



**PARLIAMENT OF THE DEMOCRATIC
SOCIALIST REPUBLIC OF
SRI LANKA**

BETTING AND GAMING LEVY (AMENDMENT)

**A
BILL**

to amend the Betting and Gaming Levy Act, No. 40 of 1988

*Presented by the Prime Minister and Minister of Buddha Sasana and
Religious Affairs on 08th March, 2013*

(Published in the Gazette on February 26, 2013)

Ordered by Parliament to be printed

[Bill No. 219]

PRINTED AT THE DEPARTMENT OF GOVERNMENT PRINTING, SRI LANKA
TO BE PURCHASED AT THE GOVERNMENT PUBLICATIONS BUREAU, COLOMBO 5

Price : Rs. 6.00

Postage : Rs. 5.00

STATEMENT OF LEGAL EFFECT

Clause 2: This clause inserts a new sub section (1A) immediately after subsection (1) of section 2 in the Betting and Gaming Levy Act, No. 40 of 1988 (hereinafter referred to as the “Principal enactment”) and the legal effect of the insertion of the new subsection is to provide for the imposition of a levy at the rate of five *per centum* in respect of each month on the gross collection of the businesses of bookmaking and gaming.

Clause 3: This clause inserts a new section 2A immediately after section 2 in the principal enactment. The new section provides for the registration of businesses of book-making and gaming.

Clause 4: This clause inserts a definition for “person” immediately after the definition of “gaming” in the principal enactment.

Clause 5: This clause includes the amount of levy chargeable for every year commencing on or after April 1, 2013.

Betting and Gaming Levy (Amendment)

L.D.—O. 3/2013.

AN ACT TO AMEND THE BETTING AND GAMING LEVY
Act, No. 40 of 1988

BE it enacted by the Parliament of the Democratic Socialist
Republic of Sri Lanka as follows :-

1. This Act may be cited as the Betting and Gaming Levy (Amendment) Act, No. of 2013 and shall be deemed for all purposes to have come into operation on January 1, 2013.

Short title
and the date
of operation.

2. Section 2 of the Betting and Gaming Levy Act, No. 40 of 1988 (hereinafter referred to as the “principal enactment”), as last amended by Act, No.9 of 2005 is hereby amended by the insertion immediately after subsection (1) of that section of the following new subsection:-

Amendment
of Section 2
of the
Betting and
Gaming Levy
Act, No. 40
of 1988.

“(1A) Every person who is liable to pay the levy under subsection (1) shall, in addition to the payment of such levy, be charged a levy at the rate of five *per centum*, on the gross collection of the businesses referred to in paragraphs (a) or (b) of subsection (1) carried on by him in respect of each month:

Provided however, the person who is liable to pay the levy under this subsection, shall not be liable to pay the Value Added Tax under the Value Added Tax Act, No.14 of 2002 or the Nation Building Tax under the Nation Building Tax Act, No.9 of 2009, on such collection:

Provided further, that any person whose gross collection in respect of the businesses referred to in paragraphs (a) or (b) of subsection (1) does not exceed twelve million *per annum* or three million *per quarter*, such person shall not be liable to pay the levy required to be paid under this subsection.

2 *Betting and Gaming Levy (Amendment)*

3. The following new section is hereby inserted immediately after section 2 of the principal enactment and shall have effect as section 2A of that enactment:-

Insertion of new section 2A in the principal enactment.

5 “Registration of betting or gaming business.” “2A (1) Every person who, on or after January 1, 2013 carries on the business of a book maker or gaming, as is referred to in subsection (1) of section 2, shall register with the Department of Inland Revenue, within one month from the date of commencement of this Act or within one month of the date of commencement of the business as the case may be.

10 (2) Every person who acts in contravention of the provisions of subsection (1), shall commit an offence and shall, on conviction after summary trial by a Magistrate, be liable to a fine not exceeding ten million rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment.”.

15 4. Section 7 of the Betting and Gaming Levy Act, No. 40 of 1988, as last amended by Act, No.23 of 2003 is hereby amended by the addition immediately after the definition of “gaming” of the following:-

Amendment of the section 7 of the principal enactment.

