



**BELIZE**

**LOTTERIES CONTROL ACT  
CHAPTER 151**

**REVISED EDITION 2011**  
**SHOWING THE SUBSTANTIVE LAWS AS AT 31<sup>ST</sup>**  
**DECEMBER, 2011**

This is a revised edition of the Substantive Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2011.

This edition contains a consolidation of Amendments made to the law by Acts No 31 of 2005 and No. 17 of 2010.



**CHAPTER 151**

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**CHAPTER 151**

**LOTTERIES CONTROL**

*[15th April, 1954]*

Ch. 169,  
 R.L. 1958.  
 CAP.118,  
 R.E. 1980-1990.  
 10 of 1962.  
 19 of 1963.  
 40 of 1963.  
 16 of 1966.  
 14 of 1982.  
 8 of 1987.  
 22 of 1987.  
 12 of 1992.  
 42 of 1999.  
 S.I. 54 of 1993.  
 31 of 2005.  
 17 of 2010.

**PART I**

*Preliminary*

**1.** This Act may be cited as the Lotteries Control Act.

Short title.

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

Interpretation.

“Committee” means the Lotteries Committee established under this Act;

“lottery” means any scheme for distributing prizes by lot or chance but does not include raffles where the value of the article raffled is not more than ten dollars;

“quarter” means any period of three months commencing on the first day of January, April, July or October;

“ticket” includes, in relation to any lottery or proposed lottery, any document evidencing the claim of a person to participate in the chances of a lottery.

PART II

Control of Lotteries

Lotteries without licence unlawful.

3.-(1) No person shall promote, hold or conduct any lottery unless he or she obtains a licence so to do in accordance with this Act and in such manner and in compliance with such conditions as may be prescribed by the Committee.

16 of 1966.

(2) No person shall in any way assist in promoting, holding or conducting a lottery, by sale or printing of tickets or by advertisement, or by any other means whatever unless and until he or she has been appointed as an agent of the person licensed to promote, hold or conduct such lottery and such appointment has been notified to and registered with the Commissioner of Police and the Committee and has not been revoked.

(3) Any person who contravenes any of the provisions of subsection (1) or (2) of this section, commits an offence.

Establishment and constitution of Lotteries Committee. 31 of 2005. 17 of 2010.

4.-(1) There is hereby established a Committee to be called the "Lotteries Committee" consisting of the Auditor General or his representative, the Chief Executive Officer of the Ministry responsible for lotteries or a representative, the Secretary to the Gaming Control Board and three other members of the Gaming Control Board.

17 of 2010.

(2) The three members of the Gaming Control Board referred to above shall be appointed by the Minister in his or her discretion.

(3) The Chairperson of the Committee shall be the Chief Executive Officer in the Ministry responsible for lotteries control, and in his or her absence at any meeting, the member elected by the majority of member present at such meeting shall act as Chairperson of the Committee at that meeting.

(4) The Minister shall appoint a fit and proper person to be secretary to the Committee who shall, *inter alia*, issue licences approved by the Committee and ensure that proper minutes of meetings of the Committee are recorded.

(5) The quorum at all meetings of the Committee shall be four members.

(6) Decision on any matter at a meeting of the Committee shall be by a majority of the members present and voting and each member shall have one vote and in the case of an equality of votes, the Chairperson of the meeting shall have a second or casting vote.

(7) The Committee shall meet as often as its business requires.

(8) The Minister may terminate the appointment of any member of the Committee where such member has been absent from three consecutive meetings of the Committee or where such member is otherwise unable or unfit to discharge the functions of a member.

(9) All applications and matters connected with applications for a licence under this Act, except for the Belize District, shall be made to the Committee through the District Accountant for the district in which the applicant resides.

**5.-(1)** The duties and powers of the Committee shall be to control and regulate the promotion, holding and conduct of lotteries in Belize and for that purpose the Committee shall have power,

Functions of the Committee.

(a) to grant written licence to a person to promote, hold or conduct a lottery in such manner and in such place and subject to such conditions as may be prescribed by the Committee;

(b) to make regulations for the following purposes,

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<sup>1</sup>The function of the former district officer has been transferred to the “appropriate officer” as defined in section 12 (2) of the District Officers (Abolition of Office) (Miscellaneous Amendments) Act No. 14 of 1982.

