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CHAPTER 17.02

LOTTERIES ACT and Subsidiary Legislation

Revised Edition
showing the law as at 31 December 2002

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, No. 9 of 1986.

This edition contains a consolidation of the following laws—

	Page
LOTTERIES ACT	3
Act 23 of 1957 ... in force 20th October 1961	
Amended by: Act 6 of 1976	
LOTTERIES REGULATIONS – Section 5	6
S.R.O. 20/1957	

CHAPTER 17.02
LOTTERIES ACT

ARRANGEMENT OF SECTIONS

1. Short title
2. Interpretation
3. Power to promote and conduct Government lotteries
4. Proceeds of Government lotteries
5. Regulations
6. Audit

SCHEDULE: Lotteries Regulations

CHAPTER 17.02
LOTTERIES ACT

AN ACT TO MAKE PROVISION RELATING TO THE PROMOTION AND CONDUCT OF GOVERNMENT LOTTERIES; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

Short title.

1. This Act may be cited as the Lotteries Act.

Interpretation.

2. In this Act—

“Government lottery” means a scheme promoted and conducted by the Permanent Secretary (Finance) under the provisions of this Act for distributing prizes by lot;

“Minister” means the Minister of Finance.

(Inserted by Act 6 of 1976)

Power to promote and conduct Government lotteries.

3. Subject to the provisions of this Act and of any regulations made thereunder, it shall be lawful for the Minister from time to time to promote and conduct a Government lottery, and in relation thereto to do all such acts and things and give all such directions as he may deem necessary or expedient for the purpose or as may be prescribed and, without limiting the generality of the foregoing power, in particular—

- (a) to fix the number and price of tickets to be issued for any such lottery;
- (b) to appoint and remunerate agents for the sale of such tickets;
- (c) to fix the number and value of the prizes to be apportioned;
- (d) to determine the time when, the place where and the manner in which drawings shall take place for the allotment of prizes.

(Amended by Act 6 of 1976)

Proceeds of Government lotteries.

4. The proceeds of the sale of tickets in every Government lottery shall, subject to deduction of the moneys apportioned for prizes and such other deductions as the Minister may approve, be paid into the general revenue of the State.

(Amended by Act 6 of 1976)

Regulations.

5. (1) The Minister may make regulations prescribing all matters which are necessary or convenient to be prescribed for giving effect to the foregoing provisions of this Act, and in particular—

- (a) for appointing a committee to advise and assist in the promotion and conduct of Government lotteries;
- (b) for prescribing the conditions to be observed by agents appointed for the sale of tickets for such lotteries and the rights, obligations and liabilities of such agents;
- (c) for prescribing the form or contents of such tickets;

- (d) for prescribing the information to be published concerning any Government lottery and the manner in which it shall be published;
- (e) for prescribing the time within which and the manner in which prizes shall be claimed;
- (f) for providing for the disposal of unclaimed prizes or money or of prizes or money as to which any dispute has arisen;
- (g) for prescribing the persons who shall be present at any drawing for the allotment of prizes and their powers and duties in relation thereto and to any dispute or difficulty which may arise in the conduct of the drawing.

(Amended by Act 6 of 1976)

(2) Regulations made under this section may prescribe that in certain events to be specified and after such time as shall be specified the proceeds of unclaimed prizes shall be forfeited to the Crown and paid into the general revenue of the State.

(Amended by Act 6 of 1976)

Audit.

6. The Accounts of every Government lottery to the 31st of December in each year shall be subject to audit by the Director of Audit or such other auditor as may be appointed by the Minister and shall be laid before the National Assembly not later than the 30th day of June in every year.

(Amended by Act 6 of 1976)

SCHEDULE

(Section 5)

LOTTERIES REGULATIONS

Short title.

1. These Regulations may be cited as the Lotteries Regulations.

Government Lottery Committee.

2. (1) The Minister shall appoint a committee, to be called the Government Lottery Committee, consisting of a chairperson and not fewer than six other members, who shall advise and assist in the promotion and conduct of lotteries and exercise and perform the powers and duties conferred and imposed upon them by these Regulations.

(2) The Financial Secretary shall, ex-officio, be a member of the Government Lottery Committee.

(3) At any meeting of the Government Lottery Committee, three members shall form a quorum.

Appointment of agents.

3. The Minister shall appoint such number of agents in the State, not being Government Officers, as the Minister shall deem fit.

Agents to enter agreement.

4. Every agent shall enter into an agreement with the Minister on behalf of the Government for one year binding himself or herself to purchase a specified number of tickets not being less than fifteen, for each drawing and to comply with the provisions of these Regulations.

Agents to purchase tickets.

5. Every agent shall personally obtain from the Lottery Office, not later than fourteen days after the first issuance, the number of tickets which he or she has agreed to purchase through a cash payment or certified cheque, and shall sign a receipt for the tickets received, and the numbers of the tickets obtained shall be written on each receipt.

Tickets to be stamped.

6. Every agent shall sign or stamp his or her name and number on the back of every ticket received by him or her, and a duplicate of the said signature or stamp shall be registered in the Lottery Office.

Unsold tickets.

7. Agents shall not be permitted to return unsold tickets, and any tickets remaining after agents have taken their quotas shall be sold to agents as and when applied for.

