An Act to make provision for Government Lotteries

ENACTED by the Parliament of the United Republic of Tanzania.

1. This Act may be cited as the Government Lotteries Act, 1964.

2. In this Act, unless the context otherwise requires—
   "Director" means the Director of Government lotteries appointed under section 4 and includes the Deputy Director;
   "Government lottery" means a Government lottery authorized by this Act;
   "Minister" means the Minister for Finance;
   "selling agent" means any person appointed by the Director to sell tickets in a Government lottery.

3. The Minister shall appoint a person holding office in the service of the United Republic to be the Director of Government lotteries.

4. (1) The Minister may appoint a person holding office in the service of the United Republic as Deputy to the Director.

   (2) On the occurrence from any cause of a vacancy in the office of Director or in the temporary absence of the Director, and so long as such vacancy or temporary absence continues, the Deputy shall have and may exercise all the powers, duties and functions of the Director.

   (3) The fact that the Deputy exercises any power, duty or function as aforesaid, shall be sufficient evidence of his authority to do so.

5. (1) Subject to the provisions of this Act and any regulations made hereunder, it shall be lawful for the Director from time to time to promote and conduct a Government lottery.

   (2) The Director shall do all such acts and things and give such directions as he may deem necessary or expedient for the purpose of promoting and conducting the Government lottery.
Every Government lottery shall be conducted by the Director in accordance with the following rules:-

(a) the Director shall, before the sale of tickets in a lottery commences, cause to be published in the Gazette particulars as to-
   (i) the quantity series and prices of the tickets to be issued;
   (ii) the schedule of, prizes offered to winners;
   (iii) the dates within which tickets may be sold, the date of the draw and the, place at which and the, manner in which the draw will be performed and the results published;

(b) tickets in a Government lottery may be sold by the Director or through selling agents;

(c) the Director shall publish the results of the draw in the manner specified in the Gazette notice published in accordance with paragraph (a);

(d) prize winners shall be responsible for claiming prizes;

(e) the Director may decline to pay or award a prize claimed where-
   (i) the ticket is not whole or if it bears any alteration, abrasure or erasure, or
   (ii) in the opinion of the Director the ticket is not genuine, and the decision of the Director in respect of such matters shall be final.

7. The Director may appoint such selling agents in respect of each Government lottery at such remuneration or commission and subject to such further terms and conditions as the Director shall think fit.

FINANCIAL

8. There is hereby established a Government Lottery Fund to which the revenues of every Government lottery shall be credited and, subject to this Act, the Government Lottery Fund shall constitute a fund to which section 17 of the Exchequer and Audit Ordinance, 1961 is applicable.

9. It shall be lawful for moneys in the Government Lottery Fund to be expended in the purchase of land and, for the purchase or erection of buildings and other assets required for the purpose of conducting Government lotteries.

10.-(1) There shall be a reserve account of the Government Lottery Fund into which shall be paid such proportion of the revenues of Government lotteries as the Minister shall direct.

   (2) Moneys in the reserve account shall not 'be appropriated without the approval of the Minister.

11. There shall be paid out of the Government Lottery Fund without any further appropriation other than this Act, the prizes, the commissions and remuneration payable to selling agents, the expenditure in connection with the acquisition of assets, the expenses of administration and all other charges connected therewith and any credit balance after
the closing of the accounts in respect of each Government lottery other
than any portion of such balance paid into the reserve account, shall be
paid to the Consolidated Fund and shall be utilized for development
works and services.

OFFENCES

12. Any person who, before a draw has taken place, sells any Govern-
ment lottery ticket at a price exceeding the price for the ticket specified
in the Gazette, shall be guilty of an offence against this Act.

13. Any selling agent who fails to pay or remit to the Director the net
proceeds payable by him through sale of tickets within the time required
by the Director shall be guilty of an offence against this Act.

14. Any person who counterfeits, fraudulently alters, or forges any
ticket or counterfoil or receipt made or issued under and for the purposes
of a Government lottery, shall be guilty of an offence against this
Act.

15. Any person guilty of an offence against this Act shall be liable on
conviction to a fine not exceeding five thousand shillings or to imprison-
ment for a term not exceeding six months or to both such fine and
imprisonment.

16. The proviso to subsection (1) of section 176 of the Criminal Pro-
cedure Code shall not apply in respect of an offence against this Act.

17. Any person authorized in writing by the Director may institute
and conduct any prosecution.

REGULATIONS

18. The Minister may from time to time make regulations necessary or
desirable to give effect to the provisions of this Act and without prejudice
to the generality of the foregoing, regulations may be made for all or
any of the following purposes:-

(a) for fixing the number and value of the prizes to be allotted in
respect of Government lotteries and for regulating the mode of
payment thereof;

(b) for fixing the number of tickets to be issued for sale by the
Director and the price of each ticket and for regulating the mode
of payment of the same to the Director;

(c) for fixing the remuneration and Commission and responsibilities
of selling agents,

(d) concerning the safe keeping of the counterfoils and of the
receipts given for counterfoils and tickets;

(e) for determining the procedure relative to a draw;

(f) for prescribing the persons to be present at a draw and their
powers and duties in relation thereto and to any dispute or
difficulty which may arise in connection with the draw;

(g) prescribing the form and design of tickets and counterfoils and
precautions against forgery and counterfeiting;

(h) prescribing the procedure for claiming prizes and for the disposi-
tion of unclaimed prizes;
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(i) prohibiting any person from sending or attempting to send out of Tanganyika any money or valuable thing relating to any lottery or any document recording the sale or distribution or the identity of the holder of any ticket or chance in any lottery.

19. Section 173 of the Penal Code is hereby amended as follows: -

(a) by deleting in subsection (1) the words "Commissioner of Police or by a police officer not below the rank of assistant superintendent to whom power has been delegated by the Commissioner of Police to give such authority" and substituting therefor the words "Director of the Government lottery";

(b) by deleting the full stop at the end of subsection (3) and adding thereto the words and punctuation marks ", but does not include the Government lottery."

Passed in the National Assembly on the second day of December, 1964.

Msekwa
Clerk of the National Assembly