- (i) prescribing the method or procedure whereby money or money's worth is to be distributed or allotted in any lottery;
- (ii) prescribing the form and contents of the application for a licence to conduct a lottery, of lottery tickets and of any other document connected with a lottery;
- (ii) determining what proportion of the total sum of money derived from the sale of tickets in a lottery should be appropriated to the payment of the prize or prizes;
- (iv) controlling and regulating all matters connected with lotteries licensed under this Act;
- (v) prescribing the manner in which disputes between holders of lottery tickets and sellers of lottery tickets shall be determined.

40 of 1963.

(2) Regulations made by the Committee under this Act shall not come into operation until they have been approved by the Minister.

Application for licence to hold a lottery.

**6.**—(1) Every person who intends to promote, hold or conduct a lottery shall, before taking any steps for that purpose, apply to the Committee for a licence to do so.

(2) Subject to the provisions of this Act, the Committee may grant to any fit and proper person,

- (a) (i) a licence to promote, hold, and conduct a specific lottery; or
- (ii) prescribing the conditions to be observed by persons on the sale or disposal of lottery tickets and the liability of any such persons;



- (b) a licence to promote, hold, and conduct lotteries during the space of any one quarter, half year or a year; or
- (c) with the prior approval of the Minister, an exclusive licence to promote, hold and conduct lotteries, or any specific type of lottery, during any period not exceeding ten years. 17 of 2010.

(3) A licence to promote, hold or conduct a lottery or lotteries shall not be granted to any person who,

- (a) is under the age of eighteen years; or 12 of 1992.
- (b) has been convicted in a court of law in the five years immediately preceding the date of his application of any offence involving dishonesty, or is of known bad character; or 16 of 1966.
- (c) in the opinion of the Committee is for good reason an undesirable person, the Committee stating the reason for its opinion at the time of refusing the licence.

(4) Any person who is aggrieved by the refusal of the Committee to grant him a licence to promote, hold or conduct a lottery may appeal from such refusal to the Minister whose decision shall be final. 40 of 1963.

(5) Every lottery licensed under this Act other than a lottery in respect of which a half year or an annual licence has been granted, shall be concluded within ninety days from the date of the grant of such licence. 16 of 1966.

7.-(1) Upon application to promote, hold or conduct a lottery, the applicant shall pay to the Committee such fees as may from time to time be prescribed by the Minister by regulations made under this Act. Fees payable.  
17 of 2010.

(2) All fees received by the Committee under this Act or Regulations made thereunder, shall be paid to the credit of “The Official Charities Fund” at the Treasury and all expenditure incidental to the functions of

the Committee in the control and regulation of lotteries shall be met from such fund.

31 of 2005.

- (a) a licence for promoting, holding or conducting a lottery during,
  - (i) a quarter year period, two hundred and fifty dollars;
  - (ii) a half year period, five hundred dollars;
  - (iii) a year, one thousand dollars;
- (b) the exclusive right to promote, hold or conduct lotteries of any specific type of lottery during,
  - (i) a quarter, three hundred and seventy-five dollars;
  - (ii) a half year period, seven hundred and fifty dollars;
  - (iii) a year, one thousand five hundred dollars.

(3) An annual licence shall commence on 1st April in any year and shall expire on 31st March in the following year.

(4) Where the Committee has, by regulation, provided that applications for licences must be submitted a certain time before the licence is to come into force, the Committee may in its discretion consider any application submitted after that date upon payment of a further fee of five dollars.

(5) The fees received by the Committee under subsections (1) and (3) of this section, shall be paid to the credit of the Consolidated Revenue Fund,

Provided that where any application is refused any fee which has been paid under subsection (1) of this section shall be refunded to the applicant.

(6) The fees payable under this section may be varied by Order of the Minister published in the *Gazette*.

**8.**-(1) Subject to the provisions of section 9 (3) of this Act, there shall be raised, levied and collected a tax called the “Lottery Tax” to be paid by every person to whom a licence is granted to promote, hold or conduct a lottery.

Lottery tax.  
17 of 2010.

(2) The lottery tax shall be at such rate as the Minister may by regulations made under this Act prescribe.

(3) The lottery tax shall be paid to the Commissioner of Income Tax at such time and in such manner as may from time to time be prescribed by the Commissioner.

(4) The lottery tax shall be in addition to the income tax or business tax payable by a licensee under the Income and Business Tax Act, Cap. 55.

(5) The lottery tax shall be paid to the credit of the Consolidated Revenue Fund.

