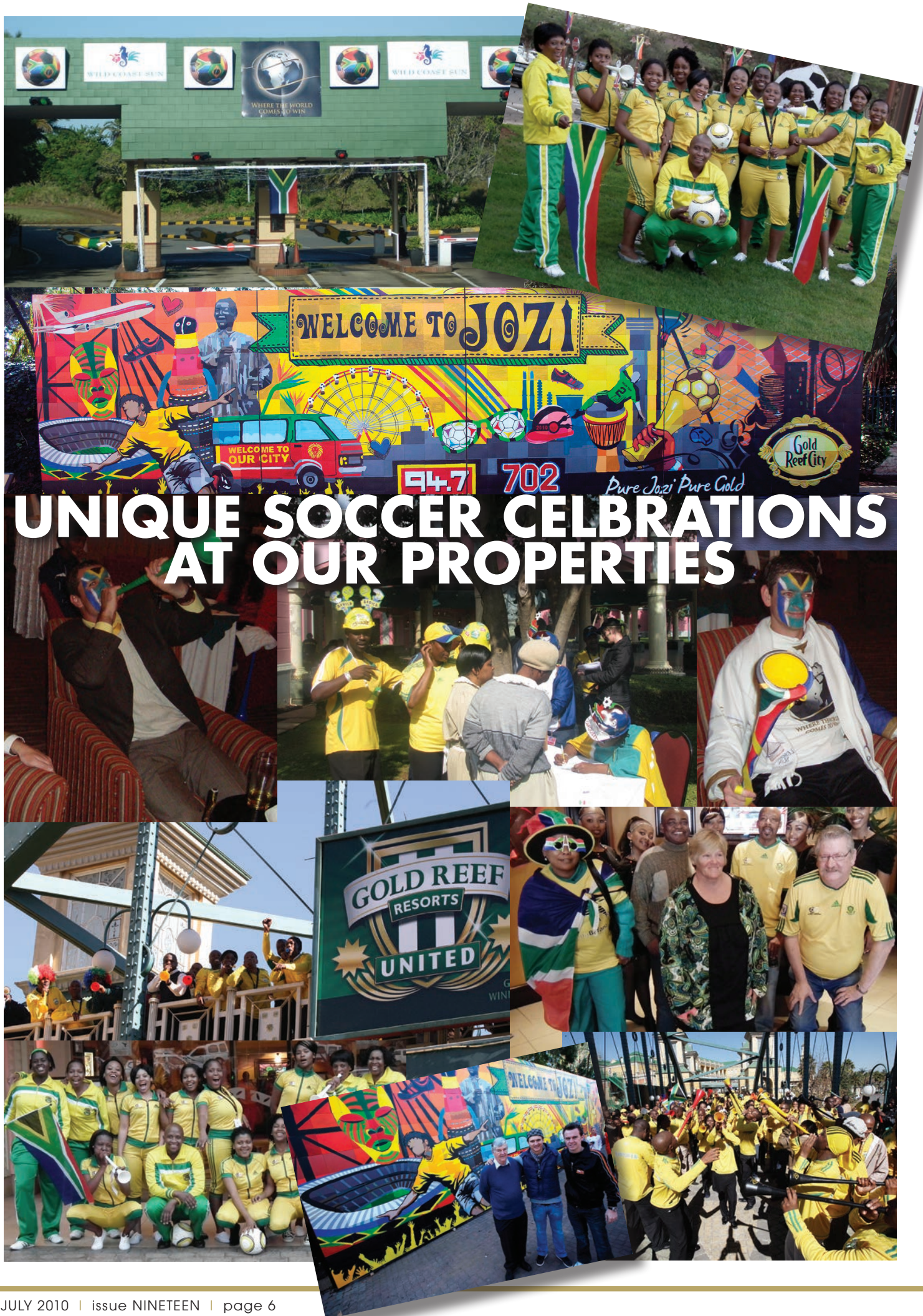
LegalWATCH continued from page 2

gambling-related legislation contains widely couched provisions prohibiting the disclosure of information held by gambling boards, it is critical to note that in terms of section 5, PAIA applies to the exclusion of other legislation prohibiting the disclosure of information, to the extent that such provisions are in conflict with the objects

