

Laid on 03/04/2018 by Hon. David Bahati

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**BILLS  
SUPPLEMENT No. 2**

**29th March, 2018.**

**BILLS SUPPLEMENT**

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**Bill No. 5**     *Lotteries and Gaming (Amendment) Bill*     **2018**

**THE LOTTERIES AND GAMING (AMENDMENT) BILL, 2018**

**MEMORANDUM**

The object of this Bill is to amend the Lotteries and Gaming Act, 2016; to amend the definition of a minor; to provide for the definition of betting intermediary and public lottery; to provide for additional powers of the Board; to limit the interest payable on tax to the aggregate of the principal tax and the penal tax; and for related matters.

**MATIA KASAIJA, (MP)**

*Minister of Finance, Planning and Economic Development.*

THE LOTTERIES AND GAMING (AMENDMENT) BILL, 2018

ARRANGEMENT OF CLAUSES

*Clause*

1. Commencement
2. Amendment of Act 7 of 2016
3. Amendment of section 5 of principal Act.
4. Amendment of section 15 of principal Act.
5. Amendment of section 27 of principal Act.
6. Amendment of section 42 of principal Act.
7. Amendment of section 49 of principal Act.
8. Amendment of section 70 of principal Act.

A Bill for an Act

ENTITLED

**THE LOTTERIES AND GAMING (AMENDMENT) ACT,  
2018**

**An Act to amend the Lotteries and Gaming Act, 2016, to amend the definition of a minor; to provide for the definition of betting intermediary and public lottery; to provide for additional powers of the Board; to limit the interest payable on tax to the aggregate of the principal tax and the penal tax; and for related matters.**

BE IT ENACTED by Parliament as follows:

**1. Commencement**

This Act shall come into force on 1st July, 2018.

**2. Amendment of Act 7 of 2016**

The Lotteries and Gaming Act, 2016, in this Act referred to as the principal Act is amended in section 1—

- (a) by inserting immediately after the definition of “betting”

the following—

“ “betting intermediary” means a person who provides a service designed to enable any other person to make or accept bets;”;

- (b) in the definition of the term “minor”, by substituting for the word “twenty five years” the word “eighteen years;”;
- (c) by substituting for the definition of “public lottery” the following—

“public lottery” means a lottery conducted in the public interest and for no private gain for a period determined by the Board;”.

**3. Amendment of section 5 of principal Act.**

Section 5 of the principal Act is amended by inserting immediately after paragraph (g), the following—

- “(h) to seize and destroy confiscated equipment or devices without recourse to courts of law, in accordance with regulations made by the Minister;
- (i) to enter and search any premises where gaming and betting is taking place, with or without a warrant, in accordance with regulations made by the Minister;
- (j) to direct the closure of any non-compliant gaming or betting premises;
- (k) to levy and collect express fines as may be prescribed by regulations made by the Minister; and
- (l) to designate any person as an inspector of the Board.”

**4. Amendment of section 15 of principal Act.**

Section 15 of the principal Act is amended in subsection (2) by repealing paragraph (b).

**5. Amendment of section 27 of principal Act.**

Section 27 of the principal Act is amended by inserting immediately after subsection (3), the following subsections—

“(3a) The Board may, in accordance with this Act, issue a certificate of suitability of premises to be used as a casino or for other gaming and betting operations.

(3b) The Board shall approve a franchisee or an agent of a licensee before the licensee appoints the franchisee or agent.

(3d) An applicant for a licence under this Act shall bear the cost of conducting a due diligence.”

**6. Amendment of section 42 of principal Act.**

Section 42 of the principal Act is amended in subsection (3), by substituting for the words “twenty one days” the words “ sixty days”.

**7. Amendment of section 49 of principal Act.**

Section 49 of the principal Act is amended—

(a) by renumbering section 49 as subsection (1);

(b) by inserting immediately after subsection (1), the following subsection—

“(2) Any interest due and payable under subsection (1), which exceeds the aggregate of the principal tax and penal tax is waived.”

**8. Amendment of section 70 of principal Act.**

Section 70 of the principal Act is amended in subsection (1), by repealing the words “within a period of six months from the date of assent”.