

Summary of the BGL (Amendment) Act, 2014

The Betting, Gaming and Lotteries (Amendment) Act 2014 seeks to strengthen and improve the regulatory oversight of the Betting, Gaming and Lotteries Commission (BGLC), rectify gaps in the Act which arose from the 2010 Amendments, correct anomalies and typographical errors and more importantly, improve the collection and management of revenues.

The principal issues dealt with by the Bill are as follows:-

1. *Introduction and/or Increase in Prescribed Fees*

The amendments reflect proposals for increases in the fees charged for various activities the Commission regulates, as well as an introduction of fees for licensing and enforcement activities undertaken by the Commission but for which no fees exist currently.

The amendments therefore –

- (a) Make permanent the provisions of the Provisional Collection of Tax (Betting, Gaming and Lotteries) Orders, 2013 and 2014 which include –
 - i. increasing prescribed premises levy from \$1,000 to \$2,500 to the Commissioner of Taxes and \$500 to \$1,000 to the BGLC.
 - ii. *Increase in Lottery Tax from 17% and 23% to 20% and 25% on declared lottery and daily numbers game respectively.*
 - iii. *increasing gaming machine levies and licensing fees*
 - iv. *Reallocation of Gross Profit winnings in respect of local and overseas Horseracing*
- (b) establish enabling provisions within the Act for the fees to be charged by the Commission under regulations for prescribed fees;
- (c) facilitate the expansion of outlets, including mobile outlets for sale of sports betting and lottery tickets and the licensing of lottery sales outlets;
- (d) provide for the Commission's approval for the commissioning and decommissioning of gaming machines;
- (e) require the payment of a penalty if the levy or gross profits on gaming machines is not paid on the 1st of April in any year;
- (f) the licensing of bookmaker's bet writers, terminal operators and prescribed workers;
- (g) provide for unclaimed winnings from bookmakers to be paid to the Commission

2. *Strengthening and improving the regulatory oversight of the Commission.*

The amendments are expected to strengthen the regulatory framework by ensuring the integrity and probity of the games and key stakeholders within the betting, gaming and lotteries industry and facilitating the development and expansion of the industry in an orderly manner. To this end, the amendments provide for –

- (a) the licensing of technical service providers to cover the entire support services ancillary to any betting, gaming and lottery activity. This will ensure the integrity of the games and the protection of the revenue of the various stakeholders.
- (b) Fixed penalties for the major/most offences under the Act and its regulations.

3. *Correcting omissions and anomalies following from the Betting, Gaming and Lotteries (Amendment) Act 2010.*

Chief among the amendments to facilitate this is the regularisation of the practice of the Commission to issue licences to operate a maximum of 225 gaming machines to operators who operated 20 or more gaming machines prior to June 22, 2010.