



LINCOLN LEGAL SERVICES (MYANMAR) LIMITED

CONVENIENCE TRANSLATION - ACCURACY NOT GUARANTEED

Gambling Law 2018
(Pyidaungsu Hluttaw Law No. 13/2019)
4th Waxing Day of Kasone, 1381
(7 May 2019)

The Pyidaungsu Hluttaw hereby enacts this law.

Chapter (1)
Name and definitions

1. This law shall be called the Gambling Law.
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 property with a monetary value or for property agreed to be exchanged for a certain amount of money.
 - (b) **“Property”** means all objects 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 Union Government.
 - (d) **“Gambling instrument”** means spinning tops [*gin*], 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 objects 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) **“Ministry”** means the Ministry of Home Affairs of the Union Government.
- (j) **“Lottery”** means the Aung Bar Lay Lottery administered by the Inland Revenue Department, Ministry of Planning and Finance of the Union Government.
- (k) **“Casino”** means a place or building registered according to the permission of the Union Government with specified terms where only foreigners may gamble.

Chapter (2)

Objectives

3. The objectives of this law are as follows -

- (a) To have a modernised gambling law;
- (b) to prevent and restrict gambling as it is hazardous to the socio-economic life of the citizens; and
- (c) to protect public benefits and morals.

Chapter (3)

Arrest without a warrant for gambling at a public area

4. (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, organiser or promoter; and
 - (3) gambler, person supporting gambling, organiser 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 (4)

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

5.
 - (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 himself or herself 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 1 to enter, search, and make an arrest in, a gambling house.
 - (c) A township police officer or a police officer who is this person's direct superior may issue a warrant to, and instruct, a police officer with a rank not lower than deputy police officer to enter, search, and make an arrest in, a gambling house.
6.
 - (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 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.
7.
 - (a) A person who can issue a warrant or is assigned duty with a warrant according to section 5 or section 6 shall have the right to do any of the following things -
 - (1) Right to enter, with assistance if required, into a gambling house at any time and by any means within 14 days after receiving the information or, if the person has been given a warrant, within 14 days from the date of issuance of the warrant;
 - (2) right to arrest in the gambling house gamblers, persons present and supporters;



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- (3) right to confiscate gambling instruments, money and property found in the gambling house and believed to be used for gambling; and
 - (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 5 and section 6 -
- (1) The person recording the information or other reliable data shall keep confidential the name of the informant. The name of the informant may be disclosed if 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 property to the relevant police station.
 - (4) If the person taking action was not able to make an arrest, the required procedure shall be followed as prescribed.

Chapter (5) Prohibitions

8. No one shall do any of the following in a public area -
 - (a) Collect bets for gambling;
 - (b) organise, promote or support gambling; or
 - (c) gamble, organise, promote or support gambling at any game or training.
9. With regard to a gambling house, no one -
 - (a) shall gamble; or
 - (b) be present.
10. No one shall -
 - (a) Open, establish, operate or support a gambling house; or



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- (b) use, or authorise the use of, a house, building, partitioned place, compound, yard, room or vehicle which this person owns or has the right to use as a gambling house or to open or establish a gambling house.
11. No one shall do any of the following without permission -
- (a) Opening, operating, receiving bets, acting as a banker, obtaining monetary interest or supporting these acts with regard to a lottery or other games of chance similar to a lottery; or
 - (b) establishing, opening, operating, receiving bets, acting as a banker, obtaining monetary interest or supporting these acts with regard to a casino.
12. No one shall participate in any the games described in section 11.
13. No Myanmar citizens shall gamble at a casino.
14. No one shall lend or give money for gambling.

Chapter (6) **Penalties**

15. Anyone -
- (a) Found to have violated any of the prohibitions contained in section 8 shall be sentenced to imprisonment from 1 month to 6 months and, in addition, to a fine of Ks. 50,000; furthermore, the money and the evidence attached to the crime shall be confiscated as public property.
 - (b) Found to have violated any of the prohibitions contained in section 8 again after having been sentenced shall be sentenced to imprisonment from 6 months to 1 year and, in addition, to a fine from Ks. 50,000 to Ks. 100,000; furthermore, the money and the evidence attached to the crime shall be confiscated as public property.
16. Anyone -
- (a) Found to have violated any of the prohibitions contained in section 9 shall be sentenced to imprisonment from 6 months to 1 year and, in addition, to a fine from Ks. 50,000 to Ks. 100,000; furthermore, the money and the evidence attached to the crime shall be confiscated as public property.



