

2015

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

LOTTERIES AMENDMENT BILL 2015

EXPLANATORY STATEMENT

Presented by

Andrew Wall MLA

LOTTERIES AMENDMENT BILL 2015

Introduction

This explanatory statement relates to the *Lotteries Amendment Bill 2015* as presented to the Legislative Assembly. It has been prepared in order to assist the reader of the bill and to help inform debate on it. It does not form part of the bill and has not been endorsed by the Assembly.

The statement must be read in conjunction with the bill. It is not, and is not meant to be, a comprehensive description of the bill. What is said about a provision is not to be taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

Overview of the Bill

This is a Bill for an Act to amend the *Lotteries Act 1964*.

The intent of the Bill is to provide a clear definition of the requirements for an entity who intends to enter into a lottery agreement with a lottery operator. The inclusion of this definition in the Act will ensure that big retailers are excluded from selling lottery products.

Lottery products make up a large percentage of business for ACT Newsagents and Kiosks. The primary intention of this Bill is to maintain the current market environment and ensure these small business operators remain the primary point of sale for lottery products.

Clause 8 provides for a new part 4 and explains the definition of a lottery agreement and a lottery operator and defines that a lottery agreement can only be entered into if the business structure of the entity fits certain requirements. There is additional provision in this section to exclude certain businesses from entering into lottery agreements with a lottery operator based on the type of retail purpose they fit within. This section also makes provision to exclude full line supermarkets, which are defined in The Territory Plan as a large shop selling food and other household items where the selection of goods is organised on a self serve basis. Service stations are also excluded by the same provision in this section.

Clause Notes

Part 1 Preliminary

Clause 1 Name of Act

This clause provides that the name of the Act is the *Lotteries Amendment Act 2015*

Clause 2 Commencement

This clause provides for the Act to commence on the day after its notification day.

Clause 3 Legislation Amended

This clause provides that the legislation mentioned in the clause is amended by the Act.

Part 2 Lotteries

Part 3 Prohibitions

These are sequential amendments.

Part 4 Lottery agreements

Clause 8 New part 4section 12AA and 12AB

This clause inserts the definition of a *lottery agreement* as an agreement between a lottery operator and another person or entity to provide for the person or entity to sell lottery tickets, pay prizes, promote lottery prizes and undertake any other activity related to lotteries conducted by the operator.

Part 5 Conduct of lotteries

This is a sequential amendment.

Part 6 Miscellaneous

Provides for new dictionary definitions