

GAMING AND BETTING (TWO-UP) AMENDMENT BILL 1989

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Gaming and Betting Act 1912 to allow (subject to certain restrictions) the playing of two-up on Anzac Day in places and on premises where it would otherwise be an offence.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act commences on the date of assent.

Clause 3 amends the Gaming and Betting Act 1912 to insert section 20B which allows the playing of a game of two-up on Anzac Day, subject to certain restrictions.

The restrictions are as follows:

- no payment or other benefit is to be given or sought for the right to enter premises for the purpose of participating in the game; and
- no payment or other benefit is to be given or sought for the right to participate in the game; and
- no commission on, percentage of or fee for bets or winnings is to be given by or sought from any person.

Such a payment, benefit, commission, percentage or fee will be permitted on the premises of a registered club, but only if the club has authorised all payments and benefits to go to charity without forming part of the funds of the club and has met with any requirements prescribed by regulations.

The proposed section does not—

- (a) prevent payment of an entrance fee or charge to a licensed race-course or sportsground if the fee or charge is not related to the game of two-up; and
- (b) legalise the playing of two-up in gaming-houses; and

Gaming and Betting (Two-up) Amendment 1989

- (c) affect offences involving betting or wagering by or with a person under the age of 18 years.

If a game of two-up played on Anzac Day is an unlawful game through failure to comply with the applicable requirements, a participant is not guilty of an offence, unless it is proved that the participant knew or, in the circumstances, should have known or suspected that the game was an unlawful game.
