

LINCOLN LEGAL SERVICES (MYANMAR) LIMITED

CONVENIENCE TRANSLATION - ACCURACY NOT GUARANTEED

Gambling Law 2018
(Pyidaungsu Hluttaw Law No. --/2018)
-- day of -- month, 1380
(-- day -- month 2018)

The Pyidaungsu Hluttaw hereby enacts this law.

Chapter (1)
Name and definitions

1. This law shall be called the Gambling Law 2018.
2. The terms contained in this law shall have the meanings given hereunder:
 - (a) **“Gambling”** means a game of chance and, irrespective of whether a bookmaker’s fee is paid, gambling by taking part in games requiring skills for money, for items with a monetary value or for items agreed to be exchanged for a certain amount of money.
 - (b) **“Property”** means all items irrespective of whether they are alive, movable or immovable. This term includes rights attached to the property.
 - (c) **“Gambling house”** means a house, building, partitioned place, compound, yard, room or vehicle used for gambling. This term does not include a casino opened with the permission of the relevant authority.
 - (d) **“Gambling instrument”** means cards, dice, mah jongg stones, tokens, coins, *zel* chips, gambling tables, gambling cups, written tables, boxes, forms, tickets, lists, electronic items and electronic communication devices used for gambling. This term includes other items that are created or can be used for gambling and animals and vehicles used for gambling.
 - (e) **“Public area”** means a road or place accessible to anybody.
 - (f) **“Township administration officer”** means a public servant performing the duty of a township administration officer at the Township General Administration Department of the relevant township.
 - (g) **“Township police officer”** means a police officer performing the duty of a township police officer of the Myanmar Police Force in the relevant township.



- (h) **“Police station officer”** means a police officer performing the duty of a police station officer of the relevant police station.
- (i) **“Electronic lottery business”** means the sales of lottery tickets using an electronic system including electronic data interchange, e-mail, short message system, telecopies and other similar technology.

Chapter (2)

Arrest without a warrant for gambling at a public area

- 3. (a) Any of the township, ward or village administration officers and any member of the Myanmar Police Force may arrest without a warrant any of the following persons found in a public area -
 - (1) Person collecting the bets for gambling;
 - (2) gambler, person supporting gambling, organizer or promoter;
 - (3) gambler, person supporting gambling, organizer or promoter at any game or training.
- (b) Any person taking action according to sub-section (a) shall confiscate as prescribed all gambling instruments and money that are found at the location of the arrest or on the body of the arrested person.

Chapter (3)

Entry into, search of, and making arrests in, a gambling house

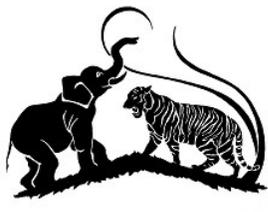
- 4. (a) If there is credible information or it can be believed from other sources of information that a place is a gambling house, a township administration officer, township police officer or police station officer in the relevant township shall make a written record of such information and may enter, search, and make arrests in, the gambling house.
- (b) A township administration officer may issue a warrant to, and instruct, a police officer with a rank not lower than deputy police officer or any public servant with a rank not lower than administrative officer grade one to enter, search, and make an arrest in, a gambling house.
- 5. (a) If there is credible information or it can be believed from other sources of information that a place in the respective ward or village is a gambling house, the ward or village administration officer shall make a written record of such information and may, if



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accompanied by two persons such as a person responsible in the village, a person responsible in ten households or a person responsible in hundred households, enter, search, and make arrests in, the gambling house.

- (b) A ward or village administration officer may issue a warrant to, and instruct, a police officer with a rank not lower than deputy police officer or any person from a group composed of the person responsible in the village, the person responsible in ten households and the person responsible in hundred households to enter, search, and make an arrest in, a gambling house.
6. (a) A person who can issue a warrant or is assigned duty with a warrant according to section 4 or section 5 shall have the right to do the following things -
- (1) Right to enter, with assistance if required, into a gambling house at any time and by any means after receiving the information if the person is entitled to issue the warrant or within 14 days if the person has been assigned duty with a warrant;
 - (2) right to arrest in the gambling house gamblers, persons present, and supporters;
 - (3) right to confiscate gambling instruments, money and property found in the gambling house and believed to be used for gambling;
 - (4) right to search the whole premises of the gambling house and the persons arrested if there is reason to believe that gambling instruments have been hidden; right to confiscate gambling instruments found.
- (b) With regard to section 4 and section 5 -
- (1) The person recording the information or other reliable data shall record only the name of the informant if so required.
 - (2) The search shall be conducted according to the procedure specified in the Code of Criminal Procedure.
 - (3) The person who is entering, searching, and making an arrest in, the gambling house shall transfer the arrested persons and the confiscated items to the relevant police station.



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- (4) If the person taking action was not able to make an arrest, the required procedure shall be followed as prescribed.

Chapter (4) Prohibitions

7. No one shall do the following in a public area -
- (a) Collect bets for gambling.
 - (b) Organise, promote or support gambling.
 - (c) Gamble, organise, promote or support gambling at any game or training.
8. With regard to a gambling house, no one -
- (a) Shall gamble.
 - (b) Be present.
9. No one shall -
- (a) Open, establish, operate or support a gambling house.
 - (b) Use his own house, building, partitioned place, compound, yard, room or vehicle as a gambling house or to open or establish a gambling house.
10. No one shall -
- (a) Without the permission of the relevant government department or organisation, act as, or support the person acting as, administrator, bet collector or banker in a lottery, electronic lottery, game of chance similar to a lottery, casino and or game requiring skills.
 - (b) Make a monetary profit from any of the games prescribed in sub-section (a).
 - (c) Gamble in any of the games prescribed in sub-section (a).
11. No one shall lend or give money for gambling.

