

TOTALIZATOR (AMENDMENT) ACT, 1978, No. 146

New South Wales



ANNO VICESIMO SEPTIMO

ELIZABETHÆ II REGINÆ

Act No. 146, 1978.

An Act to amend the Totalizator Act, 1916, to enable the pooling of bets made on one racecourse in respect of a race with bets made on the totalizator used on another racecourse in respect of the same race. [Assented to, 29th December, 1978.]

Totalizator (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 :—

1. This Act may be cited as the "Totalizator (Amendment) Short title. Act, 1978".

2. (1) This section and section 1 shall commence on the date of assent to this Act.

(2) Except as provided in subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. The Totalizator Act, 1916, is amended in the manner set forth in Schedule 1.

Sec. 3.

SCHEDULE 1.

AMENDMENTS TO THE TOTALIZATOR ACT, 1916.

(1) Section 3B—

After section 3A, insert :—

3B. (1) Notwithstanding anything contained in any Act Common-
relating to gaming, betting or wagering, a racing club ^{pool} _{totalizator} betting.
may—

(a) on any racecourse at which it holds race-
meetings; and

(b) with the approval of the Minister and subject to
such terms and conditions as he may impose,

Totalizator (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.*

conduct totalizator betting, in which bets are dealt with under subsection (2), upon any event or contingency scheduled to be held on another racecourse within or outside New South Wales.

(2) All bets made with a racing club pursuant to subsection (1) in respect of any event or contingency—

- (a) shall be paid by the racing club into a totalizator used on another racecourse within New South Wales in respect of the event or contingency;
- (b) shall form part of the money invested on that totalizator on the relevant event or contingency; and
- (c) shall be available for distribution by the racing club that uses the totalizator on that other racecourse.

(3) The Minister may, for any reason he deems fit, revoke any approval granted under subsection (1), and may vary the terms and conditions to which any approval granted under subsection (1) is subject.

(4) If a racing club conducts totalizator betting of the kind referred to in this section without the approval of the Minister or otherwise than in accordance with any terms and conditions to which that approval is subject, it shall be liable to a penalty not exceeding \$200 for every day on which it conducts totalizator betting of that kind.

(5) A racing club that conducts totalizator betting pursuant to subsection (1) is, for the purposes of sections 8, 8A, 9c (10), 10 and 11, deemed not to be using a totalizator in respect of bets made with the club pursuant to that subsection.

Totalizator (Amendment).

SCHEDULE 1—continued.

AMENDMENTS TO THE TOTALIZATOR ACT, 1916—continued.

(2) Section 5 (2)—

At the end of section 5, insert :—

(2) The conduct of totalizator betting pursuant to section 3B shall be lawful to all intents and purposes, and every person engaged or concerned in the conduct of that betting, and every house, office, room or place upon a racecourse used for the purposes of the conduct of that betting, and every placard or advertisement referring thereto, shall be exempt from the provisions of any Act prohibiting gaming, betting or wagering.

(3) Sections 8, 8A—

Omit the sections, insert instead :—

8. (1) This section applies to every totalizator established and used under this Act, except one to which section 8A applies.

Distribution
of money
invested on
totalizators
other than
those to
which
section 8A

(2) A racing club which, under this Act, uses a totalizator to which this section applies shall—

(a) deduct from the total money paid into the totalizator in respect of any event or contingency any sums refundable to investors, or transferable to another type of totalizator, in accordance with the regulations and the rules; and

(b) on the happening of that event or contingency, distribute the balance in accordance with subsection (3), (4) or (5), whichever is applicable.

Totalizator (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.*

(3) Where the totalizator referred to in subsection (2) is a totalizator other than a doubles totalizator or a multiple selection totalizator—

(a) of the balance referred to in subsection (2) (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d) or (e)—

(i) 8 per cent shall be paid as commission to the Minister to be credited to the Consolidated Revenue Fund; and

(ii) 6 per cent shall be retained as commission by the club;

(b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board—

(i) 6.5 per cent shall be paid as commission to the Minister to be credited to the Consolidated Revenue Fund; and

(ii) 7.5 per cent shall be paid as commission to the Board;

(c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a racecourse referred to in section 8A (1)—

(i) 5 per cent shall be paid as commission to the Minister to be credited to the Consolidated Revenue Fund; and

(ii) 9 per cent shall be retained as commission by the club;

Totalizator (Amendment).

