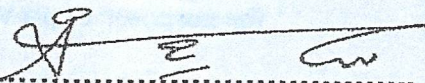
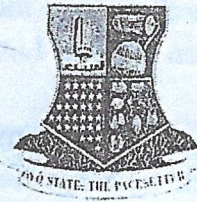


Assented to by me this 8th day of June 2018


.....
Senator Abiola Ajimobi
His Excellency, The Executive Governor



OYO STATE OF NIGERIA

No.6

**A LAW TO MAKE PROVISIONS FOR OYO STATE GAMING, BETTING,
LOTTERY, CASINO AND FOR OTHER MATTERS INCIDENTAL OR
CONNECTED THEREWITH**

Date of Commencement. ()

Enactment. ENACTED by the House of Assembly of Oyo
State of Nigeria as follows:

Short title. 1. This Law is cited as the Oyo State Gaming Law, 2018.

Interpretation. 2. In this Law –
“Attorney-General” means the Attorney General and
Commissioner for Justice of the State;

“Auditor-General” means the Auditor-General of the State;

“bet or wager” means to risk a sum of money or valued item on
the basis of the outcome of an unpredictable event such as a race
or game;

"betting premises" means premises licensed for betting which is operating or will operate in a manner which a customer would reasonably be expected to recognise as a premises licensed for the purposes of providing facilities for betting;

"betting transaction" includes the collection or payment of winnings on a bet and any transaction in which one or more of the parties is licensed to carry on such transactions;

"Board" means the Oyo State Gaming Board established by section 3 of this Law;

"casino" means any building or part of a building, in respect of which a licence has been issued, and to which members of the public authorised by the licensed promoter have access, for the purpose among other things of playing at prescribed games of chance;

"Executive Secretary" means the Secretary of the Board who shall be the administrative head and accounting officer of the Board;

"credit" means the ability of a customer to obtain a bet, or place a wager or obtain gaming services before payment, based on an agreement that a payment will be made in the future;

"Commissioner" means the Commissioner for Finance for the State or any other person charged with the responsibility for gaming in the State;

"Constitution" means the Constitution of the Federal Republic of Nigeria, 1999;

"coupon", in relation to a pool betting scheme or proposed pool betting scheme, includes a document connected with, or designed to assist in the making of, a bet by way of pool betting;

"date" means the date in which the winners of that game are determined;

"distribute" includes distribution to persons or places within the State;

"distributing agency" means a person or institution appointed by the Governor to distribute money, but not any ministry or department of the Government;

"Educational Objectives" shall have the meaning ascribed in section 18 of the Constitution;

"Environmental Objectives" shall have the meaning ascribed in section 20 of the Constitution;

"essential goods and services" mean goods and services that are essential to the operation of the gaming activities;

"equipment" means-

- (a) a computer;
- (b) a device for the playing of a casino game, or any other form of gambling; and
- (c) any other piece of equipment;

"game of chance" means any game the chances of which are not alike favourable to all the players, including the person or body by whom the game is owned or managed;

"gaming" includes any game, scheme, arrangement, system, plan or device for distributing prizes by lot or chance and any game, scheme, arrangement, system, plan or device, which the Board may declare to be a game of chance;

"gaming machine" means a machine for playing a game of chance, being a game which requires no action by a player other than the actuation or manipulation of the machine;

"good causes" means any cause as provided by this Law to which proceeds of the revenue accruing from gaming activities in the State are payable;

"Governor" means the Governor of the State;

"Government" means the Government of the State;

"holder" in relation to an operating licence, means the person to whom the license is issued;

"Licensee" means the person to whom the licence for a gaming activity has been issued in terms of section 15 of this Law;

"licensed activities" in relation to an operating licence means the activities which it authorizes;

"lottery" means raising money by selling numbered tickets and giving prizes to the holders of numbers drawn at random, either Government or private;

"members" include chairman of the Board;

"Ministry" means the Ministry of Government charged with the responsibility for gaming in the State;

"newspaper" includes a journal, magazine or other periodical publications.

"non commercial licences" mean-

- (a) it is not open to the public;
- (b) 80 % must be applied to the cause; and
- (c) the aggregate stakes in a year cannot exceed N10,000,000;

"participant" in relation to a gaming activity means a person who is in possession of a valid ticket in that game obtained in consequence of payment of a price;

"person" includes a person or any body of persons, corporate or unincorporated;

"political office-holder" means any person who has been appointed or elected to a political post in the State;

“pool betting business or lotto operation” means any business involving lottery, the receiving or negotiating of stakes or bets, placed or to be placed by way of pool betting or lotto operations including—

(a) any business involving the receiving or negotiating of such stakes or bets on behalf of any person, whether in any case the person on whose behalf the stake or bet is received or negotiated is within or outside the State; and

(b) the business of “betting at fixed odds”, where as a part of or incidental to pool betting, each of the persons placing a stake or bet knows at the time the stake or bet is placed, the amount likely to be won;

and “pool betting and lotto operations” shall be construed accordingly.

