

Interpreta-
tion.

— 3. In this Law, unless the context otherwise requires—
 betting house means any place which is used—
 (v) for the purpose of bets being made therein between
 persons resorting to the place and—
 (i) the owner, occupier or keeper of the place
 or any person using the place; or
 (ii) any person procured or employed by, or
 acting for or on behalf of, any such owner,
 occupier or keeper of person using the
 place; or

Offences
relating to
betting
houses, etc.

(iii) any person having the care or management
 or in any manner conducting the business
 of the place; or
 (b) for the purpose of any money or other property
 being paid or received therein by or on behalf
 of the owner, occupier or keeper of person
 using it—



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 3316 OF 24TH JULY, 1947.

LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 15 of 1947.

**A LAW TO CONSOLIDATE AND AMEND THE LAWS RELATING
 TO BETTING HOUSES, GAMING HOUSES, LOTTERIES
 AND GAMBLING.**

WINSTER.]
Governor.

[22nd July, 1947.]

BE it enacted by His Excellency the Governor and
 Commander-in-Chief of the Colony of Cyprus as
 follows :—

1. This Law may be cited as the Betting Houses, Gaming
 Houses, Lotteries and Gambling Prevention Law, 1947.

Short title.

Interpreta-
tion.

2. In this Law, unless the context otherwise requires—
 “betting house” means any place which is used—
 (a) for the purpose of bets being made therein between persons resorting to the place and—
 (i) the owner, occupier or keeper of the place or any person using the place; or
 (ii) any person procured or employed by, or acting for or on behalf of, any such owner, occupier or keeper or person using the place; or
 (iii) any person having the care or management or in any manner conducting the business of the place; or
 (b) for the purpose of any money or other property being paid or received therein by or on behalf of the owner, occupier or keeper or person using the place, as, or in consideration—
 (i) for an assurance, undertaking, promise or agreement, express or implied, to pay or give thereafter any money or other property on any event or contingency of, or relating to, any horse race or other race, fight, game, sport or exercise; or
 (ii) for securing the paying or giving by some other person of any money or other property on any such event or contingency;

“gaming house” includes any place kept or used for gambling and a place shall be deemed to be used for gambling if it is used for gambling even on one occasion only;

“gamble”, with its grammatical variations and cognate expressions, means to play at, or engage in, any game of chance or of mixed chance and skill, for money or money’s worth:

Provided that the playing at, or engaging in, any such game shall not be deemed to be gambling if the person playing at, or engaging in, the same proves to the satisfaction of the court trying the offence that, having regard to the circumstances including the stakes, he was playing at, or engaging in, such game for social amusement and recreation and not for gain;

“lottery” includes any scheme or device for the sale, gift, disposal or distribution of any property depending upon, or to be determined by, lot or chance, whether by the throwing or casting of dice or of any other object having effect similar to that of dice or by the

drawing of tickets, cards, lots, numbers or figures or by means of a wheel or trained animal or otherwise howsoever;

“place” includes any house, office, room or building and any place or spot, whether open or enclosed and includes any vehicle and any ship, boat or other vessel whether afloat or not but shall not include a street;

“street” includes any road, square, pathway, blind-alley, footway, pavement, public garden and any other open space to which the public has free access.

3.—(1) Any person who—

(a) being the owner or occupier of any place or having the use temporarily or otherwise thereof, keeps or uses such place as a betting house or a gaming house or for carrying on a lottery or for playing at any of the games to which section 7 of this Law applies; or

(b) permits a place of which he is the owner or occupier or of which he has the use temporarily or otherwise to be used as a betting house or a gaming house or for carrying on a lottery or for playing at any of the games to which section 7 of this Law applies; or

(c) has the care or management of, or in any manner assists or is engaged in the management of, a place kept or used as a betting house or a gaming house or for carrying on a lottery or for playing at any of the games to which section 7 of this Law applies,

shall be guilty of an offence and shall be liable to imprisonment not exceeding one year or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.

(2) Any person who appears, acts or behaves as master or as the person having the care or management of any place kept or used as in sub-section (1) of this section provided shall, for the purposes of this section, be deemed to be the keeper thereof, whether he is or is not the real keeper.

(3) No prosecution relating to the carrying on of a lottery under this section shall be instituted except by or with the consent of the Attorney-General.

4.—(1) Any person who—

(a) sells or has in his possession for sale any ticket in, or relating to, any lottery;

(b) prints or publishes, or causes to be printed or published, any advertisement or other notice of or relating to any lottery or the result of any

Offences relating to betting houses, etc.