SCHEDULE 1—continued.

AMENDMENTS TO THE TOTALIZATOR ACT, 1916—continued.

- (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a racecourse other than one referred to in section 8A (1)—
 - (i) 8 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Revenue Fund; and
 - (ii) 6 per cent shall be paid as commission to that other club;
- (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a racecourse referred to in section 8A (1)—
 - (i) 5 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Revenue Fund; and
 - (ii) 9 per cent shall be paid as commission to that other club; and
- (f) the remainder of that balance shall be paid as dividends.

(4) Where the totalizator referred to in subsection (2) is a doubles totalizator—

- (a) of the balance referred to in subsection (2) (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d) or (e)—
 - (i) 9.5 per cent shall be paid as commission to the Minister to be credited to the Consolidated Revenue Fund;

Totalizator (Amendment).

SCHEDULE 1—*continued.***AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.***

- (ii) 0.5 per cent shall be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
- (iii) 6 per cent shall be retained as commission by the club;

- (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board—
 - (i) 8 per cent shall be paid as commission to the Minister to be credited to the Consolidated Revenue Fund;
 - (ii) 0.5 per cent shall be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
 - (iii) 7.5 per cent shall be paid as commission to the Board;
- (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a racecourse referred to in section 8A (1)—
 - (i) 6.5 per cent shall be paid as commission to the Minister to be credited to the Consolidated Revenue Fund;
 - (ii) 0.5 per cent shall be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
 - (iii) 9 per cent shall be retained as commission by the club;

Totalizator (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.*

- (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a racecourse other than one referred to in section 8A (1)—
 - (i) 9.5 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Revenue Fund;
 - (ii) 0.5 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and
 - (iii) 6 per cent shall be paid as commission to that other club;
- (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a racecourse referred to in section 8A (1)—
 - (i) 6.5 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Revenue Fund;
 - (ii) 0.5 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and
 - (iii) 9 per cent shall be paid as commission to that other club; and
- (f) the remainder of that balance shall be paid as dividends.

Totalizator (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.*

(5) Where the totalizator referred to in subsection

(2) is a multiple selection totalizator—

(a) of the balance referred to in subsection (2) (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d) or (e)—

(i) 9.5 per cent shall be paid as commission to the Minister to be credited to the Consolidated Revenue Fund;

(ii) 0.5 per cent shall be paid as commission to the Minister to be credited to the Racecourse Development Fund; and

(iii) 7 per cent shall be retained as commission by the club;

(b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board—

(i) 8 per cent shall be paid as commission to the Minister to be credited to the Consolidated Revenue Fund;

(ii) 0.5 per cent shall be paid as commission to the Minister to be credited to the Racecourse Development Fund; and

(iii) 8.5 per cent shall be paid as commission to the Board;

Totalizator (Amendment).

SCHEDULE 1—*continued.***AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.***

- (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a racecourse referred to in section 8A (1)—
 - (i) 6.5 per cent shall be paid as commission to the Minister to be credited to the Consolidated Revenue Fund;
 - (ii) 0.5 per cent shall be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
 - (iii) 10 per cent shall be retained as commission by the club;

- (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a racecourse other than one referred to in section 8A (1)—
 - (i) 9.5 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Revenue Fund;
 - (ii) 0.5 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and
 - (iii) 7 per cent shall be paid as commission to that other club;

*Totalizator (Amendment).*SCHEDULE 1—*continued.*AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.*

- (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a racecourse referred to in section 8A (1)—
 - (i) 6.5 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Revenue Fund;
 - (ii) 0.5 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and
 - (iii) 10 per cent shall be paid as commission to that other club; and
- (f) the remainder of that balance shall be paid as dividends.

Distribution
of money
invested on
totalizators
to which
this section
applies.

8A. (1) This section applies to every totalizator established and used under this Act—

- (a) on the Menangle Park racecourse, the Hawkesbury racecourse, the Penrith Showground, the Bankstown Showground or the Fairfield Showground;
- (b) on a prescribed racecourse that is less than 64 kilometres from the Sydney General Post Office; or
- (c) on a racecourse situated 64 kilometres or more from the Sydney General Post Office.

