



**AN BILLE UM CHEARRBHACHAS AGUS CRANNCHUIR,
1955.
GAMING AND LOTTERIES BILL, 1955.**

*Mar a ritheadh ag Dáil Éireann.
As passed by Dáil Éireann.*

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[No. 6b of 1955.]

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AN BILLE UM CHEARRBHACHAS AGUS CRANNCHUIR,
1955.

GAMING AND LOTTERIES BILL, 1955.

BILL

5

entitled

AN ACT TO AMEND THE LAW RELATING TO GAMING
AND LOTTERIES.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

PART I.

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PRELIMINARY AND GENERAL.

1.—(1) This Act may be cited as the Gaming and Lotteries Act, 1955.

Short title
and
commencement

(2) This Act shall come into operation on such day as the Minister shall by order appoint.

15

2.—In this Act—

Definitions.

“banker” in relation to a game means the banker or other person by whom the game is managed, or against whom the other players stake, play or bet;

20 “gaming” means playing a game (whether of skill or chance or partly of skill and partly of chance) for stakes hazarded by the players;

“gaming instrument” means any table or instrument of gaming and any coin, card, token or other article used as an instrument or means of gaming;

25 “gaming licence” means a licence under *section 19*;

“local authority” means a body being the council of a county, the corporation of a county or other borough, the council of an urban district or the commissioners of a town;

30 “lottery” includes all competitions for money or money’s worth involving forecasts of future events or of past events the results of which are not yet ascertained or not yet generally known;

“lottery licence” means a licence under *section 28*;

“the Minister” means the Minister for Justice;

35 “public place” means any place to which the public have access whether as of right or by permission and whether subject to or free of charge;

“society” includes a club, institution, organisation or other association of persons by whatever name called;

40 “stake” includes any payment for the right to take part in a game and any other form of payment required to be made as a condition of taking part in the game but does not include a payment made solely for facilities provided for the playing of the game;

"Superintendent" includes an Inspector acting as Superintendent.

Repeals.

3.—The enactments mentioned in the Schedule are hereby repealed.

PART II.

GAMING.

5

Unlawful gaming.

4.—(1) No person shall promote or assist in promoting or provide facilities for any kind of gaming—

(a) in which by reason of the nature of the game, the chances of all the players, including the banker, are not equal, or

(b) in which any portion of the stakes is retained by the promoter or is retained by the banker otherwise than as winnings on the result of the play, or

(c) by means of any slot-machine not prohibited by *section 10*.

(2) Such gaming is in this Act referred to as unlawful gaming.

(3) Gaming shall not be unlawful if no stake is hazarded by the players with the promoter or banker other than a charge for the right to take part in the game, provided that—

(a) only one such charge is made in respect of the day on which the game is played, and

(b) the charge is of the same amount for all the players, and

(c) the promoter derives no personal profit from the promotion of the game.

Use of places for unlawful gaming.

5.—No person shall open, keep or use any building, room or place, enclosed or unenclosed, or permit it to be opened, kept or used for unlawful gaming or take part in the care and management of or in any way assist in conducting the business of any building, room or place so opened, kept or used.

Gaming at circus or travelling show.

6.—(1) Gaming carried on at any place as part of a circus or other travelling show shall not be unlawful gaming if—

(a) gaming is not the main activity at the show, and

(b) the gaming does not extend over a period exceeding ten days and has not been carried on during the preceding three months as part of the show when being held at that place or anywhere within three miles of that place, and

(c) the stake in each game is not more than sixpence for each player, and

(d) no person under sixteen years of age is permitted to play, and

(e) no player may win more than the value of ten shillings in each game, and

(f) neither taking part in nor the result of a game entitles the player to take part in any other game or lottery or otherwise to receive or be eligible to compete for any money or money's worth, and

(g) notice in writing of the dates of gaming at the show has been previously given by the promoter to the Sergeant in charge of the local Garda Síochána station.

(2) For the purpose of *paragraph (b) of subsection (1)*, the promotion of a lottery shall be deemed to be the carrying on of gaming.

7.—(1) Gaming carried on as part of a carnival, bazaar, sports meeting, local festival, exhibition or other like event shall not be unlawful gaming if— Gaming at carnivals.

