

LEGAL AND ILLEGAL GAMING IN MALAYSIA

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PREFACE

The aim of this paper is an attempt to analyse the distinction between legal and illegal gaming in Malaysia. Gaming per se is not illegal. It is only be illegal by the circumstances in which the game is played. The legality of each game depends on the authorisation of the game. If it is permitted by the government, it is legal.

Therefore in determine the legality of each game, the court based it's decision to the Common Gaming House Act 1953. The Court also imposes sentences on the accused charged under this act.

In preparing this paper, I do not attempt to deal with various types of game but I stress on distinguishing the two category. Therefore I confine my discussion into few category of games.

The subject of gaming is a complicated one and intricate points of law often arise. Not only court facing with problems in deciding gaming cases, but the police department are also having great difficulties in handling it. The main problem is lack of evidence and proof in convicting the suspected gamblers.

Gaming on the other hand not only fall within the ambit of criminal law but also causes crucial social problems. IT can leads to other crime such as robbery and blackmailing. Husband and wife may face with a family problem when husband neglected of maintaining the

family but glue up at the roulette table.

The government too, is losing large amount of money in a sense that the gaming operator are hiding themselves from paying tax. The government also has to spend money in order to suppress gaming.

This paper has been completed based on researches from various book, statutes and articles. I also based on interview with practising lawyer, magistrate and police officer.

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