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GAMING (BINGO) REGULATIONS 2023

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Notified: 7th July, 2023

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The Cabinet makes the following Regulations under Section 31 of the *Gaming Act 2011*:

PART 1 – PRELIMINARY

1 Citation

These Regulations may be cited as the *Gaming (Bingo) Regulations 2023*.

2 Commencement

These Regulations commence on the date they are notified in the Gazette.

3 Interpretation

(1) In these Regulations:

‘Act’ means the *Gaming Act 2011*;

‘bingo’ means an exempt game with a chance of winning that is dependent on a set of numbers in a bingo booklet purchased and daubed by a bingo player according to whether the numbers are called out by the bingo caller, and where the winner of the game is the first bingo player to completely daub the required sequence of numbers as they are called;

‘bingo booklet’ means the booklet used in bingo which contains a set of numbers to be daubed by a bingo player;

‘bingo caller’ means a person, an application, software or any other device that calls out the numbers during bingo;

‘bingo fundraiser’ means a single event bingo that is licensed to be conducted by a session or multiple sessions on a one-off basis, and where the Gaming (Bingo) Licence for the bingo fundraiser expires at the end of that one single event upon which time a new licence must be applied for if another bingo fundraiser event is to be conducted;

‘bingo fundraiser operator’ means a person who is licensed to conduct a bingo fundraiser and includes any person who is hired, employed or authorised by the former person to conduct the bingo fundraiser;

‘bingo market’ means a continuous bingo game that is licensed to be conducted for a limited daily time period as per the weekly frequency applied for, and where the Gaming (Bingo) Licence for the bingo market expires at the end of 12 months upon which time a new licence must be applied for, to continue the bingo market;

‘bingo market operator’ means a person who is licensed to conduct a mini or major bingo market and includes any person who is hired, employed or authorised by the former person to conduct the mini or major bingo market;

‘bingo operator’ means a bingo fundraiser operator, take-home bingo operator, bingo market operator or online bingo operator;

‘bingo player’ means a person who purchases a valid bingo booklet for the purposes of playing bingo;

'bingo runner' means a person who verifies the winning numbers of a bingo player with the bingo caller;

'Business Licence' means a business licence granted to a person under the *Business Licences Act 2017*;

'Business Licensing Division' means the Business Registration, Business Licensing, Security Licensing, Import Licensing and Beneficial Ownership Division under the Department of Justice and Border Control;

'child' means a person who is under the age of 18 years;

'daub' means to highlight a number that is called out by a bingo caller;

'Gaming (Bingo) Licence' means a gaming licence granted to a person under Section 6 of the Act authorising the person to conduct bingo, and includes an Interim Gaming (Bingo) Licence granted to a person under Regulation 22;

'jackpot prize' means the top prize in a game or contest that is typically a large fund of money formed by the accumulation of unwon prizes;

'legitimate items' means items that are legal in Nauru;

'licence fee' means the Gaming (Bingo) Licence fee;

'no taker prize' means the giveaway prize where the jackpot prize is not won;

'online bingo' means bingo that requires the use of Internet data to be conducted and played online;

'online bingo operator' means a person who is licensed to conduct online bingo and includes any person who is hired, employed or authorised by the former person to conduct the online bingo;

'premises' means the place where a bingo market is authorised to be conducted under a Gaming (Bingo) Licence;

'Secretary', for the purposes of these Regulations, means the Head of the Department of Internal Affairs;

'statutory public holiday' means a public holiday under Section 81 of the *Public Service Act 2016*;

'take-home bingo' means a single event bingo where a bingo booklet:

- (a) is purchased by a bingo player;
- (b) includes a set sequence of pre-called numbers;
- (c) may be daubed at the bingo player's home or any other place; and
- (d) is submitted to the take-home bingo operator at a particular date to determine the winning booklet;

'take-home bingo operator' means a person who is licensed to conduct a take-home bingo and includes any person who is hired or employed by the former person to conduct the take-home bingo;

'time slots' means the allocated times permitted for bingo fundraisers to be conducted;

'valid bingo booklet' means a bingo booklet marked by a bingo operator to show that it was purchased or obtained by a bingo player at that particular bingo;

'vehicle' has the meaning given to it under Section 5(1) of the *Motor Traffic Act 2014*; and

'venue' means the place where a bingo, other than a bingo market, is authorised to be conducted under a Gaming (Bingo) Licence.

