

Act 1994 No. 12

LOTTERIES AND ART UNIONS (AMENDMENT) BILL 1994

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 Lotteries and Art Unions Act 1901 as follows:

- (a) to enable calcuttas and sweeps involving \$20,000 or less to be conducted without a permit from the Minister;
- (b) to enable the Minister to publish an order in the Gazette listing approved events in relation to which calcuttas and sweeps may be held;
- (c) to clarify the provisions of sections 5 and 6 dealing with art unions;
- (d) to enable liquor to be offered as a prize subject to certain controls;
- (e) to provide for powers of entry and investigation in relation to persons and organisations conducting lotteries, games of chance and art unions;
- (f) to enable the Minister to seek orders from the Supreme Court to prevent the conduct of a specific lottery, game of chance or art union or to prevent an organisation or person from conducting any such activities for a certain period;
- (g) to enable the proportion of the gross proceeds of a lottery, game of chance or art union that can be used for administrative expenses to be prescribed by the regulations;
- (h) to update penalties for offences under the Act so as to make them consistent with the penalties for similar offences in the Charitable Fundraising Act 1991;
- (i) to allow services and vouchers that are not redeemable for money to be offered as prizes in lotteries, games of chance and art unions;
- (j) to make other minor amendments to the Act including the insertion of Part and Division headings and the replacement of certain gender specific language with gender neutral language.

The Bill also amends the Search Warrants Act 1985 to provide that Part 3 of that Act applies to search warrants issued under the Lotteries and Art Unions Act 1901.

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Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act commences on a day or days to be appointed by proclamation.

Clause 3 gives effect to the Schedules of amendments to the Lotteries and Art Unions Act 1901.

Clause 4 makes the consequential amendment to the Search Warrants Act 1985 mentioned above.

Clause 5 provides that explanatory notes contained in the amending Schedules do not form part of the proposed Act.

Schedule 1 makes the amendments mentioned above relating to the conduct of lotteries, games of chance and art unions.

Schedule 2 makes the amendments mentioned above relating to penalties and by way of statute law revision.

Each amendment in the Schedules is explained in detail in the explanatory note relating to the amendment concerned.
