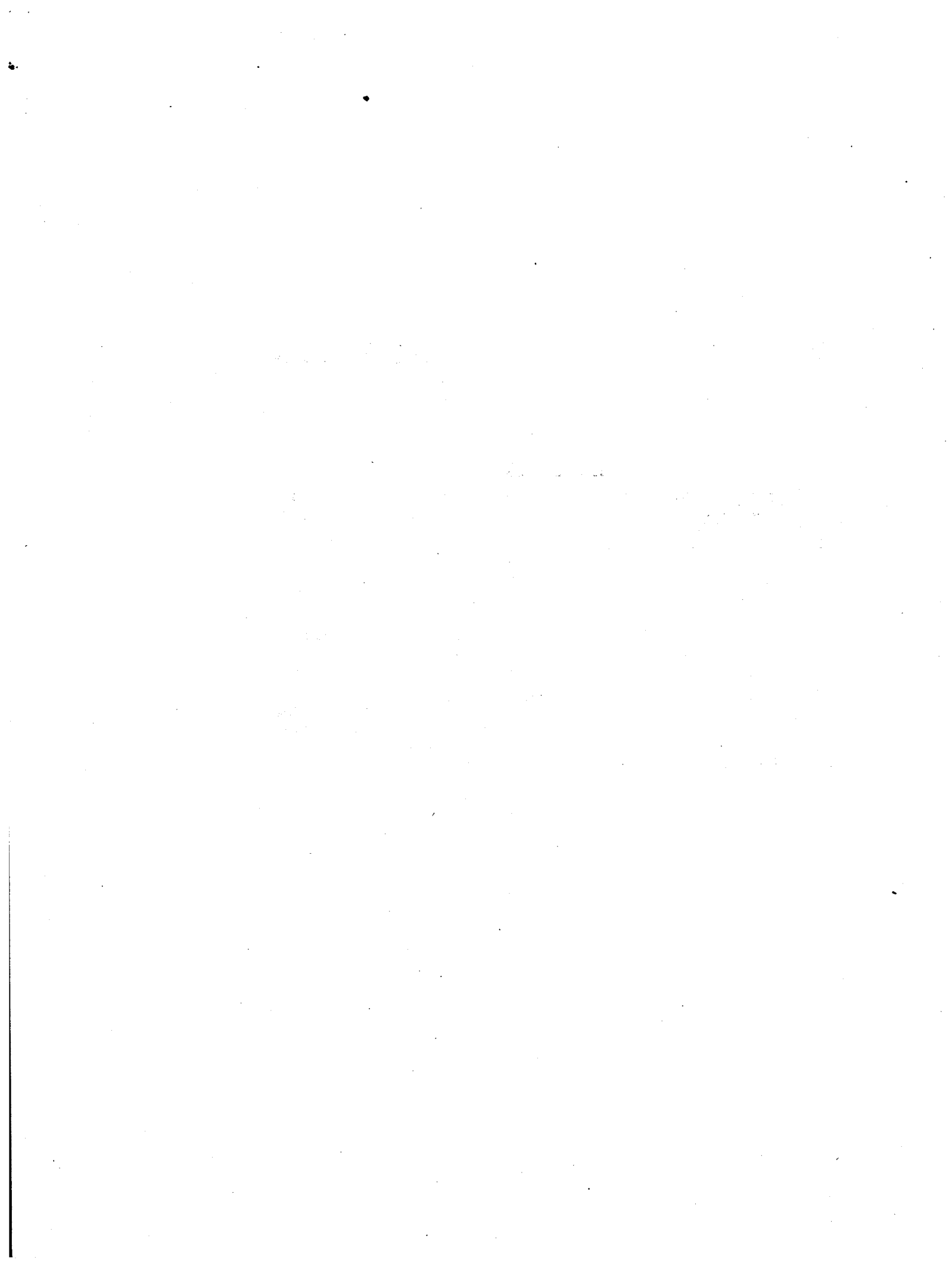


THE SUPPRESSION OF PUBLIC BETTING AND GAMING ACT, 1915.

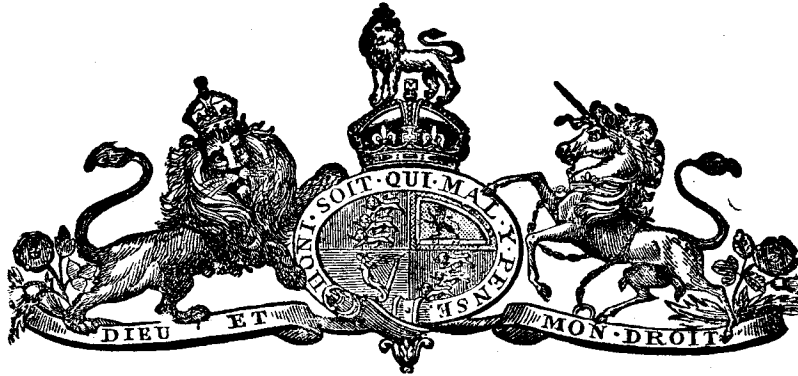
ANALYSIS.

