



SWAZILAND GOVERNMENT GAZETTE EXTRAORDINARY

VOL. XXIII]

MBABANE, Friday, July 5th., 1985

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SUPPLEMENT TO
THE
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PART A

S1

THE LOTTERIES (AMENDMENT) BILL, 1985

(Bill No. 16 of 1985)

(To be presented by the Minister for Commerce, Industry and Tourism)

MEMORANDUM OF OBJECTS AND REASONS

The object of this Bill is to amend the Lotteries Act, 1963 so as to provide for—

- (a) an exclusive licence whose terms and conditions shall be stipulated in it to allow for flexibility, for example conditions as to the period of the licence and conditions as to the time the draws shall be held and the proceeds distributed;
- (b) separate and distinct offences and penalties without necessarily introducing entirely new offences and penalties; and
- (c) matters incidental thereto.

D.P. MAKANZA
Attorney—General

A BILL entitled

An Act to amend the Lotteries Act, 1963.

Short title.

1. This Act may be cited as the Lotteries (Amendment) Act, 1985 and shall be read as one with the Lotteries Act, 1963 (hereinafter called the "principal Act").

Amendment of section 2.

2. Section 2 of the principal Act is amended by replacing the definition of "Minister" with the following —

"Minister" means the Minister responsible for Commerce.

Replacement of section 13.

3. Section 13 of the principal Act is replaced with the following section —
"13. Upon conditions he deems fit, the Minister may grant a person an exclusive licence to promote and conduct a public lottery if he is satisfied that the person has adequate financial resources and experience to properly conduct a public lottery."

Repeal of section 14.

4. Section 14 of the principal Act is repealed.

Replacement of section 16.

5. Section 16 of the principal Act is replaced with the following section —

"Offences"

16. (1) A licensee shall not employ or directly or indirectly use a person under the age of eighteen (18) years to sell a ticket in a public lottery.
- (2) A licensee or his employee or any other person who is involved in any way in the control, management, administration or general operation of a public lottery shall not recover any prize in that lottery.
- (3) A licensee shall —
 - (a) keep proper books of account and records of all transactions connected with the public lottery; and
 - (b) appoint auditors approved by the Minister to audit his accounts.
- (4) A licensee who contravenes subsections (1) or (2) or fails to comply with subsection (3) shall be guilty of an offence."

Amendment of section 21.

6. Section 21 of the principal Act is amended —
 - (a) in subsection (3) —
 - (i) in paragraph (a) by deleting the words "within a reasonable time" after the word "fails";
 - (ii) by deleting paragraph (b);
 - (iii) in paragraph (c) by deleting the words "or condones" after the word "commits".
 - (b) by replacing subsection (7) with the following subsection —

"(7) Any decision of the Minister under subsection (3) or (5) shall be final".

Replacement of section 19.

7. Section 19 of the principal Act is replaced with the following section —

"Inspections"

19. The Minister may —
 - (a) authorise Government auditors to examine the accounts, books and other relevant documents of a licensee at all reasonable times; and
 - (b) appoint inspectors to examine any equipment used in connection with a public lottery, and compel the licensee to repair or replace any equipment found to be defective."

Replacement of section 23.

8. Section 23 of the principal Act is replaced with the following section —

"Penalties"

23. A person who contravenes section 16 or a licensee who contravenes any condition imposed on his licence under section 13 shall be guilty of an offence and liable on conviction to a maximum fine of one thousand Emalangeni (E1000-00) or in default of payment to imprisonment not exceeding twelve months or both."