

Second Session Fifth Parliament Republic of Trinidad  
and Tobago

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REPUBLIC OF TRINIDAD AND TOBAGO

**Act No. 1 of 1997**

[L.S.]

AN ACT to amend the Gambling and Betting Act,  
Chap. 11:19

*[Assented to 17th February, 1997]*

ENACTED by the Parliament of Trinidad and Tobago as <sup>Enactment</sup> follows:—

1. This Act may be cited as the Gambling and <sup>Short title</sup> Betting (Amendment) Act, 1997.

Chap. 11:19 amended

2. The Gambling and Betting Act is amended by adding immediately after section 40 the following new Part as Part 11A:

“PART 11A

CONTEST

Interpre-  
tation

40A. In this Part—

Ch. 21:04

“Board” means the National Lotteries Control Board established under the National Lotteries Act;

Act No. 37 of  
1983

“business” means any trade or profession registered under the Value Added Tax Act;

“conditions” includes orders or directives issued by the Board;

“contest” means any contest, competition, method or device organised on a sales promotion activity whereby prizes are distributed or allotted in any manner depending upon, or to be determined by, chance or lot, but does not include any contest, competition, method or device organised for profit;

“customer” means a person who has purchased goods or services from a business;

“device” and “method” include any system which allows a customer to participate directly in that system with the hope of winning a prize;

“document” means a receipt or bill or any other written instrument, or any article or token, acknowledging the purchase of any goods or services from a business;

“entry form” in relation to any contest or proposed contest, means any entry form and includes any entry form to which there is attached a document evidencing the claim of a customer to participate in the chances of the contest;

“money” includes any banknote or other negotiable instrument used or circulated, or intended for use or circulation, as currency;

“person” and “applicant” mean a person carrying on a business;

“prize” includes money or money’s worth;

“sales promotion activity” means any activity which stimulates, or is intended to stimulate, the purchase of goods or services from a business;

“to promote” includes to organise or to conduct.

Registered  
business may  
promote  
contest

40B. Notwithstanding the provisions of this Act, or any other written law respecting gambling, betting or lotteries, any person may, subject to sections 40C and 40D, promote a contest, and in particular may—

- (a) issue entry forms for the contest;
- (b) fix the number and value of the prizes to be apportioned; and
- (c) determine the time when, the place where, and the manner in which, drawings shall take place for the allotment of prizes.

Business to  
obtain  
permission  
from the  
Board to  
promote  
contest

40C. (1) No person shall promote any contest without first obtaining the permission of the Board.

(2) Any person who contravenes subsection (1) is liable on summary

conviction to a fine of one hundred thousand dollars or to imprisonment for two years.

Permission to promote contest

40D. (1) Any person who wishes to promote a contest shall apply to the Board for permission to do so.

(2) On receipt of the application, the Board shall, within two weeks, inform the applicant of its decision.

Board to grant permission only in cases where goods or services are purchased

40E. The Board shall grant permission to promote a contest only in cases where the contest is related to the purchase of goods or services.

Board to stipulate conditions for promoting contest

40F. (1) Where the Board grants permission to promote a contest, the Board shall stipulate the conditions under which the contest shall be promoted.

(2) Where a person fails to comply with the conditions stipulated by the Board, the Board shall serve notice on the person to discontinue the contest.

(3) Any person who refuses to discontinue a contest after having been served with a notice to do so is liable on summary conviction to a fine of two hundred and fifty thousand dollars and to imprisonment for two years.

Conditions to be stipulated by Board

40G. Without restricting the generality of the power of the Board under section 40F(1) the Board may, in addition, stipulate the following conditions:

- (a) every contest shall be published in a daily newspaper circulating in Trinidad and Tobago stating that customers shall be eligible to take part in the contest;
- (b) entry forms for that contest shall be free of charge;

- (c) the date and place for the drawings of prizes shall be published in a daily newspaper circulating in Trinidad and Tobago;
- (d) the contest shall not be promoted for profit, but for the sole purpose of enabling a customer to win a prize;
- (e) the drawings of prizes shall take place in the presence of a member of the Board or a person designated by the Board; and
- (f) the name of the customer winning a prize or prizes shall be published in a daily newspaper circulating in Trinidad and Tobago.

Persons  
refused  
permission  
may apply to  
Minister

40H. (1) Where the Board refuses permission to promote a contest, the applicant may, within two weeks, apply to the Minister to review such decision.

(2) The Minister, on receipt of the application, shall, after consultation with the Director of Public Prosecutions, affirm, vary or set aside the decision.”

Passed in the House of Representatives this 17th day of January, 1997.

J. SAMPSON  
*Clerk of the House*

Passed in the Senate this 28th day of January, 1997.

N. COX  
*Clerk of the Senate*