L.N. 2 of 1990

GOVERNMENT LOTTERIES ACT, 1981

(ACT No. XXIV OF 1981)

Government Lotteries (Super Five) Regulations, 1990

IN exercise of the powers conferred by sections 3 and 4 of the Government Lotteries Act, 1981, the Minister of Finance has made the following regulations:—

Citation and commencement.

1. (1) These regulations may be cited as the Government Lotteries (Super Five) Regulations, 1990.

(2) These regulations shall come into force on the 18th January, 1990.

Interpretation.

2. In these regulations unless the context otherwise requires—

"agent" means a person who is authorized by the Director to accept and validate tickets on behalf of the staker for the purpose of forwarding them to the Department for entry in a particular draw;

"claim period" means the period following a draw within which the staker in possession of a winning ticket may claim a prize;

"Department" means the Department of Public Lotto;

"Director" means the Director of Public Lotto and to the extent of the authority given, includes any officer of the Department authorized by the Director in that behalf for any purpose of these regulations;

"draw" means the extraction at random by physical, mechanical or electronic means, of five numbers from one (1) to thirty-six (36) which give the right to the staker of a ticket bearing three, four or five corresponding numbers so drawn, to the prize due;

"game" means the Super Five lottery, out of thirty-six numbers;

"machine number" means the number of the selling point computer terminal;

"main computer" means the computer system situated at the Department or other location as indicated by the Director, and on which all information with regard to tickets participating in a draw is read and stored and may be retrieved for further processing of the draw;

"Minister" means the Minister responsible for Finance and includes, to the extent of the authority given, any person

authorized by the Minister in that behalf for any purpose of these regulations;

"selling point" means the offices or any branch or section of the Department or the place of business of an authorized agent at which tickets for the draw can be sold;

"staker" means the person in possession of a valid ticket issued through a terminal;

"terminal" means the data capture machine situated at a selling point or office from which authorized sales can be made;

"ticket" means the ticket printed by a terminal and bearing the following information:

(a) an identifying draw number for a draw in a particular week;

(b) the machine number or the agent number of the relevant selling point terminal;

(c) the ticket registration number;

(d) the stake paid; and

(e) five different numbers from one (1) to thirty-six (36) as selected by the staker.

Day, time and numbering of draw.

3. (1) The draw of the game shall be held every Wednesday at noon, or as soon as possible thereafter, at such place as the Minister may from time to time direct:

Provided that when the day of the draw falls on a public holiday, the draw for that particular week shall take place on the preceding day and if such a day is also a public holiday, then the draw shall be held on the following Thursday.

(2) Each draw shall be identified by a progressive number.

Workings of the draw.

4. The object of a staker is to choose five different numbers from one (1) to thirty-six (36). A winning is made when either three, or four, or five of the five preselected numbers by the staker correspond to three or four or five of the five winning numbers drawn in a particular draw.

Conditions.

5. (1) These regulations and conditions shall apply and shall be binding on all stakers as soon as payment of the relative stake is made.

(2) A copy of these regulations shall be available for public viewing at the Department and at the place of business of all agents.

Tickets and stakes.

6. (1) The price of each stake shall be 50 cents and a ticket shall be issued for each stake.

(2) An unlimited number of stakes may be made by any one staker at any one time in respect of a particular draw.

(3) A ticket shall have five numbers from (1) to thirty-six (36) registered on it.

(4) Receipt of the ticket by a staker shall constitute an acknowledgement that the numbers thereon are the player's selections. It is the responsibility of the staker to ensure that the numbers printed on the ticket are correct before leaving the selling point.

(5) A player participates in the draw when the relevant information about his stake is deposited at the Department by the authorized agent, and after it has been entered in the main computer. If, for any reason whatsoever, such information is not received and entered in the main computer at the Department, the related stakes are automatically invalidated and the staker is entitled only to a refund equivalent to the amount staked after presentation of the relevant tickets.

Agent deemed as agent of the staker.

7. (1) Notwithstanding anything contained in these regulations or any other law, the agent shall be deemed to be only the agent of the staker for the purpose of forwarding information regarding stakes to be stored on data capturing machines at the Department or for the purpose of validating information about stakes while assisting a staker to participate in the draw; and the agent shall not, for these purposes, be acting as an agent of the Department.

(2) The Minister may from time to time specify different commission rates payable to agents by the Department in respect of sales and in respect of cashing of winning tickets.

(3) The tickets participating in the draw shall only be those stored in the main computer at the Department.

(4) If particulars of the ticket in the possession of the staker differ in any way from the main computer record, the player shall be bound by the Department's prize determination calculated on the particulars recorded on the storage medium of the main computer.

(5) A ticket which has been recorded as void on the data capturing media of the main computer shall be deemed as void and of no validity in claiming a prize and the staker shall have no claim against the Department, whether such void recording is attributable to the staker, to a malfunction of the computer system or by reason of operator error.

Allocation of sales, including Prize Fund.

8. (1) From the total amount of sales made in respect of each game, ten per centum (10%) of such amount shall be allocated for commissions due to agents and for subsidies that may be allocated for sporting activities or any such activities as the Minister may determine from time to time. Forty-five per centum (45%) of total sales shall be allocated and paid by the Department to a prize fund, and the prize fund shall be distributed as follows:

Division 1 — Fifty per centum (50%) of the prize fund;
Division 2 — Twenty per centum (20%) of the prize fund;
Division 3 — Thirty per centum (30%) of the prize fund.

(2) The three prize winning divisions in each game shall be allocated as follows:

Division 1 — as dividend for tickets having five winning numbers in any one game;

Division 2 — as dividend for tickets having four winning numbers in any one game;

Division 3 — as dividend for tickets having three winning numbers in any one games.

(3) Division 1 winners cannot claim Division 2 or Division 3 dividends, and Division 2 winners cannot claim Division 3 dividends.

(4) If in any Division there is more than one winning ticket, the prize money allocated to that Division shall be apportioned equally according to the number of winning tickets in that Division.

(5) The Director may release the name and place of residence of Division 1 prize winners in each game unless the staker instructs the Director otherwise.

(6) If in any draw, there is no Division 1 prize winner, then fifty per centum (50%) of the Division 1 prize fund in that draw shall be added to the Division 1 prize fund of the next immediately following draw. The remaining fifty per centum (50%) of the Division 1 prize fund shall be allocated to the Division 2 and Division 3 prize fund of the current draw in the following proportions:

Forty per centum (40%) to Division 2 winners, and
Sixty per centum (60%) to Division 3 winners.

(7) If in any draw there are no Division 2 prize winners, then the Division 2 prize fund of that draw will be added to the Division 3 prize fund and shared equally by all Division 3 prize winners of that draw.

(8) If in a particular draw there are neither Division 1, nor Division 2, nor Division 3 prize winners, the whole prize fund will be transferred to the prize fund of the next following game in the proportion as determined hereunder:

Fifty per centum (50%) to the Division 1 prize fund;
Twenty per centum (20%) to the Division 2 prize fund;
Thirty per centum (30%) to the Division 3 prize fund.

Prize money.

9. (1) Winning tickets are to be presented for payment within thirty running days from the date of the respective draw, provided that if the last day for claims falls on a Saturday, Sunday or public holiday, the claim period shall be extended to the following first working day.

(2) Division 1 prize winners must present their winning ticket during the prescribed period at the Department and during the time as indicated by the Minister from time to time.

(3) No prize money shall be paid unless the relevant winning ticket is presented.

(4) Unless otherwise instructed by the Minister or by the person presenting a winning ticket, the prize money shall be paid to whoever presents the winning ticket. The payment of any prize won by a staker on such a ticket shall be deemed as a full discharge by the Department of its obligations.

(5) The Minister may authorise the payment of prize money to the winners after the claim period expires if in his absolute discretion he considers that circumstances justify this payment.

Payment of prizes.

10. (1) Payment of prizes by the Department shall be made by cheque or as the Director may instruct from time to time.

(2) Payment of Division 2 and Division 3 prizes may be made from authorized selling points in cash or by cheque drawn on the agent's name or the name of other persons authorized by the Department.

Notification of results and claims for prizes.

11. (1) The Director will publish the results of each game as soon as possible after each draw. The published results shall include:—

(a) the numbers drawn;

(b) the amount of Prize Fund allocated to each Division; and

(c) the value of each prize in Division 1, Division 2 and Division 3.

(2) Stakers who consider they are entitled to a Division 1, Division 2 or Division 3 prize and who do not, on application to a selling point which is equipped with a terminal, obtain confirmation that the ticket has won such a prize, shall personally lodge their claim to the Director within the claim period accompanied by the staker's ticket.

(3) Prizes won on a winning ticket deposited at the Department but for any reason left unclaimed after three calendar months next succeeding the date of the relative draw will be forfeited.

(4) The holder of a winning ticket shall not be entitled to the prize money:

(a) if the ticket is not whole, or if it contains any alterations or correction of the numbers registered thereon; or

(b) if it does not tally in all aspects with the records stored in the main computer:

Provided that, where the winning ticket is not whole, the Minister may in his discretion authorize the payment of the prize money if he is sastisfied that the part produced contains the necessary elements to establish the authenticity of the ticket or that the parts produced are parts of the same ticket and contain such elements.

(5) The Department's records as to payment of a prize in respect of a ticket shall be conclusive.

(6) No prize shall bear interest against the Department.

(7) The Director shall determine the day and the time up to which tickets may be purchased at an agent's place of business for any particular draw. This information will be prominently displayed at such place of business.

Appointment of agents.

12. (1) The Director may receive applications in such form as he may from time to time determine from persons desiring to be appointed as an agent for the purpose of selling tickets in the game conducted by the Department.

(2) The Director shall consider such applications and may accept or reject such applications without being liable to give any reason therefor.

Duties of the agent.

13. A person who is appointed to act as an agent shall—

(a) sign such agreement as the Department may specify from time to time;

(b) comply with such directions and requirements either verbal or in writing issued by the Director in relation to the conduct of the agent's business, hours of work and days of business, and in relation to the sale and return of game tickets, or the operation or method of operation of terminals installed in the agent's selling points, and the provision of such details or data and returns of information and money required by the Department from time to time.

Terms of appointment.

14. (1) A person who is appointed to act as an agent may, notwithstanding the provisions of any agreement, have his appointment terminated summarily if:

(a) the application form submitted by the agent is subsequently found by the Director not to have been correctly or adequately completed;

(b) the agent is charged with any offence or is, in the opinion of the Director, conducting himself in a manner which the Director determines to be prejudicial to the Department's best interests;

(c) the agent defaults in the performance or observance of his obligations according to these regulations or under any written agreement from time to time existing between the agent and the Department.

(2) The appointment of an agent shall be on such terms as the Director may from time to time in his absolute discretion determine, and such appointment shall be personal to the agent appointed and shall not be capable of transfer or assignment or other disposition without the prior consent in writing of the Director.

(:3) The Director, in respect of any agent whose services he may terminate, may suspend such agent without terminating that appointment for such period or periods and upon such terms and conditions as the Director may determine.

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