

THE UNITED REPUBLIC OF TANZANIA



No. 65 OF 1964

I ASSENT,

*Julius K. Nyerere*

President

10..TH DECEMBER, 1964

**An Act to make provision for Government Lotteries**

[11TH DECEMBER, 1964]

ENACTED by the Parliament of the United Republic of Tanzania.

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

Short title

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

Interpreta-  
tion

"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.

Appointment  
of Director

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

Deputy  
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.

Authoriza-  
tion of  
Government  
lotteries

(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.

## CONDUCT OF GOVERNMENT, LOTTERIES

- Rules respecting Government lotteries
- 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.

Selling agents

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

Government Lottery Fund

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.

Ordinances 1961 No. 21

Acquisition of assets

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.

Reserve account

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.

Application of moneys in Government Lottery Fund

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 Government lottery ticket at a price exceeding the price for the ticket specified in the Gazette, shall be guilty of an offence against this Act. Unauthor-  
rized  
ticket price
- 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. Failure to  
remit
- 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. Counterfeit-  
ing, etc.
- 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 imprisonment for a term not exceeding six months or to both such fine and imprisonment. Penalty
- 16.** The proviso to subsection (1) of section 176 of the Criminal Procedure Code shall not apply in respect of an offence against this Act. No limitation  
in compensa-  
tion orders  
R.L.  
Cap. 20  
Prosecutions
- 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:- Regulations
- (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 disposition of unclaimed prizes;

- (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.

R.L.  
Cap. 16  
amended

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.

  
Clerk of the National Assembly