“prescribe” means prescribed by this Law or any regulation made thereunder;

“prescribed fees” includes the licence fees, taxes or other applicable fees payable under the licence;

“prize” means the prize awarded to the winner of a game of chance and includes a prize provided by a person organizing gambling and winnings of money staked;

“on-line gaming” means any games of chance or skills which includes lotteries played on- line, digitally, electronically, on telephone and other technology-based games open to members of the public and is not restricted to membership of any society, religious group, association or social group;

“software” means a set of instructions fixed or stored in any manner and which, when used directly or indirectly in a computer, directs its operation to bring about a result;

“Social Objectives” means the objectives outlined in the Fundamental Objectives and Directive Principles of State Policy in the Constitution;

“State” means Oyo State of Nigeria;

“subscription” means the payment, or delivery of any money, goods, article, matter or thing, including any ticket, coupon or entry form, for the right to compete in a lottery;

“tax” means charges, fees, levies or impositions imposed under this Law;

“ticket”, in relation to a gaming activity means any symbol, sign, token, coupon, warrant, card, printed paper, document or list or any other means or device, which confers or purports to confer the right to take part, in a game of chance and which is issued by, or on behalf of the game in question.

Establishment of
Oyo State
Gaming Board.

3. (1) There is hereby established the Oyo State Gaming Board (referred to in this Law as the “Board”).
- (2) The Board shall be a body corporate with perpetual succession, a common seal and shall have power to –
- (a) sue and be sued in its corporate name; and
 - (b) to acquire, hold or dispose of any movable or immovable property for the purpose of carrying out its functions under this Law.

Composition
of the Board.

4. (1) The Board shall consist of the following members –
- (a) the Chairman who shall be a person with knowledge in accounting and finance and experience in matters relating to gaming business in Nigeria;
 - (b) representative of the Ministry of Finance, not below the rank of director;
 - (c) representative of Ministry of Information, not below the rank of director;

- (d) representative of the Ministry of Justice, a legal officer not below the rank of a director;
 - (e) representative of the office of the Accountant-General, an accountant not below the rank of a director;
 - (f) 2 other members of the public with proven business acumen and experience in matters relating to lotteries and gaming business; and
 - (g) the Executive Secretary of the Board.
- Appointment of members of the Board. (2) The members of the Board shall be appointed by the Governor.
- Tenure (3) Members of the Board other than ex-officio shall hold office for a period of 4 years and shall be eligible for one further term of 4 years only.
- (4) In the event that the Board is dissolved and yet to be reconstituted, the functions of the Board shall be performed by the management staff of the Board.
- Functions of the Board. 5. The Board shall—
- (a) advise the Commissioner or Governor when required on legislation and ancillary matters relating to the State gaming industry;
 - (b) ensure that all gaming activities are conducted with due propriety and in accordance with this Law and subsequent regulations made by the Board;
 - (c) protect the interest of the Government with respect to all gaming activities and benefits belonging or due to the State;
 - (d) receive and consider applications for the issuance, amendment or transfer of licence under this Law;
 - (e) refuse applications, suspend, revoke or cancel licences under this Law;

- (f) impose appropriate fees, taxes, levies, penalties on all licensees and gaming activities within the State;
- (g) regulate, licence and register premises for the operations of relevant gaming activities;
- (h) monitor all aspects of gaming operations in the State;
- (i) enter into contract with any agent, supplier, service provider, platform operator or general contractor for the purpose of carrying out the regulatory functions of the Board;
- (j) administer the funds in accordance with this Law;
- (k) perform monitoring, investigative and evaluation functions on all licensees and gaming activities within the State;
- (l) perform such additional duties with respect to gaming as the Governor may direct or assign to the Board;
- (m) ensure that all relevant aspects of gaming are promoted;
- (n) inspect and audit the licensee's record of account, whenever it appears necessary in the opinion of the Board to do so;
- (o) monitor ticket sales (retail, electronic or online) and conduct proper audit of licensees by using information technology, a monitoring system, standard based solutions, comprehensive and automated processing;
- (p) consult, appoint or delegate powers to persons, individuals, institutions and organizations to assist it with the exercise or performance of its powers, functions or duties for such remuneration as may be agreed from time to time;
- (q) liaise and cooperate (where necessary) with national and international bodies; and

- (r) perform such other duties or functions as may be required to give effect to the provisions of this Law.

Removal
of members.

6. (1) The Governor –

- (a) may suspend any member of the Board on the grounds of gross misconduct or prolonged inability to perform Board functions; or
- (b) shall terminate the membership of any member of the Board in the event that the member is found guilty in a court of law for theft, fraud, forgery, altering a document, perjury, a criminal offence, an offence involving dishonesty or contravening any provision of this Law.

- (2) The Governor shall, fill a vacancy on the Board by the appointment of another person for the remainder of the period for which the person in respect of whom the vacancy arose, had been appointed.

Disqualification of
membership.

7. A person shall not be appointed or remain a member of the Board-

- (a) unless he is a person of proven integrity for such membership;
- (b) if such person whether personally or through his spouse, immediate family member, business partner or associate -
 - (i) obtains a direct or indirect financial interest in any gaming activity or associated activity, as member of the Board; or
 - (ii) has or obtains any interest in any business or enterprise that may conflict or interfere with the proper performance of his functions as a member of the Board or in any shareholding of the licensee or prospective licensee;
- (c) if such person-
 - (i) becomes a political office holder, or
 - (ii) becomes insolvent; or
 - (iii) has been removed from an office of trust on account of misconduct, dishonesty or abuse of office or

(iv) has at any time been convicted, whether in the Federal Republic of Nigeria or elsewhere, of theft, fraud, forgery or altering a document, perjury or any offence.

