

Queensland



LOTTERIES BILL 1994

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SCHEDULE 1 47**ACTS REPEALED****SCHEDULE 2 48****ACT AMENDED**

STAMP ACT 1894	48
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1994

A BILL

FOR

**An Act to provide for the Golden Casket Lottery Corporation and the
conduct and administration of lotteries, and for other purposes**

The Parliament of Queensland enacts—

1

PART 1—PRELIMINARY

2

Short title

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1. This Act may be cited as the *Lotteries Act 1994*.

4

Commencement

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- 2.(1) Section 85 commences on the date of assent.

6

(2) The remaining provisions commence on a day to be fixed by proclamation.

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Objects

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3. The objects of this Act include—

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- (a) regulating the conduct of lotteries under a single Act; and
- (b) regulating activities that tend to detract from the integrity of the conduct of lotteries.

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Definitions

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4. In this Act—

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“another jurisdiction” means another State, a Territory or a foreign country.

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17

“application for a lottery licence” means an application for a lottery licence, whether or not the application is made because of an invitation to tender, either generally or for a particular lottery licence.

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“Board” means the Golden Casket Advisory Board.

21

“bonus prize money” see section 50(1).

22

“chief executive officer” means the Corporation’s chief executive officer.

23

“closure” of a lottery means—	1
(a) if there is a drawing of the lottery—when the computer system does not allow a functioning gaming terminal to issue an entry form for the lottery; or	2 3 4
(b) in any other case—the day fixed by the Corporation for the closure of the lottery by notice displayed at the Corporation’s offices.	5 6 7
“computer system” see section 5(1).	8
“conduct” includes advertise, control, develop, manage, operate, organise and promote.	9 10
“Corporation” means the Golden Casket Lottery Corporation.	11
“criminal history” of a person means the person’s criminal record within the meaning of the <i>Criminal Law (Rehabilitation of Offenders) Act 1986</i> , and, despite section 6 of that Act, includes a conviction to which the section applies.	12 13 14 15
“employee” of the Corporation means—	16
(a) the chief executive officer; or	17
(b) anyone else employed as part of the Corporation’s staff (including temporary staff).	18 19
“entry form” means a document or thing that, under this Act, evidences the right of a person to take part in a lottery.	20 21
“foreign agency” means any of the following entities authorised by the law of another jurisdiction to conduct a gaming scheme—	22 23
(a) a department of government of another jurisdiction;	24
(b) a statutory body or corporation established under the law of another jurisdiction;	25 26
(c) another entity permitted by the law of another jurisdiction to conduct a gaming scheme or similar activity.	27 28
“gaming scheme” means a game, scheme or arrangement offering prizes in which the winners are decided—	29 30
(a) wholly or partly by chance; or	31
(b) by a competition or another activity having an outcome	32

Lotteries

depending on fate or guessing.	1
<i>Example of a competition depending on guessing—</i>	2
In Soccer Football Pools, winning depends on guessing the outcome of soccer football matches.	3 4
“gaming terminal” see section 5(3).	5
“licensee” means a person who holds a lottery licence.	6
“licensee payment period” , for a lottery, means the period prescribed by regulation during which a prize in the lottery may be claimed from a licensee.	7 8 9
“lottery” means a gaming scheme conducted by the Corporation under this Act.	10 11
“lottery licence” means a licence to process, or to sell, entry forms in a lottery.	12 13
<i>Examples of lottery licences—</i>	14
1. A licence for all on line games (for example, Gold Lotto, Jackpot Casket, Oz Lotto and Soccer Football Pools) and non-on line games.	15 16
2. A licence for non-on line games only (for example Instant Scratch-Its).	17
3. A mail order licence.	18
“lottery property” includes the following—	19
(a) advertising material;	20
(b) unsold coupons and entry forms;	21
(c) gaming terminals;	22
(d) manuals, including technical and retailer manuals;	23
(e) moving display units;	24
(f) ribbons for gaming terminals;	25
(g) uninterrupted power supply units.	26
<i>Example of an unsold entry form—</i>	27
Instant Scratch-Its.	28
“pay a prize” includes deliver the prize.	29
“publishing” an advertisement or notice includes displaying or distributing	30

Lotteries

the advertisement or notice.	1
“prize” for a lottery means money, entry forms in a lottery or other property of any description.	2 3
“selling fee” , for an entry form in a lottery, means an amount prescribed by regulation as a fee to which the licensee who sells the entry form is entitled for selling the form.	4 5 6
“subscriber” means a person who pays, or contributes to paying, a subscription.	7 8
“subscription” for an entry form for a lottery means the amount prescribed by regulation as payable by a person to entitle the person to take part in the lottery, other than the selling fee included in the amount.	9 10 11 12
“symbols” includes amounts, letters, pictures, numbers and words.	13
“unclaimed prize money” see section 54(1).	14
Meaning of “computer system”	15
5.(1) The “computer system” is the computer system owned and operated by the Corporation—	16 17
(a) to process entry forms in a lottery; and	18
(b) to supply a receipt to a subscriber; and	19
(c) to identify whether an entry is a winning entry.	20
(2) The computer system includes—	21
(a) the hardware, including, for example, gaming terminals; and	22
(b) the software used on the hardware; and	23
(c) other equipment used to transfer information.	24
(3) A “gaming terminal” is a terminal that is—	25
(a) part of the computer system; and	26
(b) used at the point of sale of entry forms in a lottery.	27
(4) The gaming terminals and other equipment that are part of the computer system are the property of the Corporation even though they may	28 29

be located at the premises of a licensee. 1

(5) The computer system may be used for some, but not all, lotteries. 2

PART 2—CORPORATION AND ADVISORY BOARD 3

Division 1—Golden Casket Lottery Corporation and its functions 4

Continuance of corporation sole 5

6.1) The corporation sole established under the *Golden Casket Art Union Act 1978* by the Manager of the Golden Casket Art Union Office is continued under the name Golden Casket Lottery Corporation as a corporation constituted by the chief executive of the department. 6
7
8
9

(2) The Corporation— 10

(a) is a corporation sole; and 11

(b) has a seal; and 12

(c) may sue and be sued in its corporate name. 13

(3) In constituting the Corporation, the chief executive is subject to the Minister. 14
15

Corporation represents the State etc. 16

7.1) The Corporation represents the State. 17

(2) Without limiting subsection (1), the Corporation has all the privileges and immunities of the State and is an exempt public authority under the Corporations Law. 18
19
20

