# ACTS AMENDMENT (GAMING AND RELATED PROVISIONS).

No. 29 of 1985.

AN ACT to clarify the effect in the State of, and to repeal, certain provisions of the Statutes of the Realm and Acts relating to gaming and wagering and matters incidental thereto, and to amend the Gaming Act 1835 (Imperial Act), the Police Act 1892, the Betting Control Act 1954, the Casino Control Act 1984, and the Liquor Act 1970.

[Assented to 24 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:—

### PART I--PRELIMINARY.

1. This Act may be cited as the Acts Amendment Short title. (Gaming and related provisions) Act 1985.

Commencement.

2. The provisions of this Act shall come into operation on such day or days as is or are respectively fixed by proclamation.

### PART II—CERTAIN STATUTES NOT TO HAVE EFFECT.

Statutes not to have effect in the State.

- 3. For the avoidance of doubt, it is hereby enacted that the Statutes of the Realm hereinafter referred to, that is to say—
  - (a) an Act of Parliament passed in the sixteenth year of the reign of His late Majesty King Charles the Second, intituled

16 Car An Act against deceitful, 11 disorderly, and excessive Cap. 7 gaming.; and

(b) an Act of Parliament passed in the ninth year of the reign of Her late Majesty Queen Anne, intituled

> 9 Anne An Act for the better prevent-Cap. ing excessive and deceitful 14 gaming. ,

do not have effect in the State.

### PART III—GAMING ACT 1835 (Imperial Act).

The Gaming Act 1835 (Imperial Act), as adopted by 7 Vic. No. 13 repealed. 4. In so far as an Act of the Parliament of the State passed in the seventh year of Her late Majesty Queen Victoria, intituled

7 Vic. No. 13 (Imperial Acts Adopting Act, 1844.) An Act for adopting certain Acts of Parliament passed in the third and fourth, the fourth and fifth, the fifth and sixth and sixth and seventh years of the reign of His late Majesty King William the Fourth; and also certain Acts of Parliament passed in the first and second, the second and third, and the fifth and

sixth vears of the of Her present Majesty Queen Victoria, respectively, applying the same in the Administration of Justice in Western Australia in like manner as the other Laws England are applied therein. ,

adopted and directed to be applied in the State the Statute of the Realm passed in the fifth and sixth years of the reign of His late Majesty King William the Fourth, intituled

An Act to amend the law relating to Securities given for Considerations and arising out of Gaming, Usurious, 6 Will and certain other illegal transac-IVtions. Cap. 41

that Act is repealed as to the Statute of the Realm so intituled and that Statute (sometimes referred to as the Gaming Act 1835) shall cease to have effect in the State.

### PART IV-POLICE ACT 1892.

Section 84 I of the Police Act 1892 and the Section 84 I heading preceding it are repealed.

preceding heading repealed. Reprinted as approved 18 April 1983 and amended by Acts Nos. 21 and 30 of 1983, 22 and 23 of of 1985.

### PART V—BETTING CONTROL ACT 1954.

Section 5 of the Betting Control Act 1954 is Section 5 amended. amended by repealing subsection (2).

Reprinted as approved 1 June 1979

# No. 29.] Acts Amendment (Gaming and related provisions). [1985.

### PART VI—CASINO CONTROL ACT 1984.

Principal Act. Act No. 34 of 1984 as amended by Act No. 10 of 1985.

7. In this Part the Casino Control Act 1984 is referred to as the principal Act.

## Section 3 amended.

- 8. Section 3 of the principal Act is amended in subsection (1)—
  - (a) by deleting "the premises of" in paragraph
    (a) of the definition of "casino complex"
    and substituting the following—
    - " any premises in "; and
  - (b) by inserting after "holder" in the definition of "casino licensee" the following—
    - ", or person deemed to be the holder, ".

# Section 4A amended.

- 9. Section 4A of the principal Act is amended in subsection (2) by deleting—
  - (a) "on the recommendation" and substituting the following—
    - "with the approval, or on the recommendation,";

and

- (b) "making the necessary recommendation" and substituting the following—
  - "giving or making the necessary approval or recommendation".

#### Section 20B amended.

- 10. Section 20B of the principal Act is amended in subsection (2) by deleting "Committee" and substituting the following—
  - " Treasurer ".

Section 21 of the principal Act is amended Section 21 amended. in subsection (5) by deleting "or surrendered under section 21C" and substituting the following-

- or 21C or surrendered under section 21D ".
- 12. Section 21E of the principal Act is amended. amended—
  - (a) in subsection (4) by deleting "this section" in paragraph (a) and substituting the following
    - section 21B (3) (a) or 21C "; and
  - (b) in subsection (6)—
    - (i) by inserting after "this Act" paragraph (a) the following—
      - " or any other Act "; and
    - (ii) by deleting "subsection (3)" in subparagraph (i) of paragraph (c) and substituting the following
      - subsection (2) ".

### PART VII-LIQUOR ACT 1970.

13. In this Part the Liquor Act 1970 is referred Act. to as the principal Act.

Reprinted as approved 27 July 1984. and amended by Act No. 10

Section 25 of the principal Act is amended Section 25 amended. in subsection (3) by deleting "the premises of a licensed casino" and substituting the following-

any premises referred to in subsection (2)  $(\bar{b})$  (i) ".

No. 29.] Acts Amendment (Gaming and related provisions). [1985.

Section 50A amended.

- 15. Section 50A of the principal Act is amended—
  - (a) in subsection (2) by deleting "endorse on an" and substituting the following—
    - " endorse on a notice of "; and
  - (b) in subsection (6) by deleting "ceases to be a casino licensee, the" and substituting the following—
    - "granted under subsection (3) ceases to be a casino licensee, that ".

Section 87 amended.

16. Section 87 of the principal Act is amended in subsection (1) by deleting "the premises within a casino complex" and substituting the following—
"any premises within a casino complex".