



## ANALYSIS

<p>Title</p> <p>1. Short Title</p> <p>2. Interpretation</p> <p>3. Meaning of "illegal game of chance"</p>	<p>4. Application of Part to sales promotion schemes</p> <p>5. Forfeiture of things and documents used in offences</p>
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1987, No. 143

**An Act to amend the Gaming and Lotteries Act 1977**

[10 July 1987]

BE IT ENACTED by the Parliament of New Zealand as follows:

**1. Short Title**—This Act may be cited as the Gaming and Lotteries Amendment Act (No. 2) 1987, and shall be read together with and deemed part of the Gaming and Lotteries Act 1977 (hereinafter referred to as the principal Act).

**2. Interpretation**—Section 2 (1) of the principal Act is hereby amended by inserting in paragraph (a) of the definition of the term "sales promotion scheme", after the words "by the manufacturer or a", the words "distributor, wholesaler, or".

**3. Meaning of "illegal game of chance"**—Section 3 (1) of the principal Act is hereby amended by adding to paragraph (i) the word "; or", and by adding the following paragraph:

"(j) That disposes of, or is intended to dispose of, any property or class of property specified in a notice for the time being in force under section 70 of this Act."

**4. Application of Part to sales promotion schemes**—The principal Act is hereby amended by repealing section 18, and substituting the following section:

"18. (1) Notwithstanding section 17 of this Act, nothing in this Part of this Act, except this section, applies to a sales promotion scheme.

“(2) Every person commits an offence who, in any manner whatever,—

“(a) Organises, promotes, manages, or conducts a sales promotion scheme that disposes of, or is intended to dispose of, any property or class of property specified in a notice for the time being in force under section 70 of this Act; or

“(b) Assists in the organisation, promotion, management, or conduct of such a sales promotion scheme; or

“(c) Makes a direct or indirect pecuniary gain (otherwise than by way of winning a prize) from such a sales promotion scheme that that person would not otherwise have made.

“(3) Every person who commits an offence against any of the provisions of subsection (2) of this section is liable,—

“(a) In the case of an individual, to imprisonment for a term not exceeding 3 months or a fine not exceeding \$2,000:

“(b) In the case of a body corporate, to a fine not exceeding \$5,000.”

**5. Forfeiture of things and documents used in offences**—(1) Section 123 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

“(1) On the conviction of any person of an offence against any of the provisions of this Act or of any regulations made under this Act, the Court in which the conviction is entered may, in addition to any other penalty that may be imposed under this Act in respect of the offence, order that any equipment, thing, document, or money used in respect of the commission of the offence be forfeited to the Crown.”

(2) Section 123 (3) of the principal Act is hereby amended by omitting the words “thing or document”, and substituting the words “equipment, thing, or document”.