



New South Wales

Unlawful Gambling Regulation 1999

under the
Unlawful Gambling Act 1998

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Unlawful Gambling Act 1998*.

J. RICHARD FACE, M.P.,
Minister for Gaming and Racing.

Explanatory note

The objects of this Regulation are to specify the offences under the *Unlawful Gambling Act 1998* that may be dealt with by way of penalty notice and to specify the short descriptions in respect of those offences.

This Regulation is made under the *Unlawful Gambling Act 1998*, including sections 52 and 57 (the general regulation-making power).

This Regulation comprises matter of a machinery nature.

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Unlawful Gambling Regulation 1999

1 Name of Regulation

This Regulation is the *Unlawful Gambling Regulation 1999*.

2 Commencement

This Regulation commences on 1 March 1999.

3 Definition

In this Regulation:

the Act means the *Unlawful Gambling Act 1998*.

4 Notes

The explanatory note and table of contents do not form part of this Regulation.

5 Penalty notice offences

For the purposes of section 52 of the Act:

- (a) each offence created by a provision specified in Column 1 of Schedule 1 is a prescribed offence, and
- (b) the prescribed penalty for such an offence is the amount specified in Column 3 of Schedule 1.

6 Short descriptions

- (1) In accordance with section 145B of the *Justices Act 1902*, the prescribed expression for an offence created by a provision specified in Column 1 of Schedule 1 is:
 - (a) the expression specified in Column 2 of that Schedule, or
 - (b) if a choice of words is indicated in that expression, the words remaining after the omission of the words irrelevant to the offence.

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- (2) For the purposes of any proceedings for an offence created by a provision specified in Column 1 of Schedule 1, the prescribed expression for the offence is taken to relate to the offence created by the provision, as the provision was in force when the offence is alleged to have been committed.
- (3) The amendment or repeal of a prescribed expression does not affect the validity of any information, complaint, summons, warrant, notice, order or other document in which the expression is used.
- (4) Subclause (3) applies to any information, complaint, summons, warrant, notice, order or other document (whether issued, given or made before or after the amendment or repeal) that relates to an offence alleged to have been committed before the amendment or repeal.

Schedule 1 Penalty notice offences and short descriptions

(Clauses 5 and 6)

Column 1	Column 2	Column 3
Offence under Act	Prescribed expression	Penalty
section 10	bet with bookmaker acting illegally	\$550
section 13	sell ticket in unlawful game	\$550
section 14	participate in unlawful game	\$550
section 17	gambling by minor	\$55
section 21 (3)	deface/destroy/cover/remove notice	\$220
section 27 (2)	deface/destroy/cover/remove notice	\$220
section 34 (1) (first offence only)	found on/entering/leaving gambling premises	\$550
section 37 (1) (first offence only)	found on/entering/leaving declared gambling premises	\$550
section 38 (2)	re-enter/attempt to re-enter racecourse/premises	\$550
section 43 (3)	fail to comply with direction	\$550