5 (a) the persons arranging for the holding of the event derive no personal profit from the event or from the game, and

(b) gaming is not the main activity of the event, and

(c) gaming at the event does not extend over a period exceeding one month, and

10 (d) the stake in each game is not more than sixpence for each player, and

(e) no person under sixteen years of age is permitted to play, and

(f) no player may win more than the value of ten shillings in each game, and

15 (g) neither taking part in nor the result of a game entitles the player to take part in any other game or lottery or otherwise to receive or be eligible to compete for any money or money's worth, and

20 (h) notice in writing of the dates of gaming at the event has been previously given by the promoter to the Sergeant in charge of the local Garda Síochána station.

(2) For the purpose of *paragraph (c) of subsection (1)*, the promotion of a lottery shall be deemed to be the carrying on of gaming.

25 8.—(1) In this section—

“qualified individual” means an individual who, during the period of twelve months preceding a given date, has had his usual or principal place of residence in the State;

Residence qualifications for promoters of gaming.

30 “qualified company” means a body corporate in the case of which both a majority of the members and a majority of the persons exercising control and management are qualified individuals.

(2) Nothing in *section 6* or *section 7* shall render it lawful for a person to promote, assist in promoting or provide facilities for gaming to which *section 4* applies unless—

35 (a) that person is a qualified individual or a qualified company, and

40 (b) if that person is acting on behalf of another person, that other person is also a qualified individual or a qualified company or an unincorporated body of persons, each member of which is a qualified individual.

(3) This section does not apply to an individual who is merely assisting in the promotion of gaming in accordance with a contract of service.

45 9.—(1) The licensee of premises licensed for the sale of intoxicating liquor shall not permit gaming on the premises. Gaming on licensed premises.

50 (2) This section shall not prohibit the licensee or his private friends from playing cards for stakes in a part of the premises other than that in which the sale of intoxicating liquor generally takes place if the friends are being entertained by him at his own expense.

(3) This section does not apply to the playing of a game where no stake is hazarded by the players other than a charge for the right to take part in the game, provided that—

55 (a) only one such charge is made in respect of the day on which the game is played, and

(b) the charge is of the same amount for all the players, and

(c) the promoter (if any) derives no personal profit from the promotion of the game.

(4) A conviction for an offence under this section shall, if the Court in its discretion so thinks proper, be recorded on the licence. 5

Prohibition of slot-machines.

10.—(1) No person shall operate or cause or permit to be operated or provide facilities for the operation of any slot-machine designed to deliver, when successfully operated, a money prize or a token or other article which the promoter or any person acting on his behalf undertakes or is willing to exchange for money or money's worth or which may be used to enable the machine to be operated again. 10

(2) A person who has given money or money's worth in exchange for a token or other article delivered from a slot-machine shall be deemed, if not himself the promoter of the machine, to be acting on behalf of the promoter unless the contrary is shown. 15

(3) This section does not apply to a machine which is designed for amusement only and, when successfully operated, delivers no more than the amount of the stake and bears a notice explaining that it is of that kind. 20

Cheating.

11.—Every person who by any fraud or cheat in promoting or operating or assisting in promoting or operating or in providing facilities for any game or in acting as banker for those who play or in playing at, or in wagering on the event of, any game, sport, pastime or exercise wins from any other person or causes or procures any person to win from another anything capable of being stolen shall be deemed guilty of obtaining such thing from such other person by a false pretence, with intent to defraud, within the meaning of section 10 of the Criminal Justice Act, 1951 (No. 2 of 1951), and on conviction shall be punished accordingly. 25 30

PART III.

LICENSING OF AMUSEMENT HALLS AND FUNFAIRS.

Application of this Part.

12.—This Part shall not have effect in any area unless there is for the time being in force a resolution under *section 13* adopting it for that area. 35

Adoption of this Part by local authority.

13.—(1) A local authority may by resolution adopt this Part in respect of the whole or a specified part of its administrative area and may by resolution rescind such adoption.

