

SEYCHELLES GAMBLING ACT, 2014*(Act 29 of 2014)***ARRANGEMENT OF SECTIONS****Sections****PART I - PRELIMINARY**

1. Short title and commencement
2. Interpretation

PART II - LICENCES

3. Prohibition of gambling without licence
4. Kinds of licences
5. Disqualification for applying for licence
6. Application for licence
7. Objections
8. Application and objections open to interested persons for inspection
9. Grant of applications
10. Investigations and police reports
11. Casino licence
12. Slot machine operators licence
13. Interactive gambling licence
14. Suspension or revocation of licence
15. Transfer, removal and amendment of licence

PART III - GENERAL CONDITIONS

16. General conditions of licence
17. Rules of gambling game or betting
18. Electronic monitoring system for gaming machines
19. Financial or controlling interests in business of licensee
20. Gambling devices
21. Books, accounts and records
22. Control of entry to certain premises
23. Advertisement
24. Credit
25. Assistance to customers

26. Duration of licence
27. Licence fees and other fees
28. Duty to display licence
29. Duty to produce licence or certificate
30. Renewal of licences

PART IV - EMPLOYEES

31. Requirement for certain employees
32. Application for certificate
33. Consideration of application and grant of certificate
34. Disqualification for applying for certificate of approval
35. Duration of certificate
36. Suspension or withdrawal of certificate
37. Restrictions applicable to employees

PART V - POLICE OFFICERS AND INSPECTORS

38. Powers of police to enter licensed premises
39. Appointment of inspectors by Authority
40. Functions and powers of inspectors
41. Resistance against entry

PART VI - APPEALS

42. Appeals

PART VII - OFFENCES AND PENALTIES

43. Prohibition in respect of gambling and presumptions relating thereto
44. Improper use of the word "casino"
45. Prohibition of certain persons from entering licensed premises
46. Prohibition of certain devices, machines, contrivances or instruments
47. Restrictions on betting through agent and unlawful inducement to gamble
48. Gambling on unlicensed premises
49. Cheating and cheating devices
50. Penalty
51. Offences in general
52. Activities in Seychelles in relation to gambling outside Seychelles

PART VIII - MISCELLANEOUS

- 53. Furnishing of reasons
- 54. Order of forfeiture
- 55. Administrative penalty
- 56. Regulations
- 57. Rules
- 58. Repeal and savings



SEYCHELLES GAMBLING ACT, 2014

(Act 29 of 2014)

I assent



A handwritten signature in dark ink, appearing to read 'Michel'.

J. A. Michel
President

31st December, 2014

AN ACT to provide for licensing and regulating the gambling industry in line with the international standards and for matters connected therewith or incidental thereto.

ENACTED by the President and the National Assembly.

PART I - PRELIMINARY

1. This Act may be cited as the Seychelles Gambling Act, 2014 and shall come into operation on such date as the Minister may, by Notice published in the *Gazette*, appoint.

Short title and commencement

Interpretation

2. In this Act, unless the context otherwise requires —

“associate” includes —

- (a) an employee;
- (b) a partner in a partnership;
- (c) a co-shareholder; or
- (d) a person to whom another person has granted or from whom another person has received a general power of attorney;

“Authority” means the Financial Services Authority established under section 3 of the Financial Services Authority Act, 2013;

“bet or wager” means —

- (a) being a player, staking money or anything of value on a fixed-odds bet, or an open bet on any contingency; or
- (b) staking or accepting a stake of money or anything of value with one or more other persons on any contingency; or
- (c) expressly or implicitly undertaking, promising or agreeing to do as contemplated in paragraphs (a) or (b);

“cash” means physical coins, notes, tokens, magnetic or smart cards or any other representation of money in the gambling environment;

“casino” means premises where gambling games are played, or are available to be played, but does not include premises in which —

- (a) only gambling machines are available to be played; or
- (b) interactive gambling, but no other gambling game, are played or available to be played;

“casino game” means any game, played with playing cards, dice, gambling machines or gambling devices or any other device used to bring about the result of a wager by determining win or loss for money, property, cheques, credit or anything of value (other than an opportunity to play a further game); including, without derogating from the generality of the foregoing, roulette, bingo, twenty-one, black-jack, chemin de fer, baccarat, and dice; but excluding any lottery;

“Chief Executive Officer” means the Chief Executive Officer appointed under section 9 of the Financial Services Authority Act, 2013;

“consideration” means—

- (a) money, merchandise, property, a cheque, a token, a ticket, electronic credit, credit, debit or an electronic chip, or similar object; or
- (b) any other thing, undertaking, promise, agreement or assurance, regardless of its apparent or intrinsic value or whether it is transferred directly or indirectly;

“contingency” means an event or occurrence of which the outcome is uncertain or unknown to any person until it happens;

“controlling interest” means the direct or indirect control of the business of the person having a licence or applying for a licence (herein in this

definition referred to as the licensee”), whether by virtue of shareholding, voting power, the power to appoint chief executive officer, or in any other manner, and for the purposes of this Act, a person shall control or be in a position to exercise control over any licensee if—

- (a) such person, alone or together with an associate, is in a position to exercise control over such licensee;
- (b) such person, alone or together with an associate, is in a position to exercise direct or indirect control over a significant portion of the operations of the licensee;
- (c) such person, alone or together with an associate, where the licensee or prospective licensee is a company, is in a position to veto any action taken by the board of directors of such licensee or to appoint or secure or veto the appointment of at least half of the board of directors of such licensee, or to give or exercise in any other manner, whether directly or indirectly, direction or restraint over any substantial issue affecting the management or affairs of the licensee; or
- (d) the licensee or, where such licensee is a company, more than fifty percent of the directors of such company, acts or is accustomed to act, or under a contract, arrangement or understanding, whether formal or informal, is destined or expected to act, in accordance with the directions, instructions or wishes of, or in conjunction with, such person and his or her associate acting together or, if such person is a company, the directors of the latter company;

Provided that an employee of a licensee shall not be regarded as being in a position to exercise control over such licensee merely because of he or she being an employee, except where he or she is placed in such a position of control by virtue of his or her association with any other person;

“designated area” means an area within licensed premises where any gambling game is available to be played and shall include any area designated as such by the Authority in the conditions of any licence in accordance with this Act;

“family member” means a person's —

- (a) spouse; or
- (b) parent, brother, sister, whether such relationship results from birth, marriage or adoption;

“financial interest” means —

- (a) a right or entitlement to share in profits or revenue;
- (b) a right in respect of property of a company, corporation or business;
- (c) a right in property used by a company, corporation or business; or
- (d) direct or indirect interest in the voting shares, or voting rights attached to shares, of a company or an interest in a corporation, other than the interest of a landlord where rental payable by the licensee is not dependant on the licensee's profits or turnover;

“fixed-odds bet” means a bet on one or more contingencies in which odds are agreed at the time the bet is placed;

“gambling device” means equipment or any other thing, excluding currency, that is used directly in the conduct of a gambling activity, or which, at the time of its manufacture was designed to be used, in determining the result of a gambling activity and include—

- (a) a gambling machine; and
- (b) such computerised or similar software used in the conduct of any gambling activity as the Authority may determine to be a gambling device;

“gambling or gamble” means the playing of any gambling game, betting or wagering on any lawful event, excluding a sporting event;

“gambling machine” means any mechanical, electrical, video, electronic, electro-mechanical or other device, contrivance, machine or software, other than an amusement machine, that—

- (a) is available or is designed or intended to be played or operated upon payment of a consideration; and
- (b) may, as a result of playing or operating it, entitle the player or operator to a pay out, or deliver a payout to the player or operator;

“inspector” means an inspector appointed under section 39;

“institutional investor” means a mutual fund, unit trust fund, pension fund, merchant bank or insurance company, registered as such under any written law and which trades securities in large volumes on behalf of a large number of investors;

“interactive gambling” means placing a bet or other contingency on the outcome of a game or event by means of a computer device or telecommunications device;

“interactive game” means a game in which—

- (a) a prize consisting of money or something else is offered or can be won, under the rules of the game;
- (b) a player—
 - (i) enters or takes a step in the game by means of a telecommunications or computer device; and
 - (ii) gives or undertakes to give a monetary payment or other valuable consideration to enter or participate, in the course of, or for the game; and
- (c) the winner of the prize is decided—
 - (i) wholly or partly by chance; or
 - (ii) by a competition or other activity in which the outcome is wholly or partly dependent on the players skills.

and includes a game that is declared by regulation to be an interactive game having regard to the nature, value or frequency of prizes offered in the game or other relevant matters;

“licence” means a licence granted in accordance with this Act;

“licensed premises” means the place or premises specified in a licence on which the activities authorised thereby may be conducted in terms of this Act;

“Minister” means the Minister responsible for finance;

“open bet” means a bet, taken on one or more contingencies, in which no fixed-odds are agreed at the time the bet is placed;

“opportunity to play a further game” means an opportunity which cannot be distributed or transferred to the person who has won such opportunity or to any other person, for any purpose other than to use such opportunity without any interruption to continue playing the type of game in respect of which the opportunity was won, and excludes an opportunity which can in any manner, whether directly or indirectly, be converted into money, property, cheques, credit or anything of value, or be so converted in terms of any scheme, arrangement, system, plan or device which the Authority may from time to time by notice declare not to be an opportunity to play a further game;

“political office-bearer” means—

- (a) a member of the National Assembly or the Cabinet;
- (b) a diplomatic representative of Seychelles; or
- (c) an office bearer of a political party;

“premises” includes land and any building, structure, vehicle, ship, boat, vessel, aircraft or container;

“prescribed” means prescribed by regulation made under this Act;

“prize” means any movable or immovable property whether corporeal or incorporeal;

“specified” means specified by rules made by the Authority under this Act;

“sporting event” means any football, rugby, cricket, golf or tennis match, any boxing, wrestling, shooting or swimming contest, any foot, cycle, motor, boat or horse race and any other lawful contest, competition, tournament or game usually attended or viewed by the public;

“winning bet” means any bet where the person who placed the bet correctly predicted the result of the event or contingency or combination thereof in respect of which the bet was placed

PART II- LICENCES

3.(1) No person shall carry out any gambling business without a licence granted in accordance with this Act.

Prohibition
of gambling
without
licence

(2) The Authority may grant licence to any person authorising him or her to carry out any gambling business in accordance with this Act.

4.(1) The different kind of licences that may be granted by the Authority shall be—

Kinds of
licences

- (a) casino licence;
- (b) slotmachine licence; and

(c) interactive gaming licence.

(2) The Authority shall determine the maximum number of licences that may be granted and shall be published in the *Gazette*.

(3) The Authority may review the number of licences determined under subsection (2) from time to time.

(4) The Authority shall, when determining the number of licences take into consideration—

- (a) the number of licences currently issued; and
- (b) the location and impact of the new licence on the economy, environment and the society in the area;

Disqualification
for applying for
licences

5.(1) A person applying for a licence shall not be—

- (a) under the age of 18 years;
- (b) a public servant;
- (c) a political office bearer;
- (d) of bad character and integrity;
- (e) of unsound mind;
- (f) an undischarged insolvent;
- (g) a family member of any member of the Authority; or
- (h) a person removed from an office on account of misconduct, fraud or misappropriation of money.

(2) A person who has been convicted during the previous ten years in Seychelles or elsewhere of theft, fraud, forgery or uttered a forged document, perjury, or an offence under this Act or Act and Statutory Instruments repealed under section 58 and has been sentenced to imprisonment without the option of fine, or to a fine exceeding the prescribed amount shall not be eligible to apply for a licence, unless the person so convicted has received a grant of amnesty or free pardon for the offence.

(3) A person whose prior activities, reputation, habits and association pose a threat to the public interest or a person of not good financial standing shall not be eligible to apply for a licence.

(4) The disqualifications stated in subsections (1) to (3) shall be applicable to a person who holds a controlling interest or a financial interest of fifteen percent or more in a licence holder or the business to which a licence relates.

(5) Subject to subsection (9), a person, body, entity, institution or organisation in which the State has a financial interest shall not directly or indirectly be involved in any aspect pertaining to gambling in Seychelles without the prior approval of the Minister.

(6) Any person whose application has been refused on any of the grounds specified in this section or whose licence has been revoked under section 14 shall not be eligible to apply again for a licence within a period of twelve months from the date of such refusal or revocation.

(7) Any person who has a direct or indirect interest of fifteen percent or more in the business or premises of an applicant whose application has been refused or a holder of licence whose licence has been revoked shall not be eligible to apply for a licence within a period of twelve months from the date of such refusal or revocation if he or she was the direct or effective cause of such refusal or revocation.

(8) Where there was refusal of application or revocation of a licence for more than once, the period specified in subsections (6) and (7) shall be three years from the date of the latest refusal or revocation.

(9) For the purpose of this section, a financial interest does not apply to an institutional investor.

Application
for licence

6.(1) An application for a licence shall be made to the Authority in such form and manner and accompanied by such fee as may be prescribed.

(2) An application purporting to be signed for or on behalf of a partnership shall contain the names of all the partners in full and shall be signed by all the partners or by any partner qualified to sign, stating that he or she signs on behalf of the partnership, or by any other person who satisfies the Authority that he or she is authorised to sign the document.

