



SAINT CHRISTOPHER AND NEVIS

No. of 2025

A BILL to provide for the promotion, and operation of lotteries and games of chance in Saint Christopher and Nevis; establish the National Lotteries Authority as a body corporate; provide for the allocation of profits to specific social programmes and projects; and other related purposes.

BE IT ENACTED by the King's Most Excellent Majesty, by and with the advice and consent of the National Assembly of Saint Christopher and Nevis, and by the authority of the same as follows:

PART 1 PRELIMINARY

1. SHORT TITLE

This Act may be cited as the National Lotteries Authority Act, 2025.

2. INTERPRETATION

In this Act

“agent” means any individual or body corporate contracted by or on behalf of the Authority to sell, service and market lottery products on behalf of the Authority;

“Anti-Terrorism Act” means the Anti-Terrorism Act, Cap. 4.02;

“Anti-Proliferation (Financing of Weapons of Mass Destruction) Act” means the Anti-Proliferation (Financing of Weapons of Mass Destruction Act, Cap. 4.43;

“Authority” means the National Lotteries Authority established by section 4;

“Board” means the National Lotteries Board established by section 7;

“games of chance” means

(a) any game, activity, scheme, or device, whether conducted physically or electronically, in which the outcome is determined wholly or partly by

chance, even if accompanied by some degree of skill, and for which a person pays or stakes money or other consideration to participate and includes:

- (i) lotteries and raffles;
- (ii) games played via video lottery terminals;
- (iii) online or interactive casino-style games;
- (iv) sports betting; or
- (v) sweepstakes and other prize-based contests with random elements

but does not include games of chance offered exclusively within licensed physical casino premises under separate regulatory authority.;

“Chairperson” means the chairperson of the Board and includes any person performing the functions of chairperson;

“Finance Administration Act” means the Finance Administration Act, Cap. 20.13;

“Financial Services Regulatory Commission” means the Financial Services Regulatory Commission established under the Financial Services Regulatory Commission Act, Cap. 21.10;

“Financial Services Regulatory Commission Act” means the Financial Services Regulatory Commission Act, Cap. 21.10;

“financial year” means the period of 12 months commencing on January 1 of one year and expiring on December 31 of the following year;

“General Manager” means the General Manager of the Authority appointed under section 9 and includes any person appointed to act as General Manager;

“Income Tax Act” means the Income Tax Act, Cap. 20.22;

“lottery” means the raising of money by selling numbered tickets and giving prizes to the holders of numbers drawn at random and any scheme, method, game or device where money or money’s worth is distributed as prizes by lot or by chance;

“member” means a member of the Board and includes the chairperson and deputy chairperson;

“Minister” means the minister responsible for finance;

“Proceeds of Crime and Asset Recovery Act” means the Proceeds of Crime and Asset Recovery Act, No. 10 of 2020.

PART 2

ESTABLISHMENT, CONSTITUTION, MANAGEMENT AND STAFF

3. APPLICATION OF GAMING CONTROL ACT.

The licensing and operations of lotteries and games of chance under this Act, shall be subject to the provisions of the Gaming Control Act, Cap. 17.01.

4. ESTABLISHMENT OF THE AUTHORITY

- (1) There is hereby established for the purposes of this Act the National Lotteries Authority.
- (2) The Authority shall be a body corporate with the right to sue and be sued in its corporate name.

5. POWERS AND DUTIES OF THE AUTHORITY

(1) Subject to the provisions of section 3, the Authority shall have power to carry out or provide for the operation of lotteries and games of chance in Saint Christopher and Nevis and to do anything or enter into any transaction that is necessary to ensure the proper performance of its functions.

(2) Notwithstanding the generality of subsection (1) the Authority shall—

- (a) organise, provide, conduct and control the operation of lotteries in Saint Christopher and Nevis either alone or in conjunction with any other companies or organisations or in association with any other company or organisation concerned with the business of lotteries;
- (b) carry on such forms of pool betting business as may be approved by the Minister;
- (c) make arrangements for the proper and prompt payment of prize monies payable pursuant to the provisions of this Act;
- (d) and
- (e) make recommendations to the Minister on the development, operation and control of all forms of games of chance in Saint Christopher and Nevis.;

(3) Notwithstanding the generality of subsection (1), the Authority may, subject to approval of the Minister, engage any company with significant experience in the management of lotteries to undertake in the name of and on behalf of the Authority any of the acts that the Authority may do pursuant to this or any other act or regulation.