Functions of Corporation 21

8. The Corporation's functions are— 22

(a) to conduct lotteries efficiently; and 23

Lotteries

-
- (b) to decide the number and type of lottery licences for lotteries; and 1
 - (c) to license adults under this Act and to ensure that the activities of 2
the licensees do not impeach the conduct of lotteries or the 3
Corporation's reputation; and 4
 - (d) to take part with foreign agencies in conducting lotteries in the 5
State or other jurisdictions; and 6
 - (e) to increase the Corporation's profits by exploring ways of 7
increasing its income from within and outside the State, 8
including, for example, commercially exploiting its property or 9
expertise alone or with someone else; and 10
 - (f) to perform other functions conferred on it under this or another 11
Act. 12

Division 2—Powers of the Corporation 13**General powers of Corporation** 14

9.(1) The Corporation has, in performing its functions, all the powers of 15
an individual. 16

(2) Without limiting subsection (1), the Corporation may, for example— 17

- (a) enter into contracts, including agreements with licensees; and 18
- (b) acquire, hold, dispose of and deal with property; and 19
- (c) employ a chief executive officer and other staff, including 20
temporary staff; and 21
- (d) engage consultants; and 22
- (e) appoint agents; and 23
- (f) charge for goods, information and services supplied by it; and 24
- (g) do all other things necessary or desirable to be done in 25
performing its functions. 26

(3) The Corporation also has the powers conferred on it under this or 27
another Act. 28

(4) The Corporation may exercise its powers within the State or in 29

another jurisdiction.	1
(5) In this section—	2
“power” includes legal capacity.	3
Agreement with foreign agency	4
10.(1) The Corporation may make an agreement with a foreign agency about the conduct of a gaming scheme—	5
(a) by the Corporation; or	7
(b) by the foreign agency; or	8
(c) by the Corporation and the foreign agency.	9
(2) The Corporation may, for example, make an agreement with a foreign agency under which—	10
(a) the foreign agency is to provide facilities and managerial or technical help and advice to the Corporation; and	12
(b) the Corporation is to obtain from the foreign agency other help to conduct a gaming scheme.	14
(3) The Corporation may also, for example, make an agreement with a foreign agency under which—	16
(a) the Corporation is to provide facilities and managerial or technical help and advice to the foreign agency; and	18
(b) the foreign agency is to obtain from the Corporation other help to conduct a gaming scheme.	20
(4) This section does not limit by implication the Corporation’s functions and powers apart from this section.	22
Corporation may examine character and other matters about certain persons	24
11.(1) This section applies when—	25
(a) the Corporation intends employing an individual; or	27
(b) an employee’s duties in the Corporation change.	28

Lotteries

(2) The Corporation must consider the suitability of the individual or employee if the duties of the individual, or the new duties of the employee, involve any of the following—

- (a) access to the Corporation's accounting records or computer system;
- (b) access to the Corporation's premises after normal working hours;
- (c) dealing with entry forms, including, for example, distributing, processing, selling or storing entry forms;
- (d) paying prizes;
- (e) any other duties the Corporation decides may involve a financial risk to the Corporation or risk to the integrity of a lottery or lotteries.

(3) In considering the suitability of the individual or employee to perform a duty mentioned in subsection (2), the Corporation must have regard to, and may make inquiries about, the person's character and standing, financial position and business and training experience.

Example—

The Corporation's inquiries about an individual's character and standing may include asking the Commissioner of the Police Service for a written report about the person's criminal history.

(4) If asked by the Corporation, the Commissioner of the Police Service must give the Corporation a written report about the criminal history of a person mentioned in subsection (1).

(5) Subsection (4) applies to the criminal history in the Commissioner's possession or to which the Commissioner has access.

(6) Subsections (3) and (4) do not limit the matters to which the Corporation may have regard in considering the suitability of—

- (a) an individual that it intends to employ; or
- (b) an employee whose duties in the Corporation are changing.

Power of delegation

12.(1) The Corporation may delegate its powers under this Act or another Act to an employee of the Corporation, the Board or a member of

the Board.

(2) The Corporation may authorise a person to whom it has delegated a power to subdelegate the power to an employee of the Corporation.

Division 3—Golden Casket Advisory Board

Establishment and functions of Board

13.(1) The Corporation may, with the approval of the Governor in Council, establish the Golden Casket Advisory Board.

(2) The Board must perform the functions prescribed by regulation which may include functions that are not of an advisory nature.

Appointment of Board members

14.(1) The Governor in Council may appoint persons to be members of the Board.

(2) The regulations may prescribe—

- (a) the number of members; and
- (b) matters to which the Governor in Council must have regard when appointing members, including, for example, qualifications.

PART 3—LOTTERY LICENCES

Division 1—Tendering process for a lottery licence

Corporation may invite tenders for lottery licence

15.(1) If the Corporation decides that the number of lottery licences of a particular type is insufficient generally, or is insufficient in a particular area or place, the Corporation may invite adults to tender for a lottery licence.

(2) The invitation must—

Lotteries

(a)	be by an advertisement in a newspaper circulating generally in the State; and	1 2
(b)	allow at least 21 days from the day of the advertisement for the submission of tenders; and	3 4
(c)	state the tender fee fixed by the Corporation for the tender.	5
(3)	This section does not prevent the Corporation from—	6
(a)	inviting particular adults to tender; or	7
(b)	advertising the invitation to tender in other ways.	8
 Tender fees		9
16.(1)	The tender fee for a tender for the lottery licence is to be fixed for the tender by the Corporation before it invites tenders for the licence.	10 11
(2)	A person who tenders for a lottery licence is liable for the tender fee.	12
(3)	The tender fee must accompany the tender and is not refundable.	13
 Procedure to decide tenders		14
17.(1)	If the Corporation invites tenders for a lottery licence, the Corporation must decide the tender it considers most advantageous to it.	15 16
(2)	The Corporation must notify the adult who made the tender (the “ preferred tenderer ”) as soon as possible after the Corporation’s decision about it and invite the preferred tenderer to apply for the lottery licence before the day stated in the notice.	17 18 19 20
(3)	The preferred tenderer is taken to have withdrawn the tender, and the Corporation may decide the tender it considers to be the next most advantageous to it, if—	21 22 23
(a)	the preferred tenderer does not apply for the lottery licence before the day stated in the notice under subsection (2); or	24 25
(b)	the preferred tenderer applied for the lottery licence but, under	26

section 23(4)¹, is taken to have withdrawn the application. 1

(4) The Corporation must treat the adult who made the tender that it 2
considers the next most advantageous to it as the preferred tenderer, 3
including, for example, giving notice under subsection (2) to the new 4
preferred tenderer about its decision and inviting an application. 5

(5) However, at any time, the Corporation may decide not to accept any 6
tender and may again invite adults to tender for the lottery licence. 7

Division 2—Application for a lottery licence and related matters 8

Application of Division 9

18. This Division applies to an application for a lottery licence made 10
by— 11

- (a) a preferred tenderer under section 17 (Procedure to decide 12
tenders); or 13
- (b) an adult even though no tender, or invitation to apply, was made 14
by the Corporation. 15

Application for lottery licence 16

19.(1) An adult may apply to the Corporation for a lottery licence. 17

(2) The application must— 18

- (a) be in the form approved by the Corporation; and 19
- (b) be supported by sufficient information to help the Corporation to 20
properly decide the application; and 21
- (c) be accompanied by the application fee. 22

(3) The Corporation, by written notice, may ask the applicant to give 23
further information or documents relevant to the application. 24

¹ Section 23(4) deals with the situation where an applicant for a lottery licence, including a preferred tenderer, fails to enter into an agreement with the Corporation.

