



New South Wales

Betting and Racing Amendment (Fees) Regulation 2016

under the

Betting and Racing Act 1998

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

TROY GRANT, MP
Minister for Racing

Explanatory note

The object of this Regulation is to increase the fee that a racing control body may require a person who holds a race field information use approval to pay for the use of race field information. Currently, a racing control body may require a fee of 2.5% of an approval holder's turnover in relation to non-totalizator odds betting. The amendment increases this percentage to 3% of turnover for race meetings at which at least 1 race carries prize money of \$1,000,000 or more.

This Regulation also makes a consequential amendment to ensure that a change in either fee constitutes a ground for the variation of a race field information use approval.

This Regulation is made under the *Betting and Racing Act 1998*, including sections 33A and 37 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Betting and Racing Amendment (Fees) Regulation 2016*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Amendment of Betting and Racing Regulation 2012

(1) Clause 16 Fees for race field information use approvals: section 33A (2) (a)

Omit clause 16 (2) (b). Insert instead:

- (b) on wagering turnover derived from wagers laid by the operator at odds other than totalizator derived odds:
 - (i) in the case of any races covered by the approval that are at a race meeting at which at least 1 race carries prize money of \$1,000,000 or more—a fee that does not exceed 3% of the operator’s wagering turnover in relation to the races, or
 - (ii) in the case of any other races covered by the approval—a fee that does not exceed 2.5% of the operator’s wagering turnover in relation to the races,

(2) Clause 18 Grounds for cancellation or variation of approvals: section 33A (4)

Omit “clause 16 (2) (a)” from the definition of *maximum race field information use fee* in clause 18 (4).

Insert instead “clause 16 (2)”.