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This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES,
and, having this day passed as now printed, is transmitted to
the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,
9th November, 1910.

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Right Hon. Sir J. G. Ward.

GAMING AMENDMENT.

ANALYSIS.

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A BILL INTITULED

AN ACT to amend the Law relating to Betting and Wagering. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. (1.) This Act may be cited as the Gaming Amendment Act, 1910, and shall be read together with and deemed part of the Gaming Act, 1908 (hereinafter referred to as the principal Act). Short Title and commencement.

(2.) ~~Except as to section six,~~ †This Act shall come into operation on the thirty-first day of January, nineteen hundred and eleven.

2. (1.) Every person who frequents, loiters, or is in any street (as defined in section twenty-four of the principal Act) for the purpose of betting is guilty of an offence, and is liable on summary conviction to a fine not less than *twenty* pounds and not exceeding *one hundred* pounds for a first offence, and to the like fine or to imprisonment for a period not exceeding *three* months for a second or any subsequent offence against this section, whether of the same or of a different kind. Penalty for street betting.

Struck out.

20 (2.) Every bookmaker who makes or offers to make any bet or wager on any racecourse, or in any public place or premises, is liable to the like penalties as are prescribed by the *last preceding* subsection.

New.

(3.) Every bookmaker who bets in any street, in any licensed premises within the meaning of the Licensing Act, 1908, or on any racecourse, or in any public place as defined by section two of the principal Act, or within the view or hearing of any person in or on any such street, racecourse, or public place, commits an offence, and is liable on summary conviction to a fine not less than *twenty* pounds and not exceeding *one hundred* pounds for a first offence, and to the like fine or to imprisonment for a period not exceeding three months for a second or any subsequent offence against this section, whether of the same or of a different kind. 5 10

(4.) In this section the term "betting" and "bet" include the act of any person in betting, wagering, offering or agreeing to bet or wager, paying, receiving, or settling any bet or wager, or offering or agreeing to pay, receive, or settle any bet or wager, whether on his own behalf or on behalf of any other person. 15

(5.) In this section the term "street" means—

(a.) Any public road, street, or thoroughfare, and any road, street, lane, footway, or passage, whether a thoroughfare or not, and whether public or not; and 20

(b.) Any enclosed or unenclosed land (not being a building or a racecourse on which a race meeting is being held) in any city or borough.

(6.) Sections twenty-four and twenty-five of the principal Act and the forms numbered (2) and (3) in the Third Schedule to the principal Act are hereby repealed. 25

Repeal.

3. (1.) Section thirty-four of the principal Act is hereby repealed.

(2.) Every license issued to a bookmaker under the said section, and current at the commencement of this Act, shall thereupon cease to have any force or effect. 30

Racing clubs to prevent bookmakers from plying their calling on racecourses.

4. (1) It shall be the duty of every racing club at any race meeting to use all reasonable and lawful means of preventing bookmakers from plying their calling on the racecourse at that meeting, and if the Minister of Internal Affairs is satisfied that any racing club has wilfully or negligently failed to comply with this section he shall revoke the license of that club and shall refuse to issue any further license to that club for a period of one year after the date of such revocation. 35

Struck out.

(2.) To enable a racing club to perform the duty hereby imposed on it, it shall be lawful for any agent or servant of the club, or constable, to remove from the racecourse any person acting in breach of the provisions of subsection *two* of section *two* hereof, who, after being warned by any such agent, servant, or constable to desist from so acting, does not so desist. 40 45

New.

(3.) In this section the term "license" means a license to use the totalisator under the principal Act or a license granted under the Race Meetings Act, 1909.

(4.) Any person who on any racecourse acts in breach of section *two* of this Act, and who, after being warned by any agent or servant 50

New.

of the racing club having the use or control of that racecourse or by any constable, does not desist from so acting, may be forthwith removed from the racecourse by any such agent or servant, or by any
 5 constable.

(5.) Any person so removed shall not on the day of such removal re-enter the racecourse, and if he does so re-enter he may, without warrant, be arrested by any constable and taken before a Magistrate or any two Justices, and shall be liable on summary conviction to a
 10 fine not exceeding *fifty* pounds or to imprisonment for a period not exceeding *one* month.

(6.) This section shall extend and apply to every racecourse, whether it is or is not in the occupation of the racing club having the use or control thereof, and whether it is or is not subject to any
 15 right of public use or entry; but nothing in this section shall be so construed as to limit or take away the right of any racing club to exclude or remove any person from any racecourse of which that club is the occupier and which is free from any right of public use or entry.

4A. (1.) Every license issued by the Minister of Internal Affairs under section fifty of the principal Act in respect of any year after the thirty-first day of July, nineteen hundred and eleven, shall be issued in respect of a single race meeting, and shall specify the
 20 number of days on which the totalisator may be used at that meeting.

(2.) The aggregate number of days on which the totalisator is so authorized to be used throughout New Zealand in any year after the thirty-first day of July, nineteen hundred and *eleven*, shall not exceed two hundred and fifty.

(3.) The number of days on which the totalisator is so authorized to be used at any one race meeting shall not exceed four.

