

GAMING (NEW GUINEA) ORDINANCE 1950.<sup>(1)</sup>

No. 36 of 1950.

## An Ordinance to amend the Gaming Ordinance 1922-1936 of the Territory of New Guinea.

**B**E it ordained by the Governor-General in and over the Commonwealth of Australia, with the advice of the Federal Executive Council, in pursuance of the powers conferred by the *Papua and New Guinea Act 1949*, as follows:—

Short title and citation.

1.—(1.) This Ordinance may be cited as the *Gaming (New Guinea) Ordinance 1950*.<sup>(1)</sup>

(2.) The *Gaming Ordinance 1922-1936*<sup>(2)</sup> of the Territory of New Guinea is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Gaming Ordinance 1922-1950*.

Commencement.

2. This Ordinance shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.<sup>(1)</sup>

(1) Particulars of this Ordinance are as follows:—

Date on which made by Gov.-Gen. in Council.	Date on which notified in <i>Cwth. Gaz.</i>	Date on which took effect.
7.12.1950	14.12.1950	28.12.1950 (Papua and N.G. <i>Govt. Gaz.</i> of 23.12.1950)

(2) Printed in *The Laws of the Territory of New Guinea 1921-1945 (Annotated)*, Vol. II., on pp. 1703-1709.

3. Section four of the Principal Ordinance is amended— Definitions.

(a) by inserting before the definition of "House" the following definitions:—

“ ‘Common gaming-house’ means any house, office, room or place in which an unlawful game is played;

‘Gaming-house’ means a common gaming-house;”;

(b) by inserting after the definition of "Lottery" the following definition:—

“ ‘Place’ includes any place in or out of an enclosed or partially enclosed building, vessel or premises, whether upon land or water and whether private property or otherwise and any vehicle;”;

(c) by omitting the definition of "Unlawful game"; and

(d) by inserting after the definition of "Property" the following definition:—

“ ‘Unlawful game’ includes—

(a) the games known as or called respectively ‘fan-tan’, ‘fan-tan troy’, ‘troy’, ‘pak-a-pu’, ‘two-up’, ‘heading them’, ‘sin-ki-loo’, ‘tray-bit-peter’, ‘Yankee grab’, ‘hazard’, ‘pitch-and-toss’, ‘banker’, ‘red-and-white’, ‘roulette’, ‘baccarat’, ‘crown and anchor’, ‘ace-of-hearts’, ‘ins-and-outs’, ‘mina dina’ and ‘back-gammon’;

(b) any game played for money with cards, dice, balls, slot machines, counters or other instruments or implements ordinarily used in gaming;

(c) any game in which a bank is kept by one or more of the players exclusively of the others, and in which the chances are not alike favourable to all the players, including among the players the banker or other person by whom the game is managed or against whom the other players stake, play, or bet; and

(d) any game declared by the Administrator by notice in the *Gazette* to be an unlawful game.”.

PART C: CRIMINAL LAW—

4. After section four of the Principal Ordinance the following section is inserted in Part I. :—

Administrator  
may declare  
games to be  
unlawful.

“4A. The Administrator may, by notice<sup>(3)</sup> in the *Gazette*, declare any game to be an unlawful game, and that game shall thereupon be deemed to be an unlawful game for the purposes of this Ordinance.”.

Owner, keeper,  
&c., of common  
gaming-house  
guilty of  
an offence.

5. Section twelve of the Principal Ordinance is amended by adding at the end thereof the following sub-section:—

“(5.) It shall not be a defence for a person charged under this section with an offence of keeping or having the care or management of a common gaming-house to prove that he kept or had the care or management thereof without the knowledge, consent or authority of the owner or the person lawfully entitled to the possession or occupation of the house, office, room or place alleged to constitute the common gaming-house.”.

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(3) No notice has been published in Papua and N.G. *Govt. Gaz.* before 1.1.1952.