



REPUBLIC OF NAURU

Bingo Licensing Act 2008

Act No. 6 of 2008

Table of Provisions

PART 1 – PRELIMINARY	1
1 Short title.....	1
2 Commencement.....	1
3 Definitions	1
PART 2 – LICENSING OF BINGO GAMES	2
4 Bingo games to be licensed	2
5 Form of application	3
6 Period of licence	3
7 Cancellation of licence	3
8 Inspection of bingo games	4
PART 3 – LICENCE TO CONDUCT A BINGO GAME AND MISCELLANEOUS	4
9 Licence	4
10 Application of revenue	4
11 Conducting an unlicensed bingo game	4
12 Conducting a bingo game contrary to licence conditions	5
13 False statements.....	5
14 Regulations	5

REPUBLIC OF NAURU

Bingo Licensing Act 2008

Act No. 6 of 2008

An Act relating to the licensing of bingo games and for the levy of a licensing fee and for related purposes

Certified on 17 July 2008

Enacted by the Parliament of Nauru as follows:

PART 1 – PRELIMINARY

1 Short title

This Act may be cited as the *Bingo Licensing Act 2008*.

2 Commencement

This Act shall come into operation on 1 August 2008.

3 Definitions

In this Act, unless the contrary intention appears:

'an officer authorised by the Secretary' means an officer authorised in writing by the Secretary;

'bingo' means the game commonly known as ***'bingo'*** or ***'housie'***, regardless of the name used, and includes such other games as defined by the Minister;

'licence' means a licence issued to a person to conduct a bingo game; and

'Secretary' means the Secretary for the Department responsible.

PART 2 – LICENSING OF BINGO GAMES

4 Bingo games to be licensed

- (1) Any bingo game, for prize money or for prizes of value, shall be licensed.
- (2) Any person may furnish to the Secretary an application for a licence to conduct a bingo game in accordance with a form provided by the Secretary for the purpose. The application must be lodged at least 3 working days prior to the proposed date of the bingo game.
- (3) The Secretary shall consider the application and, if the proposed licence complies with the prescribed requirements, the Secretary shall, subject to the provisions of this Act, licence the person to conduct the bingo game for which the registration is sought.
- (4) In considering whether to licence a bingo game under subsection (3), the Secretary shall have regard to whether the licence complies with any prescribed requirements.
- (5) The licence to conduct a bingo game under this section may be subject to conditions specified in the licence.
- (6) A licence to conduct a bingo game shall not be transferable.
- (7) If the Secretary is satisfied that the person is a fit and proper person to hold a licence to conduct a bingo game, the Secretary shall grant the application and, in any other case, may refuse to grant the application.
- (8) In determining whether the person is a fit and proper person to hold a licence to conduct a bingo game, the Secretary may have regard to such matters as may be considered relevant and, in particular, to the following so far as they are relevant:
 - (a) whether the person is an habitual drunkard;
 - (b) whether the person is addicted to drugs;

- (c) whether the person has been convicted of an offence in Nauru or elsewhere; and
 - (d) whether the person has previously disregarded, or is unlikely to comply with, the provisions of this Act and of the regulations; and
 - (e) any relevant advice provided by the Nauru Police Force.
- (9) The Secretary shall, at the request of the licensee, cancel a licence to conduct a bingo game.
- (10) The Secretary may delegate powers under this Act to an authorised officer.

5 Form of application

An application for a licence to conduct a bingo game shall:

- (a) be in the prescribed form;
- (b) specify the number of games to be conducted;
- (c) specify the time and venue; and
- (d) specify the value of prize money on offer for each game. Where the prize is not cash, the value of the prize shall be determined as the retail price of the prize, as determined by the Secretary. This determination shall be final.

6 Period of licence

Subject to this Act, the licence shall specify a time and venue for the bingo game to be conducted by the licensee.

7 Cancellation of licence

- (1) Subject to subsection (2), the Secretary may cancel a licence to conduct a bingo game.
- (2) The Secretary may cancel a licence to conduct a bingo game:
 - (a) if a condition subject to which the licence is issued is breached; or

- (b) if this Act or the regulations, or any other prescribed Act or prescribed regulations, have not been complied with in respect of the licence to conduct a bingo game.

8 Inspection of bingo games

- (1) The Secretary or an officer authorised by the Secretary or an authorised officer of the Nauru Police Force may attend a bingo game to ensure that the conditions applied to the licence to conduct a bingo game are being complied with, including conditions relating to the time and venue of the bingo game.
- (2) A person shall not prevent, hinder or refuse to allow the inspection of a bingo game under subsection (1).

Penalty: \$500.

PART 3 – LICENCE TO CONDUCT A BINGO GAME AND MISCELLANEOUS

9 Licence

- (1) No licence to conduct a bingo game shall be issued prior to the payment of an licensing fee as determined under subsection (2).
- (2) The licensing fee shall be determined as 20 per cent of the total value of prizes offered, as specified in accordance with section 4 (d).
- (3) Where a bingo game specified in a licence does not proceed, the licensee may apply to the Secretary for a refund of a licensing fee.

10 Application of revenue

The revenues received from the application fees to conduct a bingo game must be paid to the Treasury Fund.

11 Conducting an unlicensed bingo game

A person who conducts a bingo game, for prize money or prizes of value, without a licence commits an offence.

Penalty: \$5,000 fine, plus 100 per cent of the value of prizes on offer at the unlicensed bingo game.

12 Conducting a bingo game contrary to licence conditions

A person with a licence who conducts a bingo game, but not in compliance with conditions specified in the licence, commits an offence.

Penalty: \$2,000 fine, plus 100 per cent of the value of prizes on offer at the bingo game conducted contrary to licence conditions.

13 False statements

A person shall not make to the Secretary or to an authorised officer in, or in connection with, an application or other matter under this Act or the regulations, and whether orally or in writing, a statement that is false or misleading in a material particular.

Penalty: \$2,000 fine.

14 Regulations

- (1) Cabinet may make regulations, not inconsistent with this Act, prescribing matters:
 - (a) required or permitted by this Act to be prescribed; or
 - (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.
- (2) The regulations may provide penalties not exceeding a fine of \$2,000 for offences against the regulations.