(6) All lottery tax due and payable under this Act, shall be recoverable as a debt due to the State from the person liable to pay the same and where the aggregate amount of the tax payable by the person to whom the licence has been granted for a lottery is less than two hundred and fifty dollars, that aggregate tax may, without prejudice to any other mode of recovery thereof, be recovered by the Commissioner of Income Tax from the person in a district court as a civil debt.

(7) The Committee shall pay all sums of money received or recovered as tax to the credit of “The Official Charities Fund” at the Treasury and all expenditure incidental to the functions of the Committee in the control and regulation of lotteries shall be met from such Fund.

16 of 1966.

(8) All tax due and payable shall be recoverable as a debt due to the Crown from the person liable to pay the same and where the aggregate amount of the tax payable by the person to whom a licence had been granted for a lottery is less than two hundred and fifty dollars, that aggregate tax may, without prejudice to any other mode of recovery thereof, be recovered by the Committee from that person in a district court as a civil debt.

Chances of winning prize or prizes to be shown on ticket.

16 of 1966.

**9.**—(1) Subject to the provisions of subsection (2) of this section, no ticket in a lottery shall carry more than one chance of winning a particular prize or the chance of winning more than one particular prize.

(2) The Committee may make regulations to provide that in any particular lottery or type of lottery a ticket may bear more than one chance of winning a particular prize or the chance of winning more than one particular prize.

(3) Where in exercise of the powers conferred by subsection (2) of this section the Committee has by regulation provided that a ticket may, in a particular lottery or type of lottery, carry more than one chance of winning a particular prize or the chance of winning more than one particular prize, for the purpose of levying the appropriate tax under section 8 of this Act, the amount to be paid for the tickets to be sold shall be calculated as if only one chance were available on such ticket.

Security for performance of obligation in respect of lottery.

16 of 1966.

**10.**—(1) Every person to whom a licence is granted under the provisions of section 6 (2) of this Act shall, for the performance by him of every obligation of whatever kind in connection with the lottery or lotteries, make a cash deposit or enter into a bond in favour of the Committee in such sum as the Committee shall require.

(2) Every such bond shall be given with such number of sureties as the Committee may require in any particular case.

(3) In case a person to whom such a licence is granted fails to pay any prize money, tax or other sum due by him in connection with the lottery or to perform any other obligation which he is bound to perform, the Committee may deduct from the cash deposit made by such person

or may sue for and recover from that person or his sureties such sum of money as may be sufficient for the purpose of satisfying the debt or obligation due in respect of the lottery.

PART III

*Offences and Penalties*

**11.**—(1) Every person who, in respect of any lottery for which a licence has not been granted under this Act, or in respect of any lottery which has been licenced but for which he is not registered and approved as an agent,

Offences in connection with lotteries.  
16 of 1966.

- (a) prints any ticket for use in Belize;
- (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;
- (c) prints, publishes or distributes, or has in his possession for the purpose of publication or distribution,
  - (i) any advertisement of the lottery;
  - (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;
- (d) buys or sells or has in his possession any paper, ticket, list, printed matter, document or book relating to such a lottery;

- (e) brings or invites any person to send into Belize, for the purpose of sale or distribution, any ticket in, or advertisement of, the lottery;
- (f) sends or attempts to send out of Belize any money or valuable thing received in respect of the sale or distribution, or the identity of the holder, of any ticket or chance in the lottery;
- (g) 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
- (h) causes, procures or attempts to procure any person to do any of the acts mentioned in this subsection,

commits an offence.

(2) Any tickets, lists, papers, printed matter or documents whatsoever found in the possession of any person suspected of having committed an offence under this section shall be brought before the court, and the court may order any such tickets, lists, papers, printed matter or documents to be destroyed or otherwise disposed of.

(3) In subsection (2) of this section, “court” means a Court of Summary Jurisdiction.

Onus of proof.

**12.** If any person is found in possession of any ticket, list, paper, printed matter, document or book purporting or appearing to relate to a lottery, the onus shall be upon such person to prove,

- (a) that the ticket, list, paper, printed matter, document or book does not relate to an illegal lottery; or
- (b) that the ticket, list, paper, printed matter, document or book relates to a lottery for which a licence has been granted under this Act.

**13.**—(1) Every person licensed under this Act to hold, conduct or promote a lottery who employs any other person to assist him in any way other than an agent appointed under and in accordance with the provisions of any regulations made by the Committee commits an offence.

