

ORDINANCE

OF THE STATES OF DELIBERATION

ENTITLED

The Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) Ordinance, 1975 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* Recueil d'Ordonnances Tome XX, p. 51; as amended by the: Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989 (Ordres en Conseil Vol. XXXI, p. 278); Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 1977 (Recueil d'Ordonnances Tome XXI, p. 75); Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 1986 (Recueil d'Ordonnances Tome XXIII, p. 470); Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 1990 (Recueil d'Ordonnances Tome XXV, p. 131); Gambling (Channel Islands Lottery) (Amendment) (Bailiwick of Guernsey) Ordinance, 1994 (Recueil d'Ordonnances Tome XXVI, p. 312); Gambling (Channel Islands Lottery) (Amendment) (Bailiwick of Guernsey) Ordinance, 1997 (No. XXXIV of 1997, Recueil d'Ordonnances Tome XXVII, p. 395); Gambling (Channel Islands Lottery) (Amendment) Ordinance, 2001 (No. VIII of 2001, Recueil d'Ordonnances Tome XXVIII, p. 417); Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003 (No. XXXIII of 2003, Recueil d'Ordonnances Tome XXIX, p. 406); States Treasurer (Transfer of Functions) (Guernsey) Ordinance, 2008 (No. VII of 2008, Recueil d'Ordonnances Tome XXXIII, p. 38); Chief Accountant (Transfer of Functions) (Guernsey) Ordinance, 2013 (No. XLIII of 2013); Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016); Gambling (Channel Island Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 2021 (No. ** of 2021).

ORDINANCE OF THE STATES OF DELIBERATION

ENTITLED

The Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) Ordinance, 1975

ARRANGEMENT OF SECTIONS

1. Promotion and conduct of Channel Islands Lottery.
2. General financial provisions.
3. Number and price of tickets, prizes and place of draw.
- 3A. Award of prizes by way of instant game.
4. Tickets.
5. Agents for the sale of tickets.
6. Draws in the Bailiwick of Guernsey.
7. Draws in the Bailiwick of Jersey.
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SCHEDULE Instant Games.

(Made on 30th April, 1975.)

The Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) Ordinance, 1975

THE STATES, in pursuance of their Resolution of the first day of March, nineteen hundred and seventy-three, and in exercise of the powers conferred upon them by section two of the Gambling (Bailiwick of Guernsey) Law, 1974^a and of all other powers enabling them in that behalf hereby order: –

Promotion and conduct of Channel Islands Lottery.

1. (1) Subject to the provisions of this Ordinance, [the Board] may, from time to time, promote and conduct, jointly with the Jersey Committee, a public lottery, the draws of which may be held either in the Bailiwick of Guernsey or the Bailiwick of Jersey and which shall be known as the Channel Islands Lottery.

(2) [The Board] may, in connection with the promotion and conduct of the Channel Islands Lottery, do all such things and give all such directions as it may think necessary or expedient for ensuring the efficient and proper conduct thereof, and for promoting the sale of tickets in connection therewith.

[(3) [The Board] may from time to time provide for prizes in the Channel Islands Lottery to be awarded by means of the revealing of concealed letters, numbers or symbols or a combination thereof ("**instant prizes**"), either –

- (a) in conjunction with the conducting of a draw in a public lottery, or
- (b) as an alternative to the conducting of a draw.]

^a Ordre en Conseil No. XVI of 1974.

NOTES

In section 1,

the words "T/the Board" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 12, with effect from 1st May, 2016;

subsection (3) was substituted by the Gambling (Channel Islands Lottery) (Amendment) Ordinance, 2001, section 1(1)(a), with effect from 25th April, 2001.

General financial provisions.

2. (1) For the purposes of the Channel Islands Lottery there shall be established a fund called the Channel Islands Lottery (Guernsey) Fund (hereinafter referred to as "**the Fund**") to be administered by the [States Treasurer] of the States of Guernsey and into which shall be paid all monies accruing from the sale in the Bailiwick of Guernsey of tickets in, or otherwise accruing from or in connection with, the Channel Islands Lottery and out of which shall be paid –

- [(a) all monies contributed by [the Board] towards the cost of prizes,]
- (b) the expenses incurred by [the Board] in connection with the said Lottery,
- (c) the share of the profits payable to the States of Alderney and the Chief Pleas of Sark in accordance with the provisions of subsection (3) of this section.

(2) On the coming into force of this Ordinance –

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- (a) all sums standing to the credit of the States of Guernsey Lottery Fund established by section two of the Gambling (Public Lotteries) Ordinance, 1973^b (hereinafter referred to as "**the 1973 Fund**") shall vest in and become assets of the Fund,
- (b) any liabilities which, but for the provisions of this Ordinance, would have been payable out of the 1973 Fund shall be liabilities of the Fund.

