



New South Wales

Unlawful Gambling Regulation 2011

under the

Unlawful Gambling Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Unlawful Gambling Act 1998*.

KEVIN GREENE, MP
Minister for Gaming and Racing

Explanatory note

The object of this Regulation is to remake, with some changes, the provisions of the *Unlawful Gambling Regulation 2004* which is repealed on 1 September 2011 by section 10 (2) of the *Subordinate Legislation Act 1989*.

This Regulation prescribes police officers as persons who may issue penalty notices under the *Unlawful Gambling Act 1998*.

This Regulation also makes provision with respect to the following:

- (a) the offences under that Act that may be dealt with by way of penalty notices,
- (b) the levels of penalties payable under those penalty notices,
- (c) savings and formal matters.

This Regulation is made under the *Unlawful Gambling Act 1998*, including sections 52 and 57 (the general regulation-making power).

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*, namely matters of a machinery nature and matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

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Unlawful Gambling Act 1998

1 Name of Regulation

This Regulation is the *Unlawful Gambling Regulation 2011*.

2 Commencement

This Regulation commences on 1 September 2011 and is required to be published on the NSW legislation website.

Note. This Regulation replaces the *Unlawful Gambling Regulation 2004* which is repealed on 1 September 2011 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definition

- (1) In this Regulation:
the Act means the *Unlawful Gambling Act 1998*.
- (2) Notes included in this Regulation do not form part of this Regulation.

4 Penalty notice offences

- (1) For the purposes of section 52 of the Act:
 - (a) each offence created by a provision specified in Column 1 of Schedule 1 is a prescribed offence, and
 - (b) the prescribed penalty for such an offence is the amount specified in Column 2 of Schedule 1.
- (2) For the purposes of the definition of *authorised officer* in section 52 (9) of the Act, police officers are prescribed in relation to all offences specified in Column 1 of Schedule 1.

5 Savings

Any act, matter or thing that, immediately before the repeal of the *Unlawful Gambling Regulation 2004*, had effect under that Regulation continues to have effect under this Regulation.

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Schedule 1 Penalty notice offences

Schedule 1 Penalty notice offences

(Clause 4)

Column 1	Column 2
Offence under Act	Penalty
section 10	\$550
section 13 (1)	\$550
section 14	\$550
section 17 (1)	\$55
section 21 (3)	\$220
section 27 (2)	\$220
section 34 (1)	\$550
section 37 (1)	\$550
section 38 (2)	\$550
section 43 (3)	\$550