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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF PAKISTAN

GILGIT-BALTISTAN LEGISLATIVE ASSEMBLY SECRETARIAT

Gilgit, the 3rd September, 2012

PREVENTION OF GAMBLING ACT, 2011

(ACT NO. IV OF 2012)

WHEREAS it is expedient to make further provision for the Prevention of Gambling; it is hereby enacted as follows:—

1. **Short title, extent and commencement.**—(1) This Act shall be called the Gilgit-Baltistan Prevention of Gambling Act No. IV of 2012.

(2) It extends to the whole of Gilgit-Baltistan.

(3) It shall come into force at once.

2. **Definition.**— In this Act, unless there is anything repugnant in the subjects or context,—

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[3079(2012)Ex.Gaz.]

- (a) "common gaming-house" means any house, room, tent, enclosure, vehicle, vessel or other place whatsoever in which any instruments of gambling are kept or used for gambling purpose.—
- (i) with a view of profit or gain of any person owning, occupying or keeping such house, room, tent, enclosure, vehicle, vessel or place or instruments or otherwise howsoever; or
- (ii) with or without a view of such profit or gain, if the gaming for the purpose of which instruments are so kept or used in gaming on any figures or numbers or dates to be subsequently ascertained or disclosed, or on the occurrence or non-occurrence of any natural event;
- (b) "gaming" includes wagering or betting, including a wager or bet made in respect of any house, mare or gelding running in competition with any otherwise horse, mare or gelding, or of the rider thereof;
- (c) "instruments of gaming" includes any article used or intended to be used as a means or appurtenance of, or of facilitating on or facilitating, gaming, and any documents used as a register or record or evidence of any gaming; and
- (d) "Prescribed" means prescribed by rules made under this Act.

3. Penalty for owning or keeping or having charge of a common gaming-house.— (1) Whoever:—

- (a) being the owner or occupier, or having the use of any house, room, tent, enclosure, vehicle, vessel or other place, keeps or uses, or knowingly or willfully permits the same to be occupied, kept or used by any other persons as a common gaming-house; or
- (b) has the care or management or in any manner assists in conducting the business, of any common gambling-house; or
- (c) advances or furnishes money for the purpose or of gaming with persons frequently any common gaming-house;
- (d) shall be punishable with imprisonment for a term which shall not be less than one month nor more than one year, or with fine which shall not be less than one hundred rupees nor more than one thousand rupees or with both.

(2) In a prosecution, under sub-section (1), it shall not be necessary to prove that the person found playing was playing for any money, wager of stake.

4. **Penalty for being found in common gaming-house.**—(1) Whoever is found in common gaming-house playing or gaming with cards, dice, counters, money or other instrument of gaming, or for the purpose of gaming, whether for any money where stake or otherwise, shall be punishable with imprisonment for a term which may extend to one month, or with fine which extend to five thousand rupees, or with both.

(2) Any person found in any common gaming-house during any gaming or playing therein shall be presumed, until the contrary be proved, to have been therefore the purpose of gaming.

(5) **Penalty for gaming in public places.**— Whoever, is found gaming in any public place, street or thoroughfare, shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to five thousand rupees, or with both.

(6) **Penalty for gaming in a Private places etc.**— Whoever is found gaming in any house, room, tent, enclosure, vehicle, vessel or other place shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to one thousand rupees or both.

(7) **Enhanced punishment for subsequent offences.**— Whoever, having been convicted of any offence under this Act again commits any such offence shall be punishable for every such subsequent offence with imprisonment for a term which extends to three years or with fine which may extend to two thousand rupees or with both.

(8) **Power to enter and search.**— If a District Magistrate, sub-Divisional Magistrate [and Executive Magistrate] upon information and after such inquiry as he thinks necessary, has reason to believe that any place is used as common gambling-house, or that an offence under section 6 is being committed at or in place, he may—

- (a) enter such place at any time with such assistance as he may require and using such force as may be necessary:

Provided that, if such place is in the actual occupancy of a woman who according to custom, does not appear in public, the officer so entering such place shall give notice to her that she is at liberty to withdraw and, after allowing reasonable time for her to withdraw and giving her reasonable facility for withdrawing, may enter the place.

- (b) search such place for any instrument of gaming kept or concealed therein, and also be person of all those who are found in that place, except the women.

- (c) seize and take possession of gaming moneys and securities for money for article of values reasonably suspected to have been used or intended to be used for the purpose of gaming which are found therein upon any person found therein; and
- (d) take into custody all person except women found in that place whether or not then actually gaming.

9. **Presumption with respect to common gaming house and person present therein.**— When any cards gaming tables, gaming cloths, boards or other instrument of gaming are found in any house, houseroom, tent, enclosure, vehicle, vessel or other place entered or search under provisions of section 8 or upon any person found therein it shall be presumed until the contrary is proved that shall house, room, tent, enclosure, vehicle, vessel or other place is used as a common gaming house and that any person found therein was there present for the purpose for gaming although no place actually seen by the officer making the entry or search.

10. **Tender of pardon in an accomplice.**— Any person who shall have been concerned with any gaming contrary to these Act and who shall be examined as a witness before a Magistrate on the trial of any person for a breach of any of the provisions of this Act relating to gaming and who, upon such examination, shall in the opinion of the Magistrate make true and faithful discovery to the best of his knowledge of all things as to which he shall be so examined, shall thereupon receive from the said Magistrate a certificate in writing to this effect and shall be freed from all prosecution under this Act for anything done before that time in respect of gaming.

11. **Saving.**— Nothing in this Act shall apply to games played in a Tourist Complex which is established and maintained under, and in accordance with the terms of, a license granted by the Provincial Government and to which only foreigners are admitted.

12. **Act to override other law etc.**— This Act shall have effect notwithstanding anything contained in any other law for the time being in force.

WAZIR BAIG,
Speaker.

PIR SYED KARAM ALI SHAH,
Governor.