

GAMING (PAPUA) ORDINANCE 1950.⁽¹⁾

No. 35 of 1950.

An Ordinance to amend the Gaming Ordinance, 1912-1928 of the Territory of Papua.

BE 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:—

1.—(1.) This Ordinance may be cited as the *Gaming (Papua) Ordinance 1950.*⁽¹⁾ Short title and citation.

(2.) The *Gaming Ordinance, 1912-1928*⁽²⁾ of the Territory of Papua 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 1912-1950.*

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

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

(a) by inserting before the definition of “justice” 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;”;

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

Date on which made by Gov. Gen. in Council.	Date on which notified in <i>Cwlt. 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 Papua 1888-1945 (Annotated)*, Vol. II., on p. 1479.

PART B: CRIMINAL LAW—

(c) 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; and
- (c) any game declared by the Administrator by notice in the *Gazette* to be an unlawful game.”.

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

Administrator
may declare
games to be
unlawful.

“ 3A. The Administrator may, by notice⁽³⁾ 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 being the keeper or person 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.”.

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