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LOTTERIES COMMISSION ACT 1990

INSTANT LOTTERY (TELESPIN)
RULES 1991

WESTERN AUSTRALIA

LOTTERIES COMMISSION ACT 1990

**INSTANT LOTTERY (TELESPIN)
RULES 1991**

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WESTERN AUSTRALIA

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**INSTANT LOTTERY (TELESPIN)
RULES 1991**

Made by the Lotteries Commission under section 28 (1) (c).

PART 1—PRELIMINARY

Citation

1. These rules may be cited as the *Instant Lottery (Telespin) Rules 1991*.

Commencement

2. These rules shall come into operation on 1 April 1991.

Interpretation

3. (1) In these rules, unless the contrary intention appears—
 - “agent” means a person appointed by the Commission to sell tickets;
 - “celebrity participant” means the person referred to in rule 13 (9) (b);
 - “delivery day” in relation to a ticket in a Telespin instant lottery, means the delivery day fixed by the Commission under rule 11;
 - “eligible ticket” means a ticket referred to in rule 10 (2);
 - “Game 1” means a Telespin instant lottery game referred to in Part 3, Division 1;
 - “Game 2” means a Telespin instant lottery game referred to in Part 3, Division 2;
 - “Game Show” means the second stage of the Telespin instant lottery referred to in rule 12;
 - “head office” means the head office of the Commission;
 - “instant prize” means a prize that is ascertained when the holder of a ticket removes from the surface of the ticket the opaque material covering the amounts, pictures, figures, letters or other symbols printed on the ticket;

“Jackpot fund” means the fund established under rule 17 (1);

“name and address” means the surname, initials, and residential or postal address of a person;

“participant” means the person referred to in rule 13 (9) (a);

“prize reserve fund” means the fund established under rule 16 (1);

“proxy participant” means the person referred to in rule 13 (9) (c);

“selling point” means—

(a) an office of the Commission at which a ticket may be purchased; or

(b) the place of business of an agent;

“Telespin instant lottery” means the instant lottery referred to in rule 4;

“ticket” means a ticket in a Telespin instant lottery.

(2) In these rules a reference to a ticket that is not void and incapable of winning a prize includes a reference to a ticket that has not been determined by the Commission under rule 6 to be void and incapable of winning a prize.

Application

4. These rules apply to a Telespin instant lottery.

PART 2—VOID AND VOIDABLE TICKETS

Void tickets

5. A ticket is void and incapable of winning a prize if the ticket—

(a) has a number under the “void if removed” panel that is missing, incomplete, obliterated, or illegible;

(b) has on it or contains information, other than information referred to in rule 8 (2) (c), that has been altered in any way;

(c) has the words “void” or “specimen” marked under the “void if removed” panel;

(d) has been stolen from the Commission or an agent;

(e) has been misprinted;

(f) is counterfeit; or

(g) has been reconstituted by joining 2 or more portions of tickets together to produce another ticket.

Tickets voidable at the discretion of the Commission

6. (1) The Commission may, if it thinks fit, determine that a ticket is void and incapable of winning a prize if the ticket—

(a) has been damaged or mutilated;

(b) has a portion of the ticket (other than a number under the “void if removed” panel) missing;

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- (c) does not, for the purposes of the Commission, sufficiently comply with rule 8 (2) (c); or
- (d) is in the opinion of the Commission, defective in any manner other than that specified in paragraph (a), (b) or (c) or rule 5.

(2) A ticket shall not be determined by the Commission under subrule (1) to be void and incapable of winning a prize by reason only of the removal from the surface of the ticket of the opaque material that covers the amounts, pictures, figures, letters or other symbols printed on the ticket which indicate whether or not the holder of the ticket is entitled to a benefit referred to in section 3 (3) (a), (b) or (c) of the Act.

Limited liability of Commission for void tickets

7. The liability of the Commission, if any, for a ticket that—

- (a) under rule 5 is void and incapable of winning a prize; or
- (b) is determined by the Commission under rule 6 to be void and incapable of winning a prize,

is limited to substituting a valid ticket for the ticket which is void.

PART 3—CONDUCT OF A TELESPIN INSTANT LOTTERY*Division 1—Game 1***Claims for instant prizes**

8. (1) Claims for the payment of Game 1 instant prizes may be made—

- (a) where the prize money claimed does not exceed \$100, at any selling point;
- (b) where the prize money claimed exceeds \$100 but does not exceed \$5 000, at any office of the Commission;
- (c) where the prize money claimed exceeds \$5 000, at the head office.

(2) The Commission or an agent shall not pay a Game 1 instant prize in respect of a ticket that—

- (a) has already been marked “paid” by the Commission or an agent;
- (b) under rule 5 is void and incapable of winning a prize or is determined by the Commission under rule 6 to be void and incapable of winning a prize; or
- (c) does not have in the appropriate space on the back of the ticket—
 - (i) the name and address of the holder of the ticket clearly printed in ballpoint pen; and
 - (ii) the signature of the holder of the ticket.

