

Queensland



# **LOTTO AMENDMENT ACT 1993**

**Act No. 3 of 1993**

# Queensland



## LOTTO AMENDMENT ACT 1993

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Queensland



## **Lotto Amendment Act 1993**

### **Act No. 3 of 1993**

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**An Act to amend the *Lotto Act 1981***

*[Assented to 26 March 1993]*

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows.

### **Short title**

1. This Act may be cited as the *Lotto Amendment Act 1993*.

### **Commencement**

2. This Act commences on a day to be fixed by proclamation.

### **Amended Act**

3. The *Lotto Act 1981* is amended as set out in this Act.

### **Amendment of Long title**

4. Long title—

*omit—*

‘; to amend the Golden Casket Art Union Act 1978 in certain particulars; and for related purposes’,

*insert* ‘and for other purposes’.

### **Replacement of s.3 (Interpretation)**

5. Section 3—

*omit, insert—*

### **‘Definitions**

- ‘3. In this Act—

“**agent**” means a person appointed as an agent for the purposes of this Act;

“**Australian Lotto Bloc**” means Tattersall, the Lotteries Commission of South Australia, the Lotteries Commission of Western Australia and the Office united to form the Australian Lotto Bloc to jointly conduct games of lotto;

**“conduct”**, in relation to a game of lotto, includes promote, organise and operate;

**“entry form”** means a document that, under this Act, evidences the right of a person to participate in a game of lotto;

**“game of lotto”** has the meaning given by section 3A;

**“game of lotto conducted by the Office”** has the meaning given by section 3E;

**“Gold Lotto”** has the meaning given by section 3B;

**“inspector”** means a person who is, or is appointed as, an inspector under this Act;

**“Manager”** has the meaning given by the 1978 Act;

**“National Lotto Bloc”** means Tattersall, the Lotteries Commission of South Australia, the Lotteries Commission of Western Australia, the NSW Lotteries and the Office united to form the National Lotto Bloc to jointly conduct games of lotto;

**“Office”** means the Golden Casket Art Union Office constituted under the 1978 Act;

**“Oz Lotto”** has the meaning given by section 3D;

**“subscriber”** means a person who pays, or contributes to the payment of, a subscription;

**“subscription”** means the entry fee payable by a subscriber under the rules to enable the subscriber to participate in a game of lotto, but does not include any agent’s fee;

**“Super 66”** has the meaning given by section 3C;

**“Tattersall”** means the trustees of the will and estate of the late George Adams carrying on business in Melbourne in the State of Victoria under the name or style of Tattersall Sweep Consultation Care of George Adams;

**“the 1978 Act”** means the *Golden Casket Art Union Act 1978*.

**Insertion of new sections 3A–3E**

6. After section 3—

*insert—*

**‘Interpretation—meaning of “game of lotto”**

**‘3A.** A **“game of lotto”** is a game in which the entrants in, or subscribers to, the game—

- (a) choose, or cause to be chosen, from a group of numbers; or
- (b) attempt to forecast or select from a group of numbers;

a smaller group of numbers to be drawn on a random basis.

*Examples*

- 1. Gold Lotto.
- 2. Oz Lotto.

**‘Interpretation—meaning of “Gold Lotto”**

**‘3B.** **“Gold Lotto”** means a game of lotto conducted jointly by the Office with the other partners in the Australian Lotto Bloc.

**‘Interpretation—meaning of “Super 66”**

**‘3C.(1)** An entrant or subscriber in Gold Lotto may choose to participate in a further competition based on a comparison between—

- (a) numbers to be drawn on a random basis; and
- (b) numbers that have been randomly chosen by the Office computer system for printing entry forms and printed on the entrant’s or subscriber’s entry form.

**‘(2)** **“Super 66”** is the competition mentioned in subsection (1).

**‘Interpretation—meaning of “Oz Lotto”**

**‘3D.** **“Oz Lotto”** means a game of lotto conducted jointly by the Office with the other partners in the National Lotto Bloc.

**‘Interpretation—meaning of “game of lotto conducted by the Office”**

**‘3E. “Game of lotto conducted by the Office”** means a game of lotto that—

- (a) the Office conducts by itself; or
- (b) is conducted by the Office with the other partners of the Australian Lotto Bloc under an agreement under section 10; or
- (c) is conducted by the Office with the other partners of the National Lotto Bloc under an agreement under section 10A.’.