Acquisition of
interest by member.

8. (1) If any member during his term of office acquires or contemplates acquiring an interest which could possibly be an interest contemplated in paragraphs (b) (ii) of Section 7, he shall forthwith in writing declare that fact to the Governor through the Board, which at its following meeting shall consider whether such an interest constitutes or may constitute a contravention of paragraph (b) (i) of Section 7 of this Law, and if it is considered not to be a contravention, whether such acquisition or contemplated acquisition is likely to compromise the impartiality of the Board.

(2) The Board shall in writing inform the Governor of its decision or recommendation contemplated in subsection (1) of this section.

(3) The Governor shall, after consideration of the Board's recommendation, decide and notify the Board of his decision on whether the contemplated acquisition constitutes an interest contemplated in paragraphs (b) (i) and (ii) of section 7 or is likely to compromise the impartiality of the Board, whereupon the member shall forthwith either divest himself of that interest or resign from the Board, failing which the Governor shall take action in terms of section 6.

Meetings of
the Board.

9. (1) The proceedings at a meeting of the Board shall, be determined by the chairman in consultation with the Board members;

(2) The quorum for a meeting of the Board shall be one-third of the members of the Board.

(3) A decision of the Board shall be taken by a majority of the votes of the members present, and in the event of an equality of votes on any matter, the chairman shall have a second or casting vote.

Executive
committee of
the Board.

10. (1) The Board may from time to time constitute a committee to perform the functions assigned to it and exercise the powers delegated to it by the Board.
- (2) The committee shall consist of such members of the Board as the Board may designate.
- (3) The Board shall appoint the chairman of the committee.
- (4) The committee shall perform its functions in accordance with the directives of the Board.
- (5) Any delegated function so performed shall be reported to the Board for ratification.

Remuneration.

11. Members of the Board shall be paid such remuneration and allowances as may be determined by the Governor.

Staff of
the Board.

12. (1) The Board shall in the performance of its functions under this Law, be assisted by –

The Executive
Secretary.

- (a) suitably qualified and experienced person appointed as the Executive Secretary who shall have responsibility for the implementation of the decisions of the Board.
- (b) the Executive Secretary shall be responsible for personnel matters in relating to appointments, recruitments, promotions, welfare and discipline except for senior management staff which shall be referred to the Board.
- (c) Where the tenure of the Board has lapsed and a new Board is yet to be constituted, appointment of senior management staff shall be made by the Executive Secretary subject to the approval of the Commissioner.
- (d) Provided that where the vacancy has existed for 3 months, the Executive Secretary may appoint the most senior officer in the department where the

vacancy exists to assume the position subject to satisfactory performance.

(e) the Executive Secretary shall carry out any other responsibilities delegated by the Board.

(2) Such other persons appointed by the Executive Secretary as may be necessary.

(3) Such other persons that may be seconded to the service of the Board from the State Civil Service.

(4) Any member of the Board, its employee or persons who has served as staff of the Board, whose duties include any matters relating to any gaming activities may not during the time of his service to the Board take up employment or in any way receive any benefit from any person who is applying or has applied –

(a) for the licence to conduct the State lottery or any gaming activity in the State; or

(b) for any other authorization, registration, certification, other benefits or advantages.

(5) The provisions of subsection (4) does not prevent the institution of criminal or civil proceedings in a court of law against such staff.

(6) Any agreement in contravention of subsection (5) of this section or to circumvent the said provision shall not be valid.

Funds.

13. (1) The funds of the Board shall consist of-

(a) all legitimate payments to the Board;

(b) licence fees and permit fees paid to the Board;

(c) gaming taxes;

(d) subventions;

(e) grants;

(f) investments;

(g) other money lawfully paid to the Board, (excluding any prize money paid by the licensee); and

(h) government allocations as appropriated by the House of Assembly.

- (2) All funds generated as revenue for the Government shall be paid into designated Government account.
- (3) The Board shall establish and maintain a separate fund to defray all expenditure incurred by the Board.
- (4) All monies received from the sale of tickets in or from the promotion and conduct of a Government lottery shall be paid into a special deposit account in the treasury to be called the "Government lotteries fund".
- (5) In respect of each Government lottery, there shall be paid out of the said account, without any further appropriation other than this Law, the prizes, the expenses of administration and all other charges connected therewith and any credit balance after the closing of the accounts in respect of that lottery shall be carried into an account in the Treasury to be called the "Profit from Government Lotteries Account".
- (6) At any time, when the amount standing to the credit of the Profit from Government Lotteries Account exceeds such sum as may be prescribed, that sum shall be carried to an account in Treasury to be called the "Conservation Accounts".
- (7) The funds in the Conservation Accounts shall be expended exclusively on projects approved by the Governor;
- (8) The Chairman of the Board shall as soon as practicable after the close of each financial year cause to be laid before the House of Assembly, a statement of the receipts and expenditure in respect of the funds and accounts established in accordance with the provisions of this Law.