*Totalizer (Amendment).*SCHEDULE 1—*continued.*AMENDMENTS TO THE TOTALIZER ACT, 1916—*continued.*

(2) A racing club which, under this Act, uses a totalizer to which this section applies shall—

- (a) deduct from the total money paid into the totalizer in respect of any event or contingency any sums refundable to investors, or transferable to another type of totalizer, in accordance with the regulations and the rules; and
- (b) on the happening of that event or contingency, distribute the balance in accordance with subsection (3), (4) or (5), whichever is applicable.

(3) Where the totalizer referred to in subsection (2) is a totalizer other than a doubles totalizer or a multiple selection totalizer—

- (a) of the balance referred to in subsection (2) (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d) or (e)—
 - (i) 5 per cent shall be paid as commission to the Minister to be credited to the Consolidated Revenue Fund; and
 - (ii) 9 per cent shall be retained as commission by the club;
- (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizer Agency Board—
 - (i) 6.5 per cent shall be paid as commission to the Minister to be credited to the Consolidated Revenue Fund; and

Totalizator (Amendment).

SCHEDULE 1—continued.**AMENDMENTS TO THE TOTALIZATOR ACT, 1916—continued.**

- (ii) 7.5 per cent shall be paid as commission to the Board;
- (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a racecourse other than one referred to in subsection (1)—
 - (i) 8 per cent shall be paid as commission to the Minister to be credited to the Consolidated Revenue Fund; and
 - (ii) 6 per cent shall be retained as commission by the club;
- (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a racecourse referred to in subsection (1)—
 - (i) 5 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Revenue Fund; and
 - (ii) 9 per cent shall be paid as commission to that other club;
- (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a racecourse other than one referred to in subsection (1)—
 - (i) 8 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Revenue Fund; and
 - (ii) 6 per cent shall be paid as commission to that other club; and

Totalizator (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.*

(f) the remainder of that balance shall be paid as dividends.

(4) Where the totalizator referred to in subsection (2) is a doubles totalizator—

(a) of the balance referred to in subsection (2) (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d) or (e)—

(i) 6.5 per cent shall be paid as commission to the Minister to be credited to the Consolidated Revenue Fund;

(ii) 0.5 per cent shall be paid as commission to the Minister to be credited to the Racecourse Development Fund; and

(iii) 9 per cent shall be retained as commission by the club;

(b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board—

(i) 8 per cent shall be paid as commission to the Minister to be credited to the Consolidated Revenue Fund;

(ii) 0.5 per cent shall be paid as commission to the Minister to be credited to the Racecourse Development Fund; and

(iii) 7.5 per cent shall be paid as commission to the Board;

Totalizator (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.*

(c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a racecourse other than one referred to in subsection (1)—

(i) 9.5 per cent shall be paid as commission to the Minister to be credited to the Consolidated Revenue Fund;

(ii) 0.5 per cent shall be paid as commission to the Minister to be credited to the Racecourse Development Fund; and

(iii) 6 per cent shall be retained as commission by the club;

(d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a racecourse referred to in subsection (1)—

(i) 6.5 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Revenue Fund;

(ii) 0.5 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and

(iii) 9 per cent shall be paid as commission to that other club;

*Totalizator (Amendment).***SCHEDULE 1—continued.****AMENDMENTS TO THE TOTALIZATOR ACT, 1916—continued.**

(e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a racecourse other than one referred to in subsection (1)—

- (i) 9.5 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Revenue Fund;
- (ii) 0.5 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and
- (iii) 6 per cent shall be paid as commission to that other club; and

(f) the remainder of that balance shall be paid as dividends.

(5) Where the totalizator referred to in subsection (2) is a multiple selection totalizator—

(a) of the balance referred to in subsection (2) (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d) or (e)—

- (i) 6.5 per cent shall be paid as commission to the Minister to be credited to the Consolidated Revenue Fund;
- (ii) 0.5 per cent shall be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
- (iii) 10 per cent shall be retained as commission by the club;

Totalizator (Amendment).

