

**LOTTERIES AND ART UNIONS (AMENDMENT)  
ACT, 1978, No. 51**

**New South Wales**



**ANNO VICESIMO SEPTIMO**

**ELIZABETHÆ II REGINÆ**

\*\*\*\*\*

**Act No. 51, 1978.**

An Act to amend the Lotteries and Art Unions Act, 1901, in relation to the conducting of games of chance in registered clubs, and in certain other respects. [Assented to, 3rd April, 1978.]

---

*Lotteries and Art Unions (Amendment).*

---

**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.     **1.** This Act may be cited as the "Lotteries and Art Unions (Amendment) Act, 1978".

Commence-  
ment.           **2.** (1) Except as provided in subsections (2) and (3), this Act shall commence on the date of assent to this Act.

(2) Section 4 shall, in its application to a provision of Schedules 1 and 2, commence on the day on which that provision commences.

(3) Schedule 1 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Schedules.     **3.** This Act contains the following Schedules :—

**SCHEDULE 1.—AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, RELATING TO THE CONDUCTING OF GAMES OF CHANCE IN REGISTERED CLUBS.**

**SCHEDULE 2.—AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901, BY WAY OF STATUTE LAW REVISION.**

Amendment  
of Act No.  
34, 1901.     **4.** The Lotteries and Art Unions Act, 1901, is amended in the manner set forth in Schedules 1 and 2.

---

---

*Lotteries and Art Unions (Amendment).*

---

SCHEDULE 1.

Sec. 4.

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901,  
RELATING TO THE CONDUCTING OF GAMES OF CHANCE IN  
REGISTERED CLUBS.

(1) Section 4C—

After section 4B, insert :—

4C. (1) In this section—

“game of chance” includes a game partly of skill and partly of chance and a lottery, not being a lottery within the meaning of section 4;

Games of  
chance in  
registered  
clubs.

“goods, wares or merchandise” includes tickets for admission to any entertainment or for tours or journeys.

(2) The provisions of section 3 do not apply so as to prohibit the conduct of a game of chance whereby goods, wares or merchandise are disposed of, if—

(a) the game of chance is conducted by, or under the authority of, a club registered under Part X of the Liquor Act, 1912, or Part IIIA of the Gaming and Betting Act, 1912; and

(b) the conditions specified in subsection (3) are complied with in respect of the game of chance.

(3) The conditions referred to in subsection (2) (b) are—

(a) that a permit for the conduct of the game has been issued by the Minister;

(b) that the value of the prizes in any one game shall not exceed the prescribed amount or such lesser amount as may be specified in the permit referred to in paragraph (a) in respect of the game;

(c) that the game is conducted by or on behalf of the club for the members thereof and their guests and is conducted in the club's premises;

---

*Lotteries and Art Unions (Amendment).*

---

SCHEDULE 1—*continued.*AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901,  
RELATING TO THE CONDUCTING OF GAMES OF CHANCE IN  
REGISTERED CLUBS—*continued.*

- (d) that no charge is made or no other consideration is given for participating in the game;
- (e) that no prize in the game shall be awarded entitling the winner thereof to money;
- (f) that no prize in the game shall consist of or include spirituous or fermented liquors or tobacco in any form;
- (g) that the game be conducted on such day or days and during such hours, if any, as are specified in the permit referred to in paragraph (a) in respect of the game;
- (h) that any regulations made under this Act and relating to the game or any function, device or scheme held or used in conjunction therewith are complied with; and
- (i) such other conditions as the Minister may impose on the issue of a permit referred to in paragraph (a) in respect of a game.

(4) An application for a permit under this section shall be made in writing to the Minister and shall be accompanied by the prescribed fee, if any.

## (2) (a) Section 11 (a)—

Omit “conducted; or”, insert instead “conducted;”.

## (b) Section 11 (b)—

Omit “conducted,”, insert instead “conducted; or”.

---

*Lotteries and Art Unions (Amendment).*

---

SCHEDULE 1—*continued.*

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901,  
RELATING TO THE CONDUCTING OF GAMES OF CHANCE IN  
REGISTERED CLUBS—*continued.*

(c) Section 11 (c)—

After section 11 (b), insert :—

- (c) of any club referred to in section 4c by which,  
or under whose authority, a game of chance  
within the meaning of that section was  
conducted,

(3) Section 14—

Omit “or a game of chance conducted in connection with  
a competition for the promotion of trade” wherever  
occurring, insert instead “, a game of chance conducted in  
connection with a competition for the promotion of trade  
or a game of chance conducted by, or under the authority  
of, a club referred to in section 4c”.

(4) Section 15A (1)—

Omit “section 4A or 4B, subsection (1) or (1A) of section  
5, section 6, 10, 11 or 15”, insert instead “sections 4A,  
4B, 4C, 5, 6, 10, 11 and 15”.

(5) (a) Section 16—

Omit “or non-profit organisation”, insert instead  
“, non-profit organisation or club”.

(b) Section 16—

Omit “or 4A”, insert instead “, 4A or 4C”.

---

*Lotteries and Art Unions (Amendment).*

---

SCHEDULE 1—*continued.*AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901,  
RELATING TO THE CONDUCTING OF GAMES OF CHANCE IN  
REGISTERED CLUBS—*continued.*

## (6) (a) Section 17 (a)—

Omit “or 4B”, insert instead “, 4B or 4C”.

## (b) Section 17 (b)—

Omit “or 4B”, insert instead “, 4B or 4C”.

## (7) Section 23 (1) (m)—

After section 23 (1) (l), insert :—

(m) The terms of agreement between persons  
promoting—(i) games of chance, as defined in section 4c (1),  
conducted by, or under the authority of, clubs  
referred to in section 4c (2) (a); or(ii) functions at or in conjunction with which those  
games of chance are so conducted,

and those clubs.

## Sec. 4.

## SCHEDULE 2.

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901,  
BY WAY OF STATUTE LAW REVISION.

## (1) Section 4 (4)—

Omit “subparagraph (ii) of paragraph (e) of subsection  
(3)”, insert instead “subsection (3) (e) (ii)”.

---

*Lotteries and Art Unions (Amendment).*

---

SCHEDULE 2—*continued.*

AMENDMENTS TO THE LOTTERIES AND ART UNIONS ACT, 1901,  
BY WAY OF STATUTE LAW REVISION—*continued.*

(2) (a) Section 4A (3)—

Omit “paragraph (b) of subsection (2)”, insert instead “subsection (2) (b)”.

(b) Section 4A (6)—

Omit “subparagraph (ii) of paragraph (g) of subsection (3)”, insert instead “subsection (3) (g) (ii)”.

(3) Section 5 (1A) (a)—

Omit “paragraph (b) of subsection (1)”, insert instead “subsection (1) (b)”.

(4) Section 6A—

Omit “paragraph (b) of subsection (1) of section 5”, insert instead “section 5 (1) (b)”.

(5) Section 23 (1) (1)—

Omit “subsection (1) of section 2”, insert instead “section 2 (1)”.