(3) For the purposes of subrule (2) (c) (i) only one name and address shall be accepted on a ticket.

(4) The Commission shall only pay by cheque, prize money claimed at its head office.

*Division 2—Game 2***Eligibility for inclusion in the Game Show Draw**

9. (1) A ticket is eligible to be included in a Game Show Draw if the ticket—

- (a) fails to win an instant prize in Game 1;

- (b) reveals 3 identical Game Show symbols;
 - (c) is not void and incapable of winning a prize;
and
 - (d) contains the information specified in rule 8 (2) (c) in the appropriate space on the back of the ticket.
- (2) The Commission shall only include eligible tickets in a Game Show Draw.

Delivery day

10. (1) The Commission shall, in respect of Game 2, fix a day for delivery of an eligible ticket to the head office for inclusion in the Game Show Draw.

(2) The Commission shall ensure that the delivery day is printed on the back of every ticket in the Telespin instant lottery.

*Division 3—Second stage—
Procedure for the Game Show Draw and Game Show*

Telespin instant lottery—second stage

11. The second stage of the Telespin instant lottery is the Game Show Draw and Game Show which shall be broadcast on television each week.

Game Show Draw and Game Show shall be numbered

12. The Commission shall allocate a number to the Game Show Draw and Game Show in a Telespin instant lottery.

Conduct of the Game Show

13. (1) In order to conduct a Game Show Draw the Commission shall—
- (a) place all eligible tickets received by the Commission in a barrel; and
 - (b) request the participant, the celebrity participant or the proxy participant, as the case may be, to draw one ticket from the barrel to ascertain the participant in the next Game Show.
- (2) In order to ascertain his or her prize a participant may—
- (a) spin Wheel 1 and claim the prize indicated; or
 - (b) forfeit that prize and elect to spin Wheel 2 and claim the prize indicated, when the wheel stops spinning.
- (3) A participant who chooses to spin Wheel 2 in accordance with subrule (2) is only entitled to claim the prize indicated on Wheel 2.
- (4) A celebrity participant and a proxy participant shall always spin both Wheel 1 and Wheel 2.
- (5) The Commission shall ensure that every Game Show Draw and Game Show is supervised by an officer from the Office of the Auditor General.
- (6) Notwithstanding rule 9 (2) the Commission shall ensure that the ticket referred to in subrule (1) (b) is an eligible ticket and where the ticket is found or

determined to be void and incapable of winning a prize the Commission shall request the participant, celebrity participant or proxy participant, as the case may be, to draw another ticket from the barrel in place of the void ticket.

(7) Where—

- (a) a wheel fails to complete one revolution;
- (b) the ball fails to remain for a minimum of 5 seconds in the prize area; or
- (c) any person or thing interferes with the spin of a wheel,

the Commission may declare the spin void and request the participant, celebrity participant or proxy participant, as the case may be, to spin the wheel again.

(8) Where, in accordance with a permit, more than one ticket is to be drawn the person whose name appears on the first drawn ticket will be the participant for the next Game Show.

(9) In this rule—

- (a) "participant" means a person whose name appears on a ticket referred to in rule 13 (1) (b) who elects to take part in the Game Show in person;
- (b) "celebrity participant" means—
 - (i) a person who is nominated by the Commission to act for the person whose name appears on the ticket referred to in rule 13 (1) (b) where—
 - (I) the Commission has been unable to contact that person; or
 - (II) that person is unable to appoint a proxy participant;

and also means—

- (ii) the person who is nominated by the Commission for the first Game Show Draw;
- (c) "proxy participant" means a person who has attained the age of 16 years who is nominated by the person whose name appears on the ticket referred to in rule 13 (1) (b) to act for that person in the Game Show.

Prizes and odds on Wheel 1 and Wheel 2

14. (1) The prizes and odds on—

- (a) Wheel 1 are specified in Table 1; and
- (b) Wheel 2 are specified in Table 2,

to this rule.

TABLE 1
WHEEL 1

PRIZE	ODDS
\$10 000	3 chances in 10
\$12 500	2 chances in 10
\$15 000	2 chances in 10
\$17 500	1 chance in 10
\$20 000	1 chance in 10
\$25 000	1 chance in 10

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TABLE 2
WHEEL 2

PRIZE	ODDS
Win \$10 000	2 chances in 10
Same \$	3 chances in 10
Double \$\$\$	3 chances in 10
Jackpot	2 chances in 10

(2) In subrule (1) Table 2—

“double \$\$\$” means the participant is entitled to claim twice the value of the prize indicated on Wheel 1 which the participant could have claimed had he or she not elected to spin Wheel 2;

“Jackpot” means the participant is entitled to claim the Jackpot calculated in accordance with rule 1;

“same \$” means the participant is entitled to claim the value of the prize indicated on Wheel 1 which the participant could have claimed had he or she not elected to spin Wheel 2.

