



New South Wales

Unlawful Gambling Amendment (Betting on Animals) Bill 2023

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Unlawful Gambling Act 1998* to outlaw gambling on activities involving live animals, including—

- (a) making it an offence for a person in the State to place a bet on an activity involving a live animal, and
- (b) making it an offence for a licensed bookmaker to carry on bookmaking for an activity involving a live animal.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 Amendment of Unlawful Gambling Act 1998 No 113

Schedule 1[2] replaces the current offences relating to unlawful betting in section 8 with a single offence of gambling on an activity involving a live animal. **Schedule 1[1]** is a consequential amendment.

Schedule 1[3] amends section 9 to make it an offence for a licensed bookmaker to carry on bookmaking for an activity involving a live animal.



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New South Wales

Unlawful Gambling Amendment (Betting on Animals) Bill 2023

No. , 2023

A Bill for

An Act to amend the *Unlawful Gambling Act 1998* to outlaw gambling on activities involving live animals; and for related purposes.

The Legislature of New South Wales enacts—

1

1 Name of Act

2

This Act is the *Unlawful Gambling Amendment (Betting on Animals) Act 2023*.

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2 Commencement

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This Act commences on the date of assent to this Act.

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Schedule 1	Amendment of Unlawful Gambling Act 1998 No 113	1
		2
[1] Section 7 Lawful forms of gambling		3
	Omit section 7(a) and (a1).	4
[2] Section 8		5
	Omit the section. Insert instead—	6
	8 Offence to gamble on activity involving live animals	7
	(1) Despite anything in this Act, or any other law, a person must not gamble on an activity involving a live animal including, but not limited to, the following—	8
	(a) greyhound racing,	9
	(b) harness racing,	10
	(c) horse racing,	11
	(d) jumps racing.	12
	Maximum penalty—	13
	(a) for an individual—50 penalty units or imprisonment for 12 months, or both, or	14
	(b) otherwise—100 penalty units.	15
	(2) Subsection (1)—	16
	(a) applies to gambling by a person in the State with another person who is outside the State, including a person who is outside Australia, and	17
	(b) does not apply to a gaming activity permitted by a regulation made under the <i>Community Gaming Act 2018</i> , section 10.	18
[3] Section 9 Offence of unlawful bookmaking		19
	Omit section 9(2)–(5). Insert instead—	20
	(2) Despite anything in this Act, or any other law, a person who is a licensed bookmaker must not carry on bookmaking for an activity involving a live animal including, but not limited to, the following—	21
	(a) greyhound racing,	22
	(b) harness racing,	23
	(c) horse racing,	24
	(d) jumps racing.	25
	Maximum penalty—	26
	(a) for an individual—	27
	(i) for a first offence—100 penalty units or imprisonment for 2 years, or both, or	28
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- (ii) for a second or subsequent offence—500 penalty units or imprisonment for 2 years, or both, or 1
- (b) otherwise— 3
- (i) for a first offence—200 penalty units, or 4
 - (ii) for a second or subsequent offence—1,000 penalty units. 5