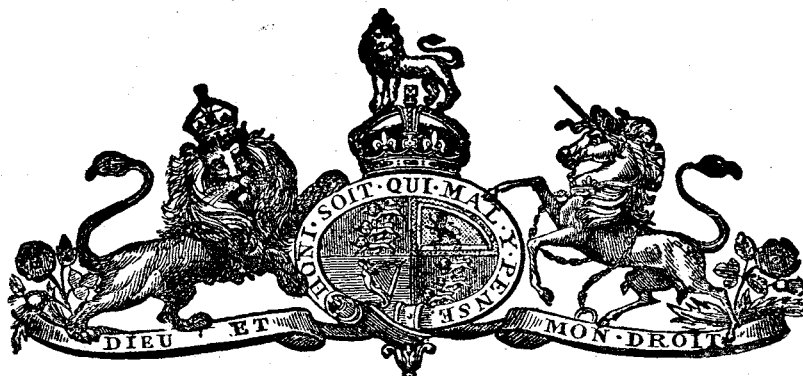


## T A S M A N I A.



1921.

ANNO DUODECIMO

GEORGII V. REGIS.

No. 4.

## ANALYSIS.

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| <ol style="list-style-type: none"> <li>1. Short title and incorporation with 6 Geo. V. No. 30.</li> <li>2. Amendment of Section 3 of the said Act.</li> <li>3. Persons loitering in street.</li> <li>4. Witnesses not to claim privilege on ground of evidence tending to incriminate.</li> <li>5. Repeal and re-enactment of Section 7 of the said Act.<br/>Persons suspected of betting may be removed by police constable from sports ground.</li> <li>6. Repeal and re-enactment of Section 8 of the said Act.</li> </ol> | <p>Sporting club may warn bookmaker, &amp;c., not to be present at sports.<br/>Notice to be served personally.<br/>Notice may be cancelled.<br/>Persons attending sports in contravention of Subsection (6) may be arrested, &amp;c.<br/>Persons warned by notice not to attend sports.</p> <ol style="list-style-type: none"> <li>7. Police constable acting under Sections 7 or 8 not to be guilty of an offence.</li> <li>8. Repeal and re-enactment of Section 13 of the said Act.<br/>No prosecution after 60 days.</li> </ol> |
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AN ACT to amend "The Suppression of Public Betting and Gaming Act, 1915," and for other purposes. [21 September, 1921.]

A.D.  
1921.

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 This Act may be cited as "The Suppression of Public Betting and Gaming Act, 1921," and shall be incorporated and read as one with "The Suppression of Public Betting and Gaming Act, 1915," hereinafter referred to as the said Act.

Short title and incorporation with 6 Geo. V. No. 30.

*Betting and Gaming Amendment.*

A.D. 1921.

Amendment of  
Section 3 of the  
said Act.

**2** Section Three of the said Act is hereby amended by striking out the words "any shop open for the purpose of trade" in the definition of "public place" in that section, and inserting the following words in lieu thereof:

"Any banking house, warehouse, factory, shop, office, room, building, erection, booth, or tent wholly or partly used for the purpose of, or in connection with, the carrying on or transaction of any trade, manufacture or business,"

Persons loitering  
in street.  
Cf. S.A. No. 1285  
of 1917, s. 40.

**3** Section Four of the said Act is hereby amended by inserting the following subsection at the end thereof:—

"(3) No person standing in any street shall refuse or neglect to move on when requested by a police constable so to do, or shall loiter (whether such loitering shall cause or tend to cause any obstruction to traffic or not) in any street or in any place to which the public are permitted to have access, tacitly or otherwise, and whether upon payment of money or not, after a request having been made to him by a police constable not to so loiter."

For the purposes of this subsection the expression "street" shall mean and include every public street, thoroughfare, private street, or road commonly used by or to which the public are permitted to have access.

Penalty : Twenty Pounds or imprisonment for Two months.

Witnesses not to  
claim privilege on  
ground of evidence  
tending to incriminate.  
Cf. *Ibid.*, s. 70.

