

CHAPTER 4.**GAMING AND RECREATION PROHIBITION****ARRANGEMENT OF SECTIONS****Section**

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An Act to prohibit certain types of gaming and gambling activities within the Republic of the Marshall Islands.

Commencement: 9 April 1998
 Source: P.L. 1998-64

§401. Short Title.

This Chapter may be cited as the Gaming and Recreation Prohibition Act 1998. [P.L. 1998-64, §1.]

§402. Prohibition.

(1) No person, natural or corporate, shall engage in any form of gaming or gambling activities within the Republic.

(2) No person, natural or corporate, shall possess, use, sell, or purchase, directly or indirectly, any gambling or gaming machines, appliances or devices used in the conduct of, or to promote gaming or gambling activities within the Republic.

(3) "Gaming" or "Gambling" means the staking or wagering of money or other thing of value of a game on chance or on an uncertain event; and it includes the operation of a slot machine or similar electronic or mechanical appliance or device by which money or any other thing of value is staked and won or lost by the operation thereof. [P.L. 1998-64, §2.]

§403. Exemptions.

(1) It is the legislative intent that this Chapter shall not prohibit activities by nonprofit organizations that involve the gaming activities of bingo, raffles and cakewalks for the purpose of raising funds, and are solely in furtherance of the stated purposes of the nonprofit organizations.

(2) In order to conduct gaming or gambling activities under subsection (1), a permit must be obtained for each occasion from the appropriate local government council who shall issue such permit for a cost, not to exceed twenty dollars (\$20.00) per permit. [P.L. 1998-64, §3.]

§404. Penalties.

(1) *Criminal Penalties.* Any person, natural or corporate, who violates Section 402 of this Chapter shall be guilty of a misdemeanor and shall upon conviction be liable for a fine not to exceed one thousand dollars (\$1,000.00) or a term of imprisonment not to exceed one (1) year, or both.

(2) *Civil Penalties.* In addition to the above stated criminal penalties there shall be a civil penalty of one thousand dollars (\$1,000.00) per day for each day a violation continues. [P.L. 1998-64, §4.]

§405. Powers of the Police.

National and Local police may, upon suspicion that an offense has been committed under this Chapter:

(1) Enter any premises, with force if necessary, to investigate any offense or whether an offense has been committed.

(2) Close down any premises at which an offense under this Chapter has been committed or, upon reasonable grounds, is suspected to have been committed.

(3) Detain, in accordance with public safety regulations, any person or persons suspected of committing or assisting in the commission of an offense under this Chapter.

(4) Remove and/or impound any equipment, machine, electrical, or mechanical device suspected of being used for the commission of an offense under this Chapter.

(5) Confiscate any profits suspected of being obtained as a result of, or during the commission of an offense, under this Chapter. [P.L. 1998-64, §5.]