



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 3944 OF 17TH MAY, 1956.

LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 14 OF 1956.

A LAW TO AUTHORIZE THE PROMOTION AND CONDUCT OF GOVERNMENT LOTTERIES ; TO PROHIBIT UNAUTHORIZED LOTTERIES AND RESTRICT CERTAIN PRIZE COMPETITIONS ; AND FOR PURPOSES CONNECTED WITH THE MATTERS AFORESAID.

JOHN HARDING,]
Governor.

[16th May, 1956.

BE it enacted by His Excellency the Governor and Commander-in-Chief of the Colony of Cyprus as follows :—

1. This Law may be cited as the Lotteries Law, 1956.

Short title.

PART I.—PRELIMINARY.

Interpreta-
tion.

- 2.—(1) In this Law, unless the context otherwise requires—
 “the Director” means the person holding the office of Director of Lotteries and includes any person appointed to act in that office ;
 “Government lottery” means a lottery promoted and conducted by the Director under the provisions of Part II ;
 “lottery” means any scheme for distributing prizes by lot or chance ;
 “money” includes a cheque, banknote, currency note, postal order or money order ;
 “newspaper” includes any journal, magazine or other periodical publication ;
 “ticket” includes, in relation to any lottery or proposed lottery, any document evidencing the claim of a person to participate in the chances of the lottery.
- (2) For the purposes of this Law—
 (a) references to printing shall be construed as including references to writing and other modes of representing or reproducing words in a visible form ;
 (b) documents or other matters shall be deemed to be distributed if they are distributed to persons or places whether within or outside the Colony, and the expression “distribution” shall be construed accordingly.

PART II.—GOVERNMENT LOTTERIES.

Power to
promote
and conduct
Government
lotteries.

3.—(1) Subject to the provisions of this Law and of any Regulations made thereunder, it shall be lawful for the Director 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 that 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.

(2) Any such acts, things or directions which may have been done or given, as the case may be, at any time before the commencement of this Law, shall nevertheless be deemed to have been done or given by virtue of the powers conferred by this section.

Proceeds of
Government
lotteries.

4. The proceeds of the sale of tickets in every Government lottery shall, subject to deduction of the monies apportioned for prizes and such other deductions as the Governor may approve, be paid into the Development Funds of the Colony.

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

Regulations.

- (a) for appointing a committee to advise and assist the Director 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.

(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 Her Majesty and paid into the Development Funds of the Colony.

PART III.—UNLAWFUL LOTTERIES AND RESTRICTIONS ON PRIZE COMPETITIONS.

6.—(1) A lottery promoted as an incident of an entertainment to which this section applies shall be deemed not to be an unlawful lottery, but the conditions specified in sub-section (2) shall be observed in connection with the promotion and conduct of the lottery, and if any of those conditions is broken, every person concerned in the promotion or conduct of the lottery shall be guilty of an offence and shall be liable to imprisonment not exceeding six months or to a fine not exceeding two hundred pounds or to both such imprisonment and fine, unless he proves that the offence was committed without his knowledge.

Exemption of small lotteries incidental to certain entertainments.

(2) The conditions referred to in sub-section (1) are that—

- (a) the whole proceeds of the entertainment (including the proceeds of the lottery) after deducting—
 - (i) the expenses of the entertainment, excluding expenses incurred in connection with the lottery ; and
 - (ii) the expenses incurred in printing tickets in the lottery ; and

- (iii) such sum (if any) not exceeding thirty pounds as the promoters of the lottery think fit to appropriate on account of any expenses incurred by them in purchasing prizes in the lottery, shall be devoted to purposes other than private gain ;
 - (b) none of the prizes in the lottery shall be money prizes ;
 - (c) tickets or chances in the lottery shall not be sold or issued, nor shall the result of the lottery be declared, except on the premises on which the entertainment takes place and during the progress of the entertainment ; and
 - (d) the facilities afforded for participating in lotteries shall not be the only, or the only substantial, inducement to persons to attend the entertainment.
- (3) The entertainments to which this section applies are bazaars, sales of work, fêtes and other entertainments of a similar character, whether limited to one day or extending over two or more days.

Exemption
of private
lotteries.

