



ANNO UNDECIMO

GEORGII V REGIS.

A.D. 1920.

No. 1447.

An Act to further amend the Lottery and Gaming Act, 1917, and for other purposes.

[Assented to, December 9th, 1920.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. (1) This Act may be cited alone as the "Lottery and Gaming Act Amendment Act, 1920." Short titles.

(2) The Lottery and Gaming Acts, 1917 and 1919, and this Act may be cited together as the "Lottery and Gaming Acts, 1917 to 1920." No. 1285 of 1917.
No. 1382 of 1919.

(3) The Lottery and Gaming Act, 1917, is hereinafter referred to as "the principal Act"

2. This Act is incorporated with the other Acts mentioned in section 1 of this Act, and those Acts and this Act shall be read as one Act. Incorporation with other Acts.

Amendments.

3. The definition of "public place" contained in section 4 of the principal Act is amended by adding at the end thereof the following passage:— Amendment of principal Act, s. 4 — Definition of "public place."

"and also—

(a) any premises in respect of which a licence granted under the provisions of the Licensing Act, 1917, is in force;

(b) any

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(b) any shop, and any part of a building occupied in connection with, or for the purposes of, a shop ;

(c) any factory, and the appurtenances of any factory ; and

(d) any building or place occupied by any club (whether a racing club or not), and the appurtenances thereof.

Amendment of principal Act, s. 21 (1)—
Licences for other racecourses.

4. Subsection (1) of section 21 of the principal Act is amended by substituting the word "ten" for the word "twenty" in the second line of the said subsection.

Amendment of principal Act, s. 22—
Number of times totalizator may be used.

5. Section 22 of the principal Act is amended by the striking out in the first, second, and third lines thereof the passage: "shall sanction the use by any one club at the same time and on the same racecourse of more than one totalizator nor"

Repeal of s. 24 of principal Act and substitution of new section—
Club to render account.

6. Section 24 of the principal Act is repealed and the following section is substituted therefor:—

24. (1) Within twenty-one days after every race meeting held on any day for which any licence is granted under this Act, every club so licensed shall deposit with the Commissioner of Police a full and true account under the hand of its secretary, or the hands of two members of its committee or executive body, showing—

(a) the sums received by such club through the totalizator on the occasion of the use thereof under such licence ;

(b) the amount paid in dividends through the totalizator on such occasion ;

(c) the amount of commission retained by such club ;

(d) the manner in which such commission has been expended ; and

(e) the amount of dividends unclaimed by the persons entitled to receive the same.

(2) Within twenty-one days after the last day for which any licence is granted under this Act every club so licensed shall deposit with the Commissioner of Police a correct schedule of the names, addresses and occupation of its members.

(3) The amount of all dividends unclaimed for a period of two months after they became payable by the persons entitled to receive the same shall be paid by the club holding such dividends to the Commissioner of Police, who shall pay the same to the Treasurer of the State to be applied by him for the public uses of the State.

(4) If any club fails to observe any provision of this section, the chairman thereof shall be deemed to be guilty of an offence against this Act.

Penalty—Not less than Twenty Pounds nor more than Fifty Pounds.

7. (1) Section

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7. (1) Section 39 of the principal Act is amended by substituting for the passage “Penalty—Fifty Pounds” at the foot thereof the following passage:—“Penalty—For a first offence, not less than Five Pounds and not more than Fifty Pounds; for a second offence, not less than Twenty Pounds and not more than One Hundred Pounds; and for any subsequent offence not less than One Hundred Pounds and not more than Two Hundred Pounds.”

Amendment of principal Act, s. 39—
Betting in public place.

(2) Where any person has, prior to the passing of this Act, been convicted once or oftener of an offence against section 39 of the principal Act, such one or more convictions shall not be taken into consideration for the purposes of the said section as hereby amended.

8. Section 44 of the principal Act is repealed and the following section is substituted therefor:—

Amendment of principal Act, s. 44—

44. (1) If any member of the Police Force has reasonable grounds for suspecting that on any place upon which is then being carried on any horse racing, foot racing, cycle racing, football match, cricket match, or any other sport of a kind usually attended by the public, any person is engaged, or has on that day been engaged, in doing any act in contravention of any of the provisions of this Act, such member of the Police Force may, without warrant, arrest such person and remove him from such place.

Removal from racecourses of persons suspected of offences.

(2) No person who has been so removed from any such place shall, during the day on which he was so removed, re-enter or be again upon such place.

Penalty—Fifty Pounds.

(3) No member of the Police Force who has acted *bona fide* in the intended exercise of the powers conferred on him by subsection (1) of this section shall be liable to any proceedings, civil or criminal, in consequence of his having so acted.

9. Section 47 of the principal Act is amended—

(a) by striking out in the second line thereof the word “principally”; and

(b) by striking out in the seventh and eighth lines thereof the word “principal” where it occurs in each of the said lines.

Amendment of principal Act, s. 47—
Betting houses or rooms to be deemed common gaming houses.

10. Section 69 of the principal Act is repealed, and the following section is substituted therefor:—

Repeal of s. 69 of principal Act and substitution of new section.

69. No member of the Police Force acting under the orders or instructions of any other member of such Force who is his superior in rank, and no other person acting under the lawful instructions of any member of the Police Force, shall be deemed to be an accomplice in the commission of any offence against this

Member of Police Force and other authorised persons not to be convicted or to be accomplices.

Act,

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Act, nor shall the member giving such order or instructions, nor the member or other person who acts in pursuance or attempted pursuance thereof be liable to conviction or punishment for any act or matter done or committed by either of them in relation to or under such order or instructions, although, but for this section, such members or other person or any of them might have been deemed to be such accomplices or accomplice or have been liable to such conviction or punishment.

Additional Provision.

Clubs to provide totalizator on the Flat.

11. (1) No licence to use the totalizator shall be granted to any club unless the Commissioner of Police is satisfied that such club provides or will provide facilities for the public to use the totalizator on those portions of the racecourse known as the "Grandstand," "Derby," and "Flat," on payment of Two Shillings and Sixpence per ticket on every day on which the totalizator is used on any other portion of the racecourse: Provided that in the case of any racecourse situated more than forty miles from the General Post Office at Adelaide it shall not be necessary to provide a totalizator on that part of the racecourse known as "The Flat."

(2) If, in the opinion of the Commissioner of Police, such facilities as aforesaid are not being provided, the said Commissioner may at any time, after having given at least two months' notice in writing to the club concerned, revoke the said licence.

(3) This section shall not come into force until three months after the passing of this Act.

No females to be employed about a totalizator.

12. Notwithstanding anything contained in this Act, no female shall be employed in any capacity in connection with the work in or about a totalizator. If any club fails to observe this provision, the chairman thereof shall be deemed to be guilty of an offence.

Penalty—Not less than Ten Pounds nor more than Fifty Pounds for each offence

In the name and on behalf of His Majesty, I hereby assent to this Bill.

W. E. G. A. WEIGALL, Governor.