(3) An application purporting to be signed for or on behalf of a body corporate shall be signed by a director or by the secretary or other principal officer of the body corporate, or by any other person who satisfies the Authority that he or she is authorised to sign the document and shall bear the seal of the body corporate.

(4) An application purporting to be signed for or on behalf of an association of persons may be signed by any person who satisfies the Authority that he or she is duly authorised.

(5) An applicant may in an application for licence identify any document or information included in the application which in the opinion of the applicant is confidential or should for any reason not be disclosed to the public and show cause why the Authority may determine that such document or information should not be open for inspection to the public.

(6) The Authority may request the applicant for any other documents or information which it considers necessary for the determination of the application

(7) The Authority shall, on receipt of an application for licence, publish at the expense of the applicant a notice containing such particulars as may be determined by the Authority in a daily newspaper in the area where the gambling is proposed to take place on two consecutive days inviting objections and suggestions from the public on the application.

7.(1) Any person objecting to an application for a licence may, within 30 days from the date of publication of the notice published under section 6 (7), file his or her objection or suggestion in writing to the Chief Executive Officer

Objections

(2) The Chief Executive Officer shall—

- (a) on receipt of the objection or suggestion under subsection (1) supply the applicant with a copy or details of the objections and suggestions; and
- (b) inform the applicant any matter or fact whatsoever which he or she considers as a ground for an objection against the application,

inviting the applicant to reply to such objection and suggestion if he or she so chooses, within a period of 14 days of the date of such notification.

8.(1) Any application made under this Act, objections or response or information filed in pursuance of the application shall, subject to subsection (2) be open for inspection by interested persons during office hours for the prescribed period from the date of filing the application and the Chief Executive Officer shall, at the request of any person and on payment of such fee as may be prescribed, furnish him or her with a copy of

Application and objections open to interested persons for inspection

or extract from any such application, objections, response or information

(2) The Authority may determine that—

- (a) any document or information relating to the personal history or financial capacity of an applicant, the names of the prospective employees, the financial projections of the application or the business plans of the applicant shall not be open to public inspection; and
- (b) the identity of any person filing an objection to an application shall not be divulged to any other person.

(3) Any document or information determined under subsection (2)(a) may be marked as confidential and separated from the remainder of the application.

Grant of applications

9.(1) The Authority shall consider the application for licence filed under section 6 and the objections received, if any, and may—

- (a) grant the applicant a licence if all the requirements of this Act has been complied with;
- (b) refuse the application; or
- (c) postpone the application, pending investigation or enquiry.

(2) The Authority shall determine an application for licence within 90 days from the date of receipt by the Authority.

(3) Where the application is refused by the Authority, the decision shall be notified to the applicant in writing.

(4) An applicant, who is subject to any disqualification under this Act, shall be granted a reasonable period as may be determined by the Authority to rectify the disqualifying circumstances.

(5) The licence shall be granted in the form as may be specified by rules made by the Authority and shall be for a period of one year.

10.(i) The Authority may, for determination of the suitability of—

Investigation
and police
reports

- (a) an applicant or the premises for a licence;
- (b) an applicant for a certificate of approval of an employee;
- (c) continuance of the licence of a licensee; and
- (d) continuance of a certificate of approval of an employee,

gather any information, subject to any written law, from any source or person as deemed fit by the Authority.

(2) For the purpose of subsection (1), the Chief Executive Officer may request the Commissioner of Police for a report in respect of such matters as may be determined by the Authority.

(3) The report requested by the Chief Executive Officer under subsection (2) shall be furnished within one month or such period as the Authority may determine.

11.(1) A person shall not submit any proposal or apply for a casino licence other than in accordance with this Act and which—

Casino
licence

- (a) shall take into account the number of licences issued and the area in which the casino is to be situated; and

(b) shall state development and other requirements.

(2) The Authority may grant a casino licence if the Authority is satisfied that the applicant—

- (a) has appropriate knowledge or experience, or is able to acquire such knowledge or experience, to operate a casino;
- (b) shall have and maintain sole and exclusive possession of the licensed premises for which the licence is to be granted; and
- (c) meets the requirements specified by rules made by the Authority.

(3) A casino licence shall, subject to this Act, authorise the playing in or on the licensed premises or such part of the licensed premises as is specified in the licence, of any casino game specified in the licence

(4) The holder of a casino licence shall link all the machines in respect of which the licence has been granted, to an electronic monitoring system as provided in section 18.

(5) The return to players percentage of any gaming machines shall not be less than the prescribed percentage

Slot
machine
operator's
licence

12.(1) A person shall not submit any proposal or apply for a slot machine operator's licence other than in accordance with this Act.

(2) The Authority may grant a slot machine operator's licence if the Authority is satisfied that the applicant—

- (a) has appropriate knowledge and experience, or is able to acquire such knowledge and experience, to operate slot machines; and

(b) meets the requirements specified by rules made by the Authority;

(3) The holder of a slot machine operators licence shall link all the machines in respect of which the licence has been granted, to an electronic monitoring system as provided in section 18.

(4) The return to players percentage of any gambling machines shall not be less than the prescribed percentage.

13.(1) No person shall apply for an interactive gambling licence other than in accordance with this Act.

Interactive
gambling
licence

(2) The Authority may grant an interactive gambling licence if the Authority is satisfied that the applicant —

(a) has appropriate knowledge or experience, or is able to acquire such knowledge or experience in interacting gambling business; and

(b) meet the requirements specified by rules made by the Authority.

(3) An interactive gambling licence shall, subject to this Act, authorise the playing of any game specified in the licence via any form of telecommunication device.

(4) The holder of an interactive gambling licence shall ensure that at a minimum, maintain mirrored servers in Seychelles.

(5) The return to players percentage of any gambling product offered shall not be less than the prescribed percentage.

14.(1) The Authority may at any time suspend, for such period as the Authority may determine, or revoke from such date as the Authority may determine, any licence, where —

Suspension
or revocation
of licence

- (a) any information contained in any application made by the holder of the licence for licence, renewal, transfer or removal of licence was at the time when the information was furnished, false in any material respect or was subject to any material omission with the intention to mislead the Authority;
- (b) the holder of the licence is disqualified from holding a licence;
- (c) the holder of the licence, has failed to comply with any term or condition of the licence or any provision of this Act, or has not complied with such term, condition or provision within 30 days, or such further period as the Authority in writing may allow, after delivery of a written notice by the Authority to the holder of the licence requiring such failure to be remedied;
- (d) the holder of the licence fails to pay the licence fee or any other amount prescribed by or under this Act within the prescribed period; or
- (e) the holder of the licence fails to pay forthwith any prize legitimately won through any gaming conducted under the licence.

