



ANNO TRICESIMO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1983

No. 78 of 1983

An Act to amend the Lottery and Gaming Act, 1936.

[Assented to 17 November 1983]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short title.

1. (1) This Act may be cited as the "Lottery and Gaming Act Amendment Act, 1983".

(2) The Lottery and Gaming Act, 1936, is in this Act referred to as "the principal Act".

Amendment of s. 3—
Repeal.

2. Section 3 of the principal Act is amended by inserting after its present contents (now to be designated as subsection (1)) the following subsection:

(2) The Acts of the Imperial Parliament in the second schedule shall have no further force or effect in this State.

Insertion of new s. 50a.

3. The following section is inserted after section 50 of the principal Act:

Agreements in relation to gaming void.

50a. (1) A contract or agreement for the payment of a debt incurred for the purpose of gaming or wagering (being a debt that is to the knowledge of the creditor incurred for that purpose) shall be deemed to have been made for an illegal consideration.

(2) A mortgage, charge, pledge or other security to secure the payment of a debt under a contract or agreement that is deemed to have been made for an illegal consideration by virtue of this section shall be deemed to have been given for an illegal consideration.

(3) Any moneys paid in or towards satisfaction of a supposed liability under a contract or agreement that is deemed to have been made for an illegal consideration by virtue of this section and any

property taken under, or by way of, a security that is deemed to have been given for an illegal consideration by virtue of this section may be recovered by action in a court of competent jurisdiction.

Insertion of new
schedule.

4. The following schedule is inserted after the first schedule of the principal Act:

THE SECOND SCHEDULE

33 Henry VIII c.9
2 & 3 Philip & Mary c.9
16 Car. II c.7
10 & 11 Will. III c.17
9 Anne c.6
9 Anne c.14
10 Anne c.26 s.109
8 Geo. I c.2
9 Geo. I c.19
6 Geo. II c.35
7 Geo. II c.8
10 Geo. II c.8
12 Geo. II c.28
13 Geo. II c.19
18 Geo. II c.34
42 Geo III c.119
57 Geo. III c.31
58 Geo. III c.71
59 Geo. III c.65
1 Geo. IV c.72
1 & 2 Geo. IV c.120
3 Geo. IV c.101
4 Geo. IV c.60
5 & 6 Will. IV c.41
6 & 7 Will. IV c.66

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor