

TASMANIA



1896.

ANNO SEXAGESIMO

VICTORIÆ REGINÆ,

No. 7.

*Handwritten note: 63 Rec 1896*

\*\*\*\*\*

AN ACT to provide for the better Suppression A.D. 1896.  
of Betting and Gaming in Public Places,  
and for other purposes. [2 October, 1896.]

**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 for all purposes be cited as “The Suppression of Short title.  
Public Betting and Gaming Act, 1896.”

**2** Every person making a business of betting who bets or offers Penalty on  
to bet by way of wagering or gaming in any public place or in any persons betting in  
place to which the public are or shall be permitted to have access, public places.  
whether on payment of money or otherwise, shall be liable upon  
conviction to a penalty of not more than Twenty-five Pounds, or to be  
imprisoned for any term not exceeding One month.

**3** No house, office, room, or other place shall be opened, kept, or No house &c. to  
used for the purpose of the owner, occupier, or keeper thereof, or any be kept for the  
person using the same, or any person procured or employed by or purpose of owner  
acting for or on behalf of such owner, occupier, or keeper, or person or occupier bet-  
using the same, or of any person having the care or management or in ting with other  
any manner conducting the business thereof, betting with persons persons.  
resorting thereto, or for the purpose of any money or valuable thing 16 & 17 Vict.  
being received by or on behalf of such owner, occupier, keeper, or c. 119, s. 1.  
person as aforesaid as or for the consideration for any assurance, under-

*Suppression of Public Betting and Gaming.*

A.D. 1896.

Betting-houses  
declared to be  
gaming-houses.

taking, promise or agreement, express or implied, to pay or give thereafter any money or valuable thing on the happening of any event or contingency of or relating to any horse-race or other race, fight, game, sport, or exercise or as or for the consideration for securing the paying or giving by some other person of any money or valuable thing on any such event or contingency as aforesaid; and every house, office, room, or other place opened, kept, or used for the purposes aforesaid, or any of them, is hereby declared to be a common gaming-house.

Penalty on owner  
or occupier of  
house used for  
betting.  
16 & 17 Vict.  
c. 119, s. 3.

**4** Any person who, being the owner or occupier of any house, office, room, or other place, or a person using the same, shall open, keep, or use the same for the purposes hereinbefore mentioned, or any of them, and any person who, being the owner or occupier of any house, office, room, or other place, shall knowingly and wilfully permit the same to be opened, kept, or used by any other person for the purposes aforesaid, or any of them, and any person having the care or management of, or in any manner assisting in conducting the business of any house, office, room, or place opened, kept, or used for the purposes aforesaid, or any of them, shall be liable on conviction to a penalty of not less than Forty Shillings nor more than One hundred Pounds, or to be imprisoned for any term not exceeding Six months.

Penalty on  
persons receiving  
money on con-  
dition of paying  
money on event  
of any bet.  
*Ib.*, s. 4.

**5** Any person being the owner or occupier of any house, office, room, or place opened, kept, or used for the purposes aforesaid, or any of them, or any person acting for or on behalf of any such owner or occupier, or any person having the care or management or in any manner assisting in conducting the business thereof, who shall receive directly or indirectly any money or valuable thing as a deposit on any bet on condition of paying any sum of money or other valuable thing on the happening of any event or contingency of or relating to a horse-race or any other race, or any fight, game, sport, or exercise, or as or for the consideration for any assurance, undertaking, promise, or agreement, express or implied, to pay or give thereafter any money or valuable thing on any such event or contingency, and any person giving any acknowledgment, note, security, or draft on the receipt of any money or valuable thing so paid or given as aforesaid, purporting or intending to entitle the bearer or any other person to receive any money or valuable thing on the happening of any such event or contingency as aforesaid, shall be liable on conviction to a penalty of not more than Fifty Pounds, or to be imprisoned for any term not exceeding Three months.

Penalty on  
persons exhibiting  
placards, or  
advertising place  
for betting.  
*Ib.*, s. 7.

**6** Any person exhibiting or publishing or causing to be exhibited or published any placard, handbill, card, writing, sign, or advertisement whereby it shall be made to appear that any house, office, room, or place is opened, kept, or used for the purpose of making any bets or wagers in manner aforesaid, or for the purpose of exhibiting lists for betting, or with intent to induce any person to resort to such house, office, room, or place for the purpose of making bets or wagers in manner aforesaid, or any person who on behalf of the owner or occupier of any such house, office, room, or place, or persons using the same, shall invite other persons to resort thereto for the purpose of making bets or wagers in manner aforesaid, shall be liable on conviction to a penalty of not less than Forty Shillings nor more than One hundred Pounds, or to be imprisoned for any term not exceeding Six months.