20 “ “person” includes any company, body of persons corporate or unincorporate or any partnership;”.

25 5. The amount of the levy charged and collected by the Commissioner General or any person authorized under this Act, from any person, during the period commencing from January 1, 2013 and ending on 31st March 2013, shall be deemed to have been validly charged and collected by the Commissioner General or by any such person under this Act:

Indemnity.

30 Provided that the aforesaid provisions of this section shall not affect any decision or order made by any Court or any proceedings pending in any Court in respect of any levy charged and collected during that period.

6. The Schedule to the principal enactment is hereby repealed and the following Schedule substituted therefor:-

Amendment
of the
Schedule to
the principal
enactment.

“SCHEDULE (Section 2)

PART I

The amount of the levy payable by a person carrying on the business of bookmaker for every year specified in Column I hereto, shall be equivalent to the amount specified in the corresponding entry in Column II hereto –

<i>Column I</i> <i>Year</i>	<i>Column II</i> <i>Amount of Levy</i>
1. For every year commencing on or after April 1, 1988, but prior to April 1, 2001.	One hundred thousand rupees.
2. For every year commencing on or after April 1, 2001, but prior to April 1, 2002.	One million rupees.
3. For every year commencing on or after April 1, 2002, but prior to April 1, 2005 –	
(i) Where live telecast facilities are used in carrying on business.	Thirty thousand rupees.
(ii) Where live telecast facilities are not used in carrying on the business.	Ten thousand rupees.
4. For every year commencing on or after April 1, 2005 but prior to April 1, 2006 for betting business carried out –	
(i) through Agents.	One million rupees.
(ii) by the use of live telecast facilities in carrying on the business.	Two hundred and fifty thousand rupees.
(iii) Where live telecast facilities are not used in carrying on the business.	Twenty five thousand rupees.

4 *Betting and Gaming Levy (Amendment)*

<i>Column I</i> <i>Year</i>	<i>Column II</i> <i>Amount of Levy</i>
5. For every year commencing on or after April 1, 2006 for betting business carried out –	
(i) through Agents.	One million rupees.
(ii) by the use of live telecast facilities in carrying on the business.	Three hundred thousand rupees.
(iii) Where live telecast facilities are not used in carrying on the business.	Fifty thousand rupees.

PART II

The amount of the levy payable by a person carrying on the business of gaming for every year specified in Column I hereto, shall be equivalent to the amount specified in the corresponding entry in Column II hereto –

<i>Column I</i> <i>Year</i>	<i>Column II</i> <i>Amount of Levy</i>
1. For every year commencing on or after April 1, 1988 but prior to April 1, 2001.	One million rupees.
2. For every year commencing on or after April 1, 2001, but prior to April 1, 2002.	Twenty five million rupees.
3. For every year commencing on or after April 1, 2002, but prior to April 1, 2005-	
(i) For carrying on the business of gaming (other than for playing rudjino).	Twelve million rupees.
(ii) For carrying on the business of only playing rudjino.	Five hundred thousand rupees.
4. For carrying on the business of gaming including playing rudjino for every year commencing on or after April 1, 2005.	Fifty million rupees.

Betting and Gaming Levy (Amendment)

5

<i>Column I</i>	<i>Column II</i>	
<i>Year</i>	<i>Amount of Levy</i>	
5. For carrying on the business of gaming including playing rudjino for every year commencing on or after April 1, 2013.	One hundred million rupees.	
7. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.		Sinhala text to prevail in case of any inconsistency.

Annual subscription of English Bills and Acts of the Parliament Rs. 885 (Local), Rs. 1,180 (Foreign), Payable to the SUPERINTENDENT, GOVERNMENT PUBLICATIONS BUREAU, DEPARTMENT OF GOVERNMENT INFORMATION, No. 163, KIRULAPONA MAWATHA, POLHENGODA, COLOMBO 05 before 15th December each year in respect of the year following.