(2) For the purpose of this section the administrative area of the council of a county shall not include any borough, urban district or town. 40

(3) A resolution shall not have effect unless not less than one month's notice of the intention to propose it has been given in writing to every member of the local authority and has been published by advertisement in at least two newspapers circulating in the area to which the proposal relates. 45

(4) A local authority on passing a resolution shall cause notice of the fact to be published in at least two newspapers circulating in the area to which the resolution relates and shall as soon as may be send a copy of the resolution to the Minister. 50

(5) Evidence of the passing of a resolution may be given by the production of a copy of a newspaper containing the notice or by the

production of a certificate to that effect purporting to be under the seal of the local authority or, in the case of the commissioners of a town, not being a body corporate, under the hand of any two of their number.

5 **14.**—Gaming carried on at an amusement hall or funfair shall not be unlawful gaming if— Licensed amusement hall and funfair.

(a) it is carried on in accordance with a licence, and

(b) the stake in each game is not more than sixpence for each player, and

10 (c) no person under sixteen years of age is permitted to play, and

(d) no player may win more than the value of ten shillings in each game, and

15 (e) neither taking part in nor the result of a game entitles the player to take part in any other game or lottery or otherwise to receive or be eligible to compete for any money or money's worth.

15.—(1) The District Court may grant a certificate authorising the issue of a licence permitting gaming at an amusement hall or Certificate for gaming licence.
20 funfair.

(2) A certificate shall not be granted unless forms of entertainment other than gaming are also provided.

(3) A certificate shall not be granted unless the applicant shows that he is not disqualified by *section 8* from the promotion of Private lotteries.
25 gaming under *section 6* or *section 7*.

(4) The Court may attach to the certificate conditions limiting the hours during which gaming may be carried on, restricting the kinds of gaming and the extent to which particular kinds of gaming may be carried on, limiting the amount of the stakes and of prizes Application for certificate.
30 and prohibiting or restricting gaming by persons under specified ages.

(5) The certificate shall specify the period in the particular year to which it relates for which the licence is to be issued.

(6) A certificate granted under this section shall not be invalid- Application for certificate.
35 dated by the subsequent rescission of a resolution under *section 13*.

16.—(1) (a) The intending applicant for a certificate shall give Notice of application for certificate.
40 twenty-eight days' notice in writing of his intention to each local authority within whose administrative area the premises to which the application relates are situate and to the Superintendent of the Garda Síochána for the locality.

(b) The notice shall state the number and kinds of games proposed to be carried on and the other forms of amusement to be provided.

45 (2) The applicant shall also cause a notice of his intention to be published at least fourteen days before the hearing in a newspaper circulating in the locality.

17.—(1) In considering an application for a certificate the Court Hearing of application.
shall have regard to—

50 (a) the character of the applicant or, in the case of a body corporate, of the persons exercising control and management thereof,

- (b) the number of gaming licences already in force in the locality,
- (c) the suitability of the premises or place proposed to be used,
- (d) the class of persons likely to resort to it, and, if the applicant held a gaming licence for that or any other premises or place in the previous year, the manner in which he conducted it, and
- (e) the kinds of gaming proposed to be carried on.

(2) At the hearing, the local authority, the Superintendent of the Garda Síochána and any other person who appears to be interested may appear and may adduce evidence in relation to the application. 10

Appeal in respect of application for certificate.

18.—(1) Without prejudice to any right of appeal given by any other Act, an appeal shall lie to the Circuit Court— 15

- (a) by the applicant for a certificate—from an order of the District Court refusing the application,
- (b) by the applicant—from any particular part of an order of the District Court granting a certificate, and
- (c) by any person who at the hearing opposed the application—from an order or any particular part of an order of the District Court granting the certificate. 20

(2) A certificate granted by the District Court shall remain in full force until altered or revoked on appeal.

(3) Where, in the case of the refusal of a certificate by the District Court, the applicant is the holder of a subsisting licence the licence shall continue in force pending the determination of an appeal against such refusal. 25

Issue of licence.

19.—The Revenue Commissioners shall, on the application of a person to whom a certificate for a gaming licence has been granted and on payment by him of any excise duty provided for by law, issue to the applicant a licence in such form as they may direct which shall be and be expressed to be subject to the conditions attached to the certificate. 30

Display of notice by licensee.

20.—The licensee of a licensed amusement hall or funfair shall cause to be displayed at all times, in a conspicuous position near the entrance, a notice giving the name and address of the licensee and the conditions of the licence. 35

PART IV.

