
GAMBLING REGULATORS AFRICA FORUM (GRAF) MEMORANDUM OF UNDERSTANDING (MOU)

PREAMBLE

WHEREAS the gambling regulators of African states recognize-

- 1) The international activity in gambling matters;
- 2) The need for mutual co-operation between the gambling regulators;
- 3) The necessity for effectiveness in regulating, administering and enforcing the gambling laws of the member states;
- 4) That a Gambling Regulators Africa Forum should be established; and
- 5) That the Gambling Regulators Africa Forum shall be governed and operated in terms of this Memorandum of Understanding.

CONVINCED that harmonization of the laws, regulations and requirements is imperative to enhance efficiency and foster greater cooperation among members;

AND WHEREAS the gambling regulators agree to promote cooperation and harmonization through implementation of the objects of this Memorandum Of Understanding.

NOW therefore, the gambling regulators of Africa agree to enter into this Memorandum of Understanding.

1. NAME

The name shall be the Gambling Regulators Africa Forum or GRAF in its abbreviated form.

2. DEFINITIONS

2.1 For the purposes of this Memorandum Of Understanding, the terms set out below have the assigned meanings unless the context otherwise requires-

“**member**” means a national gambling regulator from each African state which is a signatory to this Memorandum Of Understanding.

“**MOU**” means this Memorandum; and

“**laws or regulations and requirements**” means the provisions of the laws or the regulations and requirements of gambling laws of a member state.

2.2 The members recognise that while in their laws, regulations and requirements they may define terms differently, co-operation and assistance will not be withheld solely on the grounds of differences in the definitions used by members.

3. GUIDING PRINCIPLES

This MOU set the basis upon which the members propose to pursue and foster the spirit of co-operation among African gambling regulators in the performance of their official duties under their respective laws, regulations and requirements.

The guiding principles of this MOU shall be the following-

3.1 All members shall participate in the Forum as equals;

3.2 The sovereignty and independence of each gambling jurisdiction shall be respected; and

3.3 Members shall endeavour to provide assistance and constructively engage each other on gambling and related matters.

4. OBJECTS

The Forum shall have the following objects-

- 4.1 to provide a forum in which members can meet, exchange views and information and discuss policy on gambling matters;
- 4.2 to provide a forum in which members can meet, exchange views and information and discuss policy on gambling matters;
- 4.3 to liaise with any foreign or international body having any objects similar to the objectives of the Forum;
- 4.4 to serve as a focal point for enquiries by authorities and international organisations with similar or related objects;
- 4.5 to represent on specific occasions the different views of the members at international for a for the promotion of the objects of this MOU;
- 4.6 to keep gambling free from criminal activity;
- 4.7 to co-operate on probity and sharing of information;
- 4.8 to protect the consumers and maintain fairness or equity of the games;
- 4.9 to promote responsible gambling;
- 4.10 to visibly benefit our nationals from gambling;
- 4.11 to eliminate possible negative perceptions on gambling;
- 4.12 to influence international perception on gambling;
- 4.13 to promote harmonization and mutual recognition of standards; and
- 4.14 to contribute towards the enhancement of economic development.

5. MEMBERSHIP

- 5.1 Membership of the Forum shall be open to national gambling regulators on the African Continent.
- 5.2 Any prospective member may apply to join the Forum by submitting an application to the Secretariat together with a resolution or letter of credence authorising the prospective member to join.
- 5.3 The Secretariat may admit the prospective member subject to the approval

of the Forum.

- 5.4 Upon approval of the application by the Forum, a duly authorized official of the prospective member shall sign the MOU, thereby binding the member to the terms and conditions of the MOU.

6. INVITEES

6.1 Invitees are:

- a) Organisations which actively support or otherwise are interested in the objective of the Forum;
- b) Countries which are considering membership of Forum; and
- c) Any other country, organisation, or person after appropriate consultation, invited by the Secretariat.

6.2 Application process for an invitee shall be as follows:

- a) An organisation, country or person, may apply in writing to the Secretariat to become an Invitee to a particular meeting or conference of the Forum.
- b) The application will be considered by the Secretariat, on round-robin basis with other member countries within 6 months of receipt of the application.
- c) Organisations, countries, or person will be admitted as Invitees upon the approval of their application by two thirds of the member countries.

7. FUNDING

7.1 The activities of the Forum will be funded by annual contribution from member countries as decided by the Forum or any other source approved by the Forum.