(2) The Authority shall inform the holder of the licence in writing of any suspension or revocation of the licence under subsection (1).

(3) The Authority may at any time revoke any order of suspension or revocation issued under subsection (1) if the reasons for such suspension or revocation have been remedied to the satisfaction of the Authority.

(4) When a licence is suspended or revoked under subsection (1), no licence fee, or any portion thereof shall be refunded.

(5) Where the Authority proposes to revoke a licence, the Authority shall serve a written notice on the holder of the licence stating—

- (a) that the Authority proposes to revoke the licence;
- (b) the ground or grounds for revocation;
- (c) that the holder of the licence may within 30 days after the date of the written notice—
 - (i) make written representations about the matter to the Authority; or
 - (ii) notify the Authority in writing of his or her intention to make representations; and
- (d) the effect of subsection (6).

(6) Where, within a period mentioned in subsection (5)(c), the Authority does not receive any written representations or written notification of the intention of the holder of a licence to make or representations, the revocation shall take effect at the end of that period.

15.(1) A licence granted under this Act shall, subject to subsection (4), not be transferable to another person;

Transfer,
removal and
amendment
of licence.

(2) The gambling and other activities authorised under a licence shall subject to subsection 6 (b) not be removable from the licensed premises concerned to any other premises.

(3) No licence or licence condition shall be amended in any way whatsoever, unless the Authority has approved the amendment in writing

(4) Where the holder of the licence—

- (a) desires to transfer licence to another person, such holder of licence and such other person shall, make a joint application to the Authority for such transfer in the manner specified by rules made by the Authority;
- (b) desires to remove the gambling and other activities authorised under a licence, from the licensed premises to any other premises, whether permanently or temporarily, the holder of the licence shall, make an application to the Authority for such removal in the manner specified by rules made by the Authority;
- (c) desires to have a licence or any conditions to the licence amended in any way whatsoever, such licence holder shall, make an application to the Authority for amendment in the manner specified by rules made by the Authority; or
- (d) desires to change its name, the holder of the licence shall notify the Authority in writing at least 14 days prior to submitting the relevant documentation to the appropriate authorities and thereafter submit certified copies of the approved documents to the Authority within 14 days after the approval of such name change.

(5) An application under subsection (2) for a transfer of a licence, removal of the gambling and other activities authorised under the licence or amendment of the licence or

any condition to the licence shall be considered by the Authority and the Authority may —

- (a) refuse the application;
- (b) grant the application, conditionally or unconditionally; or
- (c) postpone the application pending an investigation or enquiry

(6) (a) A licence shall not be transferred to a person who is disqualified or otherwise incompetent under this Act to hold the licence concerned; and

(b) the gambling and other activities authorised under such licence shall not be removable from the licensed premises concerned to other premises unless the Authority is satisfied that the other premises are, or will on completion, be suitable for the purposes for which they will be used under the licence.

(7) With the exception of an application as referred to in subsection (4) (d), the provisions of sections 5 and 6 shall apply to an application under this section.

PART III - GENERAL CONDITIONS

16.(1) The Authority may in respect of any kind of licence, impose such conditions to a licence as the Authority considers appropriate, and without prejudice in particular include conditions —

General
conditions of
licences

- (a) relating to the gambling that may be played;
- (b) for the purpose of ensuring that the operation of any gambling accords with decency, dignity, good taste and honesty;

- (c) requiring the keeping of books, accounts, records and other information relating to the operation of any gambling;
- (d) requiring certain minimum standards in relation to the premises on which gambling is to take place;
- (e) requiring the submission to the Authority of such reports and returns relating to the operation of gambling as the Authority may from time to time require;
- (f) in the case of a casino licence, relating to the installation of gambling device and surveillance systems; and
- (g) relating to combating the incidence of addictive and compulsive gambling and cautioning the negative effect of excessive gambling.

(2) The Authority may at any time after issuing a licence impose any condition which it is competent to impose under subsection (1) and suspend, withdraw or amend any conditions by a notice delivered or tendered to a particular holder of licence.

(3) Where the Authority proposes to suspend, withdraw or amend any condition under subsection (2), the Authority shall serve a written notice on the holder of the licence stating —

- (a) that the Authority proposes to suspend, withdraw or amend, as the case may be, any condition under subsection (1);
- (b) that the holder of the licence may, within 30 days after the date of the written notice —

- (i) make written representations about the matter to the Authority; or
- (ii) notify the Authority in writing of the intention of the holder of the licence to make oral representations; and

(c) the effect of subsection (4).

(4) If, within the period mentioned in subsection (3)(b), the Authority does not receive any written representations or written notification of the intention of the holder of licence to make oral representations, such suspension, withdrawal or amendment of a condition, as the case may be, shall take effect at the end of that period.

17.(1) No gambling game shall be played, or betting conducted, otherwise than in accordance with the rules of gambling approved therefor

Rules of
gambling
games or
betting

(2) The holder of any licence shall in respect of any gambling or betting authorised by such licence make rules relating to the playing of such gambling or the conducting of such betting and submit such rules to the Authority.

(3) The Authority may approve with or without modifications the rules submitted under subsection (2) and inform the licenceholder in writing.

18.(1) The Authority may require the holder of the licence—

Electronic
monitoring
system for
gambling
machines

- (a) to link all gambling machines to an electronic monitoring system for the purpose of the monitoring and detecting of meters and significant events associated with each gambling machine, including a system for continuous on-line real time recording,

monitoring and control of any game play transactions on machines and tables as may be determined by the Authority; and

- (b) to conduct such electronic monitoring system.

(2) For the purposes of this section “electronic monitoring system” means any electronic or computer or communications system or device that is so designed that it may be used, or adapted, to send or receive and store data from gambling devices in relation to the accounting or operation of gambling devices.

Financial or
controlling
interests in
business of
licences

19.(1) Any person, other than an institutional investor who directly or indirectly, procures a controlling interest or a financial interest of fifteen percent or more in the business to which a licence relates shall, within the specified period and in the manner specified by rules made by the Authority, apply to the Authority for approval to hold such interest.

(2) Any institutional investor who, directly or indirectly, procures a financial interest of—

- (a) not less than fifteen percent but less than twenty five percent in a business to which a licence relates shall within the specified period and in the manner specified by rules made by the Authority in form the Authority of its acquisition of that interest and shall in such notice set out the grounds on which it asserts it is an institutional investor; or
- (b) twenty five percent or more in the business to which a licence relates shall within the specified period and in the manner specified by rules made by the Authority, apply to the Authority for approval to hold such interest.

