

LEGAL NOTICE No. 34

REPUBLIC OF TRINIDAD AND TOBAGO

THE NATIONAL LOTTERIES ACT, CHAP. 21:04

REGULATIONS

MADE BY THE MINISTER UNDER SECTION 30 OF THE
NATIONAL LOTTERIES ACT

THE NATIONAL LOTTERIES (AMENDMENT)
REGULATIONS, 1994

1. These Regulations may be cited as the National Lotteries Citation
(Amendment) Regulations, 1994.

2. In these Regulations, "the Regulations" means the National Interpretation
Lotteries Regulations. Chap. 21:04

3. The Regulations are amended by inserting immediately after Regulations
regulation 1, the following: amended

"PART I

LOTTERIES OTHER THAN THE ON-LINE LOTTERY

Application of
this Part

1A. This Part applies to lotteries organized and
conducted by the National Lotteries Control Board
other than the On-Line Lottery."

4. The Regulations are amended by inserting immediately after Regulations
regulation 19, the following Part: amended

"PART II

THE ON-LINE LOTTERY

Application of
this Part

20. This Part applies to the On-Line Lottery as
organized and conducted by the National Lotteries
Control Board.

Definition

21. In this Part—

"agent" means a person who has entered into
an agreement with the Board to conduct
on-line lottery sales and operations during
the period of the agreement;

“central computer system” means the computer system used to operate the On-Line Lottery;

“on-line lottery” or “lottery” means a game or set of games authorised by the Board in which a person selects a combination of numbers, the type of game and amount of plays for a pre-determined drawing date by the use of an on-line terminal and in return for paying the appropriate fee, the player receives a computer generated ticket with the player's selection printed on it;

“player” means a person participating in an on-line lottery;

“playslip” means the card supplied by the Board for use in marking the selections of a player;

“Quick Pick” means a set of numbers which is selected on a random basis by the central computer system;

“terminal” means the on-line computer hardware and software by which an agent enters the combination of numbers selected by the player and by which tickets are generated and transactions entered and processed;

“ticket” means the ticket issued by a terminal to record the player's plays, the on-line lottery game, the price of the ticket and any other information as the Board may from time to time include.

Board to
appoint times
for holding of
on-line lottery

22. An on-line lottery shall be held at such time as the Board may appoint and shall be drawn on the date stated on the ticket but the Board may, if it thinks fit, direct that the lottery be drawn at any time thereafter.

Board to
appoint agents

23. The Board shall appoint agents to sell on-line lottery tickets in accordance with the agreement entered into between the Board and the agent.

Agent allowed
commission

24. An agent shall be entitled to a commission of not less than six per cent of net on-line lottery sales effected by him.

Agents to give
bond

25. An agent shall give a bond, fee, guarantee, or other security instrument in the amount and in such form as the Board may from time to time determine.

Settlement of account

26. On the termination of an agency and on the satisfactory settlement of his account with the Board an agent shall be absolved from all obligations stated in the agreement with the Board.

Implied terms

27. Regulations 25 and 26 shall be implied terms of every agreement entered into by an agent with the Board.

Publication by Board

28. Prior to the introduction of any on-line lottery or any changes thereto the Board shall cause to be published in the *Gazette* and at least one daily newspaper—

- (a) the price of tickets for the on-line lottery;
- (b) the category of prizes and allocation of prize pools for the on-line lottery and the place where and the hours during which payment of prizes may be claimed;
- (c) the date, the time when, the manner in which and the place where the draw will take place;
- (d) any other particulars concerning the lottery which the Board may consider necessary to publish.

Purchase of tickets

29. (1) A player shall submit a completed playslip to an agent who shall process the completed playslip through the terminal which will issue a ticket recording the combination of numbers, amount of plays, type of game, number of draws and the range of draw dates selected on the playslip.

(2) A playslip has no monetary or prize value and shall not in any circumstances constitute evidence of a ticket purchase or of numbers selected.

(3) A player may, by specifying the numbers required per play, request that the agent manually enter the numbers selected into the terminal.

(4) Where a Quick Pick facility is available and a player requests Quick Pick plays, the agent shall without requiring a playslip, issue a ticket through the terminal which has recorded on it the requested number of Quick Picks plays.

(5) Only the plays which are recorded by the central computer system are valid for participation in the on-line lottery.

Cancellation of tickets

30. (1) A ticket may be cancelled only if returned to the issuing terminal prior to the close of ticket sales on the date of purchase.

(2) Subject to subregulation (1) a ticket purchased on the day of a draw and eligible for that draw may be cancelled only if returned to the issuing terminal prior to the time ticket sales for that draw close.

(3) On cancellation of a ticket the player presenting the ticket for cancellation shall be entitled to a refund from the agent equal to the price of the ticket.

(4) The Board shall not accept responsibility for tickets cancelled in error.

Responsibility of ticket purchaser

31. (1) The player shall verify that the plays recorded on the ticket correspond with those marked on the playslip or otherwise specified and that the date of the draw printed on the ticket is correct.

