

## No. 3206.

An Act to amend the Law relating to  
Contracts or Agreements by way of  
Gaming or Wagering.

[4th December, 1922.]

**B**E it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

1. This Act may be cited as the *Gaming Act* 1922 and shall be read and construed as one with the *Instruments Act* 1915 (hereinafter called the Principal Act) and any Act amending the same all of which Acts and this Act may be cited together as the Instruments Acts.

2. For section one hundred and eleven of the Principal Act there shall be substituted the following section:—

“111. All bills notes cheques or mortgages drawn accepted made given granted or entered into or executed by any person or persons whomsoever where the whole or any part of the consideration is for any money or other valuable thing whatsoever won by gaming or playing at cards dice tables tennis bowls or other game or games whatsoever or by betting on the sides or hands of such as do game at any of the games aforesaid or for the reimbursing or repaying any money knowingly lent or advanced for such gaming or betting as aforesaid or lent or advanced at the time and place of such play to any person or persons so gaming or betting as aforesaid or that during such play so play or bet shall be deemed and taken to have been drawn accepted made given granted or entered into or executed for an illegal consideration.”

3. (1) Section one hundred and twelve of the Principal Act is hereby repealed; and no action or other legal proceeding whatsoever shall be instituted in any court of law for the recovery of any money under the said section or any corresponding previous enactment; and if any such proceeding has been instituted (whether before or after the commencement of this Act) it shall be discharged and made void

Short title  
construction  
and citation.

Nos. 2672, 2857,  
3071.

No. 2672 s. 111  
re-enacted and  
amended.

Certain  
instruments  
deemed to have  
been given for  
an illegal  
consideration.

Comp. 9 Anno  
c. 14; 5 & 8  
Will. IV. c. 41  
s. 1.

Repeal of No.  
2672 s. 112.

Actions  
not to be  
maintainable.

Comp. 10 & 11  
Geo. V. c. 48  
s. 1.

void, subject in the case of a proceeding instituted before the eleventh day of July One thousand nine hundred and twenty-two to such order as to costs as the court or a judge thereof may think fit to make.

(2) Nothing in this section shall prejudice or prevent the institution or prosecution of proceedings for giving effect to a final judgment given before the commencement of this Act by any court where the judgment at the commencement of this Act is not then the subject of a pending appeal.

(3) No trustee executor administrator or other person acting in a representative or fiduciary capacity shall be or be deemed to have been under any obligation to make or enforce any claim under the said section one hundred and twelve or any corresponding previous enactment or be liable for any breach of duty by reason of any failure to do so.

Saving of proceedings to give effect to certain judgments.

No obligation on trustees &c. to enforce claim under No. 2072 s. 112 &c.