

POOL BETTING

No. 15 of 1964.

An Ordinance relating to Pool Betting.

- Short title.** 1. This Ordinance may be cited as the *Pool Betting Ordinance 1964*.*
- Commencement.** 2. This Ordinance shall come into operation on the first day of September, One thousand nine hundred and sixty-four.
- Definitions.** 3. In this Ordinance, unless the contrary intention appears—
 “approved pool betting scheme” means a pool betting scheme approval for the carrying on of which has been granted under section six of this Ordinance;
 “pool betting competition” means a competition or transaction involving betting by a group of persons one with another at otherwise than fixed odds and on terms that the winnings or prizes of the persons in the group who are winners of the competition or transaction are or include, or are determined by reference to, the amount of the stake moneys or entry fees paid or agreed to be paid by the group of persons;
 “pool betting scheme” means a scheme or arrangement for the conduct of one or more pool betting competitions, including the negotiation, receipt or payment of money in connexion with such a competition;
 “unlawful game” has the same meaning as in the *Police Offences Ordinance 1930-1961*.
- Application.** 4. This Ordinance does not apply in relation to betting that may lawfully be conducted under any other law of the Territory or under the law of a State or another Territory of the Commonwealth.
- Prohibition of certain pool betting.** 5.—(1.) A person shall not conduct a pool betting competition otherwise than under and in accordance with a pool betting scheme approval for the carrying on of which by that person has been granted under the next succeeding section.

* Made on 27 August, 1964; notified in the *Commonwealth Gazette* on 28 August, 1964, and commenced on 1 September, 1964 (see section 2).

(2.) Where an approval granted under the next succeeding section for the carrying on of a pool betting scheme is subject to a condition imposing a requirement or prohibition on the person carrying on the pool betting scheme, the person shall not contravene or fail to comply with that condition.

Penalty: One hundred pounds.

6.—(1.) A person who wishes to carry on a pool betting scheme (not being a scheme that involves betting on or by reference to the playing of an unlawful game) may apply in writing to the Minister for approval for the carrying on of that pool betting scheme by that person.

Approval of pool betting schemes.

(2.) The Minister may, in his discretion, grant or refuse the approval.

(3.) Where the Minister grants approval for the carrying on of a pool betting scheme, the approval is subject to such conditions, if any, imposing requirements or prohibitions on the person carrying on the pool betting scheme as the Minister thinks necessary to ensure that, as far as possible, the scheme and pool betting competitions under the scheme will be properly carried on and conducted and the interests of persons participating in such a pool betting competition will be adequately protected.

(4.) As soon as practicable after he has granted or refused approval for the carrying on of a pool betting scheme, the Minister shall cause the person who applied for approval to be notified in writing of the grant or refusal of approval.

(5.) In any proceeding, a certificate under the hand of the Minister specifying whether an approval for the carrying on of a pool betting scheme specified in the certificate has been granted under this section and, if an approval has been granted, specifying the conditions, if any, to which the approval is subject is evidence of the matters specified.

7. A person shall not—

- (a) print or publish, or cause or permit to be printed or published; or
- (b) display, or cause or permit to be displayed, in any public place or in any place that is visible from a public place,

Restriction on advertising pool betting.

an advertisement, sign or notice relating to a pool betting competition other than a pool betting competition under an approved pool betting scheme.

Penalty: Fifty pounds.

Restriction on distribution of pool betting coupons.

8. A person shall not distribute or circulate a coupon, entry form or printed card in connexion with a pool betting competition other than a pool betting competition under an approved pool betting scheme.

Penalty: Five pounds.

Printing of coupons for certain pool betting competitions prohibited.

9. A person shall not print, or cause or permit to be printed, a coupon, entry form or printed card in connexion with a pool betting competition other than a pool betting competition under an approved pool betting scheme.

Penalty: Ten pounds.

Audit.

10.—(1.) The Minister may, by notice in writing to a person who is or has been concerned in the carrying on of a pool betting scheme, require the person to furnish to the Minister, within a period specified in the notice—

- (a) a statement in writing showing the whole of the receipts and disbursements in connexion with any pool betting competition under the pool betting scheme; and
- (b) all books, documents, coupons, entry forms or printed cards relating to the pool betting competition.

(2.) The Minister may retain any statements, books, documents or printed matter that are so furnished to him and may cause them to be audited by a person authorized by the Minister for the purpose.

(3.) A person so authorized under the last preceding subsection may, by notice in writing to a person who is or has been concerned in the conduct of a pool betting competition, require the person, within a period specified in the notice, to furnish him with such information in the possession of the person or to which the person has access, and to answer such questions, as the authorized person considers necessary for the purposes of the audit.

(4.) A person to whom a requirement is directed under this section shall comply with the requirement.

Penalty: Fifty pounds.

(5.) A notice under this section to a person may be given personally to the person or may be sent by post to the last-known place of residence or business of the person.

11. A person shall not, with intent to defraud or deceive any other person—

Falsification of books, &c.

- (a) alter or falsify a book, document, coupon, entry form or printed matter relating to a pool betting scheme or pool betting competition;
- (b) make a false or fraudulent entry in a book or other document relating to a pool betting scheme or pool betting competition; or
- (c) omit a material particular from a book or other document relating to a pool betting scheme or pool betting competition.

Penalty: Imprisonment for five years.

12. A person who is concerned in the carrying on of a pool betting scheme shall not convert to his own use any of the stake moneys or entry fees paid in connexion with, or any of the winnings or prizes of, a pool betting competition under the pool betting scheme.

Misappropriation of entry fees or winnings.

Penalty: Five hundred pounds.

13.—(1.) Where it appears to the Minister to be desirable for the purpose of protecting the interests of persons participating in a pool betting competition that the conduct of the pool betting competition should be supervised, the Minister may, by notice in writing under his hand, authorize a person to supervise the pool betting competition.

Supervision of conduct of pool betting.

(2.) The person authorized under the last preceding sub-section may—

- (a) enter any place in which a pool betting scheme is being or is to be carried on; and
- (b) give to persons who have been or become concerned in the carrying on of the scheme or the conduct of a pool betting competition under the scheme such directions in relation to such a pool betting competition as he thinks necessary to ensure as far as possible that the interests of persons participating in the pool betting competition are protected.

(3) A person shall not, upon being shown the notice of authority under sub-section (1.) of this section—

- (a) hinder or obstruct the person authorized by the notice in the exercise of his powers under this section; or
- (b) contravene or fail to comply with a direction given to him under the last preceding sub-section.

Penalty: Fifty pounds.

Delegation.

14.—(1.) The Minister may, either generally or otherwise as provided in the instrument of delegation by writing under his hand, delegate all or any of his powers under this Ordinance except this power of delegation.

(2.) A power so delegated may be exercised by the delegate in accordance with the instrument of delegation.

(3.) A delegation under this section is revocable at will and does not prevent the exercise of a power by the Minister.

Regulations.

15. The Minister may make regulations, not inconsistent with this Ordinance, prescribing all matters necessary or convenient to be prescribed for carrying out or giving effect to this Ordinance.