Accounts to be Laid
before the House.
of Assembly.

Audits and
annual reports.

14. (1) The Board shall –
- (i) keep proper books, records and accounts of all its transactions;
 - (ii) prepare a report of its activities, including financial statements, of each financial year and its

regulatory functions of all gaming and all matters of which the Board rendered advice or made recommendations to the Commissioner in accordance with section 13; and

(iii) submit the reports and financial statements referred to in paragraph (ii) to the Commissioner, within 3 months after the end of each financial year.

(2) The financial statements shall comply with generally accepted accounting principles and any other directions that may be given by the Commissioner or may be provided for in statutory measures applicable to the Board, as to the information to be contained in such statements, the manner in which such information is to be presented or the methods and principles according to which such statements are to be prepared.

(3) The financial statements of the Board shall be audited by the Auditor-General and shall be published in accordance with the directive or guidelines of the Commissioner.

(4) The report referred to in subsection (1) of this section shall include the recommendations of the Board.

Issuance of
licences or permits.

15.

(1) No person shall be allowed to operate, conduct, deploy any equipment, manage, accept wagers, rent a property, employ, advertise for any gaming activity (whether remotely, electronically or otherwise) in the State unless it has a subsisting licence or authorization from the Board.

(2) The Board may issue the following operating licences-

- (a) casino licence;
- (b) bingo licence;
- (c) pool betting licence;
- (d) sports betting licence;
- (e) lottery licence;
- (f) agent or affiliate licence;
- (g) sweepstakes licence;
- (h) slots or gaming machine licence;
- (i) non-commercial licence.

- (3) The Board may create new licence categories and issue different licenses from time to time;

STATE LOTTERY

Licence for
a State lottery.

16. (1) The Board may issue a licence by this Law for the conduct of a State lottery on the terms contemplated in sections 15, 17, 18 and 19.

- (2) An application for a licence under this Law shall be in writing and shall contain such information as the Board has specified as necessary for the fulfilment of the contemplations of this Law.

- (3) The conditions governing the licence and duties contemplated in subsection (1) of this section shall include such conditions as the Board shall determine.

Application

17. (1) An organization who desires to obtain, renew, amend, vary or transfer a licence or permit under this Law shall apply to the Board in the prescribed form and manner along with the payment of fees, which shall be stipulated from time to time by the Board.

- (2) The Board may on the receipt of an application under subsection (1) –

- (a) require the submission of additional documents deemed necessary by the applicant;
- (b) conduct investigations or due diligence at the cost of the applicant;
- (c) invite the applicant to make oral presentations; and
- (d) request for such other information in such manner as it may deem fit.

- (3) The Board may either grant, renew, refuse, amend or vary a licence or permit giving reasons in notification to the applicant in writing within a month of the receipt of the application.

(4) The Board in taking a decision in respect of an application shall consider the following –

- (a) the suitability of the applicant (including its directors or management) to carry out the activity in question;
- (b) location of the activity or proposed activity;
- (c) conformity with its licensing objectives;
- (d) suitability of the activity, machine or software;
- (e) suitability of the location with regards to its social impact;
- (f) financial resources;
- (g) experience, qualification or competence of the management or persons relevant to the application;
- (h) measures and mechanism for data protection and privacy;
- (i) measures to prevent and protect under-aged, underprivileged and vulnerable people from exploitation, harm or addictive gambling or tendencies;
- (j) measures for rehabilitating persons suffering from harmful effects of gambling;
- (k) consumer protection measures;
- (l) dispute resolution mechanism;
- (m) terms and conditions of the game;
- (n) whether the granting of the license will be anti-competitive or result in an unduly large number of persons carrying on the licensed activity concerned in the State or any area, having regard to the number of inhabitants of the State, their financial means and the number of licences already granted; and
- (o) any other issues that it may consider expedient.

(5) When issuing, varying, amending or transferring a license or permit, the Board may stipulate or impose, withdraw, revoke or amend such terms and conditions on an application or an existing license on any of the following matter –

- (a) the place or places of business;
- (b) where the business shall or shall not be situated;
- (c) appropriate taxes, levy or any other charges;
- (d) rules of competitions;
- (e) advertisement;
- (f) restriction of persons or category of persons from participating;
- (g) the appropriate bank guarantee;
- (h) licensed activity;
- (i) pay-outs or proportion of stakes to be paid out;
- (j) limiting amounts that may be staked;
- (k) limiting the amount or value of prizes or class of prizes;
- (l) rules of the game;
- (m) imposing requirements that are specific to a game;
- (n) any other matter which shall be considered necessary or expedient to regulate the business concerned in the interest of orderly performance; or
- (o) any matter contemplated in this Law.

- (6) The Board shall also stipulate a reasonable time for compliance with a new term or condition.

Interim
Arrangements.