(3) A holder of the licence shall not knowingly permit any person to procure any direct or indirect financial or controlling interest of fifteen percent or more in the business to which the licence relates, unless such person has submitted an application to the Authority:

Provided that in case such person acquires such interest without the knowledge of the holder of the licence or under circumstances which cannot be controlled by the holder of the licence, the holder of the licence shall, once the acquisition of such interest becomes known to him or her, forthwith inform the Authority of the nature of the interest and the Authority may require an application from such person.

(4) The provisions of section 5 shall apply to a person who wishes to procure or who has procured an interest stipulated under subsection (1), (2) or (3).

(5) An application under this section for procurement of an interest in a business into which a licence relates shall be accompanied with such fee as may be prescribed.

(6) Where the Authority approve an application filed under subsections (1), (2) or (3), such person shall implement the decision of the Authority within the period determined by the Authority.

(7) The Authority shall not grant approval under subsection (1), (2) or (3) where the person or institutional investor making the application is disqualified to hold a licence under of this Act.

(8) Where approval is not granted, the person or institutional investor shall, within the prescribed period and in the manner specified by rules made by the Authority, dispose of its financial interest in the licence holder concerned.

(9) No person or institutional investor shall procure an interest stipulated under subsection (1), (2) or (3) as nominee or

agent of or otherwise on behalf of any principal or beneficiary if that person has not in writing informed the holder of the licence and the Authority of the identity of such principal or beneficiary.

Gambling
devices

20. The holder of a licence under this Act shall keep such records and information as may be prescribed in respect of each gambling device.

Books,
accounts
and records

21. The holder of a licence under this Act shall keep such books, accounts and records as may be prescribed.

Control of
entry to
certain
premises

22.(1) The Authority may, on such grounds and in the manner as may be specified by rules made by the Authority, establish and maintain a list of persons who are to be excluded or rejected from the licensed premises, or who are to be prohibited from gambling.

(2) Where the court that has convicted a person of any offence is of the opinion that by reason of the nature of the offence or the circumstances under which it was committed it is desirable in the interests of public order, public morals or fair play, that such person should not be permitted to enter any licensed premises, the court may issue a written order prohibiting him or her from entering any such licensed premises specified in the order for a period to be stated in the order.

(3) Where a court makes an order under subsection (2) it shall forward a copy of the order to the Authority who shall cause a copy thereof to be delivered to the holder of the licence of all licensed premises named in the order.

(4) Subject to the provisions of sections 38 to 41, the holder of a licence or an employee of the holder of the licence may—

- (a) refuse to admit any person to the licensed premises;

- (b) request any person who is in any part of the licensed premises, to leave the premises;
- (c) remove from the licensed premises any person who refuses or fails to comply with a request referred to in paragraph (a) or (b); or
- (d) request any police officer to remove or assist in removing from the licensed premises any person referred to in paragraph (a) or (b).

23.(1) Subject to any regulations made under this Act and subsection (2), it shall be lawful to advertise any gambling which may lawfully be conducted under this Act.

Advertisement

(2) The holder of a licence, any person acting on his or her behalf or any other person shall not advertise with regard to gambling at or in close vicinity of any school or other institution or place where persons under the age of 18 years are the dominant frequenters.

24.(1) The holder of a licence, or an employee of such licence holder, shall not extend any credit in any form to any person in connection with or for the purpose of gambling, except in the manner as may be specified by rules made by the Authority.

Credit

- (2) A gambling debt may be settled at—
- (a) licensed premises;
 - (b) a place authorised by the Authority on application by the holder of the licence; or
 - (c) a place where a debt is ordinarily paid in such circumstances when the debt is paid pursuant to a court order or the terms of settlement of legal proceedings instituted for its recovery.

Assistance
to customers

25. All rules of the game shall at all times available where such game is played and the holder of a licence shall—

- (a) at the request of any customer make available for examination a copy of the rules; and
- (b) display prominently within the licensed premises such advice or information regarding any gambling in the manner as may be specified by rules made by the Authority.

Duration of
licence

26.(1) Any licence granted under section 9 shall, subject to being renewed annually, be valid as from the date of issue thereof until the date on which—

- (a) the holder thereof abandons it in writing; or
- (b) it is revoked by the Authority under section 14.

(2) Where a licence is suspended under section 14, the holder of such licence shall not exercise any right or privilege conferred by such licence during the period of suspension.

Licence fees
and other
fees

27.(1) An applicant for a licence under this Act shall, on the grant of a licence, pay to the Authority such licence fees and other fees as may be prescribed:

Provided that different fees for different kinds of licence or different fees depending upon machine, equipment or device to be used may be prescribed.

(2) If a fee is not paid as and when it is due, the holder of the licence shall in addition to such fees, pay a surcharge of 10% of the fees for each week or part thereof during which the fee remains unpaid:

Provided that the amount of such surcharge shall not exceed twice the amount of the fee applicable to the licence concerned.

28. The holder of a licence shall, at all times prominently display his or her licence on the licensed premises.

Duty to display licence

29. The holder of a licence or holder of a certificate of approval or a person acting on behalf any such holder or a holder of a certificate of approval shall, on demand of an inspector or police officer, produce the licence or certificate concerned.

Duty to produce licence or certificate

30.(1) A licence may, subject to the provisions of this Act, and the conditions under which it was granted, on application by the licence holder be renewed by the Authority annually on production of the licence for the preceding year and on payment of such fee as may be prescribed and the fulfilment of such other conditions as may be prescribed.

Renewal of licence

(2) An application for the renewal of a licence under subsection (1) shall be submitted to the Authority not later than 30 days prior to the date on which current licence expires.

(3) The provisions of this Act for grant of licence shall apply for the renewal of a licence.

PART IV - EMPLOYEES

31.(1) The holder of a licence under this Act shall not employ any person in his or her business of gambling unless such person is a holder of a certificate of approval issued by the Authority under section 33(2).

Requirement for certain employees

Provided that an employee employed in a business of gambling by the holder of licence issued under any law repealed under section 58 may continue to be employed without a certificate of approval, till the expiry of the period of contract existing on the commencement of this Act.

(2) The Authority may specify by rules made by the Authority any occupation to be an occupation for purposes of subsection (1) and may classify the employees as key employee and other employees.

Application
for certificate

32. An application for a certificate of approval shall be made to the Authority in such form and manner accompanied with such documents, particulars or information and such fees as may be specified by rules made by the Authority.

Consideration
of application
and grant of
certificate

33.(1) The Authority shall consider an application in accordance with the provisions of section 34 and shall have due regard to —

- (a) the age, character, reputation and employment background of the applicant;
- (b) any offences for which the applicant has been convicted and of which dishonesty is an element; and
- (c) any other matter which may be relevant to establish whether the applicant is a suitable person to be so employed.

(2) If the Authority is satisfied that the applicant is a suitable person to be so employed, the Authority shall grant the application and issue a certificate of approval.

