

# AUSTRALIAN CAPITAL TERRITORY

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## Gaming and Betting (Amendment) Ordinance 1987

No. 60 of 1987

I, THE ADMINISTRATOR of the Government of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 29 October 1987.

J. A. ROWLAND  
Administrator

By His Excellency's Command,

JOHN BROWN  
Minister of State for the Arts, Sport, the Environment,  
Tourism and Territories

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An Ordinance relating to gaming and betting

### Short title

1. This Ordinance may be cited as the *Gaming and Betting (Amendment) Ordinance 1987*.<sup>1</sup>

### Interpretation

2. In this Ordinance, "the Act" means the Gaming and Betting Act 1906 of the State of New South Wales in its application to the Territory.

### Repeal of section 3A

3. Section 3A is repealed.

(Ord. 65/87)—Cat. No.

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

**Use of house as common gaming-house etc.**

4. Section 4 of the Act is amended by omitting “shall be guilty of an offence against this Act” and substituting:

“is guilty of an offence punishable, on conviction, by a fine not exceeding:

- (a) in the case of a natural person—\$10,000 or imprisonment for 5 years, or both; and
- (b) in the case of a body corporate—\$50,000”.

**Use of land for access to common gaming-house etc.**

5. Section 5 of the Act is amended by omitting “shall be guilty of an offence against this Act” and substituting:

“is guilty of an offence punishable, on conviction, by a fine not exceeding:

- (a) in the case of a natural person—\$10,000 or imprisonment for 5 years, or both; and
- (b) in the case of a body corporate—\$50,000”.

**Arrest of person found in common gaming-house**

6. Section 12 of the Act is amended by omitting from “shall be guilty of an offence against this Act” and substituting “is guilty of an offence punishable, on conviction, by a fine not exceeding \$1,000 or imprisonment for 6 months, or both”.

**Eviction by owner of declared premises**

7. Section 13 of the Act is amended:

- (a) by omitting “shall” and substituting “is”; and
- (b) by omitting “be guilty of an offence against this Act” and substituting:

“guilty of an offence punishable, on conviction, by a fine not exceeding:

  - (a) in the case of a natural person—\$10,000 or imprisonment for 5 years, or both; and
  - (b) in the case of a body corporate—\$50,000”.

**Penalty on occupier of declared premises**

8. Section 14 of the Act is amended:

- (a) by omitting “shall be guilty of an offence against this Act” and substituting “is,”; and
- (b) by adding at the end:
  - “, guilty of an offence punishable, on conviction, by a fine not exceeding:
    - (a) in the case of a natural person—\$10,000 or imprisonment for 5 years, or both; and
    - (b) in the case of a body corporate—\$50,000”.

### **Repeal of section 16**

- 9. Section 16 of the Act is repealed.

### **Street betting**

- 10. Section 18 of the Act is amended:

- (a) by omitting from subsection (1) “shall be guilty of an offence against this Act” and substituting:
  - “is guilty of an offence punishable, on conviction, by a fine not exceeding:
    - (a) in the case of a natural person—\$10,000 or imprisonment for 5 years, or both; and
    - (b) in the case of a body corporate—\$50,000”; and
- (b) by omitting from subsection (2) “against this Act” and substituting:
  - “punishable, on conviction, by a fine not exceeding:
    - (a) in the case of a natural person—\$10,000 or imprisonment for 5 years, or both; and
    - (b) in the case of a body corporate—\$50,000”.

### **Repeal of section 19A**

- 11. Section 19A of the Act is repealed.

### **Betting information**

- 12. Section 19B of the Act is amended by adding at the foot of subsection (1) the following penalty:

“Penalty:

- (a) in the case of a natural person—\$1,000 or imprisonment for 6 months, or both; and
- (b) in the case of a body corporate—\$5,000.”.

**Repeal of sections 20, 21 and 22**

13. Sections 20, 21 and 22 of the Act are repealed.

**Prohibition of betting with infants**

14. Section 23 of the Act is amended by omitting “shall be guilty of an offence against this Act” and substituting:

“is guilty of an offence punishable, on conviction, by a fine not exceeding:

- (a) in the case of a natural person—\$1,000 or imprisonment for 6 months, or both; and
- (b) in the case of a body corporate—\$5,000”.

15. After section 27 of the Act the following section is inserted:

**Certain offences may be dealt with summarily**

“28. Any proceedings in respect of an offence against this Act that is an indictable offence may be heard and determined by a court of summary jurisdiction where:

- (a) the court is satisfied that it is proper to do so; and
- (b) the defendant and the prosecution both consent to the offence being so dealt with.

“(2) Where a person is convicted of an offence that has been dealt with under this section, the court may impose a fine not exceeding:

- (a) in the case of a natural person—\$2,000 or imprisonment for 1 year, or both; and
- (b) in the case of a body corporate—\$25,000.”.

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**NOTE**

1. Notified in the *Commonwealth of Australia Gazette* on 30 October 1987.