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| <ol style="list-style-type: none">1. Short title and incorporation with 60 Vict. No. 7.
Commencement.2. Repeal of Section 2 of 60 Vict. No. 7.3. Interpretation.4. Betting in a public place or sports ground is an offence.
Penalty.
Frequenting, loitering in, using, or being in public place, &c., for purpose of betting, is an offence.
Penalty.5. <i>Primâ facie</i> evidence of commission of offence.6. Person acting under instructions of officer of police not deemed offender or accomplice | <ol style="list-style-type: none">7. Person known, or suspected of being a bookmaker, &c., found on sports ground may be removed.
If he re-enters may be arrested.
Penalty.8. Sporting club may warn bookmaker, &c., not to be present at sports.
Notice to be served personally.
Notice may be cancelled.9. Saving of existing right of sporting club to remove persons.10. Act not to apply to totalisator, &c.11. Notice of action.12. Procedure.13. Leave of Attorney-General before any prosecution. No prosecution after 60 days.14. Appeal. |
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T A S M A N I A.

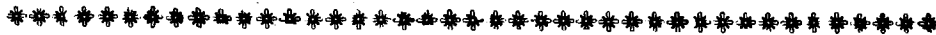


1915.

ANNO SEXTO

GEORGII V. REGIS.

No. 30.



AN ACT to amend "The Suppression of Public Betting and Gaming Act, 1896," and for other purposes. [30 December, 1915.]

A.D. 1915.

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—(1) This Act may be cited as "The Suppression of Public Betting and Gaming Act, 1915," and shall be incorporated and read as one with "The Suppression of Public Betting and Gaming Act, 1896" (hereinafter referred to as the Principal Act), and any amendment thereof.

Short title and incorporation with 60 Vict. No. 7.

(2) This Act shall come into operation on the First day of January, One thousand nine hundred and sixteen.

Commencement.

2 Section Two of the Principal Act is hereby repealed.

Repeal of Section 2 of 60 Vict. No. 7.

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Interpretation.

3 In this Act, and "The Suppression of Public Betting and Gaming Act, 1896," unless the context or subject matter otherwise indicates or requires —

"Bets" and "betting" include the act of any person in betting or wagering, or offering or agreeing to bet or wager, or paying or receiving or settling any bet or wager, or offering or agreeing to pay, receive, or settle any bet or wager, whether on his own behalf or on behalf of any other person; and any person who co-operates with any other person in connection with the doing of any of the said acts shall be deemed to bet :

"Public place" includes —

Any park, garden, reserve, or other place of public recreation or resort :

Any railway station, platform, or carriage :

Any public wharf, pier, or jetty :

Any passenger ship or boat plying for hire :

Any licensed public vehicle plying for hire :

Any public hall, theatre, or room in which any public concert, theatrical representation, or other public entertainment is being held or performed, or is taking place :

Any market :

Any auction room, or mart, or place, while a sale by auction is there proceeding :

Any place or premises in respect of which an occasional licence is issued under the provisions of "The Licensing Act, 1908" :

Any licensed billiard-room :

Any shop open for the purpose of trade :

Any public and common highway, or road, street, or footway, passage, court, alley, whether a thoroughfare or not, and whether or not on public or private land :

Any bar-room of any licensed hotel or public house, and any approach to any such bar room, and any part of such licensed house and premises to which the public have access :

Any enclosed or unenclosed land (not being a building) in any city or town, or in proximity to a sports ground :

Any place declared by "The Suppression of Public Betting and Gaming Act, 1896," to be a common gaming house.

"Sporting club" and "club" mean any club, association, or other body of persons (whether incorporated or unincorporated), established for the purpose of promoting, conducting, or controlling any sports :

"Sports" means bicycle races, foot races, horse races, pony races, trotting races, homing pigeon races, cricket or football matches, swimming carnivals, or any other game, exercise, pastime, or any fight or contest :

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“Sports ground” and “ground” mean land, including any buildings thereon, and any room where any sports are held or conducted, and to which land, building, or room, persons are admitted, either at all times or only at certain times, or on certain occasions, whether on payment of an entrance fee or charge, or otherwise.

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4—(1) Every person who, either by himself or by means of any agent, clerk, or servant, bets in any public place or sports ground, shall be liable on conviction to a penalty of not less than Twenty Pounds and not exceeding One hundred Pounds for a First offence, and to the like penalty or to imprisonment for a period not exceeding Three months for a Second or subsequent offence.

Betting in a public place or sports ground is an offence.

Penalty.

