

Act 1994 No. 76

TOTALIZATOR LEGISLATION (AMENDMENT) BILL 1994

NEW SOUTH WALES



EXPLANATORY NOTE

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

The object of this Bill is to amend the Totalizator Act 1916 and the Totalizator (Off-course Betting) Act 1964 to increase by 3 per cent the commissions retained by metropolitan racing clubs from totalizators (other than superfecta totalizators) conducted on racecourses. The increase will bring commissions retained by those racing clubs to the same level as commissions retained by country racing clubs. Clubs conducting totalizators at Harold Park Paceway and Wentworth Park racecourse will not receive any extra benefits from the proposed amendments as subsidies that they currently receive from the Racing Assistance Fund will be reduced by an equivalent amount.

The increase is to be financed from reductions in commissions payable to the State. The changes will be implemented in two stages during 1995 and 1996.

Clause 1 states the short title of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on specified days outlined below.

Clause 3 is a formal provision that gives effect to the Schedule of amendments to the Totalizator Act 1916.

Clause 4 is a formal provision that gives effect to the Schedule of amendments to the Totalizator (Off-course Betting) Act 1964.

Clause 5 provides that the amendments to the Totalizator Act 1916 and the Totalizator (Off-course Betting) Act 1964 do not apply to events and contingencies occurring before the commencement of the amendments.

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916

First stage of increase in commissions to metropolitan racing clubs

Part 1 of Schedule 1 amends sections 8B, 8C, 8D, 8F and 8G to reduce by 1.5 per cent the commission payable to the State from totalizators (other than superfecta totalizators) and to increase by 1.5 per cent the commission retained by metropolitan racing clubs from those totalizators. Currently, metropolitan racing clubs and country racing clubs are allowed to retain the same commissions as each other from the superfecta totalizators.

Consequential amendments are made to sections 9B, 9C, 9D, 9F and 9G.

Amendments are made to sections 8E and 9E to reduce the amounts to be paid into the Racing Assistance Fund as the subsidies currently paid to clubs conducting totalizators at Harold Park Paceway and Wentworth Park racecourse will be reduced as a result of the increase in the commissions able to be retained by them.

The amendments commence on 1 January 1995.

Second stage of increase in commissions to metropolitan racing clubs

Part 2 of Schedule 1 omits Division 1 (Distribution of investments on metropolitan racecourse totalizators) and Division 2 (Distribution of investments on country racecourse totalizators) of Part 3 and replaces them with a single Division. The effect of the new Division is to remove the distinction between metropolitan and country racing clubs by having one set of provisions that allows all racing clubs to retain the same commissions from totalizators. The further increase of 1.5 per cent in commissions permitted to be retained by metropolitan racing clubs is financed by an equivalent reduction in the commissions to be paid to the State.

An amendment is made to section 19B to remove the provisions requiring subsidies to be paid from the Racing Assistance Fund to clubs conducting totalizators at race-meetings at the Harold Park Paceway and the Wentworth Park racecourse to make up the difference in commissions allowed to be retained by those clubs as compared with country racing clubs. Those provisions will no longer be necessary on the commencement of the new Division.

Consequential amendments are made to sections 2, 3B, 10A, 10B, 10D, 10F, 19A and 19B.

An amendment is made to Schedule 1 to insert a savings provision as a consequence of the combining of Divisions 1 and 2 into a new Division.

The amendments commence on 1 January 1996.

SCHEDULE 2—AMENDMENT OF TOTALIZATOR (OFF-COURSE BETTING) ACT 1964

Part of the commissions payable for the credit of the Racing Assistance Fund from off-course superfecta totalizators is currently used to finance the subsidies to clubs conducting totalizators at race-meetings at the Harold Park Paceway and the Wentworth Park racecourse referred to above.

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Part 1 of Schedule 2 amends section 13E to reduce by 2 per cent those commissions. The commissions payable to the State are increased by the same amount. The amendment commences on 1 January 1995.

Part 2 of Schedule 2 amends section 13E to reduce by a further 2.5 per cent the commissions payable for the credit of the Racing Assistance Fund from off-course superfecta totalizators. The commissions payable to the State are increased by the same amount. The amendment commences on 1 January 1996.