**Amendment of s.8 (Prize money)**

**7.** Section 8(1) and (2)—

*omit, insert—*

**‘8.(1)** Subject to subsections (2) and (3), the amount allocated for distribution as prize money in respect of each game of lotto conducted by the Office is to be an amount equal to a percentage of the total amount of subscriptions.

**‘(1A)** The percentage mentioned in subsection (1) for a game of lotto—

- (a) is the percentage applicable to the game under the rules; but
- (b) is not to exceed 60%.

**‘(2)** An amount calculated under the rules made under section 16 may be set apart from the amount allocated for distribution as prize money under subsection (1) and accumulated with other amounts so set apart.’.

**Insertion of new sections 11A and 11B**

**8.** After section 11—

*insert—*

**‘Agreement with National Lotto Bloc partners**

**‘11A.(1)** The Office may enter into an agreement with the other National Lotto Bloc partners to become a National Lotto Bloc partner and join with the other partners in the Bloc in jointly conducting games of lotto.

**‘(2)** The Office may enter into an agreement under subsection (1) only if

the Minister—

- (a) has approved of the terms of the agreement; and
- (b) has entered into an agreement or arrangement under section 11B.

**‘Minister may enter agreement etc. for refund of duty paid for Oz Lotto**

**‘11B.(1)** This section applies if duty would be payable under the law of another State for subscriptions to games of lotto that are proposed to be conducted by the Office as a partner under an agreement under section 11A.

**‘(2)** The Minister may enter into an agreement or arrangement with the Treasurer (or other proper officer or authority) of each of the States in which duty would be payable that provides that duty paid by the Office for subscriptions will be refunded to it.’.

**Amendment of s.12 (Supervision of drawings, maintenance and security of equipment)**

**9.** Section 12(3)—

*omit, insert—*

**‘(3)** If, under an agreement mentioned in section 10 or 11A, the drawing of winning numbers in relation to games of lotto conducted by the Office and—

- (a) the other partners in the Australian Lotto Bloc; or
- (b) the other partners in the National Lotto Bloc;

takes place in another State, supervision of the drawing of the numbers under the law of the State where the drawing takes place is sufficient supervision for the purposes of this Act.’.

**SCHEDULE****MINOR AMENDMENTS**

section 3

**1. Section 5(1)—***omit.***2. Section 15(1) to (3)—***omit, insert—*

**‘15.(1)** The Manager and Deputy Manager are inspectors for the purposes of this Act.

**‘(2)** The Manager may appoint any of the following persons as an inspector—

- (a) an officer of the public service;
- (b) an employee of the Office.’.

**3. Section 16(2)—***omit ‘in any way the scope and generality of’.***4. Section 16(3)—***omit, insert—*

**‘(3)** Rules made under this section are subordinate legislation.’.

**5. Section 18(1)(d)—***omit ‘by Order in Council, on the recommendation of the Minister’.*

**6. Section 18(3)(b)—**

*omit* ‘by Order in Council’.

**7. Section 20—**

*omit* ‘any person whose name appears on an entry form as the subscriber to’,

*insert* ‘a person who presents a prize winning entry form for’.

**8. Section 21—**

*omit* ‘Penalty: \$2 000’, *insert* ‘Maximum penalty—40 penalty units’.

**9. Section 22(4) (Penalty)—**

*omit*,

*insert* ‘Maximum penalty for a contravention of subsection (4)—2 penalty units’.

**10. Section 24(1)—**

*omit* ‘Penalty: \$1 000’, *insert* ‘Maximum penalty—20 penalty units’.

**11. Section 25—**

*omit* ‘a penalty of \$500’, *insert* ‘a maximum penalty of 10 penalty units’.

**12. Sections 27 to 29—**

*omit, insert—*

**‘Regulations**

‘**27.(1)** The Governor in Council may make regulations for the purposes of this Act.

‘**(2)** A regulation may be made in relation to any of the following—

(a) the display of rules, or extracts from rules, relating to games of

- lotto in the premises of agents;
- (b) the functions and powers of agents;
  - (c) advertisements relating to games of lotto;
  - (d) unclaimed prize money in respect of games of lotto, including the time after which prize money becomes unclaimed prize money, the payment or disposition of unclaimed prize money and deduction from the money of postage and other expenses in connection with the payment or disposition;
  - (e) creating offences and prescribing penalties of not more than 4 penalty units for offences.

**‘Existing regulations**

**‘28.** A regulation in force under this Act immediately before the commencement of this section continues to have effect, after the commencement, as if it had been made under this Act as in force immediately after the commencement.’