



New South Wales

# Gaming and Betting (General) Amendment (Short Descriptions of Offences) Regulation 1998

under the

Gaming and Betting Act 1912

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Gaming and Betting Act 1912*.

J. RICHARD FACE, M.P.,

Minister for Gaming and Racing

## Explanatory note

The object of this Regulation is to specify short descriptions for certain offences under the *Gaming and Betting Act 1912* to facilitate the issue of summonses, warrants and other legal processes.

This Regulation is made under the *Gaming and Betting Act 1912*, including section 59 (the general regulation-making power) and in accordance with section 145B of the *Justices Act 1902*.

This Regulation is made in connection with the staged repeal of subordinate legislation under the *Subordinate Legislation Act 1989*.

**1998 No 522**

Clause 1            Gaming and Betting (General) Amendment (Short Descriptions of Offences) Regulation 1998

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**Gaming and Betting (General) Amendment  
(Short Descriptions of Offences) Regulation  
1998**

**1 Name of Regulation**

This Regulation is the *Gaming and Betting (General) Amendment (Short Descriptions of Offences) Regulation 1998*.

**2 Commencement**

This Regulation commences on 2 September 1998.

**3 Amendment of Gaming and Betting (General) Regulation 1991**

The *Gaming and Betting (General) Regulation 1991* is amended as set out in Schedule 1.

**4 Notes**

The explanatory note does not form part of this Regulation.

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**Schedule 1 Amendments**

(Clause 3)

**[1] Part 6, heading**

Omit the heading to Part 6. Insert instead:

**Part 6 Miscellaneous****[2] Clause 20**

Insert after clause 19:

**20 Short descriptions of offences**

- (1) For the purposes of section 145B of the *Justices Act 1902*, the prescribed expression for an offence created by a provision of the Act 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.
- (2) For the purposes of any proceedings for an offence created by a provision of the Act 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, and any such document continues to have effect as if that expression had not been amended or repealed.

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Schedule 1 Amendments

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- (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.

### [3] Schedule 1

Insert at the end of the Regulation:

#### **Schedule 1 Short descriptions of certain offences**

(Clause 20)

<b>Column 1</b>	<b>Column 2</b>
<b>Offences under the Act</b>	<b>Prescribed expression</b>
Section 5 (1)	Frequent/use/be in street for betting/street betting by bookmaker/bookmaker's agent/clerk/servant
Section 5 (4)	Bet in street with bookmaker/bookmaker's agent/clerk/servant/person frequenting/using/in street for betting
Section 18 (I) (a)	Organise/conduct/assist in organising/assist in conducting unlawful game/sleight of hand
Section 19	Give/sell ticket/chance/share in ticket/share in chance in unlawful game
Section 20	Play at/bet on unlawful game/sleight of hand
Section 21 (1)	Owner/occupier allow place to be used as a gaming-house
Section 23 (1)	Organise/conduct/assist in organising/conducting gaming-house
Section 24 (I)	Be in gaming-house
Section 44 (1)	Open/keep/use place for betting/permit place to be opened/kept/used for betting/assist in running place opened/kept/used for betting

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Amendments

Schedule 1

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<b>Column 1</b>	<b>Column 2</b>
<b>Offences under the Act</b>	<b>Prescribed expression</b>
Section 44 (2)	Be in betting house