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Lotteries Commission Act 1990

## Lotteries Commission (Internet Entries) Rules 2010

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Lotteries Commission Act 1990

## Lotteries Commission (Internet Entries) Rules 2010

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

### 1. Citation

These rules are the *Lotteries Commission (Internet Entries) Rules 2010*.

### 2. Commencement

These rules come into operation as follows —

- (a) rules 1 and 2 — on the day on which these rules are published in the *Gazette*;
- (b) the rest of the rules — on the day after that day.

### 3. Terms used

In these rules —

***authorised financial institution account*** means a transaction account at —

- (a) an ADI (authorised deposit-taking institution) as defined in the *Banking Act 1959* (Commonwealth) section 5; or
- (b) a bank constituted by a law of a State, a Territory or the Commonwealth;

***entry*** means an entry in lotto using Play Online;

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**lotto** means any of the following —

- (a) Cash 3 as defined in the *Lotteries Commission (Cash 3) Rules 1998* rule 3;
- (b) Monday lotto as defined in the *Lotteries Commission (Monday and Wednesday Lotto) Rules 2006* rule 3(1);
- (c) Oz lotto as defined in the *Lotteries Commission (Oz Lotto) Rules 1995* rule 3;
- (d) powerball as defined in the *Lotteries Commission (Powerball) Rules 1996* rule 3;
- (e) Saturday lotto as defined in the *Lotteries Commission (Saturday Lotto) Rules 1996* rule 3;
- (f) Soccer Pools as defined in the *Lotteries Commission (Soccer Pools) Rules 1996* rule 2;
- (g) super 66 as defined in the *Lotteries Commission (Super 66) Rules 1996* rule 3;
- (h) Wednesday lotto as defined in the *Lotteries Commission (Monday and Wednesday Lotto) Rules 2006* rule 3(1);

**lotto draw** includes a Pools Game as defined in the *Lotteries Commission (Soccer Pools) Rules 1996* rule 2;

**Play Online** has the meaning given in rule 5;

**player** means a person who is registered with Play Online;

**player's account** has the meaning given in rule 7(1);

**prize** means a prize for an entry;

**registration** means a registration with Play Online;

**relevant rules of lotto** means the rules referred to in the definition of lotto in this section.

**4. Relevant rules of lotto unaffected**

Nothing in these rules affects the operation of the relevant rules of lotto in relation to receipted tickets.

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**r. 5****5. Play Online**

To enter lotto online a person must use the website (***Play Online***) maintained by the Commission for the purposes of these rules.

**6. Registration**

- (1) To purchase an entry a person must be registered with Play Online.
- (2) To register with Play Online a person must have the following qualifications —
  - (a) be an individual;
  - (b) be at least 16 years of age;
  - (c) reside in this State;
  - (d) have an email address that is not already registered with Play Online;
  - (e) have an authorised financial institution account;
  - (f) comply with rule 7(1);
  - (g) not be already registered with Play Online or be a player whose registration has been suspended or cancelled under rule 8.
- (3) A player must ensure that the player's login details for Play Online are not disclosed to any other person.

**7. Player's account**

- (1) A player must have an account with the Commission (the ***player's account***) which is to be used for the purchase of all entries using Play Online.
- (2) Moneys deposited into the player's account do not accrue interest or attract fees.

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**8. Suspension or cancellation of registration**

- (1) The Commission may suspend or cancel a registration at any time without notice and without giving any reason.
- (2) If a registration is cancelled, the player's account is closed and the Commission must remit to the player any amount payable by law to the player.

**9. Conditions on purchasing entries**

A player may purchase an entry only if all the following conditions are met —

- (a) there are sufficient funds in the player's account to enable the purchase;
- (b) the purchase would not mean that the total of the purchases made by the player in any 7 day period would be greater than \$200 (the *Play Online weekly spending limit*);
- (c) the purchase would not contravene restrictions approved under rule 10;
- (d) the player's registration has not been suspended or cancelled under rule 8(1).

