

South Australia

## State Lotteries Act 1966

An Act to provide for the promotion and control of lotteries by the Government of the State; and for other purposes.

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### Legislative history

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## The Parliament of South Australia enacts as follows:

### 1—Short title

This Act may be cited as the *State Lotteries Act 1966*.

### 3—Interpretation

- (1) In this Act, unless the context otherwise requires—

*Australian lotteries body* means—

- (a) a body performing a function corresponding to that of the Commission, constituted under the law of another State or Territory of the Commonwealth; or
- (b) a body declared by the Minister by notice in the Gazette to be included within the ambit of this definition;

*Authority* means the Independent Gambling Authority established under the *Independent Gambling Authority Act 1995*;

*Commissioner* means the Commissioner appointed to the Commission under section 4 and includes an Acting Commissioner appointed under section 9;

*foreign lotteries body* means—

- (a) a body performing a function corresponding to that of the Commission, constituted under the law of a jurisdiction outside of the Commonwealth; or
- (b) a body declared by the Minister by notice in the Gazette to be included within the ambit of this definition;

*lottery* includes any scheme or device for the gift, disposal or distribution of prizes depending upon or to be determined by lot or drawing (whether out of a box or other receptacle) or to be determined by any manner of chance whatsoever (whether or not an element of knowledge or skill is also involved);

*net proceeds* of a sports lottery, special lottery or special appeal lottery conducted by the Commission, means an amount equal to the difference between the total value of the tickets sold in the lottery and the total value of the prizes won in the lottery less an amount approved by the Minister for the administrative and operating expenses of the Commission in conducting the lottery;

*prize*, in relation to a lottery, means any money or thing of value, or any right to or share in any money or thing of value, provided for gift, disposal or distribution to persons entering the lottery;

*special appeal lottery*—see section 13AB;

*special lottery*—see section 13AA;

*sports lottery* means a lottery the results of which depend on the outcome of a sporting or recreational activity;

*the Commission* means the Lotteries Commission of South Australia constituted pursuant to this Act;

*the Hospitals Fund* means the fund of that name kept at the Treasury and continued in existence under this Act;

*the Lotteries Fund* means the account of that name kept by the Commission pursuant to this Act;

*the Recreation and Sport Fund* means the fund of that name kept at the Treasury and continued in existence under this Act;

*the rules of the Commission* means rules made by the Commission pursuant to section 18;

*ticket*, in relation to a lottery, means a ticket, coupon, token or other thing sold or issued by the Commission to a person entering the lottery and by reference to which entitlement to any prize or prizes in the lottery may be determined.

- (2) A reference in this Act to a lottery promoted or conducted by the Commission includes a lottery promoted or conducted by the Commission jointly with—
  - (a) an Australian lotteries body; or
  - (b) a foreign lotteries body.
- (3) For the purposes of this Act, a reference to *money* received by the Commission, *net gambling revenue*, *net proceeds* or *prize* in relation to a lottery or lotteries will, in the case of a lottery conducted by the Commission jointly with another body, be taken to be a reference to the part of the money, revenue, proceeds or prize that is related to the Commission's functions under this Act relating to the lottery.
- (4) The Minister may, by notice in the Gazette—
  - (a) declare a body to be included within the ambit of the definition of *Australian lotteries body*; or
  - (b) declare a body to be included within the ambit of the definition of *foreign lotteries body*; or
  - (c) vary or revoke a declaration under this subsection.

#### 4—Constitution of Commission

- (1) The *Lotteries Commission of South Australia* is established.
- (2) The Commission—
  - (a) is a body corporate with perpetual succession and a common seal; and
  - (b) subject to this Act, is capable of acquiring, taking or letting out on lease, holding, selling and otherwise disposing of real and personal property; and
  - (c) may in its name sue and be sued; and
  - (d) holds its property for and on behalf of the Crown; and
  - (e) has the powers, duties, functions and authorities conferred, imposed or prescribed by or under this Act.
- (3) The Commission is subject to the direction and control of the Minister.
- (4) All courts and persons acting judicially shall take judicial notice of the common seal of the Commission affixed to any document and shall presume that it was duly affixed.
- (5) The Commission will be constituted of a Commissioner appointed by the Governor.

- (8) The office of the Commissioner may be held in conjunction with any other appointment or office under the Government.

### **5—Term of office of Commissioner**

- (1) The Commissioner will be appointed for a term of office not exceeding five years determined by the Governor.
- (2) On the expiration of his or her term of office as the Commissioner, a person will be eligible for re-appointment.
- (3) The Commissioner is a senior official for the purposes of the *Public Sector (Honesty and Accountability) Act 1995*.

### **6—Removal from office**

- (1) The Governor may remove the Commissioner from office on the recommendation of the Minister.
- (2) The Minister may recommend the removal of the Commissioner on any ground that the Minister considers sufficient.

### **8—Vacancy in office of Commissioner**

- (1) The office of the Commissioner becomes vacant if—
  - (a) the Commissioner dies; or
  - (ab) the Commissioner's term of office expires; or
  - (b) the Commissioner resigns by written notice given to the Minister; or
  - (c) the Commissioner is removed from office by the Governor pursuant to section 6; or
  - (e) the Commissioner becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors or compounds with the Commissioner's creditors for less than one hundred cents in the dollar; or
  - (f) the Commissioner is convicted of any indictable offence; or
  - (g) the Commissioner is convicted of any other offence and receives a notice in writing from the Minister discharging the member from office on the ground of that conviction.
- (2) Upon the office of the Commissioner becoming vacant, a person will be appointed in accordance with this Act to the vacant office, but where the office of the Commissioner becomes vacant before the expiration of the term for which the Commissioner was appointed, a person appointed to fill the vacancy will hold office for the balance of the term of his or her predecessor.

### **9—Acting Commissioner**

- (1) If the Commissioner is temporarily absent or unable to perform official functions, the Minister may appoint an Acting Commissioner to act in the office of the Commissioner and a person so appointed has, while so acting, all the functions and powers of the Commissioner.
- (2) The terms and conditions of appointment of an Acting Commissioner will be as determined by the Minister.

- (3) The Acting Commissioner is a senior official for the purposes of the *Public Sector (Honesty and Accountability) Act 1995*.

### **11—Validity of acts of Commission**

No act, proceeding or determination of the Commission is invalid on the ground only of any vacancy in the office of the Commissioner or of any defect in the appointment of the Commissioner.

### **13—Powers and functions of Commission**

- (1) Subject to this Act and the directions of the Minister not inconsistent with this Act, the Commission may—
- (a) promote and conduct lotteries; and
  - (ab) promote and conduct lotteries jointly with an Australian lotteries body; and
  - (ac) with the approval of the Minister, promote and conduct lotteries jointly with a foreign lotteries body; and
  - (b) employ, or appoint, on such terms and conditions as it thinks fit, and terminate the services of, officers, servants and agents; and
  - (c) delegate to any officer of the Commission any of the powers, duties, functions and authorities of the Commission except this power of delegation; and
  - (ca) carry out such other functions as are assigned to it by this Act or by or under any other Act; and
  - (cb) carry out such other functions as are assigned to it by the Minister; and
  - (d) do or cause to be done such other things as are necessary or convenient for the administration of this Act or the affairs of the Commission or to give effect to the objects of this Act.
- (2) The Commission may, or, if so required by the Minister, must, at any time, revoke any delegation made pursuant to paragraph (c) of subsection (1).
- (3) The Commission may, with the approval of the Minister, under an arrangement established by the Minister administering an administrative unit of the Public Service, make use of the services or staff of that administrative unit.
- (4) The Commission is declared not to be a national system employer for the purposes of the *Fair Work Act 2009* of the Commonwealth.