(4) The Corporation may reject the application if the applicant does not comply with a request under subsection (3) without reasonable excuse. 1
2

Application fees 3

20.(1) Application fees for lottery licences are to be fixed by the Corporation by Gazette notice. 4
5

(2) An adult who applies for a lottery licence is liable for an application fee. 6
7

(3) The application fee must accompany the application and is not refundable. 8
9

Decision on application 10

21.(1) The Corporation must consider an application for a lottery licence and either grant the licence or refuse to grant the licence. 11
12

(2) In considering the application, the Corporation must have regard to— 13

(a) if the application is not made by a preferred tenderer—the number of licenses that, in the Corporation’s opinion, is necessary (either generally or in a particular area or place) for the efficient conduct of lotteries; and 14
15
16
17

(b) any matters prescribed by regulation. 18

(3) The Corporation may grant the licence only if it is satisfied that the applicant is a suitable person to hold a lottery licence. 19
20

(4) In considering the suitability of the applicant to hold a lottery licence, the Corporation must have regard to, and may make enquiries about, the applicant’s character and standing, financial position and business training and experience. 21
22
23
24

Example— 25

The Corporation’s inquiries about an applicant’s suitability may include asking the Commissioner of the Police Service for a written report about the applicant’s criminal history. 26
27
28

(5) Subsections (2) to (4) do not limit the matters to which the Corporation may have regard in considering an application or the suitability of the applicant. 29
30
31

Inquiries about applicant’s criminal history	1
22.(1) If asked by the Corporation, the Commissioner of the Police Service must give the Corporation a written report about an applicant’s criminal history.	2 3 4
(2) Subsection (1) applies to the criminal history in the Commissioner’s possession or to which the Commissioner has access.	5 6
Grant of lottery licence	7
23.(1) If the Corporation decides to grant an application for a lottery licence, the Corporation must promptly give written notice to the applicant of its decision and invite the applicant to enter into an agreement with it about the conduct of business under the licence.	8 9 10 11
(2) The agreement must be in the form, and contain the terms, the Corporation considers appropriate, including, for example, the period of the licence and the way the agreement may be amended.	12 13 14
(3) The Corporation must promptly grant the licence to the applicant when—	15 16
(a) the agreement is entered into between the Corporation and the applicant; and	17 18
(b) the applicant has paid the licence fee prescribed by regulation.	19
(4) If an applicant does not enter into an agreement with the Corporation by the time stated in the invitation, or any later time allowed by the Corporation, the applicant is taken to have withdrawn the application.	20 21 22
Refusal to grant lottery licence	23
24.(1) If the Corporation decides to refuse to grant an application for a lottery licence, the Corporation must promptly give the applicant a written notice stating—	24 25 26
(a) the decision; and	27
(b) the reasons for the refusal including whether or not the Corporation refused the application because to have granted the application would not have been in the best interests of efficiently conducting a lottery or lotteries; and	28 29 30 31

- (c) that the applicant may appeal against the decision within 28 days to a District Court nearest the place where the applicant lives or proposes to carry on business under the licence. 1
2
3

(2) If the Corporation refused the application because to have granted it would not have been in the best interests of efficiently conducting a lottery or lotteries, the Corporation must explain, in its reasons, why it came to that conclusion. 4
5
6
7

Division 3—Provisions about lottery licences and licensees 8

Condition of lottery licence about written agreements 9

25. Each lottery licence is subject to a condition that the licensee must comply with any written agreements between the Corporation and the licensee. 10
11
12

Lottery licence cannot devolve, be transferred or lie dormant 13

26.(1) A lottery licence, and the authority conferred by a lottery licence, are not property that— 14
15

- (a) can devolve under law to a person; or 16
(b) can be sold, disposed of or transferred to a person. 17

(2) Without limiting subsection (1), a person who acquires a business to which a lottery licence is relevant does not become the holder of the licence or a licensee merely by acquiring the business but must apply to the Corporation for a lottery licence. 18
19
20
21

(3) If a licensee stops conducting a business to which a lottery licence relates, the licence ceases to be in force, and its holder ceases to be a licensee. 22
23
24

(4) This section is subject to section 27. 25

Lottery licences held by more than 1 person can be transferred 26

27.(1) This section applies if a lottery licence has been granted to more than 1 person. 27
28

(2) If 1 of the holders of the lottery licence dies, the licence continues and is taken to be held by the surviving holder or holders (the “**surviving holder**”).

(3) If 1 of the holders of a lottery licence sells his or her share in the business to which the licence relates to the other holder or holders of the licence, the licence continues and is taken to be held by the holder or holders who purchased the share (the “**purchasing holder**”).

(4) The Corporation may grant a replacement lottery licence to a surviving holder or purchasing holder.

Example—

If a couple are the licensees and one spouse dies, the surviving spouse continues as the licensee and the Corporation may grant a new lottery licence to the surviving spouse in his or her own name.

Executors or others may conduct business

28.(1) A person may apply to the Corporation for the person, or the person’s nominee, to be authorised to conduct business under authority of the lottery licence if the person—

- (a) is entitled to be appointed as the legal personal representative of a deceased licensee and intends to apply to be appointed; or
- (b) is entitled to administer the affairs of a licensee who is a bankrupt or has taken advantage of the laws about bankruptcy and is in possession of the premises from which the licensee carried on his or her business; or
- (c) is, according to law—
 - (i) the guardian of a licensee; or
 - (ii) the administrator or manager of the estate of a licensee, other than as mentioned in paragraph (a) or (b).

(2) If the Corporation considers the applicant or, if the applicant has nominated a nominee, the nominee is an adult who is a suitable person to conduct business under authority of the lottery licence, the Corporation may, in writing, authorise the applicant or nominee to conduct the business until the time stated in the authority.

(3) The decision whether a person is a suitable person to conduct

business under authority of the lottery licence must be made in the same way as the decision whether a person is a suitable person to hold a lottery licence. 1
2
3

(4) A person authorised under this section to conduct business under authority of a lottery licence is subject to the same liabilities under this Act as a licensee. 4
5
6

What happens if approval under s 28 not obtained 7

29. If an application under section 28 (Executors or others may conduct business)— 8
9

(a) is not made within 14 days after a person is entitled to apply; or 10

(b) is not granted by the Corporation; 11

the lottery licence to which an application (if made) would have related, or to which the application made relates, may be suspended under Division 4 (Suspension, cancellation and other actions). 12
13
14

Division 4—Suspension, cancellation and other actions 15

Grounds for suspension or cancellation 16

30.(1) Each of the following is a ground for the suspension or cancellation of a lottery licence— 17
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(a) the licence was obtained because of incorrect or misleading information; 19
20

(b) the licensee has contravened a condition of the licence; 21

(c) the licensee has committed an offence against this Act; 22

(d) the licensee is not, or is no longer, a suitable person to be a licensee. 23
24

(2) Each of the following is a ground for the immediate suspension of a lottery licence— 25
26

(a) the licensee has been charged with an offence against this Act; 27

(b) the Corporation believes on reasonable grounds that the licensee 28

-
- has fundamentally breached a written agreement between it and the licensee; 1
2
- (c) the licence may be suspended because of section 29 (What happens if approval under s 28 not obtained) and the Corporation considers it should be immediately suspended. 3
4
5
- (3)** The decision whether a person is a suitable person to continue to be a licensee must be made in the same way as the decision whether a person is a suitable person to hold the licence. 6
7
8
- (4)** A licensee **“fundamentally breaches”** a written agreement between the licensee and the Corporation if the licensee contravenes— 9
10
- (a) a term of a type declared by regulation to be a term to which subsection (2)(b) applies; or 11
12
- (b) a term the agreement identifies as fundamental to the agreement. 13

Procedure for suspension or cancellation 14

- 31.(1)** If the Corporation believes that a ground exists to suspend or cancel a lottery licence (the **“proposed action”**), the Corporation must give the licensee a written notice that— 15
16
17
- (a) states the proposed action; and 18
- (b) states the grounds for the proposed action; and 19
- (c) outlines the facts and circumstances forming the basis for the Corporation’s belief; and 20
21
- (d) if the proposed action is to suspend the licence—states the proposed suspension period; and 22
23
- (e) invites the licensee to show, within a stated time of at least 24
28 days, why the proposed action should not be taken. 25
- (2)** If, after considering all representations made within the stated time, the Corporation still believes a ground exists to take the proposed action, the Corporation may— 26
27
28
- (a) if the proposed action was to suspend the licence for a stated period—suspend the licence for not longer than the proposed suspension period; or 29
30
31

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-
- (b) if the proposed action was to cancel the licence— 1
- (i) cancel the licence; or 2
- (ii) suspend the licence for a period. 3
- (3) The Corporation must inform the licensee of the decision by written notice. 4 5
- (4) If the Corporation decides to cancel or suspend the licence, the notice must state— 6 7
- (a) the reasons for the decision; and 8
- (b) that the licensee may appeal against the decision within 28 days to a District Court nearest the place where the licensee lives or carries on business under the licence. 9 10 11
- (5) The decision takes effect on the later of the following— 12
- (a) the day the notice is given to the licensee; 13
- (b) the day stated in the notice. 14
- (6) If a lottery licence is for more than 1 lottery, the Corporation may only suspend or cancel the licence for all lotteries under it. 15 16

Procedure for immediate suspension 17

32.(1) The Corporation may immediately suspend a lottery licence on a ground mentioned in section 30(2) by written notice given to the licensee if the Corporation considers it is necessary to do so to protect members of the public or the integrity of a lottery or lotteries. 18 19 20 21

(2) The suspension takes effect immediately the notice is given to the licensee. 22 23

(3) The Corporation must at the same time give the licensee a notice under section 31 (Procedure for suspension or cancellation). 24 25

(4) The suspension has effect until the notice under section 31 is finally dealt with. 26 27

Turning off a gaming terminal 28

33. If the Corporation suspends or cancels a lottery licence, the 29

Corporation may disconnect the gaming terminal for the licence from the computer system.

Corporation’s power to remove lottery property

34.(1) This section applies when a lottery licence is cancelled or suspended.

(2) The Corporation may seize and remove lottery property that is under the licensee’s control.

(3) If the Corporation seizes or removes entry forms that—

(a) the Corporation previously sold to the licensee; and

(b) the licensee has not sold at the time of the seizure or removal;

the person seizing or removing the entry forms must give to the licensee a written notice detailing the entry forms seized or removed and including an undertaking by the Corporation to pay the licensee the amount that the licensee paid to the Corporation for the entry forms.

(4) The Corporation must try to exercise the power under this section by agreement with the licensee.

(5) In this section—

“**licensee**” includes a former licensee.

Division 5—Appeals

Right of appeal

35.(1) An applicant for a lottery licence may appeal against the Corporation’s decision to refuse to grant an application for the licence.

(2) A licensee may appeal against a decision of the Corporation to suspend or cancel the licence.

Time for making appeals

36.(1) An appeal by a person against a decision must be made within 28 days after a document setting out the decision was given to the person.

(2) However, if the document does not include a statement of reasons for the decision, the appeal may be made within 28 days after the person is given the statement of reasons.

(3) The court to which an appeal against a decision lies may extend the time for making an appeal.

Starting appeals

37. An appeal is started by—

- (a) filing a written notice of appeal with a District Court nearest the place where the appellant lives or carries on, or proposes to carry on, business under the licence; and
- (b) serving a copy of the notice on the Corporation.

Stay of operation of decisions

38.(1) A court to which an appeal against a decision lies may grant a stay of operation of the decision to secure the effectiveness of the appeal.

(2) A stay—

- (a) may be granted on the conditions the court considers appropriate; and
- (b) applies for the time the court specifies, but not extending beyond the time when the court decides the appeal; and
- (c) may be revoked or amended by the court.

(3) Apart from a stay of operation of a decision, an appeal does not affect the operation or carrying out of the decision.

