LOTTERIES COMMISSION ACT 1990
LOTTERIES COMMISSION (AUTHORISED LOTTERIES) AMENDMENT
RULES 2020

Made by the Lotteries Commission under section 28(1) of the Act.

1. Citation
These rules are the Lotteries Commission (Authorised Lotteries) Amendment Rules 2020.

2. Commencement
These rules come into operation as follows—
(a) rules 1 and 2—on the day on which these rules are published in the Gazette
(b) the rest of the rules—9 November 2020.

3. Rules amended
These rules amend the Lotteries Commission (Authorised Lotteries) Rules 2016.

4. Rule 3 amended
(1) In rule 3 insert in alphabetical order—
- authorised provider means an online or other service provider authorised by the
  Commission to facilitate entries in lotto;
- Category A member means a person who has a membership with the
  Commission to enter lotto through an agent or a website or mobile
  application maintained by the Commission;
- Category B member means a person who has a membership with the
  Commission to enter lotto through a website, mobile application or other
  channel maintained by an authorised provider and approved by the
  Commission;
- Lotterywest member means a person who has applied and been accepted by the
  Commission or an authorised provider as a Category A member or a
  Category B member;
- Lotterywest membership means registration as a Lotterywest member following
  acceptance by the Commission or an authorised provider;
- membership account means a Lotterywest member’s account held by the
  Commission or an authorised provider which may be used for the purchase
  of entries by, and the payment of prizes to, that member;
(2) In rule 3 delete the definition of Lotterywest App and insert—
- Lotterywest App means the mobile application maintained by the Commission,
  or any other mobile application maintained by an authorised provider and
  approved by the Commission, for entering lotto;
(3) In rule 3 in the definition of Lotterywest membership card delete “following a
  request”;
(4) In rule 3 in the definition of Lotterywest membership number—
  (a) after “player membership number” insert—
    issued
  (b) after “receipted ticket” insert—
    or allocated to a digital entry
  (c) delete “an” and insert—
    a membership
(5) In rule 3 delete the definition of Play Online and insert—
- Play Online means the Lotterywest website maintained by the Commission, and
  any other website or channel maintained by an authorised provider and
  approved by the Commission, for entering lotto;
(6) In rule 3 in the definition of receipted ticket after “means a” insert—
  physical
(7) In rule 3 in the definition of selling period—
  (a) delete “time” and insert—
    times
  (b) after “by the Commission” insert—
    and published by the Commission or an authorised provider

5. Rule 5 amended
Delete rule 5 and insert—
(1) Where a person enters lotto in accordance with these rules—
(a) a receipted ticket must be generated and given to the subscriber; or
(b) an entry under Part 2 Division 5 must be generated and made available to the subscriber electronically,

(as the case requires).

Note: The heading to amended rule 5 is to read—

**Receipted tickets or digital entries to be issued**

6. Rule 6 amended

(1) In rule 6(1) delete “person” and insert—

subscriber

(2) In rule 6(2)—

(a) delete “Lotterywest membership card number” and insert—

Lotterywest membership number

(b) after “be linked to the” insert—

Lotterywest membership

7. Rule 8 amended

After rule 8(1) insert—

(2) Where permitted by the Commission or an authorised provider, a Lotterywest member can select entries into each lotto draw or such nominated lotto draws of a selected lotto game to continue automatically (Autoplay) until cancelled by the Lotterywest member or their membership account has insufficient funds to complete the purchase of the entry, and—

(a) the Lotterywest member may cancel the Autoplay at any time by notifying the Commission or authorised provider; and

(b) any increase or decrease in the entry price will apply to the Autoplay entry and their membership account will be charged the new price from the date of increase or decrease specified by the Commission.

