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1st Session 1956-57



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Gaming (Amendment) Act, No. 26 of 1957

Date of Assent : April 13, 1957

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AN ACT TO AMEND THE GAMING ORDINANCE.

Chapter 38,
Volume I.,
page 676.

[Date of Assent: April 13, 1957]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Gaming (Amendment) Act, No. 26 of 1957.

Short title.

2. The following new sections are hereby inserted immediately after section 3, and shall have effect as sections 3A and 3B, of the Gaming Ordinance, hereinafter referred to as the "principal enactment":—

Insertion of
new sections
3A and 3B in
Chapter 38.

" Power to
prohibit the
importation
of certain
instruments
or appliances.

3A. (1) The Minister may, by Order published in the *Gazette*, prohibit the importation into Ceylon of any instrument or appliance that may be used for the playing of any game of chance or of mixed chance and skill.

Cap. 185.

(2) The provisions of this section shall be read and construed as one with the Customs Ordinance, and, for the purpose of the application of that Ordinance, any instrument or appliance the importation of which is prohibited by Order made under sub-section (1) shall be deemed to be goods the importation of which is prohibited by Ordinance.

(3) No Order made by the Minister under sub-section (1) shall come into force until it has been approved by the Senate and the House of Representatives.

Prohibition
of the
manufacture
of instruments
or appliances
the importation
of which is
prohibited.

3B. (1) No person shall manufacture any instrument or appliance the importation of which is prohibited by Order made under sub-section (1) of section 3A.

(2) Any person who contravenes the provisions of sub-section (1) of this section shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding five hundred rupees or to imprisonment of either description for a term not exceeding one year or to both such fine and imprisonment."

Amendment of
section 16 of
the principal
enactment.

3. Section 16 of the principal enactment is hereby amended by the substitution, for the word "exercise.", of the words "exercise, unless such games or game are or is played with any instrument or appliance the importation of which is prohibited by Order made under sub-section (1) of section 3A, whether or not such instrument or appliance is one that has been actually imported into Ceylon and whether or not it is one the importation of which into Ceylon has been before the coming into force of such Order."

Amendment of
section 21 of
the principal
enactment.

4. Section 21 of the principal enactment is hereby amended as follows:—

- (1) by the renumbering of that section as sub-section (1) of section 21;
- (2) by the substitution, for the words "Nothing in this Ordinance contained shall", of the words "The provisions of this Ordinance, other than sub-section (2) of this section, shall not";
- (3) by the addition, at the end of that section, of the following new sub-section:—

" (2) No person shall, in any resthouse, proprietary club or hotel referred to in sub-section (1), play a game of chance or of mixed chance and skill with any instrument or appliance the importation of which is prohibited by Order made under sub-section (1) of section 3A, whether or not such instrument or appliance is one that has been actually imported into Ceylon and whether or not it is one the importation of which into Ceylon has been before the coming into force of such Order. Any person who contravenes the provisions of this sub-section shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding five hundred rupees or to imprisonment of either description for a term not exceeding one year or to both such fine and imprisonment. "

- (4) in the marginal note to that section, by the substitution, for the word "Ordinance", of the words "Certain provisions of the Ordinance".

5. . Section 22 of the principal enactment is hereby amended as follows:—

Amendment of
section 22 of
the principal
enactment.

(a) in the definition of “unlawful gaming” by the addition, immediately after paragraph (2) of the definition, of the following new paragraph:—

“(3) the act of playing, in any place whatsoever whether for a stake or not, a game of chance or of mixed chance and skill with any instrument or appliance the importation of which is prohibited by Order made under sub-section (1) of section 3A, whether or not such instrument or appliance is one that has been actually imported into Ceylon and whether or not it is one the importation of which into Ceylon has been before the coming into force of such Order;”; and

(b) by the substitution, for the definition of “common gaming place”, of the following definition:—

““common gaming place” shall include any place to which the public may have access with or without payment and which is kept or used for betting or the playing of any game for a stake, or the playing, whether for a stake or not, of any game of chance or of mixed chance and skill with any instrument or appliance the importation of which is prohibited by Order made under sub-section (1) of section 3A, whether or not such instrument or appliance is one that has been actually imported into Ceylon and whether or not it is one the importation of which into Ceylon has been before the coming into force of such Order; and a place shall be deemed to be kept or used for betting or the playing of any game for a stake, or the playing, whether for a stake or not, of any game of chance or of mixed chance and skill with any such instrument or appliance as aforesaid, if it is so used even on one occasion only;”.