

GAMING AND BETTING (AMENDMENT) BILL, 1979

EXPLANATORY NOTE

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

The object of this Bill is to amend the Gaming and Betting Act, 1912—

- (a) to extend the legal period for betting on intrastate and interstate racing events at a race-meeting where the meeting is postponed or abandoned after the running of at least 1 race (Schedule 1 (1) and (2));
- (b) to ensure that the expression "owner or occupier" in section 21 of the Act, which prohibits the use of a place as, or as access to, a gaming-house, extends to certain persons in the nature of owners or occupiers (Schedule 1 (3)); and
- (c) to vary the penalties in respect of offences against certain sections of the Act, as set out in the following Table, and to make amendments of a consequential nature (Schedule 2) :—

TABLE

Section of the Gaming and Betting Act, 1912.	Offence.	Old Penalty (maximum).	New Penalty (maximum).
5	Street betting.	First offence: \$200. Subsequent offence: 6 months' imprisonment.	\$1,000.
43A (1) ..	Being found in suspected betting-house.	\$60.	\$100.
44 (1) ..	Keeping betting-house.	\$200 or 6 months' imprisonment.	\$1,000.
44 (2) ..	Being found in betting-house.	\$100.	\$500.
45	Receiving money as deposit, etc., on a bet.	\$100 or 3 months' imprisonment.	\$1,000.
46 (a), (c) ..	Exhibiting placards, etc., as to betting.	\$60 or 2 months' imprisonment.	\$1,000.
46 (b) ..	Publishing betting information in a newspaper or by radio or television.	First offence: \$200. Subsequent offence: not less than \$200 and not exceeding \$500.	\$1,000.
47	Advertising as to betting.	\$60 or 2 months' imprisonment.	\$1,000.
47A (2) ..	Keeping place for communication of betting information.	First offence: \$200. Subsequent offence: not less than \$200 and not exceeding \$500.	\$1,000.

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GAMING AND BETTING (AMENDMENT) BILL, 1979

No. , 1979.

A BILL FOR

An Act to amend the Gaming and Betting Act, 1912, in relation to betting on race-courses when meetings are postponed or abandoned, the prosecution of persons allowing places to be used as gaming-houses, and the variation of penalties for certain offences against the Act.

[MR CRABTREE—13 *September*, 1979.]

Gaming and Betting (Amendment).

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 “Gaming and Betting Short title.
(Amendment) Act, 1979”.

2. The Gaming and Betting Act, 1912, is referred to in this Principal
Act as the Principal Act. Principal
Act.

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

10 **SCHEDULE 1.—MISCELLANEOUS AMENDMENTS TO THE
 PRINCIPAL ACT.**

**SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL ACT
 RELATING TO PENALTIES.**

15 **4.** The Principal Act is amended in the manner set forth in
Schedules 1 and 2. Amendment
of Act No.
25, 1912.

Gaming and Betting (Amendment).

SCHEDULE 1.

Sec. 4.

MISCELLANEOUS AMENDMENTS TO THE PRINCIPAL ACT.

(1) Section 3, definition of "Street"—

5 Omit "licensed race-course during the period in which a race-meeting is being held on such race-course.", insert instead :—

licensed race-course—

- 10 (a) during the period in which a race-meeting is being held on the race-course; and
- (b) during so much of the day as remains after the conclusion, postponement or abandonment of a race-meeting at the race-course following the running of at least 1 race at that meeting on that day.

15 (2) Section 7—

Omit "shall not extend, during the period in which a race-meeting is being held on any such race-course, to betting or wagering on such race-course at any time after sunset upon any greyhound-races or trotting races or contests held on such or any other race-course.", insert instead :—

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shall not extend to betting or wagering on the race-course at any time after sunset—

- (a) during the period in which a race-meeting is being held on the race-course; and
- 25 (b) during so much of the day as remains after the conclusion, postponement or abandonment of a race-meeting at the race-course following the running of at least 1 race at that meeting on that day,

30 where the betting or wagering is upon any greyhound-races or trotting races or contests not unlawfully being held on that or any other race-course.

Gaming and Betting (Amendment).

SCHEDULE 1—*continued.*

MISCELLANEOUS AMENDMENTS TO THE PRINCIPAL ACT—
continued.

(3) Section 21—

- 5 Omit “owner or occupier of a place”, insert instead
“owner, occupier or keeper of a place, a person procured
or employed by or acting for or on behalf of an owner,
10 occupier or keeper of a place, a person having the care
or management of a place, or a person who is, in any
manner, conducting the business of a place”.

SCHEDULE 2.

Sec. 4.

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO PENALTIES.

(1) Section 5—

- 15 Omit “for a first offence to a penalty not exceeding two
hundred dollars, and for a second offence to imprisonment
for six months”, insert instead “to a penalty not exceeding
\$1,000”.

(2) Section 43A (1)—

Omit “sixty dollars”, insert instead “\$100”.

20 (3) (a) Section 44 (1)—

Omit “two hundred dollars, or to imprisonment with
or without hard labour for a term not exceeding six
months”, insert instead “\$1,000”.

Gaming and Betting (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO PENALTIES
—*continued.*

(b) Section 44 (2)—

5 Omit “one hundred dollars”, insert instead “\$500”.

(4) Section 45—

Omit “one hundred dollars or to imprisonment with or without hard labour for a term not exceeding three months”, insert instead “\$1,000”.

10 (5) (a) Section 46 (b) (ii)—

After “section 47A;”, insert “or”.

