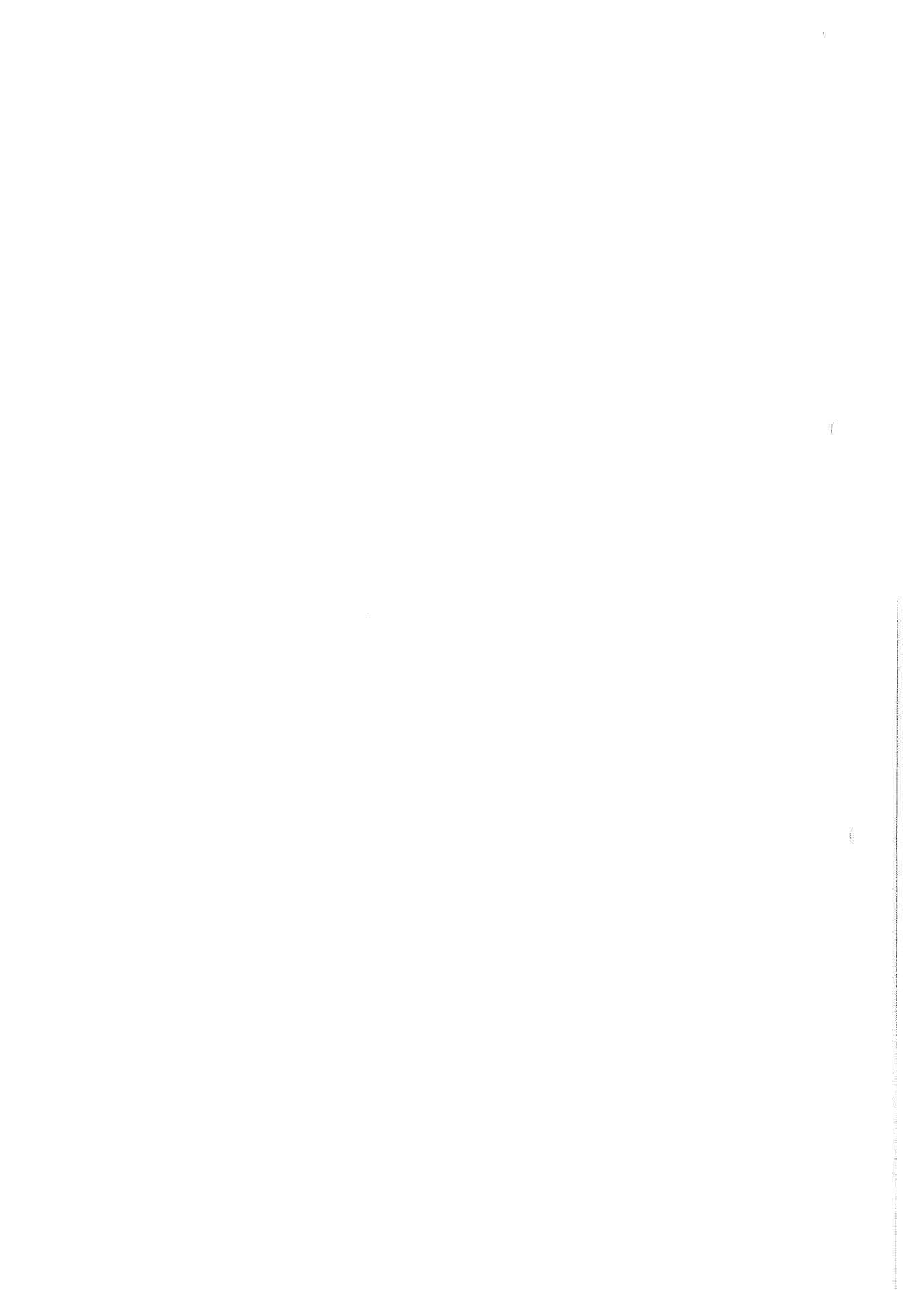




**THE GAMING AND
LOTTERIES
(AMENDMENT) BILL
2004**





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(AMENDMENT) BILL 2004**

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BILL

Entitled

AN ACT TO AMEND THE GAMING AND LOTTERIES ACT,
CAP. 139. ✓

ENACTED by the National Parliament of Solomon Islands.