(3) The Authority may impose such conditions to a certificate as the Authority considers appropriate.

(4) The Authority shall not refuse an application without giving the applicant an opportunity of being heard or presenting evidence

(5) If the Authority refuses an application, the Chief Executive Officer shall notify the applicant in writing of the reasons therefor

34.(1) A person applying for a certificate of approval shall not be eligible for the certificate if that person —

Disqualification
for applying for
certificate of
approval

- (a) is not a fit and proper person, not a person of good character and integrity and whose prior activities, reputation, habits and associations in the opinion of the Authority pose a threat to the public interest;
- (b) is a member of the Authority or is a family member of such person;
- (c) is under the age of 21 years;
- (d) is of unsound mind;
- (e) is listed on the register of excluded persons under section 22 of the Act;
- (f) is a public servant or political office bearer;
- (g) has been removed from an office of trust on account of misconduct relating to fraud or the misappropriation of money; or
- (h) has been convicted during the previous ten years, in Seychelles or elsewhere, of theft, fraud, forgery or uttered a forged document, perjury, or of an offence under this Act or the Act and Statutory Instruments repealed under section 58, and has been sentenced to imprisonment without the option of a fine, or to a fine exceeding the prescribed amount, unless the person has received a grant of amnesty or free pardon for the offence.

35.(1) A certificate of approval issued under section 33(2) shall be valid as from the date of the issue thereof until the date on which —

Duration of
certificate

- (a) the holder thereof, in writing and accompanied by the certificate, surrenders the certificate to the Chief Executive Officer;
- (b) the certificate is withdrawn by the Authority under section 38; or
- (c) the certificate lapses if the certificate was issued for a specific period.

(2) Where a certificate of approval is suspended under section 36, the holder of such certificate shall not be employed by a licence holder under this Act during the period of suspension.

Suspension
of
withdrawal
of certificate

36.(1) The Authority may, subject to subsection (2), at any time suspend, for such period not exceeding six months, as the Authority may determine, or withdraw from such date as the Authority may determine, a certificate of approval, if—

- (a) any information contained in an application for such certificate was at the time when the information was furnished, false in any material respect or was subject to any material omission;
- (b) since the issue of the certificate, the holder of the certificate has been convicted of an offence under this Act or of any other offence reflecting on his or her suitability to be so employed;
- (c) the holder of the certificate has acted in contravention of the provisions of section 37;
- (d) the holder of the certificate is no longer a suitable person to be so employed; or

- (e) the holder of the certificate fails to provide the Authority with information which may affect the suitability of such holder to remain a holder of such a certificate.

(2) The Authority shall not suspend or withdraw a certificate of approval, unless the holder thereof has, by notice of not less than 30 days, been given an opportunity of being heard and of presenting evidence:

Provided that any certificate of approval may be suspended with immediate effect pending the outcome of the hearing as provided in this subsection.

(3) The Authority may at any time revoke the suspension of a certificate of approval if the Authority is satisfied that the reasons for which the suspension was imposed have been remedied.

37. No person who is required to hold a certificate of approval in accordance with section 31 shall, in any establishment licensed under this Act with which establishment he or she is associated—

Restriction
applicable to
employees

- (a) participate in any gambling except where it is necessary for the performance of his or her functions as such employee; or
- (b) solicit any tip, gratuity, consideration, or other benefit from any player or customer in that establishment other than in the manner determined by the Authority.

PART V - POLICE OFFICERS AND INSPECTORS

38.(1) Notwithstanding anything in any other law, a police officer of or above the rank of Inspector may on reasonable grounds and when he or she deems it necessary, with a warrant issued by a Magistrate enter any licensed premises for the purposes of—

Power of
police to
enter
licensed
premises

- (a) carrying out such investigations and of taking such steps as he or she may consider necessary for the prevention of an offence;
- (b) the investigation of an offence;
- (c) the investigation of the conduct of any person therein; and
- (d) determining whether the conditions stipulated in this Act are being complied with,

and may be accompanied and assisted in such investigations by a police officer as he or she considers necessary.

(2) Any police officer entering any licensed premises under subsection (1) shall within 14 days of such entry submit a written report thereof to the Authority.

Appointment
of inspectors
by Authority

39. The Authority may appoint any suitably qualified person as an inspector to perform, subject to the control and directions of the Authority, any or all of the functions assigned to an inspector under of section 40.

(2) Each inspector appointed under subsection (1) shall be furnished with a certificate signed by or on behalf of the Authority and stating that he or she has been appointed as an inspector:

Provided that if his or her appointment as inspector is limited to any particular function or functions, his or her certificate shall state such limitation.

(3) Whenever an inspector appointed under subsection (1) performs a function under this Act in the presence of any person affected thereby, the inspector shall on demand by such person produce to him or her the certificate referred to in subsection (2).

40.(1) An inspector may, for the purposes of this Act—

(a) without previous notice, at all reasonable times, enter upon any licensed premises which are occupied or used for the purposes of any gambling, or any activity concerning gambling or any other premises on which it is suspected that—

(i) a casino or any other gambling or any activity concerning gambling is being conducted without a licence;

(ii) persons are being allowed to participate in any gambling or to play any gambling machine; or

(iii) any gambling machine or any equipment, device, object, book, record, note or other document used or capable of being used in connection with the conducting of a casino or any other form of gambling or any activity concerning gambling by any person, is kept and,

after having informed the person who is in charge of the premises of the purpose of his or her visit, make such investigation and enquiry as may be necessary;

(b) in any premises referred to in paragraph (a)—

(i) require the production of any licence or written permission or authorisation that any person is required to hold under this Act;

- (ii) question or search any person who is on or in such premises, and investigate any activities in connection with the conducting of any gambling; and
 - (iii) examine or inspect any gambling device, equipment, device, object, book, record, note or other document referred to in paragraph (a) and make a copy thereof or an extract therefrom;
- (c) require from any person in charge of any premises referred to in paragraph (a)—
 - (i) to point out any equipment, device or object referred to in that paragraph which is in his or her possession or custody or under his or her control;
 - (ii) to produce for the purpose of examination or of making copies or extracts, all books, records, notes or other documents referred to in that paragraph which are in his or her possession or custody or under his or her control;
 - (iii) to provide any information in connection with anything which has been pointed out or produced in terms of subparagraph (i) or (ii);
- (d) seize and remove from any premises, and store at a secure place any gambling machine, equipment, device, object, book, record, note or other document referred to in paragraph (a) which in his or her opinion may furnish proof of a contravention of any provision of this Act, or anything that was used or on

reasonable grounds suspected to be used in the commission of an offence under this Act, or leave it on the premises concerned after marking it for the purpose of identification; and

- (e) obtain any information, programme or data which refers to or is suspected to refer to gambling or betting or any activities incidental thereto stored on a computer by—
 - (i) personally operating the computer; or
 - (ii) requesting a competent person on the premises to operate the computer to produce a printout or electronic copy of any such information, programme or data.