LOTTERIES.

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Prohibition of lotteries.

21.—(1) No person shall promote or assist in promoting a lottery.

(2) No person shall import, print, publish or distribute or sell, offer or expose for sale, invite an offer to buy or have in his possession for sale or distribution any ticket, counterfoil or coupon for use in a lottery or any document containing any information relating to a lottery. 45

(3) If any ticket, counterfoil or coupon for use in a lottery is found at any place or premises searched in pursuance of a search warrant under this Act, it shall be evidence until the contrary is proved, in a prosecution for a contravention of this section, that the person having control over the place or premises had it in his possession for sale or distribution. 50

(4) This section does not apply to a lottery declared by any provision of this Part not to be unlawful. 55

(5) This section does not apply to the printing of tickets, counterfoils, coupons or other documents for the promoters of a lottery promoted and conducted wholly outside the State.

22.—No person shall print, publish in any newspaper or periodical publication, exhibit on any cinema screen or broadcast by radio any notice or announcement concerning a lottery (other than an announcement of the results of a lottery declared by any provision of this Part not to be unlawful) or cause or procure any such notice or announcement to be so printed, published, exhibited or broadcast or knowingly circulate or cause or procure to be circulated any newspaper or periodical publication containing any such notice or announcement.

Advertisement of lotteries.

23.—A lottery shall not be unlawful if—

Private lotteries.

(a) the sale of chances is confined to—

- 15 (i) the members of one society established and conducted for purposes not connected with gaming, wagering or lotteries, or
- 20 (ii) persons all of whom work or reside on the same premises, and
- (b) there is no written notice of announcement relating to the lottery except a notice on the premises of the society or other persons concerned.

24.—A lottery shall not be unlawful if—

Lotteries at dances and concerts.

- 25 (a) it is promoted as part of a dance, concert or other like event and the persons arranging for the holding of the event derive no personal profit from the event or from the lottery, and
- (b) no person may win more than the value of twenty-five pounds in the lottery.

25.—A lottery shall not be unlawful if—

Lotteries at carnivals and other events.

(a) either—

- 30 (i) it is promoted as part of a circus or other travelling show on a day on which under *section 6* gaming is permitted, or
- 35 (ii) it is promoted as part of a carnival, bazaar, sports meeting, local festival, exhibition or other like event on a day on which under *section 7* gaming is permitted and the persons arranging for the holding of the event derive no personal profit from the event or from the lottery, or
- 40 (iii) it is promoted by the licensee of a licensed amusement hall or funfair as part of the entertainment therein, and
- (b) the tickets are not sold outside the place or premises where the event is in progress, and
- 45 (c) they are sold only on the same day as the draw and announcement of results, and
- (d) the price of each ticket is not more than sixpence, and
- (e) no person may win more than the value of ten shillings in the lottery, and
- 50 (f) neither taking part in nor the result of the lottery entitles the participant to take part in any other lottery or game or otherwise to receive or be eligible to compete for any money or money's worth.

26.—(1) A lottery shall not be unlawful if it is promoted and conducted wholly within the State in accordance with a permit or a licence.

Lotteries under permit or licence.

(2) Section 32 of the Betting Act, 1931 (No. 27 of 1931) (which relates to betting on football games), shall not apply to a lottery to which this section applies.

Permits.

27.—(1) A Superintendent of the Garda Síochána, on the application of any person residing in his district, may issue a permit for the promotion of a lottery in accordance with this section. 5

(2) The lottery shall comply with the following conditions:—

(a) the permit-holder shall derive no personal profit from the lottery;

(b) the total value of the prizes shall be not more than three hundred pounds; 10

(c) the value of each prize shall be stated on every ticket or coupon.

(3) A permit shall not be granted more than once in six months for the benefit of any one beneficiary. 15

(4) Where, however, a carnival, bazaar, sports meeting, local festival, exhibition or other like event is being organised, the permit may authorise the promotion of more than one lottery in conjunction with it. If more than one lottery is held in any week, the total value of the prizes for the week shall be not more than three hundred pounds. 20

(5) An appeal shall lie to the District Court from the refusal of a Superintendent to grant a permit. The decision of the District Court shall be final. 25

Lottery licence.

