BELIZE

GAMBLING PREVENTION ACT
CHAPTER 109

REVISED EDITION 2020

SHOWING THE SUBSTANTIVE LAWS AS AT
31ST DECEMBER, 2020

This is a revised edition of the Substantive Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2020.

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CHAPTER 109

GAMBLING PREVENTION

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CHAPTER 109

GAMBLING PREVENTION

Ch. 30.
R.L., 1958.
CAP. 91,
R.E. 1980-1990.

[1st August, 1927]

Short title.

1. This Act may be cited as the Gambling Prevention Act.

Interpretation.

2. In this Act, unless the context otherwise requires, "common gaming house" includes,

(a) any place kept or used for gambling, to which the public or any class of the public has or may have access; and

(b) any place kept for habitual gambling, whether the public or any class of the public has or may have access thereto or not; and

(c) any place kept or used for the purpose of a public lottery, but does not include a non-proprietary club registered under the Clubs (Registration) Act, Cap. 312, in which the primary object is that it may be used as an ordinary social club, and where playing at cards is allowed but is merely incidental and ancillary to that primary object,

Provided that a place shall be deemed to be "used" for gambling if it is used for that purpose even on one occasion only;

"gamble" means to play at or to engage in any game of chance, or pretended game of chance, for money or money's worth,

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and the expression "gambling" shall have a corresponding meaning;

"instruments or appliances for gambling" include all articles which are used in or for the purpose of gambling;

"occupier" means any person in actual occupation of the whole or any part of any house, building, yard or other place;

"owner" means the person for the time being receiving or entitled to receive the rents of any house, building, yard or other place, or his agent, and shall include joint tenants and tenants in common;

"place" means any house, building, room, office, shed, tent, hut and any place or area, whether open or enclosed and includes any ship, boat or other vessel whether afloat or not and any vehicle;

"valuable thing" includes any promise, verbal or in writing, conditional or absolute, to pay or give any valuable thing.

Offences relating to common gaming houses.

3. Any person who,

(a) being the owner or occupier or having the use temporarily or otherwise thereof, keeps or uses a place as a common gaming house; or

(b) permits a place of which he is the owner or occupier or of which he has the use temporarily or otherwise, to be used as a common gaming house; or

(c) has the care or management of, or in any manner assists or is engaged in the management of a place kept or used as a common gaming house; or

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(d) announces or publishes, or causes to be announced or published, either orally or by means of any print, writing, design, sign or otherwise, that any place is kept or used as a common gaming house, or in any manner invites or solicits any person to play in a common gaming house; or

(e) advances, furnishes or receives money for the purpose of establishing or conducting the business of a common gaming house,

shall on conviction, be liable to a fine not exceeding five hundred dollars, or to imprisonment for any term not exceeding six months.

Persons gambling or being found in common gaming houses.

4. (1) Any person who gambles in any common gaming house shall on conviction be liable to a fine not exceeding two hundred and fifty dollars or to imprisonment for any term not exceeding three months.

(2) A person found in a common gaming house, or found escaping therefrom on the occasion of its being entered under this Act, shall be presumed, until the contrary is proved, to be or to have been gambling therein.

Gambling in public place.

5. All persons found at any time gambling, or assembled together for such purpose, in any public or open place shall on conviction be liable to a fine not exceeding two hundred and fifty dollars, or to imprisonment for any term not exceeding three months.

Using place for gambling without permission of owner.

6.-(1) All persons found using any place for the purpose of gambling without the permission of the owner or occupier thereof shall on conviction be liable to a fine not exceeding two hundred and fifty dollars, or to imprisonment for any term not exceeding three months.

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(2) In any case under this section the onus of proving such permission shall be upon the person alleging the same.

Power to enter under warrant.

7. (1) Any magistrate or justice of the peace upon information, duly made on oath, that there is reason to suspect that any place is being kept or used as a common gaming house, may, by warrant under his hand, authorize any police officer with such assistance and by such force as may be necessary, by night or by day to enter such place, and to search it and all persons found therein, and to take into custody all persons, and to seize all instruments and appliances for gambling, and all moneys and securities or token for money found therein or in the possession of any person escaping therefrom.

(2) All such instruments and appliances for gambling shall be destroyed, and all such moneys or securities for moneys shall be paid into the Consolidated Revenue Fund.

