

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

2017 No. 10.

**THE LOTTERIES AND GAMING (GAMING AND BETTING
MACHINES) REGULATIONS, 2017**

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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. 10.

The Lotteries And Gaming (Gaming And Betting Machines) Regulations, 2017.

(Under section 70 of the Lotteries and Gaming Act, 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 are made this 27th day of May, 2016.

PART I—PRELIMINARY

1. Title.

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

2. Interpretation.

In these Regulations, unless the context otherwise requires—

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

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

“gaming or betting machine or device” means a machine or device as defined in Regulation 3;

“register” means the National Register of Gaming and Betting Machines and devices.

3. Definition of gaming machine or device

(1) For the purposes of the Act and these Regulations and subject to regulation (2), a “gaming machine or device” means a machine which is designed or adapted for use by individuals to gamble, whether or not it can also be used for other purposes.

(2) The following shall not be considered a gaming machine or device—

- (a) a domestic or dual-use computer, by reason only of the fact that it can be used to participate in remote gambling;
- (b) a telephone or other machine for facilitating communication other than a computer by reason only of the fact that it can be used to participate in remote gambling;
- (c) any machine by reason only of the fact that it is designed or adapted for use to bet on future real events;
- (d) any machine by reason only of the fact that it dispenses lottery tickets or otherwise enables a person to enter a lottery provided that the results of the lottery are not determined by the machine, and are not announced by being displayed or communicated by the machine without there being an interval, between each entry to the lottery and the announcement, of at least such duration as prescribed by the Board;
- (e) any machine which is designed or adapted for the playing of bingo, and operated in accordance with a bingo operating licence;
- (f) any machine which is designed or adapted for the playing of bingo by way of prize gaming in accordance with a gaming licence or betting machine general operating licence;
- (g) any machine which is designed or adapted for the playing of bingo by way of prize gaming in accordance with a gaming or betting machine general operating licence;

(3) For the purposes of subregulation (2) “domestic computer” and “dual-use computer” shall have the meanings determined by the Board.

PART II—NATIONAL REGISTER OF GAMING AND
BETTING MACHINES AND DEVICES

4. National register of gaming and betting machines or devices.

(1) The Board shall establish and maintain the register as an electronic database containing all the information required to be registered under section 36 of the Act and these Regulations.

(2) The register shall in addition to information under subregulation (1) contain, in respect of every gaming or betting machine or device—

- (a) the unique registration number assigned to the machine or device by the Board;
- (b) the name of the manufacturer or importer of the machine or device;
- (c) the name of the owner of the machine or device;
- (d) the date of manufacture or importation of the machine or device;
- (e) the unique serial number assigned to the machine or device by the manufacturer;
- (f) the name and address of the person licensed to import or make the machine or device available for use in Uganda;
- (g) the date and details relating to the certification of the machine or device by the Board in consultation with the Uganda National Bureau of Standards.

PART III—REGISTRATION AND CERTIFICATION OF MACHINES OR DEVICES

5. Registration of gaming and betting machines or devices.

(1) For the purposes of section 35 of the Act, the owner, manufacturer or importer of a gaming or betting machine or device shall register the machine or device using **Form 1** in the Schedule.

(2) Every application to register a gaming or betting machine or device shall be accompanied with the prescribed fee.

6. Inspection of gaming and betting machines or devices.

The Board shall, before registering a gaming or betting machine or device, inspect the machine or device and certify that the machine or device meets the technical standards for the type of machine or device.

7. Use of independent testing laboratories.

The Board may utilize the services of an independent testing laboratory approved by the Board for inspection and certification of any gaming or betting machine or device.

8. Gaming or betting machine to comply with technical standards.

(1) The Board shall not register a gaming or betting machine or device unless that machine or device meets the technical standards determined by the Board under section 37 of the Act in consultation with the Uganda National Bureau of Standards.

(2) It is the duty of the registered owner of a gaming or betting machine or device to ensure that the possession, use, maintenance and certification of that machine or device complies with the Act and these Regulations.

9. Notification to Board of change in information in register.

(1) Where there is a change in the information registered in respect of a gaming or betting machine or device, the owner, licensee or manufacturer shall notify the Board within fourteen days after the change.

(2) The notification for change of particulars under this regulation shall be accompanied with the relevant documents and prescribed fee.

10. Board to safeguard information in the register.

The Board shall—

- (a) develop and enforce necessary security measures to safeguard information in the register from unauthorised access and disclosure; and

- (b) take all reasonable steps to ensure that any person employed by the Board is aware of and complies with the security measures regarding the management and protection of information in the register.

11. Records of gaming and betting machines or devices.

A manufacturer, importer, owner or licensee of a gaming or betting machine or device shall keep an accurate record of every gaming and betting machine or device that the manufacturer or importer, owner or licensee acquires manufactures, sells or otherwise distributes.

12. Prohibition of alteration of registered machine or device.

(1) A person shall not alter adapt or change a registered gaming or betting machine or device without the approval of the Board.

(2) A person who contravenes 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.

PART IV—PREQUALIFICATION OF INDEPENDENT GAMING AND BETTING MACHINES TESTING LABORATORIES

13. Prequalification of independent testing laboratories.

(1) A person who wishes to operate an independent gaming or betting machine testing laboratory or to inspect and recommend certification of any gaming or betting device for use in Uganda shall apply to the Board to be prequalified in **Form 2** in the Schedule.

