

## **The Gambling Act of B.E. 2478**

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### **Article 4**

Permission is forbidden to organize, to play or to gamble in games specified in List A annexed to this Act or similar games or any other bad games which the responsible Minister has issued a Ministerial Regulation naming as additional items of prohibition. However, when the Government sees fit to allow any of the games in particular places subject to particular conditions, that can be done by issuing a royal decree.

Games specified in List B annexed to this Act or similar games or any other games which the responsible Minister has issued a Ministerial Regulation naming as additional items can be organized in order to gain for the organizer direct or indirect benefit only when the responsible Minister or the licensing officer sees it fit and grants a license or where there is a Ministerial Regulation allowing such a game to be organized without a license.

In games mentioned in the foregoing Paragraph 2, gambling can be done only where there is a license to organize them or where there is a Ministerial Regulation allowing organization of them without a license.

In Games Nos. 5-15 in List B or similar games or any other games which the responsible Minister has issued a Ministerial Regulation naming as additional items, prizes of money cannot be awarded. Prizes awarded cannot be received back or bought or exchanged within the premises where the event or game is taking place or in the contiguous area during the time of the event or game.

### **Article 4 bis**

In any games other than those named in Article 4, gambling can be done only if such a game is named and conditions for gambling in it is set out in a Ministerial Regulation.

The word "games" in the foregoing paragraph also includes guessing and prediction.

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### **Article 7**

A license shall state

(1) restrictions on and conditions of gambling explicitly worded

(2) the place, date and time during which the game is allowed to be played. In case of a license for a lottery, a raffle or a sweepstake, the number of tickets to be sold, the place, date, and time of the event shall also be stated.

(3) whether the number of persons to participate in the game is fixed and that persons under 20 years of age or who have not come of age are not allowed to play the game except in the case of Item 16 on List B

#### **Article 8**

Arrangements for complimentary gifts or prizes to be awarded through people trying their luck in any manner in the conduct of a business or in the pursuance of an occupation require the prior permission of the licensing officer.

(9) In the case of a lottery, a raffle or a sweepstake or any game of luck promising money or other benefit to the winner(s), the tickets require a stamp of the seal of the licensing officer to go on sale.

While awaiting permission to organize the games mentioned in the foregoing paragraph, an advertisement cannot be made by way of directly or indirectly persuading any person to participate in the game.

#### **Article 9 bis**

No one can offer to sell or sell lottery tickets put on sale under Article 9 at a price higher than that stated on the ticket when the results have not been decided.

#### **Article 9 tri**

A person violating the provisions of Article 9 bis is punishable by an imprisonment of no more than 1 month or a fine of no more than 1,000 baht or both.

#### **Article 10**

Stake property seized from a group of people participating in a game played in violation of the provisions of this Act or those of a Ministerial Regulation or the statements on a license issued under this Act shall be confiscated. This does not apply to property which has not been put to the stake.

Equipment in use in such a game is subject to confiscation by order of the court under the criminal law.

Any documents by way of persuading people to participate in games mentioned in Article 9 bis can be seized and destroyed by the police or district officials. If such a document is sent by post to addresses in the Kingdom, the post official can seize it. In that event, the post officer shall notify the addressee. If the addressee argues that the document is not connected with gambling, the addressee can bring the matter to court within 1

month of the date of notification by the post officer. If the addressee does not bring the matter to court or if the court uphold the seizure, the post officer can destroy the seized document.

However, the post officer cannot open an envelope or a parcel by dint of the provisions of this Article except where there are signs on the outside indicating that that envelope or parcel contains objects subject to confiscation and destruction under this Act.

### **Article 11**

The licensing officer has the right to recall a license where there is sufficient grounds to believe that the licensee has acted in violation of this Act or a Ministerial Regulation or the conditions of the license issued under this Act.

### **Article 12**

Whoever organizes a game or uses tricks to lure people or assists in making announcements or advertisements to directly or indirectly persuade people to participate or gamble in the game, which is organized without the permission of the authority or with that permission but is played in an unconventional manner or whoever participates or gambles in a game organized in violation of the provisions of this Act or a Ministerial Regulation or the statements on the license is punishable thus.

(1) Where the offence is in connection with games Nos. 1-16 on List A or raffle as part of No. 16 on List B or similar games, the offender is punishable by an imprisonment of between 3 months and 3 years together with a fine of between 500 baht and 5,000 baht except where the offender is a player or gambler of the category termed as a client in which case he is punishable by an imprisonment of no more than 3 years or a fine of no more than 5,000 baht or both.

(2) Where the offence is in connection with any other game mentioned in this Act, the offender is punishable by an imprisonment of no more than 2 years or a fine of no more than 2,000 baht or both except where the offence is under Article 4 bis in which case the offender is punishable by an imprisonment of no more than 1 year or a fine of no more than 1,000 baht or both.

### **Article 13**

Whoever violates the provisions of Article 4 concerning receiving back or buying or exchanging prizes is punishable by an imprisonment of no more than 3 months or a fine of no more than 500 baht or both.

**Article 14**

Whoever violates the provisions of Article 8 is punishable by an imprisonment of no more than 1 year or a fine of between 50 baht and 2,000 baht or both.

**Article 14 bis**

Whoever has served his sentence for violating this Act violates it again when it has not yet been beyond 3 years since the completion of his previous term

(1) where the penalty for the offence in the current case is an imprisonment and a fine, a double of the normal penalty shall be imposed.

(2) where the penalty for the offence in the current case is an imprisonment or a fine, a penalty of both shall be dealt out.

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**Translator' s Note :** Most of the games on Lists A and B have long since gone out of practice and are unheard of. Translation of the Lists is, therefore, quite beyond the translator.