(2) An inspector may, upon written authorisation of the Authority, inspect or make copies of any account of any person at any financial institution which account may, in the opinion of the Authority, afford evidence of the commission of an offence under this Act, or may be of value in the investigation of an alleged or suspected offence under this Act.

(3) When performing any function under subsection (1), an inspector may be accompanied by and avail himself or herself of the services of an assistant or a police officer.

41. A police officer or inspector on production of the necessary warrant who has the power to enter any premises may use such force as may be reasonably necessary to overcome any resistance against such entry, including the breaking of any door or window:

Resistance
against entry

Provided that such police officer or inspector shall first produce the required warrant and audibly demand admission to the said premises and announce the purposes for which he or she seeks to enter the premises.

PART VI - APPEALS

Appeal

42. Any person aggrieved by a decision of the Authority may appeal in accordance with section 41 of the Financial Services Authority Act, 2013.

PART VII - OFFENCES AND PENALTIES

Prohibition
in respect of
gambling
and
prescriptions
relating
thereof

43.(1) No person shall—

- (a) place or have a gambling device in premises other than the holder of a licence issued under this Act or participate in gambling or betting or wager on the result of any event or contingency with any other person, other than with the holder of a licence issued under this Act, who is authorised by such licence to gamble, take bets or accept wagers on the event or contingency concerned;

Provided that this section shall not prevent a licence holder from gambling, taking bets or accepting wagers from the public in accordance with the conditions of his or her licence;

- (b) without a licence, permit any gambling, betting or wagering on the result of any event or contingency in or at any place under his or her control or in his or her charge or without the required licence referred to in paragraph (a), place or have a gambling device at his or her premises; or
- (c) gamble, make or place a bet or wager on the result of any event or contingency at any place referred to in paragraph (b) or visit any such place with the object of participating in gambling, betting or wagering on the result of

any event or contingency or partaking in any activity concerning the foregoing

(2) No person shall play any gambling game in or visit, with the object of playing any gambling game, any premises which is not licensed under this Act.

(3) Any person supervising or directing or assisting at or acting as a banker, dealer, croupier or in any like capacity at the playing of any gambling game on any premises, other than licensed premises, or holding any other office in or on such premises where any gambling game is played, shall be deemed to be in control or in charge of such premises.

(4) Any person who contravenes the provisions of this section commits an offence.

44.(1) No person shall without the written consent of the Authority, trade or conduct or advertise a business under a name or title of which the word "casino" forms a part, unless he or she is the holder of a casino licence.

Improper use of the word "casino"

(2) Any person who contravenes this section commits an offence.

45.(1) No person under the age of 18 years shall enter any designated area or partake in any gambling game or betting or handle or operate any gambling device.

Prohibition of certain persons from entering licensed premises

(2) No holder of a licence or his or her employee shall permit any person who is under the age of 18 years, and no parent or guardian of a person under the age of 18 years shall permit such person, to enter or remain in a designated area or partake in any gambling game or betting or handle or operate a gambling device.

(3) No person whose name is included in the list of excluded persons or whose entry is prohibited by court under section 22(2) shall enter any designated area from which he or

she is excluded or partake in any gambling from which he or she is excluded during the period of exclusion or be entitled to enforce any gambling debt.

(4) Any person who contravenes subsection (1), (2) or (3) commits an offence.

Prohibition
of certain
devices,
machines,
contrivances
or
instruments

46.(1) The Authority may, by notice in the *Gazette*, prohibit the keeping or use at any place specified in the notice, or at any place other than a place so specified—

- (a) of all devices, machines, contrivances, or instruments resembling or having anything in common with any gambling device, described in such notice; or
- (b) of all devices, machines, contrivances or instruments of any class or kind described in such notice which may, whether or not through the alteration thereof, be used for playing a gambling game.

(2) Any person who contravenes the prohibition of the Authority in this section commits an offence.

Restriction on
betting through
agent and
unlawful
inducement to
gamble

47.(1) No person shall—

- (a) act as an agent for the holder of a licence for the purpose of betting, whether or not for gain; or
- (b) whether or not for gain act as an intermediary between any holder of a licence and any other person for the purpose of betting

(2) No person shall, directly or indirectly, give or undertake to give to any other person money or any other valuable consideration, other than the amount of a wager won by such other person, to induce that person to gamble.

(3) Any person who contravenes subsection (1) or (2) commits an offence.

48.(1) No person shall gamble or make or place a bet at any place other than on licensed premises:

Gambling on
unlicensed
premises

Provided that gambling by means of placing of a voice or data telephone bet where the holder of a licence accepts and records the bet at the licensed premises shall be deemed to have occurred at the licensed premises.

(2) No licence holder shall accept a bet from—

- (a) a person under the age of 18 years; and
- (b) any person by way of voice or data telephone transmission if the placing of such bet by such person will constitute a crime by such person in the jurisdiction from which the bet is so placed.

(3) Any person who contravenes the provisions of this section commits an offence.

49.(1) No person shall—

- (a) allow anyone to conduct, carry on or operate any cheating or cheating device in any gambling;
- (b) conduct, carry on, operate, deal or expose for play any gambling or gambling played with cards or through any device, or any combination of such gambling and devices, which have in any manner been marked or tampered with or placed in a condition or operated in a manner the result of which tends to deceive players or the public or tends to alter the normal random selection of criteria

Cheating and
cheating
devices

or the normal chance of the gambling which could determine or alter the result of such gambling;

- (c) knowingly make use of any counterfeit chip or token, or contravene the rules of any gambling or interfere in any way with any gambling device or any other device used for gambling with the intention of obtaining any pecuniary advantage, directly or indirectly, whether for himself or herself or any other person;
- (d) place, increase or decrease a bet or determine the course of play after acquiring knowledge, not available to all players, of the outcome of the gambling or any event that affects the outcome of the gambling or which is the subject of the bet, or aid anyone in acquiring such knowledge, for the purpose of placing, increasing or decreasing a bet or determining the course of play contingent upon that event or outcome;
- (e) claim, collect or take, or attempt to claim, collect or take, money or anything of value in or from any gambling activity, with intent to defraud, without having made a wager contingent thereon, or to claim, collect or take an amount greater than the amount won;
- (f) place or increase a bet after acquiring knowledge of the outcome of the gambling or other event which is the subject of the bet; or
- (g) reduce the amount wagered or cancel the bet after acquiring knowledge of the outcome of the gambling or other event which is the subject of the bet.

