

**LAWS OF SEYCHELLES**  
**CHAPTER 113**  
**LICENCES ACT**

**Subsidiary Legislation: Licences (Betting) Regulations**  
[26th September 1994]

**Citation**

1. These Regulations may be cited as the Licences (Betting) Regulations, 1994.

**Interpretation**

2. In these Regulations –

"betting activity" means an activity in which winnings are offered for forecasts of the results of a future sporting event in or outside Seychelles to those who participate in such activity by placing a stake on the results of those events;

"winnings" includes any prizes or other winnings of any kind.

**Application**

3. An application for a betting licence shall be in the Form provided by the Authority.

**Bodies to be consulted**

4. Before granting a betting licence, the Authority shall consult –

(a) the Ministry responsible for Finance;

(b) the Commissioner of police;

(c) the Ministry responsible for Planning as to whether any premises in which the activity is conducted comply with the planning requirements under the Laws of Seychelles;

(d) the person in charge of the Fire Brigade as to whether the premises referred to in paragraph (c) comply with the planning requirements relating to fire protection under the Laws of Seychelles.

**Scope of licence**

5. Notwithstanding sections 167, 170 and 173 (c) of the Penal Code, a betting licence shall authorise the holder of the licence to organise and control betting activity subject to and in accordance with the licence.

### **Restriction on grant of licence**

6. No person other than a company incorporated under the Companies Act, not being an overseas company within the meaning of that Act, shall be eligible to apply for a betting licence.

### **Conditions of a licence**

7.(1) A betting licence shall, in addition to any other conditions which the Authority may specify in the licence, be subject to the following conditions—

(a) the holder of the licence shall not deliver or issue a betting ticket to a person under 18 years of age or permit such person to take part in any betting, or be present, in the premises in which the betting activity is conducted;

(b) the licence holder shall exhibit in a conspicuous place in his premises –

(i) a copy of the licence;

(ii) a notice specifying the betting activity organized, the prizes offered and the rules of the betting activity;

(c) all winnings, if in cash, shall be paid in Seychelles Rupees.

(2) Where an employee of the holder of a betting licence or any person acting on behalf of or under any arrangement with the holder of the licence contravenes any condition of the betting licence, the holder of the licence shall be liable for such contravention as if he had personally committed the contravention unless he proves that he had used due diligence and taken all reasonable steps to prevent such contravention and that the contravention was committed without his knowledge, consent or connivance.

### **Fees and deposit**

8.(1) An application for a betting licence shall be accompanied by -

(a) subject to sub-regulation (5), the fees set out in the Schedule;

- (b) a deposit furnished in the manner specified in sub-regulation (2) of a sum of R200,000 as security for the satisfaction of any judgments against the holder of the licence in relation to any act or omission connected with the licence or for the performance of any obligation of the holder in respect of any winnings of any betting activity.
- (2) A deposit under sub-regulation (1)(b) may be furnished –
- (i) in cash;
  - (ii) by a bank guarantee;
  - (iii) by a policy of insurance.
- (3) Where a holder of a licence fails to satisfy any judgment or perform an obligation referred to in subregulation (1)(b), the Authority may, where the deposit is in cash, apply the deposit or, where the deposit is by bank guarantee or by a policy of insurance, require the bank or the insurer, to satisfy the judgment or perform the obligation.
- (4) Where the application of sub-regulation (3), the deposit at any time falls short of the sum of R200,000, the Authority may require the holder of the licence to furnish an additional deposit so as to make up the short fall.
- (5) A person who was the holder of a betting licence and who applies, after the expiration of the licence, for a betting licence shall, unless the Authority is satisfied that he had, during the period between the expiration of his previous licence and his application, ceased to carry on the activity for which he was previously licensed, be liable, in addition to the licence fee and any other penalty under the Act to a surcharge equal to 10% of the licence fee for each month or part thereof which has elapsed from the date of expiration of the previous licence and the date of the lodging of his application.
- (6) Where the application is refused the Authority shall refund the licence fee and the surcharge, and return the deposit, to the applicant.
- (7) Where a betting licence ceases to be valid, the Authority shall return to the person who was the holder of the licence a deposit or such part thereof as is not required to satisfy a judgment or perform an obligation under subregulation (3).

### **Validity and non-transferability of the licence**

- 9.(1) A betting licence shall be valid for a period of 12 months from the date of grant unless earlier revoked by the Authority.
- (2) A betting licence is not transferable.

### **Winnings exempt**

- 10.(1) No person is liable in respect of winnings from any betting activity to any taxation or duty imposed by law in respect of income, whether gross or net, profits or gifts or to any duty, fee, rate, cess or other impost under the law.
- (2) For avoidance of doubt, in this 'winnings' does not include any winnings, profit or other income of the holder of the betting licence or any employee of or person acting on behalf of, or under any arrangement with the holder of the licence.

### **Premises not gaming house**

11. Notwithstanding anything in the penal code or in premises not any other law, the use of a premises for the organizing and conduct of a betting activity under the authority of a betting licence does not constitute the premises a gaming house.

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### **SCHEDULE FEES**

	<b>1 year</b>
Licence fee	R50,000