(2) In these Regulations, words and phrases have the same meaning as those under the Act.

4 Application

These Regulations shall apply to all the types of bingo set out in Schedule 1.

PART 2 – LICENSING

5 Licences required to conduct bingo

A person shall not conduct bingo unless the person holds a valid:

- (a) Business Licence; and
- (b) Gaming (Bingo) Licence.

6 Application for Gaming (Bingo) Licence

For the purposes of Section 5 of the Act, an application for a Gaming (Bingo) Licence shall be:

- (a) made to the Secretary in the form as set out in Schedule 2;
- (b) accompanied by the required particulars; and
- (c) accompanied by evidence of payment of the licence fee as set out in Schedule 3; or
- (d) where waiver of the licence fee is sought under Section 14 of the Act, accompanied by an application for a waiver of the licence fee.

7 Decision of the Secretary

- (1) Where the Secretary grants the Gaming (Bingo) Licence, the licence shall be issued in the form as set out in Form 1 of Schedule 4.
- (2) Where the Secretary refuses to grant the Gaming (Bingo) Licence, he or she shall:
 - (a) inform the applicant in writing in the form as set out in Form 2 of Schedule 4; and
 - (b) provide the reason for the refusal.

8 Duration of bingo

The licence fee for a Gaming (Bingo) Licence as set out in Schedule 3 applies to the duration of the bingo as set out in column 2 of the table in Schedule 3 for which the Gaming (Bingo) Licence is granted.

9 Display of licences

- (1) The Business Licence and Gaming (Bingo) Licence shall be displayed at a conspicuous place at the premises or venue of the bingo.
- (2) Subject to Regulation 15, where a person is licensed to conduct bingo at multiple premises or venues, the person shall display his or her Business Licence and Gaming (Bingo) Licence at a conspicuous place at each of the premises or venues.
- (3) An online bingo operator shall display his or her Business Licence and Gaming (Bingo) Licence on the social media group cover page for the online bingo.

PART 3 – TYPES OF BINGO

10 Bingo fundraiser

- (1) A bingo fundraiser operator shall be licensed to operate a bingo fundraiser.
- (2) A bingo fundraiser operator shall select preferred time slots for a bingo fundraiser that he or she conducts.
- (3) Each time slot shall be:
 - (a) approved by the Secretary; or
 - (b) where the selected time slot is full, allocated by the Secretary.
- (4) Each time slot shall be limited to 4 bingo fundraisers.

11 Take-home bingo

- (1) A take-home bingo operator shall be licensed to operate a take-home bingo.
- (2) A take-home bingo operator shall be subject to payment of the licence fee prescribed for a bingo fundraiser operator in Schedule 3.
- (3) A take-home bingo operator shall produce a copy of his or her valid Business Licence and Gaming (Bingo) Licence when:
 - (a) requested to do so by a bingo player; or

(b) required to do so by an authorised officer.

12 Bingo market

(1) A bingo market operator shall be licensed to operate a:

- (a) mini bingo market; or
- (b) major bingo market.

(2) A mini bingo market shall have a maximum of 30 bingo players.

(3) A major bingo market shall have an unlimited number of bingo players.

(4) A bingo market operator who conducts a mini bingo market shall comply with the requirement under subregulation (2).

(5) Where a bingo market operator contravenes subregulation (4), the bingo market operator is deemed to have breached the conditions of his or her Gaming (Bingo) Licence and shall be:

- (a) suspended immediately from obtaining any other form of Gaming (Bingo) Licence or conducting any bingo for 6 months commencing from the date of the contravention; or
- (b) where the breach occurs a second time, the Gaming (Bingo) Licence shall be deemed to have been cancelled,

without any refund for the suspended period or the period remaining on the licence upon termination.

