

New South Wales



ANNO VICESIMO QUINTO

ELIZABETHÆ II REGINÆ

Act No. 90, 1976.

An Act to amend the Totalizator (Off-course Betting) Act, 1964, for the purpose of providing for the distribution of amounts invested in totalizators conducted by the Totalizator Agency Board and of prescribing the minimum unit of investment with respect to investments made on multiple selection totalizators so conducted.
[Assented to, 6th December, 1976.]

BE

Totalizator (Off-course Betting) Amendment.

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, 1976".

Amendment of Act No. 1, 1964.

2. The Totalizator (Off-course Betting) Act, 1964, is amended in the manner set forth in Schedule 1.

Sec. 2.

SCHEDULE 1.**AMENDMENTS TO THE TOTALIZATOR (OFF-COURSE) BETTING ACT, 1964.**

(1) (a) Section 2, definition of "Doubles totalizator"—

After the definition of "Board", insert:—

"Doubles totalizator" has the meaning ascribed to that expression by section 2 of the Totalizator Act, 1916.

(b) Section 2, definition of "Multiple selection totalizator"—

After the definition of "Member", insert:—

"Multiple selection totalizator" has the meaning ascribed to that expression by section 2 of the Totalizator Act, 1916.

SCHEDULE

Totalizator (Off-course Betting) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE TOTALIZATOR (OFF-COURSE) BETTING ACT, 1964—*continued.*

(c) Section 2, definition of “Prescribed”—

Omit the definition.

(d) Section 2, definition of “Quinella totalizator”—

Before the definition of “Racecourse Development Fund” insert :—

“Quinella totalizator” means a quinella totalizator as defined in the rules made under the Totalizator Act, 1916.

(e) Section 2, definition of “Rules”—

After the definition of “Regulations” insert :—

“Rules” means rules made under this Act.

(2) Section 6 (2)—

Omit “, and Acts amending the same”.

(3) Section 9 (2) (a)—

Omit “, as amended by subsequent Acts” wherever occurring.

(4) Section 10—

Omit “, as amended by subsequent Acts”.

SCHEDULE

Totalizator (Off-course Betting) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS TO THE TOTALIZATOR (OFF-COURSE) BETTING
ACT, 1964—*continued.*

(5) Section 12 (3)—

Omit the subsection, insert instead :—

(3) In such special circumstances, or on such special occasions, as the Minister may determine, all bets made with the Board in respect of any scheduled event or contingency, instead of being dealt with in accordance with subsection (2), shall—

- (a) be held and accounted for separately from other money coming into the custody or under the control of the Board;
- (b) be placed in a totalizator conducted by the Board in respect of that event or contingency; and
- (c) be available for distribution by the Board in accordance with this Act.

(6) Section 13A—

After section 13, insert :—

Distribution
of money
invested in
totalizators
conducted
by the
Board.

13A. (1) Where any money is placed in a totalizator conducted by the Board in respect of any event or contingency in accordance with section 12 (3), the Board shall—

- (a) deduct from that money any sums refundable to investors, or transferable to another type of totalizator, in accordance with the regulations and the rules and with the rules made under the Totalizator Act, 1916, so far as they are applicable to the Board; and

SCHEDULE

Totalizator (Off-course Betting) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE TOTALIZATOR (OFF-COURSE) BETTING ACT, 1964—*continued.*

(b) on the happening of that event or contingency, distribute the balance in accordance with subsection (2), (3) or (4), whichever is applicable.

(2) Where the totalizator referred to in subsection (1) is a totalizator other than a doubles totalizator or a multiple selection totalizator, of the balance referred to in subsection (1) (b)—

(a) $6\frac{1}{2}$ per centum shall be paid as commission to the Treasury to be credited to the Consolidated Revenue Fund;

(b) $7\frac{1}{2}$ per centum shall be retained as commission by the Board; and

(c) the remainder shall be paid as dividends.