Chapter (5) Penalties

12. Anyone -



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- (a) Found to have violated any of the prohibitions contained in section 7 shall be sentenced to imprisonment of six months at most and, in addition, to a fine of Ks. 50,000; the money and the evidence attached to the crime shall be confiscated as property of the people.
 - (b) Found to have violated any of the prohibitions contained in section 7 again shall be sentenced to imprisonment from six months to one year and, in addition, to a fine of Ks. 100,000; the money and the evidence attached to the crime shall be confiscated as property of the people.
- 13. Anyone -
 - (a) Found to have violated any of the prohibitions contained in section 8 shall be sentenced to imprisonment from six months to one year and, in addition, to a fine of Ks. 100,000; the money and the evidence attached to the crime shall be confiscated as property of the people.
 - (b) Found to have violated any of the prohibitions contained in section 8 again shall be sentenced to imprisonment from one to three years and, in addition, to a fine from Ks. 100,000 to Ks. 500,000; the money and the evidence attached to the crime shall be confiscated as property of the people.
- 14. Anyone -
 - (a) Found to have violated any of the prohibitions contained in section 9 shall be sentenced to imprisonment from one year to three years and, in addition, to a fine from Ks. 100,000 to Ks. 500,000; the money and the evidence attached to the crime shall be confiscated as property of the people.
 - (b) Found to have violated any of the prohibitions contained in section 9 again shall be sentenced to imprisonment from three to five years and, in addition, to a fine from Ks. 500,000 to Ks. 1,000,000; the money and the evidence attached to the crime shall be confiscated as property of the people.
- 15. Anyone -
 - (a) Found to have violated any of the prohibitions contained in section 10, sub-section (a) or sub-section (b) shall be sentenced to imprisonment from one year to three years and, in addition, to a fine from Ks. 100,000 to Ks. 500,000; the money and the evidence attached to the crime shall be confiscated as property of the people.



- (b) Found to have violated any of the prohibitions contained in section 10, sub-section (a) or sub-section (b) again shall be sentenced to imprisonment from three to five years and, in addition, to a fine from Ks. 500,000 to Ks. 1,000,000; the money and the evidence attached to the crime shall be confiscated as property of the people.
16. Anyone -
- (a) Found to have violated any of the prohibitions contained in section 10, sub-section (c) shall be sentenced to imprisonment from six months to one year and, in addition, to a fine of Ks. 100,000; the money and the evidence attached to the crime shall be confiscated as property of the people.
- (b) Found to have violated any of the prohibitions contained in section 10, sub-section (c) again shall be sentenced to imprisonment from one year to three years and, in addition, to a fine from Ks. 100,000 to Ks. 500,000; the money and the evidence attached to the crime shall be confiscated as property of the people.
17. Anyone -
- (a) Found to have violated any of the prohibitions contained in section 11 shall be sentenced to imprisonment from one year to three years and, in addition, to a fine from Ks. 100,000 to Ks. 500,000; the money and the evidence attached to the crime shall be confiscated as property of the people.
- (b) Found to have violated any of the prohibitions contained in section 11 again shall be sentenced to imprisonment from three to five years and, in addition, to a fine from Ks. 500,000 to Ks. 1,000,000; the money and the evidence attached to the crime shall be confiscated as property of the people.

Chapter (6) **Miscellaneous**

18. If persons are found in a gambling house or any gambling instruments are found on the body of persons found in a gambling house, these persons are presumed to be gamblers irrespective of whether the searchers found them gambling, unless they prove that they were not present in order to gamble.
19. A court examining a crime under this law may designate any of the accused as cooperating witness. He shall be acquitted if he makes a truthful confession.



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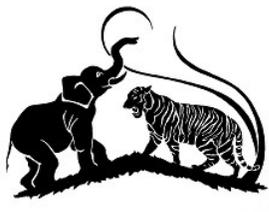
20. The relevant court may order to grant a reward to informers from the fines imposed under this law, from the money confiscated as property of the people or from the sale of goods confiscated as property of the people. Furthermore, the court may also order to grant a reward to the persons involved in the arrest.
 21. The township police officer may take action according to the Code of Criminal Procedure against a person believed to be making a living from gambling or organising or supporting gambling events.
 22. In order to implement the provisions of this law,
 - (a) The Ministry of Home Affairs may issue rules, terms and conditions as required with the consent of the Union government.
 - (b) The Ministry of Home Affairs, the Myanmar Police Force and the Department *[translator's note: "Department" probably refers to the General Administration Department under the Ministry of Home Affairs]* may issue notifications, orders, directives and procedures as required.
 23. The Gambling Law 1986 (Pyithu Hluttaw Law No. 6/1986) is repealed by this law.
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I signed according to the constitution of the Republic of the Union of Myanmar.

(Signature)

Win Myint

President of the Republic of the Union of Myanmar



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About Lincoln Legal Services (Myanmar) Limited

Lincoln Legal Services (Myanmar) Limited provides the full range of legal and tax advisory and compliance work required by investors. We pride ourselves in offering result-oriented work, high dependability and a fast response time at very competitive prices. Please do not hesitate to contact us:

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