(6) Where a bingo market operator is suspended or the Gaming (Bingo) Licence is deemed to have been cancelled during the conduct of bingo, the operator shall immediately cease the bingo and inform all the bingo players of the suspension or cancellation of the licence.

PART 4 – CONDITIONS FOR BINGO OPERATIONS

13 Days and time slots

A bingo operator shall conduct bingo only on the specified days and time slots as set out in Schedule 5.

14 Extension

(1) Notwithstanding Regulation 13, a bingo operator may only extend the time slots for a bingo market or online bingo on a Friday until 3:00am on the following day, upon payment of the licence fee as set out in Schedule 3.

(2) A bingo operator shall not conduct bingo on a Sunday, Christmas Day, Good Friday and any other statutory public holiday which the Secretary may prohibit the conduct of bingo.

15 Premises, venues or page

- (1) A bingo market shall be conducted at the premises authorised by a Gaming (Bingo) Licence that has been granted for the bingo market.
- (2) Bingo, other than a bingo market, shall be conducted at the venue authorised by a Gaming (Bingo) Licence that has been granted for the bingo.
- (3) Each premises and venue shall be charged separate licence fees.
- (4) Each premises and venue shall display the Business Licence and Gaming (Bingo) Licence for the bingo conducted at that particular premises and venue.

16 Bingo caller to show proof

A bingo caller shall show proof to a bingo player:

- (a) of all the numbers that have been called;
- (b) that the winning numbers are included in the sequence of numbers that have been called; and
- (c) that the winner of a bingo fundraiser or jackpot prize has a valid bingo booklet.

17 Bingo runner to verify with a bingo caller in the presence of a witness

A bingo runner shall verify with the bingo caller in the presence of a witness that the:

- (a) winner of a bingo fundraiser, take-home bingo or jack pot prize holds a valid bingo booklet; and
- (b) winning numbers are included in the sequence of numbers that have been called.

18 Bingo prizes may be monetary or legitimate items

- (1) Bingo prizes may be monetary or legitimate items that shall be given to the winner of a particular bingo after proof of winning has been shown and validated.
- (2) Monetary prizes shall be given to a winner of a particular bingo in the form of cash in hand transaction or through electronic bank transfer.
- (3) Monetary prizes shall not exceed \$20,000 for each bingo type notwithstanding whether the bingo is for a jackpot prize.
- (4) Where the jackpot prize with the inclusion of the no taker prize reaches \$20,000, it shall be played off at the very next bingo market or online bingo.
- (5) A bingo fundraiser or take-home bingo shall not offer a jackpot prize.

19 Other conditions

- (1) There shall be a designated smoking area at the premises or venue where bingo is conducted.
- (2) A bingo operator shall ensure that the vehicle of a bingo player does not obstruct:
 - (a) the movement of neighbouring residents;
 - (b) access to roads; and
 - (c) main road traffic.
- (3) Alcohol shall not be permitted into, consumed or sold at the premises or venue.
- (4) All premises or venues shall have toilet facilities.
- (5) A child shall not be permitted to:
 - (a) enter and remain at the premises or venue;
 - (b) purchase a bingo booklet at the premises or venue; and
 - (c) play bingo at the premises or venue.

20 Bingo operators

- (1) A bingo operator may conduct activities relevant to bingo operations, including:
 - (a) selling bingo booklets;
 - (b) performing the functions and responsibilities of a bingo caller;
 - (c) performing the functions and responsibilities of a bingo runner;
 - (d) preparing and giving out prizes;
 - (e) assisting the elderly bingo players; and
 - (f) assisting bingo players with disabilities.
- (2) Any bingo player who mistreats or acts in an offensive manner toward a bingo operator may be removed from the premises or venue.
- (3) Where a person is removed from the premises or venue:
 - (a) his or her right to participate any further as a bingo player ceases; and

- (b) he or she is not entitled to redeem or receive any prize eventhough a prize may be declared in his or her bingo booklet.