Powers of court on appeal

39.(1) In deciding an appeal, a court—

- (a) has the same powers as the decision maker; and
- (b) is not bound by the rules of evidence; and
- (c) must comply with natural justice; and

-
- (d) may hear the appeal in court or in chambers. 1
- (2) An appeal is by way of rehearing. 2
- (3) The court may— 3
- (a) confirm the decision; or 4
- (b) set aside the decision and substitute another decision the court 5
considers appropriate; or 6
- (c) set aside the decision and return the issue to the decision maker 7
with the directions the court considers appropriate. 8
- (4) This section is subject to section 42 (Corporation’s decision about 9
efficient conduct of lotteries). 10

Effect of decision of court on appeal 11

40. If a court substitutes another decision, the substituted decision is, for 12
the relevant provisions of this Act, taken to be the decision of the decision 13
maker. 14

Procedure of District Court 15

41.(1) The power to make rules of court under the *District Courts 16
Act 1967* includes power to make rules of court for appeals to District 17
Courts under this Division. 18

(2) The procedure for an appeal to a District Court under this Division 19
is— 20

(a) in accordance with rules made under the *District Courts 21
Act 1967*; or 22

(b) in the absence of relevant rules, as directed by a Judge of the 23
Court. 24

(3) An appeal to the Court of Appeal from a decision of the District 25
Court may be made only on a question of law. 26

Corporation’s decision about efficient conduct of lotteries 27

42. If the Corporation’s decision to refuse to grant an application for a 28

lottery licence, or about a lottery licence, is based on the efficient conduct of
 lotteries, a District Court hearing an appeal from the decision must not upset
 or amend the decision merely because the District Court is not satisfied that
 the decision is based on the efficient conduct of lotteries.

Division 6—Surrender of licence and obligations when licence stops 5

Surrender of lottery licence 6

43.(1) A licensee who wishes to surrender a lottery licence must give to
 the Corporation written notice of the surrender. 7
 8

(2) The surrender of the licence takes effect— 9

(a) 42 days after the notice is given to the Corporation; or 10

(b) if the Corporation agrees in writing with the licensee to a day
 earlier than 42 days after the notice is given—on the earlier day; 11
 or 12
 13

(c) if a later day is specified in the notice—on the later day. 14

Obligation to account when lottery licence stops 15

44.(1) If a lottery licence is cancelled, suspended or surrendered, this
 section applies to the person who is or was the licensee. 16
 17

(2) The person must— 18

(a) pay as required all amounts that are, or become, payable by the
 person to the Corporation in relation to the licence or the business
 conducted under authority of the licence; and 19
 20
 21

(b) account for, and give up as required, all lottery property and
 records in the person's possession or control for the business
 conducted under authority of the licence. 22
 23
 24

(3) The person must give the licence to the Corporation within 7 days
 after the licence is cancelled, suspended or surrendered. 25
 26

Maximum penalty—10 penalty units. 27

(4) If a licence is suspended, the Corporation must return the licence to
 the licensee when the suspension ends. 28
 29

(5) A liability to the Corporation incurred by a person to whom this section applies is not affected because the licence ceases to be in force. 1
2

PART 4—CONDUCT OF LOTTERIES 3

Conduct of lotteries lawful 4

45.(1) The conduct of lotteries by the Corporation is lawful. 5

(2) If there is a law about gaming schemes or gaming that would make any of the following an offence, the law does not have effect to the extent necessary for the following to be lawful— 6
7
8

(a) anything done by or for the Corporation in the conduct of a lottery; 9
10

(b) subscribing for a lottery; 11

(c) doing anything else required or authorised to be done under this Act. 12
13

(3) This section has effect despite any other law that deals with gaming schemes or gaming. 14
15

Entry forms 16

46.(1) An entry form is evidence of the subscriber's right to take part in the lottery specified in the entry form or for which the entry form is used. 17
18

(2) An entry form remains the Corporation's property at all times. 19

Use of security codes and other tests to check entry forms and prizes 20

47.(1) The Corporation may use security codes or other tests for entry forms— 21
22

(a) to ensure that forged or fraudulently altered entry forms are not taken to be winning entries; and 23
24

(b) to provide a way of deciding whether an entry form is a winning 25

Lotteries

- entry and, if so, the amount of the prize. 1
- (2) The Corporation may record security codes on entry forms. 2
- (3) The Corporation may also put into effect tests for entry forms. 3
- (4) If the Corporation or a licensee decides that an entry form does not display a valid security code for the entry form, or satisfy other tests relevant to the entry form, the Corporation or licensee must not pay a prize for the entry form. 4
5
6
7
- (5) Subsection (4) has effect even though the entry form appears to be a valid winning entry. 8
9
- (6) The rules for a lottery must provide for the way in which security codes or other tests are to be used to decide whether an entry form is a winning entry and, if so, the amount of the prize. 10
11
12

Independent supervision of lotteries 13

- 48.(1) The Auditor-General must supervise— 14
- (a) the systems used to decide winning symbols and prize winners in a lottery to ensure the security and efficient operation of the systems including, for example, the codes and other tests mentioned in section 47 (Use of security codes and other tests to check entry forms and prizes); and 15
16
17
18
19
- (b) the operation of the systems for each lottery; and 20
- (c) the accuracy of the results for each lottery. 21
- (2) If the results of a lottery are to be decided by a drawing in another jurisdiction under the laws of the jurisdiction, the Auditor-General need not supervise the drawing. 22
23
24

Minimum amount of subscription to be paid as prizes 25

- 49.(1) The value of prizes to be distributed in a drawing of a lottery must be prescribed by regulation. 26
27
- (2) However, the value for a drawing must not be less than 50% of the total subscriptions for the drawing. 28
29

Bonus prize money

50.(1) A rule for a lottery may provide for putting aside an amount (“**bonus prize money**”) from the value of prize money to be distributed in a game of the lottery even though section 49 (Minimum amount of subscription to be paid as prizes) would not be complied with.

(2) Bonus prize money may be accumulated with bonus prize money for drawing in the same lottery or another lottery.

(3) Bonus prize money must be distributed from time to time in payment of a prize or an additional prize in a lottery.

(4) Until bonus prize money is distributed, it must be recorded in the Corporation’s accounts as a reserve.

(5) However, an accumulation of bonus prize money may be invested as part of the Corporation’s funds.

Claims for prizes

51.(1) During the licensee payment period for a lottery, a claim for payment of the prize in the lottery may be made to a licensee or the Corporation.

(2) After the licensee payment period for a lottery ends, a claim for payment of a prize in the lottery may be made only to the Corporation.

(3) A subscriber’s entitlement to claim a prize in a lottery continues until whichever of the following first happens—

(a) the prize is paid under the Act;

(b) the end of 7 years after the lottery closes even though the prize has been dealt with under section 53 (Disposal of unclaimed prizes that are property) or 54 (Unclaimed prizes generally).

(4) The rules of a lottery may provide that a person who is registered with the Corporation for the lottery need not make a claim for payment of a prize to which the person is entitled.

Payment of prizes

52.(1) If the holder of an entry form that has won a prize in a lottery

claims the prize and gives the entry form to the Corporation or a licensee, the Corporation or licensee may pay the prize to the person or as directed by the person.

(2) However, a licensee must not pay a claim for a prize that is more than the amount the licensee may pay under an agreement between the Corporation and licensee.

(3) The Corporation or a licensee need not inquire, and does not incur any liability for failing to inquire, into whether a person from whom an entry form is received—

(a) is the actual subscriber, or lawful holder, of the entry form; or

(b) is a minor or otherwise under a legal disability.

