

CHAPTER 165

THE POOLS ACT

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**CHAPTER 165
POOLS**

An Act to provide for the regulation of pools competitions; and to provide for matters incidental thereto or connected therewith.

[1st March, 1960]

***33 of
1959***

***13 of
1994
Govern
ment***

***Notices
304 of
1964***

***497 of
1964***

***Statutory
Instrume***

nt
91 of
1965

1. This Act may be cited as the Pools Act.

Short title

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

Interpretation

"licensee" means the holder of a valid licence issued under this Act;

"pool" means any competition organised for the gain of the promoter in which for a monetary or other material reward the public are invited to foretell the result of any race, game or event, and includes a pool operated on the system known as a fixed odds betting pool on the result of any race, game or event.

3. (1) The Minister may, in his discretion, issue a licence to any person to promote a pool within the Republic or to act within the Republic in respect of pools promoted outside the Republic as the agent of the promoter thereof.

Minister may
issue licences to
conduct pools

(2) The Minister may, in his discretion, attach conditions to any licence issued under this section and, without prejudice to the generality of the foregoing, such conditions may require the payment to the Government by the licensee of fees and other moneys.

(3) A licence issued under this Act shall be valid for such period as may be specified thereon:

Provided that the Minister may, if he thinks fit after due inquiry, cancel any licence where he is satisfied that any of the conditions attached thereto have been contravened.

(As amended by G.N. No. 304 of 1964)

4. (1) A pool promoted within the Republic by any person not being a licensee shall be deemed to be an unauthorised pool.

Unauthorised
pools

(2) Any act or thing done within the Republic in respect of or in relation to a pool promoted outside the Republic by a person who has not within the Republic an agent licensed under this Act shall be deemed to have been done in respect of or in relation to an unauthorised pool.

(3) Any person who prints or publishes, or causes to be printed or published, any advertisement or other notice of or relating to an unauthorised pool, or of or relating to the issue of any coupon connected with any such pool, shall be guilty of an offence and shall be liable to a fine not exceeding one thousand five hundred penalty units:

Provided that the publication of any such advertisement or notice in a newspaper printed outside the Republic and normally circulating within the Republic shall not be a contravention of the provisions of this subsection if the pool to which such advertisement or notice refers is promoted outside the Republic.

(4) Any person who prints or who sends or gives to any person any coupon relating to an unauthorised pool shall be guilty of an offence and shall be liable to a fine not exceeding one thousand five hundred penalty units.

(As amended by Act No. 13 of 1994)

5. (1) No person shall carry on any business involving the receiving or negotiating of bets made by way of pool betting unless he is the holder of a valid licence as a pool promoter or pools agent issued under this Act. Promoters of pools and agents of promoters to be licensed

(2) Any person who contravenes the provisions of this section shall be guilty of an offence and liable to a fine not exceeding fifteen thousand penalty units or to imprisonment for a term not exceeding two years, or to both

(3) Bets shall be deemed for the purposes of this section to be made by way of pool betting whenever a number of persons make bets on terms that the winnings of such of those 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 means of a totalisator, or by filling up and returning coupons or other printed or written forms, or otherwise howsoever.

(As amended by Act No. 13 of 1994)

6. Section 1 of the Betting Act, 1853, of the United Kingdom, so far as it relates to the opening, keeping or using of houses, offices, rooms or other places for the receipt of money, shall not apply in relation to pool betting business carried on by the holder of a valid licence as a pools promoter or pools agent issued under this Act. Legalisation of ready money pool betting carried on by post

(As amended by S.I. No. 91 of 1965)

7. Nothing in this Act contained shall make illegal any betting by means of a totalisator in accordance with proviso (i) to subsection (2) of section *one hundred and seventy-five* of the Penal Code, or by means of the system known as a fixed odds betting pool where such pool is promoted by a bookmaker licensed under the provisions of the Betting Control Act. Saving Cap. 87 Cap. 166