

ACTS AMENDMENT (TRADE PROMOTION LOTTERIES).

No. 21 of 1983.

AN ACT to amend The Criminal Code, the Police Act 1892-1982 and the Lotteries (Control) Act 1954-1982.

[Assented to 22 November 1983.]

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 (Trade Promotion Lotteries) Act 1983*. Short title.

PART II—THE CRIMINAL CODE.

Citation.
Reprinted
as approved
8 December
1978;
amended by
Acts Nos. 67,
68 and 107
of 1979, 96 of
1980, 52, 103,
116 and 118
of 1981 and
10, 20 and
108 of 1982.

2. In this Part, “the Code” means The Criminal Code set out in the Schedule to the Criminal Code Act 1913 appearing in Appendix B to the Criminal Code Act Compilation Act 1913.

Section 212
amended.

3. Section 212 of the Code is amended—

(a) in the second paragraph by inserting after “otherwise howsoever” the following—

“ , but does not include a trade promotion lottery ”; and

(b) by inserting after the second paragraph the following paragraph—

“ For the purposes of the preceding paragraph a “trade promotion lottery” is a lottery, as defined in that paragraph, to promote the sale of goods or the use of services, in which every participant takes part—

(a) without cost to him; or

(b) by reason of the purchase of goods or the use of services, the cost of which is no more than the cost would be without the opportunity to take part in the lottery. ”.

PART III—POLICE ACT 1892-1982.

Citation.
Reprinted
as approved
18 April 1983.

4. (1) In this Part, the Police Act 1892-1982 is referred to as the principal Act.

(2) The principal Act as amended by this Act may be cited as the Police Act 1892-1983.

5. Section 84H of the principal Act is amended— Section 84H amended.

(a) by deleting “84H.” and substituting the following—

“ 84H. (1) ”; and

(b) by inserting, after subsection (1), the following subsection—

“ (2) In subsection (1) of this section “lottery” does not include a trade promotion lottery as defined in section 212 of The Criminal Code. ”.

6. Section 85 of the principal Act is amended in subsection (4) by inserting, after paragraph (a), the following paragraph— Section 85 amended.

“ (aa) is a trade promotion lottery as defined in section 212 of The Criminal Code; ”.

PART IV—LOTTERIES (CONTROL) ACT 1954-1982.

7. (1) In this Part, the Lotteries (Control) Act 1954-1982 is referred to as the principal Act. Citation. Reprinted as approved 19 April 1979; amended by Acts Nos. 103 of 1981 and 24 and 72 of 1982.

(2) The principal Act as amended by this Act may be cited as the Lotteries (Control) Act 1954-1983.

8. Section 4 of the principal Act is amended in subsection (1), in the definition of “lottery”, by deleting “but does not include a game of lotto within the meaning of the Lotto Act 1981” and substituting the following— Section 4 amended.

“ but does not include—

(a) a game of lotto within the meaning of the Lotto Act 1981; or

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- (b) except in section 23 (1) (a), (b), and (d) of this Act, a trade promotion lottery as defined in section 212 above-mentioned ”.
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