- 18. (1) Any person in possession of a machine or technology, equipment, apparatus, software or device for gaming purposes shall apply to the Board for a machine permit.
- (2) The application shall contain such particulars as may be required by the Board, which particulars may include -
 - (a) the number and type of such gaming machines, equipment or software;
 - (b) the description thereof;
 - (c) the address of the place where they are being operated;
 - (d) whether the applicant is the owner thereof and if not the owner -

- (i) the name and address of the owner; and
 - (ii) the title in terms of which the applicant is the possessor thereof;
- (3) where the permit holder does not intend to further operate them but intends to dispose of such machines he can notify the Board.
- (4) The Board shall on annual basis issue such permits subject to such conditions as it deems fit;

Provided that it shall be a condition for the permit -

- (a) that the machine shall be stored in such a manner that it is not available to be played or operated by any person; and
 - (b) that the person to whom the permit is issued shall apply for a gaming machine license, or additional gaming machine license or within one month of the publication of any applicable notice inviting applications for such licenses or shall dispose of the machines within such period as the Board may determine.
- (5) Permit under this section shall expire -
 - (a) if the person to whom the permit is issued fails to apply for a license on expiry of the period stipulated in subsection (4);
 - (b) if such application is made and is granted, on the date of the granting of the License; or
 - (c) if such application is made and is refused, within 2 months of the date of such refusal; Provided that on application in writing and on good cause shown, the board may extend the period of the permit in order to allow for the applicant to be able to dispose of such machines.

(6) The provisions of subsection (2) of this section shall not apply to the possession of a gaming machine that is held without a licence if -

- (a) the period during which the possessor thereof is entitled to apply for a permit in terms of subsection (1) hereof has not expired; or
- (b) the owner or possessor thereof has made a valid application for a permit in terms of subsections (1) and (2) hereof and such permit has not yet been issued by the Board; or
- (c) the gaming machine is being properly stored in terms of a permit granted under this section.

(7) Any person or organization not in compliance with this section shall apply to the Board for the appropriate permit or authorization within a month after the commencement of this Law.

Disqualifications
of Applicant.

19. (1) Application for a license shall not be granted if the applicant, or any person who has a controlling or financial interest of five per cent or more in the business -

- (a) is insolvent; or
- (b) is incapacitated by mental illness; or
- (c) has at any time been removed from an office of trust on account of misconduct; or
- (d) is not a fit and proper person to be involved in the business concerned; or
- (e) is a public or civil servant; or
- (f) is a member of the House of Assembly or a local board, council or any commission; or
- (g) is a political office holder or employee of any movement, organization or body of a political party in nature; or

(h) is below the age of 18 or group of people that includes a person below the age of 18; or

(i) whether the person has at any time been convicted, in Nigeria or elsewhere, of any offence; or

(j) whether the person has taken part or has been associated with any practice which is deceitful, prejudicial or discreditable.

(2) Licence shall not be granted to -

(a) the State or a Local Government; and

(b) any person in whom the State or Local Government has a controlling or financial interest or any other interest.

(3) A person who knowingly makes a false statement or declaration in an application for the issuance, renewal, amendment, variation or transfer of a licence or permit shall be guilty of an offence and upon conviction shall be liable to imprisonment term of one year or a fine of #100,000.00.

Notification.

(4) Where an applicant is issued a licence, he shall -

(a) ensure that a copy of his licence is permanently displayed at its administrative office and all retail outlets for ease of inspection; and

(b) make readily available for the examination of its customers a copy of the rules of the games, terms and conditions of the game to be played.

(5) An applicant or licensee shall notify the Board within 14 days of discovering that -

(a) he has submitted a wrong information; or

(b) there has been a change of circumstances; or

(c) he has been convicted by a court of competent jurisdiction.

- (6) The Board on considering the notification may allow or make such alteration of the information contained in the licence or application as appears to it to be required by the change in circumstance.
- Duration of licence. 20. (1) With the exception of a lottery licence, a gaming licence shall be valid for 1 year and renewable annually subject to satisfactory performance of the licensee as determined by the Board.
- (2) A lottery licence is valid for a term of 5 years and may be renewed for a further term of 5 years subject to satisfactory performance of the licensee; provided that the Board reserves the right to review duration of each licence category from time to time as it deems fit.
- Renewal of licence. (3) (a) Where a licence has been granted, a licensee may not earlier than 6 months or later than 2 months to the expiration of the term apply for a renewal of licence, provided that the licensee shall have no right or legitimate expectation in respect of an extension of validity of the licence other than the right afforded by this subsection and shall pay the prescribed renewal fees.
- (b) A licence shall continue to be valid until the –
- (i) licensee fails to pay its annual licence renewal fee; or
 - (ii) fails to pay all its taxes, levies or any fees that may be stipulated from time to time; or
 - (iii) licence is revoked by the Board; or
 - (iv) licensee ceases to conduct business for a continued period of 6 months without securing the Board's approval; or
 - (v) licensee voluntarily surrenders the licence; or

Register of
licences.

Review.

21.

