

**TOTALIZATOR (OFF-COURSE BETTING)
AMENDMENT ACT.**

New South Wales



ANNO VICESIMO SECUNDO

ELIZABETHÆ II REGINÆ

Act No. 56, 1973.

An Act to reconstitute the Totalizator Agency Board;
for this and other purposes to amend the
Totalizator (Off-course Betting) Act, 1964; and
for purposes connected therewith. [Assented to,
8th October, 1973.]

BE

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BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Totalizator (Off-course Betting) Amendment Act, 1973".

Construc-
tion.

2. The Totalizator (Off-course Betting) Act, 1964, is in this Act referred to as the Principal Act.

Reconstitu-
tion of
Totalizator
Agency
Board.

3. (1) Upon a day to be appointed by the Governor and notified by proclamation published in the Gazette (which day is in this Act referred to as the "appointed day") the Totalizator Agency Board shall be reconstituted in accordance with section 3 of the Principal Act as amended by this section.

(2) Nothing in this section prejudices or affects in any way the continuity of the body corporate constituted under section 3 of the Principal Act and it shall continue notwithstanding the provisions of this section and be deemed, notwithstanding that there are or have been at any time or times vacancies in the offices of all of the members of the body corporate or of any one or more of them, to have always continued.

(3) For the purposes only of the appointment of any person to be a member of the Totalizator Agency Board as reconstituted under this section, and of any matters necessary for or incidental to that appointment or reconstitution, the provisions of subsection (5) shall commence on the date of assent to this Act.

(4) A person appointed pursuant to subsection (3) shall assume his office as a member of the Totalizator Agency Board upon the appointed day and on that day the provisions of subsection (5) shall come into force for all purposes.

(5)

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(5) The Principal Act is amended—

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(a) by omitting section 3 (2) and by inserting instead the following subsections :—

Amendment
of Act No.
1, 1964.
Sec. 3.
(Constitu-
tion of
Board.)

(2) Subject to subsection (2A), the Board shall consist of ten members appointed by the Governor, of whom—

- (a) one shall be nominated by the Minister and shall, in and by the instrument of his appointment, or in and by another instrument, be appointed by the Governor as Chairman of the Board;
- (b) one shall be nominated by the Australian Jockey Club;
- (c) one shall be nominated by the Sydney Turf Club;
- (d) one shall be nominated by the New South Wales Trotting Club Limited;
- (e) one shall be a member of the Greyhound Racing Control Board nominated by that Board;
- (f) one shall be nominated jointly by the Hawkesbury Race Club, the Kembla Grange Race Club and the Newcastle Racing Registration Board;
- (g) one shall be nominated jointly by the Central and Lower Coast Racing Association, the Northern and North-western Districts Racing Association, the Northern Rivers Racing Association and the Central Western District Racing Association;
- (h) one shall be nominated jointly by the Broken Hill and Far-west Racing Registration Board, the Western District Racing Association, the Southern Tablelands and South Coast Racing Association and the Southern District Racing Association;

(i)

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- (i) one shall be nominated by the Minister from persons recommended to him by the several racing bodies that conduct greyhound racing within the State; and
 - (j) one shall be nominated by the Minister from persons recommended to him by the several racing bodies, other than the New South Wales Trotting Club Limited, that conduct trotting racing within the State.
- (2A) The Minister may, if he sees fit, nominate a person, and the Governor may appoint that person, to be an additional member of the Board.
- (b) by omitting from section 3 (3) (a) the words "Any nominations" and by inserting instead the words "A nomination or recommendation";
 - (c) by inserting in section 3 (3) (c) after the words "of this subsection" the words "or if no recommendation is made under paragraph (i) or (j) of subsection (2) of this section";
 - (d) by inserting next after section 3 (5) the following new subsection :—
- (5A) The offices of Chairman and member of the Board shall, for the purpose of any Act, be deemed not to be offices or places of profit under the Crown.

Transitional provisions.

4. Notwithstanding anything in the Principal Act, as amended by this Act—

- (a) a person holding office as a member of the Totalizator Agency Board immediately before the appointed day shall be deemed to be holding office on that day—
 - (i) where he was the member, not being the Chairman of the Board, appointed under section 3 (2) (a)—as the additional member referred to in section 3 (2A) of the Principal Act, as amended by this Act; and
 - (ii)

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- (ii) where he was the Chairman of the Board, No. 56, 1973
or a member appointed under section 3 (2)
(b), (c), (d), (e), (f), (g) or (h)—as
the member referred to in section 3 (2)
(a), (b), (c), (d), (e), (f), (g) or (h),
respectively, of the Principal Act, as
amended by this Act,

and shall, subject to the Principal Act as so
amended, continue to hold that office for the
residue of the term of office for which he was
appointed under the Principal Act; and

- (b) the persons first appointed as members under
section 3 (2) (i) and (j) of the Principal Act as
amended by this Act shall hold office from the
appointed day for the period that is equal on that
day to the residue of the term of office of the other
members of the Board holding office on that day
by virtue of paragraph (a).

5. The Principal Act is further amended—

Further
amendment
of Act No.
1, 1964.

- (a) by inserting in section 12 (2) (a) after the word
“State” the word “shall”;
- (b) by inserting in section 12 (2) (b) after the word
“Commonwealth” where firstly occurring the word
“shall”.

Sec. 12.
(Conduct of
off-course
totalizators.)