(2) For the purposes of this section, "cheating" means—

- (a) to alter the criteria which determine the result of gambling;
- (b) to alter the criteria which determine the amount or frequency of payment in gambling; or
- (c) any scheme, arrangement, system or plan which the Authority may from time to time by notice in the *Gazette* so declare to be cheating

(3) Any person who contravenes this section commits an offence

50. Any person who commits an offence under section 43, 44, 45, 46, 47, 48 or 49 shall be liable on conviction to imprisonment for a term of not exceeding 5 years and fine not exceeding SCR 500,000 or both such imprisonment and fine.

Penalty

51.(1) Any person who—

- (a) contravenes or fails to comply with any provision of this Act or any regulation or rules made thereunder for which no penalty has been provided elsewhere;
- (b) makes any false statement in any application or return under this Act;
- (c) contravenes any condition of a licence;
- (d) on any licensed premises conducts any gambling, other than such gambling which that person is authorised to conduct by the licence granted for that premises, or keeps any gambling device or part of any gambling

● offences in general

device which such person is not authorised in terms of the licence to keep on such premises, or conducts any gambling otherwise than in accordance with the rules of such game;

(e) hinders or obstructs any police officer or inspector in the performance of his or her functions under this Act;

(f) having been summoned to give evidence at an investigation, hearing or enquiry to the Authority, without sufficient cause, fails, to attend at the time and place specified in the summons, or to remain in attendance until the conclusion of the investigation, hearing or enquiry or until excused by the Authority from further attendance, or to produce any book, document or thing in his or her possession or custody or under his or her control, which he or she has been summoned to produce;

(g) having been summoned —

(i) without sufficient cause refuses to take the oath or to make an affirmation as a witness after he or she has been directed by the member of the Authority presiding at the enquiry to do so, or refuses to testify, or refuses or fails to answer fully and satisfactorily to the best of his or her knowledge and belief any question lawfully put to him or her; or

(ii) after having taken the oath or having made affirmation, gives false evidence before the Authority at any enquiry on any matter, knowing such evidence to be false or not knowing or believing it to be true;

- (h) gives an explanation or information to a police officer or inspector which is false or misleading, knowing it to be false or misleading;
- (i) falsely represents himself or herself to be an inspector;
- (j) without the consent in writing of the inspector or police officer concerned, removes from the place where it has been left by the inspector or police officer, or tampers with, destroys or makes alterations to, anything seized by such inspector or police officer in the performance of his or her functions; or
- (k) without a licence or without the prior consent of the Authority is in the possession of a gambling device or any part thereof, other than playing cards or dice.

commits an offence and shall on conviction be liable to imprisonment for a term not exceeding 3 years and fine not exceeding SCR100,000 or both such imprisonment and fine.

52. A person shall not be absolved from liability under any provision of this Act in respect of any act or omission in connection with any gambling, merely by reason that the management, conduct, or business of, or concerning such gambling is in whole or part carried on at any place outside Seychelles.

Activities in
Seychelles in
relation to
gambling
outside
Seychelles

PART VII - MISCELLANEOUS

53.(1) A person aggrieved by a decision of the Authority on any application, objection or representation made by that person may make an application to the Chief Executive Officer to furnish reasons for that decision.

Furnishing of
reasons

(2) The Authority shall, after receipt of the application made under subsection (1), within the time and manner as may be prescribed furnish its reasons for the decision.

Order of
forfeiture

54.(1) A court may, upon conviction of a person for any offence under this Act make an order of forfeiture of—

- (a) all monies, documents, books and records, equipment, devices, machines, contrivances, instruments or gaming devices—
 - (i) by means of which the offence was committed;
 - (ii) which was used in the commission of the offence; or
 - (iii) which was found in the possession of the convicted person; or
- (b) any vehicle, vessel, aircraft, container or other object which was used—
 - (i) for the purpose of or in connection with the commission of the offence; or
 - (ii) for the storage, conveyance, removal or concealment of any money, documents, books and records, equipment, devices, machines, contrivances, instruments or gaming devices by means of which the offence was committed or which was used in the commission of the offence.

Administrative
penalty

55. Where holder of a licence contravenes or fails to comply with any provisions of this Act for which no penalty is provided in the Act, the Authority may, after conducting an investigation, hearing and enquiry in such manner as may be

prescribed impose monetary penalty not exceeding SCR 20,000 on the holder of licence for any such contravention.

56.(1) The Minister may, in consultation with the Authority, make regulations not inconsistent with this Act for carrying out the provisions of this Act.

Regulations

(2) Without prejudice to subsection (1), the regulations under subsection (1) may provide for—

- (a) any matter pertaining to the functions of the Authority;
- (b) any matter pertaining to an application for a licence;
- (c) the commissions or other charges which the holder of the licence may charge;
- (d) the management and control of gambling, interactive betting or related activities;
- (e) the fees payable under the Act;
- (f) any matter which in terms of this Act is required to be or may be prescribed.

(2) A regulation made under this section may for a contravention thereof or failure to comply therewith, prescribe a fine not exceeding SCR 20,000 or imprisonment for a period not exceeding two years or both such imprisonment and fine.

57.(1) The Authority may make rules, not inconsistent with the provisions of this Act or regulations made under section 56 of this Act, for carrying out the provisions of this Act.

Rules

(2) Without prejudice to subsection (1), the rules made by the Authority may provide for—

- (a) the management and control of licensed premises, licence holders and gambling operations;
- (b) internal control measures for licence holders;
- (c) the books, accounts and records to be kept and returns to be furnished; and
- (d) any matter which, in terms of this Act, is required to be or may be specified.

(2) The Authority shall, before making any rule under subsection (1), publish the draft rules in the *Gazette* inviting objection and suggestions from the public.

(3) The Authority shall finalise the rules after considering the objections or suggestions received in pursuance of subsection (2) and publish them in the *Gazette*.

Repeat and
savings

58.(1) The following Act and Statutory Instruments are hereby repealed—

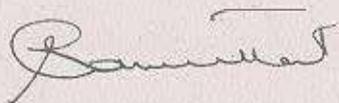
- (a) Interactive Gaming Act;
- (b) Licences (Gaming Machine) Regulations;
- (c) Licences (Non-Domestic) Gaming Regulations;
- (d) Licences (Casino) Regulations.

(2) Notwithstanding the repeal under subsection (1)—

- (a) any licence granted under the repealed laws shall be in force for a period of 9 months from the commencement of this Act;

- (b) the holder of the licence issued under the repealed laws shall comply with the provision of this Act within the period under paragraph (a).

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 19th December, 2014.



Ms. Shelda Commettant
Acting Clerk to the National Assembly