



New South Wales

Totalizator Amendment (Key Employees) Regulation 1999

under the

Totalizator Act 1997

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Totalizator Act 1997*.

J. RICHARD FACE, M.P.,

Minister for Gaming and Racing

Explanatory note

The object of this Regulation is to prescribe certain persons as key employees in relation to the conduct of a totalizator for the purposes of the *Totalizator Act 1997*.

This Regulation is made under the *Totalizator Act 1997*, including section 5 (1) (definition of *key employee*) and section 117 (the general regulation-making power).

1999 No 354

Clause 1 Totalizator Amendment (Key Employees) Regulation 1999

**Totalizator Amendment (Key Employees)
Regulation 1999**

1 Name of Regulation

This Regulation is the *Totalizator Amendment (Key Employees) Regulation 1999*.

2 Amendment of Totalizator Regulation 1998

The *Totalizator Regulation 1998* is amended as set out in Schedule 1.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 2)

Clause 6

Insert after clause 5:

6 Key employees

For the purposes of the definition of *key employee* in section 5 (1) of the Act, the following persons are prescribed:

- (a) any person (whether or not appointed under a contract of service) who is:
 - (i) employed in a managerial or supervisory capacity in relation to the conduct of a totalizator by or on behalf of a licensee, or
 - (ii) authorised to make decisions, involving the exercise of his or her discretion, that regulate the operations of a licensee in relation to a totalizator conducted by or on behalf of the licensee,
- (b) any person (whether or not appointed under a contract of service) whose duties in relation to the conduct of a totalizator by or on behalf of a licensee include any of the following:
 - (i) the taking of bets on the totalizator,
 - (ii) the calculation, determination or declaring of any dividends in the totalizator,
 - (iii) involvement in the financial or accounting aspects of the conduct of the totalizator (including any dealing with money invested on the totalizator),
 - (iv) the design, construction, creation, operation, repair or maintenance of any device, equipment or computer software that is used in connection with the conduct of the totalizator or that otherwise affects the conduct of the totalizator,

1999 No 354

Totalizator Amendment (Key Employees) Regulation 1999

Schedule 1 Amendment

- (v) involvement in the security requirements in respect of the totalizator,

except such persons as are employed or engaged in positions identified by the Minister from time to time, by notice in writing served on the licensee, as being outside the scope of this definition.

BY AUTHORITY