

AUSTRALIAN CAPITAL TERRITORY

UNLAWFUL GAMES ORDINANCE 1984
LOTTERIES (AMENDMENT) ORDINANCE 1984
POOL BETTING (AMENDMENT) ORDINANCE 1984 No. 26
LIQUOR (AMENDMENT) ORDINANCE 1984
POKER MACHINE CONTROL (AMENDMENT)
ORDINANCE 1984

EXPLANATORY STATEMENT

The Unlawful Games Ordinance 1984 substantially reproduces in the form of a new Ordinance those provisions of the Police Offences Ordinance 1930 relating to unlawful gaming and unlawful machines which have now been repealed. The new Ordinance is administered by the Department of Territories and Local Government and preserves previously existing offences, whilst providing for increased penalties for such offences.

Amendments consequential upon the making of the Unlawful Games Ordinance 1984 are contained in the Lotteries (Amendment) Ordinance 1984, the Pool Betting (Amendment) Ordinance 1984 and the Liquor (Amendment) Ordinance 1984.

The Unlawful Games Ordinance 1984 also clarifies the legal status of so-called draw poker machines in the ACT. Such machines are unlawful under the Unlawful Games Ordinance 1984 subject to the provisions of the Poker Machine Control Ordinance 1975. The Poker Machine Control (Amendment) Ordinance 1984 now enables licensed clubs to install such machines on their premises on the same basis that poker machines are permitted

The following paragraphs provide details of the Unlawful Games Ordinance 1984.

Section 1 cites the short title of the Ordinance as the Unlawful Games Ordinance 1984.

Section 2 provides for the date of commencement of the Ordinance to be a date fixed by the Minister of State for Territories and Local Government by notice in the Gazette.

Section 3 is an interpretation provision.

Section 4 provides that it is an offence to promote or arrange the playing of an unlawful game in a public place or a place of public resort and that it is also an offence for an owner, occupier, manager or licensee of such a place to permit the playing of such a game. A penalty of \$1,000 is provided.

Section 5 makes it an offence to conduct, operate or supervise, or assist with the playing of an unlawful game in a public place or a place of public resort. A penalty of \$1,000 is provided.

Section 6 makes it an offence to play an unlawful game in a public place or a place of public resort. A penalty of \$500 is provided.

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Section 7 makes it an offence to solicit, encourage or engage in betting, on any game or trick, in a public place or a place of public resort, with intent to cheat. A penalty of \$1,000 is provided.

Section 8 provides that a certain class of machines, being unlawful machines are forfeited to the Commonwealth with the exception of those machines installed in premises in accordance with the Poker Machine Control Ordinance 1975. Subject to the Poker Machine Control Ordinance 1975, sub-section 8(2) makes it an offence for unlawful machines to be in the possession, custody or under the control of a person, or for the owner, occupier, manager or licensee of premises knowingly to permit an unlawful machine to be kept or used on his premises. Sub-clause 8(3) indicates those machines that are to be classed as unlawful machines. Penalties of up to \$5,000 for a body corporate and up to \$1,000 in the case of a natural person are provided for an offence against this section.

Section 9 provides for the forfeiture to the Commonwealth of instruments of gaming or other articles involved in the commission of an offence under the Ordinance.

Section 10 empowers the Minister to make regulations under the Ordinance.

The following paragraphs provide details of the Lotteries (Amendment) Ordinance 1984.

Section 1 cites the short title of the Ordinance as the Lotteries (Amendment) Ordinance 1984.

Section 2 provides for the date of commencement of the Ordinance to be a date fixed by the Minister of State for Territories and Local Government by notice in the Gazette.

Section 3 amends section 4 of the Lotteries Ordinance 1964 to include a reference to "Unlawful Games Ordinance 1984" in place of the reference to "Police Offences Ordinance 1930-1961".

The following paragraphs provide details of the Pool Betting (Amendment) Ordinance 1984.

Section 1 cites the short title of the Ordinance as the Pool Betting (Amendment) Ordinance 1984.

Section 2 provides for the date of commencement of the Ordinance to be a date fixed by the Minister of State for Territories and Local Government by notice in the Gazette.

Section 3 amends section 3 of the Pool Betting Ordinance 1964 to include a reference to "Unlawful Games Ordinance 1984" in place of the reference to "Police Offences Ordinance 1930-1961".

The following paragraphs provide details of the Liquor (Amendment) Ordinance 1984.

Section 1 cites the short title of the Ordinance as the Liquor (Amendment) Ordinance 1984.

Section 2 provides for the date of commencement of the Ordinance to be a date fixed by the Minister of State for Territories and Local Government by notice in the Gazette.

Section 3 cites the Liquor Ordinance 1975 as the Principal Ordinance..

Section 4 amends section 48 of the Principal Ordinance to include a reference to "the Unlawful Games Ordinance 1984".

Section 5 amends section 51 of the Principal Ordinance to include a reference to "the Unlawful Games Ordinance 1984".

Section 6 amends section 66 of the Principal Ordinance to include a reference to "the Unlawful Games Ordinance 1984".

The following paragraphs provide details of the Poker Machine Control (Amendment) Ordinance 1984.

Section 1 cites the short title of the Ordinance as the Poker Machine Control (Amendment) Ordinance 1984

Section 2 provides for the date of commencement of the Ordinance to be a date fixed by the Minister of State for Territories and Local Government by notice in the Gazette.

Section 3 cites the Poker Machine Control Ordinance 1975 as the Principal Ordinance.

Section 4 amends section 3 of the Principal Ordinance by adding "and any prescribed machine" at the end of the definition of "poker machine".

Section 5 amends section 41 of the Principal Ordinance to allow the Minister to prescribe by notice in the Gazette the level of "turnover tax" to be levied on clubs operating poker machines.

Ord 7/83

Ord 59/83

Ord 58/83

Ord 18/83

Ord 36/84

Ord 6/83