(3) The profits accruing from the sale of tickets in the Bailiwick of Guernsey and from any amounts of unclaimed prize money received by [the Board] under the provisions of subsection (6) of section eight of this Ordinance shall, after the payment of all prizes claimed in the Bailiwick of Guernsey and the deduction of the expenses incurred by [the Board] in connection with the conduct of the Channel Islands Lottery, be divided between the Fund, the States of Alderney and the Chief Pleas of Sark so that the share of such profits payable to the said Fund, the States of Alderney or the Chief Pleas of Sark, as the case may be, shall bear the same proportion to the total amount of such profits in any financial year as the number of tickets sold in the Island of Guernsey, the Island of Alderney or the Island of Sark, respectively, bears to the total number of tickets purchased by [the Board] from the Jersey Committee for sale in the Bailiwick of Guernsey during that financial year.

(4) Any monies standing to the credit of the Fund which are not required for the payment of prizes or of expenses in connection with the Channel Islands Lottery or the payment to the States of Alderney or the Chief Pleas of Sark of a share in the profits of the said Lottery shall be applied in such manner and for such purposes of public benefit as the States of Guernsey shall, from time to time, by Resolution direct.

^b Ordinance No. V of 1973.

(5) [The Board] shall, not later than [the 30th day of June] in each year, submit to the States of Guernsey a report on, and accounts in respect of the operation of, the Channel Islands Lottery during the last preceding financial year.

NOTES

In section 2,

the words in the first pair of square brackets in subsection (1) were substituted by the Chief Accountant (Transfer of Functions) (Guernsey) Ordinance, 2013, section 1, with effect from 1st December, 2013, subject to the savings and transitional provisions in section 2 of the 2013 Ordinance;¹

paragraph (a) of subsection (1) was substituted by the Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 1990, section 1(a), with effect from 31st January, 1990;

the words "T/the Board" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 12, with effect from 1st May, 2016;

the words in the second pair of square brackets in subsection (5) were substituted by the Gambling (Channel Island Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 2021, section 1, with effect from 30th April, 2021.

The Gambling (Public Lotteries) Ordinance, 1973 has since been repealed by the Gambling (Channel Islands Lottery) (Guernsey) Ordinance, 1975, section 3, with effect from 16th May, 1975, but without prejudice to the payment of prizes in the public lotteries held thereunder.

Number and price of tickets, prizes and place of draw.

3. In connection with each draw, [the Board] shall, jointly with the Jersey Committee, determine the number of tickets to be issued and shall so determine and specify by notice published in La Gazette Officielle and in such other manner as [the Board] may think fit –

(a) the price at which each ticket to be issued in connection

with the draw shall be sold,

- [(b) where a ticket is divisible into parts –
- (i) each bearing an identical serial number, the price at which each such part shall be sold,
 - (ii) one part of which bears a serial number to be entered in the draw and the other part allocates instant prizes, the price at which each ticket shall be sold,]
- (c) the prizes to be awarded and the manner in which the prizes are to be allocated,
- (d) the time and place appointed for the draw to take place,
- (e) such other matters as [the Board] may think necessary or expedient.

NOTES

In section 3,

the words "the Board" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 12, with effect from 1st May, 2016;

paragraph (b) was substituted by the Gambling (Channel Islands Lottery) (Amendment) (Bailiwick of Guernsey) Ordinance, 1997, section 1(b), with effect from 29th October, 1997.

[Award of prizes by way of instant game.]

3A. Where [the Board] provides for prizes in the Channel Islands Lottery to be awarded by means of instant prizes under section 1(3)(b) (an "**instant game**"), the provisions of the Schedule to this Ordinance shall have effect in place of sections 3 and 4 and 8(1), (2), (3), (3A) and (6).]

NOTES

Section 3A was inserted by the Gambling (Channel Islands Lottery) (Amendment) Ordinance, 2001, section 1(1)(b), with effect from 25th April, 2001.

In section 3A, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 12, with effect from 1st May, 2016.

Tickets.

4. (1) Subject to the provisions of subsection (2) of this section, the tickets to be issued for sale in connection with a draw shall be of such design and colour, and shall be printed on such paper bearing such watermark, as [the Board] and the Jersey Committee may from time to time determine.

(2) Any determination under subsection (1) of this section shall not operate so as to permit the issue in respect of a particular draw of tickets differing as to colour, design, paper or watermark from other tickets issued in respect of that draw.

[(3) Tickets may be in such form as to be divisible into parts and –

(a) where each part bears an identical serial number, any such part may be sold separately at a price which bears the same proportion to the price of the whole ticket as the part bears thereto, or

- (b) where one part bears a serial number to be entered in a draw and the other part allocates instant prizes, the ticket shall only be sold whole for the price determined in accordance with subparagraph (ii) of paragraph (b) of section three of this Ordinance.]