Tickets.

8. (1) The Lottery shall consist of drawings of tickets containing ten portions, and each tenth shall have a value in proportion to the whole ticket.

(2) The face value of each ticket issued for sale shall be two dollars and fifty cents (\$2.50) and the selling price to agents shall be two dollars (\$2.00).

(3) Any agent who sells a ticket or portion thereof at a price in excess of the face value commits an offence and shall be liable, on summary conviction, to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding two months.

(Amended by Act 9 of 1986)

Particulars to be stated in tickets.

9. The following particulars shall be set forth in every ticket—

- (a) the number or other description of the draw of the lottery for which the ticket is issued;
- (b) the number and price of the ticket;
- (c) the number and value of the prizes apportioned to the lottery for which the ticket is issued,

and such other particulars, if any, as the Minister may direct.

Notice of draw.

10. Before any lottery is drawn the Financial Secretary shall cause to be published in the *Gazette* and in the newspapers of the State—

- (a) the date and time when and the place where the draw will take place;

- (b) the number of tickets issued by him or her for sale in respect of the lottery, their price and any other particulars concerning them which he or she may deem it desirable to publish;
- (c) the number and value of the prizes apportioned to the lottery and the place where and the hours during which payment of prizes may be claimed.

Procedure at draw.

11. (1) Whenever any lottery is drawn there shall be present at the draw at least three members of the Government Lottery Committee, and if, at the time appointed for the draw, there shall not be that number of members present, the draw shall be postponed until such time, whether on the same or on another day, as the Financial Secretary or any person then present who has been authorised for that purpose by the Financial Secretary, may direct.

(2) The members of the Government Lottery Committee present at the draw shall, before the commencement of the draw, inspect the machine or other contrivance approved by the Minister for drawing the number of the winning tickets and satisfy themselves that it has not been tampered with, is in proper working order, and is in every way correctly prepared to effect the draw.

(3) After the inspection required by paragraph (2) has been completed and before the commencement of the draw, the members of the Government Lottery Committee present at the draw shall appoint one of their number to preside at the draw, and the member so appointed shall—

- (a) put, or cause to be put, in motion the said machine or other contrivance;
- (b) declare the number of the winning tickets so drawn; and
- (c) in the event of any breakdown or other difficulty occurring in the operation of the machine or contrivance aforesaid, direct that the drawing of the numbers of such winning tickets as then remain to be drawn shall be postponed until such time as he or she is satisfied that the draw can be resumed without difficulty.

(4) In the event of the draw being postponed on any of the grounds laid down in this regulation, the Financial Secretary shall, as soon as possible, cause to be displayed outside of the premises upon which the draw is to be conducted a notice containing—

- (a) the fact that the draw has been postponed;
- (b) the reason for the postponement; and
- (c) the time and date to which it has been postponed.

(5) The public shall be admitted to the premises upon which the draw of a lottery is conducted so far as may reasonably be practicable having regard to the accommodation available for such purpose.

(6) Any person who obstructs or impedes the drawing of a lottery, or creates any disturbance on or near the premises on which a lottery is being or is about to be drawn, commits an offence and liable, on summary conviction, to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding two months.

(Amended by Act 9 of 1986)

Result of draw to be published.

12. The Financial Secretary shall cause the numbers of the winning tickets drawn in every lottery to be published in the *Gazette* and in the newspapers of the State as soon as he or she can conveniently do so after the lottery has been drawn.

Payment of prizes.

13. Prizes shall be paid as directed by the Financial Secretary, in respect of winning tickets in a lottery, in accordance with the following provisions—

- (a) payment shall be claimed by presenting and delivering up the ticket in respect of which the claim is made at the place and during the hours appointed for the purpose in the notice published in pursuance of regulation 10;
- (b) payment shall be claimed within six months after the day of the draw at which the ticket in respect of which the claim is made was declared a winning ticket;
- (c) payment shall be made to the person who presents the ticket for payment of the prize won by that ticket and such payment shall absolutely discharge the Financial Secretary, the Government, its servants and agents in respect of the payment of that prize.

Cancellation of winning tickets.

14. Upon payment of a prize, the winning ticket shall be cancelled and initialled by the Financial Secretary or some person authorised by him or her.

Forfeiture of unclaimed prize.

15. If payment of a prize for a ticket is not claimed in the manner and within the period prescribed by regulation 13, and if the number of the ticket in respect of which the prize was payable shall have been duly published as provided in regulation 12, the proceeds of that prize shall upon the expiry of the period aforesaid be forfeited to the Crown and paid into the general revenues of the State.

(Amended by Act 6 of 1976)

Defaced, etc., tickets.

16. If when any ticket or portion thereof is presented for payment of a prize any number, mark, figure or word which is material for identifying the ticket is, in the opinion of the Financial Secretary, illegible or not clearly legible or incomplete or has been obliterated, defaced or removed, he or she shall not make any payment unless the person claiming payment produces evidence, to the satisfaction of the Financial Secretary, identifying the ticket as the ticket in respect of which the prize claimed is payable.

Application of certain regulations.

17. Regulations 6, 9, 13, 14, 15 and 16 shall apply *mutatis mutandis* to portions of a ticket as they apply to a whole ticket.