- (vi) licensee is declared an insolvent by a court of competent jurisdiction or goes into liquidation.
- (c) A licence shall, in the case of a personal licence, lapse where the licensee -
 - (i) dies; or
 - (ii) becomes incapable of performing his functions; or
 - (iii) is declared bankrupt; or
 - (iv) goes into liquidation in the case of a company; or
 - (v) licence expires and same is forfeited by order of court.
- (5) The Board shall—
 - (a) make the register available for inspection by members of the public at all times; and
 - (b) provide an updated list of all its agents and affiliate every month.
- (1) The Board may review a licence or activity of the licensee if it has reason to believe that —
 - (a) activities may have been carried on in purported reliance on the licence but not in accordance with a term or condition of the licence; or
 - (b) the licensee, or a person who exercises a function in connection with or is interested in the licensed activities, has been convicted of an offence created in this Law; or
 - (c) that a review would be appropriate.
- (2) Before commencing a review of an operating licence under subsection (1) the Board shall—
 - (a) notify the licensee; and
 - (b) inform him of the procedure to be followed in the conduct of the review.

(1) The Board may revoke a licence for the following reasons —

- (a) where the licensee fails to make payments due to the Government as at when due; or
- (b) where the licensee is unable to give satisfactory explanation upon a complaint made to the Board for breach of the rules, terms and conditions of the licence or licensed activity under this Law or any other applicable Law or policies; or
- (c) where a licensee has refused to comply with the requirements and standards of the Board; or
- (d) if the Board is satisfied that it is in the public interest to do so; or
- (e) where it is established that there is a transfer of licence without the Board's approval; or
- (f) where a licensee is no longer a fit and proper person to conduct the licensed activity, whether because of the commission or omission of an act, insolvency, liquidation or for any other valid reason; or
- (g) if a condition contained in the licence has been contravened and the licensee has failed to redress such contravention 14 days after receiving notice from the Board; or
- (h) repudiate the contract of employment or engagement of such a person; or
- (i) if any person who is managing the business or any part of the business of the licensee or who is a supplier of essential goods or services to the licensee is not a fit and proper person to do so, whether because of the commission of an act of insolvency, liquidation, money laundering activities, incarceration in a prison or other institution or for contravention of any of the conditions in this Law for the grant of licence, unless the licensee takes steps to repudiate the contract of employment or engagement of that person; or

- (j) if any person for whose benefit the licence has been acquired or who is a holding company of the licensee or who in any other way controls the licensee, is not a fit and proper person to benefit from it, whether because of insolvency, liquidation, imprisonment or for any other contravention of any of the conditions in this Law for the grant of Licence; or
- (k) if the licensee has failed to take adequate steps to prevent the commission of fraud by its employees, agents, representatives, suppliers or participants after having been alerted to or becoming aware of conditions conducive to the commission of fraud, or to instances of fraud or dishonesty; or
- (l) if an order has been made by a Federal High Court, for the winding-up and liquidation, as the case may be against the licensee or a person who has control of the licensee; or
- (m) if in any proceedings, the court of law recommends to the Board that the licence be revoked.

(2) Where sufficient grounds exist for the revocation of a licence, the Board shall notify the licensee of the existence of such grounds and call upon the licensee to furnish it with reasons within 14 days why the licence should not be revoked.

(3) Where the licensee fails to give an explanation to the Board upon the expiration of the notice in subsection (2), the Board shall communicate its final decision in writing.

Provision of
gaming facilities

23. (1) No person shall promote, conduct, devise, manage, any scheme, plan, competition, prize, arrangement, system, game or device which directly or indirectly provides for betting, wagering, gambling or any game of chance, in the State except where -

- (a) it is licensed by the Board and conducting the appropriate licensed activity under this law;
- (b) it is authorized for non-commercial gaming activity under this Law or;
- (c) it falls under gaming for private purposes;
- (d) it is carried on in the ordinary course of business with a licensed operator.

- (2) Any person guilty of an offence under this Section shall be liable upon conviction to an imprisonment term of 2 years or a fine of \$300,000 or both.

Prohibition

24.

- (a) No person is allowed to provide or make provision for the giving of credit or arrangement to assist or induce persons to increase their participation in any licensed gaming activity;
- (b) Notwithstanding the provisions of any law, any debt arising from a gaming activity incurred after the commencement of this Law shall be enforceable in a court of law.

Cheating

25.

- (1) A person commits an offence under this Section if he—
 - (a) cheats at a gaming activity; or
 - (b) does anything for the purpose of enabling or assisting another person to cheat at gaming activity..
- (2) For the purposes of subsection (1) it is immaterial whether a person who cheats—
 - (a) improves his chances of winning anything; or
 - (b) wins nothing.
- (3) Without prejudice to the generality of subsection (2) cheating at gaming event may, in particular, consist of actual or attempted deception or interference, alter, mark, tamper with, adjust or otherwise modify in any manner any playing-cards, tickets, dice, roulette wheel or other gaming device, gaming machine or any other apparatus for

the purpose of deceiving the players or improperly altering the normal or random results or chances of the game or gaming machine concerned.

- (4) Any person who uses or makes available for the purpose of deceiving players, playing-cards, dice, wheel, device, machine, equipment, software or apparatus which has been so altered, marked, tampered with, adjusted or otherwise modified shall be guilty of an offence and on conviction shall be liable for an imprisonment term of 2 years or a fine of #200,000.00 or both;

Advertisement

26.