8. Rule 9 amended

In rule 9(3)(a) after “spending limit” insert—

for their membership account or the 7 day spending limit for the total of all of their membership accounts

9. Rule 11 amended

(1) In rule 11(1), (2) and (3) after “ticket” (each occurrence) insert—

or digital entry

(2) In rule 11(1)—

(a) after “by the Commission” insert—

or an authorised provider

(b) after “recorded in the” insert—

Commission’s

(3) In rule 11(2)(a) before “has been surrendered” insert—

in the case of a receipted ticket,

(4) In rule 11(3)—

(a) after “information in the” insert—

Commission’s

(b) after “system records, the” insert—

Commission’s

Note: The heading to amended rule 11 is to read—

**Effect of receipted tickets and digital entries**

10. Rule 12 heading amended

Delete the heading to Rule 12 and insert—

**Which divisions can be won by a receipted ticket or entry**

11. Rule 14 amended

In rule 14—

(a) after “holder of a receipted ticket” insert—

or the purchaser of an entry under Part 2 Division 5

(b) after “in relation to a receipted ticket” insert—

or entry under Part 2 Division 5

12. Rule 15 amended
Delete rule 15(1), (2), (3) and (4) and insert—

(1) To apply to become a Lotterywest member a person must—
   (a) make an application to the Commission or an authorised provider in a form approved by the Commission; and
   (b) be an individual; and
   (c) confirm that they are at least 16 years of age and provide a Western Australian residential address; and
   (d) subject to subrule (3), not already be a Lotterywest member or be a player whose registration or membership has been suspended or cancelled under rule 42.

(2) Where a person has complied with subrule (1), the Commission may, in its absolute discretion, accept a person as a Lotterywest member.

(3) A person may apply to become a Category A member and a Category B member and the Commission may, in its absolute discretion, register a person as both a Category A member and a Category B member with separate membership accounts.

(4) A Lotterywest member must ensure that their Lotterywest member login details are not disclosed to any other person.

(5) A Lotterywest membership, Lotterywest membership number and a membership account will be issued to a subscriber who applies to become a Lotterywest member under this rule, is accepted by the Commission or an authorised provider as a Lotterywest member and pays the amount determined by the Commission (if any).

(6) A Lotterywest membership card may be issued to a Lotterywest member who is a Category A member.

(7) Prior to purchasing an entry or withdrawing funds from their membership account, a Category A member must have provided to the Commission what the Commission accepts as appropriate confirmation of identification.

(8) A person who presents to an agent a winning receipted ticket that is endorsed with a Lotterywest membership number within the timeframe stipulated by the Commission in relation to that type of lotto draw, will be paid in accordance with these rules, unless—
   (a) the Commission has been notified that the particular ticket has been lost or stolen, within a day of the loss or theft; or
   (b) the Lotterywest membership number on the receipted ticket is different to the number on the Lotterywest membership card presented to the agent.

(9) The prize entitlement of a winning receipted ticket that—
   (a) is endorsed with a Lotterywest membership number; and
   (b) is not claimed, or paid, within the timeframe stipulated by the Commission,
   will be paid in a manner determined by the Commission to the person named, or to the player’s membership account or to the authorised financial institution account recorded against that player’s Lotterywest membership number.

(10) Payment of a prize entitlement under subrule (8) or (9) discharges the liability of the Commission in relation to any particular winning receipted ticket that is endorsed with a Lotterywest membership number, and possession by a subscriber of a Lotterywest membership card does not entitle the subscriber to claim a prize from the Commission that has already been paid.

13. Rule 18 amended
   In rule 18 after “receipted tickets” insert—
   and digital entries

14. Rule 21 amended
   In rule 21 after “Lotterywest website” insert—
   and any authorised provider’s website

15. Rule 22 amended
   In rule 22 delete “is to” and insert—
   and any authorised provider must

16. Rule 23 amended
   In rule 23—
   (a) delete “is marked to indicate” and insert—
   or the digital entry indicates
(b) after “on the ticket” insert—
or digital entry

17. Rule 24 amended
In rule 24(1) after “Lotterywest website” insert—
and any authorised provider’s website

18. Part 2 Division 5 heading amended
In the heading to Part 2 Division 5 delete “Lotterywest membership” and insert—
Lotterywest membership and digital entries

