

## Gambling Act, 2020 (1963)

Date of authentication and Publication

2020-2-16 (30 May 1963)

### Amendment

Republic Strengthening and Some

Nepal Laws Amendment Act, 2066

2066-10-7 (21 Jan. 2010)

Act Number 1 of the year 2020

### An Act made to impose prohibition against gambling or causing gambling.

**Preamble:** Whereas, it is expedient to impose restrictions on gambling or causing gambling for economic interest and good conduct of Nepalese citizens.

Now, therefore, be it enacted by His Majesty the King Mahendra Bir Birkram Shah Dev on the advice and with the consent of *Rastriya Panchyat*.

1. **Short Title, Extent and Commencement:** (1) This Act may be called "Gambling Act, 2020".  
(2) This Act shall extend throughout ...<sup>o</sup> Nepal.  
(3) This Act shall come into force on Bhadra 1, 2020.
2. **Definition:** In this Act, 'gambling' means any game of chance which is played upon laying a wager for gaining or losing money.

Provided that, this expression shall not include any public lottery organized under the permission of the Government of Nepal and any game played in any public fair or exhibition for entertainment.

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<sup>o</sup> Omitted by Republic Strengthening and Some Nepal Laws Amendment Act, 2066

3. **Prohibition against gambling or causing gambling:** (1) No person shall commit an act of gambling, causing gambling or make arrangements for gambling berth (*Khal Thapne*) or shall use or cause to use any building, room or place which is entitled to, possessed or controlled by him/her for gambling or causing for gambling nor shall any person him/herself seat on gambling spot (den).

(2) If a person finds or knows an act or activity punishable pursuant to Sub-section (1), is being committed or going to be committed, he/she shall not conceal the fact thereof nor shall aid or abet anyone in the committing such an offence.

4. **Imposition of penalty on the person who commits or causes to commit an act prohibited under Section 3:** If a person commits or causes to commit an act prohibited under Section 3 shall be liable to following penalty for each offence;

- (a) He/ She shall be liable to a fine not exceeding with Two Hundred Rupees for committing the offence for first time, an imprisonment from one month to Three months for second time and an imprisonment of One year from third time.

Provided that, in the course of specifying the period of imprisonment for an first time offender for failing to pay the fine, such an offender shall not be imprisoned more than Two months despite the period of imprisonment may be calculated more than Two months while specifying the imprisonment in lieu of a fine so imposed.

- (b) If a person uses or causes to use any building or room or place which is entitled to, possessed or controlled by him/her for the purpose of gambling or using for gambling, he/she

shall be liable to a fine not exceeding with Three Hundred Rupees for committing the offence for first time and shall be liable to an imprisonment from Three months to Nine months from second time.

- (c) If a person lends money to any one for gambling in the spot of gambling, such a transaction shall be void and the lender shall be liable to a fine with an additional half of the said money.
- (d) If a person commits or causes to commit any other act, he/she shall be liable to a fine up to Fifty Rupees.

5. **Confiscation of all goods used for gambling:** All the cash and goods which is used, or brought or kept with an intention of using it for an act punishable under Section 4 shall be confiscated.

6. **No penalty for the complainant ( first information reporter):**

(1) Notwithstanding anything contained in Section 4, if a person who has committed an act prohibited under section 3 him/herself reports regarding the said act to the Prosecuting Authority before his/her arrest and agrees to be a witness, such a person shall not be punished.

(2) Notwithstanding anything contained in Clause (d) of Section 4, if a court deems that a person, who may be punished pursuant to the said Clause has given true statement about the offence, the court may not impose a punishment on him/her.

7. **Reward to the complainant (first information reporter):** The complainant who reports offence prohibited under Section 3, shall be rewarded Thirty percent amount of the fine collected from the offender pursuant to Section 4 of a case instituted from his/her report.

8. **Specific provision on gambling:** (1) Notwithstanding anything contained in other Sections of this Act, where the government of Nepal permits gambling upon specifying a particular location or an area, no person shall be prosecuted and punished for the commission and causing the commission of an act as referred to in Section 3 under this Act accordingly.
- (2) While granting permission pursuant to Sub-section (1) Government of Nepal may specify necessary terms and conditions.
9. **Modification:** The words "*BARKHAASE JUWA*"(all season gambling) mentioned in other prevailing Nepal Laws have been substituted by the word "gambling".
10. **Limitation:** A law suit for an act which is punishable offence under this Act shall have to be filed within a period of Thirty Five days of the cause of action and after the expiry of the said limitation no case shall be entertained.