

**402. Section 33.**—It is suggested by the Commissioner that undischarged bankrupts should be included amongst the persons prohibited from attending race meetings. As the section is directed to the exclusion only of persons guilty of undesirable practices or moral delinquency it does not seem proper that persons who may merely be the victims of financial misfortune should be incorporated in the same category and excluded. The Commission has therefore no recommendation to make in this regard.

**403.** The Department also suggests that the maximum penalty of £20 should be increased and provision made for imprisonment. Its object is to enable pick-pockets and undesirables who visit this country from overseas to be dealt with effectively. It is not good legislative policy to fix a penalty for an offence of this kind, having in mind only the most undesirable elements who might become subject to it and that particularly where the only offending act proved is mere attendance at a race meeting. If pick-pockets and undesirables, in addition, are guilty of particular offences, they can be convicted in respect of the offences they have committed and suffer appropriate consequences accordingly.

**404. Lotteries: Section 39.**—The Police Department is very anxious that appropriate authority should be conferred upon it to deal with what is inaccurately called “sale of tote tickets.” The purchaser of one of these tickets, the price of which varies from 1s. to 2s. 6d., is entitled to participate in the lottery. The prize is won by the holder of the ticket, the number of which corresponds with the last three figures of the totalizator turnover at a specified race meeting. It is analogous to what is known as “the numbers racket” in the United States of America. This form of gaming, the Commissioner says, has become widespread in New Zealand, and many individuals are making its promotion and administration a full-time and doubtless highly profitable occupation. On one occasion the Police seized 101,000 of these tickets which had been printed by a registered printer, but the prosecution failed because it was held that the printing of the tickets was a mere aiding and abetting of an attempt to conduct a lottery where an attempt to do so is not made an offence. There has been a recent similar decision where a printer was charged with printing charts for bookmakers. To meet the difficulty it is suggested that a section be introduced into the Gaming Act reading substantially as follows :—

No person shall print write or by any means or device prepare or have in his possession any tickets, vouchers, or documents of any kind whatsoever designed or which there is reasonable cause to believe are designed to be used in connection with bookmaking or the laying of odds or with any game of chance or any lottery.