[(4) Subject to subsection (4A) of this section, every ticket and, where the ticket is divisible into parts, each bearing an identical serial number, every part of a ticket shall contain the following particulars, that is to say –

- (a) the time, and place appointed for, and the number of the draw in respect of which the ticket is issued,
- (b) the serial number of the ticket,
- (c) the price at which the ticket or, as the case may be, the part of the ticket is to be sold,
- (d) such other particulars, if any, as [the Board] and the Jersey Committee may determine,

and every part of a ticket shall contain an indication of the proportion which the part bears to the whole ticket.

(4A) Every ticket where one part bears a serial number to be entered in a draw and the other part allocates instant prizes, shall contain the following particulars, that is to say –

- (a) in respect of the first part –
 - (i) the time, and place appointed for, and the

number of the draw in respect of which the ticket is issued,

- (ii) the serial number of the ticket,
 - (iii) such other particulars, if any, as [the Board] and the Jersey Committee may determine,
- (b) in respect of the second part –
- (i) a selection of letters, numbers or symbols or a combination thereof which are concealed in an appropriate fashion,
 - (ii) the combination of letters, numbers or symbols required to be revealed to win a prize (the "**winning combination**"),
 - (iii) the prizes to be awarded on the revealing of a winning combination,
 - (iv) such other particulars, if any, as [the Board] and the Jersey Committee may determine, and
- (c) the price at which the ticket is to be sold.]

[(5) Notwithstanding the foregoing provisions of this section, [the Board] may, if it considers it expedient or necessary to do so, cause every ticket and, where a ticket is divisible into parts, every part of every ticket purchased by [the Board] from the Jersey Committee for sale to agents in the Bailiwick of Guernsey in respect of a particular draw to be marked in such manner as [the Board] may, from

time to time, prescribe.]

NOTES

In section 4,

the words "the Board" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 12, with effect from 1st May, 2016;

subsection (3) and subsection (4) were substituted, and subsection (4A) was inserted, by the Gambling (Channel Islands Lottery) (Amendment) (Bailiwick of Guernsey) Ordinance, 1997, respectively section 1(c), section 1(d) and section 1(d), with effect from 29th October, 1997;

subsection (5) was substituted by the Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 1977, section 1(a), with effect from 27th July, 1977.

Agents for the sale of tickets.

5. (1) [The Board], in accordance with the provisions of this section, may appoint persons who have attained the age of twenty years to act as agents for the sale of tickets on such terms and conditions as [the Board] may determine and may sell tickets to such persons at such price as [the Board] may, from time to time, determine.

(2) An agent, for the purpose of selling tickets allotted him, may appoint persons who have attained the age of twenty years as sub-agents, and may terminate the appointment of any sub-agent.

(3) If an agent contravenes any provision of this Ordinance or any such terms and conditions as aforesaid, [the Board], without prejudice to any proceedings in respect of the contravention, may forthwith revoke the appointment of that agent.

NOTE

In section 5, the words "T/the Board" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 12, with effect from 1st May, 2016.

Draws in the Bailiwick of Guernsey.

6. (1) Subject to the provisions of this section, [the Board] –
- (a) shall prescribe the means by which, and the manner in which, draws shall be conducted,
 - (b) may prescribe all such other matters as, in its opinion, are necessary or expedient for securing the proper conduct of draws,
 - (c) (i) shall make such arrangements as may be necessary to ensure that not less than two of its members are present at each draw,
 - (ii) shall appoint one of the members to be so present as the presiding officer, who shall preside at such draw.

(2) [The Board] shall cause to be provided at each such draw, for the use of the presiding officer, a copy of this Ordinance and of any order for the time being in force made under subsection (1) of this section.

(3) Subject to the limitations of the accommodation available and to the provisions of paragraph (d) of subsection (6) of this section, members of the public shall be admitted to witness every draw.

- [(4) Every draw shall be conducted in the presence of –
- (a) the presiding officer, and
 - (b) at least one other member of [the Board], or a person appointed by [the Board] for the purpose of assisting in the conduct of the draw, who, for the purposes of this section, shall be deemed to be a member of [the Board].]
- (5) If, at the time and place appointed for the holding of a draw –
- (a) the presiding officer is not present, but there are present not less than two other members of [the Board], those other members shall choose one of their number to act as presiding officer and, in such a case, the expression "**presiding officer**" shall include the person so chosen,
 - (b) there are not present at least two members of [the Board], the draw shall be postponed to such other time as [the Board], or any person authorised in that behalf by [the Board] and present at the time and place so appointed, may direct.
- (6) The presiding officer –
- (a) shall have the control and be responsible for the proper conduct of the draw in accordance with the provisions of this section and in conformity with any requirements prescribed under subsection (1) thereof,