21 Complaints

- (1) A person may make a complaint to the Secretary where a condition of a Gaming (Bingo) Licence has been breached.
- (2) Where a bingo player has not received his or her prize from an unlicensed bingo operator, he or she shall not have any right to make a complaint as a consequence of his or her participation in an unlawful bingo.

22 Application for payment plans

- (1) A person may apply to the Secretary for a payment plan to be made between the person and the Secretary for the payment of the licence fee for a bingo market.
- (2) The Secretary may approve the application for a payment plan and grant an Interim Gaming (Bingo) Licence to the person.
- (3) Where the person fails to meet the payment deadlines according to the approved payment plan, the Secretary shall:
 - (a) revoke the Interim Gaming (Bingo) Licence; and
 - (b) give notice to the person of the decision and reason for the revocation.
- (4) Where the person pays the licence fee for a bingo market in full, the Secretary shall revoke the Interim Gaming (Bingo) Licence and grant the person a Gaming (Bingo) Licence.

PART 5 – MISCELANEOUS

23 Protection from liability

- (1) The Department of Internal Affairs, the Secretary or any other staff or employee of the Department of Internal Affairs shall not be liable for any act done or omitted to be done in good faith in the performance of a function or exercise of a power under the Act, these Regulations or any other written law.
- (2) Any person acting under the Act, these Regulations or any other written law, in relation to online bingo shall not be liable to any person participating in the online bingo.

24 Transition

Where an application for a gaming licence for bingo is made in accordance with the *Gaming Regulations 2011* and the application is not determined by the Secretary before the commencement of the *Gaming (Bingo)*

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Regulations 2023, the application shall be dealt with by the Secretary in accordance with the requirements of the *Gaming Regulations 2011*.

25 Consequential amendments

The *Gaming Regulations 2011* is amended by:

- (a) in the table in Schedule 1, deleting the row for Item 1; and
- (b) in the table in Schedule 2, deleting the fields and note in relation to the game of bingo in the sixth row.

SCHEDULE 1

TYPES OF BINGO

(Regulation 4)

1. Bingo Fundraiser
2. Take-Home Bingo
3. Bingo Market
4. Online Bingo

**SCHEDULE 2
APPLICATION FORM FOR GAMING (BINGO) LICENCE**

(Regulation 6(a))



REPUBLIC OF NAURU

GAMING ACT 2011

APPLICATION FOR GAMING (BINGO) LICENCE

NAME OF APPLICANT				
TELEPHONE CONTACT				
EMAIL CONTACT				
LOCATION OF PREMISES OR VENUE AT WHICH GAME WILL BE CONDUCTED UNDER LICENCE				
<i>Note: If game will be conducted at more than one premises/venue, specify each premises/venue.</i>				
<input type="checkbox"/> BINGO FUNDRAISER/TAKE HOME BINGO		<input type="checkbox"/> BINGO MARKET/ONLINE BINGO		
SESSIONS		DURATION		
<input type="checkbox"/> 1 Session	<input type="checkbox"/> 5 games \$50 <input type="checkbox"/> 10 games \$100	OR		
		Specify how many times a week for the year are you registering your Gaming (Bingo) Licence.		
		Frequency Major Mini		
		<input type="checkbox"/> 1/ week/ year/ premises \$1000 \$500		
		<input type="checkbox"/> 2/ week/ year/ premises \$1200 \$600		
		<input type="checkbox"/> 3/ week/ year/ premises \$1400 \$700		
		<input type="checkbox"/> 4/ week/ year/ premises \$1600 \$800		
		<input type="checkbox"/> 5/ week/ year/ premises \$1800 \$900		
		<input type="checkbox"/> 6/ week/ year/ premises \$2000 \$1000		
<input type="checkbox"/> 2 Sessions	Specify how many games for each session. <input type="checkbox"/> 5 games _____ AND/OR <input type="checkbox"/> 10 games _____			
<input type="checkbox"/> 3 Sessions	Specify how many games for each session. <input type="checkbox"/> 5 games _____ AND/OR <input type="checkbox"/> 10 games _____ <i>Note: There is a limit of 3 sessions for each Bingo Fundraiser/Take Home Bingo.</i>	<p><i>Note: Mini Bingo Market is limited to 50 players only. This licence is for the one registered premises/social media page or group ONLY.</i></p> <p>Specify which days of the week you will register to conduct your bingo market or online bingo.</p> <p><input type="checkbox"/> Monday <input type="checkbox"/> Friday <input type="checkbox"/> Thursday <input type="checkbox"/> Wednesday <input type="checkbox"/> Tuesday <input type="checkbox"/> Saturday</p> <p><i>Note: All Bingo Markets/Online Bingo will be conducted 5:30pm to 11:00pm on Mondays to Fridays and 3:00pm to 12:00am on Saturdays. There will be no Bingo Markets or Online Bingo conducted on Sundays or Public Holidays.</i></p>		