Only appointed agents may assist promoters.  
16 of 1966.

(2) Where any person is found selling tickets or in any other way assisting in the promotion, holding or conducting of a lottery which has been licensed, he shall be deemed to have been employed to so act by the person to whom a licence to hold such lottery was granted unless such licence holder shall prove otherwise.

**14.** Every person who gives, sells or offers for sale to any person under the age of sixteen years any paper, ticket or token authorising, or for the purpose of enabling or entitling, any person to receive any money or valuable thing on any event or contingency of or relating to any lottery commits an offence and shall be liable to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months, or to both such fine and term of imprisonment.

Person under sixteen years not to be given, sold or offered for sale any paper or ticket relating to a lottery.

**15.** No person shall hold, conduct or promote any lottery on Good Friday or Christmas Day and every person so doing commits an offence and shall be liable to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding six months, or to both such fine and term of imprisonment.

No lottery to be conducted on Good Friday or Christmas Day.  
17 of 2010.

**16.** Where a person convicted of any offence under this Act 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.

Offences by bodies corporate.

**17.** All proceedings for offences under this Act shall, unless where it is otherwise provided, be taken under and in accordance with the Summary Jurisdiction (Offences) Act, Cap. 98 and Summary Jurisdiction (Procedure) Act, Cap. 99.

Offences punishable on summary conviction.

## PART IV

*Miscellaneous*

Lottery licence  
may be revoked.

**18.** A licence granted under the provisions of this Act may be revoked at any time by the Committee without compensation for breach of any condition stated in the licence.

Exemption of cer-  
tain lotteries.  
10 of 1962.

**19.**—(1) Nothing contained in this Act shall apply to any lottery promoted, conducted or organised as an incident of or in connection with an entertainment for any charitable or deserving object for which a licence has been obtained from the Committee.

(2) The entertainments to which this section applies are bazaars, sales of work, fancy fairs, fetes and other entertainments of a similar character.

(3) The grant of a licence under the provisions of this section shall,

- (a) authorise the promoter to sell lottery tickets for a period not exceeding ninety days before the entertainment in respect of which it is granted takes place; and
- (b) authorise children under the age of sixteen to sell lottery tickets in connection therewith.

(4) Licences issued under the provisions of this section shall be free of charge.

Money paid in lot-  
tery recoverable.

**20.**—(1) No objection to any contract, bill of exchange, cheque, promissory note or other transaction of any kind relating to any lottery licensed under this Act shall be taken or allowed in any court of law on the ground that such contract, bill of exchange, cheque, promissory note or other transaction is under any law in force in Belize directly or indirectly tainted with illegality or is against public policy.

(2) Any person to whom prize money or money's worth of any kind becomes due and payable from any lottery licensed under this Act may recover the same from the person liable to pay and shall be entitled to



bring any proceedings necessary to recover such prize money or money's worth.

(3) Any person who has paid any money as the value of any ticket or chance in any lottery may recover the same from the person who was licensed to conduct the lottery in case the lottery is not completed or there is failure of consideration otherwise.

**21.**—(1) Any Justice of the Peace, 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 Act 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, seize and remove any documents, money or valuable thing therein which he has reasonable ground to suppose are on those premises for any purpose which constitutes an infringement of any provision of this Act.

Power to issue search warrant.

(2) The court before which a person is proved to have committed any offence under this Act in relation to a lottery or proposed lottery shall order to be forfeited any coins, bank-notes 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 the lottery, and shall order to be destroyed all documents (other than bank-notes and currency notes) produced to the court which are shown to the satisfaction of the court to relate to the promotion or conduct of the lottery.

**22.** Any member of the police department may arrest without a warrant any person whom he reasonably suspects to be in possession of any ticket, list, paper, printed matter, document or book in respect of a lottery for which a licence has not been granted under this Act and take him forthwith before a Justice of the Peace who shall thereupon cause such person to be searched in his presence.

Power to arrest. 42 of 1999.

**23.**—(1) Every seller of lottery tickets shall deliver to the person from whom he has received the lottery ticket books, not later than fifteen minutes before the time set for the drawing of any lottery, all the lottery

Offences by sellers. 10 of 1962.

ticket books together with all remaining unsold tickets and all monies for tickets sold. Every such seller who fails or neglects to comply with any of the provisions of this subsection commits an offence against this Act.

