

## ACTS AMENDMENT (BINGO).

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No. 40 of 1984.

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AN ACT to amend the Lotteries (Control) Act 1954-1983 and the Liquor Act 1970-1983.

[Assented to 20 June 1984.]

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:—

### PART I—PRELIMINARY.

1. This Act may be cited as the *Acts Amendment (Bingo) Act 1984*. Short title.

2. This Act shall come into operation on the 28th day after the day on which it is assented to by the Governor. Commencement.

PART II—LOTTERIES (CONTROL) ACT  
1954-1983.

Principal  
Act and  
citation.

3. (1) In this Part the Lotteries (Control) Act 1954-1983 is referred to as the principal Act.

Reprinted  
as approved  
19 April 1979  
and  
amended by  
Acts Nos. 103  
of 1981,  
24 and 72 of  
1982 and 21,  
29 and 43 of  
1983.

(2) The principal Act as amended by this Act may be cited as the Lotteries (Control) Act 1954-1984.

Section 18  
amended.

4. Section 18 of the principal Act is amended—

(a) by repealing subsection (1a) and substituting the following subsections—

“ (1a) Subject to subsection (1aa), the Commission may grant to a religious body or charitable organization a permit to hold or conduct the game of bingo on unlicensed premises specified in that permit for such length of time and subject to such terms and conditions as the Commission thinks fit to impose.

(1aa) When the Commission grants a permit under subsection (1a) to a religious body or charitable organization which is the holder of—

(a) an unlicensed club permit, the Commission is deemed to do so subject to the terms and conditions that—

(i) the proceeds (if any) of the game of bingo concerned are applied only for the benefit of that holder and not for the benefit of any other person; and

- (ii) the only participants in the game of bingo concerned are members of that holder and their guests, but each such member shall have no more than 3 guests at any one time between such hours and on such days as are authorized by the unlicensed club permit for the sale and supply of liquor;

or

- (b) a function permit, the Commission is deemed to do so subject to the term and condition that the proceeds (if any) of the game of bingo concerned are applied only for the benefit of that holder and not for the benefit of any other person.

(1ab) The terms and conditions deemed by subsection (1aa) to be imposed on the grant of certain permits under subsection (1a) are in addition to and not in substitution for such other terms and conditions as the Commission thinks fit to impose under subsection (1a) on the grant of those permits. ”;

(b) in subsection (1b) by—

- (i) deleting “commonly known as bingo, housie-housie or tombola” and substituting the following—  
“ of bingo ”;
- (ii) inserting before “shall be applied” in paragraph (a) the following—  
“ of that game ”;

(iii) deleting “the game” in paragraph (b) and substituting the following—

“ that game ”; and

(iv) inserting after “granted” in paragraph (c) the following—

“ under this subsection ”;

(c) by repealing subsection (1c) and substituting the following subsections—

“ (1c) The Commission may grant to a religious body or charitable organization a permit to hold or conduct the game of bingo on the licensed premises of the holder of—

(a) an hotel licence;

(b) a tavern licence;

(c) a limited hotel licence;

(d) a canteen licence; or

(e) a winehouse licence,

subject to the proceeds (if any) of that game being applied only for the benefit of the religious body or charitable organization and not for the benefit of any other person and to such other terms and conditions as the Commission thinks fit to impose.

(1d) The power conferred on the Commission by subsection (1b) or (1c) is in addition to such power as it may have to grant a permit under subsection (1a) in respect of unlicensed premises. ”; and

(d) in subsection (3) by—

- (i) deleting “a licence” in the definition of “club licence” and substituting the following—

“ club licence ”;

- (ii) deleting the definitions of “guest” and “licensed premises” and substituting the following definitions in their appropriate alphabetical positions—

“ “guest”, except in the case of a club that has as its object, or one of its principal objects, the conduct of a competitive sport prescribed for the purposes of section 35 (3) of the Liquor Act 1970, means person whose name and date of attendance as a guest of a member of the club concerned have been entered in a guest book kept by or on behalf of that club, which entry has been subscribed by that person;

“licensed premises” has the meaning given by section 7 of the Liquor Act 1970; ”;

- (iii) deleting “1970.” in the definition of “nominee of a club” and substituting the following—

“ 1970; ”; and

- (iv) inserting in their appropriate alphabetical positions the following definitions—

“ “bingo” means game commonly known as bingo, housie-housie or tombola;

“canteen licence” means canteen licence under section 28 of the Liquor Act 1970;

“function permit” means function permit under section 43 of the Liquor Act 1970;

“hotel licence” means hotel licence under section 24 of the Liquor Act 1970;

“limited hotel licence” means limited hotel licence under section 27 of the Liquor Act 1970;

“liquor” has the meaning given by section 7 of the Liquor Act 1970;

“tavern licence” means tavern licence under section 26 of the Liquor Act 1970;

“unlicensed club permit” means unlicensed club permit under section 42 of the Liquor Act 1970;

“unlicensed premises” means premises which are not licensed premises;

“winehouse licence” means winehouse licence under section 29 of the Liquor Act 1970. ”.

PART III—LIQUOR ACT 1970-1983.

Principal  
Act and  
citation.

5. (1) In this Part the Liquor Act 1970-1983 is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Liquor Act 1970-1984.

Reprinted  
as approved  
19 March 1982  
and  
amended by  
Acts Nos. 22  
and 88 of  
1982 and  
20 and 35  
of 1983.

6. Section 126 of the principal Act is amended by repealing subsection (2b) and substituting the following subsection—

Section 126  
amended.

“ (2b) It is a defence to a complaint of an offence against paragraph (f) of subsection (1) of this section relating to the conduct of—

(a) a lottery on premises licensed under section 35 to show that the lottery; or

(b) a lottery consisting of the game commonly known as bingo, housie-housie or tombola on premises licensed under section 24, 26, 27, 28 or 29 to show that that lottery,

was one for which a permit had been granted by the Lotteries Commission under the Lotteries (Control) Act 1954. ”.

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