

Authorised Version

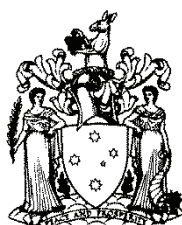
Crimes Amendment (Integrity in Sports) Act 2013

No. 20 of 2013

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Authorised Version



Victoria

Crimes Amendment (Integrity in Sports) Act 2013[†]

No. 20 of 2013

[Assented to 23 April 2013]

The Parliament of Victoria enacts:

1 Purpose

The purpose of this Act is to amend the **Crimes Act 1958** to insert offences in relation to corrupting the betting outcomes of events or event contingencies on which it is lawful to place bets.

2 Commencement

This Act comes into operation on the day after the day on which it receives the Royal Assent.

See:
Act No.
6231.
Reprint No. 23
as at
1 April 2012
and
amending
Act Nos
16/2004,
49/2010,
65/2010,
27/2011,
43/2012,
48/2012,
82/2012 and
83/2012.
LawToday:
www.
legislation.
vic.gov.au

3 New Division 2B inserted in Part I of the Crimes Act 1958

After Division 2A of Part I of the **Crimes Act 1958** insert—

"Division 2B—Cheating at gambling

195B Interpretation

(1) In this Division—

bet includes—

- (a) place, accept or withdraw a bet;
and
- (b) cause a bet to be placed, accepted
or withdrawn;

causing a financial disadvantage includes—

- (a) causing a financial disadvantage
to another person; and
- (b) inducing a third person to do
something that results in another
person suffering a financial
disadvantage—

whether the financial disadvantage is
permanent or temporary;

conduct means an act or omission to do an
act;

*conduct that corrupts or would corrupt a
betting outcome of an event or an
event contingency* means conduct
that—

- (a) affects or, if engaged in, would or
would be likely to affect the
outcome of any type of betting on
the event or event contingency;
and

-
- (b) is contrary to the standards of integrity that a reasonable person would expect of persons in a position to affect the outcome of any type of betting on the event or event contingency;

encourage includes incite, induce, persuade, urge, threaten or pressure;

engage in conduct means—

- (a) do an act; or
(b) omit to do an act;

event means an event (whether it takes place in Victoria or elsewhere) on which it is lawful to bet under a law of Victoria, another State, a Territory or the Commonwealth;

event contingency means a contingency connected to an event, being a contingency on which it is lawful to bet under a law of Victoria, another State, a Territory or the Commonwealth;

obtaining a financial advantage includes—

- (a) obtaining a financial advantage for oneself or another person; and
(b) inducing a third person to do something that results in obtaining a financial advantage for oneself or for another person; and
(c) retaining a financial advantage that one has—

whether the financial advantage is permanent or temporary.

-
- (2) In a proceeding for an offence against this Division, an accused will be taken to have intended to obtain a financial advantage, or cause a financial disadvantage, if, and only if, it is proved that the accused—
- (a) intended to obtain a financial advantage, or to cause a financial disadvantage, in connection with betting on an event or event contingency; or
 - (b) was aware that another person intended to obtain a financial advantage, or to cause a financial disadvantage, in connection with betting on an event or event contingency as a result of the conduct that is the subject of the charge.
- (3) In a proceeding for an offence against this Division, it is not necessary to prove that a financial advantage was actually obtained or a financial disadvantage was actually caused.

195C Engaging in conduct that corrupts or would corrupt a betting outcome of event or event contingency

A person must not engage in conduct that corrupts or would corrupt a betting outcome of an event or event contingency—

- (a) knowing that, or being reckless as to whether, the conduct corrupts or would corrupt a betting outcome of the event or the event contingency; and

-
- (b) intending to obtain a financial advantage, or to cause a financial disadvantage, in connection with any betting on the event or the event contingency.

Penalty: level 5 imprisonment (10 years maximum).

195D Facilitating conduct that corrupts or would corrupt a betting outcome of event or event contingency

- (1) A person must not offer to engage in, or encourage another person to engage in, conduct that corrupts or would corrupt a betting outcome of an event or event contingency—
- (a) knowing that, or being reckless as to whether, the conduct corrupts or would corrupt a betting outcome of the event or event contingency; and
- (b) intending to obtain a financial advantage, or to cause a financial disadvantage, in connection with any betting on the event or the event contingency.

Penalty: level 5 imprisonment (10 years maximum).

- (2) A person must not enter into an agreement or arrangement in respect of conduct that corrupts or would corrupt a betting outcome of an event or event contingency—
- (a) knowing that, or being reckless as to whether, the conduct the subject of the agreement or arrangement corrupts or would corrupt a betting outcome of the event or event contingency; and

- (b) intending to obtain a financial advantage, or to cause a financial disadvantage, in connection with any betting on the event or the event contingency.

Penalty: level 5 imprisonment (10 years maximum).

195E Concealing conduct, agreement or arrangement

- (1) A person must not encourage another person to conceal from a relevant authority conduct, or an agreement or arrangement in respect of conduct, that corrupts or would corrupt a betting outcome of an event or event contingency—
 - (a) knowing that, or being reckless as to whether, the conduct corrupts or would corrupt a betting outcome of the event or event contingency; and
 - (b) intending to obtain a financial advantage, or cause a financial disadvantage, in connection with any betting on the event or event contingency.

Penalty: level 5 imprisonment (10 years maximum).

- (2) In this section *relevant authority* means—
 - (a) a member of the police force; or
 - (b) a body that has the official function of controlling, regulating or supervising an event or betting on an event; or
 - (c) any other authority of a kind prescribed by regulation.

195F Use of corrupt conduct information for betting purposes

- (1) A person who—
- (a) possesses information in connection with an event or event contingency about conduct that corrupts or would corrupt a betting outcome of the event or event contingency; and
 - (b) knows that, or is reckless as to whether, the information is about conduct that corrupts or would corrupt a betting outcome of the event or event contingency—

must not, if the information is relevant to the bet—

- (c) bet on the event or event contingency; or
- (d) encourage another person to bet on the event or event contingency in a particular way; or
- (e) communicate the information, or cause the information to be communicated, to another person who the first person knows or ought reasonably to know would, or would be likely to, bet on the event or event contingency.

Penalty: level 5 imprisonment (10 years maximum).

- (2) In a proceeding for an offence against subsection (1)(d) or (e), it is not necessary to prove that the other person actually bet on the event or event contingency concerned."

4 New section 619 inserted

At the end of Part 7 of the **Crimes Act 1958**
insert—

**"619 Transitional provision—Crimes
Amendment (Integrity in Sports) Act 2013**

- (1) This Act as amended by the **Crimes
Amendment (Integrity in Sports) Act 2013**
applies to offences alleged to have been
committed on or after the commencement of
that Act.
- (2) For the purposes of subsection (1), if an
offence is alleged to have been committed
between 2 dates, one before and one after the
commencement of the **Crimes Amendment
(Integrity in Sports) Act 2013**, the offence
is alleged to have been committed before that
commencement."

5 Repeal of amending Act

This Act is **repealed** on the first anniversary of its
commencement.

Note

The repeal of this Act does not affect the continuing
operation of the amendments made by it (see section 15(1)
of the **Interpretation of Legislation Act 1984**).

ENDNOTES

† *Minister's second reading speech—*
Legislative Assembly: 7 March 2013
Legislative Council: 21 March 2013

The long title for the Bill for this Act was "A Bill for an Act to amend the **Crimes Act 1958** to insert new offences in relation to corrupting the betting outcomes of events or event contingencies on which it is lawful to place bets and for other purposes."