

Regulation Ruling the Concession of Patents and Functioning Permits of Casinos

Decree No. 20224-G of January 15 of 1991,
published in La Gaceta No. 26 of February 6 of 1991,
amended by Executive Decree N° 25228 of May 27 of 1996.
In use of the faculties conferred by article 140,
clauses 3) and 18) of the Political Constitution.

REGULATION RULING THE CONCESSION OF PATENTS AND FUNCTIONING PERMITS OF CASINOS

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Whereas:

- 1.- That article 8 of the Law No. 7088 of September 30 of 1987 disposes that only casinos in first class hotels, of three or more stars, may be authorized, as established by the Costa Rica Tourist Board.
- 2.- That functioning of casinos should be understood as an incentive for receptive tourism, and thus respond to fixed hotel policies.
- 3.- That it is of public interest to regulate the operation of casinos so that its functioning serves as a stimulus for tourist activity in the country, without injury to the moral customs nor conventions.
- 4.- That given the nature of the activities of casinos, it's necessary for the State to establish a stricter control over the concession of patents and functioning permits, enforcing compliance with the regulations. Therefore,

RESOLVE:

Article 1.-For effects of this decree "casinos" are premises open to the public, to freely participate in all those games permitted by the law and indicated in article 3º of this decree. They may only be located in first class hotels or in premises that have direct access to them, forming one tourist unit. In the other cases, casinos are completely banned.

These premises will have as their main purpose to promote the receptive tourism, so that their operation is to be considered a complement to the hotel where they are located.

Article 2.-It corresponds to the Government of each Province to extend the functioning permit of each casino, permit that just as the municipal patent will be valid for one year. Its granting and renewal shall count with adequate documentation that proves its classification in hotel category, extended by the Costa Rica Tourist Board, as well as the other valid permits required by the law for its functioning.⁶⁹

Article 3.-Authorized games in casinos are all those permitted by legal dispositions and applicable regulations in which the public plays against the management or owner of the establishment or its agent. Only the following games may be practiced in casinos authorized by Government of each Province, according to this regulation: rummy, rum, canasta, shot at the target, tute, tresillo

69.As reformed by Executive Decree N0. 25228 of May 27 of 1996.

⁷⁰and casino.⁷¹

When there are games not contemplated in this article, it will be object of the jurisdiction of the Government of each province, whose function may not be delegated, to authorize its practice in authorized casinos in accordance to this decree. Those casinos where games not permitted by law are practiced, will be cancelled in its functioning permit immediately.⁷⁰

Article 4.-Casinos may only operate from eighteen hours to two hours, during every day of the year.

Article 5.-The permanence of minors, drunk persons, those under the effect of non-authorized narcotics or drugs is prohibited in casinos, as well as other situations foreseen by article 378, clause 2) of the Penal Code.

Article 6.-Annulled⁷¹

Article 7.-Annulled⁷²

Article 8.-Every casino must issue vouchers, chronologically numbered, both for income of money, as well as issue of the same from the game tables, perfectly legible and previously sealed by Direct Taxation, The document for income of money must contain, at least: the date, the amount bought in tokens, name of the employee issuing the receipt and his signature. This last document or voucher should be introduced, along with the money received in the cash boxes that are kept in game tables for this purpose. The voucher for issuance of money shall contain as minimum information: date of issuance, amount paid, name and signatures of functionaries authorizing the payment, and name, signatures and I.D. or passport numbers, in case of foreigners, of who receives the money if its amount is higher than fifty thousand colones. All these documents must be available for examination by competent authorities.

Article 9.-To remain in the casinos, it is necessary for foreigners to present their passport or a document that proves the legality of their sojourn in Costa Rica, and deposit it at the casino's management while remaining in it. Nationals should show their updated I.D. card.

Article 10.-This decree is in effect from its publication, and annuls all dispositions that oppose it.

70. As amended by Executive Decree N0 25228 of May 27 of 1996.

71. Annulled by resolution of the Constitutional Court number 10000-99 of December 21 de 1999.

72. By resolution of the Constitutional Court No. 5547-95 of October 11 of 1995 published in the Juridical Bulletin No. 219 of November 14 of 1996.

Transitory 1.-Casinos authorized before the promulgation of the present decree, that are currently operating, will benefit from a three month term to adjust themselves to dispositions of the present, under penalty of closure of the casino.

Transitory 2.-For renewal of the patents and functioning permits granted before the promulgation of this decree, it's necessary to comply with the requirements here stipulated under the warning that if not complying, such documents will not be renewed.

Given at the Presidency of the Republic, San José, at day fifteen of January of nineteen ninety one.

RAFAEL ANGEL CALDERON F.
MINISTER OF GOVERNMENT AND POLICE, LUIS FISHMAN.