- (b) shall, in the event of any breakdown of, or defect in, any mechanism for effecting the drawing of serial numbers of winning tickets and prizes, suspend the drawing of any serial numbers and prizes which, at the time of the occurrence of the breakdown or defect, remain to be drawn until such time as he is satisfied that the breakdown or defect has been remedied,
- (c) if, during a draw, any dispute or question arises regarding a winning serial number, or the method of conducting the draw, or otherwise in connection therewith, may suspend the draw and, if he suspends the draw, shall as soon as may be refer the dispute or question to [the Board], and the decision of [the Board] thereon shall be final and without appeal,
- (d) without prejudice to any proceedings under [section 10(1)(c), (d) or (e) of this Ordinance], shall cause to be removed from the place where the draw is conducted any person who obstructs or impedes the conduct of the draw, or who creates any disturbance at that place,
- (e) shall, forthwith on the conclusion of a draw, prepare or cause to be prepared in sufficient number of copies a list of the serial numbers of the winning tickets and of the prizes drawn in respect thereof and shall sign and otherwise authenticate in such manner as [the Board] may require such number of copies (hereinafter referred to as "**authenticated copies**") as [the Board] may require and shall cause –

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- (i) one authenticated copy to be posted at or about the place where the draw was conducted,
- (ii) to be delivered to [the Board] such number of copies and authenticated copies as [the Board] may require,
- (iii) to be delivered to the Jersey Committee such number of copies and authenticated copies as [the Board] may require.

(7) [The Board], as soon as may be after copies of a list have been delivered in accordance with the provisions of sub-paragraph (ii) of paragraph (e) of the last preceding subsection, shall cause –

- (a) a copy thereof to be delivered to each paying officer,
- (b) the list to be published in La Gazette Officielle and in such other manner as [the Board] thinks fit, together with a notice stating –
 - (i) the places where, and the times during which, payment of prizes may be claimed,
 - (ii) the latest day for claiming such payment.

(8) Where for any reason a draw is postponed or having been suspended cannot be resumed on the day appointed, [the Board] shall, as soon as may be after such postponement or suspension, cause to be published in La Gazette Officielle and in such other manner as it may think fit a notice of the reason and of

the time and place appointed for the draw to be conducted or resumed, as the case may be, and shall inform the Jersey Committee accordingly:

Provided that if, for any reason, it is not practicable to cause the notice aforesaid to be published in La Gazette Officielle, it shall be sufficient compliance with the provisions of this subsection if the notice is published in such manner as to afford to members of the public reasonable opportunity to have knowledge of the time and place so appointed.

(9) ...

[[([9)] The foregoing provisions of this section shall have effect in respect of any draw held in the Bailiwick of Guernsey.]

NOTES

In section 6,

the words "T/the Board" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 12, with effect from 1st May, 2016;

subsection (4) was substituted by the Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 1986, section 1(a), with effect from 24th September, 1986;

the words in square brackets in paragraph (d) of subsection (6) were substituted by the Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 1986, section 1(b), with effect from 24th September, 1986;

subsection (9) was repealed by the Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 1986, section 1(c), with effect from 24th September, 1986;

subsection (10) was inserted by the Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 1977, section 1(b), with effect from 27th July, 1977 and, subsequently, renumbered as subsection (9) by the Gambling (Channel Islands Lottery) (Bailiwick of

Guernsey) (Amendment) Ordinance, 1986, section 1(d), with effect from 24th September, 1986.

The following Orders have been made under section 6:

Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Draws by Computer) Order, 1993;

Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (First Prize Jackpot Draws) Order, 1996.

Draws in the Bailiwick of Jersey.

7. (1) Where a draw is held in the Bailiwick of Jersey [the Board], as soon as may be after receiving a copy of the list of the serial numbers of the winning tickets and of the prizes drawn in respect thereof signed by some person duly authorised in that behalf by the Jersey Committee, shall cause –

- (i) a copy thereof to be delivered to each paying officer, and
- (ii) the list to be published in La Gazette Officielle and in such other manner as [the Board] thinks fit together with a notice stating the places where, and the times during which, payment of prizes may be claimed and the latest day for claiming such payment.

(2) Where a draw is to be held in the Bailiwick of Jersey and [the Board] is informed by the Jersey Committee that for any reason the draw will not be held or will not be completed on the appointed day, [the Board] shall, as soon as may be after receiving such information, cause to be published in La Gazette Officielle and in such other manner as it may think, fit a notice of the reason and of the time and place appointed for the draw to be held or resumed, as the case may be:

Provided that if, for any reason, it is not practicable to cause the notice aforesaid to be

published in La Gazette Officielle, it shall be sufficient compliance with the provisions of this subsection if the notice is published in such manner as to afford to members of the public reasonable opportunity to have knowledge of the time and place so appointed.