### **13AA—Special lotteries**

The Minister may direct the Commission to conduct as part of its lotteries for a specified financial year a series of lotteries to be known as *special lotteries*.

### **13AB—Special appeal lotteries**

- (1) The Minister may direct the Commission to conduct in a specified financial year a lottery or lotteries to be known as *special appeal lotteries*.
- (2) The Minister must specify a body or bodies established or incorporated in the State for an approved purpose to be the beneficiary or beneficiaries of the net proceeds of each special appeal lottery.

- (3) The Minister may specify a period of not less than 1 month within which prizes in a special appeal lottery must be collected or taken delivery of for the purposes of section 16B(1).
- (4) If more than 1 body is specified as a beneficiary under subsection (2) in relation to a special appeal lottery, the Minister must specify the proportion of the net proceeds of, and the unclaimed prizes in, the lottery to which each body is entitled, and any payments to be made to the bodies under this Act must be divided between the bodies in those proportions.
- (5) The Commission must, on each ticket in a special appeal lottery, specify the proportion of the net proceeds of the lottery that is to be paid to the beneficiaries of the lottery.
- (6) In this section—  
*approved purpose* means—
  - (a) the relief of disabled, sick, homeless, unemployed or otherwise disadvantaged persons, or the dependants of such persons; or
  - (b) the relief of distress caused by natural disaster, war or civil unrest (whether occurring in the State or elsewhere); or
  - (c) the provision of welfare services for animals; or
  - (d) the support of medical or other scientific research that is likely to benefit South Australians; or
  - (e) any other purpose approved by the Minister.

### **13A—Borrowing and investment powers of Commission**

- (1) For the purpose of the exercise of its powers or the performance of its functions the Commission may borrow money from the Treasurer, or with the consent of the Treasurer, from any person.
- (2) Any liability incurred with the consent of the Treasurer referred to in subsection (1) is hereby guaranteed by the Treasurer.
- (3) Any liability incurred by the Treasurer under a guarantee arising by virtue of subsection (2) is to be satisfied out of the Consolidated Account, which is appropriated to the necessary extent.
- (4) Any money held by the Commission that is not immediately required for any other purpose may be invested by the Commission in such manner as may be approved by the Treasurer.

### **13B—Codes of practice etc**

- (1) For the purposes of this Act, the Authority may, by notice in the Gazette, prescribe—
  - (a) advertising codes of practice; and
  - (b) responsible gambling codes of practice; and
  - (c) requirements for systems and procedures designed to prevent the purchase of lottery tickets, and participation in lotteries, by children using the telephone, Internet or other electronic means.

- (2) Without limiting the generality of subsection (1)(b), a responsible gambling code of practice may—
- (a) require the Commission to provide information at offices, branches and agencies of the Commission regarding responsible gambling, the availability of services to address problems associated with gambling (including barring orders) and any other matter under this Act, whether by—
    - (i) signs and warning notices; or
    - (ii) the use of audio, visual, or electronic means,
 in accordance with any requirements specified in the code; and
  - (b) make provision relating to the duty to make barring orders under Part 4 of the *Independent Gambling Authority Act 1995*; and
  - (c) make provision relating to the duty to identify and assist problem gamblers; and
  - (d) deal with training of staff with respect to responsible gambling practices and the services available to address problems associated with gambling; and
  - (e) require accounts to be kept for persons who participate in lotteries or purchase lottery tickets by telephone, Internet or other electronic means; and
  - (f) include other matters designed to reduce the incidence of problem gambling.
- (3) The provisions of a code of practice may be of general, limited or varied application according to—
- (a) the classes of person or lottery; or
  - (b) the circumstances; or
  - (c) any other specified factor,
- to which the provision is expressed to apply.
- (4) The Authority may, by subsequent notice in the Gazette, vary or revoke a notice under this section.
- (5) Sections 10, 10AA and 10A of the *Subordinate Legislation Act 1978* apply to a notice published in the Gazette under this section as if it were a regulation within the meaning of that Act.
- (6) The Authority must review the codes of practice prescribed under this section at least every 5 years.
- (7) In preparing and reviewing codes of practice, the Authority must seek and consider written submissions from the Commission, any Australian lotteries body with whom the Commission jointly conducts lotteries, a body representative of lottery agents and interested members of the public.
- (8) A code of practice prescribed under this section may be incorporated with any other codes of practice that may be prescribed by the Authority under any other Act.

### **13C—Compliance with codes of practice**

The Commission must ensure, in the performance of its functions, that the Commission conforms with the matters prescribed under section 13B(1).

## 14—Subscribers and other persons to be free from penalties etc

- (1) Despite any other Act or law—
  - (a) the promotion and conduct of any lottery under and in accordance with this Act and the doing of anything incidental or ancillary to such promotion and conduct is lawful; and
  - (b) any person who subscribes or contributes to, or purchases a ticket in, any such lottery or who acts under the authority or on behalf of such a subscriber, contributor or purchaser and any person who acts under the authority or on behalf of the Minister or the Commission under this Act or who carries out any duties or functions in relation to or in connection with the promotion or conduct of a lottery under this Act is freed and discharged from all penalties, suits, prosecutions and liabilities to which by law the person would be liable, but for this Act, by reason of so subscribing, contributing, purchasing or acting or so carrying out such duties or functions, as the case may be.
- (2) A lottery promoted or conducted under this Act by the Commission will be taken not to be a lottery or a sweepstake within the meaning of the *Lottery and Gaming Act 1936* and the subscription or contribution to, or the purchase of a ticket in, any such lottery or the doing of anything under the authority or on behalf of the Minister or the Commission under this Act or the carrying out of any duties or functions in relation to or in connection with the promotion or conduct of a lottery by the Commission will be taken not to be unlawful gaming within the meaning of that Act.