(2) The Board may approve an application for prequalification if the Board is satisfied that all the applicable requirements have been fulfilled, and shall issue a certificate of registration to the applicant.

(3) The Board shall prequalify an independent testing laboratory for a specific category of inspection and certification for which the laboratory has capacity to provide results.

(4) The Board shall publish in the Gazette and newspaper wide circulation on the website of the list of the independent gaming and betting machine testing laboratories prequalified by the Board.

14. Transfer of ownership or possession of registered machine or device.

(1) A person who proposes to transfer ownership of a registered gaming or betting machine or device to another person shall apply to the Board for approval to transfer ownership or possession.

(2) The application under subregulation (1) shall be in **Form 3** in the Schedule and shall be accompanied with the prescribed fee.

(3) The Board may approve a transfer of ownership or possession of a gaming or betting machine or device if the Board is satisfied that—

- (a) the proposed transferor is the registered owner of that machine or device;
- (b) the machine or device has been certified under the Act and these Regulations and the certification has not expired; and
- (c) the proposed transferee—
 - (i) holds a valid licence of a manufacturer, supplier or maintenance provider permitting that person to possess that category of gaming or betting machine or device, or has concurrently applied for a licence;
 - (ii) holds a valid licence issued by the Board.

SCHEDULE

Forms

Reg. 5

THE REPUBLIC OF UGANDA

LOTTERIES AND GAMING ACT, 2016

FORM I

**APPLICATION FOR REGISTRATION OF GAMING AND BETTING
MACHINES OR DEVICES**

A - PARTICULARS OF THE APPLICANT

1. Name _____
2. Address _____
3. Nationality _____
4. Country of residence or principal place of business _____
5. National Identification Number or passport number in case of foreigners

6. Age of applicant (*where the applicant is an individual* _____)

7. Where the applicant is a company shall provide the following details:

Name of shareholder	Nationality	Age	Address (Physical or Postal)

B- PARTICULARS OF GAMING OR BETTING MACHINES OR DEVICES

8. Name of manufacturer of the gaming and betting machines or devices was manufactured: _____

9. The full details of the machine or device including-

(a) make: _____

(b) registration number: _____

(c) manufacture's model: _____

(d) country of origin: _____

(e) serial number: _____

(f) identification number: _____

(g) year of manufacture: _____

(h) colour: _____

10. Describe the purpose and functions of the machine or device.

Dated at this day of20.....

.....
(Signature)

+where the application is made for and on behalf of a partnership or a body corporate it must be signed by a partner or a person authorised to sign for the body corporate, as the case may be.

**Delete as necessary*

THE REPUBLIC OF UGANDA

LOTTERIES AND GAMING ACT, 2016

FORM 2

APPLICATION FOR PREQUALIFICATION OF AN INDEPENDENT
TESTING LABORATORY

A-PARTICULARS OF THE APPLICANT

1. Name _____
2. Address _____
3. Nationality _____
4. Country of residence or principal place of business _____
5. Age of applicant (*where the applicant is an individual* _____) -

6. National Identification Number or passport number in case of foreigners

7. Where the applicant is a company shall provide the following details:

Name of shareholder	Nationality	Age	Address (Physical or Postal)

B- PARTICULARS OF TESTING LABORATORY

1. Name under which the testing laboratory will be operated or established:

2. An address of the testing laboratory-
 Physical location: _____
 Plot No. and Street: _____
 Postal address: _____
 District: _____

3. Description of the organisation and layout of premises where the testing laboratory is to be operated or established. (*attach plans, diagrams and specifications of the layout of the premises*) _____

4. List of categories and types of the machines or devices to be tested or certified: _____

C - SUITABILITY OF THE APPLICANT

5. Have you or any of the persons named in this application been engaged in any other testing laboratory, or any business involving the operation of a testing laboratory?
 Yes _____ No _____
 If yes, state –
 (a) _____ name _____ of _____ business

 (b) the capacity in which you were engaged _____

6. Have you or any of the persons named in this application or any person employed or connected with your business ever been arrested or convicted for any offence or crime or been the subject of a pardon, or amnesty;

Yes _____ No _____

7. If yes, give particulars: _____

8. Have you applied for or been refused or been granted* any other licence under the Act or the Regulations or in any other jurisdiction;

Yes _____ No _____

If so, give particulars _____

Dated at this day of20.....

.....
(Signature)

+where the application is made for and on behalf of a partnership or a body corporate it must be signed by a partner or a person authorised to sign for the body corporate, as the case may be.

**Delete as necessary*

THE REPUBLIC OF UGANDA

THE LOTTERIES AND GAMING ACT, 2016

FORM 3

**APPLICATION FOR TRANSFER OF OWNERSHIP OR POSSESSION
OF REGISTERED MACHINE OR DEVICE**

I,, of P.O. Box being the registered owner of or in possession* of the machine or device, described in this instrument and registered under instrument No....., transfer the machine or device and all my interests, possession*, rights and obligations under the instrument toof P. O. Box..... in consideration of the sum of receipt of which I acknowledge.

Dated this.....day of20.....

Signed by the said

.....

Signature of the vendor

Witnesses by:

Name

Address.....

Occupation.....

Signature.....

Signed by the said

.....

Signature of the purchaser:

Witnesses by:

Name

Address.....

Occupation.....

Signature.....

**Delete as necessary*

MATIA KASAIJA (MP),
Minister of Finance, Planning and Economic Development.