

# AUSTRALIAN CAPITAL TERRITORY

## POOL BETTING ORDINANCE 1964

### EXPLANATORY MEMORANDUM

No. 15 of 1964

The Pool Betting Ordinance 1964 will provide for a comprehensive control and administration to be exercised over all forms of pool betting within the Australian Capital Territory.

The Ordinance is to come into operation on the 1st September, 1964.

For the purpose of this Ordinance –

- a pool betting competition means a competition involving betting by a group of person one with another on terms that the prize of winners of the competition are determined by reference to the amount of monies paid by the group of persons;
- a pool betting scheme means a scheme or arrangement for the conduct of one or more pool betting competitions.

The Ordinance will not apply to betting that may lawfully be conducted under any law of the Territory, of a State or of another Territory of the Commonwealth.

In order that there will be no conflict between this Ordinance and the Police Offences Ordinance an “unlawful game” is to have the same meaning as in the Police Offences Ordinance 1930-1961.

In regard to the conduct of a pool betting scheme section 6 provides that a person who wishes to carry on a pool betting scheme, not being a scheme that involves betting on or by reference to the subject of an unlawful game, may apply in writing to the Minister for approval. The Minister, may in his discretion grant or refuse the approval.

Where approval is granted, the Minister may impose such requirement or prohibitions as he thinks necessary to ensure that the pool betting scheme will be properly conducted and the interests of persons participating in such a scheme will be adequately protected.

The granting or refusal of approval to conduct a pool betting scheme will be notified to the applicant in writing as soon as practicable after the decision has been made.

Section 5, and sections 7 to 13 inclusive provide penalties for –

- the conduct of a pool betting scheme which has not been approved;
- the non-compliance with or contravention of the conditions under which approval to conduct a pool betting scheme has been given;
- advertising of pool betting schemes other than an approved pool betting scheme.
- the printing of coupons, entry forms or printed cards for a pool betting scheme other than an approved pool betting scheme.
- the distribution of pool betting coupons;
- failure to comply with a notice by the Minister requiring the production of statements in writing showing the whole of receipts and disbursements in connection with a pool betting competition and all books, documents and vouchers relating to a pool betting scheme;
- the falsification of books with intent to defraud or deceive;
- the omission of material particular from a book or other document relating to a pool betting scheme;
- misappropriation of entry fees or winnings.

Where it appears desirable for the purpose of protecting the interests of persons participating in pool betting schemes that the conduct of a scheme should be supervised, the Minister in pursuance of section 13 may by a notice in writing under his hand authorise a person to supervise the conduct of the scheme. The person authorised by the Minister may enter any place in which the pool betting scheme is being carried on and give to the persons concerned with the conduct of the scheme such instructions in relation to the conduct of the scheme as he thinks necessary to ensure as far as possible that the interests of persons participating in the scheme are protected.

Provision is made for the imposition of a penalty of £50 for any person who, on being shown the authorised person's notice of authority, hinders or obstructs such a person in the exercise of his powers or contravenes or fails to comply with a direction of an authorised person.

Sections 14 and 15 provide that the Minister may delegate any or all of his powers under the Ordinance except the power of delegation and make regulations not inconsistent with the Ordinance for the carrying out or giving effect to the Ordinance.

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