## 16—The Lotteries Fund

- (1) The Commission must establish an account to be known as the "Lotteries Fund" at an ADI in this State, being an account and ADI approved by the Treasurer.
- (2) The Commission must pay into the Lotteries Fund all money received by the Commission.
- (3) The Lotteries Fund must be applied by the Commission as follows:
  - (a) in payment of prizes in lotteries and for the purpose of holding money in reserve for the payment of prizes in lotteries; and
  - (b) in payment of the GST in respect of net gambling revenue; and
  - (c) in payment to the Recreation and Sport Fund of 41 per cent of net gambling revenue in respect of all sports lotteries and special lotteries conducted by the Commission; and
  - (ca) in payment to the body or bodies specified by the Minister under section 13AB(2) as the beneficiary or beneficiaries of a particular special appeal lottery of—
    - (i) an amount equal to the net proceeds in respect of the special appeal lottery less the GST paid or payable in respect of the lottery; and
    - (ii) the amount of any unclaimed prizes in respect of the lottery; and
  - (d) in payment to the Hospitals Fund of 41 per cent of net gambling revenue in respect of all lotteries conducted by the Commission except sports lotteries, special lotteries and special appeal lotteries; and



- (e) in payment of amounts approved by the Minister for the capital, administrative and operating expenses of the Commission; and
  - (f) for the purposes of the Unclaimed Prizes Reserve under section 16C; and
  - (g) in payment to the Recreation and Sport Fund, at intervals determined by the Treasurer, of an amount equivalent to the net proceeds of all sports lotteries and special lotteries conducted by the Commission less—
    - (i) the GST paid or payable in respect of those lotteries; and
    - (ii) the amounts paid or payable in respect of those lotteries under paragraph (c); and
  - (h) in payment to the Hospitals Fund, at intervals determined by the Treasurer, of that part of the Fund not required for the purposes of the other paragraphs of this subsection or for the purposes of subsection (4).
- (4) The Commission may retain in the Lotteries Fund such amounts as are approved by the Minister as being reasonably required for future capital, administrative and operating expenses of the Commission.
- (5) In this section—
- GST** means the tax payable under the GST law;
- GST law** means—
- (a) *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth; and
  - (b) the related legislation of the Commonwealth dealing with the imposition of a tax on the supply of goods, services and other things;

**net gambling revenue** means the total amount subscribed or contributed to, or paid for the purchase of tickets in, a lottery conducted by the Commission less the total amount of the prizes paid in respect of the lottery.

### **16A—Recreation and Sport Fund**

- (1) The Fund entitled the *Recreation and Sport Fund* established at the Treasury will continue in existence under that name.
- (2) The Recreation and Sport Fund may be used to support and develop such recreational and sporting facilities and services within the State as are approved by the Minister who is responsible for matters relating to recreation and sport in this State.

### **16AB—Hospitals Fund**

- (1) The Fund entitled the *Hospitals Fund* established at the Treasury will continue in existence under that name.
- (2) The Hospitals Fund may only be used for the provision, maintenance, development and improvement of public hospitals and equipment for public hospitals by making payments as approved by the Treasurer to the Consolidated Account to match amounts appropriated by Parliament and paid from the Consolidated Account for those purposes.

### 16B—Unclaimed prizes

- (1) If a prize in a lottery has not been collected or taken delivery of within 12 months (or, in the case of a special appeal lottery, such shorter period as may be specified by the Minister under section 13AB(3)) of the relevant day, the prize is forfeited to the Commission.
- (2) For the purposes of this section—
  - (a) if a cheque has been issued by the Commission in payment of a prize in a lottery, the prize will not be regarded as having been collected or taken delivery of if the cheque has not been presented for payment; and
  - (b) a reference to the relevant day is—
    - (i) in relation to a lottery where the winning entries in the lottery are determined on the same day according to some procedure carried out by or on behalf of the Commission—a reference to the day on which the winning entries are so determined; or
    - (ii) in relation to any other lottery—a reference to the day determined under the rules of the Commission applying in relation to the lottery to be the relevant day for the purposes of this section.
- (4) For the purposes of this section, a reference to a prize being collected or taken delivery of includes, in the case where a prize is to be paid in installments, the collection or taking delivery of the first installment.

### 16C—Unclaimed Prizes Reserve

- (1) The Commission must establish a reserve in the Lotteries Fund entitled the *Unclaimed Prizes Reserve*.
- (2) On a prize being forfeited to the Commission (other than a prize in a special appeal lottery), the Commission must transfer the amount of the prize into the Unclaimed Prizes Reserve.
- (3) The Unclaimed Prizes Reserve consists of—
  - (a) the amount held in the Lotteries Fund at the commencement of this section by way of unallocated forfeited prize money; and
  - (b) amounts transferred under subsection (2).
- (4) The money held in the Unclaimed Prizes Reserve will be applied by the Commission as follows:
  - (a) of the amount held in the Reserve by way of amounts transferred under subsection (2)—
    - (i) 50 per cent of the amount derived from unclaimed prizes in sports lotteries or special lotteries will, at intervals determined by the Treasurer, be paid into the Recreation and Sport Fund; and
    - (ii) 50 per cent of the amount derived from unclaimed prizes in other lotteries will, at intervals determined by the Treasurer, be paid into the Hospitals Fund; and
  - (b) the balance in the Reserve will be applied by the Commission from time to time for the purposes of—

- (i) providing additional or increased prizes in a subsequent lottery or lotteries conducted by the Commission; or
  - (ii) providing prizes in promotional lotteries conducted by the Commission; or
  - (iii) making *ex gratia* payments under section 16D.
- (5) If an *ex gratia* payment is made in respect of a prize in a sports lottery or a special lottery, the next payment made under subsection (4) into the Recreation and Sport Fund will be reduced by an amount equivalent to 50 per cent of the amount of the *ex gratia* payment.
- (6) If an *ex gratia* payment is made in respect of a prize in any other lottery (including, to avoid doubt, a special appeal lottery), the next payment made under subsection (4) into the Hospitals Fund will be reduced by an amount equivalent to 50 per cent of the amount of the *ex gratia* payment.

### **16D—Ex gratia payments**

- (1) The Commission may, but is not obliged to, make an *ex gratia* payment to a person who satisfies the Commission, by such evidence as the Commission may require, that he or she is the winner of a prize in a lottery conducted by the Commission, despite the fact that—
- (a) the prize has been forfeited to the Commission; or
  - (b) the winning ticket has been lost or destroyed; or
  - (c) a rule of the lottery relating to giving the Commission notice of a claim for the prize within a particular period has not been complied with.
- (2) An *ex gratia* payment may be of an amount equivalent to the whole or part of the amount of the prize.
- (3) A decision of the Commission to make, or not to make, an *ex gratia* payment, or as to the amount of an *ex gratia* payment, is final and is not subject to review by any court or tribunal.
- (4) This section applies to—
- (a) a prize in an instant lottery conducted wholly or partly after 31 October 1994; and
  - (b) a prize in any other lottery drawn after that date.

### **17—Value of prizes to be offered**

- (1) The Commission must offer as prizes in any lottery (other than a special appeal lottery) conducted under this Act not less than the prescribed percentage of the value of the tickets offered for sale in that lottery.
- (1a) The Commission must offer as prizes in each special appeal lottery the amount (whether expressed as a percentage of the value of the tickets sold or otherwise) specified by the Minister for the purposes of the lottery.