- (1) No person shall advertise, promote, publish, disseminate, and distribute any information concerning any gaming activity in the state whether remotely or otherwise unless it is a licensed or authorised activity under this Law.
- (2) No person shall advertise, promote, publish, disseminate or distribute any information about a gaming activity -
- (a) that is false and misleading;
 - (b) that is intended to attract underage and vulnerable persons;
 - (c) that is in or near facilities which are likely to be visited by underage or vulnerable persons such as primary and secondary schools), places of research and learning and cyber cafés.
- (3) The advertising of any gaming activity shall be subject to such restrictions as the Board may deem necessary.
- (4) Any person who contravenes a provision of this Section shall be guilty of an offence and upon conviction shall be liable to an imprisonment term of 2 years or a fine of #500,000.00 or both.

Underage and
Vulnerable
persons

27.

- (1) No licensee or an employee of a licensee shall -
- (a) invite, cause or permit an underage or vulnerable person to play, place or engage in a gaming activity either personally or through an agent.

(b) allow an underage person to enter or remain in a gambling area of a facility;

(c) employ or engage an underage person to operate, run a gaming equipment or facility or activity or perform any other function under this law.

(2) any licensee or employer, or agent who contravene the provisions of sub-clause (1) (a) (b) and (c) hereby commit an offence and upon conviction is liable to an imprisonment term of 3 years or a fine of #500,000.00 or both.

Appointment
of Inspectors

28. (1) The Board may appoint any person in its service or any other suitable qualified person, to act as an inspector for the purposes of this Law.

(2) A person shall not be appointed as an Inspector if he is subject to any disqualification under Section 19 of this Law.

(3) A person who is not in the full-time service of the State or the Board may be appointed as an Inspector on such conditions and on such remuneration as the Board may determine.

(4) An Inspector shall be provided with a Certificate of Appointment signed by or on behalf of the Chairman of the Board showing that he has been appointed as an inspector under this Law.

(5) When an Inspector performs any function under this Law, he shall introduce himself where and when necessary.

(6) An inspector shall not accept any donation, reward or other benefit which may influence the performance of his functions from any person, and no person shall give or offer such donation, reward or benefit to an inspector.

- (7) An inspector may, at any time without prior notice -
- (a) enter the premises of a licensed operator to -
 - (i) inspect and conduct survey on whether a gaming operation is being engaged in, conducted or made available; or
 - (ii) inspect a gambling machine or device, equipment, record, recording or other document used or capable of being used in connection with the conduct of gambling activity, may be found; or
 - (iii) inspect or search such premises;
 - (iv) examine, or make copies of or take extracts from, any document, data captured in machine, software facility or stored in any form, found in or upon such premises and which refers or is suspected to refer to any gambling activity;
 - (v) request from the owner or person in charge of such premises or from any person in whose capacity or charge a document is, an explanation of any entry in that document;
 - (b) enter an unlicensed premises in company of members of any Law enforcement agency to do all such things in accordance to this Section and in addition seize, any article, document or object, device, machines, if it appears to provide proof of a contravention of a provision of this Law, or if he or she wishes to retain it for further examination or for safe custody.
- (8) A person who obstructs or hinders an inspector in the performance of his or her functions under this law; shall be guilty of an offence under this Law and upon conviction shall be liable to an imprisonment term of 1 year or a fine of #100,000.00 or both.

Taxation

29. The Board shall from time to time stipulate such taxes payable by all licensees and for all the different gaming categories.

30. (1) Every person liable to pay the gaming tax imposed under Section 30, shall on or before the 7th day of every month, file a return of income in the prescribed form and pay to the Board the tax due in respect of the preceding month.
- (2) Where a person fails, neglects or defaults to remit tax or part of the tax, the Board shall, by demand notice, require such person to pay immediately the demanded amount of tax plus applicable penalty, and such demand notice shall constitute a final demand notice.
- (3) The provisions of this Law, terms and conditions of a license and other policies as may be issued by the Board from time to time shall apply to the collection and recovery of gaming tax.
- (4) Any dispute arising from the decision of the Board shall be determined in accordance with the provisions of this Law or by a court of competent jurisdiction.
- (5) Tax imposed on gaming activities or business, penalty and interest shall be construed as constituting a tax for the purposes of collection and enforcement and for purposes of criminal liability.
- (6) All taxes and penalties shall be in accordance with the scale of charges as drawn up by the Board of Internal Revenue of the State.

Appeal

31. A licensee can by written application to the Board appeal any decision, directive award, sanctions, or order of the Board within 14 days of the receipt of such failing which the Board's decision, award or order shall be final and executory.

Penalties &
Sanctions

32. (1) The Board may sanction a licensee where he –
- (a) breaches or contravenes the terms or conditions of his license, policies and directives of the Board, rule of the game(s) or provision of this Law; or
- (b) fails to meet any of its obligations to the Board or its customers; or

- (c) refuses or neglects to obey or implement any of the Board's directives.