12 of 1992.

(2) Where such a seller is convicted of an offence under the provisions of this section, the court may order that the seller makes full compensation, to any person conducting a lottery who is injured by the commission of the offence and who has had to pay prize money to the holder of any ticket from the book delivered to such seller.

(3) Any sum ordered to be paid as compensation shall be levied upon the goods and chattels of such seller in accordance with the provisions of section 100 of the Summary Jurisdiction (Procedure) Act, Cap. 99 and the court may, in its discretion, instead of issuing a distress warrant, order the seller, on non-payment of the sum, to be imprisoned for any term not exceeding the term prescribed under section 100 of the Summary Jurisdiction (Procedure) Act, Cap. 99.

(4) For the purposes of this section, the word “seller” means an agent of a person licensed to promote, hold and conduct a lottery under this Act and whose appointment has been notified in writing to the Committee and the Commissioner of Police.

**24.**—(1) Notwithstanding any rule of law or practice to the contrary, it shall be lawful for the Committee to authorise any person to act as agent to do any transaction with any lottery ticket or any document purporting to be a lottery ticket for the purpose of detecting offences or obtaining evidence for a prosecution under this Act, or any regulations made there under, and the evidence of such person shall be valid and effectual for all purposes and shall be receivable in evidence in all courts in Belize.

(2) An agent so authorised shall not be deemed to have committed any offence by so doing any transaction under this Act, and shall not be treated as an accomplice for the purposes of the law on corroboration

(3) The fact that a crime has been induced by the activities of an authorised agent shall not be treated as a mitigating factor by any court for the purpose of sentencing an offender.

Authorisation  
of agents by the  
Committee.  
31 of 2005.

(4) Where an offence has been detected pursuant to this section resulting in a successful conviction, the agent involved may be awarded a commission on any fines collected there under as determined by the Lotteries Committee.

**25.**—(1) Save as otherwise specially provided in this Act or any regulations made thereunder, any person convicted of an offence under this Act or any regulations shall be liable on summary conviction as follows,

Offences and penalties.  
31 of 2005.  
17 of 2010.

- (a) for the first offence, to a fine of not less than ten thousand dollars but not exceeding twenty thousand dollars, or to imprisonment for a term of not less than one year but not more than two years, or to both such fine and imprisonment;
- (b) for a second or subsequent offence, to a fine of not less than twenty thousand dollars but not exceeding fifty thousand dollars, or to imprisonment for a term of not less than two years but not more than five years, or to both such fine and imprisonment.

(2) Where a person is convicted under this Act or any regulations made thereunder for a second or subsequent offence, the court shall order that the goods and proceeds derived from or connected with or relating to such an offence shall be forfeited and disposed of in such a manner as the Minister may direct.

(3) Notwithstanding subsections (1) and (2) of this section, in the case of minor offences, the Committee may, in *lieu* of proceeding summarily in court of law, impose an administrative fine not exceeding one thousand dollars for a violation of any provision of this Act or any regulation made thereunder.

**26.**—(1) For the more efficient administration and operation of lotteries in Belize, the Minister may, subject to the Finance and Audit (Reform) Act, Cap. 15, and with the approval of Cabinet, engage the services of a person or body corporate (referred to in this section as “the Contractor”) possessing qualifications and expertise required to manage any lottery.

Engagement of a contractor to operate lotteries.  
17 of 2010.

(2) Any such contract as is referred to in subsection (1) of this section, may authorise the Contractor to do all things necessary to administer, disburse and market any lottery on behalf of the Committee.

(3) No contract made pursuant to this section shall be for a period exceeding ten years but may be renewed for a like period subject to satisfactory performance and compliance with such conditions as the Committee may impose.

(4) Every contract as is referred to in this section shall contain a provision entitling the Auditor General to audit the accounts of the Contractor at such time and with such frequency as the Auditor General may consider necessary.

Regulations.  
17 of 2010.

**27.**—(1) The Minister may make regulations for the better carrying out of the provisions of this Act and for prescribing anything that needs to be prescribed.

(2) Without prejudice to the generality of subsection (1) of this section, such regulations may,

- (a) prescribe the fees payable for the issue of licences; and
- (b) prescribe the rate of lottery tax payable pursuant to section 8 of this Act.

(3) All regulations made by the Minister under this Act shall be subject to negative resolution.