

1991

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

UNLAWFUL GAMES (AMENDMENT) BILL 1991

EXPLANATORY MEMORANDUM

(Circulated by Authority of the Attorney-General
Mr Bernard Collaery)

UNLAWFUL GAMES ACT (AMENDMENT) BILL 1991

OUTLINE

The Unlawful Games Act 1984 (the Principal Act) provides for the control of unlawful games and for related purposes.

The Unlawful Games (Amendment) Bill 1991 (the Bill) amends the Principal Act to legalize the playing of two-up on Anzac Day in the ACT, subject to the following conditions:

- . no payment or other benefit is to be given or sought for the right to enter premises for the purpose of participating in the game or to participate in the game;
- . no commission on, percentage of or any fee for bets or winnings is to be given or sought from any person; and
- . such a payment, benefit, commission, percentage or fee will be permitted in respect of a game played on the premises of a licensed club where the club has authorised all such payments to be provided to charity or non-profit community organisations without forming part of the funds of the clubs.

UNLAWFUL GAMES (AMENDMENT) BILL 1991

CLAUSE NOTES

Short Title

Clause 1 states that the Bill, when enacted, may be cited as the Unlawful Games (Amendment) Act 1991.

Principal Act

Clause 2 states that the term "Principal Act" means the Unlawful Games Act 1984.

Insertion

Clause 3 inserts section 6A after section 6 in the Unlawful Games Act 1984.

Section 6A(1) provides for the legal playing of two-up on Anzac Day if:

- . the premises, if any, on which the game is played is not a common gaming house;
- . no payment or other benefit is given or sought for the right to enter a place for the purpose of participating in the game;
- . no payment or other benefit is given or sought for the right to participate in the game; and
- . no commission on, percentage of or fee for bets or winnings is given or sought by any person.

Section 6A(2) allows for such a payment, benefit, commission, percentage or fee to be collected on the premises of a licensed club but only if the club has authorised all payments to go to charity or community organisations without forming part of the funds of the club.

Section 6A(3) states that a participant in an unlawful game of two-up on Anzac Day is not guilty of an offence under section 6 unless it is proved that the participant knew or could reasonably be expected to have known or suspected the game was an unlawful game.

Section 6A(4) defines terminology used in the Bill.

Section 6A(5) provides that reference to a game of two-up includes reference to betting and side betting associated with the game.