

## Fact sheet FS3098

# Two-up

This fact sheet explains the circumstances in which two-up games can be lawfully conducted in NSW.

## What is two-up?

Two-up is a gambling game in which coins are spun in the air and bets are laid on whether the coin faces show heads or tails.

## When can two-up be conducted?

By law, two-up games can only be conducted in NSW on:

- ▲ ANZAC Day (25 April in any year)
- ▲ Victory in the Pacific Day (15 August in any year), and
- ▲ Remembrance Day (11 November in any year but only after 12 noon).

The *Gambling (Two-up) Act 1998* does not legalise the playing of two-up at any other time. The only exception to this is Broken Hill, where two-up is played all year round under a special licence from the NSW Government.

## Who can conduct two-up?

### Social two-up

Anyone can conduct two-up as social entertainment.

### Fundraising two-up

Fundraising two-up must be conducted on the premises of a registered club under the *Registered Clubs Act 1976* only.

You can approach a registered club to host a fundraising game of two-up for you.

## Do I need a permit?

No. You can conduct two-up without a permit. But you must conduct the game in accordance with the *Gambling (Two-up) Act 1998*.

## Can children participate in a two-up game?

No. Persons under 18 are not allowed to play two-up.

## What is the prize pool?

The prize pool comprises all money invested by players. In a social two-up game, the entire pool must be distributed to participants.

In a fundraising two-up game, the organiser can deduct an amount from the prize pool for payment to the charity.

## Can you charge fees?

### Social two-up

No payment or other benefit is to be given or sought for the right to play the game. In addition, no payment or other benefit is to be given or sought for the right to enter premises where the game is to be played.

This does not prevent the payment of a customary entrance fee or charge to a licensed racecourse or sports ground if the fee or charge is not related to the game of two-up.

## Can you be paid a commission or fee?

### Social two-up

No. A commission, percentage or fee on bets or winnings cannot be paid. All bets and wagers must be given as winnings to the winning players.

### Fundraising two-up

The host registered club cannot be paid any commission, percentage or fee on bets or winnings. All monies received must be given to the benefiting charity or applied to a charitable purpose.

After deducting the amount to the benefiting charity, all remaining bets and wagers must be given as winnings.

### How much should the charity receive?

There is no minimum amount or percentage that must be provided to the benefiting charity if the two-up is for charitable fundraising. However, the charity should receive a reasonable return. Any advertising or promotion of the game will need to identify the amount, or percentage of the total amounts received, that will be paid to the charity.

### Gambling Help

Gambling Help is a crisis counselling and referral service providing information on how and where to get counselling for people adversely affected by gambling.

The service is an initiative of the New South Wales Government.

The service forms part of the Government's overall strategy to minimise the harm associated with gambling in NSW.



[gamblinghelp.nsw.gov.au](http://gamblinghelp.nsw.gov.au)  
1800 858 858

### Facts at a glance

#### Two-up may be conducted on:

- ▲ ANZAC Day (25 April in any year)
- ▲ Victory in the Pacific Day (15 August in any year), and
- ▲ Remembrance Day (11 November in any year but only after 12 noon).

#### The Gambling (Two-up) Act 1998 does not legalise the playing of two-up at any other time.

- ▲ A permit is not required
- ▲ Persons under 18 years are not allowed to play two-up
- ▲ The prize pool comprises all money invested by players
- ▲ Subject to the deduction of a fundraising amount for a benefiting charity, all bets and wagers must be given as winnings
- ▲ Fundraising two-up may only be conducted on the premises of a registered club.

### For further information

To find out more about liquor and gaming laws, contact Liquor & Gaming NSW:

 [liquorandgaming.nsw.gov.au](http://liquorandgaming.nsw.gov.au)

 [info.lgnsw@justice.nsw.gov.au](mailto:info.lgnsw@justice.nsw.gov.au)

 1300 024 720

You can also access relevant Acts and Regulations at [legislation.nsw.gov.au](http://legislation.nsw.gov.au).