- (4) The reference to “games of chance” in subsection (2), shall not include games of chance that are played as part of the operations of physical casinos.
- (5) The Authority shall ensure that, in performing any of its functions under this Act, it shall take such action as may be necessary and practicable to ensure that its revenues are at least sufficient for the following requirements
 - (a) for the payment of prizes, loans and interest thereon;
 - (b) for the establishment and maintenance of its property and its reserve fund;
and
 - (c) to meet all sums properly chargeable to the revenues of the Authority.

6. RESPONSIBILITY FOR OPERATING LOTTERIES

Subject to subsection 5(2), the Authority shall be the sole body responsible for operating lotteries and games of chance in Saint Christopher and Nevis.

7. BOARD AND ADMINISTRATION OF THE AUTHORITY

(1) The Authority shall be administered by a Board which shall consist of not more than 7 members appointed by the Minister from persons having experience in matters relating to

- (a) business and financial management;
- (b) human resource management and labour relations;
- (c) information systems management and computing;
- (d) law;
- (e) youth and sports administration; or
- (f) lotteries.

(2) Every member shall be appointed by the Minister for a period not exceeding 2 years and is eligible for re-appointment.

(3) The Minister shall appoint a Chairperson and a Deputy Chairperson from amongst the members.

(4) Where a member is absent on account of illness or for any temporary cause or is temporarily absent from the State, the Minister may appoint some other person to act as a temporary member during the time such incapacity or absence continues.

(5) A member may at any time resign his or her office by instrument in writing addressed to the Chairperson who shall cause it to be forwarded to the Minister.

(6) Where a person ceases to be a member for any reason, the Minister may appoint any member in his or her place for the duration of the time for which that person would have served.

(7) The Minister may at any time revoke the appointment of any member if the Minister considers it expedient to do so.

(8) All appointments and termination of appointments to the Board shall be notified in the Gazette.

8. VALIDITY OF ACTS OF THE BOARD

The validity of any act done or proceedings taken under this Act shall not be questioned on the ground of

- (a) the existence of any vacancy in the membership of, or any defect in the constitution of the Board;
- (b) the contravention by any member of the provisions of this Act relating to disclosure of interest; or
- (c) any omission, defect or irregularity not affecting the merits of the case.

9. APPOINTMENT OF GENERAL MANAGER

(1) The Board shall, subject to the approval of the Minister, appoint a General Manager.

(2) The General Manager is responsible for the day-to-day operations of the Board and must be present at all meetings of the Board in an *ex-officio* capacity unless he or she

- (a) is required by the Chairperson to withdraw from a meeting;
- (b) has obtained leave of absence from the Chairperson; or
- (c) is incapacitated by illness or other cause from attending such meetings.

10. APPOINTMENT OF OFFICERS AND AGENTS

(1) The Board may appoint and employ at such remuneration and on such terms and conditions as it thinks fit such officers as it deems necessary for the proper carrying out of its functions under this Act.

(2) The General Manager or the professional lottery operator engaged by the Authority pursuant to subsection 5(3) may appoint agents under a written contract in such locations as either may deem appropriate and the agents shall be responsible for selling and marketing lottery products and representing the Board in such locations.

(3) An agent shall perform such duties as may be assigned by the General Manager or by the professional lottery operator engaged by the Authority pursuant to subsection 5(2) and shall be paid on a commission basis as determined by the Board or by the professional lottery operator engaged by the Authority pursuant to subsection 5(2) as the case may be.

(4) The Board may empower any professional lottery operator contracted pursuant to subsection 5(2) to act as the agent of the Authority.

11. APPOINTMENT OF COMMITTEES

(1) The Minister may appoint a committee of the Board to examine and report to it on any matter arising out of or connected with any of its functions under this Act.

