

[Act 1998 No 97]



New South Wales

Lotteries and Art Unions Amendment Bill 1998

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

At present the *Lotteries and Art Unions Act 1901* allows the conduct of housie (or bingo) games for charitable fundraising purposes and as a form of social entertainment for the members and guests of registered clubs. In both cases permits are required.

For many years other games of housie have been conducted by various social groups in places such as retirement villages, community centres, church halls and aged-care centres without authority.

The object of this Bill is to amend the Act to make lawful the conduct of these social games of housie without the need for a permit, but subject to the games being conducted as set out in the Act or in regulations under the Act.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

Clause 3 is a formal provision giving effect to the amendments to the *Lotteries and Art Unions Act 1901* set out in Schedule 1.

Schedule 1 Amendments

Schedule 1 [1] amends a definition of *game of chance* to take into account games of housie referred to in new section 4E (to be inserted by Schedule 1 [2]).

Schedule 1 [2] inserts a new section 4E to make lawful the conduct of games of housie if certain requirements are complied with. These include requirements that:

- (a) games are not conducted on licensed premises or the premises of registered clubs. and
- (b) except as prescribed by regulation, no charge or other consideration is made or given for participating in the games, and
- (c) money invested in the games is applied towards prizes and the costs and expenses of conducting games or, if the games are conducted by a non-profit organisation, applied towards those purposes and the purposes of the organisation. and
- (d) any regulations made under the Act in relation to the conduct of the games are complied with.

Schedule 1 [3]–[5] extend the operation of sections of the Act relating to falsification of records, misappropriation and fraudulent conduct to games of housie conducted under the new section.

Schedule 1 [6] extends a regulation-making power so as to authorise the making of regulations in regard to agreements between persons promoting games of housie referred to in the new section and the persons or organisations conducting them.