

Act No. 4 of 1990

**TOTALIZATOR (OFF- COURSE BETTING) AMENDMENT BILL
1990**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Totalizator (Amendment) Bill 1990.

The object of this Bill is to amend the Totalizator (Off-course Betting) Act 1964 so as:

- (a) to make similar amendments to the rate of commission, and the disbursement of commission, deducted from superfecta totalizator betting operated separately by the Totalizator Agency Board in special circumstances as are proposed to be made under the Totalizator (Amendment) Act 1990 in respect of on-course superfecta totalizator betting and ordinary off-course superfecta totalizator betting; and
- (b) to authorise the Totalizator Agency Board to establish offices, branches or agencies at places outside New South Wales; and
- (c) to amend the provisions that apply to the transmission to the appropriate club conducting a totalizator of off-course investments received by the Totalizator Agency Board in respect of ordinary off-course totalizator betting (being betting in which the Board receives investments as the agent of the club conducting the race-meeting to which the totalizator betting applies).

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act is to commence on a day or days to be appointed by proclamation.

Clause 3 is a formal provision that gives effect to the Schedules of amendments to the Totalizator (Off-course Betting) Act 1964.

**SCHEDULE 1 - AMENDMENTS RELATING TO SUPERFECTA
TOTALIZATOR**

Schedule 1 (1) inserts new definitions of "Racing Assistance Fund" and "Superfecta totalizator".

Schedule 1 (2) makes the amendments referred to in paragraph (a) above.

SCHEDULE 2 - MISCELLANEOUS AMENDMENTS

Schedule 2 (1) inserts proposed section 10A which authorises the Totalizator Agency Board to establish offices, branches or agencies at a place outside New South Wales (including any place outside Australia). The Board is not authorised to conduct a separate totalizator for totalizator betting at any such office, branch or agency. The Minister may enter into an agreement with the government of the place at which the office, branch or agency is established to regulate the distribution of the amounts paid as commission from totalizator betting at any such office, branch or agency and other matters relating to the conduct of off-course totalizator betting.

Schedule 2 (2) (a) and (b) amend section 12 of the Principal Act. The amended section contains the provisions that apply to off-course investments received by the Board in respect of events held either within or outside Australia. For events within New South Wales, the Board is an agent for the club using a totalizator for that event. In relation to events outside the State the Board is an agent for a club within the State using a totalizator for that event. The amendments make it clear that if 2 or more clubs are using such a totalizator the Board is to determine for which club it is the agent. As an alternative, the Board may, in respect of particular events, receive bets as an agent for an authority conducting off-course totalizator betting in another State or a Commonwealth Territory. The amendments make it clear that this alternative is not discretionary but requires Ministerial approval. The amendments do not affect the power of the Board, in special circumstances approved by the Minister, to conduct its own totalizator for any event instead of as agent for a club.

Schedule 2 (2) (c) omits spent provisions in section 12 relating to the conduct of off-course betting by the Board on behalf of the Australian Capital Territory.