(2) Any such committee shall consist of at least one member together with such other persons, whether members or not, whose assistance or service the Minister may desire.

(3) The Minister may reject the report of any such committee or adopt it either wholly or with such modifications, additions, or adaptations as he or she may think fit.

12. PROTECTION OF MEMBERS

Personal liability shall not attach to any member in respect of anything done or suffered to be done in good faith under the provisions of this Act, and any sums of money, damages or costs which may be recovered against any such member in respect of any act or thing done in good faith for the purpose of carrying this Act into effect shall be paid out of the funds and resources of the Authority.

13. MEETINGS AND PROCEDURE OF THE BOARD

(1) The Board shall meet at such times as may be necessary or expedient for the transaction of business, and such meetings shall be held at such place and time and on such days as the Board may determine.

(2) The Chairperson may at any time call a special meeting of the Board and shall call a special meeting within 7 days of a requisition for that purpose addressed to him or her by any 3 members to consider the matters contained in such requisition.

(3) The Chairperson shall call a special meeting of the Board if directed by the Minister to do so.

(4) The Chairperson, or in his or her absence the Deputy Chairperson, shall preside at all meetings of the Board.

(5) The Chairperson, or in his or her absence the Deputy Chairperson, and 2 other members shall form a quorum.

(6) Where any member is disqualified from taking part in any deliberation or decision of the Board that member,

- (a) shall be excused from or shall excuse himself or herself from deliberating or deciding on that matter; and
- (b) shall not be counted for the purposes of constituting a quorum for deliberating on or deciding that matter.

(7) The decision of the Board with regard to any question shall be determined by vote of the majority of the members present at the meeting of the Board, and in any case when the votes of the members present in regard to any question shall be equally divided, the Chairperson or Deputy Chairperson presiding at the meeting shall have a casting vote.

(8) Minutes of the proceedings of each meeting of the Board shall be kept in such manner as the Board may determine shall be confirmed by the Chairperson or the Deputy Chairperson as the case may be as soon as practicable thereafter at a subsequent meeting.

(9) The Board may co-opt any one or more persons to attend any particular meeting of the Board for the purpose of assisting or advising the Board but such person shall not have the right to vote.

(10) Subject to the provisions of this section, the Board has power to regulate its own proceedings.

14. DISCLOSURE OF INTEREST

(1) A member who is in any way, whether directly or indirectly, interested in an application to the Board or for a contract or proposed contract with the Board, shall declare the nature of his or her interest at the first meeting of the Board at which it is possible for the member to do so.

(2) A member shall not participate in the discussion of or vote in respect of any application to the Board or in respect of any contract or proposed contract with the Board in which the member is in any way interested, whether directly or indirectly.

15. SEAL OF THE BOARD

(1) The seal of the Board may be kept in the custody of the Chairperson or of the General Manager and may be affixed to instruments by the General Manager under a resolution of the Board.

(2) The seal of the Board shall be authenticated by the signature of the Chairperson or Deputy Chairperson and the General Manager appointed pursuant to the provisions of section 9, and such seal shall be officially and judicially noticed.

(3) All deeds, instruments, contracts and other documents, other than those required by law to be under seal, and all decisions of the Board may be signified under the hand of the Chairperson, or Deputy Chairperson or General Manager.

16. SERVICE OF NOTICE

The service upon the Board of any notice, order or other documents shall be executed by delivering the same or by sending it by registered post addressed to the General Manager at the office of the board.

17. POWER TO DELEGATE

Subject to the provisions of this Act the Board may delegate to any member or committee of the Board the power and authority to carry out on its behalf such duties as it may determine.

18. REMUNERATION OF MEMBERS AND OTHERS

(1) There shall be paid from the funds of the Authority to the Chairperson, Deputy Chairperson and other members such remuneration, fees or allowances as the Minister may determine.

(2) Where a person, other than a member serves on a committee appointed under section 11 or where any person is co-opted under the provisions of section 13(9), the Board may, with the approval of the Minister, agree for an allowance to be paid to such person, and such sum shall be payable to the person out of the funds and resources of the Board.