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TIME SLOTS APPLIES TO BINGO FUNDRAISER ONLY	EXTENSION OF HOURS FRIDAYS ONLY															
<p>Specify which time slot you are applying for.</p> <p><input type="checkbox"/> Monday <input type="checkbox"/> Friday <input type="checkbox"/> Thursday <input type="checkbox"/> Wednesday <input type="checkbox"/> Tuesday</p> <p><input type="checkbox"/> 5:30pm to 7:30pm OR <input type="checkbox"/> 8:30pm to 10:30pm</p> <p><input type="checkbox"/> Saturday</p> <p><input type="checkbox"/> 1:00pm to 3:00pm <input type="checkbox"/> 7:00pm to 9:00pm <input type="checkbox"/> 4:00pm to 6:00pm <input type="checkbox"/> 10:00pm to 12:00am</p> <p>Note: There will be no Bingo Fundraisers conducted on Sundays or Public Holidays.</p>	<p>Are you applying for an extension of 4 hours on Friday to Saturday 3:00am?</p> <p><input type="checkbox"/> Yes \$1000 <input type="checkbox"/> No</p> <p>Note: There will be no extensions on any other days except Friday which will extend to Saturday 3:00am ONLY.</p>															
BUSINESS LICENCE, BUSINESS NAME REGISTRATION AND OTHER CERTIFICATIONS																
<p>Specify all the business activities that will be conducted at the Bingo Market premises or place of Bingo Fundraiser.</p> <table border="0"> <tr> <td><input type="checkbox"/> Bingo Market</td> <td>\$300</td> <td>Department of Justice and Border Control</td> </tr> <tr> <td><input type="checkbox"/> Selling food and beverages</td> <td>\$300</td> <td>Department of Justice and Border Control</td> </tr> <tr> <td><input type="checkbox"/> Food Handling Certificate</td> <td>\$80</td> <td>Department of Health and Medical Services</td> </tr> <tr> <td><input type="checkbox"/> Selling bingo products and other items</td> <td>\$300</td> <td>Department of Justice and Border Control</td> </tr> <tr> <td><input type="checkbox"/> Providing paid transportation</td> <td>\$300</td> <td>Department of Justice and Border Control</td> </tr> </table> <p>Note: To conduct a Bingo Fundraiser or Bingo Market or Online Bingo you will require both a Gaming (Bingo) Licence and a Business Licence and you will also be required to register the name of your business [\$200]. If you are conducting other businesses in the place or premises as you have ticked above, you will be charged accordingly for your Business Licence. You must register the name of your business and apply for a Business Licence at the Department of Justice and Border Control – Business Section after you have acquired your Gaming (Bingo) Licence.</p> <p>To sell food and beverages you will also need a food handling certificate. This must be obtained at the Department of Health and Medical Services – Public Health.</p>		<input type="checkbox"/> Bingo Market	\$300	Department of Justice and Border Control	<input type="checkbox"/> Selling food and beverages	\$300	Department of Justice and Border Control	<input type="checkbox"/> Food Handling Certificate	\$80	Department of Health and Medical Services	<input type="checkbox"/> Selling bingo products and other items	\$300	Department of Justice and Border Control	<input type="checkbox"/> Providing paid transportation	\$300	Department of Justice and Border Control
<input type="checkbox"/> Bingo Market	\$300	Department of Justice and Border Control														
<input type="checkbox"/> Selling food and beverages	\$300	Department of Justice and Border Control														
<input type="checkbox"/> Food Handling Certificate	\$80	Department of Health and Medical Services														
<input type="checkbox"/> Selling bingo products and other items	\$300	Department of Justice and Border Control														
<input type="checkbox"/> Providing paid transportation	\$300	Department of Justice and Border Control														