(4) After the licensee payment period ends, the Corporation may pay a prize to, or as directed by, a person registered with it whom the Corporation believes to be the subscriber to the prize winning entry.

(5) The obligation of the Corporation, or a licensee, to pay a prize in a lottery is fully complied with and discharged on payment of the prize under this Act.

Disposal of unclaimed prizes that are property

53.(1) This section applies to a prize in a lottery if—

(a) it is property other than money or entry forms in a lottery; and

(b) it is not paid under section 52 (Payment of prizes) within 3 months after the lottery closes.

(2) The Corporation—

(a) may dispose of the property by public auction or tender; and

(b) pay for the disposal from the proceeds of the sale; and

(c) must keep and deal with the remainder of the proceeds as if the remainder were the prize in the lottery.

(3) On disposal of a prize under subsection (2), entitlement to the prize is converted to an entitlement to the remainder kept under the subsection.

Unclaimed prizes generally

54.(1) If a prize in a lottery is not properly claimed or is not paid under section 52 (Payment of prizes), the Corporation must identify the amount of the prize in its accounting records as unclaimed prize money for 1 year after the closure of the lottery.

(2) After unclaimed prize money has been identified under subsection (1) for 1 year, the Corporation may use the money for the payment of a prize, or an additional prize, in a lottery.

(3) This section does not affect a person's entitlement to claim a prize in a lottery for 7 years after the closure of the lottery.

PART 5—FINANCIAL PROVISIONS**Application of Financial Administration and Audit Act 1977**

55. The Corporation is a statutory body within the meaning of the *Financial Administration and Audit Act 1977*.

Payments to the public accounts

56. The Corporation must, as directed by the Minister, pay into the public accounts amounts surplus to the Corporation's requirements.

Investment of funds

57.(1) This section is for the purpose of the Corporation investing amounts held by it that are not immediately required for performing its functions or paying into the public accounts.

(2) The Corporation is taken to be a statutory body for the purposes of Part 5 of the *Statutory Bodies Financial Arrangements Act 1982*.

PART 6—OFFENCES**Participation by minors prohibited**

58.(1) A person must not accept money for a lottery from a minor.

Maximum penalty—20 penalty units.

(2) It is a defence to a charge against subsection (1) to prove that the defendant had no reason to believe, and did not believe, that the person from whom the money for the lottery was accepted was a minor, and the operation of section 24 of the Criminal Code on the charge is excluded.

(3) In this section—

“money for a lottery” includes a subscription, selling fee or a contribution to a subscription or selling fee.

Ways of forecasting winning entries prohibited unless authorised

59.(1) A person must not, without the Corporation’s written approval, supply, for gain or reward, a device, method, plan, scheme or system—

(a) for which it is stated or implied by or for the person; or

(b) that implies, is calculated to imply or is likely to be taken as implying;

that, by its use, the chances of a person forecasting winning symbols, or making a winning guess, in a lottery can be improved.

(2) A person must not, without the Corporation’s written approval, publish or cause to be published an advertisement or notice that implies, is calculated to imply or is likely to be taken as implying, that the person will, or can, supply, for gain or reward, a device, method, plan, scheme or system that, by its use, the chances of a person forecasting winning symbols, or making a winning guess, in a lottery can be improved.

Maximum penalty—200 penalty units

Impersonation of licensee

60. A person must not, in Queensland or another jurisdiction, pretend to be a licensee.

Maximum penalty—200 penalty units.

Forgery and deception

61.(1) A person must not—

- (a) forge an entry form or other document (“**lottery document**”) of a type used by the Corporation for a lottery; or
- (b) knowingly utter a forged entry form or lottery document.

Maximum penalty—200 penalty units.

(2) A person forges a document if the person makes a false document, knowing it to be false, with the intention—

- (a) that it may be used or acted on, in the State or elsewhere, to the prejudice of a person; or
- (b) that a person may, in the belief that it is genuine, be induced to do, or refrain from doing, anything in the State or elsewhere.

(3) Without limiting subsection (2), a genuine document may become a false document because of—

- (a) an alteration of the document in a material respect; or
- (b) an addition to the body of the document in a material respect; or
- (c) an addition of a false date, signature, attestation, seal or other material matter.

(4) A person utters a document if, in the State or another jurisdiction, the person—

- (a) uses or deals with the document; or
- (b) attempts to use or deal with the document; or
- (c) induces a person to use, deal with or act on the document; or
- (d) attempts to induce a person to use, deal with or act on the document.

Offensive terms prohibited etc.

62.(1) A person must not give to the Corporation or a licensee, for inclusion on an entry form, the name of a subscriber, or another name or designation, that is obscene, indecent or offensive.

Maximum penalty—20 penalty units.

(2) The Corporation or a licensee may refuse to accept an entry form, name or designation that, in the opinion of the Corporation or licensee, is given in contravention of subsection (1).

Alteration of entry form prohibited unless authorised

63.(1) A person must not, without the Corporation's written authority change, or cause to be changed, a condition printed on an entry form.

Maximum penalty—200 penalty units.

(2) In this section—

“**change**” includes obliterate.

Unauthorised gaming schemes prohibited

64.(1) A person must not conduct a gaming scheme under a name that—

- (a) is the name by which a lottery is conducted; or
- (b) includes a word contained in a name by which a lottery is conducted.

(2) A person must not conduct, or permit to be conducted, a gaming scheme—

- (a) in which a prize-winner is decided by selection of a predecided number of symbols from a larger number of symbols; or
- (b) in which the selection of a predecided number of symbols is the way of deciding a numeral that decides a prize-winner.

(3) A person must not, without the Corporation's written authority, for a gaming scheme conducted by a foreign agency—

- (a) sell or offer for sale, or cause to be sold or offered for sale, an entry in the scheme; or

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- (b) accept, or cause to be accepted, an amount for the purchase or submission of an entry in the scheme. 1
2

(4) A person must not, without the Corporation's written authority, publish or cause to be published an advertisement or notice that promotes, is calculated to promote, or is likely to be taken as promoting, a gaming scheme conducted by a foreign agency. 3
4
5
6

Maximum penalty—200 penalty units. 7

Offences by certain persons 8

65.(1) This section does not apply to— 9

- (a) a person acting for the Corporation; or 10
(b) a licensee; or 11
(c) a person authorised in writing by the Corporation to do a thing proscribed by this section. 12
13

(2) A person must not, in the State or another jurisdiction— 14

- (a) for the person's gain or reward— 15
(i) induce anyone else to take part in a lottery; or 16
(ii) offer to anyone else an opportunity to take part in a lottery; 17
or 18
(iii) distribute or supply, or cause to be distributed or supplied, an entry form; or 19
20

