

LOTTERY AND GAMING ORDINANCE 1965

No. 19 of 1965

An Ordinance to amend the *Lottery and Gaming Ordinance 1940-1964*

[Assented to 31st May, 1965.]

BE it ordained by the Legislative Council for the Northern Territory of Australia, in pursuance of the powers conferred by the *Northern Territory (Administration) Act 1910-1962*, as follows:—

Short title
and citation.

1.—(1.) This Ordinance may be cited as the *Lottery and Gaming Ordinance 1965*.

(2.) The *Lottery and Gaming Ordinance 1940-1964* is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Lottery and Gaming Ordinance 1940-1965*.

2. Section ninety-four AR of the Principal Ordinance is repealed and the following sections are inserted in its stead:—

Absence of
bookmak r.

“94AR.—(1.) A licensed bookmaker shall not have his licensed premises open for business on any day when he is not in attendance to supervise the conduct of the business unless he has first obtained permission in accordance with this section for a person to act for him during his absence.

Penalty: Twenty pounds.

“ (2.) A person wishing to obtain permission under this section for another person to act for him during his absence may make an application to the Board.

“ (3.) An application under this section shall be accompanied by references from three householders in the district as to the personal character of the person proposed to be permitted to act for the holder of the licence during his absence.

“ (4.) A person who has made an application under this section shall attend before the Board, at a time and place notified to him by the Board, with—

(a) a member of the Police Force in charge of a Police Station in the area in which the licensed premises are situated; and

(b) the person he wishes to be permitted to act for him during his absence.

“ (5.) The Board shall hear—

(a) any evidence offered by the member of the Police Force on whether the person proposed to be permitted to act is a desirable person to act for the holder of the licence; and

(b) any evidence offered by the person so proposed in reply to the evidence of that member of the Police Force.

“ (6.) If the Board in its discretion deems the person so proposed to be a desirable person to act for the holder of the licence and if that person has not previously been refused a licence on personal grounds by the Board, the Board may grant a certificate permitting that person to act for the holder of the licence during his absence for such time, not exceeding twelve months, as the Board in its discretion, allows.

“ (7.) The person so permitted shall cause a notice stating—

(a) the fact that the permission has been granted;

(b) the period for which the permission has been granted; and

(c) his name,

to be displayed prominently on the licensed premises at all times during which those premises are opened for business during the absence of the person for whom he is permitted to act.

Penalty: Twenty pounds.

“ (8.) A person so permitted has the same duties and is liable to the same extent as if he were the holder of a licence under this Ordinance and the licence of the person for whom he is permitted to act were his licence.

“ (9.) Where an act or omission of a person permitted under this section to act for the holder of a licence constitutes a contravention of or failure to comply with a provision of this Ordinance, the holder of the licence is liable as if the act or omission were his act or omission.

“ (10.) The last preceding sub-section applies to and in relation to every act and omission, notwithstanding that the act or omission may have been done or have occurred without the knowledge of the holder of the licence or in contravention of or failure to comply with his instructions.

Appeal against
refusal to
grant
certificate.

“94AAR.—(1.) Where the Board refuses to grant an application for a certificate under the last preceding section, the Board shall give notice of the refusal to the applicant in writing and the applicant may request the Administrator to review that refusal.

“ (2.) A request under the last preceding sub-section shall—

(a) be in writing;

(b) state the grounds of the request; and

(c) be lodged with, or served by post, on the Administrator within fourteen days after notice of the refusal is given to the applicant.

“ (3.) The Administrator, after consideration of the grounds stated in the request, the application made for the certificate and any information furnished in support of that application, and after making such further inquiries as he thinks fit, may direct the Board to grant the certificate or confirm the refusal of the Board to grant the certificate.

“ (4.) The decision of the Administrator under the last preceding sub-section is final.

“ (5.) Where the Administrator directs the Board to grant the applicant a certificate, the Board shall comply with the direction.”
