

CHAPTER 135 - TOMBOLA (LICENSING)
A LAW TO LICENSE THE PLAYING OF TOMBOLA

[1 May 1971]

1. This Law may be cited as the Tombola (Licensing) Law.

2. In this Law, unless the context otherwise requires:—

"Commissioner" means the Commissioner charged with re-sponsibility for Home Affairs;

"licence" means a licence issued under section 3;

"licensed proprietor" means any person to whom a licence is issued, and includes any agent of such person;

"Permanent Secretary" means the Permanent Secretary of the Ministry of Finance of the State;

"the State" means the Gongola State of Nigeria;

"tombola" means a game played with cards divided into numbered and blank squares and numbered disks to be drawn on the principle of a lottery whereby money or money's worth is distributed or allotted.

3. —(1) The Commissioner may upon application made in the Power to is-prescribed form and upon payment of the prescribed fees issue a licence to any person for the operation of tombola. licences, etc.

(2) Licences shall be in such form and shall be subject to such conditions as may be prescribed and to such special conditions as the Commissioner may, in any particular case, impose.

(3) The Commissioner may at any time add to, alter or cancel any special condition.

(4) The Commissioner may upon application made to him renew any licence for such period as he may think fit and he may at any time revoke any licence.

(5) The issue, renewal, refusal to issue or renew and the revocation of any licence and the addition to, alteration or cancellation of any special condition shall be at the discretion of the Commissioner who shall not be required to assign any reason for such issue, renewal, refusal, revocation, addition, alteration or cancellation.

(6) Every licensed proprietor shall cause his licence to be exhibited in a conspicuous position in any premises in which tombola is operated.

(7) Any licensed proprietor who fails to comply with the provisions of subsection (6) or with any condition subject to which licence has been issued shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand naira or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

4. Any person who operates tombola without a licence shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two thousand naira or to imprisonment for a term not exceeding two years or to both such fine and imprisonment.

5.—(1) Any magistrate or justice of the peace, who is satisfied by information that there is reasonable ground to suspect that any person has contravened or is contravening, or has failed or is failing to comply with, any of the provisions of this Law or any regulations made thereunder, may issue a warrant under his hand authorising any police officer or any officer in the public service of the State named therein at any time to enter and search any building or place reasonably suspected as having been or as being used for the purpose of or in connection with the contravention of or failure to comply with such provisions, and to make such inquiries as are deemed necessary and such person shall produce for inspection by the police officer or officer in the public service of the State named in the warrant any books of account, records, or documents in his possession or in the building or place and answer any question relating thereto.

(2) Any person who refuses or fails to answer any question put to him under subsection (1) respecting any matter, or who refuses or fails to produce for inspection any books of account, records or documents in his possession or in the building or place that he is required to produce for the purpose of inspection, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand naira or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

6. Where a person convicted of an offence under this Law is a body corporate, every person who at the time of the commission of the offence was a director, manager, secretary or other officer of such body corporate shall also be deemed to be guilty of that offence unless he proves that the act or omission which constituted the offence was committed or made without his consent.

7. Any licensed proprietor who operates tombola in compliance with the provisions of this Law and the conditions of his licence shall be freed and discharged from all penalties, suits prosecutions and liabilities to which by law he would be liable but for this Law as being concerned in an illegal lottery or as offending against Chapter XIV of the Penal Code.

8. The Governor may make regulations providing for any matter for which provision appears to him to be necessary for the purpose of giving effect to the provisions of this Law.