- (b) advertise or publicly promote subscription to, or taking part in, a lottery. 21
22

(3) A person must not charge an amount for— 23

- (a) filling in an entry form; or 24
(b) depositing an entry form, directly or indirectly, with the Corporation; or 25
26
(c) submitting, or arranging for submission of, an entry form to the Corporation or a licensee; or 27
28
(d) accepting a subscription, a selling fee or part of a subscription or selling fee; or 29
30

- (e) collecting or distributing a prize. 1
- (4) A person must not, in Queensland or another jurisdiction, hold 2
himself or herself out, by advertisement or in another way, to be available to 3
perform a service mentioned in subsection (3). 4
- Maximum penalty—200 penalty units 5

Conduct excluded from s 65 offences 6

66.(1) A person does not commit an offence against section 65 if, 7
without payment to or as directed by the person of a fee, commission, 8
premium or other remuneration— 9

- (a) the person does something mentioned in section 65(2), (3) or (4) 10
under an arrangement, not involving payment of remuneration 11
made by the person with anyone else, under which they are to 12
take part in a lottery by way of an entry form; and 13
- (b) if the action mentioned in section 65(3) is accepting payment of 14
the whole or part of a subscription or selling fee— 15
- (i) the amount is paid to the Corporation or a licensee; and 16
- (ii) the entry form concerned is purchased or, if appropriate, is 17
filled in and given to the Corporation or a licensee. 18

(2) A person does not commit an offence against section 65(2)(a)(iii) if 19
the distribution or supply is to the Corporation or a licensee. 20

Certain persons must not charge more than amounts prescribed by regulations 21 22

67.(1) If the regulations have prescribed the subscription and selling fee 23
that a type of licensee may charge for an entry form in a lottery, the 24
following persons must not charge an amount for the entry form other than 25
the subscription and selling fee prescribed by the regulations— 26

- (a) a person acting for the Corporation; 27
- (b) a person authorised in writing by the Corporation to do a thing 28

proscribed in section 65 (Offences by certain persons); ²	1
(c) a licensee to whom the regulations apply.	2
Maximum penalty—200 penalty units	3
(2) In this section—	4
“charge” includes seek to charge.	5
Partially filled in entry forms not to be used	6
68.(1) A person (including a licensee) must not supply to someone else, as consideration for a payment made, a partially filled in entry form without the Corporation’s written authority.	7 8 9
Maximum penalty—200 penalty units.	10
(2) A person (including a licensee) must not apply to the use of someone else, as consideration for a payment made, a partially filled in entry form without the Corporation’s written authority.	11 12 13
Maximum penalty—200 penalty units.	14
(3) For the purposes of subsection (1), a partially filled in entry form is an entry form in which the predecided number of symbols appears as chosen before the entry form is supplied to the other person.	15 16 17
(4) For the purposes of subsection (2), a partially filled in entry form is an entry form for which the person to whose use the entry form is applied has had no opportunity to select the predecided number of symbols appearing in the form as chosen.	18 19 20 21
(5) For the purposes of this section, the predecided number of symbols is the number of symbols that, under a rule for a lottery, a participant in the lottery may select or forecast to win a prize.	22 23 24
Selling entry form after closure of lottery	25
69.(1) A person (including a licensee) must not sell an entry form in a lottery after its closure.	26 27

² Section 82 provides that this section does not apply to certain types of persons authorised by the Corporation as a transitional provision.

Maximum penalty—200 penalty units.	1
(2) In this section—	2
“sell” includes offer for sale.	3

Attempts to commit offences 4

70.(1) A person who attempts to commit an offence against this Act commits an offence.	5
	6

Maximum penalty—half the maximum penalty for committing the attempted offence.	7
	8

(2) Section 4 (Attempts to commit offences) of the Criminal Code applies to the attempt.	9
	10

Offences are summary offences 11

71. An offence against this Act is a summary offence.	12
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PART 7—MISCELLANEOUS 13

Evidentiary provisions 14

72.(1) This section applies to a proceeding under this Act.	15
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(2) Unless a party, by reasonable notice, requires proof of—	16
--	----

(a) the appointment of the chief executive officer; or	17
--	----

(b) the appointment of a person as an employee of the Corporation;	18
--	----

the appointment must be assumed.	19
----------------------------------	----

(3) A signature purporting to be the signature of the chief executive officer is evidence of the signature it purports to be.	20
	21

(4) A certificate purporting to be signed by the chief executive officer and stating any of the following matters is evidence of the matter—	22
	23

(a) a stated document is—	24
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Lotteries

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- | | | |
|-------|--|----------|
| (i) | a lottery licence; or | 1 |
| (ii) | an approval or authority from the Corporation; or | 2 |
| (iii) | an entry form; | 3 |
| (b) | on a stated day, or throughout a stated period, a stated person was or was not a licensee; | 4
5 |
| (c) | a lottery licence was, or was not, in force on a stated day or throughout a stated period; | 6
7 |
| (d) | on a stated day, a lottery licence— | 8 |
| (i) | was suspended for a stated period; or | 9 |
| (ii) | was cancelled; | 10 |
| (e) | a stated fee or other amount is payable by a stated person to the Corporation and has not been paid. | 11
12 |

Application or otherwise of certain Acts to Corporation 13

73.(1) The Corporation is— 14

- | | | |
|-----|--|----------|
| (a) | a unit of public administration under the <i>Criminal Justice Act 1989</i> ; and | 15
16 |
| (b) | an agency under the <i>Equal Opportunity in Public Employment Act 1992</i> ; and | 17
18 |
| (c) | a public authority under the <i>Libraries and Archives Act 1988</i> ; and | 19 |
| (d) | an agency under the <i>Parliamentary Commissioner Act 1974</i> . | 20 |

(2) The *Public Sector Management Commission Act 1990* and the *Public Service Management and Employment Act 1988* do not apply to the Corporation or its employees. 21
22
23

Corporation's seal 24

74.(1) The Corporation's seal is to be kept as directed by the chief executive officer and may be used only as authorised by the chief executive officer. 25
26
27

(2) The impressing of the seal to a document must be witnessed by the chief executive officer or a person authorised by the chief executive officer. 28
29

(3) Judicial notice must be taken of the imprint of the seal appearing on a document and the document must be taken to have been properly sealed unless the contrary is proved. 1
2
3

Authentication of documents 4

75. A document made by the Corporation (other than a document required by law to be sealed) is sufficiently authenticated if it is signed by the chief executive officer or a person authorised by the chief executive officer. 5
6
7
8

Rules 9

76.(1) The Corporation may, with the Minister's approval, make rules with respect to the conduct of, and prizes in, lotteries. 10
11