19. Rule 37 amended
In rule 37—
(a) in the definition of player after “Lotterywest membership” insert—
and enters lotto online
(b) delete the definitions of player’s account and registration

20. Rule 39 amended
(1) In rule 39(1) delete “the website (Play Online) or the mobile application (Lotterywest App) maintained by the Commission for the purposes of these rules” and insert—
Play Online or the Lotterywest App
(2) In rule 39(2) after “by an agent” insert—
or an authorised provider
(3) In rule 39(3) delete “Commission or an agent” and insert—
Commission, an agent or an authorised provider

21. Rule 40 amended
Delete rule 40(2) and (3) and insert—
(2) Prior to purchasing a digital entry, a Lotterywest member must have provided to the Commission or an authorised provider what the Commission accepts as appropriate confirmation of identification.

Note: The heading to amended rule 40 is to read—
Purchase of digital entry

22. Rule 41 amended
(1) In rule 41(1) delete “Lotterywest membership” and insert—
membership account
(2) In rule 41(2) delete “the player’s” and insert—
a membership
(3) After rule 41(3) insert—
(4) Prior to withdrawing money from a membership account, a Lotterywest member must have provided to the Commission or an authorised provider what the Commission accepts as appropriate confirmation of identification.

Note: The heading to amended rule 41 is to read—
Membership account

23. Rule 42 amended
(1) In rule 42(1) after “The commission” insert—
or an authorised provider
(2) In rule 42(2)—
(a) delete “player’s” and insert—
person’s membership
(b) after “and the Commission” insert—
or authorised provider
(c) delete “the player any amount payable by law to the player” and insert—
that person any amount payable by law to them

24. Rule 43 amended
(1) In rule 43(1)—
(a) after “The Commission” insert—
or authorised provider
(b) delete “players” and insert—
membership
(2) After rule 43(1) insert—
(1A) The Commission may set a different 7 day spending limit for a single membership account and for the total of all membership accounts of a Lotterywest member.

(3) In rule 43(2)(b) delete “by a Lotterywest” and insert—

through a

25. Rule 44 amended
In rule 44 delete “Lotterywest”

26. Rule 45 amended
(1) In rule 45(1) delete “player” and insert—
Lotterywest member

(2) In rule 45(2) after “the Commission” insert—
or authorised provider

27. Rule 46 amended
(1) In rule 46(1) after “the Commission” insert—
or an authorised provider

(2) In rule 46(3)—
(a) delete “the Commission must” and insert—
the Commission or the authorised provider (if directed to do so by the Commission) must

(b) after “into the player’s” insert—
membership

28. Rule 47 amended
In rule 47 delete “player’s” (each occurrence) and insert—
membership

29. Rule 48 amended
In rule 48(1)—
(a) after “the Commission” insert—
or authorised provider

(b) after “into the player’s” insert—
membership

30. Rule 49 amended
(1) In rule 49(2) delete “bank” and insert—
authorised financial institution

(2) In rule 49(3) delete “membership” and insert—
authorised financial institution

31. Rule 50 amended
In rule 50 after “The Commission” insert—
or authorised provider (with the approval of the Commission)

32. Rule 51 amended
In rule 51 after “The Commission” and “the Commission” insert—
or authorised provider

33. Rule 62 amended
In rule 62 delete “ticket” and insert—
ticket, or a player’s entry under Part 2 Division 5,

34. Rule 120 amended
(1) In rule 120(2), (4) and (5) after “receipted ticket” (each occurrence) insert—
or entry purchased under Part 2 Division 5 of these rules

(2) In rule 120(5) after “the same ticket” insert—
or entry

The Common Seal of the Lotteries Commission was affixed on the 22nd day of October, 2020, by order and in the presence of —

S. P. KLINKEN, Chairperson.
S. CARRE, Board Member.
J. McGINTY, Board Member.