

TASMANIA.



1942.

ANNO SEXTO
 GEORGI II VI. REGIS.
 No. 42.

ANALYSIS.

1. Short title.
2. Amendment of 26 Geo. V. No. 31.
 New section 6A.
 Imposition and payment of lottery duty.
 Section 29.

AN ACT to amend the *Gaming Act 1935*.
 [28 October, 1942.]

A.D.
 1942

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 This Act may be cited as the *Gaming Act 1942*.

Short title.

2 The Principal Act is hereby amended—

I. By inserting after section six thereof the following new section six A—

“**6A**—(1) There shall be payable and paid by the holder of every licence under section six a duty of four shillings and threepence in respect of every one pound comprised in any moneys payable by such holder by way of prizes in any lottery conducted by him.

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(2) Such holder shall deduct the amount of such duty from the aggregate amount of prize-money payable in respect of each such lottery and shall pay all amounts so deducted to the Treasurer forthwith.

(3) Such holder shall furnish to the Treasurer as and when prescribed such statements and returns relating to every lottery conducted by him as may be prescribed.

(4) For the purposes of this section the amount payable by way of prize-money in any lottery shall be ascertained by deducting from the total value of the subscriptions to such lottery all amounts other than lottery duty, which the holder of the licence is permitted to deduct therefrom in accordance with the regulations.

Section 29.

II. As to section twenty-nine thereof by inserting—

(a) After subsection (1) the following new subsection (1A)—

“ (1A) For the purposes of this section any instrument or device, the operation of which is effected or initiated by—

I. The insertion of a coin or disc in a slot: or

II. Any other mechanical means—

and which is used or designed for the purpose of deciding upon any contingency whether any person is to be entitled to receive any prize or reward other than the fair equivalent in value of any money or money's worth staked by such person is hereby declared to be an instrument for unlawfully gaming and any person using or playing upon any such instrument or device shall be guilty of playing an unlawful game, but this provision shall not apply to any instrument or device which is used only by a person licensed to conduct lotteries solely for the purposes of a lottery authorised in accordance with this Act.”: and

(b) The following new subsection (5)—

“ (5) No person shall use or have in his possession any instrument or device declared by this section to be unlawful.

Penalty: Twenty pounds.”

(after subsection 4).