



## ANALYSIS

## Title

1. Short Title

2. Bookmakers' telephones

3. Number of races on one day

4. Disposition of lottery profits

1963, No. 28

## An Act to amend the Gaming Act 1908

[16 October 1963]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

**1. Short Title**—This Act may be cited as the Gaming Amendment Act 1963, and shall be read together with and deemed part of the Gaming Act 1908.

**2. Bookmakers' telephones**—The Gaming Amendment Act 1920 is hereby amended by inserting, after section 2 (as substituted by section 3 of the Gaming Amendment Act 1953), the following section:

“2A. (1) Where any person is convicted of an offence against section 2 of this Act, the Court by which he is convicted may, in addition to any penalty imposed under that section, make an order directing that any telephone exchange connection provided by the Post Office (whether or not the defendant is the lessee of the telephone exchange connection concerned) and installed in premises used by the defendant in the conduct of the business or occupation of a bookmaker in respect of which he was convicted be disconnected from those premises, or from such portion of those premises as may be specified in the order, for such period, not exceeding three years, from the date of the conviction as may be so specified

and prohibiting the defendant from obtaining any other or further telephone exchange connection during the period when the order is in force;

“Provided that where the defendant is not the occupier of the premises concerned, no order shall be made under this subsection unless the occupier has had an opportunity of being heard in the matter.

“(2) Where the defendant is the lessee of the telephone exchange connection concerned, the order, in the discretion of the Court, may apply to all telephone exchange connections of which he is the lessee or to such one or more of those connections as the Court may specify.

“(3) Any order under subsection (1) of this section shall be notified by the Registrar of the Court to the Director-General of the Post Office who shall take such steps as may be necessary to give effect to the order.

“(4) Any person affected by an order of the Court under this section may from time to time apply to the Court by which the order was made to remove the disqualification to which the order relates or such part of the disqualification as may be referred to in the application, and on any such application the Court may, having regard to any hardship which the applicant or his family may suffer if the application is refused, the character of the applicant, the likelihood of the telephone service being used for bookmaking, and any other circumstances of the case, either by order remove the disqualification in whole or in part as from such date as may be specified in the order or refuse the application.”

**3. Number of races on one day**—(1) Subsection (1) of section 5 of the Gaming Amendment Act 1924 is hereby amended by omitting the words “eight times”, and substituting the words “nine times”.

(2) Subsection (2) of section 5 of the Gaming Amendment Act 1924 is hereby amended by omitting the words “eight races”, and substituting the words “nine races”.

**4. Disposition of lottery profits**—(1) The Gaming Amendment Act 1962 is hereby amended by inserting, after section 22, the following section:

“22A. (1) The Board, from time to time, may allocate from profits of lotteries a specified sum of money for expenditure by the Queen Elizabeth the Second Arts Council of New Zealand established by the Queen Elizabeth the Second Arts

Council of New Zealand Act 1963 (in this Part referred to as the Arts Council) in accordance with that Act.

“(2) Where any sum is allocated under this section, the Board shall notify the Secretary and the Arts Council accordingly, and on receipt of the notification the Secretary shall cause the amount referred to therein to be paid to the Arts Council.”

(2) Paragraph (d) of subsection (3) of section 24 of the Gaming Amendment Act 1962 is hereby repealed.

(3) This section shall come into force on a date to be fixed for the commencement thereof by the Governor-General by Proclamation.

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This Act is administered in the Department of Internal Affairs

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