- (2) However, the Commission may offer as prizes in a lottery (other than a special appeal lottery) less than the prescribed percentage of the value of the tickets offered for sale in the lottery but, if it does so, a portion of the money received by the Commission equal to the difference between the value of those prizes and the prescribed percentage of the value of those tickets must be applied for or towards the payment of any of the following:
- (a) prizes in respect of missed prize entries for lotteries conducted by the Commission;
  - (b) additional prizes or increased prizes in subsequent lotteries conducted by the Commission.
- (2a) However, the Commission must not apply money to pay a prize in respect of a missed prize entry unless—
- (a) the entry is recorded on the central computer system of the Commission; and
  - (b) the entry was included in the prize pool for the lottery; and
  - (c) the entry contains a combination of winning numbers; and
  - (d) the prize claim in respect of the entry was lodged with the Commission within the period for claiming prizes (as set out in the rules of the Commission).
- (3) In determining, in relation to a lottery, whether an amount is to be applied for the purpose of additional or increased prizes in a subsequent lottery or lotteries, any amount applied for the purpose of additional or increased prizes in that firstmentioned lottery, pursuant to subsection (2) or section 16C, must be disregarded.
- (4) In this section—
- missed prize entry*** means an entry in a lottery that was incorrectly omitted from the winning entries in relation to a particular class of prizes;
- prescribed percentage*** means—
- (a) in relation to a sports lottery or a special lottery—a percentage determined by the Commission from time to time;
  - (b) in relation to any other lottery—60%.
- (5) The percentage determined by the Commission for the purposes of subsection (4)—
- (a) may vary according to the class of lottery; and
  - (b) must not be less than a percentage determined by the Minister from time to time in relation to the particular class of lottery.

### **17A—Instant lottery tickets**

- (1) If a statement relating to an instant lottery is made by, or on behalf of, the Commission to the effect that a prize is won if a specified number of symbols, or identical symbols, printed on a ticket in the lottery or in a panel on a ticket are matched—
- (a) the ticket is a winning ticket only if the ticket or panel (as the case requires) has printed on or in it the specified number of the same symbol; and

- (b) the ticket is not a winning ticket if, for example, the ticket or panel has printed on or in it the specified number of pairs of different symbols, or the specified number of symbols can only be obtained by matching symbols from more than one panel on the ticket; and
- (c) a caption to a symbol is to be taken to be part of the symbol and not a separate symbol.

**Examples of winning tickets**

**Example 1—**

- 1 Statement on ticket: "Match 3 numbers and win"
- 2 Symbols on ticket:

7 Seven	1 One
3 Three	7 Seven
4 Four	7 Seven

**Example 2 (ticket with one (right hand) winning panel)—**

- 1 Statement on ticket: "Match 3 identical amounts within either game panel and that's what you win"
- 2 Symbols on ticket:

\$20 <sup>00</sup>	\$8 <sup>00</sup>	250000	\$8 <sup>00</sup>	250000	\$40 <sup>00</sup>
TWENTY	EIGHT	250THOUSAND	EIGHT	250THOUSAND	FORTY
250000	\$8 <sup>00</sup>	\$80 <sup>00</sup>	250000	250000	\$40 <sup>00</sup>
250THOUSAND	EIGHT	EIGHTY	250THOUSAND	250THOUSAND	FORTY

**Examples of non-winning tickets**

**Example 1—**

- 1 Statement on ticket: "Match 3 numbers and win"
- 2 Symbols on ticket:

7 Seven	1 One
3 Three	7 Seven
3 Three	1 One

**Example 2 (ticket with no winning panels)—**

- 1 Statement on ticket: "Match 3 identical amounts within either game panel and that's what you win"
- 2 Symbols on ticket:

\$80 <sup>00</sup> EIGHTY	\$200 2HUNDRED	250000 250THOUSAND	\$200 2HUNDRED	\$20 <sup>00</sup> TWENTY	\$80 <sup>00</sup> EIGHTY
\$200 2HUNDRED	250000 250THOUSAND	\$80 <sup>00</sup> EIGHTY	\$200 2HUNDRED	250000 250THOUSAND	\$2500 25HUNDRED

- (2) This section applies whether the statement is made—
  - (a) in a ticket in an instant lottery; or
  - (b) in advertising or promotional material relating to an instant lottery; or
  - (c) in some other way.

- (3) In this section—

*instant lottery* means a lottery promoted or conducted by the Commission in which the tickets are sealed or conceal in some other way the symbols giving rise to the winning chance;

*symbol* includes amount, number, picture or word.

**17B—Minors not to participate in lotteries**

- (1) A person must not sell a ticket in a lottery promoted or conducted by the Commission to a minor.  
Maximum penalty: \$5 000.
- (2) It is a defence for a person charged with an offence against subsection (1) to prove that he or she believed on reasonable grounds that the person to whom the ticket was sold was of or above the age of 18 years.

- (3) If a person, acting at the request of a minor, purchases a ticket in a lottery promoted or conducted by the Commission on behalf of the minor, or claims or collects, on behalf of the minor, a prize won on a ticket in a lottery promoted or conducted by the Commission, the person is guilty of an offence.

Maximum penalty: \$5 000.

- (4) In this section—

*minor* means a person who is under the age of 18 years.

### **18—Rules of Commission as to its practices, procedures and operations**

- (1) The Commission may, with the approval of the Minister, make rules, not inconsistent with this Act, providing for or regulating the practices, procedures and operations of the Commission, including (without limiting the generality of the foregoing)—
- (a) the conditions of entry and participation in lotteries;
  - (b) the prizes to be offered in lotteries;
  - (c) the determination of winning entries in lotteries;
  - (d) the payment or delivery of prizes in lotteries;
  - (e) the action to be taken by the Commission in the event of misconduct or irregularity in relation to lotteries (being action which may include cancellation of a lottery or tickets in a lottery);
  - (f) the appointment of agents to sell tickets in lotteries, the duties of such agents and the termination or suspension of their services.
- (2) Any rules made under this section may be of general application or limited by reference to particular lotteries or classes of lotteries or any other factors.
- (3) Section 10 of the *Subordinate Legislation Act 1978* does not apply to rules made under this section.

### **18AA—Appeals**

- (1) A participant in a lottery conducted after the commencement of this section who is dissatisfied with a decision of the Commission that a ticket in the lottery held by the participant is not a winning ticket may appeal to the Administrative and Disciplinary Division of the District Court against the decision.
- (2) An appeal under this section must be lodged within one month of—
- (a) the date on which the Commission's decision is made; or
  - (b) if the Commission's decision is published—the date of publication.

### **18A—Accounts and audit**

- (1) The Commission must cause proper accounts to be kept of its financial affairs.
- (2) The Auditor-General may at any time, and must at least once in each year, audit the accounts of the Commission.

### 18B—Annual report

- (1) The Commission must, on or before the thirtieth day of September in each year, deliver to the Minister a report upon the operations of the Commission during the period of twelve months expiring on the preceding thirtieth day of June.
- (2) The report must incorporate the audited statement of accounts of the Commission for the period to which the report relates.
- (3) The Minister must cause a copy of a report under subsection (1) to be laid before each House of Parliament within fourteen sitting days of his or her receipt of the report if Parliament is then in session, but if Parliament is not then in session, within fourteen days of the commencement of the next session of Parliament.