28.—(1) The District Court may grant a licence for the promotion, during such period, not exceeding one year, as shall be specified in the licence, of periodical lotteries in accordance with this section. 25

(2) Each series of lotteries shall comply with the following conditions:—

(a) it shall be for some charitable or philanthropic purpose or purposes; 30

(b) the licensee shall derive no personal profit from it;

(c) the total value of the prizes on any occasion shall be not more than five hundred pounds, and, if more than one lottery is held in any week, the total value of the prizes for the week shall be not more than five hundred pounds; 35

(d) the value of each prize shall be stated on every ticket or coupon;

(e) not more than forty per cent. of the gross proceeds shall be utilised for the expenses of promotion, including commission, and any free entry for the lottery shall be deemed to be a payment of commission to the extent of its value. 40

Notice of application for licence

29.—(1) The intending applicant for a licence shall give twenty-eight days' notice in writing of his intention to the Superintendent of the Garda Síochána for the district in which the lottery is to be organised. 45

(2) The notice shall state the kind of lottery proposed to be carried on, the purpose of the lottery, the amount, or proportion 50

of the proceeds, intended to be devoted to the remuneration of agents, ticket-sellers and other persons employed in connection with it, and the value of the prizes.

30.—Any person who, in support of an application for a licence or permit, makes any statement or representation (whether written or oral) which is to his knowledge false or misleading in any material respect shall be guilty of an offence and shall on summary conviction thereof be liable to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

False statements on application for licence or permit.

31.—(1) In considering an application for a licence the court shall have regard to—

Hearing of application.

(a) the character of the applicant, and

(b) the number of periodical lotteries already in operation in the locality.

(2) At the hearing, the Superintendent of the Garda Síochána and any other person who appears to the Court to be interested may appear and may adduce evidence in relation to the application.

32.—Without prejudice to any right of appeal given by any other Act, an appeal shall lie to the Circuit Court—

Appeal in respect of application for licence.

(a) by the applicant for a licence—from the order of the District Court refusing the application,

(b) by the applicant—from the part of the order of the District Court specifying the period of the licence, and

(c) by any person who at the hearing opposed the application—from the order of the District Court granting the licence or the part of the order specifying the period of the licence.

33.—Every ticket, coupon, counterfoil and notice relating to a lottery (other than a lottery to which section 23, 24 or 25 applies) shall bear the name and address of the holder of the licence or permit, or, if the licence or permit is in the name of more than one person, of one of them, and of the printer, and shall state whether it is being carried on under a licence or under a permit and the Court or Superintendent by whom the licence or permit was granted.

Lottery tickets.

34.—(1) No person shall send or attempt to send out of the State any ticket, counterfoil or coupon for use in a lottery or any money for the purchase of, or any money representing the purchase-price of, a ticket or chance in a lottery or a prize won in a lottery, or any document relating to the purchase or sale of, or indicating the identity of the holder of, any such ticket or chance or the winner of any such prize.

Prohibition on sending money or documents out of State.

(2) This section does not apply to the export of tickets, coupons, counterfoils and other documents printed in the State for the promoters of a lottery promoted and conducted wholly outside the State.

35.—The holder of a licence or permit for a lottery shall not be required to hold a bookmaker's licence under the Betting Act, 1931 (No. 27 of 1931), and the Betting Act, 1853, shall not apply in relation to the use of premises in connection with the lottery.

Exemption from Betting Acts.

PART V.

ENFORCEMENT, EVIDENCE AND PENALTIES.

36.—(1) Every contract by way of gaming or wagering is void.

Gaming and wagering contracts void.

(2) No action shall lie for the recovery of any money or thing which is alleged to be won or to have been paid upon a wager or

which has been deposited to abide the event on which a wager is made.

(3) A promise, express or implied, to pay any person any money paid by him under or in respect of a contract to which this section applies or to pay any money by way of commission, fee, reward or otherwise in respect of the contract or of any services connected with the contract is void and no action shall lie for the recovery of any such money. 5

(4) This section does not apply to any agreement to subscribe or contribute to any plate, prize or sum of money to be awarded to the winner or winners of any game, sport or pastime not prohibited by this Act provided that the subscription or contribution is not a stake. 10

Seizure of gaming instruments.

