



New South Wales

Gambling (Two-up) Amendment Bill 2005

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 *Gambling (Two-up) Act 1998* to allow two-up to be played on certain commemorative days other than Anzac Day.

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.

Clause 3 is a formal provision that gives effect to the amendments to the *Gambling (Two-up) Act 1998* set out in Schedule 1.

Schedule 1 Amendments

Schedule 1 [3] provides for the regulations to prescribe commemorative days for the purposes of the Act. However, the period before 12 noon on 11 November in any year cannot be prescribed as a commemorative day for the purposes of the Act.

Schedule 1 [5] enables games of two-up to be conducted on any premises on a commemorative day.

Gambling (Two-up) Amendment Bill 2005

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Schedule 1 [6] requires all payments or benefits involved in a game of two-up conducted in a registered club are to be disposed of for the benefit of a charity, body or organisation prescribed by the regulations. If there are no such regulations, the money must, as is the case at present, be disposed of for the benefit of any charity or charitable purpose.

Schedule 1 [7] enables regulations to be made so as to require a registered club to report on the disposal of all payments and benefits involved in the conduct of a game of two-up on the premises of the club.

Schedule 1 [1], [2], [4] and [8] make consequential amendments and amendments of a savings or transitional nature.

First print



New South Wales

Gambling (Two-up) Amendment Bill 2005

Contents

	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Gambling (Two-up) Act 1998 No 115	2
Schedule 1 Amendments	3



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Gambling (Two-up) Amendment Bill 2005

No. , 2005

A Bill for

An Act to amend the *Gambling (Two-up) Act 1998* to provide for two-up to be played on commemorative days other than Anzac Day; and for other purposes.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Gambling (Two-up) Amendment Act 2005</i> .	3
2 Commencement	4
This Act commences on the date of assent.	5
3 Amendment of Gambling (Two-up) Act 1998 No 115	6
The <i>Gambling (Two-up) Act 1998</i> is amended as set out in Schedule 1.	7

Schedule 1	Amendments	1
	(Section 3)	2
[1]	Section 3 Objects of Act	3
	Insert “and other commemorative days” after “Anzac Day” in section 3 (a) (i).	4
[2]	Section 4 Definitions	5
	Insert in alphabetical order in section 4 (1):	6
	<i>commemorative day</i> —see section 4A.	7
[3]	Section 4A	8
	Insert after section 4:	9
	4A Meaning of “commemorative day”	10
	(1) The regulations may prescribe a day or part of a day to be a <i>commemorative day</i> for the purposes of this Act.	11
	(2) However, a commemorative day cannot include any part of 11 November (in any year) that is before 12 noon on that day.	12
[4]	Part 2, heading	15
	Insert “and other commemorative days” after “Anzac Day”.	16
[5]	Section 6 Two-up on Anzac Day and other commemorative days not unlawful	17
	Insert “or a commemorative day” after “Anzac Day” in section 6 (1).	18
[6]	Section 8 Conditions relating to registered clubs	20
	Omit section 8 (b). Insert instead:	21
	(b) all payments or other benefits involved must be entirely disposed of:	22
	(i) for the benefit of a charity, body or other organisation prescribed by the regulations, or	23
	(ii) if no such charity, body or other organisation is prescribed, for the benefit of any charity or charitable purpose,	24
	and are not to form part of the funds of the club, and	25
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Gambling (Two-up) Amendment Bill 2005

Schedule 1 Amendments

[7] Section 8 (2)	1
Insert at the end of section 8:	2
(2) The regulations may require a registered club to report, in accordance with the regulations, on the disposal of all payments or benefits involved in conducting a game of two-up on the premises of the club.	3 4 5 6
[8] Schedule 1 Savings and transitional provisions	7
Insert at the end of clause 1:	8
the <i>Gambling (Two-up) Amendment Act 2005</i>	9