



NORTHERN TERRITORY OF AUSTRALIA

No. 33 of 1982

AN ACT

To amend the *Lottery and Gaming Act*

[Assented to 23 June 1982]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Racing and Betting Act 1982*.

2. COMMENCEMENT

This Act shall come into operation on the commencement of the *Lotteries and Gaming Act*.

3. PRINCIPAL ACT

The *Lottery and Gaming Act* is in this Act referred to as the Principal Act.

4. LONG TITLE

The long title of the Principal Act is amended by omitting "Lotteries and Gaming" and substituting "Racing and Betting".

5. CITATION

The Principal Act, as amended by this Act, may be cited as the *Racing and Betting Act*.

6. REPEAL AND TRANSITIONAL

(1) Part II of the Principal Act is repealed.

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(2) Notwithstanding sub-section (1) and the *Lotteries and Gaming Act*, a lottery which, immediately before the commencement of this Act -

- (a) was being lawfully conducted in accordance with Part II of the Principal Act; or
- (b) was a lottery in respect of which the Minister had granted permission to conduct the lottery under section 25 of the Principal Act,

may continue to be conducted, or may be conducted, as the case may be, in accordance with the requirements of Part II of that Act as if that Part had never been repealed.

7. DEFINITIONS

Section 5 of the Principal Act is amended by omitting from the definition of "unlawful game" all words after "prohibited by law".

8. DEFINITION OF COMMON GAMING HOUSE

Section 6 of the Principal Act is amended -

- (a) by omitting sub-section (1)(a) and substituting the following:

"(a) is used for or in connection with -

- (i) a lottery, calcutta or game of bingo which is not authorized by the *Lotteries and Gaming Act* or, being authorized by that Act, is not conducted in accordance with the requirements of that Act; or

(ii) an unlawful game;" and

- (b) by omitting from sub-section (4) "in a lottery that is not an illegal lottery within the meaning of Part II." and substituting "that is a lawful lottery listed in section 5(2) of the *Lotteries and Gaming Act*."

9. STREET BETTING

Section 32 of the Principal Act is amended -

- (a) by omitting the penalty provisions at the foot of sub-sections (1) and (2); and
- (b) by inserting after sub-section (2) the following:

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"(2A) A person convicted of an offence against sub-section (1) or (2) is liable -

- (a) in the case of a first offence - to a penalty of not less than \$1,000 and not exceeding \$2,500 or imprisonment for 6 months;
- (b) in the case of a second offence, whether or not against the same sub-section - to a penalty of not less than \$2,500 and not exceeding \$5,000 or imprisonment for 12 months; or
- (c) in the case of a third or subsequent offence, whether or not the previous offences were against the same sub-section - to imprisonment for 2 years."

10. BETTING OR WAGERING PROHIBITED

Section 34 of the Principal Act is amended -

- (a) by omitting the penalty provisions at the foot of sub-sections (1) and (2); and
- (b) by inserting after sub-section (2) the following:

"(2A) A person convicted of an offence against sub-section (1) or (2) is liable -

- (a) in the case of a first offence - to a penalty of not less than \$1,000 and not exceeding \$2,500 or imprisonment for 6 months;
- (b) in the case of a second offence, whether or not against the same sub-section - to a penalty of not less than \$2,500 and not exceeding \$5,000 or imprisonment for 12 months; or
- (c) in the case of a third or subsequent offence, whether or not the previous offences were against the same sub-section - to imprisonment for 2 years."

11. PENALTY FOR OPERATING AS A BOOKMAKER ON A RACE-COURSE, &c., WITHOUT A PERMIT

Section 94TB of the Principal Act is amended -

- (a) by omitting the penalty provision at the foot of the section; and

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(b) by adding after sub-section (2) the following:

"(3) A person convicted of an offence against sub-section (1) or (2) is liable -

- (a) in the case of a first offence - to a penalty of not less than \$1,000 and not exceeding \$2,500 or imprisonment for 6 months;
- (b) in the case of a second offence, whether or not against the same sub-section - to a penalty of not less than \$2,500 and not exceeding \$5,000 or imprisonment for 12 months; or
- (c) in the case of a third or subsequent offence, whether or not the previous offences were against the same sub-section - to imprisonment for 2 years."

12. BETTING MUST BE WITH LICENSED OR REGISTERED BOOKMAKER

Section 94AA of the Principal Act is amended -

(a) by omitting the penalty provision at the foot of the section; and

(b) by adding after sub-section (2) the following:

"(3) A person convicted of an offence against sub-section (1) or (2) is liable -

- (a) in the case of a first offence - to a penalty of not less than \$1,000 and not exceeding \$2,500 or imprisonment for 6 months;
- (b) in the case of a second offence, whether or not against the same sub-section - to a penalty of not less than \$2,500 and not exceeding \$5,000 or imprisonment for 12 months; or
- (c) in the case of a third or subsequent offence, whether or not the previous offences were against the same sub-section - to imprisonment for 2 years."

13. FURTHER AMENDMENTS

The Principal Act is further amended as set out in the Schedule.

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SCHEDULE

Section 13

Provision	Amendment	
	omit	substitute
Section 41(1)	"\$200 or imprisonment for 6 months"	"\$1,000 or imprisonment for 6 months"
Section 41(2)	"\$100"	"\$200"
Section 42	"\$200"	"\$1,000 or imprisonment for 6 months"
Section 53(2)	"\$200 or imprisonment for 6 months"	"\$500"
Section 54	"\$600"	"\$500"
Section 64	"\$50"	"\$500"