### 18C—Tax and other liabilities of Commission

- (1) Except as otherwise determined by the Treasurer, the Commission is liable to all such rates (other than rates that would be payable to a council), duties, taxes and imposts and has all such other liabilities and duties as would apply under the law of the State if the Commission were not an instrumentality of the Crown.
- (2) Except as otherwise determined by the Treasurer, the Commission is liable to pay to the Treasurer, for the credit of the Consolidated Account, such amounts as the Treasurer from time to time determines to be equivalent to—
  - (a) income tax and any other taxes or imposts that the Commission does not pay to the Commonwealth but would be liable to pay under the law of the Commonwealth if it were constituted and organised in such manner as the Treasurer determines to be appropriate for the purposes of this subsection as a public company or group of public companies carrying on the business carried on by the Commission; and
  - (b) rates that the Commission would be liable to pay to a council if the Commission were not an instrumentality of the Crown.
- (3) Amounts determined by the Treasurer to be payable under subsection (2) must be paid by the Commission at the times and in the manner determined by the Treasurer.
- (4) This section does not affect any liability that the Commission would have apart from this section to pay rates to a council.
- (5) In this section—

*council* means a council within the meaning of the *Local Government Act 1999*;

*liability* includes contingent liability.

### 19—Offences

- (3a) A person who enters or participates in a lottery conducted under this Act by operating the Commission's computer system—
  - (a) without paying the appropriate fee for that entry or participation at the required time; or
  - (b) knowing that the entry or participation contravenes or fails to comply with the rules relating to the lottery; or
  - (c) in any other manner not authorised by the Commission,



is guilty of an offence.

Maximum penalty: \$20 000 or imprisonment for 4 years.

- (5) A person must not, without the written authority of the Commission, for fee or reward, promote or take part in the formation of a syndicate to purchase a ticket in a lottery conducted by the Commission.

Maximum penalty: \$5 000.

- (6) A person must not, without the written authority of the Commission, advertise that the person will accept money for a share in a ticket to be purchased by him or her or any other person in a lottery conducted or to be conducted by the Commission and a person must not print or publish any such advertisement.

Maximum penalty: \$5 000.

- (9) A person who carries out or has carried out duties or functions in relation to the promotion or conduct of a lottery under this Act—

(a) must answer questions relating to the lottery or to the promotion or conduct of the lottery asked by the Auditor-General, the Commissioner or a person acting under the authority of the Auditor-General or Commissioner; and

(b) must produce to the Auditor-General, Commissioner or person acting under authority all books, documents, vouchers and things which are in the person's custody or power relating to the lottery or to the promotion or conduct of the lottery.

- (9a) A person is not excused from answering a question, or from producing books, documents, vouchers or things under this section on the ground that the answer to the question or the contents of the books, documents, vouchers or things would tend to incriminate him or her but, where the person claims, before answering the question, that the answer might tend to incriminate him or her, the answer is not admissible against the person in criminal proceedings (except in proceedings for an offence against subsection (9c) or other proceedings in respect of the falsity of the answer).

- (9b) The Auditor-General, Commissioner or person acting under authority may—

(a) examine books, documents, vouchers or things produced under subsection (9); and

(b) make copies of, or take extracts from, any such books, documents, vouchers or things; and

(c) retain the books, documents, vouchers or things for such reasonable period as may be necessary for the purposes referred to above.

- (9c) A person who fails or refuses to answer truthfully questions, or to produce books, documents, vouchers or things, in accordance with subsections (9) and (9a) is guilty of an offence.

Maximum penalty: \$5 000.

- (10) An agent of the Commission must not sell any tickets in a lottery except in premises at which he or she is authorised by the Commission to sell tickets.

Maximum penalty: \$5 000.

- (10a) A person must not, without the written authority of the Commission, distribute, display or publish, or cause to be distributed, displayed or published, by any means, any notice or advertisement in which the word "Lotto" with the addition of the word "Cross" or the letter, symbol or character "X" or any other words, letters, symbols or characters is used in connection with a lottery or game (other than a lottery of the Commission) or for any advertising, promotional or commercial purposes.

Maximum penalty: \$5 000.

- (10b) A person must not, without the written authority of the Commission, give away, or offer to give away, a ticket in a lottery of the Commission for any advertising, promotional or commercial purposes.

Maximum penalty: \$5 000.

- (11) Despite a provision of any other Act, proceedings for any offence against this Act may be brought within the period of three years after the commission of the alleged offence or, with the consent of the Minister, at any later time.

## 20—Regulations

- (1) The Governor may make such regulations as he or she considers necessary or expedient for the purpose of giving effect to the provisions and objects of this Act.
- (2) Without limiting the generality of the provisions of subsection (1), such regulations may—
- (a) prescribe all matters which may or ought to be prescribed for giving effect to the provisions and objects of this Act; and
  - (b) provide for the prevention of fraud in connection with lotteries and the promotion and conduct thereof; and
  - (c) provide for the payment of prizes in connection with lotteries conducted by the Commission and the conditions under which prizes will be paid.
- (3) The regulations may fix a penalty not exceeding one thousand dollars for the breach of any regulation.
- (4) The Governor may, by regulation, make additional provisions of a saving or transitional nature consequent on the enactment of the *Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015*.
- (5) A provision of a regulation made under subsection (4) may, if the regulation so provides, take effect from the commencement of this subsection or from a later day.
- (6) To the extent to which a provision takes effect under subsection (5) from a day earlier than the day of the publication of the regulation in the Gazette, the provision does not operate to the disadvantage of a person by—
- (a) decreasing the person's rights; or
  - (b) imposing liabilities on the person.

## Legislative history

### Notes

- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of this Act (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Legislation amended by principal Act

The *State Lotteries Act 1966* amended the following:

*Lottery and Gaming Act 1936*

### Principal Act and amendments

New entries appear in bold.

Year	No	Title	Assent	Commencement
1966	54	<i>State Lotteries Act 1966</i>	3.11.1966	8.12.1966 ( <i>Gazette 8.12.1966 p2152</i> )
1973	27	<i>State Lotteries Act Amendment Act 1973</i>	20.9.1973	20.9.1973
1974	60	<i>State Lotteries Act Amendment Act 1974</i>	19.9.1974	19.9.1974
1975	118	<i>Statute Law Revision Act (No. 2) 1975</i>	4.12.1975	4.12.1975
1978	104	<i>State Lotteries Act Amendment Act 1978</i>	7.12.1978	7.12.1978
1981	1	<i>State Lotteries Act Amendment Act 1981</i>	20.2.1981	20.2.1981
1983	100	<i>State Lotteries Act Amendment Act 1983</i>	22.12.1983	22.12.1983
1984	93	<i>State Lotteries Act Amendment Act 1984</i>	13.12.1984	13.12.1984 ( <i>Gazette 13.12.1984 p1811</i> )
1986	28	<i>State Lotteries Act Amendment Act 1986</i>	20.3.1986	21.1.1993 ( <i>Gazette 21.1.1993 p224</i> )
1988	22	<i>State Lotteries Act Amendment Act 1988</i>	14.4.1988	14.4.1988
1992	65	<i>State Lotteries (Soccer Pools &amp; Other) Amendment Act 1992</i>	19.11.1992	3.12.1992 ( <i>Gazette 3.12.1992 p1690</i> )
1993	90	<i>State Lotteries (Instant Lotteries) Amendment Act 1993</i>	4.11.1993	8.12.1966: s 2(1)
1994	78	<i>State Lotteries (Scratch Tickets) Amendment Act 1994</i>	8.12.1994	8.12.1966 except ss 4 and 5—8.12.1994: s 2