SCHEDULE 1—continued.**AMENDMENTS TO THE TOTALIZATOR ACT, 1916—continued.**

- (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board—
 - (i) 8 per cent shall be paid as commission to the Minister to be credited to the Consolidated Revenue Fund;
 - (ii) 0.5 per cent shall be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
 - (iii) 8.5 per cent shall be paid as commission to the Board;
- (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a racecourse other than one referred to in subsection (1)—
 - (i) 9.5 per cent shall be paid as commission to the Minister to be credited to the Consolidated Revenue Fund;
 - (ii) 0.5 per cent shall be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
 - (iii) 7 per cent shall be retained as commission by the club;
- (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a racecourse referred to in subsection (1)—
 - (i) 6.5 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Revenue Fund;

Totalizator (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.*

- (ii) 0.5 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and
- (iii) 10 per cent shall be paid as commission to that other club;
- (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a racecourse other than one referred to in subsection (1)—
 - (i) 9.5 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Revenue Fund;
 - (ii) 0.5 per cent shall be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and
 - (iii) 7 per cent shall be paid as commission to that other club; and
- (f) the remainder of that balance shall be paid as dividends.

(4) Section 8B—

Omit “Treasury” and “Treasurer” wherever occurring, insert instead “Minister”.

*Totalizator (Amendment).*SCHEDULE 1—*continued.*AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.*

(5) Section 8D—

After section 8C, insert :—

Payment
to another
club.

8D. (1) Any amount required under section 8, 8A or 9C (10) to be paid by a racing club to another racing club may be recovered in a court of competent jurisdiction as a debt due to that other club.

(2) A dividend payable by a racing club in respect of any bet which was made with another racing club under section 3B shall be paid or credited by the former club to the latter club, and shall be paid or credited by the latter club to the person entitled to receive it.

(6) (a) Section 9 (3)—

Omit “Treasury”, insert instead “Minister”.

(b) Section 9 (4)—

Omit “any such club”, insert instead “any club using a totalizator”.

(7) Sections 9A, 9B (1), 9C (9) (a)—

Omit “Treasury” wherever occurring, insert instead “Minister”.

(8) (a) Section 9C (9) (b)—

Omit “Treasurer”, insert instead “Minister”.

(b) Section 9C (10)—

Omit the subsection, insert instead :—

Totalizer (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE TOTALIZER ACT, 1916—*continued.*

(10) Where by reason of subsection (3) (paragraph (b) excepted) there is insufficient money for payment of the dividends in respect of the event or contingency in respect of which a totalizer was used, the deficiency shall be paid—

- (a) by the Minister from the Consolidated Revenue Fund—to the club that used the totalizer;
- (b) by the Totalizer Agency Board—to the club that used the totalizer;
- (c) by any club that paid bets made with it in respect of the event or contingency into the totalizer pursuant to section 3B (2)—to the club that used the totalizer; and
- (d) by the club that used the totalizer,

in shares that bear to each other the same proportion as—

- (e) the commission carried to the Consolidated Revenue Fund under this Act or the Totalizer (Off-course Betting) Act, 1964;
- (f) the commission (if any) payable to the Board;
- (g) the commission (if any) payable to the club that paid bets made with it in respect of the event or contingency into the totalizer pursuant to section 3B (2); and
- (h) the commission (if any) retained by the club that used the totalizer,

in respect of the event or contingency, bear to each other.

Totalizator (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.*

(9) (a) Section 10 (3)-(4A)—

Omit the subsections, insert instead :—

(3) Where the totalizator referred to in subsection (2) is a totalizator other than a doubles totalizator or a multiple selection totalizator—

(a) of the balance referred to in subsection (2) (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c) or (d), 14 per cent (less the necessary expenses incurred in using the totalizator) shall be retained as commission by the Minister to be credited to the Consolidated Revenue Fund;

(b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board—

(i) 6.5 per cent shall be retained as commission by the Minister to be credited to the Consolidated Revenue Fund; and

(ii) 7.5 per cent shall be paid as commission to the Board;

(c) of that part (if any) of that balance which is derived from bets made under section 3B with a racing club at a racecourse other than one referred to in section 8A (1)—

(i) 8 per cent shall be retained as commission by the Minister to be credited to the Consolidated Revenue Fund; and

*Totalizator (Amendment).*SCHEDULE 1—*continued.*AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.*

- (ii) 6 per cent shall be paid as commission to the club;
- (d) of that part (if any) of that balance which is derived from bets made under section 3B with a racing club at a racecourse referred to in section 8A (1)—
 - (i) 5 per cent shall be retained as commission by the Minister to be credited to the Consolidated Revenue Fund; and
 - (ii) 9 per cent shall be paid as commission to the club; and
- (e) the remainder of that balance shall be paid as dividends.