(3) Where the totalizator referred to in subsection (1) is a doubles totalizator, of the balance referred to in subsection (1) (b)—

(a) 8 per centum shall be paid as commission to the Treasury to be credited to the Consolidated Revenue Fund;

(b) one-half of 1 per centum shall be paid as commission to the Treasury to be credited to the Racecourse Development Fund;

(c) $7\frac{1}{2}$ per centum shall be retained as commission by the Board; and

(d) the remainder shall be paid as dividends.

SCHEDULE

*Totalizator (Off-course Betting) Amendment.*SCHEDULE 1—*continued.*AMENDMENTS TO THE TOTALIZATOR (OFF-COURSE) BETTING ACT, 1964—*continued.*

(4) Where the totalizator referred to in subsection (1) is a multiple selection totalizator, of the balance referred to in subsection (1) (b)—

- (a) 8 per centum shall be paid as commission to the Treasury to be credited to the Consolidated Revenue Fund;
- (b) one-half of 1 per centum shall be paid as commission to the Treasury to be credited to the Racecourse Development Fund;
- (c) 8½ per centum shall be retained as commission by the Board; and
- (d) the remainder shall be paid as dividends.

(7) (a) Section 14 (1), (2)—

Omit the subsections, insert instead :—

(1) Sections 8B, 9, 9B, 9C and 11 of the Totalizator Act, 1964, shall, so far as they are applicable and with any necessary modifications, apply to and in respect of the Board and to and in respect of money placed in a totalizator conducted by the Board in the same way as they apply to and in respect of a racing club within the meaning of that Act and to and in respect of money paid into a totalizator used by any such club.

(b) Section 14 (3)—

Omit “After making a payment to the Treasurer in accordance with subsection (2) the club shall forthwith pay the residue of the said part of the commission to the Board.”

SCHEDULE

Totalizator (Off-course Betting) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE TOTALIZATOR (OFF-COURSE) BETTING
ACT, 1964—*continued.*

(c) Section 14 (3)—

Omit “the amount so paid and the residue of the said part of the commission deducted by the Board”, insert instead “amounts paid to the Board as commission under sections 8 and 8A of the Totalizator Act, 1916, and amounts retained by the Board as commission under section 13A”.

(d) Section 14 (4)—

Omit the subsection.

(8) Section 14A (5)—

Omit “Treasurer as commission and special commission under this Act or the Totalizator Act, 1916,”, insert instead “Treasury as commission under this Act”.

(9) (a) Section 17 (2) (d)—

Omit “paragraph (e)”, insert instead “paragraphs (e) and (f)”.

(b) Section 17 (2) (d)—

Omit “and” where lastly occurring.

SCHEDULE

Totalizator (Off-course Betting) Amendment.

SCHEDULE 1—*continued.*AMENDMENTS TO THE TOTALIZATOR (OFF-COURSE) BETTING ACT, 1964—*continued.*

(c) Section 17 (2) (e), (f)—

Omit section 17 (2) (e), insert instead :—

(e) an amount of 50 cents or any multiple of that amount shall be accepted by the Board—

(i) as a bet on any event or contingency in relation to which a doubles totalizator or a quinella totalizator is used; or

(ii) as a bet received by the Board on behalf of an authority referred to in section 12 (2) (b) (i),

and the dividend payable by the Board in respect of the bet shall bear the same proportion to the dividend declared in respect of the unit of investment as the amount invested bears to the unit of investment; and

(f) an amount of \$1 or any multiple of that amount shall be accepted by the Board as a bet on any event or contingency in relation to which a multiple selection totalizator is used (not being a multiple selection totalizator used by an authority referred to in section 12 (2) (b) (i)), and the dividend payable by the Board in respect of the bet shall bear the same proportion to the dividend declared in respect of the unit of investment as the amount invested bears to the unit of investment.

SCHEDULE

Totalizator (Off-course Betting) Amendment.

SCHEDULE 1—*continued.*

AMENDMENTS TO THE TOTALIZATOR (OFF-COURSE) BETTING
ACT, 1964—*continued.*

(d) Section 17 (2A)—

Omit the subsection.

(10) Section 19—

Omit “, as amended by subsequent Acts” wherever occurring.

(11) Section 21 (4)—

Omit the subsection, insert instead :—

(4) Section 41 of the Interpretation Act, 1897, applies in respect of the regulations as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.