Provisions relating to certain specific games.

Sale of lottery tickets and advertisements, etc., relating to lottery.

lottery, or of or relating to the sale of any ticket or chance, or of any share in any ticket or chance in any lottery,

shall be guilty of an offence and shall be liable to a fine not exceeding fifty pounds and, in the case of an offence under paragraph (a) hereof, any ticket in respect of which the offence has been committed shall be forfeited.

(2) No prosecution for any offence under this section shall be instituted except by or with the consent of the Attorney-General.

Gambling in gaming house.

5. Any persons gambling or assembled together for the purpose of gambling in a gaming house shall be guilty of an offence under this Law.

Gambling in street.

6. Any persons gambling or assembled together for the purpose of gambling in any street shall be guilty of an offence under this Law.

Provisions relating to certain specific games.

7.—(1) Any persons, wherever found, playing at any of the games commonly known as “cholo”, “kazandi”, “zari” or “roulette” or any other similar game which in the opinion of the court trying the offence is a variation of any of such games or assembled together for the purpose of playing at any such game or any variation thereof as hereinbefore provided, shall be guilty of an offence and shall be liable to imprisonment not exceeding one year or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.

(2) The Governor in Council may, by order, declare any game to be a game for the purposes of sub-section (1) of this section in addition to the games specified therein and thereupon the provisions of sub-section (1) of this section shall apply to such game as they apply to the games specified in such sub-section.

(3) Any person who, in any street, club, coffee-shop, hotel or khan or a place licensed for the sale of intoxicating liquors by retail or a place of public resort or public entertainment, is in possession of any instruments or appliances used or appearing or intended to be used or to have been used for the playing of any of the games to which this section applies, shall be guilty of an offence and shall be liable to imprisonment not exceeding one year or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.

Warrants.

8. Any member of a District Court or the senior officer in charge of the police in the district, on being satisfied, upon written information upon oath, that there is reasonable ground for believing that any place is kept or used as a

betting house, a gaming house or for carrying on a lottery or for playing at any of the games to which section 7 of this Law applies may, by warrant, authorize any police officer with such assistance and by such force as may be necessary by day or by night to enter or go to such place and to search the same and all persons found therein and to seize all instruments and all money, securities for money and other articles used or appearing or intended to be used or to have been used for betting, gambling or for carrying on a lottery or for playing at any of the games to which section 7 of this Law applies which may be found in such place or in the possession of any person found therein or escaping therefrom and also to detain all such persons until they and the place shall have been searched.

9.—(1) Notwithstanding anything in this or any other law contained, it shall be lawful for any member of the Police Force in charge of a station and for any police officer of or above the rank of sergeant, whether in uniform or not, with such assistance and by such force as may be necessary, by day or by night, without warrant, to enter and search any place which he has reasonable ground for believing is kept or used as a betting house or a gaming house or a place for carrying on a lottery or for playing at any of the games to which section 7 of this Law applies, in each of the following cases, that is to say:—

Entry
without
warrant.

(a) if the place proposed to be entered and searched is a club, coffee-shop, hotel or khan or a place licensed for the sale of intoxicating liquors by retail or a place of public resort or public entertainment;

(b) if the owner, occupier, keeper or manager of the place proposed to be entered has, within the preceding twelve months, been convicted under the provisions of this Law or any of the Laws repealed by this Law.

(2) Every officer acting under the provisions of subsection (1) of this section shall, upon entry, have the same powers of search, detention and seizure as may be exercised by a police officer authorized by warrant under section 8 of this Law.

10. Any police officer, whether in uniform or not, may arrest without warrant any person whom he finds committing an offence under section 6 or 7 of this Law and may seize any money or other thing used as stakes and any instruments used or appearing or intended to be used or to have been used in the commission of the offence.

Power of
arrest
without
warrant, etc.

Obstruction
of police
officers.

11. Any person who wilfully prevents, obstructs or delays any police officer or any of his assistants exercising any of the powers conferred under this Law or who uses any means or contrivance whatsoever for preventing, obstructing or delaying any such officer or any of his assistants in the exercise of any such powers, shall be guilty of an offence under this Law.

Instigating,
etc., offences
under this
Law.

12. Any person who—

- (a) instigates or promotes the commission of an offence punishable under this Law ;
- (b) keeps watch in order to warn, or warns, of risk of detection, persons committing an offence punishable under this Law,

shall be guilty of an offence and shall be liable to the same punishment as if he had himself committed the offence in respect of which he did any of the acts hereinbefore set out.

Presump-
tions.

