



New South Wales

Unlawful Gambling Regulation 2021

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*.

VICTOR DOMINELLO, MP
Minister for Customer Service

Explanatory note

The object of this Regulation is to repeal and remake, with minor changes, the *Unlawful Gambling Regulation 2016*, which would otherwise be repealed on 1 September 2021 by the *Subordinate Legislation Act 1989*, section 10(2).

The Regulation provides for the following—

- (a) the offences for which penalty notices may be issued and the amounts payable under the penalty notices,
- (b) a class of persons who may issue 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 of the *Subordinate Legislation Act 1989*, namely—

- (a) matters of a machinery nature, and
- (b) 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 Regulation 2021

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Unlawful Gambling Act 1998

1 Name of Regulation

This Regulation is the *Unlawful Gambling Regulation 2021*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Note. This Regulation repeals and replaces the *Unlawful Gambling Regulation 2016*, which would otherwise be repealed on 1 September 2021 by the *Subordinate Legislation Act 1989*, section 10(2).

3 Definition

In this Regulation—

the Act means the *Unlawful Gambling Act 1998*.

Note. The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Regulation.

4 Penalty notices—authorised officers

For the purposes of the definition of *authorised officer* in section 52(6) of the Act, police officers are specified in relation to all offences against the provisions specified in Schedule 1.

5 Repeal and savings

- (1) The *Unlawful Gambling Regulation 2016* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Unlawful Gambling Regulation 2016*, had effect under that Regulation continues to have effect under this Regulation.

Schedule 1 Penalty notice offences

1 Application of Schedule

- (1) For the purposes of section 52 of the Act—
 - (a) each offence created by a provision specified in this Schedule is an offence for which a penalty notice may be issued, and
 - (b) the amount payable for the penalty notice is the amount specified opposite the provision.
- (2) If the provision is qualified by words that restrict its operation to limited kinds of offences or to offences committed in limited circumstances, the penalty notice may be issued only for—
 - (a) that limited kind of offence, or
 - (b) an offence committed in those limited circumstances.

Column 1	Column 2
Provision	Penalty
Offences under the Act	
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