37.—(1) A member of the Garda Síochána may seize any gaming instrument, being a slot-machine prohibited by *section 10* or a gaming instrument having any device by means of which it can be fraudulently operated or which he has reason to believe is being fraudulently operated or used for unlawful gaming. 15

(2) No person shall operate or permit to be operated or be in possession or control of any gaming instrument having any such device. 20

Power of entry of Garda Síochána.

38.—A member of the Garda Síochána may at all reasonable times enter and have free access to any amusement hall, funfair, circus, travelling show, carnival, bazaar, sports meeting, local festival, exhibition or other like event in which gaming or a lottery is or is believed to be carried on. 25

Search warrant.

39.—(1) Where a Justice of the District Court is satisfied on the information on oath of a member of the Garda Síochána not below the rank of Inspector that there is reasonable ground for supposing that, at any place or premises, an offence against this Act has been, is being, or is about to be committed the Justice may issue a search warrant under this section. 30

(2) The search warrant shall authorise a named member of the Garda Síochána not below the rank of Inspector, accompanied by such other members of the Garda Síochána as that member thinks proper, to enter the place or premises at any time within forty-eight hours after the issue of the warrant, if need be by force, to inspect the place or premises and any books and documents found there and to take the name and address of any person, and seize any gaming instrument and any books and documents appearing to relate to gaming or lotteries found there. 35 40

Arrest of offenders.

40.—(1) A member of the Garda Síochána may arrest without warrant any person whom he finds conducting or assisting in conducting in a public place any kind of gaming which he has reason to believe to be contrary to this Act. 45

(2) A member of the Garda Síochána may arrest without warrant any person who, when his name and address are demanded of him under this Act, fails to give them or gives a name or address which such member has reason to believe to be false or misleading.

Obstruction of Garda Síochána.

41.—Any person who obstructs or impedes a member of the Garda Síochána in the exercise of his powers under this Act or who, on being asked his name and address by such member, fails to give them or gives a name or address which is false or misleading shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty-five pounds. 50 55

- 42.—A person who, on being asked by a member of the Garda Síochána not below the rank of Inspector to produce and permit him to inspect any books and documents in his possession or control relating to a lottery, fails to do so shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding twenty-five pounds. Production of documents.
- 43.—If a member of the Garda Síochána is obstructed or impeded in entering any place or premises or any part thereof in the exercise of his powers under this Act or if any gaming instrument, being a slot-machine prohibited by *section 10* or a gaming instrument capable of being used for unlawful gaming, is found therein it shall be assumed until the contrary is proved that that place or premises was or were being kept for unlawful gaming. Evidence of keeping place for unlawful gaming.
- 44.—It shall not be necessary in support of a prosecution in relation to unlawful gaming to prove that any person found playing at any game was playing for any money, wager or stake. Evidence of unlawful gaming.
- 45.—A person who contravenes any provision of this Act for which a penalty is not specifically provided shall be guilty of an offence and shall on summary conviction thereof be liable to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months or to both such fine and imprisonment. Offences.
- 46.—(1) Where an offence against this Act is committed by a body corporate or by a person purporting to act on behalf of a body corporate or an unincorporated body of persons and is proved to have been so committed with the consent or approval of, or to have been facilitated by any default on the part of, any person being, in the case of a body corporate, a director thereof, or, in the case of an unincorporated body, a member of the committee of management or other controlling authority thereof, that person shall also be guilty of the offence. Offences in relation to bodies corporate and unincorporated bodies.
- (2) Any summons or other document required to be served for the purpose or in the course of proceedings under this section on a body corporate may be served by leaving it at or sending it by registered post to the registered office of that body or, if there be no such office in the State, by leaving it at, or sending it by registered post to, the body at any place in the State at which it conducts its business.
- 47.—Where a person who is the holder of a gaming licence or a lottery licence or permit is convicted of an offence against this Act the Court may revoke the licence or permit. Revocation of licences and permits.
- 48.—(1) On a conviction for an offence against this Act the Court may order the forfeiture to the Minister of any gaming instrument used in the commission of the offence or, in case of a conviction under *section 5*, any gaming instrument found on the premises or at the place concerned. Forfeiture of gaming instruments.
- (2) The Minister may deal with or dispose of as he thinks fit any thing so forfeited.
- (3) The net proceeds of any thing sold by the Minister in pursuance of this section shall be paid into or disposed of for the benefit of the Exchequer in such manner as the Minister for Finance shall direct.
- 49.—On a conviction for an offence in relation to a lottery the Court may order the destruction of any documents relating to the lottery. Destruction of documents.