(4) Where the totalizator referred to in subsection (2) is a doubles totalizator—

- (a) of the balance referred to in subsection (2) (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c) or (d)—
 - (i) 15.5 per cent (less the necessary expenses incurred in using the totalizator) shall be retained as commission by the Minister to be credited to the Consolidated Revenue Fund; and
 - (ii) 0.5 per cent shall be retained as commission by the Minister to be credited to the Racecourse Development Fund;

Totalizator (Amendment).

SCHEDULE 1—continued.**AMENDMENTS TO THE TOTALIZATOR ACT, 1916—continued.**

(b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board—

- (i) 8 per cent shall be retained as commission by the Minister to be credited to the Consolidated Revenue Fund;
- (ii) 0.5 per cent shall be retained as commission by the Minister to be credited to the Racecourse Development Fund; and
- (iii) 7.5 per cent shall be paid as commission to the Board;

(c) of that part (if any) of that balance which is derived from bets made under section 3B with a racing club at a racecourse other than one referred to in section 8A (1)—

- (i) 9.5 per cent shall be retained as commission by the Minister to be credited to the Consolidated Revenue Fund;
- (ii) 0.5 per cent shall be retained as commission by the Minister to be credited to the Racecourse Development Fund; and
- (iii) 6 per cent shall be paid as commission to the club;

Totalizator (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.*

(d) of that part (if any) of that balance which is derived from bets made under section 3B with a racing club at a racecourse referred to in section 8A (1)—

- (i) 6.5 per cent shall be retained as commission by the Minister to be credited to the Consolidated Revenue Fund;
- (ii) 0.5 per cent shall be retained as commission by the Minister to be credited to the Racecourse Development Fund; and
- (iii) 9 per cent shall be paid as commission to the club; and

(e) the remainder of that balance shall be paid as dividends.

(4A) Where the totalizator referred to in subsection (2) is a multiple selection totalizator—

(a) of the balance referred to in subsection (2) (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c) or (d)—

- (i) 16.5 per cent (less the necessary expenses incurred in using the totalizator) shall be retained as commission by the Minister to be credited to the Consolidated Revenue Fund; and

Totalizator (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.*

- (ii) 0.5 per cent shall be retained as commission by the Minister to be credited to the Racecourse Development Fund;
- (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board—
 - (i) 8 per cent shall be retained as commission by the Minister to be credited to the Consolidated Revenue Fund;
 - (ii) 0.5 per cent shall be retained as commission by the Minister to be credited to the Racecourse Development Fund; and
 - (iii) 8.5 per cent shall be paid as commission to the Board;
- (c) of that part (if any) of that balance which is derived from bets made under section 3B with a racing club at a racecourse other than one referred to in section 8A (1)—
 - (i) 9.5 per cent shall be retained as commission by the Minister to be credited to the Consolidated Revenue Fund;
 - (ii) 0.5 per cent shall be retained as commission by the Minister to be credited to the Racecourse Development Fund; and

Totalizator (Amendment).

SCHEDULE 1—continued.

AMENDMENTS TO THE TOTALIZATOR ACT, 1916—continued.

- (iii) 7 per cent shall be paid as commission to the club;
- (d) of that part (if any) of that balance which is derived from bets made under section 3B with a racing club at a racecourse referred to in section 8A (1)—
 - (i) 6.5 per cent shall be retained as commission by the Minister to be credited to the Consolidated Revenue Fund;
 - (ii) 0.5 per cent shall be retained as commission by the Minister to be credited to the Racecourse Development Fund; and
 - (iii) 10 per cent shall be paid as commission to the club; and
- (e) the remainder of that balance shall be paid as dividends.

(b) Section 10 (5)—
Omit “be paid into the Treasury to”.

(10) Section 11 (1), (2)—
Omit “Treasurer” wherever occurring, insert instead “Minister”.

Totalizator (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.*

(11) Section 16 (3)—

At the end of section 16, insert :—

(3) Subsection (1) does not apply to any telephonic or telegraphic request, instructions or directions made or given by an officer, agent or servant of a racing club for the purpose of conducting totalizator betting pursuant to section 3B.

(12) (a) Section 19A (2)—

Omit “Under Secretary and Comptroller of Accounts, The Treasury”, insert instead “Director, Department of Sport and Recreation”.

(b) Section 19A (5)–(7)—

Omit “Treasurer” wherever occurring, insert instead “Minister”.

(13) Section 20 (2)—

After “any totalizator”, insert “and the conduct of totalizator betting of the kind referred to in section 3B”.
