

South Australia

Lottery and Gaming Variation Regulations 2008

under the *Lottery and Gaming Act 1936*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Lottery and Gaming Variation Regulations 2008*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Lottery and Gaming Regulations 2008*

4—Variation of regulation 3—Interpretation

Regulation 3(1)—after the definition of *net proceeds* insert:

participation lottery means a lottery conducted by an association—

- (a) in which only members, or a class of members, of the association have a right to participate; and

- (b) where participation in the lottery does not depend on the payment of an entrance fee or other benefit (other than payment of any membership fee to become a member of the association);

5—Insertion of regulation 9A

After regulation 9 insert:

9A—Participation lotteries

A participation lottery is an exempted lottery for the purposes of the Act if—

- (a) the total value of all the prizes does not exceed \$5 000; and
- (b) the lottery is conducted by an association on its own behalf; and
- (c) the prizes do not include any prohibited goods or services; and
- (d) the right to participate in the lottery is not dependent on the purchase of any goods or services; and
- (e) the association, in conducting the lottery, complies with the participation lottery rules set out in regulation 29A.

6—Variation of regulation 24—Major lottery rules

Regulation 24(r)—delete "no later than 7 days"

7—Variation of regulation 26—Major bingo session rules

Regulation 26(t)—delete paragraph (t) and substitute:

- (t) the total value of the prizes in every session of bingo must not be less than 20% of the gross proceeds of the session (less any amount for a jackpot);

8—Insertion of regulation 29A

After regulation 29 insert:

29A—Participation lottery rules

The rules with which an association must comply in relation to conducting a participation lottery are as follows:

- (a) the lottery must be drawn on the date and at the time and place specified in any terms and conditions of the lottery published to members of the association;
- (b) the lottery must not be conducted in a gaming area (within the meaning of the *Gaming Machines Act 1992*);
- (c) winners must—

- (i) if the terms and conditions of the lottery include a requirement that winners be present at the draw to claim their prize—be allowed a period of not less than 15 minutes after the draw to claim their prize; or
- (ii) in any other case—be allowed a reasonable opportunity to claim their prize.

9—Variation of Schedule 2—Financial statements

Schedule 2, Part 2, (d)(iv), (v) and (vi)—delete subparagraphs (iv), (v) and (vi) and substitute:

- (iv) the total value of the prizes in each session; and
- (v) the amount of the jackpot (if any) for each session;

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 18 September 2008

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