(b) Section 46—

15 Omit “, in the cases referred to in paragraphs (a) and (c), to a penalty not exceeding sixty dollars or to imprisonment with or without hard labour for a term not exceeding two months and, in the case referred to in paragraph (b), to the same penalties as for offences against section 47A”, insert instead “to a penalty not exceeding \$1,000”.

20 (6) Section 47—

Omit “sixty dollars or to imprisonment with or without hard labour for a term not exceeding two months”, insert instead “\$1,000”.

Gaming and Betting (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO PENALTIES
—*continued.*

(7) Section 47A (2)—

- 5 Omit “, for a first offence, be liable to a penalty not
exceeding two hundred dollars, and for a second or any
subsequent offence to a penalty of not less than two
hundred dollars and not exceeding five hundred dollars”,
10 insert instead “be liable to a penalty not exceeding
\$1,000”.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES, 1979

**GAMING AND BETTING (AMENDMENT) ACT,
1979, No. 129**

New South Wales



ANNO VICESIMO OCTAVO

ELIZABETHÆ II REGINÆ

Act No. 129, 1979.

An Act to amend the Gaming and Betting Act, 1912, in relation to betting on race-courses when meetings are postponed or abandoned, the prosecution of persons allowing places to be used as gaming-houses, and the variation of penalties for certain offences against the Act. [Assented to, 13th November, 1979.]

Gaming and Betting (Amendment).

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 :—

Short title. 1. This Act may be cited as the "Gaming and Betting (Amendment) Act, 1979".

Principal Act. 2. The Gaming and Betting Act, 1912, is referred to in this Act as the Principal Act.

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

SCHEDULE 1.—MISCELLANEOUS AMENDMENTS TO THE PRINCIPAL ACT.

SCHEDULE 2.—AMENDMENTS TO THE PRINCIPAL ACT RELATING TO PENALTIES.

Amendment of Act No. 25, 1912. 4. The Principal Act is amended in the manner set forth in Schedules 1 and 2.

Gaming and Betting (Amendment).

SCHEDULE 1.

Sec. 4.

MISCELLANEOUS AMENDMENTS TO THE PRINCIPAL ACT.

(1) Section 3, definition of "Street"—

Omit "licensed race-course during the period in which a race-meeting is being held on such race-course.", insert instead :—

licensed race-course—

- (a) during the period in which a race-meeting is being held on the race-course; and
- (b) during so much of the day as remains after the conclusion, postponement or abandonment of a race-meeting at the race-course following the running of at least 1 race at that meeting on that day.

(2) Section 7—

Omit "shall not extend, during the period in which a race-meeting is being held on any such race-course, to betting or wagering on such race-course at any time after sunset upon any greyhound-races or trotting races or contests held on such or any other race-course.", insert instead :—

shall not extend to betting or wagering on the race-course at any time after sunset—

- (a) during the period in which a race-meeting is being held on the race-course; and
- (b) during so much of the day as remains after the conclusion, postponement or abandonment of a race-meeting at the race-course following the running of at least 1 race at that meeting on that day,

where the betting or wagering is upon any greyhound-races or trotting races or contests not unlawfully being held on that or any other race-course.

Gaming and Betting (Amendment).

SCHEDULE 1—*continued.*MISCELLANEOUS AMENDMENTS TO THE PRINCIPAL ACT—
continued.

(3) Section 21—

Omit “owner or occupier of a place”, insert instead “owner, occupier or keeper of a place, a person procured or employed by or acting for or on behalf of an owner, occupier or keeper of a place, a person having the care or management of a place, or a person who is, in any manner, conducting the business of a place”.

Sec. 4.

SCHEDULE 2.

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO PENALTIES.

(1) Section 5—

Omit “for a first offence to a penalty not exceeding two hundred dollars, and for a second offence to imprisonment for six months”, insert instead “to a penalty not exceeding \$1,000”.

(2) Section 43A (1)—

Omit “sixty dollars”, insert instead “\$100”.

(3) (a) Section 44 (1)—

Omit “two hundred dollars, or to imprisonment with or without hard labour for a term not exceeding six months”, insert instead “\$1,000”.

Gaming and Betting (Amendment).

SCHEDULE 2—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT RELATING TO PENALTIES
—*continued.*

(b) Section 44 (2)—

Omit “one hundred dollars”, insert instead “\$500”.

(4) Section 45—

Omit “one hundred dollars or to imprisonment with or without hard labour for a term not exceeding three months”, insert instead “\$1,000”.

(5) (a) Section 46 (b) (ii)—

After “section 47A;”, insert “or”.

(b) Section 46—

Omit “, in the cases referred to in paragraphs (a) and (c), to a penalty not exceeding sixty dollars or to imprisonment with or without hard labour for a term not exceeding two months and, in the case referred to in paragraph (b), to the same penalties as for offences against section 47A”, insert instead “to a penalty not exceeding \$1,000”.

(6) Section 47—

Omit “sixty dollars or to imprisonment with or without hard labour for a term not exceeding two months”, insert instead “\$1,000”.

Gaming and Betting (Amendment).

SCHEDULE 2—*continued.*AMENDMENTS TO THE PRINCIPAL ACT RELATING TO PENALTIES
—*continued.*

(7) Section 47A (2)—

Omit “, for a first offence, be liable to a penalty not exceeding two hundred dollars, and for a second or any subsequent offence to a penalty of not less than two hundred dollars and not exceeding five hundred dollars”, insert instead “be liable to a penalty not exceeding \$1,000”.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 13th November, 1979.*