*Suppression of Public Betting and Gaming.*

**7** Any person sending, exhibiting, or publishing, or causing to be sent, exhibited, or published, any letter, circular, telegram, placard, handbill, card, or advertisement—

- i. Whereby it is made to appear that any person in *Tasmania* or elsewhere will on application give information or advice for the purpose of or with respect to such bet or wager or any such event or contingency as is mentioned in this Act, or will make on behalf of any other person any such bet or wager as is mentioned in this Act ; or
- ii. With intent to induce any person, whether any particular person, or generally to apply to any house, office, room, or place, or to any person, with the view of obtaining information or advice for the purpose of any such bet or wager, or with respect to any such event or contingency as is mentioned in this Act ;

shall be subject to the penalties provided in the last preceding Section with respect to offences under that Section.

**8** Any person who makes or offers to make any bet or wager with any person whom he knows to be an infant, or with any person on his behalf, or any person who for the purpose of earning any commission, reward, profit, benefit, or advantage sends or causes to be sent to any person whom he knows to be an infant any circular, notice, advertisement, letter, telegram, or other document which invites or may reasonably be implied to invite the person receiving it to make any bet or wager or to enter into or take any share or interest in any betting or wagering transaction, or to apply to any person or at any place with a view to obtaining information or advice for the purpose of any bet or wager, or for information as to any race, game, sport, or other contingency upon which betting or wagering is generally carried on, shall be guilty of an offence, and shall be liable on conviction to imprisonment for any term not exceeding Six months, or to a penalty not exceeding One hundred Pounds.

**9** If any such circular, notice, advertisement, letter, telegram, or other document as in this Act mentioned is sent to any person at any University, College, School, or other place of education, and such person is an infant, the person sending or causing the same to be sent shall be deemed to have known that such person was an infant unless he proves that he had reasonable grounds for believing such person to be of full age, and the same shall be deemed to have been so sent for the purpose of earning commission, reward, profit, benefit, or advantage, unless he proves to the contrary.

**10** Any person who makes a bet with or wagers with any person who is apparently an infant shall if such person is an infant be deemed to have known that such person was an infant unless he proves that he had reasonable ground for believing and did believe such person of full age.

**11** Nothing in this Act contained shall extend to any person receiving or holding any money or valuable thing by way of stakes or deposit to be paid to the winner of any race or lawful sport, game, or exercise, or to the owner of any horse engaged in any race.

**12** Nothing contained in this Act shall apply to any Lottery authorised by any previous Act of Parliament, or to any Lottery

A.D. 1896.

Penalty on persons advertising as to betting or lotteries.  
37 Vict. c. 15, s. 3.

Making bet with, or inviting an infant to bet, an offence.  
55 & 56 Vict. c. 4, s. 1 (1).

Knowledge of infancy presumed where circular sent to infant at school, &c.  
*Ib.*, s. 3.

Persons betting with apparent infants to be deemed to have knowledge of infancy.

This Act not to extend to stakes due to winner of race.

Limitation of Act.

*Suppression of Public Betting and Gaming.*

A.D. 1896.

conducted solely by correspondence through the Post Office and in accordance with any Regulations which shall be made by the Governor in Council for the proper conduct thereof: Provided that all the provisions of "The Lotteries Act, 1878," shall apply to any such Lottery as last aforesaid.

Regulations.

**13** The Governor in Council may from time to time make, alter, and revoke Regulations for securing the proper conduct of any Lottery not prohibited by this Act: Provided, that no such Regulation, if Parliament is in Session at the time of the making thereof, shall be of any force until the expiration of Fourteen days after the same or a copy thereof has been laid upon the Table of both Houses of Parliament, nor until One week after a copy of the same has been published in the *Gazette*; and if Parliament is not in Session at the time of the making of any such Regulation the same shall come into force Seven days after a copy thereof has been published in the *Gazette*, and the same or a copy thereof shall be laid upon the Table of both Houses of Parliament within Seven days after the commencement of the first Session of Parliament after the making thereof; and if in any case any Regulation made under this Act shall be disallowed by a Resolution of either House of Parliament, it shall thereupon become void and cease to have force or effect.

Offences to be dealt with summarily.

**14** All offences against this Act, and all penalties imposed or made payable by this Act, shall be heard, determined, and recovered in a summary way by and before any Two or more Justices of the Peace in the mode prescribed by *The Magistrates Summary Procedure Act*.

Commencement of Act.

**15** This Act shall come into force and take effect on and after the First day of *January*, 1897.