19. POLICY DIRECTIONS

(1) The Minister may, after consultation with the Gaming Commission and the chairperson, give to the Board directions of a general character as to the policy to be followed in the performance of its functions in relation to matters appearing to the Minister to concern the public interest.

(2) The Minister may direct that the principle of equitable geographical distribution be observed by the Authority in the application of its funds to youth and sports projects and health programmes.

(3) The Board may, in accordance with the Ministry's directions, develop such specific policy guidelines as it may deem necessary and may circulate and disseminate such policy guidelines with the consent of the Minister.

PART 3

FINANCIAL PROVISIONS

20. FUNDS OF THE AUTHORITY

(1) The funds and resources of the Authority may consist of

- (a) funds arising from the sale, lease, or other disposition of property vested in the Authority, or from the conduct of lotteries, pool business or any game of chance;
- (b) such sums as may be placed at its disposal by the National Assembly;
- (c) funds arising from any source consequential upon the performance of its functions under this Act;
- (d) sums borrowed by the Board for the purpose of meeting any of its obligations or discharging its functions;
- (e) all other sums or property that may become payable to or vested in the Authority in respect of any matter incidental to its powers and duties.

(2) All sums referred to in subsection (1) shall be paid into and placed to the credit of one or more bank accounts approved by the Minister.

21. BORROWING POWERS

(1) Subject to the provisions of this Act the Authority may borrow sums required by it for meeting any of its obligations or discharging any of its functions under this Act.

(2) The power of the Authority to borrow shall be exercisable only with the approval of the Minister

- (a) as to the amount,
- (b) as to the sources of borrowing; and
- (c) as to the terms on which the borrowing may be effected

and approval given for the purpose of this subsection may be either general or limited to a particular borrowing or otherwise and may be either unconditional or subject to conditions.

22. GUARANTEE OF BORROWING BY BOARD

(1) The Minister may, pursuant to the provisions of section 55 of the Finance Administration Act, the guarantee, in such manner and on such conditions as he or she may think fit the payment of the principal, interest and other charges on any authorised borrowing by the Authority.

(2) Where the Minister is satisfied that there has been default in the payment of any principal or interest guaranteed under this section he or she shall direct the repayment out of the Consolidated Fund of the amount in respect of which there has been such default.

(3) The Authority shall make to the Accountant General, at such times and in such manner as the Minister may direct—

- (a) payments of such amounts towards repayment of any sums issued in fulfilment of any guarantee given under this section;
- (b) payment of interest on what is outstanding for the time being in respect of any sums so issued at such rate as the Minister of Finance may direct, and different rates of interest may be directed as regards different sums and as regards interest for different periods.

23. APPLICATION OF FUNDS

The funds of the Authority shall be applied for the purposes authorised by this Act and towards youth and sports projects and health programmes approved by the Board with the consent of the Minister.

24. RESERVE FUND

The Authority shall with the consent of the Minister establish a Reserve Fund for specific contingencies and the monies contained in the Fund shall be dealt with and applied in accordance with the stated objectives or such objectives that may be deemed expedient by the Board with the consent of the Minister.

25. ACCOUNTS AND AUDIT

(1) The Authority shall keep proper books of accounts in which shall be recorded all its transactions to the satisfaction of the Accountant-General and shall prepare and retain financial statements in respect of each financial year.

(2) The accounts of the Authority shall be audited in each financial year by an independent, qualified and experienced auditor appointed by the Authority and the Board, officers and staff of the Authority shall provide to the auditor all books, deeds, contracts, accounts, vouchers or other documents which he or she may deem necessary to call for.

(3) The auditor may require any person holding or accountable for any such document to appear before him or her and make a signed statement in relation thereto and may require from such person such information as he or she deems necessary.

(4) A person who, when required to do so by the auditor, fails without reasonable excuse to

- (a) produce a document;
- (b) enter an appearance;
- (c) make and sign a statement; or
- (d) furnish information

commits an offence and is liable on summary conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 3 months.