NOTE

In section 7, the words "T/the Board" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 12, with effect from 1st May, 2016.

Payment of prizes.

8. (1) Subject to the provisions of this section, the prize to be paid to the holder of –

- (a) a winning ticket the serial number of which has been drawn shall be the prize drawn in respect of that ticket,
- (b) a winning ticket of which some of the digits of the serial number correspond in manner specified with the digits of a serial number which has been drawn shall be the prize specified in respect of such correspondence,
- [(c) a part of a winning ticket bearing a serial number –
 - (i) the other parts of which bear an identical serial number, shall be an amount which bears the same proportion to the amount of the prize as aforesaid as the part bears to the whole ticket,
 - (ii) the other part of which allocates instant prizes,

shall be the prize specified in paragraph (a) or (b) of this subsection as if that ticket had not been divided into parts,

- (d) a part of a winning ticket allocating an instant prize revealing a winning combination shall be the prize corresponding to that combination.]

(2) Subject to the provisions of this section, the holder of a winning ticket, or of a part of a winning ticket, wishing to claim in the Bailiwick of Guernsey the prize or, as the case may be, the proportion of the prize drawn [or the instant prize awarded] in respect of the winning ticket shall do so by presenting and delivering up to a paying officer or to an agent the winning ticket or the part thereof, as the case may be.

(3) No payment of a prize or, as the case may be, a proportion of a prize shall be effected in the Bailiwick of Guernsey in any case where the claim therefor is made –

- (a) except in the case of a claim made by post [or in respect of an instant prize], otherwise than during the times stated in a notice published in pursuance of subparagraph (b) of subsection (7) of section six of this Ordinance or in pursuance of subsection (1) of section seven thereof, as the case may be,
- (b) after the expiration of the period of [12 months] beginning with the day appointed for the conduct of the draw [in respect of which the ticket or the part of the ticket was issued][...].

[(3A) For the avoidance of doubt, it is hereby declared that a claim in respect of an instant prize may be made prior to the day appointed for the conduct of the draw in respect of which the ticket was issued.]

(4) The prize payable in respect of a winning ticket or of a part of a winning ticket shall be paid to the person presenting and delivering up that ticket and

—

(a) where such payment is made by a paying officer, it shall operate as an effective discharge of any and all liability of the States, [the Board] and any servant of theirs in respect of the payment of that prize and, for the avoidance of doubt, it is hereby declared that the expression "**servant**" in this paragraph does not include an agent,

(b) where such payment is made by an agent, it shall operate as an effective discharge of any and all liability of that agent and any servant of his in respect of the payment of that prize.

(5) Where the person presenting and delivering up to a paying officer a winning ticket or a part of a winning ticket under subsection (2) of this section is an agent, he shall be entitled to receive, in addition to the prize payable in respect of that winning ticket or, as the case may be, of the part of that winning ticket, such commission as may be prescribed and, where an agent as aforesaid presents and delivers up the winning ticket or the part thereof on behalf of some other person, he shall not be required to account to that other person for any commission so paid.

(6) In any case where payment of a prize is not claimed within the period of twelve months commencing on the day of the draw [in respect of which the

ticket or the part of the ticket was issued], the amount of the prize not so claimed shall be divided between [the Board] and the Jersey Committee in such proportions as may be agreed between those Committees and any sum so accruing to [the Board] shall be paid into the Fund.

(7) If, when a ticket or part of a ticket, purporting to be a winning ticket or a part of a winning ticket, is presented for the payment of a prize, any figure, mark, number or word which is material to the identification of the ticket or the part of the ticket is, in the opinion of the paying officer or of the agent to whom it is so presented, illegible, or is not clearly legible, or is incomplete, or has been altered, defaced, obliterated or removed, no payment shall be made in respect of that ticket or that part of a ticket, as the case may be, unless and until the person claiming payment in respect thereof produces evidence, to the satisfaction of [the Board], identifying the ticket or the part of a ticket in respect of which the prize is claimed, so however that [nothing in this subsection] shall affect the operation of subsection (6) of this section.

(8) Subject to the provisions of this section, [the Board] may prescribe all such matters, as in its opinion, are necessary or expedient for securing the proper payment of prizes.

[(9) Subsections (4), (5) and (7) shall apply to an instant game winning ticket in the same way as they apply to a winning ticket.]

