Act No. 62 of 1980

LOTTERIES AND ART UNIONS (AMENDMENT) BILL 1990

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 to legalise the holding of sweepstakes (including the variation known as a "calcutta") in connection with the Melbourne Cup and other events prescribed by regulations.

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 is a formal provision that gives effect to the Schedule of amendments.

SCHEDULE 1—AMENDMENTS

Sweeps and calcuttas

Schedule 1 (1) inserts a new section 4D, which defines "sweep" and "Calcutta" and provides that these activities may be lawfully carried on, in connection with the Melbourne Cup and such other events as may be prescribed by the regulations, as long as certain requirements are met. The relevant requirements are set out in subsection (4) of the proposed section.

A sweep is not lawful if more than $2,000 (or such other amount as may be prescribed by the regulations) is received as entrance fees from participants. A Calcutta, however, can be held with subscriptions exceeding that amount if a permit to do so is granted by the Chief Secretary.

Records and accounts

Schedule 1 (2) amends section 10 to enable the Chief Secretary to require the production of records and accounts relating to any calcutta conducted under a permit.

Schedule 1 (3) amends section 14 to prohibit falsification of any such records or accounts.

Other amendments

Schedule 1 (4) amends section 15A to allow the Chief Secretary's powers and functions under the Act to be delegated to an officer of the public service.

Schedule 1 (5) amends section 15 (which prohibits misappropriation of funds or prizes) so that it extends to sweeps and calcuttas made lawful by the Bill.

Schedule 1 (6) amends section 17 to prohibit the fraudulent conducting of a sweep or Calcutta.