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SCHEDULE 3**LICENCE FEES***(Regulation 6(c))*

BINGO TYPE	DURATION	LICENCE FEE
Bingo Fundraiser – 1 Session ONLY	5 games	\$50
	10 games	\$100
Bingo Fundraiser – 2 Sessions ONLY	2 X 5 games	\$100
	2 X 10 games	\$200
	1 X 5 games + 1 X 10games	\$150
Bingo Fundraiser – 3 Sessions ONLY	3 X 5 games	\$150
	3 X 10 games	\$300
	1 X 5 games + 2 X 10 games	\$250
	2 X 5 games + 1 X 10 games	\$200
Major Bingo Market/Online Bingo	1 per week per 12 months	\$1000
	2 per week per 12 months	\$1200
	3 per week per 12 months	\$1400
	4 per week per 12 months	\$1600
	5 per week per 12 months	\$1800
	6 per week per 12 months	\$2000
Mini Bingo Market	1 per week per 12 months	\$500
	2 per week per 12 months	\$600
	3 per week per 12 months	\$700
	4 per week per 12 months	\$800
	5 per week per 12 months	\$900
	6 per week per 12 months	\$1000
Friday Extension – applies to Bingo Markets and Online Bingos ONLY	Friday to 3:00am Saturday ONLY	\$1000

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SCHEDULE 4

FORM 1



GAMING (BINGO) REGULATIONS 2023

(Regulation 7(1))

GAMING (BINGO) LICENCE

[insert name of applicant] of **[insert district]**, proprietor of **[insert business name]** is hereby licensed to operate a **[insert type of bingo]** at **[insert premises or venue]** in **[insert district]**.

This licence is valid for **[insert duration of games]** on **[insert day and date]** at **[insert time slot]**.

This licence is valid from the date of issue of this licence and is subject to the following conditions:

[insert conditions]

Secretary for Internal Affairs

Licence No	:	
Licence fee paid	:	
Date licence fee paid	:	
TIN Number	:	

FORM 2



(Regulation 7(2)(a))

REFUSAL TO GRANT GAMING (BINGO) LICENCE

To: [insert name of applicant] of [insert district], proprietor of [insert business name]

Your application for a Gaming (Bingo) Licence on **[insert date of application]** is hereby refused for the following reason(s):

[insert reason(s) for refusal]

You are not authorised to conduct bingo at any premises or venue.

Secretary for Internal Affairs

SCHEDULE 5

DAYS AND TIMES SLOTS FOR BINGO

(Regulation 13)

BINGO TYPE	DAYS	TIME SLOTS
Bingo Fundraiser	Monday to Friday	5:30pm to 7:30pm
		8:30pm to 10:30pm
	Saturday	1:00pm to 3:00pm
		4:00pm to 6:00pm
		7:00pm to 9:00pm
	10:00pm to 12:00am	
Bingo Market/Online Bingo	Monday to Friday	5:30pm to 11:00pm
	Friday Extension	11:00pm (Friday) to 3:00am (Saturday) ONLY
	Saturday	3:00pm to 12:00am