

# RACE MEETINGS (TWO-UP GAMING).

---

No. 20 of 1985.

---

AN ACT to make lawful the playing of the game known as "two-up" after certain Race Meetings, and for matters incidental thereto.

[Assented to 19 April 1985.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the *Race Meetings* Short title.  
*(Two-up Gaming) Act 1985.*

2. This Act shall come into operation on a day Commence-  
to be fixed by proclamation. ment.

Playing  
certain  
"two-up"  
games not  
to be  
unlawful.

3. (1) Subsection (1) and subsection (2) of section 86 of the Police Act 1892 shall not have effect in relation to the game known as "two-up", or persons playing or betting at that game, where that game and the gaming associated with that game—

(a) takes place—

- (i) at or in the vicinity of a racecourse or track under the control of a country race club; and
- (ii) during the course of the day on which a race meeting is held on that racecourse or track under the management of that club;

(b) is conducted—

- (i) by or on behalf of the country race club, by a person authorized in writing by the committee of that club for the purpose;
- (ii) otherwise than during the conduct of racing for that day;
- (iii) in the manner in which the game "two-up" is customarily conducted in the State; and
- (iv) pursuant to a permit issued to that club by the Minister following a written application made by the club to the Minister and the determination by the Minister of any requirement or condition to which the permit is to be subject;

and

(c) does not contravene any requirement or condition—

(i) to which the permit is made subject by the Minister; or

(ii) which is imposed by or under this Act,

and the Minister is hereby authorized to issue such a permit to a country race club subject to such requirement or conditions as he thinks fit.

(2) Every permit issued under this Act shall be deemed to have been issued subject to the following requirements—

(a) access to any land or premises used for the purposes of the gaming or betting associated with the gaming shall at all times be permitted to any member of the Police Force;

(b) a financial statement containing such particulars of the operations of the gaming to which the permit applies, and of betting associated with that gaming, as the Minister may require shall be furnished to the Minister or to such other authority as he may specify, by the club to which that permit was issued at such times as the Minister may require; and

(c) a person who is—

(i) under the age of 18 years; or

(ii) under the apparent influence of alcohol or drugs, or alcohol and drugs,

shall not be, or be permitted to be, in an area designated in the permit as to be prohibited to such persons.

(3) A reference in this section to a country race club is a reference to a club which—

- (a) is registered under and in accordance with the Australian Rules of Racing and the Local Rules administered by the body known as The Western Australian Turf Club but is not a Principal Club or a Provincial Club, within the meaning of those Rules; or
- (b) is a “country club” within the meaning of the Western Australian Trotting Association Act 1946,

and is not a club situate inside a radius in any direction of 200 kilometres of the Burswood Casino as referred to in the Casino (Burswood Island) Agreement Act 1985.

(4) Regulations may be made by the Governor—

- (a) in respect of fees or charges in relation to the application for, operation of, or renewal of any permit under this Act;
- (b) as to the term for which a permit has effect, and providing for the suspension or revocation of a permit for any contravention;
- (c) requiring the furnishing of information as to the operation of any gaming or betting conducted pursuant to a permit;
- (d) creating offences and prescribing penalties, in relation to the operation of any permit or the conduct of gaming or betting thereby authorized; or
- (e) generally, as may be necessary or convenient to be prescribed for giving effect to the purposes of this Act.