

PROJET DE LOI

ENTITLED

The Gambling (Bailiwick of Guernsey) Law, 1974 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

© States of Guernsey

* Ordres en Conseil Vol. XXIV, p. 400; as amended by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016).

PROJET DE LOI

ENTITLED

The Gambling (Bailiwick of Guernsey) Law, 1974

ARRANGEMENT OF SECTIONS

1. Amendment of Law of 1971.
2. Channel Islands Lottery.
3. Extent.
4. Citation.

PROJET DE LOI

ENTITLED

The Gambling (Bailiwick of Guernsey) Law, 1974

THE STATES, in pursuance of their Resolution of the first day of March, nineteen hundred and seventy-three, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Bailiwick of Guernsey.

Amendment of Law of 1971.

1. The Gambling (Guernsey) Law, 1971^a, is hereby amended as follows

—

(a) in section eight thereof —

(i) for the full stop at the end of subsection (2) there shall be substituted a semicolon and the following paragraph —

"(c) the distribution by a licensed pool agent on behalf of a registered pool promoter who is the principal of such agent to persons in the Island of Guernsey of entry forms relating to a pool betting competition promoted by such registered pool promoter, or to the collection by

^a Ordres en Conseil No. IV of 1971.

such agent of completed entry forms and entry fees from persons in the Island of Guernsey and the despatch of such forms and fees to such registered pool promoter.",

- (ii) there shall be inserted immediately after subsection (2) the following subsection –

" (3) In this section the expression "**stranger**" means a person who is not actually present in the Bailiwick of Guernsey, or, in the case of a lottery promoted by the States and the States of Jersey, is not actually present in the Channel Islands, and includes a body corporate whether incorporated in the Bailiwick of Guernsey or elsewhere.",

- (b) in subsection (1) of section thirteen thereof –

- (i) for the semi-colon at the end of the definition of the expression "bookmaker" there shall be substituted a comma and the following words –

"but does not include a licensed pool agent",

- (ii) there shall be inserted, immediately after the definition of the expression "lawful gambling", the following definition –

" **"licensed pool agent"** means a person who in accordance with the provisions of an Ordinance made under the provisions of section two of this Law is

authorised by way of business to distribute, collect or despatch within the Island entry forms and entry fees relating to a pool betting competition promoted in the United Kingdom by a registered pool promoter,"

(iii) there shall be inserted, immediately after the definition of the expression "premises", the following definition –

" **"registered pool promoter"** means a person who is a registered pool promoter for the purposes of the Betting, Gaming and Lotteries Act 1963,"

(iv) the definition of the expression "stranger" shall be repealed.

Channel Islands Lottery.

2. (1) The States of Guernsey may from time to time by Ordinance make such provision as they may deem necessary or expedient for the conduct or regulation of the Channel Islands Lottery in the Bailiwick of Guernsey and, without prejudice to the generality of the foregoing, they may, in particular, make provision in any such Ordinance empowering the States of Guernsey [Committee for Home Affairs] to exercise such powers and to perform such duties as may be thereby conferred or imposed upon it.

(2) In this section the expression "**the Channel Islands Lottery**" means any lottery promoted by the States of Guernsey and the States of Jersey.

NOTES

In section 2, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016,

section 2, Schedule 1, paragraph 6(a), with effect from 1st May, 2016.¹

The functions, rights and liabilities of the Home Department and its Minister arising under or by virtue of this Law were transferred to and vested in, respectively, the Committee for Home Affairs and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 6(a), with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.²

The following Ordinances have been made under section 2:

Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) Ordinance, 1975;
Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 1977;
Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 1986;
Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 1990;
Gambling (Channel Islands Lottery) (Amendment) (Bailiwick of Guernsey) Ordinance, 1994;
Gambling (Channel Islands Lottery) (Amendment) (Bailiwick of Guernsey) Ordinance, 1997;
Gambling (Channel Islands Lottery) (Amendment) Ordinance, 2001;
Gambling (Channel Island Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 2021.

Extent.

3. (1) The provisions of this Law other than the provisions of section one thereof shall have effect throughout the Bailiwick of Guernsey.

(2) The provisions of section one of this Law shall have effect only in the Islands of Guernsey, Herm and Jethou.

Citation.

4. This Law may be cited as the Gambling (Bailiwick of Guernsey) Law, 1974.

NOTE

The Law received Royal Sanction on 14th November, 1974 and was registered on the Records of the Island of Guernsey and came into force on 3rd December, 1974.

1 These words were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 15(a), Schedule 2, paragraph 5(a), with effect from 6th May, 2004.

2 The functions, rights and liabilities of the Home Department and its Minister arising under or by virtue of this Law were previously transferred to and vested in them, respectively, from the Gambling Control Committee and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 15(a), Schedule 2, paragraph 5(a), with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.