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1996	49	<i>State Lotteries (Unclaimed Prizes) Amendment Act 1996</i>	25.7.1996	25.7.1996 ( <i>Gazette</i> 25.7.1996 p170)
1999	33	<i>Financial Sector Reform (South Australia) Act 1999</i>	17.6.1999	Sch (item 55)—1.7.1999 being the date specified under s 3(16) of the <i>Financial Sector Reform (Amendments and Transitional Provisions) Act (No. 1) 1999</i> of the Commonwealth as the transfer date for the purposes of that Act: s 2(2)
2000	4	<i>District Court (Administrative and Disciplinary Division) Amendment Act 2000</i>	20.4.2000	Sch 1 (cl 40)—1.6.2000 ( <i>Gazette</i> 18.5.2000 p2554)
2000	26	<i>Statutes Amendment (Lotteries and Racing—GST) Act 2000</i>	29.6.2000	Pt 2 (s 4)—1.7.2000: s 2
2000	94	<i>TAB (Disposal) Act 2000</i>	21.12.2000	Sch 4 (cl 4)—14.12.2001 ( <i>Gazette</i> 6.12.2001 p5267)
2001	18	<i>Statutes Amendment (Gambling Regulation) Act 2001</i>	31.5.2001	Pt 11 (ss 51—53)—1.10.2001 ( <i>Gazette</i> 13.9.2001 p4116) except s 54—31.5.2003 (s 7(5) <i>Acts Interpretation Act 1915</i> )
2007	13	<i>State Lotteries (Miscellaneous) Amendment Act 2007</i>	5.4.2007	30.4.2007 ( <i>Gazette</i> 26.4.2007 p1351)
2009	58	<i>Statutes Amendment (National Industrial Relations System) Act 2009</i>	26.11.2009	Pt 15 (s 43)—1.1.2010 ( <i>Gazette</i> 17.12.2009 p6351)
2009	84	<i>Statutes Amendment (Public Sector Consequential Amendments) Act 2009</i>	10.12.2009	Pt 146 (ss 334 & 335)—1.2.2010 ( <i>Gazette</i> 28.1.2010 p320)
2010	28	<i>Gaming Machines (Miscellaneous) Amendment Act 2010</i>	9.12.2010	Sch 1 (cl 3)—1.1.2011 ( <i>Gazette</i> 16.12.2010 p5695)
2013	37	<i>Statutes Amendment (Gambling Reform) Act 2013</i>	8.8.2013	Pt 7 (s 144)—31.10.2013 ( <i>Gazette</i> 29.8.2013 p3648)
<b>2015</b>	<b>8</b>	<b><i>Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015</i></b>	<b>18.6.2015</b>	<b>Pt 38 (ss 241—252)—1.7.2015 (<i>Gazette</i> 25.6.2015 p3076)</b>

### Provisions amended since 3 February 1976

- Legislative history prior to 3 February 1976 appears in marginal notes and footnotes included in the consolidation of this Act contained in Volume 10 of The Public General Acts of South Australia 1837-1975 at page 494.

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
Long title	amended under <i>Legislation Revision and Publication Act 2002</i>	31.5.2003
s 1	amended by 13/2007 Sch 1	30.4.2007
s 2	<i>omitted under Legislation Revision and Publication Act 2002</i>	31.5.2003
s 3		
s 3(1)	s 3 redesignated as s 3(1) by 1/1981 s 2	20.2.1981
Australian lotteries body	inserted by 13/2007 s 4(1)	30.4.2007

Authority	inserted by 18/2001 s 51(a)	1.10.2001
<i>Chairman</i>	<i>deleted by 18/2001 s 51(a)</i>	<i>1.10.2001</i>
<b>Commissioner</b>	<b>inserted by 8/2015 s 241(1)</b>	<b>1.7.2015</b>
foreign lotteries body	inserted by 13/2007 s 4(2)	30.4.2007
lottery	amended by 93/1984 s 3(a)	13.12.1984
	amended by 65/1992 s 3(a)	3.12.1992
<i>member</i>	<i>deleted by 8/2015 s 241(2)</i>	<i>1.7.2015</i>
net proceeds	inserted by 65/1992 s 3(b)	3.12.1992
	amended by 13/2007 s 4(3), (4)	30.4.2007
<i>presiding member</i>	<i>inserted by 18/2001 s 51(b)</i>	<i>1.10.2001</i>
	<i>deleted by 8/2015 s 241(3)</i>	<i>1.7.2015</i>
prize	inserted by 93/1984 s 3(b)	13.12.1984
special appeal lottery	inserted by 13/2007 s 4(5)	30.4.2007
special lottery	inserted by 65/1992 s 3(c)	3.12.1992
	substituted by 13/2007 s 4(5)	30.4.2007
sports lottery	inserted by 65/1992 s 3(c)	3.12.1992
the Hospitals Fund	inserted by 93/1984 s 3(c)	13.12.1984
	substituted by 94/2000 Sch 4 cl 4(a)	14.12.2001
the Lotteries Fund	inserted by 93/1984 s 3(c)	13.12.1984
	amended by 65/1992 s 3(d)	3.12.1992
the Recreation and Sport Fund	inserted by 93/1984 s 3(c)	13.12.1984
	amended by 65/1992 s 3(e)	3.12.1992
the rules of the Commission	inserted by 93/1984 s 3(c)	13.12.1984
ticket	inserted by 93/1984 s 3(c)	13.12.1984
s 3(2)	inserted by 1/1981 s 2	20.2.1981
	amended by 13/2007 s 4(6)	30.4.2007
s 3(3) and (4)	inserted by 13/2007 s 4(7)	30.4.2007
s 4		
s 4(1)	substituted by 13/2007 Sch 1	30.4.2007
s 4(2)	amended by 13/2007 Sch 1	30.4.2007
s 4(3)	substituted by 13/2007 Sch 1	30.4.2007
s 4(5)	amended by 28/1986 s 3	21.1.1993
	amended by 18/2001 s 52	1.10.2001
	amended by 13/2007 Sch 1	30.4.2007
	<b>substituted by 8/2015 s 242(1)</b>	<b>1.7.2015</b>
s 4(6) and (7)	<i>deleted by 13/2007 Sch 1</i>	<i>30.4.2007</i>
<b>s 4(8)</b>	<b>amended by 8/2015 s 242(2)</b>	<b>1.7.2015</b>
s 5		
s 5(1)	substituted by 93/1984 s 4	13.12.1984
	amended by 13/2007 Sch 1	30.4.2007