7.—(1) In this section—

“ private lottery ” means a lottery in the Colony which is promoted for, and in which the sale of tickets or chances by the promoters is confined to, either—

(a) members of one society established and conducted for purposes not connected with gaming, wagering or lotteries ; or

(b) persons all of whom work on the same premises ; or

(c) persons all of whom reside on the same premises,

and which is promoted by persons each of whom is a person to whom under the foregoing provisions tickets or chances may be sold by the promoters and, in the case of a lottery promoted for the members of a society, is a person authorized in writing by the governing body of the society to promote the lottery ;

“ promoter ” means the individual who, or, in the case of a lottery promoted by a society, the secretary (or similar official) of the society which, promotes the lottery, and in the case of a lottery promoted, held, drawn or managed without the Colony, the person primarily responsible for conducting the affairs of such lottery in the Colony ;

“ society ” includes club, institution, organization or other association of persons by whatever name called, and each local or affiliated branch or section of a society shall be regarded as a separate and distinct society.

(2) A private lottery shall be deemed not to be an unlawful lottery, but the following conditions shall be observed in connection with the promotion and conduct of the lottery, that is to say—

(a) the whole proceeds, after deducting only expenses incurred for printing and stationery, shall be devoted to the provision of prizes for purchasers of tickets or chances, or in the case of a lottery promoted for the members of a

society, shall be devoted either to the provision of prizes as aforesaid or to purposes which are purposes of the society or, as to part, to the provision of prizes as aforesaid and, as to the remainder, to such purposes as aforesaid ;

- (b) there shall not be exhibited, published or distributed any written notice or advertisement of the lottery other than:—
 - (i) a notice thereof exhibited on the premises of the society for whose members it is promoted, or, as the case may be, on the premises on which the persons for whom it is promoted work or reside; and
 - (ii) such announcement or advertisement thereof as is contained in the tickets, if any ;
- (c) the price of every ticket or chance shall be the same, and the price of any ticket shall be stated on the ticket ;
- (d) every ticket shall bear upon the face of it the names and address of each of the promoters and a statement of the persons to whom the sale of tickets or chances by the promoters is restricted, and a statement that no prize won in the lottery shall be paid or delivered by the promoters to any person other than the person to whom the winning ticket or chance was sold by them, and no prize shall be paid or delivered except in accordance with that statement ;
- (e) no ticket or chance shall be issued or allotted by the promoters except by way of sale and upon receipt of the full price thereof and no money or valuable thing so received by a promoter shall in any circumstances be returned ;
- (f) no tickets in the lottery shall be sent through the post.

(3) If any of the conditions specified in sub-section (2) is broken, each of the promoters of the lottery, and where the person by whom the condition is broken is not one of the promoters, that person also, shall be guilty of an offence and shall be liable to imprisonment not exceeding six months or to a fine not exceeding two hundred pounds or to both such imprisonment and fine :

Provided that it shall be a defence for a person charged only by reason of his being a promoter of the lottery to prove that the offence was committed without his knowledge.

8.—(1) It shall be unlawful to conduct in or through any newspaper, or in connection with the sale of any article to the public, or in connection with any trade or business relating to any such sale—

Restriction on certain prize competitions.

- (a) any competition in which prizes are offered for forecasts of the result either of a future event, or of a past event the result of which is not yet ascertained or not yet generally known ;
- (b) any other competition success in which does not depend upon the exercise of skill.

(2) Any person who contravenes the provisions of this section shall be guilty of an offence and shall be liable to imprisonment not exceeding six months or to a fine not exceeding two hundred pounds or to both such imprisonment and fine, without prejudice, however, to his liability, if any, to be proceeded against under the provisions of this Part of this Law relating to lotteries.

Exemption of Government lotteries.

9. Nothing in this Part shall apply to or in relation to a Government lottery.

Illegality of lotteries.

10. Subject to the provisions of this Part, all lotteries are unlawful.

Offences in connection with lotteries.