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- (b) Found to have violated any of the prohibitions contained in section 9 again after having been sentenced shall be sentenced to imprisonment from 1 year to 3 years and, in addition, to a fine from Ks. 100,000 to Ks. 500,000; furthermore, the money and the evidence attached to the crime shall be confiscated as public property.
17. Anyone -
- (a) Found to have violated any of the prohibitions contained in section 10 shall be sentenced to imprisonment from 1 year to 3 years and, in addition, to a fine from Ks. 100,000 to Ks. 500,000; furthermore, the money and the evidence attached to the crime shall be confiscated as public property.
- (b) Found to have violated any of the prohibitions contained in section 10 again after having been sentenced shall be sentenced to imprisonment from 3 to 5 years and, in addition, to a fine from Ks. 500,000 to Ks. 1,000,000; furthermore, the money and the evidence attached to the crime shall be confiscated as public property.
18. Anyone -
- (a) Found to have violated any of the prohibitions contained in section 11 shall be sentenced to imprisonment from 1 year to 3 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 public property.
- (b) Found to have violated any of the prohibitions contained in section 11 again after having been sentenced shall be sentenced to imprisonment from 3 to 5 years and, in addition, to a fine from Ks. 500,000 to Ks. 1,000,000; furthermore, the money and the evidence attached to the crime shall be confiscated as public property.
19. Anyone -
- (a) Found to have violated any of the prohibitions contained in sections 12 or 13 shall be sentenced to imprisonment from 6 months to 1 year and, in addition, to a fine from Ks. 50,000 to Ks. 100,000; furthermore, the money and the evidence attached to the crime shall be confiscated as public property.
- (b) Found to have violated any of the prohibitions contained in sections 12 or 13 again after having been sentenced shall be sentenced to imprisonment from 1 year to 3 years and, in addition, to a fine from Ks. 100,000 to Ks. 500,000; furthermore, the money and the evidence attached to the crime shall be confiscated as public property.



20. Anyone -
- (a) Found to have violated any of the prohibitions contained in section 14 shall be sentenced to imprisonment from 1 year to 3 years and, in addition, to a fine from Ks. 100,000 to Ks. 500,000; furthermore, the money and the evidence attached to the crime shall be confiscated as public property.
 - (b) Found to have violated any of the prohibitions contained in section 13 again after having been sentenced shall be sentenced to imprisonment from 3 to 5 years and, in addition, to a fine from Ks. 500,000 to Ks. 1,000,000; furthermore, the money and the evidence attached to the crime shall be confiscated as public property.

Chapter (7) **Miscellaneous**

21. If gambling instruments are found in a gambling house or on the body of persons present in the gambling house, the house is presumed to be used as a gambling house and the persons present there are presumed to be present for gambling, irrespective of whether the searchers found them gambling, unless they can prove that they are not present for gambling.
22. A lottery may only be operated by the Inland Revenue Department under the Ministry of Planning and Finance as appointed by the Union Government.
23. The Union Government may allow the establishment and opening of casinos with specified terms.
24. A court examining a crime under this law may designate any of the accused as cooperating witness. This person shall be acquitted if he or she makes a truthful confession.
25. The relevant court shall order to grant a reward to the informers in the amount of 10%, and to the persons involved in the arrest in the amount of 20%, of the money confiscated as public property or from the sale of the objects confiscated as public property.
26. 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.
27. In order to implement the provisions of this law,
- (a) The Ministry and the Ministry of the Office of the Union Government may issue rules and regulations as required with the consent of the Union Government.



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- (b) The Ministry, the Ministry of the Office of the Union Government, the Myanmar Police Force and the General Administration Department may issue notifications, orders, directives and procedures as required.

28. The Gambling Law 1986 (Pyithu Hluttaw Law No. 6/1986) is repealed by this law.

I sign according to the constitution of the Republic of the Union of Myanmar.

(Signature)

Win Myint

President

Republic of the Union of Myanmar

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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