

RA303

Gaming and Wagering Commission Act 1987

Gaming and Wagering Commission Amendment Regulations 2016

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Gaming and Wagering Commission Amendment Regulations 2016*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Gaming and Wagering Commission Regulations 1988*.

4. Part 4 Division 6 Subdivision 3 inserted

After regulation 36 insert:

Subdivision 3 — Trade promotion lotteries

36A. Prescribed conditions for trade promotion lottery (Act s. 102)

- (1) For the purposes of section 102 of the Act, the conditions specified in Schedule 5 are prescribed for a trade promotion lottery.

(2) In Schedule 5 —

lottery terms and conditions, in relation to a trade promotion lottery, means the terms and conditions applying to the conduct of the lottery including the terms and conditions of entry.

5. Schedule 5 inserted

After Schedule 4 insert:

**Schedule 5 — Conditions for trade
promotion lottery**

[r. 36A]

1. There must be no cost to enter the lottery.
2. If entry to the lottery is made using a telephone or other electronic medium, the cost of using the telephone or other medium to make the entry must not exceed 55 cents.
3. If entry to the lottery is made using the Internet, there must be no cost to the participant to register the participant's name other than the cost paid by the participant to access the website via the internet service provider.
4. A prize in the lottery must not consist of or include cosmetic surgical or medical procedures.
5. The lottery must not be conducted for more than 12 months.
6. The draw must be conducted within one month after closure of the lottery.
7. If entry to the lottery is by an entry form or coupon —
 - (a) a description of the prize or prizes must be printed on the entry form or coupon; and
 - (b) the lottery terms and conditions must be —
 - (i) printed on the entry form or coupon; or
 - (ii) published in a newspaper published nationally (if the lottery originates outside the State) or in a newspaper published throughout the State (if the lottery originates in the State); or
 - (iii) published on the Internet;and
 - (c) if the lottery terms and conditions are published in a newspaper or on the Internet, a reference to that publication must be printed on the entry form or coupon.
8. If the lottery is conducted by audio or visual media —
 - (a) a description of the prize or prizes must be included in the broadcast; and
 - (b) the lottery terms and conditions must be included in the broadcast or the broadcast must direct participants to where those terms and conditions can be found.

9. If the lottery is conducted by electronic media (other than audio or visual), all advertising of the lottery must include a description of the prize or prizes and direct participants to where the lottery terms and conditions can be found.
10. If the lottery is conducted in any other way, all advertising of the lottery must include a description of the prize or prizes and the lottery terms and conditions.
11. The method for determining the winner of the lottery must be clearly stated in the lottery terms and conditions.
12. If the lottery is to be conducted by audio, visual or other electronic media, a copy of the lottery terms and conditions must be lodged with the Commission before commencement of the lottery.
13. If the lottery has commenced, the lottery terms and conditions cannot be amended without the prior written approval of the Commission.
14. If the lottery has commenced, it cannot be cancelled or withdrawn without the prior written approval of the Commission.
15. Records relating to the lottery must be kept for 12 months and must be made available to an authorised officer or member of the Police Force on request.
16. If practicable, members of the public must be given the opportunity to witness the prize draw. If that is not practicable, audit records confirming the prize draw must be made available to an authorised officer or member of the Police Force on request.

6. Various headings amended

Amend the headings listed in the Table as set out in the Table.

Table

Heading	Delete	Insert
Pt. 4 Div. 6 Subdiv. A heading	A	1
Pt. 4 Div. 6 Subdiv. B heading	B	2
Pt. 4 Div. 6 Subdiv. C heading	C	4
Pt. 4 Div. 6 Subdiv. D heading	D	5

N. HAGLEY, Clerk of the Executive Council.