



New South Wales

Lotteries and Art Unions Amendment (Games of Housie) Regulation 1998

under the

Lotteries and Art Unions Act 1901

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Lotteries and Art Unions Act 1901*.

J. RICHARD FACE, M.P.,
Minister for Gaming and Racing.

Explanatory note

The object of this Regulation is to provide for certain matters concerning the organisation and conduct of games of housie as authorised under section 4E of the *Lotteries and Art Unions Act 1901*. The matters provided for include the prescribing of the maximum charge for tickets or cards in a game and the maximum amount or value of prizes, and the obligation of the organiser of a game to formulate and display house rules for the game and to keep records of income and expenditure in relation to a game.

This Regulation is made under the *Lotteries and Art Unions Act 1901*, including sections 4E, 17B and 23 (the general regulation-making power).

1998 No 656

Clause 1 Lotteries and Art Unions Amendment (Games of Housie) Regulation 1998

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1 Name of Regulation

This Regulation is the *Lotteries and Art Unions Amendment (Games of Housie) Regulation 1998*.

2 Commencement

This Regulation commences on 4 December 1998.

3 Amendment of Lotteries and Art Unions Regulation 1997

The *Lotteries and Art Unions Regulation 1997* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 6 Application of Part

Insert after clause 6 (f):

(g) section 4E (Conduct of certain games of housie authorised).

[2] Clause 7 Division not to apply to certain lotteries and games of chance

Omit "or 4C (Games of chance in registered clubs)" from clause 7 (b).

Insert instead " , 4C (Games of chance in registered clubs) or 4E (Conduct of certain games of housie authorised)".

[3] Clause 14 Division not to apply to certain lotteries and games of chance

Insert "or 4E (Conduct of certain games of housie authorised)" before "of the Act" in clause 14 (b).

[4] Part 7, Division 5

Insert after clause 105:

Division 5 Games of housie

105A Maximum charge for participating

For the purposes of section 4E (2) (b) of the Act. a charge may be made for each ticket or card conferring the right to participate in a game of housie so long as the charge does not exceed 40 cent.;

105B Maximum amount or value of prizes

For the purposes of section 4E (2) (e) of the Act. the prescribed amount is \$30.

105C Maximum amount or value of jackpot prizes

For the purposes of section 4E (2) (f) of the Act, the prescribed amount is \$150.

105D Formulation and display of house rules

- (1) A person or organisation that intends to conduct a game of housie as authorised by section 4E of the Act must formulate rules under which a person may participate in the game. The rules must include provision for the following matters:
 - (a) the conditions of entry into the game (including the minimum age of participants).
 - (b) the charge to be made for participating in the game and the method, if any, for discounting the charge,
 - (c) the manner in which any prizes, including jackpot prizes, are to be calculated, determined and awarded.
 - (d) a description of the particular arrangement of numbers or symbols that is required to win the game.
 - (e) the course of action to be adopted by the organiser of the game if an incorrect call is made by the caller.
 - (f) the method for claiming prizes (including the course of action to be adopted in the case of unclaimed prizes),
 - (g) the manner in which disputes concerning the conduct of a game or the claiming of a prize are to be resolved.
 - (h) the manner in which numbers or symbols appearing in a winning ticket or card are to be verified by an independent person and called back to the players of the game.

- (2) The rules must be displayed prominently at the place where the game is being conducted.
- (3) The rules must be consistent with the provisions of the Act and this Regulation.

[5] Part 8, Division 4

Insert after clause 112:

Division 4 Games of housie

113 Application

- (1) This Division applies to a person or organisation that conducts or has conducted a game of housie as authorised by section 4E of the Act.
- (2) For the purposes of section 17B (1) of the Act, a person or organisation that conducts or has conducted a game of housie as authorised by section 4E of the Act is exempt from the operation of section 17B of the Act if:
 - (a) no charge is made for the right to participate in the game. or
 - (b) the gross proceeds of the game, less costs and expenses properly incurred in connection with the conduct of the game, are wholly applied towards prizes in the game or are otherwise returned to the players of the game in accordance with the rules of the game.
- (3) However, subclause (2) does not operate to exempt a person or organisation if the Minister notifies the person or organisation in writing that records are required to be kept under section 17B.

114 Records for games of housie

- (1) For the purposes of section 17B (2) (b) of the Act, the following particulars must be included in the records of income and expenditure required to be kept by a person or organisation that conducts or has conducted a game of housie as authorised by section 4E of the Act:
 - (a) the gross proceeds of the game.

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Schedule 1 Amendments

- (b) details of any prizes.
- (c) any costs and expenses (itemised as to payee, amount and date of payment, and documented by receipts and invoices),
- (d) if the game is conducted on behalf of an organisation not formed or conducted for private gain—the total amount of the proceeds of the game paid to that organisation, and the details of any receipts from that organisation in respect of that amount.

(2) If a person or organisation conducts or has conducted a session of games of housie as authorised by section 4E of the Act, the records of income and expenditure required to be kept under section 17B of the Act (including the particulars referred to in subclause (1)) may relate to the session of games rather than to each of the games that are part of the session.

(3) For the purposes of subclause (1)(a), if the charge that is made for each ticket or card conferring the right to participate in a game of housie is not more than 5 cents and the game is conducted on behalf of an organisation not formed or conducted for private gain, the gross proceeds of the game may be calculated by adding together:

- (a) the total value of the prizes awarded in the game, and
- (b) any costs and expenses properly incurred in connection with the conduct of the game, and
- (c) the total amount of the proceeds of the game that are paid to that organisation.

(4) In the case of records comprising unsold tickets or cards, the prescribed period for the purposes of section 17 (2) (c) of the Act is:

- (a) for unsold tickets or cards belonging to a series of tickets or cards—at least 3 months after the date that the series of tickets or cards was last used, or
- (b) for all other unsold tickets or cards—at least 3 months after the conclusion of the game for which the unsold tickets or cards were produced.