**4** After section Six of the said Act the following Section is inserted :—

"**6a**—(1) No person (other than the defendant) required to be examined as a witness in the hearing of any information laid in relation to any offence alleged to have been committed against the provisions of this Act, or any of them, shall be excused from being so examined, or from answering any question or questions put to him as such witness, on the grounds that his evidence, or the answer to any question or questions might tend to incriminate him or render him liable to a prosecution.

(2) Any such person so required to be examined who refuses to make oath or affirmation accordingly or to answer any question or questions shall be liable to the same penalties and to be dealt with in all respects as any witness may be dealt with for refusing to be sworn or to give evidence.

(3) Every such person so required to be examined, who shall upon such examination make a true and faithful discovery to the best of his knowledge of all matters as to which he is examined, shall receive from the adjudicating police magistrate or justices a certificate in writing to that effect, and thereupon, but not otherwise, be freed from all prosecution, penalties, and punishment to which he might have been or become liable in respect of the matters touching which he has been so examined.

*Betting and Gaming Amendment.*

**5** Section Seven of the said Act is hereby repealed, and the following section substituted therefor :—

“**7**—(1) Any committee or other governing body of any sporting club for the time being, having the use, occupancy, or control of any ground being used for the purpose of any sports, may require any police constable to without warrant arrest and remove, and such police constable shall thereupon arrest and remove from such ground any person who by such committee or other governing body shall be suspected of being or having been on that day engaged on such ground in betting in contravention of this Act.

(2) No person shall re-enter or be again upon such ground after such removal, and during the same day on which he shall have been so removed.

Penalty not less than Ten Pounds and not exceeding Fifty Pounds or imprisonment not exceeding One month.

**6** Section Eight of the said Act is hereby repealed, and the following section substituted therefore :—

“**8**—(1) Any sporting club may, by notice in writing under the hand of the secretary of the club, warn any person known by the committee or other the governing body of the club to be or suspected by them of being a bookmaker, or known by them to make or suspected by them of making a practice of betting in contravention of the provisions of this Act, not to attend or to be present at any sports promoted, held, conducted, or controlled by that club, and that he will not be admitted to any ground on which any such sports are about to be or may at any time thereafter be held or conducted.

(2) Any such notice shall be served on the person to be warned personally.

(3) Any sporting club may at any time cancel and rescind any such notice as aforesaid, if it is satisfied that there is no reason for allowing the same to remain in operation.

(4) The provisions of this section shall extend and apply to every ground, whether it is or is not the property of or in the occupation of the club having the use or control thereof, and whether it is or is not subject to any right of public use or entry.

(5) Any person who attends or is present at any sports in contravention of the next following subsection shall be liable to arrest without warrant and the secretary under whose hand notice was given to such person may require any police constable to without warrant arrest, and such police constable shall thereupon arrest and take such person before a police magistrate or two or more justices to be dealt with according to law.

(6) No person warned as aforesaid shall, until the notice given to him in pursuance of Subsection (1) be cancelled or rescinded by the club giving the same, attend or be present at any sports promoted, held, conducted, or controlled by such club.

Penalty : Fifty Pounds or imprisonment not exceeding One month.

A.D. 1921.

Repeal and re-enactment of Section 7 of the said Act.

Persons suspected of betting may be removed by police constable from sports ground.

Repeal and re-enactment of Section 8 of the said Act.

Sporting club may warn bookmaker, &c., not to be present at sports.

Notice to be served personally.

Notice may be cancelled.

Persons attending sports in contravention of Subsection (5) may be arrested, &c.

Persons named by notice not to attend sports.

*Betting and Gaming Amendment.*

A.D. 1921.

Police constable acting under Sections 7 or 8 not to be guilty of an offence.

Repeal and re-enactment of Section 13 of the said Act.

No prosecution after 60 days.

**7** After Section Eight of the said Act the following section is inserted :—

“**8a**—Any police constable acting in accordance with instructions given under either of the last Two preceding sections, shall not be deemed guilty of an offence, or be liable to any fine, penalty, imprisonment, or in damages, in consequence of so acting.”

**8** Section Thirteen of the said Act is hereby repealed, and the following section substituted therefor :—

“**13** No prosecution for an offence against the provisions of this Act shall be commenced after the expiration of Sixty days from the time of the commission of the alleged offence.’