	<b>amended by 8/2015 s 243(1)</b>	<b>1.7.2015</b>
s 5(2)	amended by 13/2007 Sch 1	30.4.2007
	<b>amended by 8/2015 s 243(2)</b>	<b>1.7.2015</b>
s 5(3)	<b>inserted by 8/2015 s 243(3)</b>	<b>1.7.2015</b>
s 6	amended by 13/2007 Sch 1	30.4.2007
	<b>substituted by 8/2015 s 244</b>	<b>1.7.2015</b>
s 7	<i>amended by 13/2007 Sch 1</i>	30.4.2007
	<b>deleted by 8/2015 s 244</b>	<b>1.7.2015</b>
s 8		
s 8(1)	s 8 amended and redesignated as s 8(1) by 93/1984 s 5	13.12.1984
	amended by 13/2007 Sch 1	30.4.2007
	<b>amended by 8/2015 s 245(1)—(4)</b>	<b>1.7.2015</b>
	<b>(d) deleted by 8/2015 s 245(5)</b>	<b>1.7.2015</b>
s 8(2)	inserted by 93/1984 s 5(b)	13.12.1984
	amended by 13/2007 Sch 1	30.4.2007
	<b>amended by 8/2015 s 245(6)—(8)</b>	<b>1.7.2015</b>
s 9 before substitution by 8/2015		
s 9(1) and (2)	<i>amended by 13/2007 Sch 1</i>	30.4.2007
s 9(2a)	<i>inserted by 28/1986 s 4(a)</i>	21.1.1993
s 9(3)	<i>amended by 28/1986 s 4(b)</i>	21.1.1993
	<i>amended by 13/2007 Sch 1</i>	30.4.2007
s 9(4)	<i>amended by 93/1984 s 6(a)</i>	13.12.1984
	<i>amended by 18/2001 s 53</i>	1.10.2001
	<i>amended by 13/2007 Sch 1</i>	30.4.2007
s 9(5)	<i>amended by 13/2007 Sch 1</i>	30.4.2007
s 9(6) and (7)	<i>inserted by 93/1984 s 6(b)</i>	13.12.1984
	<i>amended by 13/2007 Sch 1</i>	30.4.2007
<b>s 9</b>	<b>substituted by 8/2015 s 246</b>	<b>1.7.2015</b>
s 10 before deletion by substituted by 93/1984 s 7 84/2009		13.12.1984
s 10(1) and (2)	<i>amended by 13/2007 Sch 1</i>	30.4.2007
s 10	<i>deleted by 84/2009 s 334</i>	1.2.2010
s 11	amended by 13/2007 Sch 1	30.4.2007
	<b>amended by 8/2015 s 247</b>	<b>1.7.2015</b>
s 12	<i>amended by 65/1992 s 4</i>	3.12.1992
	<i>amended by 13/2007 Sch 1</i>	30.4.2007
	<b>deleted by 8/2015 s 248</b>	<b>1.7.2015</b>
s 13		
s 13(1)	amended by 1/1981 s 3	20.2.1981
	amended by 65/1992 s 5(a), (b)	3.12.1992
	amended by 13/2007 s 5(1), (2)	30.4.2007
s 13(1a)	<i>inserted by 65/1992 s 5(c)</i>	3.12.1992

	<i>deleted by 13/2007 s 5(3)</i>	30.4.2007
s 13(2)	amended by 13/2007 Sch 1	30.4.2007
s 13(3)	substituted by 84/2009 s 335	1.2.2010
s 13(4)	deleted by 13/2007 Sch 1	30.4.2007
	inserted by 58/2009 s 43	1.1.2010
ss 13AA and 13AB	inserted by 13/2007 s 6	30.4.2007
s 13A		
s 13A(2) and (3)	amended by 13/2007 Sch 1	30.4.2007
s 13A(4)	substituted by 93/1984 s 8	13.12.1984
	amended by 13/2007 Sch 1	30.4.2007
ss 13B and 13C	inserted by 18/2001 s 54	31.5.2003
	substituted by 37/2013 s 144	31.10.2013
<i>s 13D before deletion by 37/2013</i>	<i>inserted by 18/2001 s 54</i>	<i>31.5.2003</i>
s 13D(1)	amended by 28/2010 Sch 1 cl 3(1)	1.1.2011
s 13D(4)	amended by 28/2010 Sch 1 cl 3(2)	1.1.2011
s 13D	deleted by 37/2013 s 144	31.10.2013
s 13E	inserted by 18/2001 s 54	31.5.2003
	deleted by 37/2013 s 144	31.10.2013
s 14		
s 14(1) and (2)	amended by 13/2007 Sch 1	30.4.2007
s 15	deleted by 93/1984 s 9	13.12.1984
s 16		
s 16(1)	substituted by 65/1992 s 6(a)	3.12.1992
	substituted by 33/1999 Sch (item 55)	1.7.1999
s 16(2)	amended by 13/2007 Sch 1	30.4.2007
s 16(3)	substituted by 93/1984 s 10	13.12.1984
	amended by 65/1992 s 16(b), (c)	3.12.1992
	amended by 49/1996 s 3	25.7.1996
	substituted by 26/2000 s 4(a)	1.7.2000
	amended by 13/2007 s 7(1)—(3)	30.4.2007
s 16(4)	deleted by 93/1984 s 10	13.12.1984
	inserted by 65/1992 s 6(d)	3.12.1992
	amended by 13/2007 s 7(4)	30.4.2007
s 16(5)	deleted by 93/1984 s 10	13.12.1984
	inserted by 26/2000 s 4(b)	1.7.2000
s 16(6)—(8)	deleted by 93/1984 s 10	13.12.1984
s 16A	inserted by 93/1984 s 11	13.12.1984
	substituted by 65/1992 s 7	3.12.1992
s 16AB	inserted by 94/2000 Sch 4 cl 4(b)	14.12.2001
s 16B	inserted by 93/1984 s 11	13.12.1984
s 16B(1)	amended by 65/1992 s 8	3.12.1992
	substituted by 49/1996 s 4	25.7.1996

