
LOTTERIES (AMENDMENT) ORDINANCE 2009

An Ordinance to amend the Lotteries Ordinance

J. H. GORDON
ADMINISTRATOR

29th October 2009.

BE it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:—

1. Short title

This Ordinance may be cited as the Lotteries (Amendment) Ordinance 2009.

2. Section 9 of the Lotteries Ordinance repealed and replaced

Section 9 of the Lotteries Ordinance(a) is repealed and replaced by the following-

“9. Crown exemption

- (1) This Part (Part III) does not apply to—
 - (a) a Government lottery;
 - (b) a lottery held on property which, subject to subsection (2), is owned or occupied by the Crown in any capacity or is owned or occupied by an authorised service organisation, as defined in paragraph 1(b) of Part I of Annex B of the Treaty of Establishment.
- (2) Property is not owned or occupied by the Crown for the purposes of subsection (1)(b) if it is owned by the Crown in right only of Her Majesty’s Administration in the Areas.
- (3) For the purposes of this section, “the Crown” means Her Majesty in right of Her Government in the United Kingdom and in right of Her Administration in the Areas.”

3. Section 15 of the Lotteries Ordinance amended

Section 15 of the Lotteries Ordinance is amended by repealing paragraph (b) and replacing it with the following—

“(b) to any lottery organised and carried out for the purpose of raising funds for any charitable purpose.”.

4. Commencement

This Ordinance comes into force on the day it is published in the Gazette.

Notes

- (a) Cap 74, Statute Laws of Cyprus revised edition 1959, as applied to and adapted in the Areas by the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (SI 1960/1369, United Kingdom) and the Laws (Adaptation and Interpretation) (Consolidation and Extension) Ordinance 1968 (5/68).

EXPLANATORY NOTE

(This note does not form part of the Ordinance)

1. This explanatory note relates to the Lotteries (Amendment) Ordinance 2009 (the “Ordinance”). It has been prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader of the Ordinance. It does not form part of the Ordinance.
2. The Ordinance replaces section 9 of the Lotteries Ordinance (Cap 74). Section 9 of the Lotteries Ordinance exempted Government lotteries. This Ordinance preserves that exemption and, in addition, it exempts lotteries on Crown property such as the stations from the provisions of Part III of the Lotteries Ordinance. Part III includes section 10 which makes lotteries unlawful unless they comply with other provisions in Part III. This means that lotteries taking place on Crown property or property owned or occupied by an authorised service organisation are not rendered unlawful by a failure to comply with any other requirements in Part III.
3. The new section 9(2) provides that property is not owned or occupied by the Crown for the purposes of section 9 if it is owned by the Crown in right only of Her Majesty’s Administration in the Areas. This includes Crown forest, hali and foreshore land and therefore lotteries on such land are not exempted.
4. Section 3 amends section 15 of the Lotteries Ordinance so that lotteries held for charitable purposes no longer require the prior consent of the Fiscal Officer.

(SBA/AG/2/MI/543)

