

GAMING AND BETTING

No. 16 of 1964.

An Ordinance relating to Gaming and Betting.

1. This Ordinance may be cited as the *Gaming and Betting Ordinance* 1964.* Short title.

2. This Ordinance shall come into operation on the first day of September, One thousand nine hundred and sixty-four. Commencement.

3. In this Ordinance, “the Gaming and Betting Act, 1906” means the Gaming and Betting Act, 1906 of the State of New South Wales in its application to the Territory as amended by the Gaming and Betting (Amendment) Act, 1906 of that State and the Gaming and Betting (Amendment) Act, 1907, of that State in their application to the Territory, and by the *Racecourses Ordinance* 1935-1959, the *Gaming and Betting Ordinance* 1945 and the *Racecourses Ordinance* 1946. Definition.

4. Section two of the Gaming and Betting Act, 1906 is amended by adding at the end of the definition of “Public place” the words “, an office or agency of the Australian Capital Territory Totalizator Agency Board under the *Betting (Off-course Totalizator Agency) Ordinance* 1964 or the office at which a pool betting scheme approved under the *Pool Betting Ordinance* 1964 is being carried on;”. Definitions in the Gaming and Betting Act, 1906.

5. After section three of the Gaming and Betting Act, 1906 the following section is inserted:—

“3A.—(1.) A person who is guilty of an offence against this Act for which no other penalty is expressly provided is liable upon conviction— Penalties for offences against the Gaming and Betting Act, 1906.

(a) for a first offence—to a fine of not less than One hundred pounds or more than Two hundred pounds, or to imprisonment for not more than three months;

(b) for a second offence—to a fine of not less than Two hundred pounds or more than Five hundred pounds, or to imprisonment for not more than three months; and

(c) for a subsequent offence—to imprisonment for not less than three months or more than six months.

* Made on 27 August, 1964; notified in the *Commonwealth Gazette* on 28 August, 1964 and commenced on 1 September, 1964 (see section 2).

“(2.) For the purposes of the application of paragraphs (a), (b) and (c) of the last preceding sub-section, all offences committed by a person on the one day shall be deemed to be the one offence, but separate penalties may be imposed in respect of each of those offences in accordance with whichever of those paragraphs is applicable.”.

Using a house in contravention of the Gaming and Betting Act, 1906.

6. Section four of the Gaming and Betting Act, 1906 is amended by omitting the words “liable to a penalty not exceeding one hundred pounds” and inserting in their stead the words “guilty of an offence against this Act”.

Land used in contravention of the Gaming and Betting Act, 1906.

7. Section five of the Gaming and Betting Act, 1906 is amended by omitting the words “liable to a penalty not exceeding one hundred pounds” and inserting in their stead the words “guilty of an offence against this Act”.

Person found in a common gaming house.

8. Section twelve of the Gaming and Betting Act, 1906 is amended by omitting the words “, and shall on conviction be liable to imprisonment for a term not exceeding six months”.

Offence by owner of house used in contravention of the Gaming and Betting Act, 1906.

9. Section thirteen of the Gaming and Betting Act, 1906 is amended by omitting the words “liable to a penalty not less than thirty and not exceeding three hundred pounds” and inserting in their stead the words “guilty of an offence against this Act”.

Offence by occupier of house used in contravention of the Gaming and Betting Act, 1906.

10. Section fourteen of the Gaming and Betting Act, 1906 is amended by omitting the words “liable to a penalty not less than thirty and not exceeding three hundred pounds” and inserting in their stead the words “guilty of an offence against this Act”.

Street betting.

11. Section eighteen of the Gaming and Betting Act, 1906 is amended—

(a) by omitting from sub-section (1.) the words “liable for a first offence to a penalty of not less than twenty pounds nor more than one hundred pounds, and for a second offence to imprisonment for six months” and inserting in their stead the words “guilty of an offence against this Act”; and

(b) by omitting sub-sections (2.) and (3.) and inserting in their stead the following sub-section:—

“(2.) A person who—

(a) is in or upon a street or public place for the purpose of betting;

- (b) bets or offers to bet, by way of wagering or gaming, in a street or public place; or
- (c) gets up or takes part in a sweepstake in a street or public place, is guilty of an offence against this Act.”.

12. Section nineteen B of the Gaming and Betting Act, 1906 is amended— Betting information.

- (a) by omitting the words “in any part of the Commonwealth”;
- (b) by omitting the words “Penalty: Twenty pounds”; and
- (c) by adding at the end thereof the following sub-section:—

“(2.) The last preceding sub-section does not apply in relation to—

- (a) an advertisement or notification as to betting in a pool betting competition or transaction within a pool betting scheme approved under the *Pool Betting Ordinance* 1964; or
- (b) the rules made by the Australian Capital Territory Totalizator Agency Board under the *Betting (Off-course Totalizator Agency) Ordinance* 1964.”.

13. Section twenty of the Gaming and Betting Act, 1906 is amended by omitting the words “liable to the penalty and punishment mentioned in the next preceding section but one” and inserting in their stead the words “guilty of an offence against this Act”. Prohibited wagering or betting.

14. Section twenty-three of the Gaming and Betting Act, 1906 is amended by omitting the words “liable to a penalty not exceeding one hundred pounds” and inserting in their stead the words “guilty of an offence against this Act”. Making a bet with or inviting an infant to bet.

15.—(1.) Section six of the *Gaming and Betting Ordinance* 1945 is repealed. Amendment of Gaming and Betting Ordinance 1945.

(2.) The *Gaming and Betting Ordinance* 1945,* as amended by this Ordinance, may be cited as the *Gaming and Betting Ordinance* 1945-1964.

* Ordinance No. 10, 1945.