



New South Wales

Racing Administration Regulation 1999

under the

Racing Administration Act 1998

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Racing Administration Act 1998*.

J RICHARD FACE, MP

Minister for Gaming and Racing

Explanatory note

Section 30 (3) of the *Racing Administration Act 1998* prohibits a person from providing, via the Internet, subscription TV or other on-line communications system, any service that enables a person to access the gambling operations carried on by a person who is not a lawful bookmaker or who is not licensed under the *Totalizator Act 1997*, or from providing any service that enables a person to access information relating to those “unlawful” gambling operations. However, section 30 (4) of the Act provides that the regulations may exempt any person, or class of persons, from the operation of that offence provision.

The object of this Regulation is to provide that members of the Internet Industry Association of Australia who are bound by that Association’s Code of Practice will be exempt from the operation of section 30 (3) of the Act.

This Regulation is made under the *Racing Administration Act 1998*, including section 30 (4).

This Regulation comprises matter of a machinery nature.

Racing Administration Regulation 1999

1 Name of Regulation

This Regulation is the *Racing Administration Regulation 1999*.

2 Commencement

This Regulation commences on 1 March 1999.

3 Definition

In this Regulation:

the Act means the *Racing Administration Act 1998*.

4 Notes

The explanatory note does not form part of this Regulation.

5 Exemption from offence provision relating to on-line service providers: sec 30 (4)

(1) Any person who:

- (a) is a member of the Internet Industry Association of Australia, and
- (b) is bound by the *Internet Industry Code of Practice* prepared by that Association and in force as at 1 March 1999,

is exempt from the operation of section 30 (3) of the Act.

(2) If the Minister is satisfied that any such member has failed to comply with the Code referred to in subclause (1), the Minister may, by notice in writing given to the member, exclude the member from the exemption under this clause for such period as is specified in the notice.