

1996
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Treasurer)

Lotteries (Amendment) Bill 1996

A BILL FOR

An Act to amend the *Lotteries Act 1964*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Lotteries (Amendment) Act 1996*.

5 Commencement

2. (1) Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.

(2) The remaining provisions commence on a day, or respective days, fixed by the Minister by notice in the *Gazette*.

- 10 (3) If a provision referred to in subsection (2) has not commenced before the end of the period of 6 months commencing on the day on which this Act is notified in the *Gazette*, that provision, by force of this subsection, commences on the first day after the end of that period.

86043 (1996/77) T43/96

Principal Act

3. In this Act, “Principal Act” means the *Lotteries Act 1964*.¹

Exempt lotteries

4. Section 6 of the Principal Act is amended—

5 (a) by omitting from subparagraph (1) (c) (i) “forty dollars” and substituting “the amount determined by the Minister by notice in the *Gazette* for the purposes of this subparagraph”; and

(b) by adding at the end the following subsection:

10 “(3) A notice under subparagraph (1) (c) (i) is a disallowable instrument for the purposes of section 10 of the *Subordinate Laws Act 1989*.”.

Further amendments

5. The Principal Act is amended as set out in the Schedule.

SCHEDULE

Section 5

FURTHER AMENDMENTS

Subsection 4 (1) (definition of “association”)—

Omit “organization”, substitute “organisation”.

5 Subparagraph 6 (2) (b) (i)—

Omit “authorized”, substitute “authorised”.

Subsection 8 (1)—

Add at the end the following penalty provision:

“Penalty:

- 10** (a) if the offender is a natural person—50 penalty units or imprisonment for 6 months, or both;
- (b) if the offender is a body corporate—250 penalty units.”.

Section 8 (penalty provision at foot of section)—

- 15** Omit the penalty provision at the foot of the section, substitute the following penalty provision:

“Penalty for contravention of subsection (2):

- (a) if the offender is a natural person—50 penalty units;
- (b) if the offender is a body corporate—250 penalty units.”.

Section 9 (penalty provision)—

- 20** Omit the penalty provision, substitute the following penalty provision:

“Penalty:

- (a) if the offender is a natural person—10 penalty units;
- (b) if the offender is a body corporate—50 penalty units.”.

Section 10 (penalty provision)—

- 25** Omit the penalty provision, substitute the following penalty provision:

“Penalty:

- (a) if the offender is a natural person—10 penalty units;
- (b) if the offender is a body corporate—50 penalty units.”.

SCHEDULE—continued

Section 11—

Omit “connexion”, substitute “connection”.

Section 11 (penalty provision)—

Omit the penalty provision, substitute the following penalty provision:

5 “Penalty:

(a) if the offender is a natural person—5 penalty units;

(b) if the offender is a body corporate—25 penalty units.”.

Section 12 (penalty provision)—

Omit the penalty provision, substitute the following penalty provision:

10 “Penalty:

(a) if the offender is a natural person—10 penalty units;

(b) if the offender is a body corporate—50 penalty units.”.

Paragraph 13 (1) (a)—

Omit “connexion”, substitute “connection”.

15 **Subsection 13 (2)—**

Omit “authorized”, substitute “authorised”.

Subsection 13 (3)—

Omit “authorized” (wherever occurring), substitute “authorised”.

Subsection 13 (4) (penalty provision)—

20 Omit the penalty provision, substitute the following penalty provision:

“Penalty:

(a) if the offender is a natural person—50 penalty units or imprisonment for 6 months, or both;

(b) if the offender is a body corporate—250 penalty units.”.

25 **Section 14 (penalty provision)—**

Omit the penalty provision, substitute the following penalty provision:

“Penalty:

(a) if the offender is a natural person—500 penalty units or imprisonment for 5 years, or both;

SCHEDULE—continued

- (b) if the offender is a body corporate—2500 penalty units.”.

Section 15 (penalty provision)—

Omit the penalty provision, substitute the following penalty provision:

“Penalty:

- 5 (a) if the offender is a natural person—50 penalty units or imprisonment for 6 months, or both;
- (b) if the offender is a body corporate—250 penalty units.”.

Section 16 (penalty provision)—

Omit the penalty provision, substitute the following penalty provision:

10 “Penalty:

- (a) if the offender is a natural person—50 penalty units or imprisonment for 6 months, or both;
- (b) if the offender is a body corporate—250 penalty units.”.

Section 17—

- 15 Omit “authorized”, substitute “authorised”.

Subsection 18 (1)—

Omit “authorize”, substitute “authorise”.

Subsection 18 (2)—

Omit “authorized”, substitute “authorised”.

20 **Paragraph 18 (3) (a)—**

Omit “authorized”, substitute “authorised”.

Section 18 (penalty provision at foot of section)—

Omit the penalty provision at the foot of the section, substitute the following penalty provision:

25 “Penalty:

- (a) for contravention of paragraph (3) (a)—
- (i) if the offender is a natural person—50 penalty units or imprisonment for 6 months, or both;
- (ii) if the offender is a body corporate—250 penalty units; or
- 30 (b) for contravention of paragraph (3) (b)—

SCHEDULE—continued

- (i) if the offender is a natural person—50 penalty units;
- (ii) if the offender is a body corporate—250 penalty units.”.

NOTES

Principal Act

1. Reprinted as at 31 July 1991. See also Act No. 36, 1994.

Penalty units

See section 33AA of the *Interpretation Act 1967*.