

LOTTERY AND GAMING ORDINANCE 1966

No. 47 of 1966

An Ordinance to amend the *Lottery and Gaming Ordinance 1940-1965*

[Assented to 2nd December, 1966.]

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act 1910-1965*, as follows:—

Short title
and citation

1.—(1.) This Ordinance may be cited as the *Lottery and Gaming Ordinance 1966*.

(2.) The *Lottery and Gaming Ordinance 1940-1965* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Lottery and Gaming Ordinance 1940-1966*.

Commencement

2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.*

Definitions of
house, &c.,
used in
contravention of
Ordinance

3. Section 6 of the Principal Ordinance is amended—

(a) by omitting from sub-section (1.) the words “In this Ordinance” and inserting in their stead the words “Subject to this section, in this Ordinance”; and

(b) by adding at the end thereof the following sub-section:—

“(4.) A house, office, room or place shall not be deemed to be a common gaming house for the purposes of this Ordinance by virtue only of the use of it or of a part of it for offering, giving or selling a ticket or chance, or a share in a ticket or chance, in a lottery that is not an illegal lottery within the meaning of Part II. of this Ordinance.”.

Penalty for
advertising, &c.,
foreign lottery

4. Section 13 of the Principal Ordinance is repealed.

*The date fixed was 14 December 1966 (see *Northern Territory Government Gazette* No. 62 of 14 December 1966, page 264).

5. Section 15 of the Principal Ordinance is repealed and the following section is inserted in its stead:—

“15. A person shall not purchase a ticket or a share in a ticket in an illegal lottery.

Penalty: Ten dollars.”

Purchase of tickets in illegal lottery prohibited

6. After section 71J of the Principal Ordinance the following section is inserted:—

“71JA. A non-proprietary club shall not conduct a race meeting at a race-course situated in an area declared, under sub-section (1.) of section 71A of this Ordinance, to be an area in respect of which a principal club shall have jurisdiction unless it is registered as a racing club by that principal club or, if two or more principal clubs each have jurisdiction as a principal club in respect of an area in which that race-course is situated, by one of those principal clubs.”

Proprietary clubs to be registered to conduct race meetings

7. Section 94A of the Principal Ordinance is amended by inserting, before the definition of “licence”, the following definition:—

“ ‘district’ means a part of the Territory that has, pursuant to section 94L of this Ordinance, been declared to be a district for the purposes of this Part;”.

Definitions

8. Section 94G of the Principal Ordinance is amended by inserting after the word “Administrator” (first occurring) the words “for laying before the Legislative Council”.

Annual report

9. Section 94M of the Principal Ordinance is amended by omitting paragraph (a) of sub-section (2.) and inserting in its stead the following paragraph:—

Applications for licences under this Part

“(a) in respect of premises in the district which have been approved by a member of the Police Force in charge of a police station in the district as premises which are not within the immediate vicinity of—

(i) any premises licensed under the *Licensing Ordinance 1939-1966* except premises in respect of which a storekeeper’s licence is held; or

(ii) a place of divine worship or school, and are not otherwise unsuitable for the purpose of conducting the business of a licensed bookmaker; and”.

10 Section 94P of the Principal Ordinance is amended by inserting after sub-section (1.) the following sub-section:—

Board may grant licences

“(1A.) A licence shall apply to the premises specified in the application for the licence unless the Board has approved an application by the holder of the licence to substitute other premises for the first-mentioned premises.”.

11. After section 94P of the Principal Ordinance the following section is inserted:—

“94PA.—(1.) A licensed bookmaker may apply to the Board for approval to substitute other premises for the premises to which his licence applies.

“(2.) An application under this section shall be in respect of premises which—

(a) are in the same district as are the premises to which the applicant's licence applies; and

(b) have been approved by a member of the Police Force in charge of a police station in the district as premises which are not within the immediate vicinity of—

(i) any premises licensed under the *Licensing Ordinance 1939-1966* except premises in respect of which a storekeeper's licence is held; or

(ii) a place of divine worship or school, and are not otherwise unsuitable for the purpose of conducting the business of a licensed bookmaker.

“(3.) Where the Board approves an application under this section the applicant's licence shall thenceforth be deemed to apply only to the premises specified in that application.

“(4.) Where, prior to the commencement of the *Lottery and Gaming Ordinance 1966*, the Board has purported to grant to a person a licence applied for in respect of premises specified in an application for that licence for a term that had not expired at that commencement (that licence not having been cancelled before that commencement) and the person was at the date when the licence was granted the holder of a licence in respect of other premises, by virtue of this sub-section the first-mentioned licence shall continue in force according to its tenor in respect of the first-mentioned premises and any other licence held by that person at that date is determined as from that date.

“(5.) The person referred to in the last preceding sub-section is entitled to be refunded such a proportional amount of the fee paid in respect of the licence so determined as is equivalent to one-twelfth of the fee for each complete calendar month in the unexpired period of the licence.”.

12 Section 94R of the Principal Ordinance is amended by inserting after sub-section (1.) the following sub-section:—

“(1A.) The Board shall cancel a licence upon receiving from the holder of that licence a request in writing for the Board to do so.”.

13.—(1.) Section 94AR of the Principal Ordinance is amended by omitting sub-sections (2.), (3.), (4.), and (5.) and inserting in their stead the following sub-section:—

Absence of bookmaker

“(2.) An application by a licensed bookmaker for permission for another person to act for him in his absence—

- (a) shall be made to the Board in writing;
- (b) shall state the full name and address of the licensed bookmaker, the period of his intended absence, the full name, address and occupation of that other person and any other matters that the licensed bookmaker wishes to submit to the Board in support of the application; and
- (c) shall be accompanied by three references as to the character of that other person, being references each of which is given by a person who is a householder in the district in relation to which the bookmaker is licensed.”.

(2.) Notwithstanding the amendment of section 94AR of the Principal Ordinance effected by the last preceding sub-section—

- (a) a certificate granted under that section before the commencement of this section in respect of a period terminating after the commencement of this section continues in force for the purposes of section 94AR of the Principal Ordinance as amended by this Ordinance as if it had been granted under that section as so amended; and
- (b) an application for permission for a person to act for a licensed bookmaker made to the Board before the commencement of this section may be dealt with by the Board after that commencement as if it had been made under section 94AR of the Principal Ordinance as amended by this Ordinance.

14. Section 94AAR of the Principal Ordinance is amended by omitting from sub-section (1.) the words “an application for”.

Appeal against refusal to grant certificate

