CONCURRENCE COPY

LOTTERIES AND ART UNIONS (AMENDMENT) BILL, 1978

(This Explanatory Note relates to this Bill as introduced into Parliament)

The objects of this Bill are-

- (a) to enable clubs registered under Part X of the Liquor Act, 1912, or Part IIIA of the Gaming and Betting Act, 1912, to conduct certain games of chance (e.g., housie) subject to certain conditions, including conditions—
 - (i) that a permit be obtained from the Minister;
 - (ii) that no charge is made for participating in the games;
 - (iii) that no money prizes are awarded;
 - (iv) that no prizes shall consist of or include spirituous or fermented liquors or tobacco in any form; and
 - (v) that the games only be conducted on the days and at the times specified in the permit (Schedule 1 (1));
- (b) to make certain amendments to the Lotteries and Art Unions Act, 1901, by way of statute law revision (Schedule 2); and
- (c) to make other provisions of a minor, consequential or ancillary nature.



LOTTERIES AND ART UNIONS (AMENDMENT) BILL, 1978

No. , 1978.

A BILL FOR

An Act to amend the Lotteries and Art Unions Act, 1901, in relation to the conducting of games of chance in registered clubs, and in certain other respects.

[MR HAIGH—8 February, 1978.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

- 5 1. This Act may be cited as the "Lotteries and Art Unions Short title. (Amendment) Act, 1978".
 - 2. (1) Except as provided in subsections (2) and (3), this Commence-Act shall commence on the date of assent to this Act.
- (2) Section 4 shall, in its application to a provision of 10 Schedules 1 and 2, commence on the day on which that provision commences.
 - (3) Schedule 1 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.
- 15 3. This Act contains the following Schedules:—

Schedules.

- SCHEDULE 1.—AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, RELATING TO THE CONDUCTING OF GAMES OF CHANCE IN REGISTERED CLUBS.
- SCHEDULE 2.—AMENDMENTS TO THE LOTTERIES AND
 ART UNIONS ACT, 1901, BY WAY OF STATUTE LAW
 REVISION.
 - 4. The Lotteries and Art Unions Act, 1901, is amended in Amendment the manner set forth in Schedules 1 and 2.

 Amendment of Act No. 34, 1901.

SCHEDULE 1.

Sec. 4.

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, RELATING TO THE CONDUCTING OF GAMES OF CHANCE IN REGISTERED CLUBS.

5 (1) Section 4c—

After section 4B, insert :-

4c. (1) In this section—

Games of

"game of chance" includes a game partly of skill and chance in registered partly of chance and a lottery, not being a lottery clubs. within the meaning of section 4;

"goods, wares or merchandise" includes tickets for admission to any entertainment or for tours or journeys.

- (2) The provisions of section 3 do not apply so as to prohibit the conduct of a game of chance whereby goods, wares or merchandise are disposed of, if-
 - (a) the game of chance is conducted by, or under the authority of, a club registered under Part X of the Liquor Act, 1912, or Part IIIA of the Gaming and Betting Act, 1912; and
 - (b) the conditions specified in subsection (3) are complied with in respect of the game of chance.
 - (3) The conditions referred to in subsection (2) (b) are—
 - (a) that a permit for the conduct of the game has been issued by the Minister;
 - (b) that the value of the prizes in any one game shall not exceed the prescribed amount or such lesser amount as may be specified in the permit referred to in paragraph (a) in respect of the game;
 - (c) that the game is conducted by or on behalf of the club for the members thereof and their guests and is conducted in the club's premises;

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SCHEDULE 1—continued.

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, RELATING TO THE CONDUCTING OF GAMES OF CHANCE IN REGISTERED CLUBS—continued.