**THE GAMING AND LOTTERIES
(AMENDMENT) BILL 2004**

ARRANGEMENT OF CLAUSES

SECTION

1. SHORT TITLE AND COMMENCEMENT
2. AMENDMENT OF SECTION 2 OF CAP. 139
3. REPEAL AND REPLACEMENT OF SECTION 6
4. AMENDMENT OF SECTION 7
5. AMENDMENT OF SECTION 14
6. AMENDMENT OF SECTION 15
7. AMENDMENT OF SECTION 20

1. (1) This Act may be cited as the Gaming and Lotteries (Amendment) Act, 2004 and shall come into operation on such date as the Minister may appoint by notice published in the Gazette. Short title and commencement
2. Section 2 of the Gaming and Lotteries Act (hereinafter referred to as the "principal Act") is hereby amended in the following respects Amendment of section 2 of Cap. 139
- (a) by inserting at the end of the definition of "commercial gaming" the words "in a casino", and
- (b) by inserting in proper alphabetical sequence the following new definitions -
- "approved person" means a person who is a member of a club housed in a hotel complex; and
- "casino" means the areas of a hotel casino complex identified in the permit as the areas of the casino, and includes a private members only club housed in the hotel complex".
3. Section 6 of the principal Act is hereby repealed and the following section substituted therefor - Repeal and replacement of section 6
6. (1) Commercial gaming shall only be permitted in areas of a hotel-casino complex identified in a permit issued by the Board. "Commercial gaming"
- (2) No person shall permit or cause commercial gaming to take place in any premises unless such person is a holder of a permit issued by the Board.
- (3) No person other than foreign or ~~Q~~overseas guests or visitors to Solomon Islands or approved persons have a right to enter, remain or participate in commercial gaming.
- (4) An application for a permit shall be made to the Board in the form set out in Schedule 1 to the Act.
- (5) Where a permit is issued pursuant to subsection (2) authorizing the holder to operate any form of commercial gaming, the Board may in the permit prescribe any terms and conditions as it thinks fit.

(6) The Minister may for the purpose of giving effect to the provisions of this section in consultation with the Board prescribe by regulations -

(a) the type of commercial gaming, including gaming machines to be permitted;

(b) the manner in which an inspector may carry out inspection of premises and gaming machines;

(c) the manner in which commercial gaming shall be carried out, including hours of operation, gaming equipment and playing of games;

(d) the manner in which the premises is to be maintained, its layout, including provision for facilities to be afforded to persons resorting to such premises;

(e) the nature and amount of winnings;

(f) the manner of making bets or stakes;

(g) accounting procedures and the making, keeping and examination of accounts, records and returns by any person in relation to the operation of commercial gaming;

(h) procedures for the payment and recording of winnings associated with any games, where such winnings are paid by cash or cheque;

(i) procedures for cashing and recording of cheque transactions;

(j) the exemption in whole or in part from stamp duty of transactions in connection with commercial gaming;

(k) fees, levies or other charges;

(l) the form and manner in which a register of staff and other persons employed in a casino is to be maintained; and

(m) such other provisions as may be required for giving effect to the requirements of this Act.

(7) The provisions of section 3 shall not apply to commercial gaming.

(8) Notwithstanding the provisions of subsections (1) and (3), holders of commercial gaming permits on the date of commencement of this Act, shall be permitted a period of two years to comply with the requirements of subsection (1).

✓ 4. Subsection (1) of section 7 of the principal Act is hereby amended by inserting therein immediately after paragraph (b) the following new paragraph as paragraph (bb), thereof - Amendment of section 7

“(bb) that the applicant is not the holder of a permit in respect of any other commercial gaming establishment;”

✓ 5. Subsection (2) paragraph (a) (iii) of section 14 of the principal Act is hereby amended by deleting the words “twenty dollars” and substituting therefor with the words “five thousand dollars;” Amendment of section 14

✓ 6. Section 15 of the principal Act is hereby amended in the following respects:- Amendment of section 15

(a) in subsection (2) (c) by deleting the words “five thousand dollars” and substituting therefor the words “half a million dollars”, and, deleting the words “two dollars” and substituting therefor the words “one hundred dollars;” and

(b) in subsection (2) (g) by deleting the words “ten thousand dollars” wherever these words appear in the subsection and substituting therefor in each case the words “half a million dollars”.

Amendment of
section 20

7. Section 20 of the principal Act is hereby amended by inserting immediately after subsection (2), the following new subsection as subsection (3) -

“ (3) Notwithstanding the provisions of paragraph (a) of subsection (2), the Board shall not in respect of the city of Honiara grant commercial gaming permits in excess of two”

THE GAMING AND LOTTERIES (AMENDMENT) BILL 2004

Objects and Reasons

The present provisions of the Act do not adequately provide for the restricting of casino gambling to particular places or localities. It is the policy of the present Government to restrict commercial gaming to hotel/resort complexes so as to minimize social effects of gambling. This would in effect prevent the ordinary general public from having access to public casinos.

The Bill, therefore, seeks to primarily restrict commercial gaming to hotel/tourist resorts.

The Bill further seeks to -

(a) permit the Board to exercise tighter supervision and control over commercial gaming; and

(b) restrict the number of casinos operating in the city of Honiara at any given point of time to two.



Minister of Home Affairs

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