



Queensland

# **Criminal Code (Cheating at Gambling) Amendment Bill 2013**





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# Criminal Code (Cheating at Gambling) Amendment Bill 2013

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**2013**

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**A Bill**

for

**An Act to amend the Criminal Code to protect integrity in sport  
by prohibiting cheating at gambling in sport**

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	<b>The Parliament of Queensland enacts—</b>	1
<b>Clause 1</b>	<b>Short title</b>	2
	This Act may be cited as the <i>Criminal Code (Cheating at Gambling) Amendment Act 2013</i> .	3 4
<b>Clause 2</b>	<b>Act amended</b>	5
	This Act amends the Criminal Code.	6
<b>Clause 3</b>	<b>Insertion of new ch 43</b>	7
	After chapter 42A—	8
	<i>insert—</i>	9
	<b>Chapter 43 Cheating at gambling</b>	10
	<b>443 Definitions</b>	11
	In this chapter—	12
	<i>betting</i> , on an event, includes—	13
	(a) accepting, placing or withdrawing a bet on the event; and	14 15
	(b) causing the acceptance, placement or withdrawal of a bet on the event.	16 17
	<i>causing financial disadvantage—</i>	18
	(a) means causing financial disadvantage whether permanently or temporarily; and	19 20
	(b) includes—	21
	(i) causing financial disadvantage to another person; and	22 23

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- (ii) inducing a person to do an act or make an omission causing financial disadvantage to another person. 1  
2  
3
- corrupt betting conduct***, in relation to an event, means an act or omission that— 4  
5
- (a) affects, or if engaged in would be likely to affect, the outcome of betting on the event; 6  
7  
and 8
- (b) is contrary to the standards of integrity that a reasonable person would expect of a person in a position to affect the outcome of betting on the event. 9  
10  
11  
12
- encourage*** includes incite, induce, persuade, pressure, threaten or urge. 13  
14
- event***— 15
- (a) means an event on which betting under a law of the Commonwealth or a State is lawful; and 16  
17  
18
- (b) includes an event contingency. 19
- event contingency***, for an event, means a contingency for the event on which betting under a law of the Commonwealth or a State is lawful. 20  
21  
22
- obtaining financial advantage***— 23
- (a) means obtaining financial advantage whether permanently or temporarily; and 24  
25
- (b) includes— 26
- (i) obtaining financial advantage for another person; or 27  
28
- (ii) inducing a person to do an act or make an omission resulting in obtaining financial advantage for another person. 29  
30  
31

<b>443A Engaging in corrupt betting conduct</b>	1
A person who knowingly or recklessly engages in corrupt betting conduct in relation to an event with the intention of obtaining financial advantage, or causing financial disadvantage, in relation to betting on the event commits a crime.	2 3 4 5 6
Maximum penalty—10 years imprisonment.	7
<b>443B Facilitating corrupt betting conduct</b>	8
(1) A person who knowingly or recklessly offers to engage in, or encourages another person to engage in, corrupt betting conduct in relation to an event with the intention of obtaining financial advantage, or causing financial disadvantage, in relation to betting on the event commits a crime.	9 10 11 12 13 14
Maximum penalty—10 years imprisonment.	15
(2) A person who knowingly or recklessly enters into an agreement or arrangement in relation to corrupt betting conduct in relation to an event with the intention of obtaining financial advantage, or causing financial disadvantage, in relation to betting on the event commits a crime.	16 17 18 19 20 21
Maximum penalty—10 years imprisonment.	22
<b>443C Concealing corrupt betting conduct, agreement or arrangement</b>	23 24
(1) A person who knowingly or recklessly encourages another person to conceal from a relevant authority corrupt betting conduct, or an agreement or arrangement in relation to corrupt betting conduct, in relation to an event with the intention of obtaining financial advantage, or causing financial disadvantage, in relation to betting on the event commits a crime.	25 26 27 28 29 30 31 32
Maximum penalty—10 years imprisonment.	33



(2)	In this section—	1
	<i>relevant authority</i> means—	2
(a)	a police officer; or	3
(b)	a body having the official function of controlling, regulating or supervising—	4 5
(i)	an event, other than an event contingency; or	6 7
(ii)	the betting on an event, other than an event contingency.	8 9
<b>443D Using information in relation to event</b>		10
(1)	A person who knowingly or recklessly uses information about corrupt betting conduct in relation to an event for betting on the event commits a crime.	11 12 13 14
	Maximum penalty—10 years imprisonment.	15
(2)	A person who knowingly or recklessly uses information about corrupt betting conduct in relation to an event to encourage another person (the <i>second person</i> ) to bet on the event in a particular way commits a crime.	16 17 18 19 20
	Maximum penalty—10 years imprisonment.	21
(3)	A person (the <i>first person</i> ) who knowingly or recklessly communicates, or causes to be communicated, information about corrupt betting conduct in relation to an event to another person (also the <i>second person</i> ) who the first person knows, or ought reasonably to know, would be likely to bet on the event commits a crime.	22 23 24 25 26 27 28
	Maximum penalty—10 years imprisonment.	29
(4)	In a proceeding for an offence against subsection (2) or (3), it is immaterial whether the second person bets on the event.	30 31 32

<b>443E Evidentiary provision</b>	1
(1) This section applies for a proceeding for an offence under this chapter.	2 3
(2) A person is taken to have intended obtaining financial advantage, or causing financial disadvantage, only if it is proved that the person—	4 5 6 7
(a) intended obtaining financial advantage, or causing financial disadvantage, in relation to betting on an event; or	8 9 10
(b) was aware another person intended obtaining financial advantage, or causing financial disadvantage, in relation to betting on an event resulting from the act or omission that is the subject of the charge for the proceeding.	11 12 13 14 15 16
(3) It is immaterial whether financial advantage is obtained or financial disadvantage is caused.	17 18