- (d) that no charge is made or no other consideration is given for participating in the game;
- (e) that no prize in the game shall be awarded entitling the winner thereof to money;
- (f) that no prize in the game shall consist of or include spirituous or fermented liquors or tobacco in any form;
- (g) that the game be conducted on such day or days and during such hours, if any, as are specified in the permit referred to in paragraph (a) in respect of the game;
- (h) that any regulations made under this Act and relating to the game or any function, device or scheme held or used in conjunction therewith are complied with; and
- (i) such other conditions as the Minister may impose on the issue of a permit referred to in paragraph (a) in respect of a game.
- (4) An application for a permit under this section shall be made in writing to the Minister and shall be 25 accompanied by the prescribed fee, if any.

(2) (a) Section 11 (a)—

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Omit "conducted; or", insert instead "conducted;".

(b) Section 11 (b)—

Omit "conducted,", insert instead "conducted; or".

SCHEDULE 1—continued.

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, RELATING TO THE CONDUCTING OF GAMES OF CHANCE IN REGISTERED CLUBS—continued.

5 (c) Section 11 (c)—

After section 11 (b), insert:

(c) of any club referred to in section 4c by which, or under whose authority, a game of chance within the meaning of that section was conducted,

(3) Section 14—

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Omit "or a game of chance conducted in connection with a competition for the promotion of trade" wherever occurring, insert instead ", a game of chance conducted in connection with a competition for the promotion of trade or a game of chance conducted by, or under the authority of, a club referred to in section 4c".

(4) Section 15A (1)—

Omit "section 4A or 4B, subsection (1) or (1A) of section 5, section 6, 10, 11 or 15", insert instead "sections 4A, 4B, 4C, 5, 6, 10, 11 and 15".

(5) (a) Section 16—

Omit "or non-profit organisation", insert instead ", non-profit organisation or club".

25 (b) Section 16—

Omit "or 4A", insert instead ", 4A or 4C".

SCHEDULE 1—continued.

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901,
RELATING TO THE CONDUCTING OF GAMES OF CHANCE IN
REGISTERED CLUBS—continued.

5 (6) (a) Section 17 (a)—

Omit "or 4B", insert instead ", 4B or 4C".

- (b) Section 17 (b)—
 Omit "or 4B", insert instead ", 4B or 4c".
- (7) Section 23 (1) (m)—
- 10 After section 23 (1) (1), insert :—
 - (m) The terms of agreement between persons promoting—
 - (i) games of chance, as defined in section 4c (1), conducted by, or under the authority of, clubs referred to in section 4c (2) (a); or
 - (ii) functions at or in conjunction with which those games of chance are so conducted,

and those clubs.

SCHEDULE 2.

Sec. 4.

- 20 AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, BY WAY OF STATUTE LAW REVISION.
 - (1) Section 4 (4)—

Omit "subparagraph (ii) of paragraph (e) of subsection (3)", insert instead "subsection (3) (e) (ii)".

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SCHEDULE 2—continued.

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, BY WAY OF STATUTE LAW REVISION—continued.

(2) (a) Section 4A (3)—

Omit "paragraph (b) of subsection (2)", insert instead "subsection (2) (b)".

(b) Section 4A (6)—

Omit "subparagraph (ii) of paragraph (g) of subsection (3)", insert instead "subsection (3) (g) (ii)".

(3) Section 5 (1A) (a)—

Omit "paragraph (b) of subsection (1)", insert instead "subsection (1) (b)".

(4) Section 6A—

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Omit "paragraph (b) of subsection (1) of section 5", insert instead "section 5 (1) (b)".

(5) Section 23 (1) (1)—

Omit "subsection (1) of section 2", insert instead "section 2 (1)".

SCHEDLLE 2s-communed

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 100F.