NOTES

In section 8,

paragraph (c) of subsection (1) was substituted, and paragraph (d) thereof inserted, by the Gambling (Channel Islands Lottery) (Amendment) (Bailiwick of Guernsey) Ordinance, 1997, section 1(e), with effect from 29th October, 1997;

the words in square brackets in, first, subsection (2) and, second, paragraph (a) of subsection (3) were inserted by the Gambling (Channel Islands Lottery) (Amendment) (Bailiwick of Guernsey) Ordinance, 1997,

respectively section 1(f) and section 1(g), with effect from 29th October, 1997;

the words in the first pair of square brackets in paragraph (b) of subsection (3) were substituted by the Gambling (Channel Islands Lottery) (Amendment) (Bailiwick of Guernsey) Ordinance, 1994, section 1(a), with effect from 29th June, 1994;

the words in the second pair of square brackets in paragraph (b) of subsection (3) were substituted by the Gambling (Channel Islands Lottery) (Amendment) (Bailiwick of Guernsey) Ordinance, 1997, section 1(h), with effect from 29th October, 1997;

the proviso to paragraph (b) of subsection (3) was repealed by the Gambling (Channel Islands Lottery) (Amendment) (Bailiwick of Guernsey) Ordinance, 1994, section 1(b), with effect from 29th June, 1994;

subsection (3A) was inserted by the Gambling (Channel Islands Lottery) (Amendment) (Bailiwick of Guernsey) Ordinance, 1997, section 1(i), with effect from 29th October, 1997;

the words "T/the Board" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 12, with effect from 1st May, 2016;

the words in square brackets in subsection (6) were substituted by the Gambling (Channel Islands Lottery) (Amendment) (Bailiwick of Guernsey) Ordinance, 1997, section 1(j), with effect from 29th October, 1997;

the words in square brackets in subsection (7) were substituted by the Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 1977, section 1(c), with effect from 27th July, 1977;

subsection (9) was inserted by the Gambling (Channel Islands Lottery) (Amendment) Ordinance, 2001, section 1(1)(c), with effect from 25th April, 2001.

The following Order has been made under section 8:

Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) Order, 1985.

Orders.

9. [The Board] may from time to time make orders prescribing anything

which, under this Ordinance, may be or is required to be prescribed.

NOTES

In section 9, the words in square brackets were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 12, with effect from 1st May, 2016.

The following Order has been made under section 9:

Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) Order, 1985.

Offences.

- 10.** (1) Any person who –
- (a) makes or prints, or causes to be made or printed, or, with intent to defraud, has in his possession, any document so closely resembling a ticket or a part of a ticket as to be calculated to deceive, or
 - (b) knowingly sells, or offers or exposes for sale, or attempts to sell, as a ticket or as a part of a ticket –
 - (i) any document which is not a ticket or a part of a ticket, or
 - (ii) any ticket or part of a ticket relating to a draw in respect of which the serial numbers of the winning tickets have previously been drawn, or
 - [(iii) in any draw in respect of which [the Board], in accordance with the provisions of subsection (5)

of section four of this Ordinance, has decided that every ticket purchased by [the Board] from the Jersey Committee for sale to agents in the Bailiwick of Guernsey should be marked, a ticket or a part of a ticket which is not so marked, or

- (iv) in any draw in respect of which [the Board] has decided not to mark the tickets so purchased by [the Board] for sale to agents in the Bailiwick of Guernsey, a ticket or a part of a ticket bearing a serial number other than the serial number of a ticket sold by [the Board] to an agent,] [or
- (c) with intent to defraud, interferes with any mechanism or equipment used or to be used for the purposes of a draw, or
- (d) obstructs or impedes the conduct of a draw, or
- (e) creates any disturbance at or about the place where a draw is being or is about to be conducted,] [or
- (f) with intent to defraud, defaces or materially alters a ticket or a part of a ticket or has in his possession a ticket or part of a ticket which has been defaced or materially altered,]

shall be guilty of an offence and shall be liable on conviction, in the case of a first offence, to a fine not exceeding [level 4 on the uniform scale] or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment and, in

the case of a second or subsequent offence, to a fine not exceeding [level 5 on the uniform scale] or to imprisonment for a term not exceeding twelve months or to both such fine and such imprisonment.

(2) The provisions of [sub-paragraphs (ii), (iii) and (iv)] of paragraph (b) of the last preceding subsection shall not operate so as to make unlawful the sale by the holder of a winning ticket or of a part thereof of that ticket or that part during the period limited for the claiming of the prize in respect of that ticket or that part thereof.

NOTES

In section 10,

sub-paragraph (iii) of paragraph (b) of subsection (1) was substituted, and sub-paragraph (iv) thereof inserted, by the Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 1977, section 1(d), with effect from 27th July, 1977;

the words "T/the Board" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 12, with effect from 1st May, 2016;

paragraph (c), paragraph (d) and paragraph (e) of subsection (1), and the word immediately after sub-paragraph (iv) of paragraph (b) thereof, were inserted by the Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 1986, section 1(e), with effect from 24th September, 1986;

paragraph (f) of subsection (1), and the word immediately after paragraph (e) thereof, were inserted by the Gambling (Channel Islands Lottery) (Amendment) (Bailiwick of Guernsey) Ordinance, 1997, section 1(k), with effect from 29th October, 1997;

the words and figures in square brackets in subsection (1), after paragraph (f) thereof, were substituted by the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989, section 2(2), with effect from 1st July, 1989;

the words in square brackets in subsection (2) were substituted by the Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 1977, section 1(e), with effect from 27th July, 1977.

