

**TOTALIZATOR ACT 1916—REGULATION**

(Totalizator Regulation 1993)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Totalizator Act 1916, has been pleased to make the Regulation set forth hereunder.

CHIPISTOPHER DOWNY, M.P.,  
Minister for Sport Recreation and Racing.

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**Citation**

1. This Regulation may be cited as the Totalizator Regulation 1993.

**Commencement**

2. This Regulation commences on 1 September 1993.

**Definition**

3. In this Regulation:  
“the Act” means the Totalizator Act 1916.

**Testing of totalizators**

4. A racing club which instals a totalizator must, by carrying out appropriate tests within a reasonable time prior to a race meeting, ensure that the following are in perfect order:

- (a) the totalizator;
- (b) all communications equipment connected with the totalizator;

- (c) all means of transmission allowing bets to be paid into the totalizator under section 3B (2) (a) of the Act.

Maximum penalty: 0.5 penalty unit.

### **Returns**

**5. (1)** For the purposes of section 11 (1) (a) of the Act, the prescribed details are as follows:

- (a) the type of totalizator;
- (b) the date of each race;
- (c) the location at which each race was held;
- (d) the race numbers;
- (e) the number of starters in each race;
- (f) the official results of each race;
- (g) the amounts invested on the totalizator;
- (h) the total amount of refunds payable in accordance with the Totalizator Rule 1993;
- (i) the total amount of commission deducted from investments in accordance with Division 1 or 2 of Part 3 of the Act;
- (j) the total amount of commission deducted from investments in accordance with Division 2 of Part 3 of the Totalizator (Off-course Betting) Act 1964;
- (k) the number of units invested on any dividend-paying combination;
- (l) details of any dividends declared;
- (m) the total amount payable to the Minister under section 10H (9) (a) of the Act or payable by the Minister under section 10H (9) (b) or (10) of the Act.

**(2)** If the totalizator is a superfecta totalizator, the following additional information is required:

- (a) the amount contained in the jackpot pool for the current superfecta race;
- (b) the amount transferred into the jackpot pool for the next superfecta race.

**(3)** For the purposes of section 11 (1) (b) of the Act, the prescribed details are as follows:

- (a) the date or dates on which the event or contingency was held;
- (b) the location or locations at which the event or contingency was held;
- (c) the race numbers to which the event or contingency relates;

(d) full details of the amounts which, in accordance with the Totalizator Rule 1993, remain payable as dividends or refunds.

(4) A return containing the details prescribed by this clause is to be in or to the effect of the form approved for the time being by the Minister.

### **Keeping of records**

6. For the purposes of section 18A of the Act:

- (a) 6 months is prescribed as the time for which any ticket on which a dividend or refund has been paid must be kept; and
- (b) 12 months is prescribed as the time for which any other record relating to the use by a racing club of a totalizator must be kept.

### **Restriction on acceptance of investments**

7. (1) A member, officer, agent or employee of a racing club must not accept an investment on a totalizator, or allow an investment to be so accepted, otherwise than at a totalizator window at which investments are accepted.

Maximum penalty: 0.5 penalty unit.

(2) This clause does not apply:

- (a) to a person who accepts an investment under section 3B of the Act; or
- (b) to a member, employee or agent of the Totalizator Agency Board who accepts an investment, as an agent of the racing club, in accordance with the Totalizator (Off-course Betting) Act 1964.

### **Repeals**

8. (1) The following Regulations are repealed:

- (a) the Doubles Totalizator Regulations 1964;
- (b) the Quinella Totalizator Regulations 1964;
- (c) the 60-20-20 Totalizator Regulations 1964;
- (d) the Win and Place Regulations 1964;
- (e) the Forecast Totalizator Regulations 1968;
- (i) the Trifecta Totalizator Regulation 1977;
- (g) the Superfecta Totalizator Regulation 1986.

(2) Any act, matter or thing that, immediately before the commencement of this Regulation, had effect under such a regulation is taken to have effect under this Regulation.

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**EXPLANATORY NOTE**

The object of this Regulation is to repeal and remake, with minor modifications only, the provisions of the various regulations under the Totalizator Act 1916. The new Regulation makes provision for the following matters:

- (a) the testing of totalizators before a race meeting (clause 4);
- (b) details required on returns to the Minister concerning investments on a totalizator and resulting unclaimed dividends and refunds (clause 5);
- (c) the keeping of records (clause 6);
- (d) restrictions imposed on the acceptance of investments otherwise than at a totalizator window (clause 7);
- (e) other matters of a minor, consequential or ancillary nature (clauses 1, 2, 3 and 8).

This Regulation is made under the Totalizator Act 1916, including section 20 (the general regulation making power).

This Regulation is made in connection with the staged repeal of subordinate legislation under the Subordinate Legislation Act 1989.

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