BY-WAY OF STATUTE LAW REVISION—CommunicaL

- (2) (a) Section 44 (3) --
- Ond 'paragraph (b) of subsection (2)" insert insert
 - (b) Section 4x (b) -

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(g) (ii) "subscripe (ii) insert instead subscripe (ii) (g) (ii)"

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Omit 'paragraph (b)' of subsection (1)'s insert instead

(4) Section (14)

15 Omit 'paragraph (b) of subsection (3) of section 5" misert instead "cepton 5 (4) (b)";

(1) Section 23 (1) (1) ==

Omit "subsection (1) of section 2", insert instead, section 2 (1)"

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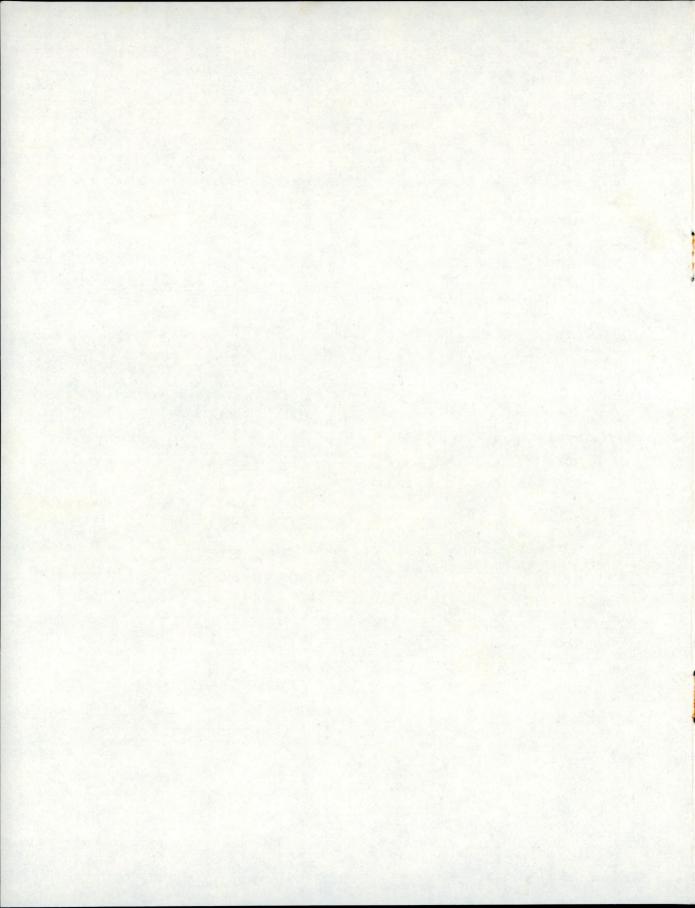
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LOTTERIES AND ART UNIONS (AMENDMENT) BILL, 1978

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- (a) to enable clubs registered under Part X of the Liquor Act, 1912, or Part IIIA of the Gaming and Betting Act, 1912, to conduct certain games
 of chance (e.g., housie) subject to certain conditions, including conditions—
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 - (v) that the games only be conducted on the days and at the times specified in the permit (Schedule 1 (1));
- (b) to make certain amendments to the Lotteries and Art Unions Act, 1901, by way of statute law revision (Schedule 2); and
- (c) to make other provisions of a minor, consequential or ancillary nature.



LOTTERIES AND ART UNIONS (AMENDMENT) BILL, 1978

No. , 1978.

A BILL FOR

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[MR HAIGH—8 February, 1978.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

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 Amendment of Act No. 34, 1901.

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SCHEDULE 1.

Sec. 4.

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, RELATING TO THE CONDUCTING OF GAMES OF CHANCE IN REGISTERED CLUBS.

5 (1) Section 4c—

After section 4B, insert:

4c. (1) In this section—

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"game of chance" includes a game partly of skill and registered partly of chance and a lottery, not being a lottery clubs. within the meaning of section 4;

"goods, wares or merchandise" includes tickets for admission to any entertainment or for tours or journeys.

- (2) The provisions of section 3 do not apply so as to prohibit the conduct of a game of chance whereby goods, wares or merchandise are disposed of, if-
 - (a) the game of chance is conducted by, or under the authority of, a club registered under Part X of the Liquor Act, 1912, or Part IIIA of the Gaming and Betting Act, 1912; and
 - (b) the conditions specified in subsection (3) are complied with in respect of the game of chance.
 - (3) The conditions referred to in subsection (2) (b) are—
 - (a) that a permit for the conduct of the game has been issued by the Minister;
 - (b) that the value of the prizes in any one game shall not exceed the prescribed amount or such lesser amount as may be specified in the permit referred to in paragraph (a) in respect of the game;
 - (c) that the game is conducted by or on behalf of the club for the members thereof and their guests and is conducted in the club's premises;

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SCHEDULE 1—continued.