26. AUDITOR'S REPORT

The auditor appointed under section 25 shall as soon as practicable and not later than 3 months after the end of each financial year send copies of the audited financial statements and the report thereon to the Authority.

27. REPORT BY BOARD

(1) The Board shall not later than 4 months after the expiration of the financial year submit to the minister a report containing

- (a) an account of the activities of the Authority during the preceding financial year in such form as the Minister may direct;
- (b) the audited financial statements of the Authority done in accordance with the provisions of section 25.

(2) The Minister shall cause a copy of the report together with a copy of the audited statement of the accounts and the auditor's report thereon to be laid on the table of the National Assembly.

PART 4
MISCELLANEOUS AND GENERAL

28. EXEMPTION FROM STAMP DUTY AND OTHER CHARGES

Despite the provisions of any law providing for the registration of documents or the payment of stamp duties, a certificate, receipt, instrument, or other document issued by the Authority shall not be subject to stamp duty, registration fee or any charge of a similar nature; nor is the Authority liable for the payment of any search or inspection fee in any registration office.

29. TAX EXEMPTION

Despite anything contained in the Income Tax Act, or any other taxing statute, the income of the Authority is not liable to income tax and the sale of tickets or rights to play lottery games and prizes won shall not be subject to any sales, goods and services, value added or other tax.

30. EXEMPTION FROM IMPORT DUTIES

Despite the provisions of any law providing for the payment of customs duties and consumption taxes, equipment, software, advertising and promotional materials, stationery and ticket supplies imported by or on behalf of the Authority for the conduct of its operation are not liable to customs duties and consumption taxes.

31. OFFENCES AND PENALTIES

(1) A person who promotes or conducts any lottery or other game of chance in Saint Christopher and Nevis in contravention of this Act commits an offence and is liable on summary conviction to

a fine not exceeding \$50,000 or to a term not exceeding 2 years imprisonment or to both such fine and imprisonment.

(2) Where the offence under subsection (1) is committed by a body corporate every director or senior officer of the body corporate, unless he or she proves that the offence was committed without his or her knowledge, commits the offence and is liable on summary conviction to a fine of \$50,000 or to a term not exceeding 10 years imprisonment or to both such fine and imprisonment.

32. MINUTES RECEIVED IN EVIDENCE

Any minutes made of meetings of the Authority, if purporting to be duly signed by the Chairperson or Deputy Chairperson, is receivable in evidence in all legal proceedings without further proof and every meeting of the Authority in respect of the proceedings of which minutes have been so made shall be deemed to have been duly convened and held and all members thereat to have been duly qualified to act.

33. COMPLIANCE WITH ANTI-MONEY LAUNDERING AND TERRORIST FINANCING REQUIREMENTS

The Authority, its agents, and the Board and professional lottery operator engaged by the Authority pursuant to subsection 5(3) shall comply with and ensure compliance with any relevant provisions of the Proceeds of Crime and Asset Recovery Act, the Anti-Terrorism Act, the Anti-Proliferation Act, the Financial Services Regulatory Commission Act, and all relevant regulations, guidelines or standards made pursuant to those Acts, including the Financial Services Implementation of Industry Standards, Regulations.

34. REGULATIONS

The Minister may make regulations generally for the proper carrying out of the provisions of this Act and in particular but without prejudice to the generality of the foregoing may make regulations

- (a) for securing the proper and prompt payment of prize monies payable under this Act;
- (b) prescribing the procedures whereby a bearer of a winning ticket will be entitled to receive prize money;
- (c) prescribing the form of any ticket, notice, coupon or other document authorising or required by this Act to be issued or served;
- (d) prescribing any other matter or anything which may be, or is required by this Act to be prescribed;
- (e) for the control and discipline of staff employed under this Act.

35. REPEAL

The Lotteries Act, Cap. 17.02 is hereby repealed.

No. of 2025.

National Lotteries Authority Bill, 2025

Saint Christopher
and Nevis.

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Lanein K. Blanchette
Speaker

Passed by the National Assembly this day of , 2025.

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Trevlyn Stapleton
Clerk of the National Assembly