

# POOLS BETTING AND CASINO GAMING (PROHIBITION) ACT 1979

POOLS BETTING AND CASINO GAMING (PROHIBITION) ACT

1979

An Act to prohibit the establishment, lincensing and the combined operation of any pools betting and casino gaming undertaking in Nigeria; and to provide for other matters connected therewith. Commencement. [16th April, 1979]

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| <p><b>1.</b> (1)As from the operative date of this section and notwithstanding the provisions of any other enactment to the contrary, the operation of any pools betting undertaking or participation in pools betting by any person in Nigeria is hereby declared unlawful and, accordingly-(a) any license issued to any person under or pursuant to any enactment for the operation of any such undertaking shall be deemed to have expired immediately before the operative date of this section; and(b) no licence shall, as from the aforementioned date, be issued to any person in Nigeria.(2) Any person who, after the operative date of this section-(a) operates or causes to be operated any pools betting undertaking in any part of Nigeria; or(b) gives or sells or offers for sale or delivers any pools betting coupons or imports any pools betting coupons (whether or not for or in connection with any of the foregoing purposes) or pays or receives indirectly any money or money's worth for or in respect of any chance in, or event or contingency connected with, any pools betting operation; or(c) takes part directly or otherwise in any pools betting operation or other betting in the nature thereof; or(d) writes, prints, publishes, distributes or imports any pools betting document or other document in the nature thereof; or(e) advances, furnishes or receives money for the purpose of pools betting, shall be guilty of an offence under this section.(3) Any person found guilty of an offence under this section shall be liable on conviction-(a)in the case of an individual, to a fine of N200 or imprisonment for six months or to both such fine and imprisonment; and(b) in the case of a body corporate, to a fine of not less than N5,000; and in addition every written, printed, published or imported matter and the proceeds of the pools betting operation concerned shall be forfeited to the state.(4) This section shall be deemed to have come into force on 16th April 1979 and</p> | <p><i>Prohibition of goods betting.</i></p> |
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references herein to the operative date of this section shall be constructed accordingly.

**2.** (1) As from the operative date of this section and notwithstanding the provisions of any other enactment to the contrary, the operation of any casino or the importation or operative of any gaming machine relative thereto or, subject to section 3 of this Act, the possession of any such machine by any person in any part of Nigeria (whether or not in a gaming house) is hereby declared unlawful and, accordingly-(a) any licence issued to any person under or pursuant to any enactment for the operation of any casino or any gaming machine connected therewith in Nigeria shall be deemed to have expired immediately before the operative date of this section; and(b)no licence shall, as from the aforementioned date, be issued to any person in Nigeria for the operative of a casino or for the importation or operation of any machine aforesaid, and accordingly the Customs and Excise Management Act and every other enactment relating to the importation of casino gaming machines into Nigeria shall be omissions as would bring them into line with the general intendment of this Act. (2) Any person who, after the operative date of this section-(a) operates or causes to be operated any casino in any part of Nigeria; or(b) operates or causes to be operated in any part of Nigeria any casino gaming machine; or(c) gives or sells or offers for sale or imports any token or pays or receives indirectly any money or money's worth for or in respect of any chance in, or event or contingency connected with, any casino gaming or gaming machine; or(d) takes part directly or otherwise in any casino gaming or operation or other gaming in the nature thereof; or(e) writes, prints, distributes or imports or causes to be written, printed, distributed or imported any token or other thing in the nature thereof;; or(f) advances, furnished or receives money for the purpose of any casino gaming or operation, shall be guilty of an offence.(3) Any person found guilty of an offence under this section shall be liable on conviction-(a) in the case of an individual, to a fine of N2,000 or to imprisonment for six months or to both such fine and imprisonment; and(b) in the case of a body corporate to a fine of not less than N10,000, and in addition every such casino gaming machine or token and the proceeds of any casino gaming or of the operative date of this section shall be construed accordingly.

*Prohibition of casino gaming.*

**3.** (1) Every person licenced under or pursuant to any enactment immediately before the coming into force of section 2 of this Act to operate casino gaming machine shall, not later than 31st August 1979, dispose of every such machine whether by exportation of the machine or otherwise howsoever.(2) Any casino gaming machine found in any place in Nigeria after 31st August 1979 shall be forfeited to the State.

*Time allowed for disposal of existing machines.*

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| <p><b>4.</b> Where an offence under this Act by a body corporate is proved to have been committed with the consent or connivance of, or to be attributed to any neglect on the part of, any director, manager, secretary or other similiar officer or of any employee or agent of the body corporate (or any person purporting to act in any such capacity), he as well as the body corporate shall be deemed to be guilty of the offence and may be proceeded against and punished in the same manner as an individual under section 1 or, as the case may require, under section 2 of this Act, accordingly.</p>  | <p><i>Offences by bodies corporate: supplemental.</i></p> |
| <p><b>5.</b> The question whether any provision of Chapter IV of the Constitution of the Federal Republic of Nigeria has been, is being, or would be contravened by anything done or proposed to be done in pursuance of this Act shall not be inquired into in any court of law, accordingly, sections 40, 42 and 220(1)(d) of that Constitution shall not apply in relation to any such question.</p>   | <p><i>Exclusion of rights, etc.</i></p>                   |
| <p><b>6.</b> (1)In this Act, unless the context otherwise requires-</p> <p>“casino” means any building or part thereof to which members of the public or members of a club or other association have access for the purpose of taking part directly or otherwise in any casino gaming;</p> <p>“casino gaming” includes gaming, wagering, betting, or other, Black Jack, Baccarat, Chemin-de-Fer and such similar activities as are normally associated with a casino;</p> <p>“enactment” means an Act, Law, Decree or Edit and includes any subsidiary legislation made thereunder;</p> <p>“pools betting” means bets made by a number of persons-(a) on terms that the winning of such persons as are winners shall be, or be a share of, or be determined by reference to , the stake money paid or agreed to be paid by those persons whether the bets are made by filling up and returning coupons or other written or printed forms or otherwise howsoever; or(b) on terms that the winnings of such of those persons as are winners shall be, or shall include, an amount (not determined by reference to the stake money paid or agreed to be paid by those persons) which is divisible in any proportions among such of them as are winners; or(c) on the basis that the winnings shall, to any extent, be at the discretion of the promoter or some other persons; or(d) on the basis of what is commonly known or referred to as fixed odds; “the state” means any State in Nigeria in which a conviction for an offence under this Act is obtained.</p> <p>(2) The reference in subsection (1) of this section to “fixed odds” is reference to pools betting such that only, and only if, each of the persons making a bet knows or can know at the time he makes it, the amount he will win, except in so far as that amount is to depend on the result of the events on which the bet is made, or any such event taking place or producing a result, or on the</p> | <p><i>Interpretation.</i></p>                             |

numbers taking part in any such events, or on there being odds on any such event, or on the time when his bet is received by any person with or through whom the bet is made.

**7.** This Act may be cited as the Pools Betting and Casino Gaming (prohibition) Act.

*Short title.*