13.—(1) Every place entered under the provisions of this Law, in so far as they relate to a gaming house, shall be presumed, until the contrary is proved, to be a gaming house and to be kept or used by the owner, occupier or manager thereof as a gaming house, in any of the following cases, that is to say :—

- (a) if any instruments or appliances for gambling are found therein or upon any person found therein or escaping therefrom ;
- (b) if any police officer acting under the provisions of this Law or any of his assistants is wilfully prevented from, or obstructed or delayed in, entering or approaching the same or any part thereof ;
- (c) if any passage or staircase or means of access to any part thereof is unusually narrow or steep or otherwise difficult to pass or any part thereof is provided with unusual or unusually numerous means for preventing, obstructing or delaying an entry or with any contrivance for enabling persons therein to see or ascertain the approach or entry of persons or for giving the alarm or for facilitating escape therefrom ; or
- (d) if any persons are seen or heard escaping therefrom.

(2) Any person found in, or escaping from, a gaming house on the occasion of its being entered under the provisions of this Law, shall be presumed, until the contrary be proved, to be or to have been gambling therein.

(3) The presumptions in sub-sections (1) and (2) of this section shall apply *mutatis mutandis* to any place entered in connection with the playing of any of the games to

which section 7 of this Law applies and to any person found therein or escaping therefrom, as they apply to a gaming house and to persons gambling therein.

14.—(1) Whenever two or more persons are charged with any offence under this Law, the Court trying the offence may, notwithstanding anything in any other law contained, upon a request made by or with the consent in writing of a Law Officer, require one or more of such persons to give evidence, as witness or witnesses for the prosecution and any such person who refuses to be sworn or to answer any lawful question shall be guilty of an offence under this Law.

Offenders as witnesses for prosecution.

(2) Any person so required to give evidence, who shall in the opinion of the court make true and full discovery of all things as to which he is lawfully examined, shall be entitled to receive a certificate to that effect under the hand of the Judge trying the offence and such certificate shall be a bar to all legal proceedings against him in respect of all such things as aforesaid.

15. Every person who is guilty of an offence under this Law, in respect of which no specific punishment has been provided, shall be liable to imprisonment not exceeding six months or to a fine not exceeding fifty pounds or to both such imprisonment and fine.

General penalty.

16. In addition to any punishment for any contravention of this Law, upon conviction of the offender, anything seized by any police officer, acting under the provisions of this Law, which in the opinion of the court was used or appeared or was intended to be used for, or in connection with, the offence of which the offender was convicted, shall be adjudged by the court to be forfeited.

Forfeiture.

17. A reward not exceeding one-half of the fine levied may, at the discretion and by the direction of the court trying the offence, be awarded to any person or persons who shall have given information which led to the apprehension and conviction of the offender.

Reward to informers.

18. Nothing in this Law contained shall apply—

- (a) to any lottery organized and carried out under any law in force for the time being ;
- (b) to any lottery organized and carried out with the prior permission of the Governor and in accordance with such directions or conditions as he may deem fit to give or impose, for the purposes of raising funds for the building or repair of any church, mosque or public hospital ;

Exemption of certain lotteries from the provisions of the Law.

(c) to any sweepstake or pari-mutuel organized at and on the day of any race meeting and controlled by any horse racing club or association approved by the Governor, subject to such conditions as he may deem fit to impose.

Repeat.

19. The laws set out in the Schedule hereto are hereby repealed to the extent therein specified.

SCHEDULE.

(Section 19.)

REPEALS.

Law.	Extent of repeal
1. The Gambling Laws, 1896 to (No. 2) 1942 (Nos. 10 of 1896, 11 of 1942 and 25 of 1942)	1. The whole.
2. The Cyprus Criminal Code, 1928 to 1944.	2. Sections 173, 174, 175, 176 and 177 (3).

R. E. TURNBULL,
Colonial Secretary,
22nd July, 1947.

18. Nothing in this Law contained shall apply—
(a) to any lottery organized and carried out under any law in force for the time being;
(b) to any lottery organized and carried out with the prior permission of the Governor and in accordance with such directions or conditions as he may deem fit to give or impose, for the purposes of raising funds for the building or repair of any church;

17. A reward not exceeding one-half of the fine levied at the discretion and by the direction of the court may, if the offence be awarded to any person or persons who shall have given information which led to the apprehension and conviction of the offender.

16. Every person who is guilty of an offence under this Law, in respect of which no specific punishment has been provided, shall be liable to imprisonment not exceeding six months or a fine not exceeding fifty pounds or to both such things as a court may think fit to order.