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CHAPTER 1O

GAMBLING (PROHIBITION)

JR 9 of 1934
JR 6 of 1962
JR 17 of 1972

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GAMBLING (PROHIBITION)

To prohibit gambling within the territories and waters of Vanuatu.

1. Prohibition of gambling
Gambling is prohibited within the territory and waters of Vanuatu.

2. Definition of gambling
For the purposes of this Act gambling shall include the act of betting or of playing or causing to be played any game for a stake –

(a) on any public thoroughfare or in any public place to which the public have access whether of right or not;

(b) in any place such as defined by section 3, where gambling takes place.

3. Places in which gambling is prohibited
Places in which gambling is prohibited by this Act shall include any building, house, office, store, shop, room, any premises whether open or closed, any ship, boat or other vessel afloat or not, or any vehicle, in which a game is played for stakes and to which the public may have access with or without payment, even if such place is used as above described on one occasion only.

4. Penalty for gambling
Any person convicted of gambling shall be liable to a fine not exceeding VT 30,000 and to imprisonment not exceeding 1 month.

5. Penalty for keeping or managing place for gambling
Any person who keeps or manages either for himself or another a place for gambling, or permits gambling on premises of which he is the owner or occupier or of which he has control, shall be liable to a fine not exceeding VT 30,000 and to imprisonment not exceeding 1 month.

6. Penalty for providing money for gambling
Any person who advances or furnishes money for the purpose of gambling shall be liable to a fine not exceeding VT 30,000 and to imprisonment not exceeding 1 month.

7. Penalty for second offence
On an offender convicted of a second offence the maximum penalty shall be imposed.

8. Power of search
On a complaint being made that any place is being used for gambling a magistrate may authorise a police officer to enter such place. The authorisation shall empower such officer to effect an entrance and to make a search of the place and of persons found therein and to seize the stakes, securities for moneys and objects exposed for gambling or found in possession of any person in the place and to arrest all persons found therein.

9. Power to confiscate money and articles
All moneys and articles found exposed for purposes of gaming, all furniture, utensils, or apparatus employed or used for gambling shall be confiscated and shall be forfeited to the Government.

10. Offence of obstructing official

Whoever wilfully obstructs any police officer authorised as provided in section 8 in the exercise of his duty shall be liable as an accomplice and subject to the penalties in section 4.

11. Authority to gamble

(1) On the occasion of public festivities the Minister responsible for internal affairs may authorise the playing of games of chance at such places and subject to such conditions as he may think fit. Application for permission shall reach the Minister at least a week in advance and shall give the names of the persons who will have control or management of the games.

(2) Such persons shall immediately inform the Police of any dispute or disturbance that may cause a breach of the peace. The Police may then, if they consider it necessary, terminate such play forthwith.

(3) On any breach of the conditions of the authority to play such games of chance the authority shall be withdrawn and any future application shall be refused and the offenders liable to the penalties prescribed by this Act.

12. Exceptions

Nothing in this Act shall make it an offence to play whether for a stake or not –

(a) a game in any recognised hotel or boarding house:

Provided that the playing of such a game is not of the nature of public gambling;

(b) any game which is also an athletic exercise.

13. Chain-letters unlawful

(1) Every chain-letter game or scheme is hereby declared to be unlawful.

(2) For the purpose of this section, the expression “chain-letter game or scheme” shall include every game or scheme whereby it is intended that any person shall receive a letter or other communication inviting or soliciting him to pay out some valuable consideration to any other person or persons and to send further letters or communications of a similar nature to other persons in the hope or expectations of thereby receiving some gain or profit.

(3) Any person who shall promote, further, manage, administer, advertise or conduct a chain-letter game or scheme shall be guilty of an offence punishable on conviction by a fine not exceeding VT 100,000 or by imprisonment for a term not exceeding 12 months or by both such fine and imprisonment.

(4) Any person who, not being the promoter or manager or concerned in the administration of a chain-letter scheme, shall send any letter to any other person in participation in a chain-letter scheme shall be guilty of an offence punishable on conviction by a fine not exceeding VT 100,000.

(5) The Director of Posts and every official of the Post Office are hereby authorised to refuse to accept for transmission by mail any letter which is or which he has reasonable cause to suspect may be a letter sent in furtherance of a chain-letter game or scheme.