



# **Gambling (Non-gambling Activities) Regulations 2013**

Jerry Mateparae, Governor-General

## **Order in Council**

At Wellington this 23rd day of September 2013

Present:

Hon Bill English presiding in Council

Pursuant to section 368 of the Gambling Act 2003, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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### **Regulations**

- 1 Title**  
These regulations are the Gambling (Non-gambling Activities) Regulations 2013.

## 2 Commencement

These regulations come into force on 30 September 2013.

## 3 Interpretation

(1) In these regulations,—

**main event**, in relation to a spot prize competition, means the competition or event that the spot prize competition—

- (a) forms part of, or is conducted together with or after the completion of; and
- (b) is subsidiary to

**principal Act** means the Gambling Act 2003

**spot prize competition** means a lottery having the following characteristics:

- (a) it forms part of, or is conducted together with, during, or within 7 days after the completion of, a competition or event;
- (b) it is subsidiary to the competition or event;
- (c) the consideration paid (directly or indirectly) to participate in it is the consideration paid to participate in or attend the competition or event, and no additional consideration (direct or indirect) is required.

(2) In these regulations, terms not defined in these regulations but defined in the principal Act have the meanings given by the principal Act.

## 4 Certain spot prize competitions declared not to be gambling

A spot prize competition is not gambling for the purposes of the principal Act if—

- (a) the determination of its outcome does not involve any gaming machine; and
- (b) no prize is property of a class specified by regulations under section 17 of the principal Act as property that must not be offered as a reward for gambling or used to reward a winner of gambling; and
- (c) the main event—
  - (i) is not itself an act, behaviour, or transaction that is gambling; and

- (ii) benefits the community in which it is held (or some wider community of which it forms part).

Rebecca Kitteridge,  
Clerk of the Executive Council.

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### Explanatory note

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on 30 September 2013, declare certain lotteries of the kind commonly referred to as spot prize competitions not to be gambling for the purposes of the Gambling Act 2003.

For the purposes of the regulations, a lottery is a spot prize competition if—

- it forms part of, or is conducted together with, during, or within 7 days after the completion of, some other competition or event (the **main event**); and
- it is subsidiary to the main event; and
- no payment is required to enter the lottery other than the payment required to participate in the main event.

A spot prize competition will not be gambling if—

- the determination of its outcome does not involve gaming machines; and
  - no prize is property that by law must not be offered as a reward for gambling or used to reward a winner of gambling; and
  - the main event is not itself gambling, and benefits the community.
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These regulations are administered by the Department of Internal Affairs.

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