Interpretation.

11. (1) In this Ordinance, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say –

"agent" means a person appointed by [the Board] under section five of this Ordinance as an agent for the sale of tickets,

"the Channel Islands Lottery" has the meaning assigned to it by subsection (1) of section one of this Ordinance,

"[the Board]" means the States of Guernsey [States' Trading Supervisory Board],

"draw" means the drawing [by computer or such other means as may be prescribed] of the serial numbers of winning tickets, and of the prizes allocated thereto, in the Channel Islands Lottery and **"drawn"** shall be construed accordingly,

"financial year" means the period commencing on the first day of January in any year and ending on the thirty-first day of December next following,

[**"instant game"** has the meaning assigned to it by section 3A,

"instant game winning combination" has the meaning assigned to it by paragraph 2(3)(b) of the Schedule to this Ordinance,

"instant game winning ticket" has the meaning assigned to it by

paragraph 3(1) of the Schedule to this Ordinance,]

"the Fund" has the meaning assigned to it by subsection (1) of section two of this Ordinance,

[**"instant prize"** has the meaning assigned to it by subsection (3) of section one of this Ordinance,]

"the Jersey Committee" means the States of Jersey Gambling Control Committee,

"paying officer" means –

[(a) in relation to the Island of Guernsey and the Island of Sark the Lottery Officer appointed by [the Board] or any other employee of the States of Guernsey authorised by [the Board],]

(b) in relation to the Island of Alderney, the States Treasurer of the States of Alderney,

"prescribe" means prescribe by order and **"prescribed"** shall be construed accordingly,

"prize" means a prize in the Channel Islands Lottery [and includes an instant prize],

[...]

"specify" means specify by notice in La Gazette Officielle and **"specified"** shall be construed accordingly,

["**ticket**" means a document –

- (a) evidencing the claim of a person to participate in the chances of the draw in respect of which it is issued, or
- (b) which is issued pursuant to this Ordinance in connection with the allocation of instant prizes,]

["**winning combination**" has the meaning assigned to it by subparagraph (ii) of paragraph (b) of subsection (4A) of section four of this Ordinance,]

["**winning ticket**" means a ticket –

- (a) the serial number of which has been drawn, and includes a ticket the serial number of which corresponds in manner specified with the serial number of a ticket which has been drawn, or
- (b) part of which reveals a winning combination shown thereon.]

(2) Except where the context otherwise requires, any reference in this Ordinance to any other enactment shall be construed as including a reference to that enactment as amended, repealed and replaced, extended or applied by or under any other enactment, including this Ordinance.

(3) The Interpretation (Guernsey) Law, 1948^c, shall apply to the

^c Ordres en Conseil Vol. XIII, p. 355.

interpretation of this Ordinance throughout the Bailiwick.

NOTES

In section 11,

the words, first, "the Board" and, second, "States' Trading Supervisory Board" in square brackets in the definition of the expression "the Board" in subsection (1), and, third, the words "the Board" in square brackets wherever else occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, respectively section 5(1), Schedule 3, paragraph 12, section 2, Schedule 1, paragraph 2(c), Schedule 2, Part 2, paragraph 2 and section 5(1), Schedule 3, paragraph 12, with effect from 1st May, 2016;²

the words in square brackets in the definition of the expression "draw" in subsection (1) were inserted by the Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 1986, section 1(f)(i), with effect from 24th September, 1986;

the definitions of the expressions "instant game", "instant game winning combination" and "instant game winning ticket" in subsection (1) were inserted by the Gambling (Channel Islands Lottery) (Amendment) Ordinance, 2001, section 1(1)(d)(i), with effect from 25th April, 2001;

the definitions of the expressions "instant prize", "winning combination" and "winning ticket" in subsection (1) were, respectively, inserted, inserted and substituted by the Gambling (Channel Islands Lottery) (Amendment) (Bailiwick of Guernsey) Ordinance, 1997, respectively section 1(1)(i), section 1(1)(iii) and section 1(1)(iv), with effect from 29th October, 1997;

paragraph (a) of the definition of the expression "paying officer" in subsection (1) was substituted by the Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 1990, section 1(b), with effect from 31st January, 1990;

the words in square brackets in the definition of the expression "prize" in subsection (1) were inserted by the Gambling (Channel Islands Lottery) (Amendment) (Bailiwick of Guernsey) Ordinance, 1997, section 1(1)(ii), with effect from 29th October, 1997;

the words omitted in square brackets in subsection (1) were repealed by the Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) (Amendment) Ordinance, 1986, section 1(f)(ii), with effect from 24th September, 1986;

the definition of the expression "ticket" in subsection (1) was

substituted by the Gambling (Channel Islands Lottery) (Amendment) Ordinance, 2001, section 1(1)(d)(ii), with effect from 25th April, 2001.