Monetary prizes may be substituted

15. (1) The Commission shall specify in advance the value and form of the prizes offered by it in each Game Show.

(2) Where a monetary prize is substituted for a non-monetary prize in accordance with subrule (1) the value of that prize shall equal or be greater than the value of the monetary prize it replaces.

(3) A claim for a non-monetary prize shall be made to the Commission.

(4) A non-monetary prize shall not be exchanged for money.

Prize reserve fund

16. (1) The Commission shall establish a prize reserve fund which shall consist of between .75% and 1.5% of the value of sales from the Commission to agents for the period of 5 days ending at 5 pm on each Thursday.

(2) The prize reserve fund may be used—

(a) to increase the Jackpot fund; and

(b) to provide additional monetary and non-monetary prizes,

as may be determined from time to time by the Commission in accordance with the relevant permit.

Calculation of Jackpot

17. (1) The Commission shall establish a fund from which a Jackpot prize, the value of which may be determined by the Commission, shall be paid.

(2) Subject to subrule (3) the Jackpot fund—

(a) shall consist of between 7.5% and 8.5% of the value of sales of Telespin instant lottery from the Commission to agents for the period of 5 days

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ending at 5 pm on the Thursday preceding the Monday on which the Game Show Draw and Game Show are broadcast which shall be added to the Jackpot fund for the next Game Show after the value of the prizes won in the Game Show on that Monday has been deducted; and

(b) may consist of—

- (i) moneys transferred from the prize reserve fund; and
- (ii) unclaimed prize money,

in an amount to be determined from time to time by the Commission in accordance with the relevant permit.

(3) For the purposes of providing money for the jackpot prize, if any, in the first Telespin instant lottery the value of sales from the Commission to agents for the period of 21 days preceding the delivery day shall be paid into the Jackpot fund.

(4) Any moneys remaining in the Jackpot fund after the last Game Show shall be dealt with in accordance with rule 25.

Claims for prizes

18. (1) Claims for Game Show Draw prizes, if any, and Game Show prizes shall be made to the Commission.

(2) The Commission may post monetary prizes, and where appropriate non-monetary prizes, to a Game Show Draw Winner and a Game Show Winner.

(3) The Commission shall only pay monetary prizes by cheque.

(4) The Commission may issue a receipt for a non-monetary prize.

PART 4—PERMITS

Particulars required in an application for a permit

19. For the purposes of section 10 (2) (a) (iv) of the Act an application for a permit to conduct a Telespin instant lottery shall state—

(a) in relation to Game 2, the delivery day; and

(b) in relation to the Game Show Draw and Game Show—

- (i) where non-monetary prizes are to be offered for the Game Show Draw;
- (ii) where non-monetary prizes are to be offered, the retail value of each prize;
- (iii) if moneys from unclaimed prizes are to be included in the prizes and, if so, the amounts and stage or stages at which those moneys will be distributed;
- (iv) the calculation of the Jackpot prize;
- (v) the minimum amount of the Jackpot prize; and
- (vi) the amount, if any, to be transferred from the prize reserve fund.

PART 5—MISCELLANEOUS

Participant, proxy participant responsible for any expenses

20. A participant or proxy participant who agrees to appear on a Game Show is responsible for any expenses which he or she may incur.

Publication of names and addresses of prize winners

21. The Commission may publish the name and address of a second stage prize winner.

Certain persons excluded from Game Show Draw and Game Show

22. (1) Any—

- (a) person referred to in section 9 of the Act; and
- (b) agent,

and any member of his or her immediate family is excluded from participating in a Game Show Draw or a Game Show.

(2) For the purposes of subrule (1)—

“immediate family” means a person who resides with a person referred to in subrule (1) (a) or an agent as a member of his or her household.

Rules to be made available

23. (1) A copy of these rules shall be kept at every selling point and shall be made available for public inspection upon request.

(2) In addition to the requirement in subrule (1), the Commission may publicise the rules, or any amendment to the rules, in any other manner that it thinks fit.

Decisions of Commission final and binding

24. A decision or determination by the Commission in relation to an instant lottery is final and binding upon the holders of tickets and any other persons claiming prizes in respect of the lottery.

Termination of Telespin instant lottery

25. The Commission shall transfer any moneys remaining in—

- (a) the Jackpot fund; and
- (b) the prize reserve fund,

after the final Telespin instant lottery, to the prize pool for a subsequent instant lottery to be used as additional prizes in accordance with the relevant permit.

The Common Seal of the LOTTERIES COMMISSION was affixed on 1991 by order and in the presence of—

W. SILVER, Chairman.
W. WARNOCK, Member.
M. SARGANT, Secretary.