(2) A rule is subordinate legislation. 12

Regulations 13

77.(1) The Governor in Council may make regulations under this Act. 14

(2) Regulations may be made about the following— 15

(a) the functions and powers of the Corporation and the Board; 16

(b) applications for, and the granting of, lottery licences, including, for example, the matters to which the Corporation must have regard before granting a lottery licence; 17
18
19

(c) licence fees and fees fixed by the Corporation; 20

(d) the conduct of lotteries, including, for example, the disposition of subscriptions, payment of prizes and the Corporation's and licensees' rights and duties for lotteries, subscriptions and prizes; 21
22
23

(e) connecting a licensee to the computer system, including, for example, the supply, installation, operation and removal of gaming terminals; 24
25
26

(f) the duties of licensees, including, for example, keeping and producing records, and providing other information, to the Corporation; 27
28
29

-
- (g) lottery property; 1
- (h) amounts (other than application, licence or tender fees) that the Corporation may charge a licensee, including, for example, handling and delivery charges; 2
3
4
- (i) amounts payable by a person for an entry form including subscriptions and selling fees payable to licensees. 5
6
- (3) A regulation may create offences and prescribe penalties of not more than 100 penalty units for the offences. 7
8

PART 8—SAVINGS, TRANSITIONAL AND VALIDATION PROVISIONS 9 10

Meaning of “repealed Act” 11

78. In this Part— 12

“commencement” means commencement of this Part. 13

“repealed Act” means— 14

(a) the *Golden Casket Art Union Act 1978*; or 15

(b) the *Lotto Act 1981*; or 16

(c) the *Soccer Football Pools Act 1976*. 17

Continuation of existing ‘licences’ 18

79.(1) An agreement or other document that— 19

(a) evidences the appointment of a person as an agent under a repealed Act; and 20
21

(b) is in force immediately before the commencement; 22

has effect after the commencement, according to its terms, as if it were a lottery licence granted by the Corporation under this Act. 23
24

(2) This section expires 1 year after the commencement or, if another date is prescribed by regulation, on that date. 25
26

Savings

80.(1) The change in name and constitution of the corporation sole prescribed by this Act does not affect—

- (a) the continuity of employment of a person who, immediately before the commencement, held an appointment with or was employed by the Golden Casket Art Union Office and who continues to hold an appointment with or to be employed by the Corporation; or
- (b) the person's entitlements as an employee.

(2) An agreement made by or for the Golden Casket Art Union Office under or for the purposes of a repealed Act and in force immediately before the commencement is taken to be an agreement made by or for the Corporation.

(3) An agreement made about Soccer Football Pools and in force immediately before the commencement is taken to be an agreement made by the Corporation under this Act.

(4) A right claimed to arise from the conduct of a lottery by the Golden Casket Art Union Office before the commencement may be met by, and enforced against, the Corporation as if the lottery had been conducted under this Act.

(5) Every lottery being conducted, and not concluded, at the commencement is continued and concluded by the Corporation under this Act.

(6) Every fee, commission or charge fixed for a purpose under a repealed Act, and payable immediately before the commencement, continues to be the fee, commission or charge for the corresponding purpose under this Act until other provision is made under this Act.

(7) An obligation or indebtedness owed by a person under a repealed Act continues as an obligation or indebtedness of the person under this Act until it is discharged.

References to repealed Acts etc.

81.(1) This section applies to references in Acts and documents in existence at the commencement.

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- (2) A reference to the following Acts is taken to be a reference to this Act—
- *Golden Casket Art Union Act 1978*
 - *Lotto Act 1981*
 - *Soccer Football Pools Act 1976.*
- (3) A reference to the Golden Casket Art Union Office is taken to be a reference to the Corporation.

Application of s 67 delayed for certain mail order operators

82.(1) This section applies if—

- (a) before the commencement a person carried on a business of selling, by mail, entry forms in a lottery under the repealed Act in another jurisdiction; and
- (b) within 1 month after the commencement the person is authorised in writing by the Corporation to do a thing proscribed in section 65 (Offences by certain persons) so that the person may continue to sell entry forms in a lottery under this Act in another jurisdiction.

(2) Section 67 (Certain persons must not charge more than amounts prescribed by regulations) does not apply to the person, or the person's employees, for actions under the written authority.

(3) This section expires 2 years after commencement or, if another date is prescribed by regulation, on that date.

Existing regulations

83.(1) The regulations in force under a repealed Act immediately before the commencement remain in force, subject to amendment or repeal by a regulation under this Act, for the purposes of this Act and are to be read with the changes necessary to make them consistent with this Act and adapt their operation to the provisions of this Act.

(2) The regulations mentioned in subsection (1), and this section, expire 1 year after the commencement.

Existing rules

84. The rules for a lottery in force under a repealed Act immediately before the commencement remain in force, subject to amendment or repeal by a rule for the lottery under this Act, for the purposes of this Act and are to be read with the changes necessary to make them consistent with this Act and adapt their operation to the provisions of this Act.

(2) The rules for a lottery mentioned in subsection (1), and this section, expire 1 year after the commencement.

Authority for certain activities and expenditures of Golden Casket Art Union Office

85.(1) The following activities and expenditures by the Office during the financial years 1991–92, 1992–93, 1993–94 and 1994–95 are taken to have been authorised by law at the time the activity was engaged in or the expenditure made—

- (a) the development of, and expenditure for, a system of paying accounts through agents known as the Government Revenue Collection System; and
- (b) the development of, and expenditure for, opportunities outside of Queensland for contracts for the art union known as Instant Casket.

(2) The Office is also authorised by law to engage in an activity, and make expenditure for a matter, mentioned in subsection (1)(b) after the date of assent and before the commencement.

(3) In this section, the following terms have the same meaning as they have under the *Golden Casket Art Union Act 1978*—

- agent
- art union
- Instant Casket
- Office.

(4) This section is enacted to remove any doubt and expires 1 year after it commences.

PART 9—REPEALS AND AMENDMENTS

1

Acts repealed

2

86. The Acts in Schedule 1 are repealed.

3

Act amended

4

87. Schedule 2 amends the Act mentioned in it.

5

**SCHEDULE 1**

1

ACTS REPEALED

2

section 86

3

Golden Casket Art Union Act 1978 No. 19

4

Golden Casket Art Union Acts and Another Act Amendment Act 1984
No. 40

5

6

Golden Casket Act Union Amendment Act 1993 No. 43

7

Lotto Act 1981 No. 59

8

Lotto Act Amendment Act 1984 No. 1

9

Lotto Amendment Act 1993 No. 3

10

Soccer Football Pools Act 1976 No. 33

11

Soccer Football Pools Act Amendment Act 1982 No. 46

12

SCHEDULE 2	1
ACT AMENDED	2
section 87	3
STAMP ACT 1894	4
Section 72A—	5
<i>omit.</i>	6
	7