**10. Player may restrict own ability to purchase entries**

- (1) A player may apply to the Commission to approve restrictions set by the player on his or her ability to purchase an entry.
- (2) The application must be made using Play Online.
- (3) The Commission may approve a restriction comprising —
  - (a) a weekly spending limit that is less than the Play Online weekly spending limit referred to in rule 9(b); or
  - (b) a period during which the player cannot purchase any entries; or

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- (c) any other restriction the Commission considers appropriate.

**11. Entries**

- (1) It is the responsibility of a player to satisfy himself or herself before purchasing an entry that all the details of the entry shown on the relevant page of Play Online are correct.
- (2) After an entry is purchased the Commission must provide to the player the following details relating to the entry —
  - (a) the name of the relevant lotto;
  - (b) the numbers selected by the player and, if applicable, the type of entry;
  - (c) the lotto draw number or, in the case of a multi-week entry, the lotto draw number range to which the entry relates;
  - (d) the date and time of purchase;
  - (e) the cost of the entry;
  - (f) a unique number for the entry.
- (3) An entry for a lotto draw cannot be purchased after the selling period for the lotto draw has expired.

**12. Cancellation of entry**

- (1) A player may request the Commission to cancel an entry purchased by the player.
- (2) The Commission may, in its absolute discretion, cancel the entry if the request is received before the selling period for the relevant lotto draw has expired.
- (3) If the Commission cancels the entry, the Commission must refund into the player's account the amount paid by the player for the purchase of the entry.

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**13. Commission not liable for delays and loss of chance**

The Commission is not liable for loss of any nature (including loss of a chance) that results from a delay —

- (a) in transferring funds from an authorised financial institution account to a player's account; or
- (b) in processing the purchase of an entry; or
- (c) in transferring funds from a player's account to an authorised financial institution account.

**14. Prizes where there is no validation period**

- (1) If a player wins a prize and there is no validation period for the relevant lotto draw, the Commission must pay the prize into the player's account within 24 hours after the draw.
- (2) The requirement to pay the prize is not dependant on any claim being made by the player.

**15. Prizes where there is validation period**

- (1) This rule applies if a player wins a prize and there is a validation period for the relevant lotto draw.
- (2) To claim the prize, the player must present at the Commission's head office within the payout period for the relevant lotto draw —
  - (a) a printout of the details referred to in rule 11(2); and
  - (b) such information as the Commission requires to confirm the player's identity and place of residence.
- (3) The Commission must pay the prize into the player's account within 24 hours after the claim.

**16. Withdrawal of funds from player's account**

- (1) A player may withdraw funds from a player's account only with the approval of the Commission.



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- (2) Before giving the approval, the Commission may require from the player such information as it requires to confirm the player's identity and place of residence.
- (3) The approval must be provided using Play Online.

**17. Play Online information and format**

The Commission may change the information, or the format of the information, on Play Online at any time without notice to players if those changes are not inconsistent with these rules.

**18. Publication of names and addresses of prize winners**

The Commission must not publish the name and address of any player who wins a prize unless the player informs the Commission in writing that the player's name and address may be published.

**19. Rules to be made accessible**

- (1) The Commission must make a copy of these rules accessible on Play Online to both players and persons who are not registered with Play Online.
- (2) The Commission may also publicise these rules, and any amendment to them, in any other manner it thinks fit.

**20. Decisions of Commission final**

A decision or determination of the Commission in relation to a lotto draw or an entry and the declaration and payment of prizes under these rules and the relevant rules of lotto is final and binding on players.

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The Common Seal of the                    )  
Commission was affixed on the            )  
16th day of November 2010,                )  
by order and in the presence of —        )

L.S.

JOHN ATKINS, Chairperson.

COLIN CAMPBELL-FRASER, Member.

SHEILA HOOD, Member.

  

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