or provisions of PAIA. In practical terms, this means that generally gambling boards cannot properly fall back on the confidentiality provisions of their legislation, more notably in the context of the provision of records relating to decisions taken by them, when faced with requests by licensees for access to information which pertains to them

and is required for the exercise and protection of their rights. In this context, disclosure and openness, rather than confidentiality and secrecy, is, broadly speaking, the new rule of thumb.





UNIQUE SOCCER CELEBRATIONS AT OUR PROPERTIES



Golf Reef City together with 94.7 Highveld Stereo and Talk Radio 702 kicked off their World Cup celebrations with the "Welcome to Jozi" campaign. Listeners, soccer supporters, celebrities and sports heroes all had the opportunity to paint a part of the large welcome banner, The Big Picture, which was then replicated and posted onto billboards across the city. The original banner is housed at the entrance to the theme park. Gold Reef City's Diski/Tribal dancers showed off their moves while George the Beat Box entertained the crowds on the day. Monies raised through refreshment sales were donated to Roots2Shoots, a charity that provides free weekly football programmes and social skills to underprivileged kids in the community.

At **Lesotho Sun**, 50 MVG guests were hosted to a special opening ceremony celebration in the convention centre. **Maseru Sun's** public viewing area saw capacity crowds pack the venues on match days.

Wild Coast Sun greeted their guests from the boom gate through the hotel with their "feel it" campaign of banners, flags and other football branding ensuring a football welcome to one and all.

Over 600 MVG customers attended the opening match of the world cup at **Morula** Casino and Hotel. Each guest brought the gees and were dressed to the nines for the occasion.

On 21 May Sibaya's head chef, Warwick Thomas put together a culinary soccer display which included a brightly coloured South African flag cake. On 26 May Melville Vogel, Sibaya's General Manager kicked off the soccer road show which saw staff from various departments battle it out on the football field. With big prizes, lucky draws and soccer goodies up for grabs it was a memorable kick-off to the World Cup celebrations at **Sibaya**.

In true **Carousel** style, countdown celebrations took place from 100 days to kick-off right down to the final 10 days. Ex Bafana Bafana midfielder Fabien Macarthy visited Carousel in May and Joas 'Hluphi' Magolego and Joel 'Fire' Masilela visited the property in June. The opening game was viewed by all on the big screen in the Cheyenne Saloon. Armed with their vuvuzelas and makarapas guests and staff alike cheered on the boys in green and gold.



TSOGO BBEE

The Casino Industry, through the Casino Association of South Africa (CASA), has been acutely aware that Broad Based Black Economic Empowerment (BBBEE) is a national issue, and therefore took up the call to advance BBBEE in 2007. At the time a baseline audit of all casinos in South Africa was conducted by Empowerdex and the industry achieved an average level 6 rating, a level that was amongst the highest at the time, for any economic sector.

The baseline audit pointed to the fact that further work needed to be done by individual casinos and casino groups in areas of BBBEE. To advance the contribution made by the Casino Industry to the BBBEE initiatives in South Africa, a Level 4 Contribution Status was collectively agreed to as a minimum target by all industry participants by end 2010.

Tsogo Sun Gaming took up the challenge to ensure that it's much revered status of being a pioneer and role model for meaningful BBBEE and one of the most empowered companies in South Africa is maintained. The results of its 2010 BBBEE audit confirm that its casinos are amongst the top empowered companies in South Africa.

Tsogo Sun casino properties, Suncoast Casino and Entertainment World (Durban) and Caledon Casino, Hotel and Spa, have in a very short period of time achieved an amazing Level 2 Contributor status. Their respective scores of 91.61 and 91.08 outscore South Africa's Most Empowered listed Company – Sekunjalo Investments – who attained a score of 90.80 according to the Financial Mail Survey of South Africa's 100 Top Empowered Companies.