(4.) A race meeting at which the totalisator is so authorized to be used on four days shall not extend over a longer period than eight consecutive days, and a race meeting at which the totalisator is so authorized to be used on three days shall not extend over a longer
 35 period than six consecutive days, and a race meeting at which the totalisator is so authorized to be used on two days shall not extend over a longer period than four consecutive days; and on the expiry of any such maximum period the license to use the totalisator shall lapse:

Provided that when at any race meeting a racing club is compelled by inclement weather or any extraordinary circumstance to postpone any racing to a later day it shall be lawful for the club to extend that race meeting over such longer period as is so rendered
 40 necessary.

(5.) The Governor in Council may make regulations as to the grant of such licenses and as to the conditions on which they may be issued.

(6.) In this section the term "year" means a year commencing on the first day of August.

(7.) Paragraph (a) of section fifty of the principal Act and section fifty-one of that Act are hereby repealed.

Restrictions on
 issue of licenses to
 use the totalisator.

Governor may
appoint Commission
to determine the
number of licenses
to be issued during
the year
commencing
1st August, 1911.

5. (1.) For the purpose of determining the ~~allocation of licenses to be issued~~ racing clubs to which licenses are to be granted under section fifty of the principal Act in the year commencing on the first day of August, nineteen hundred and *eleven*, ~~and the racing clubs to which these licenses are to be granted~~, and the number of days on which the use of the totalisator is to be authorized by *each of* those licenses, the Governor in Council may appoint a Commission of five persons who shall make such inquiries as they think fit as to the aforesaid matters, and shall report to the Governor their opinion thereon :

Provided that the number of days on which the totalisator may be used during the year at racing and trotting meetings shall not exceed two hundred and fifty, each class of racing to be reduced proportionately to the number of days on which the totalisator was used by each class during the twelve months ~~immediately preceding the coming into operation of this Act~~ *ending on the thirty-first day of July, nineteen hundred and ten.*

Struck out.

(2.) In determining the clubs to which licenses shall be granted, preference shall be given to those clubs which use the totalisator at one meeting only in any year.

(3.) For the purposes of any such inquiries the Commission shall have and may exercise all the powers of a Commission under the Commissions of Inquiry Act, 1908, and shall be deemed to be a Commission appointed under the authority of that Act.

(4.) All licenses granted by the Minister of Internal Affairs in the year commencing on the first day of August, nineteen hundred and *eleven*, shall be granted by him in accordance with the report of the said Commission, so far as that report is in accordance with the provisions of this Act.

(5.) Nothing in this section shall take away or in any manner affect the powers of the Minister of Internal Affairs to revoke any license granted in the said year, or to grant or refuse in his absolute discretion any license in any subsequent year.

Struck out.

Duration of race
meetings.

6. (1.) No race meeting shall extend over a longer period than eight days in the case of a four-day meeting, or six days in the case of a three-day meeting, or four days in the case of a two-day meeting :

Provided that nothing in this subsection shall prevent the stewards or committee of any racing club, if compelled on account of inclement weather or any extraordinary circumstances to postpone any racing day, from extending any race meeting beyond the period specified.

Not more than
eight races to be run
on one day.

(2.) Not more than ~~seven~~ *eight* races shall be run on any one day at any race meeting.

New.

(2A.) If at any race meeting any race is run in breach of this section, every member, officer, agent, or servant of the racing club having control of that race meeting shall, unless he proves that he was not a consenting party to that breach, be guilty of an offence punishable on summary conviction by a fine not exceeding *fifty* pounds.

Struck out.

(3.) This section shall come into operation on the first day of August, nineteen hundred and *eleven*.

7. (1.) No investment on the totalisator shall be received otherwise than in money, bank-notes, or cheque before or at the time of the investment.

Mode of investment on totalisator.

(2.) No investment on the totalisator shall be received from any person under the age of twenty-one years, ~~and no bet shall be made~~

Struck out.

10 by any person with any other person who is under twenty-one years of age.

(3.) If any member, officer, agent, or servant of a racing club knowingly receives or registers or otherwise takes into account, or permits or authorizes to be received, registered, or taken into
15 account, any investment on the totalisator made by any person under the age of twenty-one years, or made ~~on credit, or~~ otherwise than in accordance with this section, he shall be guilty of an offence, and shall be liable to a fine not exceeding *one hundred* pounds; ~~and~~

Struck out.

20 any person who makes any bet with any other person who is under twenty-one years of age shall be guilty of an offence, and shall be liable to a fine not exceeding *fifty* pounds.

(4.) Every person who by falsely representing himself as being of the age of twenty-one years or upwards is permitted by any
25 member, officer, agent, or servant of a racing club in charge of or operating any totalisator to make an investment on the totalisator is liable to a fine not exceeding *fifty* pounds.

8. Subsection four of section twenty-six of the principal Act is hereby amended by inserting, before the words "bicycle-races," the
30 words "coursing-matches, pigeon-shooting matches, inanimate-shooting contests."

Section 26 of principal Act amended.

9. (1.) The Governor may by Order in Council declare that the provisions of the principal Act and of all other Acts prohibiting lotteries shall not apply to the Art Union of London, being a body
35 corporate established by Royal Charter in the United Kingdom for the advancement of the fine arts, or to any other institution or association established with the like objects in any place out of New Zealand.

Governor in Council may exempt the Art Union of London or other foreign institution from operation of provisions as to lotteries.

(2.) Any such Order in Council may be at any time revoked.

40 (3.) So long as any such Order in Council remains in force the body corporate, institution, or association to which it relates shall be exempt from the provisions of the principal Act and of any other Act with respect to the prohibition of lotteries.