(2) The Board and the agent shall not be liable for any errors or omissions in respect of the information recorded on any ticket or for any other defect in the ticket.

(3) Cancellation of a ticket pursuant to regulation 30 is the sole remedy where there is an error or omission on a ticket.

Regulation of sales

32. (1) Tickets shall be sold only during the hours stipulated by the Board.

(2) A ticket shall not be sold after the date and time of closure of ticket sales for the draw for which the ticket was issued.

(3) A ticket shall not be sold at a higher price or in a form other than that stipulated by the Board.

(4) No person other than an agent or his employee may issue tickets through a terminal.

Procedure of draw

33. (1) A lottery shall be drawn as follows:

(a) members present at a draw shall before the commencement of the draw elect one of their number to preside at the draw;

(b) where only one member is present at a draw, he shall preside;

(c) where no member is present at a draw, the Director of the National Lottery shall preside and, in the absence of the Director, the Deputy Director or the Secretary shall preside.

- (2) The person presiding at the draw shall—
- (a) put or cause to be put in motion the machine or other contrivance approved by the Board for drawing the winning numbers;
 - (b) declare the winning numbers so drawn;
 - (c) in the event of a breakdown or other difficulty occurring in the operation of the machine or contrivance, direct that the drawing of the winning numbers then remaining to be drawn be postponed until he is satisfied that the draw can be resumed without difficulty.

(3) If, at the time when a draw is postponed under subregulation (2)(c), one or more, but not all, of the winning numbers or digits of a winning number has been drawn, when the draw is resumed it shall be resumed from the point at which it was postponed.

(4) For the purpose of witnessing a draw on an on-line lottery the public shall be admitted to the premises upon which the draw is conducted so far as may be practicable having regard to the accommodation available for the purpose.

(5) Any person who obstructs or impedes the drawing of a lottery or creates any disturbance on or near the premises on which a lottery is being or is about to be drawn, is guilty of an offence and liable on summary conviction to a fine of five hundred dollars.

Results of draw
to be published

34. The Board shall cause the winning numbers drawn in an on-line lottery to be published in the *Gazette* and in at least one daily newspaper as soon as practicable after the lottery has been drawn.

Payment of
prize

35. Prizes shall be paid by the Board in respect of winning tickets in an on-line lottery as follows:

- (a) payment shall be claimed by presenting and delivering up the ticket in respect of which the claim is made at the place, and during the hours appointed for the purpose in the notice, published in accordance with regulation 28;
- (b) an agent may validate a ticket and pay prizes up to a maximum amount per winning wager as the Board may from time to time determine irrespective of the location where the winning ticket was purchased;

- (c) payment shall be claimed within six months after the day of the draw;
- (d) the Board may withhold payment of a prize until it is satisfied as to the validity of a ticket;
- (e) no right of any person to a prize won shall be assignable;
- (f) payment of a prize won may be paid to the estate of a deceased prize winner, or pursuant to a court order;
- (g) where payment of a prize is made by the Board pursuant to subregulation (f) the Board, its servants and agents shall be discharged of all liability;
- (h) a winning ticket which has been sold shall be deemed to be a bearer instrument.

**Validation of
prize winning
tickets**

36. In addition to any other requirements specified in these Regulations, the following requirements shall apply before a ticket shall be regarded as a valid prize winning ticket:

- (a) the ticket shall be issued on behalf of the Board by an agent through a terminal;
- (b) the ticket shall be intact and shall not be mutilated, altered, illegible, incomplete or tampered with in any manner;
- (c) the information recorded on the ticket must correspond with the central computer system computer records;
- (d) each number on the ticket must be legible;
- (e) the ticket shall not be defectively printed or produced in error to an extent that it cannot be processed by the Board;
- (f) the ticket shall not be counterfeit or cancelled;
- (g) the ticket shall not appear on the central computer system computer records of cancelled tickets;
- (h) all information appearing on the ticket shall appear in the computer records of winning tickets in the central computer system;

- (i) the ticket shall pass all additional confidential validation tests and security criteria established by the Board;
- (j) the Board shall not in any circumstances be liable to the purchaser of a ticket for any act or omission of an agent.

Board's decision
final

37. (1) The Board's decision and judgment with respect to the determination of a winning ticket or any other dispute arising from the payment or awarding of prizes shall be final.

(2) In the event that a dispute arises in relation to a winning ticket the Board may withhold payment of prize winnings until a decision has been reached.

Disclaimer of
liability

38. Neither the Board nor an agent shall be liable for any loss incurred by the bearer of a ticket, or any other person arising from the participation of that person in any on-line lottery and in particular, for—

- (a) the failure of, or damage or destruction to the central computer system; or
- (b) any other action or event which prevents or hinders the issue of a valid ticket.

Auditor General
to approve
accounting
system

39. The Board shall employ such system of accounting for the on-line lottery as the Auditor General may approve.”

Made by the Minister this 7th day of March, 1994.

W. MOTTLEY
Minister of Finance