Tsogo Sun's other casino properties, Montecasino (Fourways), The Ridge Casino and Entertainment World (Witbank/Emalahleni), Hemingways Casino & Hotel (East London), Black Rock Casino and Hotel (Newcastle) and Emnotweni Casino (Nelspruit) each achieved Level 3 Contributor status. The individual results for each of these casinos are worthy of being ranked in the top 25 most empowered companies in South Africa, based on the Financial Mail Survey.

Across its 7 casinos Tsogo Sun Gaming employs approximately 3,500 employees, of which 86% are from previously disadvantaged communities. Statistics released by the Department of Trade and Industry and National Government show that females from previously disadvantaged communities provide sustenance and support to as many as 6 family members. It is against this backdrop and the need to alleviate the burden on South Africa's Social Grant System, that Tsogo Sun Gaming has focused on the recruitment and training of black female employees. Of its total work force 42% comprise of women from previously disadvantaged communities, whilst all female employees account for 51% of the groups work force. If the DTI's statistics are correct then female employees of Tsogo Sun Gaming support approximately 8,820 individuals.

To facilitate and fast track the acquisition of skills by its employees, Tsogo Sun Gaming created the Tsogo Sun Academy in 2009. The Tsogo Sun Academy has partnered with respectable tertiary institutions such as The University of the Witwatersrand and The University of Pretoria to develop learnerships, courses and training material that will result in learners leaving the Academy with a recognised degree or diploma. In addition to this the Tsogo Sun Academy through its affiliation with the University of Nevada in the United States, sent 14 learners on a high impact Executive Development Programme. According to its latest BBBEE audit, Tsogo Sun has spent R15.5 million on skills development for previously disadvantaged staff. It is therefore no wonder that Tsogo Sun Gaming has for the past 3 years been listed as one of the best companies to work for.

By itself being a Black start-up business as recently as 12 years ago, Tsogo Sun gaming understands the challenges that start-up and Black business face. The procurement strategy adopted by each of the 7 casinos ensures that procurement opportunities are funnelled across both formal and informal sectors and amongst big business and local entrepreneurs. Of a staggering R2 billion of annual procurement spend, in excess of 58% is channelled to BBBEE vendors and suppliers. Approximately R220 million is channelled to BBBEE SMME's whilst support

for black women owned businesses in the informal sector amounted to R7 million.

Tsogo Sun is in particular committed to supporting SMME businesses in South Africa. Across its 7 Casinos in excess of R25 million has been allocated to various trusts and initiatives to support local entrepreneurs. Tsogo Sun Group Chief Executive, Jabu Mabuza, acknowledges that one of the greatest challenges faced by SMME's is cash flow management. His instructions to support cash flow management of SMME's have resulted in over 50 SMME companies receiving cash flow support from Tsogo Sun. A further 50 companies are being earmarked for support during 2011. In its bid to nurture local entertainment business particular in the performing arts, they continue to provide seed capital to productions, most notable of which was the Lion King which broke all box office records in South Africa by selling over 550, 000 tickets. In all Tsogo Sun Gaming has contributed well over 3% of its annual net profit after tax towards the development of black business enterprises in South Africa.

On the social responsibility front, Tsogo Sun Gaming has for a second year running contributed in excess of 1% of its profits to social projects. Its key project ensures that each Casino 'adopts a home' which supports children affected or inflicted with HIV and Aids is a resounding success. The project is set-up in a manner that will ensure the full and proper care of these children, from childhood and schooling through to tertiary education and adulthood. Tsogo Sun casino properties are individually involved with as many as 70 different community projects, that include, green projects, refurbishment and rebuild of schools, support for the arts and culture, sporting events and community radio stations, to name but a few.

Tsogo Sun Gaming has without doubt displayed the positive effects that come to communities at large when BBBEE is effectively executed. Even having achieved the notable success, the Group is still furthering its BBBEE strategies to ensure it remains as one the top empowered company in South Africa.