

STATUTORY INSTRUMENTS SUPPLEMENT

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S T A T U T O R Y I N S T R U M E N T S

2017 No. 9.

THE LOTTERIES AND GAMING (BETTING) REGULATIONS, 2017

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STATUTORY INSTRUMENTS

2017 No. 9.

The Lotteries and Gaming (Betting) Regulations, 2017

(Under section 70 of the Lotteries and Gaming Act, 2016 Act 7 of 2016)

IN EXERCISE of the powers conferred upon the Minister by section 70 of the Lotteries and Gaming Act, 2016 and on the recommendation of the National Lotteries and Gaming Regulatory Board, these Regulations made this 27th day of May, 2016.

PART I—PRELIMINARY

1. Title.

These Regulations may be cited as the Lotteries and Gaming (Betting) Regulations, 2017.

2. Interpretation.

In these Regulations, unless the context otherwise requires—

“Act” means the Lotteries and Gaming Act, 2016.

“Board” means the National Lotteries and Gaming Regulatory Board established by section 2 of the Act;

“licensee” means the holder of a licence to provide betting gaming or betting machine;

“minor” has the meaning assigned to it in the Act;

“school” means an institution in which students receive regular instruction or an institution which provides instruction through correspondence.

PART II—ADVERTISING BETTING ACTIVITIES

3. Prohibition of misleading betting adverts.

(1) A person shall not advertise or promote any gaming or betting activity—

- (a) which is not licensed by the Board;
- (b) in premises which are not approved by the Board;
- (c) in a manner that is misleading or false;
- (d) with a business name or slogan that is misleading or false;
- (e) in a manner that targets minors.

(2) For the purposes of subregulation (1), any advertisement of a gambling and betting machine or device, a gambling or betting activity, licensed premises or website at which gambling or betting activities are available shall include a statement warning against the dangers of addictive and compulsive gambling or betting in the following words:

“Betting is addictive and can be psychologically harmful”.

(3) Where betting advertisement is carried in a language other than English, the statement in subregulation (2) shall be translated into that language and added to the advertisement.

(4) A person who communicates or airs betting advertisement in contravention of this regulation commits an offence and is liable on conviction to a fine not exceeding forty-eight currency points or imprisonment not exceeding two years or both.

4. Form of betting advertisement.

An advertisement for betting activity shall not—

- (a) contain any lewd or indecent language, images or actions;
- (b) present any game or bet directly or indirectly as a potential means of relieving financial or personal difficulties;
- (c) encourage gaming or betting as a means of recovering past betting or other financial losses;
- (d) contain claims or representations that persons who bet are guaranteed personal, financial or social success;

- (e) represent or imply that—
 - (i) betting is an alternative to employment or a means of acquiring financial security;
 - (ii) winning is the probable outcome of gaming or betting;
 - (iii) gaming or betting primarily involves skill;
 - (iv) gaming or betting is a form of investment;
 - (v) the more or longer one gambles or bets, the greater the chances of winning; or
 - (vi) that gambling or betting is likely to make players' dreams a reality;
- (f) portray or contain persons or characters engaged in gaming or betting who are, or appear to be minors;
- (g) be placed or aired—
 - (i) in any media primarily directed at minors;
 - (ii) at venues where the majority of the audience may reasonably be expected to be minors; or
 - (iii) on outdoor displays directed at schools, youth centres, technical, other tertiary or university students.

PART III—RESTRICTION OF ACCESS TO MINORS

5. Restricting access to betting facilities access by minors.

(1) A person licensed to provide betting or a gaming or betting machine, shall require every person accessing betting premises or facilities to produce a National Identification Card, or passport in case of foreigners, before obtaining access to the premises of a betting facility or permitting that person to participate in any betting activities.

(2) A licensee shall not—

- (a) allow a minor to the licensed premises;
- (b) permit a minor to operate a gambling and betting machine or device; or
- (c) make available a gambling or betting activity to minor.

PART IV—BETTING OPERATING HOURS AND PREMISES

6. Operating hours for betting premises and facilities.

(1) Betting premises shall operate and be open to the public between the hours of 10:00 a.m. and 4:00 a.m.

(2) The Board shall monitor betting premises and facilities to ensure that a person licensed to provide betting facilities is complying with the time specified in this regulation.

(3) A licensee who operates betting premises or facilities or opens betting premises to the public in contravention of subregulation (1), commits an offence and is liable on conviction to a fine not exceeding forty-eight currency points or imprisonment not exceeding two years or both.

7. Prohibition of betting activities in schools.

(1) A person shall not provide betting activities, premises or facilities in a school, university or other educational institution.

(2) A person who contravenes subregulation (1) commits an offence and is liable on conviction to a fine not exceeding forty-eight currency points or imprisonment not exceeding two years or both.

PART V—INFORMATION ON DANGERS OF BETTING

8. Licensee to provide information on dangers of betting.

(1) Every licensee providing betting activities, premises or facilities shall provide information on the dangers of betting to the persons accessing the betting activities, premises or facilities.

(2) The information shall be made available in a manner determined by the Board.

(3) The information shall include—

- (a) the social and psychological effects of betting;
- (b) the financial risk and other economic dangers of betting; and
- (c) the available places where a person addicted to betting may seek help.

(4) A licensee who does not provide the information required by this regulation commits an offence and is liable, on conviction, or to fine not exceeding forty-eight currency points or imprisonment not exceeding two years or both.

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