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	amended by 13/2007 s 8(1)	30.4.2007
s 16B(2)	amended by 13/2007 Sch 1	30.4.2007
s 16B(3)	<i>deleted by 13/2007 Sch 1</i>	30.4.2007
s 16B(4)	inserted by 13/2007 s 8(2)	30.4.2007
s 16C	inserted by 49/1996 s 5	25.7.1996
s 16C(2)	amended by 13/2007 s 9(1)	30.4.2007
s 16C(6)	amended by 13/2007 s 9(2)	30.4.2007
s 16D	inserted by 49/1996 s 5	25.7.1996
s 17		
s 17(1)	s 17 redesignated as s 17(1) by 100/1983 s 2	22.12.1983
	amended by 65/1992 s 9(a)	3.12.1992
	amended by 13/2007 s 10(1), Sch 1	30.4.2007
s 17(1a)	inserted by 13/2007 s 10(2)	30.4.2007
s 17(2)	inserted by 100/1983 s 2	22.12.1983
	amended by 65/1992 s 9(b)	3.12.1992
	amended by 13/2007 s 10(3), (4), Sch 1	30.4.2007
s 17(2a)	inserted by 13/2007 s 10(5)	30.4.2007
s 17(3)	inserted by 100/1983 s 2	22.12.1983
	amended by 93/1984 s 12	13.12.1984
	amended by 49/1996 s 6	25.7.1996
	amended by 13/2007 Sch 1	30.4.2007
s 17(4)	inserted by 65/1992 s 9(c)	3.12.1992
missed prize entry	inserted by 13/2007 s 10(6)	30.4.2007
s 17(5)	inserted by 65/1992 s 9(c)	3.12.1992
	amended by 13/2007 s 10(7)	30.4.2007
s 17A	inserted by 90/1993 s 3	8.12.1966
s 17A(1)	amended by 78/1994 s 3	8.12.1966
s 17B	inserted by 78/1994 s 4	8.12.1994
s 17B(1)	amended by 13/2007 s 11(1)	30.4.2007
s 17B(2)	amended by 13/2007 s 11(2)	30.4.2007
s 17B(3)	amended by 49/1996 s 7	25.7.1996
	amended by 13/2007 s 11(3), Sch 1	30.4.2007
s 17B(4)	amended by 13/2007 s 11(4)	30.4.2007
s 18	substituted by 93/1984 s 13	13.12.1984
s 18(3)	amended by 13/2007 Sch 1	30.4.2007
s 18AA	inserted by 78/1994 s 5	8.12.1994
s 18AA(1)	amended by 4/2000 s 9(1) (Sch 1 cl 40)	1.6.2000
s 18A	inserted by 93/1984 s 13	13.12.1984
s 18A(1) and (2)	amended by 13/2007 Sch 1	30.4.2007
s 18A(3)	<i>deleted by 13/2007 Sch 1</i>	30.4.2007
s 18B	inserted by 93/1984 s 13	13.12.1984
s 18B(1) and (3)	amended by 13/2007 Sch 1	30.4.2007
<b>s 18C</b>	<b>inserted by 8/2015 s 249</b>	<b>1.7.2015</b>



s 19		
s 19(1)—(3)	<i>deleted by 13/2007 s 12(1)</i>	30.4.2007
s 19(3a)	inserted by 65/1992 s 10(a)	3.12.1992
	amended by 13/2007 s 12(2)	30.4.2007
s 19(4)	<i>amended by 93/1984 s 14(a), (b)</i>	13.12.1984
	<i>amended by 65/1992 s 10(b)</i>	3.12.1992
	<i>deleted by 13/2007 s 12(3)</i>	30.4.2007
s 19(5)	amended by 93/1984 s 14(c)	13.12.1984
	substituted by 22/1988 s 2	14.4.1988
	amended by 13/2007 s 12(4)	30.4.2007
s 19(6)	amended by 93/1984 s 14(d)	13.12.1984
	amended by 13/2007 s 12(5), (6), Sch 1	30.4.2007
s 19(7)	<i>amended by 93/1984 s 14(e)</i>	13.12.1984
	<i>deleted by 65/1992 s 10(c)</i>	3.12.1992
s 19(8)	<i>amended by 93/1984 s 14(f)</i>	13.12.1984
	<i>deleted by 65/1992 s 10(c)</i>	3.12.1992
s 19(9)	amended by 93/1984 s 14(g)	13.12.1984
	substituted by 65/1992 s 10(d)	3.12.1992
	amended by 13/2007 s 12(7)	30.4.2007
	<b>amended by 8/2015 s 250</b>	<b>1.7.2015</b>
s 19(9a)	inserted by 65/1992 s 10(d)	3.12.1992
s 19(9b)	inserted by 65/1992 s 10(d)	3.12.1992
	amended by 13/2007 s 12(8)	30.4.2007
	<b>amended by 8/2015 s 250</b>	<b>1.7.2015</b>
s 19(9c)	inserted by 65/1992 s 10(d)	3.12.1992
	amended by 13/2007 s 12(9)	30.4.2007
s 19(10)	amended by 93/1984 s 14(h)	13.12.1984
	amended by 13/2007 s 12(10), Sch 1	30.4.2007
s 19(10a)	inserted by 104/1978 s 2(a)	7.12.1978
	amended by 93/1984 s 14(i), (j)	13.12.1984
	amended by 13/2007 s 12(11), Sch 1	30.4.2007
s 19(10b)	inserted by 13/2007 s 12(12)	30.4.2007
s 19(11)	amended by 13/2007 Sch 1	30.4.2007
s 19(12)	<i>amended by 104/1978 s 2(b)</i>	7.12.1978
	<i>deleted by 13/2007 s 12(13)</i>	30.4.2007
s 20		
s 20(1) and (2)	amended by 13/2007 Sch 1	30.4.2007
s 20(3)	amended by 93/1984 s 15	13.12.1984
s 20(4)	<i>deleted by 13/2007 Sch 1</i>	30.4.2007
s 20(4)—(6)	<b>inserted by 8/2015 s 251</b>	<b>1.7.2015</b>
Sch	<i>omitted under Legislation Revision and Publication Act 2002</i>	31.5.2003

## **Transitional etc provisions associated with Act or amendments**

### ***State Lotteries (Soccer Pools & Other) Amendment Act 1992, Sch)***

#### **2—Transitional provisions**

- (1) On the commencement of this amending Act all money in the fund kept at the Treasury and known as the "Lotteries Fund" must be transferred into the Hospitals Fund.
- (2) On the commencement of this amending Act, an amount equal to 50 per cent of the balance held by the Commission as at 30 June 1992 by way of forfeited unclaimed prizes must be paid by the Commission into the Hospitals Fund.
- (3) The amendment to section 16B of the principal Act made by this amending Act applies in relation to prizes forfeited to the Commission on or after 1 July 1992 and to any prizes forfeited to the Commission before that date but in respect of which an amount had not as at that date been applied by the Commission in accordance with that section as in force immediately before the commencement of this amending Act.

### ***State Lotteries (Miscellaneous) Amendment Act 2007***

#### **13—Review of effect of special appeal lotteries**

- (1) The Minister must cause a review of the operation of section 13AB of the *State Lotteries Act 1966* (as inserted by section 6 of this Act) to be undertaken as soon as practicable after the second anniversary of the commencement of section 6 of this Act.
- (2) The person undertaking the review must present a report on the review to the Minister within 6 months after commencing the review.
- (3) The report—
  - (a) must address the effect (whether detrimental or otherwise) of the conduct of special appeal lotteries on the fund-raising activities of each beneficiary of the lotteries; and
  - (b) if the person undertaking the review receives any submissions from beneficiaries of special appeal lotteries—must include a response to each submission.
- (4) The Minister must cause a copy of the report to be laid before both Houses of Parliament within 6 sitting days after receiving the report.

### ***Statutes Amendment (Board and Committees—Abolition and Reform) Act 2015***

#### **252—Transitional provision**

A member of the Lotteries Commission of South Australia ceases to hold office on the commencement of this section.

## **Historical versions**

Reprint No 1—15.1.1992

Reprint No 2—3.12.1992

Reprint No 3—21.1.1993

Reprint No 4—4.11.1993

Reprint No 5—8.12.1994  
Reprint No 6—25.7.1996  
Reprint No 7—1.7.1999  
Reprint No 8—1.6.2000  
Reprint No 9—1.7.2000  
Reprint No 10—1.10.2001  
Reprint No 11—14.12.2001  
Reprint No 12—31.5.2003  
30.4.2007  
1.1.2010  
1.2.2010  
1.1.2011  
31.10.2013