(2) Every person who frequents, loiters in, or uses, or is in any public place or sports ground, for the purpose of betting, shall be liable on conviction to a penalty of not less than Twenty Pounds, and not exceeding One hundred Pounds for a First offence and to the like penalty or to imprisonment for a period not exceeding Three months for a Second or subsequent offence.

Frequenter, loitering in, using, or being in public place, &c., for purpose of betting is an offence.

Penalty.

5 If on the hearing of any information against any person for an offence against the provisions of Subsection (1) of Section Four of this Act, the court is of opinion that any money or thing proved to have been given to, or received, or paid by, or offered, or agreed to be given to, or received, or paid by the accused person, or any person on his behalf was given, received, or paid, or offered, or agreed to be given, received, or paid in circumstances which in the mind of the court raise a reasonable suspicion that a contravention of the said provisions has been committed in respect thereof, such giving, receiving, or paying, or offer, or agreement to give, receive, or pay, shall be deemed *prima facie* evidence of the commission by the accused person of the offence charged against him in such information.

Prima facie evidence of commission of offence.

6 No member of the police force, or person, if such member or person is acting under instructions from any officer of police shall be deemed to be an offender or accomplice in the commission of any offence against this Act, although such member or person might but for this section have been deemed to be such an offender or accomplice,

Person acting under instructions of officer of police not deemed offender or accomplice.

7 Any person known by the committee or other governing body of any sporting club to be or suspected by them of being a bookmaker, or known by them to make or suspected by them of making a practice of betting in contravention of this Act, who is found on any ground being used by such club for the purpose of any sports shall be forthwith removed therefrom by some agent or servant of the club, or at the request of a member of such committee or governing body, by a member of the police force, and such request shall be a sufficient authority to such member or any other member of the police force for such removal; and if any such person so removed, shall on the day of

Person known, or suspected of being a bookmaker, &c., found on sports ground may be removed.

If he re-enters may be arrested.

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such removal re-enter the ground from which he was removed he may without warrant be arrested by any member of the police force and taken before any justice to be dealt with according to law, and shall be liable upon conviction to a penalty of not less than Ten Pounds and not exceeding Fifty Pounds or to imprisonment for a period not exceeding One month.

Penalty.

Sporting club may warn bookmaker, &c., not to be present at sports.

8—(1) Any sporting club may, by notice in writing under the hand of the secretary of the club, warn any person known by the committee or other the governing body of the club to be or suspected by them of being a bookmaker, or known by them to make or suspected by them of making a practice of betting in contravention of the provisions of this Act, not to attend or be present at any sports promoted, held, conducted, or controlled by that club, and that he will not be admitted to any ground on which any such sports are about to be or may at any time thereafter be held or conducted.

Notice to be served personally.

(2) Any such notice shall be served on the person to be warned personally.

Notice may be cancelled.

(3) Any sporting club may at any time cancel and rescind any such notice as aforesaid, if they are satisfied that there is no reason for allowing it to remain in operation.

(4) The provisions of this section shall extend and apply to every ground, whether it is or is not the property of or in the occupation of the club having the use or control thereof, and whether it is or is not subject to any right of public use or entry.

Saving of existing right of sporting club to remove persons.

9 Nothing in this Act contained shall be so construed as to take away, or limit, or restrict the right of any sporting club to exclude or remove any person from any ground of which that club is the owner or occupier, and which for the time being is free from any right of public use or entry.

Act not to apply to totalisator, &c.

10—(1) Nothing in the Principal Act or in this Act contained shall extend or apply to betting or wagering by means of the totalisator, or to any lottery authorised by law.

(2) Every saving, exception, or exemption made by the Principal Act, or any amendment thereof, shall be deemed to be also made in and by this Act, and shall apply equally to this Act.

Notice of action. See 33 Vict. No. 36.

11 No action, suit, prosecution, or other proceedings shall be brought or commenced against any person for anything done or omitted to be done in pursuance of this Act, or in the execution, or intended or supposed execution of the authorities thereunder, unless notice in writing is given by the party intending to prosecute such action, suit, information, or proceeding to the intended defendant one month at least before commencing the same.

Procedure.

12 All proceedings for offences against any of the provisions of this Act, and all penalties imposed under this Act may be heard, determined, recovered, and enforced by and before a police magistrate, or any Two

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or more justices in the mode prescribed by "The Magistrates Summary Procedure Act." A.D. 1915.

13 No prosecution for an offence against the provisions of this Act shall be commenced without the leave, in writing, of the Attorney-General of the State, nor after the expiration of Sixty days from the time of the commission of the alleged offence.

Leave of Attorney-General before any prosecution. No prosecution after 60 days.

14 If any person feels aggrieved by any summary judgment, act, determination, order, or conviction under this Act, he may appeal therefrom in the manner provided by "The Appeals Regulation Act."

Appeal.