Postal packets containing unlawful documents posted in the State.

50.—(1) The Minister for Posts and Telegraphs may detain any postal packet posted in the State and suspected of containing any document relating to an unlawful lottery and shall forward every postal packet so detained to a member of the Garda Síochána not below the rank of Superintendent and the member may open and examine the packet and if he finds any such document may detain the packet and its contents for the purpose of prosecution; and if he finds no such document shall forward the packet by post to the person to whom it is addressed.

(2) This section shall be construed as one with the Post Office Acts, 1908 to 1951.

Records, accounts and returns.

51.—(1) The Commissioner of the Garda Síochána, with the consent of the Minister, may make regulations providing for the keeping of accounts and other records in relation to lotteries and the furnishing of returns and information relating thereto.

(2) Every person on whom a duty is imposed by any such regulation shall comply with its provisions.

Exemption of Hospitals' Sweepstakes.

52.—This Act does not apply to a sweepstake under the Public Hospitals Acts, 1933 to 1940.

SCHEDULE.

Section 3.

PART I.

ENACTMENTS REPEALED IN WHOLE.

Session and Chapter or Number and Year	Title
10 Will. III, c. 23.	An Act for suppressing of Lotteries (1698).
6 Anne, c. 17 (Ir.).	An Act for suppressing Lotteries and Gaming-Tables (1707).
9 Anne, c. 6.	An Act for suppressing Lotteries (1710).
11 Anne, c. 5 (Ir.).	An Act for suppressing Lotteries (1712).
8 Geo. I, c. 2.	Lotteries Act, 1721.
9 Geo. I, c. 19.	Lotteries Act, 1722.
6 Geo. II, c. 35.	Lotteries Act, 1732.
12 Geo. II, c. 28.	Gaming Act, 1738.
13 Geo. II, c. 8 (Ir.).	An Act for the more effectual preventing of excessive and deceitful Gaming (1739).
19 & 20 Geo. III, c. 5 (Ir.).	An Act for establishing a Lottery . . . (1779-80).
21 Geo. III, c. 14.	Lotteries (Ireland) Act, 1780.
33 Geo. III, c. 18 (Ir.).	An Act to prevent the Insurance of Lottery Tickets, to regulate the Drawing of Lotteries, and to amend the Laws respecting the same (1793).
42 Geo. III, c. 119.	Gaming Act, 1802.
46 Geo. III, c. 148.	Lotteries Act, 1806.
4 Geo. IV, c. 60.	Lotteries Act, 1823.
5 & 6 Will. IV, c. 41.	Gaming Act, 1835.
6 & 7 Will. IV, c. 66.	Lotteries Act, 1836.
8 & 9 Vic., c. 74.	Lotteries Act, 1845.
8 & 9 Vic., c. 109.	Gaming Act, 1845.
17 & 18 Vic., c. 38.	Gaming Houses Act, 1854.
55 & 56 Vic., c. 9.	Gaming Act, 1892.
No. 50 of 1923.	Gaming Act, 1923.

PART II.

ENACTMENTS REPEALED IN PART.

Session and Chapter or Number and Year	Short Title	Extent of Repeal
35 & 36 Vic., c. 94.	Licensing Act, 1872.	Paragraph (1) of section 17.
No. 7 of 1943.	Intoxicating Liquor Act, 1943.	Section 30.

BILLE

BILL

dá ngairmtear

entitled

Acht do leasú an dlí a bhaineas le cearrbhachas agus le crannchuir.

An Act to amend the law relating to gaming and lotteries.

An tAire Dlí agus Cirt a thug isteach.

Introduced by the Minister for Justice.

Rite ag Dáil Éireann, 16 Samhain, 1955.

Passed by Dáil Éireann, 16th November, 1955.

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