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, RELATING TO THE CONDUCTING OF GAMES OF CHANCE IN REGISTERED CLUBS—continued.

- (d) that no charge is made or no other consideration is given for participating in the game;
- (e) that no prize in the game shall be awarded entitling the winner thereof to money;
- (f) that no prize in the game shall consist of or include spirituous or fermented liquors or tobacco in any form;
- (g) that the game be conducted on such day or days and during such hours, if any, as are specified in the permit referred to in paragraph (a) in respect of the game;
- (h) that any regulations made under this Act and relating to the game or any function, device or scheme held or used in conjunction therewith are complied with; and
- (i) such other conditions as the Minister may impose on the issue of a permit referred to in paragraph (a) in respect of a game.
- (4) An application for a permit under this section shall be made in writing to the Minister and shall be accompanied by the prescribed fee, if any.

(2) (a) Section 11 (a)—

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Omit "conducted; or", insert instead "conducted;".

(b) Section 11 (b)—

Omit "conducted,", insert instead "conducted; or".

SCHEDULE 1—continued.

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, RELATING TO THE CONDUCTING OF GAMES OF CHANCE IN REGISTERED CLUBS—continued.

5 (c) Section 11 (c)—

After section 11 (b), insert :—

(c) of any club referred to in section 4c by which, or under whose authority, a game of chance within the meaning of that section was conducted,

(3) Section 14—

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Omit "or a game of chance conducted in connection with a competition for the promotion of trade" wherever occurring, insert instead ", a game of chance conducted in connection with a competition for the promotion of trade or a game of chance conducted by, or under the authority of, a club referred to in section 4c".

(4) Section 15A (1)—

Omit "section 4A or 4B, subsection (1) or (1A) of section 5, section 6, 10, 11 or 15", insert instead "sections 4A, 4B, 4C, 5, 6, 10, 11 and 15".

(5) (a) Section 16—

Omit "or non-profit organisation", insert instead ", non-profit organisation or club".

25 (b) Section 16—

Omit "or 4A", insert instead ", 4A or 4c".

SCHEDULE 1—continued.

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, RELATING TO THE CONDUCTING OF GAMES OF CHANCE IN REGISTERED CLUBS—continued.

5 (6) (a) Section 17 (a)—

Omit "or 4B", insert instead ", 4B or 4C".

- (b) Section 17 (b)—
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- (7) Section 23 (1) (m)—

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- 10 After section 23 (1) (1), insert :—
 - (m) The terms of agreement between persons promoting—
 - (i) games of chance, as defined in section 4c (1), conducted by, or under the authority of, clubs referred to in section 4c (2) (a); or
 - (ii) functions at or in conjunction with which those games of chance are so conducted,

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and those clubs.

SCHEDULE 2.

Sec. 4.

- 20 AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, BY WAY OF STATUTE LAW REVISION.
 - (1) Section 4 (4)—

Omit "subparagraph (ii) of paragraph (e) of subsection (3)", insert instead "subsection (3) (e) (ii)".

SCHEDULE 2—continued.

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, BY WAY OF STATUTE LAW REVISION—continued.

- (2) (a) Section 4A (3)—
- 5 Omit "paragraph (b) of subsection (2)", insert instead "subsection (2) (b)".
 - (b) Section 4A (6)—

Omit "subparagraph (ii) of paragraph (g) of subsection (3)", insert instead "subsection (3) (g) 10 (ii)".

(3) Section 5 (1A) (a)—

Omit "paragraph (b) of subsection (1)", insert instead "subsection (1) (b)".

- (4) Section 6A—
- 15 Omit "paragraph (b) of subsection (1) of section 5", insert instead "section 5 (1) (b)".
 - (5) Section 23 (1) (1)—

Omit "subsection (1) of section 2", insert instead "section 2 (1)".

