

STATE LOTTERIES ACT.

Act No. 51, 1930.

An Act to provide for the promotion and conduct of State Lotteries by the Colonial Treasurer ; to amend the Lotteries and Art Unions Act, 1901-1929, and certain other Acts ; and for purposes connected therewith. [Assented to, 22nd December, 1930.]

George V.
No. 51, 1930.

BE it enacted by the King'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 :—

1. (1) This Act may be cited as the “ State Lotteries Act, 1930.” Short title.

(2) This Act shall commence upon a date to be appointed by the Governor and notified by proclamation published in the Gazette. Commencement.

2.

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Interpreta-
tion.**2.** In this Act, unless the context otherwise requires,—

“Director” means the Director of State Lotteries appointed under this Act.

“Prescribed” means prescribed by this Act or by the regulations made thereunder.

“State lottery” means a lottery promoted and conducted under the authority of this Act.

State
lotteries.**3.** Subject to the provisions of this Act it shall be lawful for the Colonial Treasurer from time to time to promote and conduct in the prescribed manner a State lottery, and in relation thereto to do all such acts and things and give all such directions as he may deem necessary or expedient for that purpose or as may be prescribed.Special
deposits
account.**4.** (1) The Colonial Treasurer shall cause a special deposits account to be opened in the Treasury, to which all moneys received from the sale of tickets in, or from the promotion and conduct of, any State lottery shall be paid.

In respect of each lottery an amount sufficient to meet payment of all prizes apportioned to that lottery shall be retained in the account and the balance carried to Consolidated Revenue Fund.

(2) All other receipts under this Act shall be paid into the Consolidated Revenue Fund.

Subscribers
and other
persons to be
free from
penalties.**5.** Any subscriber or contributor to a State lottery, and any person acting under the authority or on behalf of a subscriber or contributor, and any person acting under the authority or on behalf of the Colonial Treasurer, or carrying out any prescribed duties or functions in relation to or in connection with the promotion or conduct of a State lottery, shall be freed and discharged from all penalties, suits, prosecutions, and liabilities to which by law he would be liable but for this Act as being concerned in an illegal lottery, littlegoe, or unlawful game, or as offending against any provision of the Lotteries and Art Unions Act, 1901-1929, as amended by subsequent Acts.

Offences.

6. Any person who forges or causes or procures to be forged any ticket in a State lottery, or knowingly sells or disposes or attempts to sell or dispose of any such ticket

ticket which is forged, or who with intent to defraud alters any number, word, or figure on any ticket in a State lottery, shall be guilty of a misdemeanour. No. 51, 1930.

7. (1) The Governor may appoint for such period and at such salary as he may determine, a Director of State Lotteries who, subject to the control of the Colonial Treasurer, shall have the execution and administration of this Act. Administra-
tion of Act.

(2) The salary of the director so determined by the Governor shall be paid out of the Consolidated Revenue Fund without further appropriation than this Act.

(3) The provisions of the Public Service Act, 1902, shall not apply to such appointment.

(4) A director may be suspended from his office by the Governor for misbehaviour or incompetence, but shall not be removed from office except in manner following, that is to say:—

The Colonial Treasurer shall cause to be laid before Parliament a full statement of the grounds of suspension within seven sitting days after such suspension if Parliament is in session, or if not, then within seven sitting days after the commencement of the next session. A director suspended under this subsection shall be restored to office unless each House of Parliament within twenty-one days from the time when such statement has been laid before such House declares by resolution that the director ought to be removed from office, and if each such House within the time aforesaid does so declare the director shall be removed by the Governor accordingly.

(5) A director shall be deemed to have vacated his office if he—

- (a) engages in New South Wales during his term of office in any paid employment outside the duties of his office;
- (b) becomes bankrupt, compounds with his creditors, or makes an assignment of his salary or estate for their benefit;

(c)

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- (c) absents himself from duty for a period of fourteen consecutive days except on leave granted by the Governor;
- (d) becomes an insane person or patient or an incapable person within the meaning of the Lunacy Act, 1898;
- (e) resigns his office by writing under his hand addressed to the Governor.

(6) A director who at the date of his appointment is an officer of the Public Service—

- (a) shall, in the event of his office as director being discontinued or abolished, be eligible on the recommendation of the Public Service Board to be appointed to some office in the Public Service not lower in classification and salary than that which he held at the date of his appointment as director; and
- (b) shall, while such director continues to contribute to the Superannuation Fund, be entitled to all the benefits under the Superannuation Act, 1916, as amended by subsequent Acts, to which he is entitled as such contributor.

Officers.

8. (1) Such officers and servants as may be necessary for the due administration of this Act shall be appointed by the Governor on the nomination of the director, and shall not be removed except on the recommendation of the director.

Every such person so appointed shall be subject to the sole control and governance of the director.

(2) No person so appointed shall be permitted to engage in any employment other than in connection with the duties of his office without the sanction in writing of the Colonial Treasurer.

(3) The provisions of the Public Service Act, 1902, and any Acts amending the same, shall not apply to any such appointment or to any person appointed under this section: Provided that nothing herein contained shall affect the rights accrued or accruing under the said Acts to any public servant whose services are transferred to the director, and such public servants

may

may continue to contribute to the Superannuation Account and shall be entitled to receive any payment, pension, or gratuity as if they were officers within the meaning of those Acts. No. 51, 1980,
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(4) Any appointment at daily or weekly wage shall lie in the sole power of the director.

9. (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which by this Act are required or authorised to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Act, and without limiting the generality of the foregoing power, in particular— Regulations.

- (a) providing for the apportionment and distribution of prizes;
- (b) the time within which and the manner in which a prize shall be claimed; and
- (c) the disposal of unclaimed prizes or money or of prizes or money as to which any dispute has arisen.

(2) The regulations may prescribe that in certain events to be specified and after certain time to be specified the proceeds of disposal of unclaimed prizes or money unclaimed shall be forfeited to His Majesty.

(3) The regulations may impose penalties not exceeding fifty pounds for any breach thereof.

Any such penalty may be recovered in a summary manner before a stipendiary or police magistrate or any two justices in petty sessions.

(4) The regulations shall—

- (a) be published in the Gazette;
- (b) take effect from the date of publication or from a later date to be specified in the regulations; and
- (c) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

If

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If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after the regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

**Accounts to
be laid before
Parliament.**

10. The Colonial Treasurer shall as soon as practicable after the close of each financial year cause to be laid a statement of the receipts and expenditure under this Act before both Houses of Parliament.