- (2) The Board may order sanctions by imposing or issuing -
 - (a) a warning; or
 - (b) a fine or penalty; or
 - (c) suspension, revocation or termination of licence; or

- (3) In imposing a sanction, the Board may take into consideration any or all of the following -
 - (a) time of response;
 - (b) failure or refusal to heed to previous warnings;
 - (c) the gravity of the offence;
 - (d) the nature of the offence;
 - (e) prior conduct of the licensee;
 - (f) repeat acts; and
 - (g) the effect of the act of omission or commission.

Contravention
Of this Law.

- 33. (1) Any company or person who contravenes any regulation governing the conduct of a gaming activity under this Law, shall be liable on conviction to imprisonment for 2 years or a fine of N500,000.00 or both.

- (2) Where a company is proved to have committed an offence under this Law, with the consent or neglect on the part of any director, manager, secretary, officer or agent of the company purporting to act in any such capacity, he as well as the company shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly with a fine of #500,000.00.

- (3) Any person who contravenes the provisions of this Law where no penalty has been provided shall be liable on conviction to a term of imprisonment of 2 years or to a fine of N200,000.00 or both.

Guidelines

- 34. The Board may issue guidelines on all aspects of gaming including—

- (a) responsible gaming,
- (b) types, categories, rules, terms and conditions for different licences and permits;

- (c) consumer protection;
- (d) dispute resolution;
- (e) remote and electronic gaming;
- (f) monitoring platforms;
- (g) advertisement;
- (h) premises and their usage;
- (i) non-commercial and private gaming permits;
- (j) any forms required to be used for the purposes of this Law;
- (l) the determination of norms and standards that will apply generally throughout the State relating to any matter in terms of this Law;
- (m) the exercise by the Board of its monitoring, investigative and evaluation functions;
- (n) minimum standards for the design, use and maintenance of premises that are, or are intended to be, licensed premises, which minimum standards shall include—
 - (i) provisions to guard against the over-stimulation of gambling; and
 - (ii) provisions to protect minors from exposure to gambling activities;

Regulations

35. The Governor may, on the recommendation of the Board, make regulations for –
- (a) the number and value of the prizes to be distributed in any State Lottery;
 - (b) the general conditions to be observed in respect of any application for issue or renewal of licences;
 - (c) the establishment of authorities to exercise such powers and perform such duties as may be prescribed in any regulations made hereunder;
 - (d) the appointment, duties and remuneration of agents and authorized sellers for the sale of tickets;
 - (e) the form of any tickets, or other documents to be used in the conduct of a State Lottery;
 - (f) the number of tickets to be issued by the Board in any State Lottery and the price of each ticket;

- (g) the issuance of tickets and the method of disposal of tickets issued in respect of any State Lottery and return of unsold tickets;
- (h) the appointment of the time when and the place where drawings shall take place for the allotment of prizes and the manner in which a draw shall be conducted;
- (i) prescribing fees to be paid for the issuance of licence under this Law;
- (j) prescribing the persons to be present at a draw, and their powers and duties in relation thereto and to any dispute or difficulty which may arise in connection with the draw;
- (k) the method of making claims in respect of prizes;
- (l) the determination of any dispute as to the person entitled to any prize or money;
- (m) the disposal of unclaimed prizes or money or of prizes or money as to which any dispute has arisen;
- (n) prohibiting misleading advertisements in respect of any Government Lottery;
- (o) prescribing classes of persons who may not participate in such lottery as may be prescribed by reason of their responsibility for an employment in connection with the carrying on of any lottery business or of their relationship with such person;
- (p) Prescribing offences relating to the sale of ticket, failure to deliver tickets to purchasers, the draws and disposal of forfeited prizes; and
- (q) all such things as are necessary and incidental to achieving the objectives of this Law.

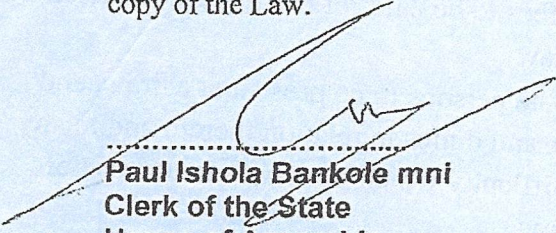
Repeal

36. The following Laws are hereby repealed –

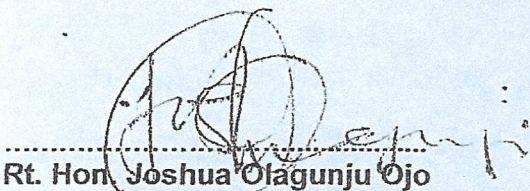
- (a) Betting Business (Control and Taxation) Law, Cap 15, Laws of Oyo State, 2000;
- (b) Betting Duty (Race Club) Law, Cap 16, Laws of Oyo State, 2000;
- (c) Casino (Licensing and Taxation) Law, Cap 26, Laws of Oyo State, 2000;
- (d) Lotteries (Government) Law Cap 80, Laws of Oyo State, 2000; and

(e) Slot Machine Gaming Law, Cap 152, Laws of Oyo State, 2000.

This printed impression has been carefully compared with the Law which has been passed by the Oyo State House of Assembly and found by me to be a true and correct printed copy of the Law.



Paul Ishola Bankole mni
Clerk of the State
House of Assembly



Rt. Hon. Joshua Olagunju Ojo
Speaker of the State
House of Assembly