The functions, rights and liabilities of the Culture and Leisure Department and of its Minister or Deputy Minister arising under or by virtue of this Ordinance were transferred to and vested in, respectively, the States' Trading Supervisory Board and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 2(c), Schedule 2, Part 2, paragraph 2, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.³

The Interpretation (Guernsey) Law, 1948 has since been repealed by the Interpretation and Standard Provisions (Bailiwick of Guernsey) Law, 2016, section 28(a), with effect from 1st October, 2018.

Citation and commencement.

12. This Ordinance may be cited as the Gambling (Channel Islands Lottery) (Bailiwick of Guernsey) Ordinance, 1975, and shall come into force on the sixteenth day of May, nineteen hundred and seventy-five.

[SCHEDULE
INSTANT GAMES

Section 3A

Number and price of tickets and prizes.

1. [The Board] shall, jointly with the Jersey Committee, determine the number of tickets to be issued and shall so determine and specify by notice published in La Gazette Officielle and in such other manner as [the Board] thinks fit –

- (a) the price at which each ticket to be issued in connection with an instant game shall be sold,
- (b) the prizes to be awarded,
- (c) the period during which (if any) tickets issued in connection with the award are to be sold, and
- (d) such other matters as [the Board] may think necessary or expedient.

Tickets.

2. (1) Subject to sub-paragraph (2), the tickets to be issued for sale in connection with an instant game shall be of such design and colour, and shall be printed on such paper bearing such watermark as [the Board] and the Jersey Committee may from time to time determine.

(2) Any determination under sub-paragraph (1) shall not operate so as to prevent the issue in respect of a particular instant game, tickets differing as to colour, design, paper or watermark from other tickets issued in respect of that instant game.

(3) Every ticket shall contain the following particulars, that is to

say –

- (a) a selection of letters, numbers or symbols or a combination thereof which are concealed in an appropriate fashion,
- (b) the combination of letters, numbers or symbols required to be revealed to win a prize (an "**instant game winning combination**"),
- (c) the prizes to be awarded on the revealing of an instant game winning combination,
- (d) the price at which the ticket is to be sold, and
- (e) such other particulars, if any, as [the Board] and the Jersey Committee may determine.

Payment of prizes.

3. (1) Subject to this paragraph, the prize to be paid to the holder of a ticket containing an instant game winning combination (an "**instant game winning ticket**") shall be the prize indicated as the prize awarded on the revealing of the instant game winning combination.

(2) Subject to this paragraph, the holder of an instant game winning ticket wishing to claim in the Bailiwick of Guernsey the prize awarded in respect thereof, shall do so by presenting and delivering up the instant game winning ticket to a paying officer or to an agent.

(3) No payment of a prize shall be effected in the Bailiwick of Guernsey in any case where the claim therefor is made after the expiration of a date

appointed by [the Board], such date being not less than 12 months after the date upon which the ticket was issued.

(4) In any case where payment of a prize is not claimed within the period appointed by [the Board] under sub-paragraph (3), the amount of the prize not so claimed shall be divided between [the Board] and the Jersey Committee in such proportions as may be agreed between those committees and any sum accruing to [the Board] shall be paid into the Fund.]

NOTES

The Schedule was inserted by the Gambling (Channel Islands Lottery) (Amendment) Ordinance, 2001, section 1(1)(e), with effect from 25th April, 2001.

In the Schedule, the words "T/the Board" in square brackets, wherever occurring, were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 5(1), Schedule 3, paragraph 12, with effect from 1st May, 2016.

1 These words were previously substituted by the States Treasurer (Transfer of Functions) (Guernsey) Ordinance, 2008, section 1, with effect from 1st February, 2008, subject to the savings and transitional provisions in section 2 of the 2008 Ordinance.

2 The words "Culture and Leisure Department" were previously substituted by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 2, Schedule 1, paragraph 15(b), Schedule 2, paragraph 5(b), with effect from

6th May, 2004.

3 The functions, rights and liabilities of the Culture and Leisure Department and its Minister arising under or by virtue of this Ordinance were previously transferred to them from the Gambling Control Committee and its President by the Machinery of Government (Transfer of Functions) (Guernsey) Ordinance, 2003, section 1, Schedule 1, paragraph 15(b), Schedule 2, paragraph 5(b), with effect from 6th May, 2004, subject to the savings and transitional provisions in section 4 of the 2003 Ordinance.