BY AUTHORITY

Act No. 1978.

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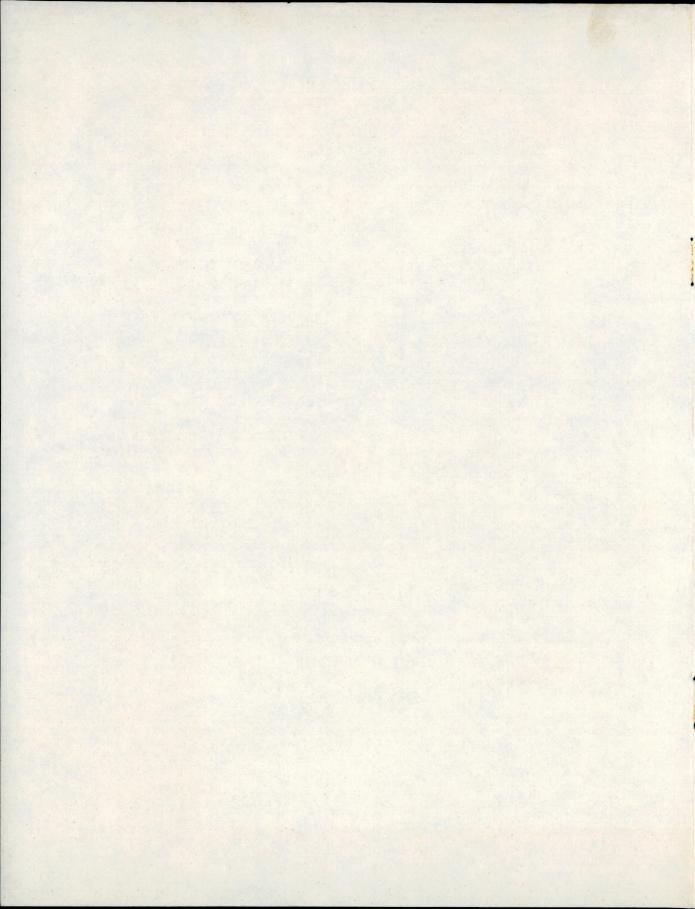
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LOTTERIES AND ART UNIONS (AMENDMENT) ACT, 1978, No. 51

New South Wales



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ELIZABETHÆ II REGINÆ

Act No. 51, 1978.

An Act to amend the Lotteries and Art Unions Act, 1901, in relation to the conducting of games of chance in registered clubs, and in certain other respects. [Assented to, 3rd April, 1978.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Lotteries and Art Unions Short title. (Amendment) Act, 1978".

2. (1) Except as provided in subsections (2) and (3), this Commencement. Act shall commence on the date of assent to this Act.

- (2) Section 4 shall, in its application to a provision of Schedules 1 and 2, commence on the day on which that provision commences.
- (3) Schedule 1 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. This Act contains the following Schedules:— Schedules.

> SCHEDULE 1.—Amendments to the Lotteries and ART UNIONS ACT, 1901, RELATING TO THE CONDUCT-ING OF GAMES OF CHANCE IN REGISTERED CLUBS.

> SCHEDULE 2.—AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, BY WAY OF STATUTE LAW REVISION.

The Lotteries and Art Unions Act, 1901, is amended in Amendment of Act No. the manner set forth in Schedules 1 and 2. 34, 1901,

SCHEDULE 1.

Sec. 4.

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, RELATING TO THE CONDUCTING OF GAMES OF CHANCE IN REGISTERED CLUBS.