7.2 Member countries will bear the cost of their participation in the activities of the Forum.

8. OFFICERS

8.1 The officers of the Forum shall be a Chairperson, a Vice-Chairperson and a Secretariat.

8.2 The Chairperson and Vice Chairperson of the Forum shall be elected at the annual meeting.

8.3 The Chairperson and the Vice Chairperson shall serve for a period of one (1) year.

8.4 A Vice Chairperson who assumes the duties of the Chairperson in the event of the Chairperson is unable to perform his or her duties shall be considered the acting Chairperson for the duration of the former Chairperson' one (1) year term of office.

9. DUTIES AND POWERS OF THE OFFICERS

9.1 The Chairperson shall preside at all meetings of the Forum.

9.2 The Chairperson shall also, at the annual meeting of the Forum and such other times as he/she deems proper, communicate to the members and make such suggestions as may in his or her opinion tend to advance the mission of the Forum and shall perform such other duties incidental to the office of the Chairperson.

9.3 The Vice Chairperson shall carry out the duties of the Chairperson in the event the Chairperson is unable to perform his or her duties and shall perform such functions as may be assigned by the Chairperson.

9.4 Members may propose items for inclusion in the agenda and notify the Secretariat at least three months before the date of the conference. The Secretariat shall circulate an agenda and call for national position papers at least two months before the conference.

10. THE SECRETARIAT

- 10.1 The Secretariat will perform technical and administrative functions under the direction of the Chairperson.
- 10.2 Members may propose items for inclusion in the agenda and notify the Secretariat at least three months before the date of the meeting.
- 10.3 The Secretariat shall circulate an agenda and call for national position papers at least two months, before the meeting.
- 10.4 The Secretariat, under supervision of the Chairperson, will:
- a) implement the work programme approved by the members;
 - b) administer the approved budget;
 - c) co-ordinate the meetings and activities of GRAF;
 - d) co-ordinate and make recommendations to members, disseminate information, and collate the responses thereto;
 - e) identify training and technical assistance needs of Member countries and facilitate the provision thereof;
 - f) act as liaison between GRAF and third countries and organisations with similar objectives;
 - g) monitor gambling / gaming development and an authorisation by the Chairperson, participate in activities not included in the work programme;
 - h) receive application on behalf of the chair;
 - i) receive notice of intention to withdraw and notify members accordingly; and discharge any other responsibility assigned by the Chairperson.
 - j) The Secretariat shall notify all members of any special meeting, attend, make and keep record of all meetings of the Forum and conduct all authorized correspondence on behalf of the Forum
 - k) The Secretariat shall nominate one of its officials to carry out the duties of the Vice Chairperson in the event the Vice Chairperson is

unable to perform his or her duties

- l) The Secretariat shall be responsible for all administration matters of the Forum; and
- m) The Secretariat will submit to the Members:
 - i. the Annual report;
 - ii. the Financial Reports;
 - iii. the Work Programme for the following year; and
 - iv. the budget for the following year.

11. MEETINGS

- 11.1 Meetings of the Forum shall be held at least once a year in a member country in rotation, as the Forum may decide.
- 11.2 Special meetings may be called at the discretion of the Chairperson upon notice to all members.
- 11.3 The Secretariat, in conjunction with the Host country, shall be responsible for the arrangement of meetings and conference of the Forum.

12. RESOLUTIONS

- 12.1 Members shall endeavour to resolve all issues by consensus.

13. WORKING GROUPS

- 13.1 The Forum may establish working groups on specific items.

14. CONSULTATIONS

- 14.1 The members will keep the operation of this MOU under continuous review and consult with a view to improving its operation and resolving any matters.

15. REVISION OF THE MOU

15.1 Any proposal for the review of this MOU shall be made to the Secretariat by any member and the Secretariat shall circulate such proposal to the members three (3) months before the meeting.

15.2 The revision to this MOU shall be adopted by consensus.

15.3 In the event of failure to determine any proposal change by consensus a revision of the MOU shall be adopted by two-thirds majority members present.

16. TERMINATION

16.1 This MOU will continue to have effect on every member unless terminated by a member by giving thirty (30) days advance written notice to the secretariat that the understandings set out herein are no longer to have effect on such a member.

17. ENTRY INTO EFFECT

This MOU will be effective from the date of its signature by the member.

NO	MEMBER	SIGNATURE	DATE
1.	South Africa		October 2003
2.	Malawi		October 2003
3.	Tanzania		October 2003
4.	Kenya		October 2003
5.	Zambia		October 2003
6.	Mozambique		27 November 2004
7.	Zimbabwe		27 November 2004
8.	Botswana		27 November 2004
9.	Swaziland		29 November 2005

10.	Namibia		29 November 2005
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