(3) Every such warrant shall be as nearly as is material in the form contained in the Schedule to this Act or to the like effect.

When place may be presumed to be common gaming house.

8. If any instruments or appliances for gambling are found in any place entered under this Act, or upon any person found therein or escaping therefrom or if any police officer duly authorised under section 7 (1) of this Act is wilfully prevented from, or obstructed or delayed in, entering or approaching it or any part thereof, it shall be presumed, until the contrary is proved, that such place is a common gaming house, and that the place is so kept or used by the occupier thereof.

Passing of money need not be proved.

9. It shall not be necessary in support of any charge or information for keeping or using or being concerned in the management or conduct of a common gaming house, or for gambling, to prove that any person found playing at any game was playing for any money, wager, or stake, or that any money was actually received by or on behalf of the owner or keeper.

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Penalty for obstructing police officer.

10. Every person who wilfully prevents, obstructs, or delays any police officer duly authorised from entering in or approaching any place or uses any means or contrivance whatever for the purpose of preventing, obstructing, or delaying the entry of any such police officer into such place, shall on conviction be liable to a fine not exceeding two hundred and fifty dollars, or to imprisonment for any term not exceeding three months.

Cheating at cards.

11. Whoever by fraud, unlawful device or ill practice,

(a) in playing at or with cards, dice, tables, or other game; or

(b) in bearing a part in the stakes, wagers, adventures or in betting on the sides or hands of those playing; or

(c) in wagering on the event of any game, sport, pastime or exercise,

wins from any person to himself or others any sum of money or valuable thing, shall be deemed guilty of theft of such money or thing by means of deception, and shall be punishable accordingly.

Avoidance of contracts.

12. All contracts or agreements, whether verbal or in writing, by way of gaming or wagering, shall be void, and no suit shall be brought or maintained in any court of law for recovering any sum of money or valuable thing alleged to be won upon any wager, or which has been deposited in the hands of any person to abide the event on which any wager has been made,

Provided that nothing in this section shall be construed to apply to any subscription, or contribution, or agreement to subscribe or contribute, for or towards any plate, prize or sum of money to be awarded to the winner of any lawful game, sport, pastime or exercise.

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Limitation of actions.

13. No action, suit, injunction, prosecution or other proceeding shall be brought against any person in respect of anything done or omitted to be done in execution of this Act, or in execution of the authorities thereunder, unless,

(a) one week's previous notice of his intention to bring such action or prosecution has been given by the plaintiff or complainant to the defendant;

(b) the action, suit, injunction or prosecution is brought or commenced within three months of the date of the act or omission complained of, or of the cessation of damage continuously resulting therefrom.

Summary jurisdiction trials.

14. All offences and penalties under this Act may be prosecuted and re- covered summarily before a summary jurisdiction court.

Application of Act subject to other laws.

15.-(1) Where there is any conflict between the provisions of this Act and the provisions of any law specified in subsection (2), the provisions of the latter law shall prevail.

(2) The laws referred to in subsection (1) of this section are,

(a) the Gaming Control Act, Cap. 152;

(b) the Computer Wagering Licensing Act, Cap. 149; and

(c) the Lotteries Control Act, Cap. 151.

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SCHEDULE

GAMBLING PREVENTION ACT

Warrant for Search, Arrest And Seizure

[Section 7 (3)]

TO: Any Police Officer.

WHEREAS it appears to me

Magistrate/Justice of the Peace, by the information on oath of

in the of that the
(here insert a description of the place by which it may be readily known and found) is kept or used as a common gaming house within the meaning of the Gambling Prevention Act, Cap. 109: These are therefore to authorise and require you with such assistance and by such force as may be necessary, by night or by day, to enter the said place, there diligently to search the same and all persons found therein, and to take into custody all persons, and to seize all instruments and appliances for gambling, and all moneys and securities or tokens for money found therein or in the possession of any person escaping therefrom and that you bring the persons so taken into custody and the instruments, appliances, moneys, securities and tokens so seized as aforesaid before me, or some other magistrate or justice of the peace, to be disposed of and dealt with according to law.

GIVEN under my hand and seal on this the
day of 20 , at in the

District of

Magistrate/Justice of the Peace.

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