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LOTTERIES COMMISSION ACT 1990

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**INSTANT LOTTERY  
RULES 1991**



## LOTTERIES COMMISSION ACT 1990

## INSTANT LOTTERY 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 Rules 1991*.

**Commencement**

2. These rules shall come into operation on the day on which the *Lotteries Commission Act 1990* comes into operation.

**Interpretation**

3. (1) In these rules, unless the contrary intention appears—  
“agent” means a person appointed by the Commission to sell tickets;  
“closing date”, in relation to a ticket in an instant lottery, means a closing date fixed by the Commission under rule 11 (1) for the delivery to it of tickets in that lottery;  
“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;  
“name and address” means the surname, initials, and residential or postal address of a person;  
“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;“ticket” means an instant lottery ticket.

(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 only in relation to instant lotteries.

**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 10, 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;
  - (c) does not, for the purposes of the Commission, sufficiently comply with rule 10 (a); 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—PAYMENT OF INSTANT PRIZES****Claims for instant prizes**

8. (1) Claims for the payment of 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 an instant prize in respect of a ticket that—
- (a) has already been marked “paid” by the Commission or an agent; or
  - (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.
- (3) The Commission shall only pay by cheque, prize money claimed at its head office.

**PART 4—CONDUCT OF SECOND STAGE****Second stage to be conducted in accordance with permit**

9. The Commission shall conduct the second stage of an instant lottery in accordance with the procedure set out in the permit for that lottery.

**Information required on delivered tickets**

10. Where the conduct of the second stage of an instant lottery requires tickets to be delivered to the Commission for a draw, each ticket delivered—
- (a) shall have the name and address of the holder of the ticket clearly printed in ballpoint pen;
  - (b) may be signed by the holder of the ticket;
  - (c) may include a syndicate name;
  - (d) may be marked to indicate that the name and address on the ticket is not for publication,
- in the appropriate space on the back of the ticket.

**Closing date**

11. (1) Where the conduct of the second stage of an instant lottery requires tickets to be delivered to the Commission for a draw, the Commission may fix a closing date for the delivery to it of tickets in that lottery.
- (2) Where under subrule (1) a closing date is fixed in respect of an instant lottery, the Commission shall ensure that the closing date is printed on the back of every ticket in the instant lottery.

**Eligibility for inclusion in a draw**

12. (1) Where the conduct of the second stage of an instant lottery requires tickets to be delivered to the Commission for a draw, the Commission shall only include eligible tickets in the draw.

- (2) For the purposes of subrule (1), a ticket is an eligible ticket if the ticket—
- (a) is of a type that, under the procedure for the second stage set out in the permit for that instant lottery, is to be included in the draw;
  - (b) is not void and incapable of winning a prize;
  - (c) has been delivered to the head office; and
  - (d) has, where there is a closing date, been delivered to the head office on or before the closing date.

#### **Supervision of conduct of draws**

13. (1) The Commission shall ensure that every instant lottery draw is supervised by an officer from the Office of the Auditor General.

(2) Subrule (1) does not apply to a draw that is determined by a race or other event that occurs independently of the Commission.

#### **Tickets drawn to be checked**

14. (1) Where the conduct of the second stage of an instant lottery requires tickets to be delivered to the Commission and then drawn from a barrel—

- (a) the Commission shall check that every ticket drawn is not void and incapable of winning a prize;
- (b) the Commission may determine under rule 6 that a ticket drawn is void and incapable of winning a prize.

(2) Where a ticket drawn from a barrel is found or determined to be void and incapable of winning a prize, another ticket shall be drawn from the barrel in place of the void ticket.

#### **Publication of names and addresses of prize winners**

15. (1) The Commission may publish the name and address of a second stage prize winner except where the back of the winning ticket is marked to indicate that the name and address on the ticket is not for publication.

(2) Notwithstanding that a ticket is marked to indicate that the name and address on the ticket is not for publication, where a syndicate name is supplied, the Commission may publish the syndicate name.

#### **Second stage prizes may be posted**

16. Where a second stage prize is not claimed by the prize winner, the Commission may, if it thinks fit, post the prize to the prize winner.

#### **Multiple names on ticket**

17. Where more than one name and address is marked on the back of a second stage winning ticket the Commission may pay the prize to the person whose name and address appears first on the ticket.

#### **Statutory declarations**

18. The Commission may, for the purpose of clarifying or verifying any issue relating to the payment of a second stage prize, request from any person a statutory declaration containing such information as the Commission thinks fit.

## PART 5—MISCELLANEOUS

**Rules to be made available**

19. (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 publicize the rules, or any amendment to the rules, in any other manner that it thinks fit.

**Decisions of Commission final and binding**

20. 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.

**Repeal**

21. The *Instant Lottery Rules 1990\** are repealed.

[\*Published in the Gazette of 28 September 1990 at pp. 5047-50.]

The Common Seal of the LOTTERIES COMMISSION was affixed on the 20th day of December, 1990 by order and in the presence of—

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