(1) Section 4c—

After section 4B, insert:

4c. (1) In this section—

Games of

- "game of chance" includes a game partly of skill and chance in registered partly of chance and a lottery, not being a lottery clubs. within the meaning of section 4;
- "goods, wares or merchandise" includes tickets for admission to any entertainment or for tours or journeys.
- (2) The provisions of section 3 do not apply so as to prohibit the conduct of a game of chance whereby goods, wares or merchandise are disposed of, if—
 - (a) the game of chance is conducted by, or under the authority of, a club registered under Part X of the Liquor Act, 1912, or Part IIIA of the Gaming and Betting Act, 1912; and
 - (b) the conditions specified in subsection (3) are complied with in respect of the game of chance.
- (3) The conditions referred to in subsection (2) (b) are—
 - (a) that a permit for the conduct of the game has been issued by the Minister;
 - (b) that the value of the prizes in any one game shall not exceed the prescribed amount or such lesser amount as may be specified in the permit referred to in paragraph (a) in respect of the game;
 - (c) that the game is conducted by or on behalf of the club for the members thereof and their guests and is conducted in the club's premises;

SCHEDULE 1—continued.

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, RELATING TO THE CONDUCTING OF GAMES OF CHANCE IN REGISTERED CLUBS—continued.

- (d) that no charge is made or no other consideration is given for participating in the game;
- (e) that no prize in the game shall be awarded entitling the winner thereof to money;
- (f) that no prize in the game shall consist of or include spirituous or fermented liquors or tobacco in any form;
- (g) that the game be conducted on such day or days and during such hours, if any, as are specified in the permit referred to in paragraph (a) in respect of the game;
- (h) that any regulations made under this Act and relating to the game or any function, device or scheme held or used in conjunction therewith are complied with; and
- (i) such other conditions as the Minister may impose on the issue of a permit referred to in paragraph(a) in respect of a game.
- (4) An application for a permit under this section shall be made in writing to the Minister and shall be accompanied by the prescribed fee, if any.

(2) (a) Section 11 (a)—

Omit "conducted; or", insert instead "conducted;".

(b) Section 11 (b)—

Omit "conducted,", insert instead "conducted; or".

SCHEDULE 1—continued.

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, RELATING TO THE CONDUCTING OF GAMES OF CHANCE IN REGISTERED CLUBS—continued.

(c) Section 11 (c)—

After section 11 (b), insert :-

(c) of any club referred to in section 4c by which, or under whose authority, a game of chance within the meaning of that section was conducted,

(3) Section 14—

Omit "or a game of chance conducted in connection with a competition for the promotion of trade" wherever occurring, insert instead ", a game of chance conducted in connection with a competition for the promotion of trade or a game of chance conducted by, or under the authority of, a club referred to in section 4c".

(4) Section 15A (1)—

Omit "section 4A or 4B, subsection (1) or (1A) of section 5, section 6, 10, 11 or 15", insert instead "sections 4A, 4B, 4C, 5, 6, 10, 11 and 15".

(5) (a) Section 16—

Omit "or non-profit organisation", insert instead ", non-profit organisation or club".

(b) Section 16—

Omit "or 4A", insert instead ", 4A or 4C".

SCHEDULE 1—continued.

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, RELATING TO THE CONDUCTING OF GAMES OF CHANCE IN REGISTERED CLUBS—continued.

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and those clubs.

Sec. 4.

SCHEDULE 2.

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, BY WAY OF STATUTE LAW REVISION.

(1) Section 4 (4)—

Omit "subparagraph (ii) of paragraph (e) of subsection (3)", insert instead "subsection (3) (e) (ii)".

SCHEDULE 2—continued.

Amendments to the Lotteries and Art Unions Act, 1901. BY WAY OF STATUTE LAW REVISION—continued.

(2) (a) Section 4A (3)—

Omit "paragraph (b) of subsection (2)", insert instead "subsection (2) (b)".

(b) Section 4A (6)—

Omit "subparagraph (ii) of paragraph (g) of subsection (3)", insert instead "subsection (3) (g) (ii)".

(3) Section 5 (1A) (a)—

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(4) Section 6A—

Omit "paragraph (b) of subsection (1) of section 5", insert instead "section 5 (1) (b)".

(5) Section 23 (1) (1)—

Omit "subsection (1) of section 2", insert instead "section 2 (1)".

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER. Governor.

Government House. Sydney, 3rd April, 1978.

BY AUTHORITY

Act Na. 51, 1978.

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