

GAMING AND BETTING (AMENDMENT) ACT.

Act No. 22, 1966.

Elizabeth II, An Act to make further provisions with respect to the
No. 22, 1966 **keeping, use and operation of poker machines; for**
this purpose to amend the Gaming and Betting
Act, 1912, as amended by subsequent Acts; and
for purposes connected therewith. [Assented to,
13th April, 1966.]

BE it enacted by the Queen's Most Excellent Majesty, by
and with the advice and consent of the Legislative
Council and Legislative Assembly of New South Wales in
Parliament assembled, and by the authority of the same, as
follows:—

Short title
and
citation.

1. (1) This Act may be cited as the "Gaming and Betting (Amendment) Act, 1966."

(2)

(2) The Gaming and Betting Act, 1912, as amended No. 22, 1966 by subsequent Acts and by this Act, may be cited as the —
Gaming and Betting Act, 1912-1966.

2. The Gaming and Betting Act, 1912-1965, is Amendment of Act No. 25, 1912.

(a) (i) by inserting in section 50A next before the Sec. 50A.
definition of "Poker machine" the following (Interpre-
tation.)
new definition :—

"Multiple poker machine" means—

(a) a poker machine which is capable on each occasion on which it is used or operated of being used or operated by inserting in it two or more Australian coins, whether or not it is also capable on each such occasion of being used or operated by inserting in it one Australian coin, where the value of any prize that may be paid as a result of any such use or operation varies according to the number of coins inserted in it; or

(b) a poker machine which together with one or more other poker machines is connected to an electronic or other device by means of which or by reference to which the value of any prize that may be paid as a result of the use or operation of the poker machine is calculated.

(ii) by inserting in the definition of "Poker machine" in the same section after the word "Parliament" where secondly occurring the words "(in this Part also referred to as an 'Australian coin'), or two or more of any such coins of the same or equivalent value";

(b)

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New sec.
50BA.Penalty on
clubs
keeping, etc.,
unlicensed
poker
machines.

(b) by inserting next after section 50B the following new section :—

50BA. (1) Where a club to which section 50B of this Act applies keeps, uses or operates—

- (a) any poker machine of a class which that club is not licensed to keep, use or operate; or
- (b) a number of poker machines of any class in excess of the number of poker machines of that class which it is licensed to keep, use or operate,

the manager, secretary or other person in charge of the club, and the members of the committee and servants of the club shall be guilty of an offence against this section and be liable to a penalty not exceeding two hundred dollars.

(2) It shall be a sufficient defence to a prosecution for an offence against this section if the person charged proves to the satisfaction of the court that the poker machine was so kept, used or operated without his knowledge.

(3) Where the keeping, use or operation of a poker machine is—

- (a) an offence against this section; and
- (b) is also an offence against some other provision of this Act or against a provision of any other Act or any other law,

and the person committing the offence has been convicted of the offence referred to in paragraph (a) or (b) of this subsection, he shall not be convicted of the offence referred to in the other of those paragraphs.

Sec. 50D.
(Licenses.)

- (c) (i) by inserting in subsection one of section 50D after the word "Minister" the words ", or an officer of the Chief Secretary's Department authorised to do so by the Minister,";
- (ii)

(ii) by inserting at the end of the same subsection No. 22, 1966 the following new paragraph :—

The power conferred on any officer of the Chief Secretary's Department by this subsection does not extend to authorising him to issue a license or renewal of a license to any club referred to in subsection (1B) of this section, where that club has applied for a license or renewal of a license to keep, use or operate any poker machines, the use or operation of which depends upon the insertion therein of an Australian coin of two shillings or twenty cents, or any multiple poker machine.

(iii) by inserting next after the same subsection the following new subsections :—

(1A) The power of the Minister, or of an officer of the Chief Secretary's Department, under subsection one of this section does not extend to authorising—

(a) the issue of a license or renewal of a license to a club to keep, use and operate a number of poker machines, the use or operation of which depends upon the insertion therein of an Australian coin of two shillings or twenty cents, exceeding the number of such poker machines for the keeping, use and operation of which a license or renewal of a license issued to that club was in force—

(i) in the case of a club which has, as at the first day of March, one thousand nine hundred and sixty-six, been registered for a period of three years or more under Part X of the Liquor Act, 1912, as amended by

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by subsequent Acts, or under Division 4 of this Part of this Act—immediately before the first day of March, one thousand nine hundred and sixty-six;

- (ii) in the case of a club which has been so registered for a period of three years or more, the first three years of such period being wholly after or partly before and partly after the first day of March, one thousand nine hundred and sixty-six—on the third anniversary of the date of such registration or where the club is registered under both the said Part X and the said Division 4, on the third anniversary of the date of the earlier of those registrations;
- (b) the issue of a license or renewal of a license to a club to keep, use and operate a number of multiple poker machines exceeding the number of multiple poker machines which the club satisfies the Minister were being kept, used or operated immediately before the first day of March, one thousand nine hundred and sixty-six, pursuant to a license or renewal of a license issued to that club;
- (c) the issue of a license or renewal of a license to a club to keep, use and operate any multiple poker machine which is capable on each occasion on which it is used or operated of being used or operated by inserting in it more than five Australian coins;
- (d)

- (d) the issue of a license or renewal of a No. 22, 1966 license to a club to keep, use and operate any poker machine which is capable of being used or operated by inserting in it an Australian coin of fifty cents; or
- (e) the issue of a license or renewal of a license to a club to keep, use and operate any class, type or description of poker machines prescribed by the regulations made under this Act for the purpose of this paragraph.

(1B) Where—

- (a) a club is registered under Part X of the Liquor Act, 1912, as amended by subsequent Acts, or under Division 4 of this Part of this Act and has been so registered for a period of less than three years; or
- (b) a club is registered under both the said Part X and the said Division 4 and has been registered under the earlier of those registrations for a period of less than three years,

the Minister may refuse to issue to that club—

- (c) where it was registered under the said Part X or the said Division 4 as at the first day of March, one thousand nine hundred and sixty-six—a license or renewal of a license to keep, use and operate more poker machines, the use or operation of which depends upon the insertion therein of an Australian coin of two shillings or twenty cents, than the number of such machines

which

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which that club was licensed to keep, use and operate immediately before that day; or

(d) where it was not registered under the said Part X or the said Division 4 as at that day—a license or renewal of a license to keep, use and operate any such poker machines or more than the number of such poker machines that is approved from time to time by the Minister in respect of that club.

(iv) by omitting from subsection two of the same section the words “so issued” and by inserting in lieu thereof the words “issued under subsection one of this section”;

(v) by inserting in subsection (2A) of the same section after the word “endorsement” the words “by the Minister or by an officer of the Chief Secretary’s Department referred to in subsection one of this section”;

Sec. 50R.
(Regula-
tions.)

(d) (i) by inserting next after paragraph (c) of subsection one of section 50R the following new paragraph :—

(ci) prescribing, for the purpose of paragraph (e) of subsection (1A) of section 50D of this Act, any class, type or description of poker machines;

(ii) by inserting next after subsection two of the same section the following new subsection :—

(2A) Without affecting the generality of the power conferred by subsection one of this section the Governor may make regulations for or with respect to requiring clubs licensed under this Part of this Act to affix to poker machines kept, used or operated by them or to exhibit

exhibit in such places and in such manner as may be prescribed by the regulations such notices containing such information in respect of those poker machines as may be so prescribed.
