

# AUSTRALIAN CAPITAL TERRITORY

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## Unlawful Games Ordinance 1984

**No. 21 of 1984**

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## Unlawful Games Ordinance 1984

No. 21 of 1984

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 27 June 1984.

N. M. STEPHEN  
Governor-General

By His Excellency's Command,

TOM UREN  
Minister of State for Territories and Local Government

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An Ordinance to provide for the control of unlawful games and for related purposes

### Short title

1. This Ordinance may be cited as the *Unlawful Games Ordinance 1984*.<sup>1</sup>

### Commencement

2. This Ordinance shall come into operation on such date as is fixed by the Minister of State for Territories and Local Government by notice in the *Gazette*.

### Interpretation

3. In this Ordinance, unless the contrary intention appears—  
“Court” means the Court of Petty Sessions;

“public place” or “place of public resort” means any street, road, public park within the meaning of the *Public Parks Ordinance 1928*, reserve or other place which the public are entitled to use or which is open to, or used by, the public, whether on payment of money or otherwise and, without limiting the generality of the foregoing, includes—

- (a) any premises in respect of which a licence granted under the *Liquor Ordinance 1975* is in force;
- (b) any shop and any place occupied in connection with, or for the purposes of, a shop;
- (c) any factory and any place occupied in connection with, or for the purposes of, a factory;
- (d) any building or part of a building occupied by a club and any place occupied in connection with, or for the purposes of, a club; and
- (e) any place, being private property, which is commonly used by the public, whether as trespassers or otherwise;

“unlawful game” means any of the games commonly known as “baccarat”, “blackjack”, “craps”, “fantan”, “manila”, “pak-a-pu”, “pitch and toss”, “punto-banco”, “roulette”, “thimble-rig”, “two-up” and any prescribed game.

#### **Promoting or arranging playing of unlawful game**

**4. (1)** A person shall not promote or arrange the playing of an unlawful game in a public place or a place of public resort.

**(2)** A person who is in charge of, or the owner, occupier, manager or licensee of, a place of public resort shall not knowingly permit an unlawful game to be played in that place.

Penalty: \$1,000.

#### **Conducting or operating unlawful game**

**5.** A person shall not conduct, operate or supervise, or assist with the conduct or operation of, an unlawful game in a public place or a place of public resort.

Penalty: \$1,000.

### **Playing unlawful game**

6. A person shall not play an unlawful game in a public place or place of public resort.

Penalty: \$500.

### **Betting with intent to cheat**

7. A person shall not, in a public place or a place of public resort, with intent to cheat, engage in betting, or solicit or encourage any other person to bet, upon any game or trick of sleight of hand or upon any game or trick played with any instrument.

Penalty: \$1,000.

### **Unlawful machines**

8. (1) All unlawful machines, other than machines installed on the premises of a club within the meaning of the *Poker Machine Control Ordinance 1975* in accordance with that Ordinance, are forfeited to the Commonwealth.

(2) Subject to the *Poker Machine Control Ordinance 1975*, a person who has in his possession or custody, or under his control, an unlawful machine, or who knowingly permits an unlawful machine to be kept or used, or to be in operation, on premises of which he is the owner, occupier, manager or licensee, or of which he is in charge, is guilty of an offence punishable, on conviction, by a fine not exceeding—

- (a) in the case of a body corporate—\$5,000; and
- (b) in the case of a natural person—\$1,000.

(3) In this section, “unlawful machine” means—

- (a) any of the machines or devices commonly known as fruit machines, poker machines, flag machines, draw poker machines, five card poker machines, seven card stud poker machines, video-pontoon machines, video quarter horse racing machines, quinella machines, video keno machines, dwarf den machines or video roulette machines and any prescribed machine; and
- (b) any other machine or any device which is designed to be used for playing a game of chance and which is activated, wholly or in part, by inserting in the machine or device a coin or token.

**Instruments or articles to be forfeited to Commonwealth**

**9.** Where a person is convicted of an offence under this Ordinance, any table or instrument of gaming or any article used by the person in the commission of the offence, or to which the offence relates, is forfeited to the Commonwealth.

**Regulations**

**10.** The Minister may make regulations, not inconsistent with this Ordinance, prescribing all matters which by this Ordinance are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Ordinance.

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**NOTE**

1. Notified in the *Commonwealth of Australia Gazette* on 29 June 1984.