11.—(1) Subject to the provisions of this section, every person who in connection with any lottery promoted or proposed to be promoted either in the Colony or elsewhere—

- (a) prints any tickets for use in the lottery ; or
- (b) sells or distributes, or offers or advertises for sale or distribution, or has in his possession for the purpose of sale or distribution, any tickets or chances in the lottery ; or
- (c) prints, publishes or distributes, or has in his possession for the purpose of publication or distribution—
 - (i) any advertisement of the lottery ; or
 - (ii) any list (whether complete or not) of prize winners or winning tickets in the lottery ; or
 - (iii) any such matter descriptive of the drawing or intended drawing of the lottery, or otherwise relating to the lottery, as is calculated to act as an inducement to persons to participate in that lottery or in other lotteries ; or
- (d) brings, or invites any person to send, into the Colony for the purpose of sale or distribution any ticket in, or advertisement of, the lottery ; or
- (e) sends or attempts to send out of the Colony any money or valuable thing received in respect of the sale or distribution, or any document recording the sale or distribution, or the identity of the holder, of any ticket or chance in the lottery ; or
- (f) uses any premises, or causes or knowingly permits any premises to be used, for purposes connected with the promotion or conduct of the lottery ; or
- (g) causes, procures or attempts to procure any person to do any of the aforementioned acts,

shall be guilty of an offence and shall be liable to imprisonment not exceeding six months or to a fine not exceeding two hundred pounds or to both such imprisonment and fine.

(2) In any proceedings instituted under sub-section (1) it shall be a defence to prove that the lottery to which the proceedings relate was such a lottery as is declared by any section of this Part not to be an unlawful lottery, and that at the date of the alleged offence the defendant believed, and had reasonable

ground for believing, that none of the conditions required by that section to be observed in connection with the promotion and conduct of the lottery had been broken.

(3) Proceedings under paragraph (c) of sub-section (1) in respect of any matter published in a newspaper shall not be instituted except by or with the consent of the Attorney-General.

12. Where a person convicted of an offence under this Law is a body corporate, every person who at the date of the commission of the offence was a director or officer of the body corporate shall also be deemed to be guilty of that offence unless he proves that the offence was committed without his knowledge.

Offence
by bodies
corporate.

13. The Court before which a person is proved to have committed an offence under this Law in relation to an unlawful lottery or proposed lottery shall order to be forfeited any coins, banknotes and currency notes produced to the Court which are shown to the satisfaction of the Court to represent the price of tickets or chances, or prize money or prizes in such lottery, and shall order to be destroyed all documents (other than banknotes and currency notes) produced to the Court which are shown to the satisfaction of the Court to relate to the promotion of such lottery.

Forfeiture.

14. Any judicial officer of a District Court, if satisfied by information on oath that there is reasonable ground to suspect that any premises are being used for the purpose of the commission of an offence under this Part in connection with a lottery or proposed lottery, may grant a warrant under his hand authorising any police officer at any time or times within one month from the date thereof to enter, if necessary by force, the said premises and every part thereof, and to search for and seize and remove any documents, money or valuable thing found therein which he has reasonable ground to suppose are on those premises for any purpose which constitutes an infringement of any provision of this Part relating to lotteries.

Power to
issue search
warrant.

PART IV.—MISCELLANEOUS.

15. Nothing in this Law contained shall apply—

Saving.

- (a) to any lottery organized and carried out under any other Law in force for the time being ;
- (b) to any lottery organized and carried out with the prior permission of the Financial Secretary and in accordance with such directions or conditions as he may deem fit to give or impose, for the purpose of raising funds for the building or repair of any church, mosque or public hospital, or for the purpose of raising funds for any other charitable purpose approved by the Financial Secretary ;
- (c) to any sweepstake or pari-mutuel organized at and on the day of any race meeting and controlled by any horse racing club or association approved by the Governor, subject to such conditions as he may deem fit to impose.

Amendment
of the
Betting
Houses,
Gaming
Houses,
Lotteries and
Gambling
Prevention
Law.
Cap. 48.
Schedule.

16. The Betting Houses, Gaming Houses, Lotteries and Gambling Prevention Law shall have effect subject to the amendments specified in Part I of the Schedule and to the repeals specified in Part II thereof.

SCHEDULE.—(Section 16.)

PART I.

Amendments of the Betting Houses, Gaming Houses, Lotteries and Gambling Prevention Law.

Cap. 48.

(a) For its long title the following shall be substituted :—

“ A Law to consolidate and amend the Laws relating to Betting Houses, Gaming Houses and Gambling.”.

(b) For its short title in section 1 there shall be substituted the following :—

“ This Law may be cited as the Betting Houses, Gaming Houses and Gambling Prevention Law ”.

PART II.

Repeals.

(a) In section 2 the definition of “ lottery ” is hereby repealed.

(b) Section 4 (the whole) is hereby repealed.

16th May, 1956.

J. W. SYKES,
Administrative Secretary.