



ANNO TRICESIMO SEPTIMO

# ELIZABETHAE II REGINAE

A.D. 1988

\*\*\*\*\*

No. 27 of 1988

An Act to amend the Lottery and Gaming Act, 1936.

[Assented to 21 April 1988]

The Parliament of South Australia enacts as follows:

## Short title

1. (1) This Act may be cited as the *Lottery and Gaming Act Amendment Act, 1988*.
- (2) The *Lottery and Gaming Act, 1936*, is in this Act referred to as "the principal Act".

## Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

## Insertion of Part III

3. The following Part is inserted after Part IIA of the principal Act:

### PART III

#### LICENSING OF SUPPLIERS OF INSTANT LOTTERY TICKETS

## Interpretation

15. In this Part—

"instant lottery ticket" means a lottery ticket—

(a) that is sealed or in some other way conceals the number, letter or symbol giving rise to the winning chance;

and

(b) that is realizable immediately after its purchase by the participant in the lottery,

but does not include a lottery ticket printed by or on behalf of the Lotteries Commission of South Australia:

“to supply”, in relation to instant lottery tickets, means to sell, or supply for fee or reward, instant lottery tickets to a person for the purposes of the resale of the tickets by that person.

#### **Suppliers must be licensed**

16. (1) A person who carries on a business of supplying instant lottery tickets without being licensed to do so under this Part is guilty of an offence.

Penalty: \$4 000 or imprisonment for three months.

(2) This section does not apply to a person who is exempted, or who is of a class of persons exempted, from this section by the regulations.

#### **Application for licence**

17. (1) An application for a licence under this Part—

(a) must be made in writing to the Minister in the prescribed form;

and

(b) must be accompanied by the prescribed fee.

(2) The Minister may refuse to grant a licence if satisfied that the applicant is not a fit and proper person to hold a licence under this Part.

#### **Licence may be conditional**

18. (1) The grant of a licence under this Part may be subject to such conditions as the Minister thinks fit and specifies in the licence.

(2) The Minister may, by notice in writing to the licence holder, vary or revoke a condition of a licence.

(3) A person who contravenes or fails to comply with a condition of a licence under this Part is guilty of an offence.

Penalty: \$2 000.

#### **Term of licence**

19. (1) A licence under this Part expires (unless sooner cancelled or surrendered) on 30 June next following the day on which it was granted.

(2) If due application for renewal and payment of the prescribed fee is made before the expiry of a licence under this Part, the Minister must renew the licence for a period of one year.

(3) The Minister may renew a licence notwithstanding its expiry if the Minister thinks it appropriate to do so in any particular case.

**Cancellation of licence**

20. The Minister may, by notice in writing to the licence holder, cancel a licence under this Part if—

- (a) the Minister is satisfied that the licence was improperly obtained;
  - (b) the licence holder is found guilty of an offence against this Act;
- or
- (c) the licence holder has contravened or failed to comply with a condition of the licence.

**Insertion of s. 119**

4. The following section is inserted after section 118 of the principal Act:

**Regulations**

119. The Governor may make such regulations as are contemplated by, or as are necessary or expedient for the purposes of, this Act.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor