

[Act 1998 No 114]



New South Wales

## Racing Administration Bill 1998

### Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.\*  
This Bill is cognate with the *Unlawful Gambling Bill 1998*.

#### Overview of Bill

The objects of this Bill are as follows:

- (a) to ensure the integrity of racing in the public interest,
- (b) to ensure that certain betting activities by licensed bookmakers are conducted properly,
- (c) to minimise the adverse social effects of lawful gambling,
- (d) to protect a source of public revenue that is derived from lawful gambling.

This Bill re-enacts the provisions of the *Gaming and Betting Act 1912* that relate to the licensing of racecourses and the authorisation of certain betting activities in relation to racing events and sports betting events.

The *Gaming and Betting Act 1912* is to be repealed by the proposed *Unlawful Gambling Act 1998*, and this Bill is part of a legislative package which involves rewriting the *Gaming and Betting Act 1912* in a more modern form.

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\* Amended in committee—see table at end of volume.

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## Outline of provisions

### **Part 1 Preliminary**

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

**Clause 3** specifies the objects of the proposed Act as described in the above overview.

**Clause 4** defines certain words and expressions used in the proposed Act.

### **Part 2 Racecourses**

#### **Division 1 Licensing of racecourses**

**Clause 5** provides generally that race meetings can only be held at racecourses that are licensed under the proposed Act.

**Clause 6** provides that an application for a racecourse licence can only be made by certain bodies.

**Clause 7** provides that racecourse licences may be issued by the Minister and that more than one class of licence may be issued in respect of a racecourse.

**Clause 8** provides that a racecourse licence is subject to certain conditions.

**Clause 9** enables the Minister to cancel a racecourse licence in certain circumstances.

**Clause 10** provides that metropolitan racecourse licensees can only hold one class of licence.

**Clause 11** provides that it will be a condition of a racecourse licence held by a non-proprietary association (eg racing clubs) that the licensee is subject to inspection of records by authorised officers.

#### **Division 2 Other provisions relating to racecourses**

**Clause 12** prohibits race meetings being held on Good Friday or on Christmas Day.

**Clause 13** prohibits persons who have been warned off racecourses by a controlling body (eg the NSW Thoroughbred Racing Board) from entering any racecourse under the control of that body.

**Clause 14** prohibits the operation of punters' clubs (ie betting syndicates) at race meetings unless authorised by the racing club and the controlling body concerned.

**Clause 15** provides that the proposed Part does not apply in respect of harness racing on agricultural showgrounds.

### **Part 3 Authorisation of certain betting activities**

#### **Division 1 Authorised telephone or electronic betting**

**Clause 16** provides that licensed bookmakers may carry on telephone or electronic betting activities with the authority of the Minister.

**Clause 17** prohibits unauthorised telephone or electronic betting activities.

#### **Division 2 Authorised sports betting**

**Clause 18** enables the Minister to declare certain sporting events (other than horse racing, harness racing and greyhound racing) to be sports betting events.

**Clause 19** provides that licensed bookmakers may be authorised by the Minister to take bets on sports betting events.

**Clause 20** provides that a sports betting authority is subject to certain conditions.

**Clause 21** provides that a sports betting authority is subject to conditions relating to inspection of records and other matters.

**Clause 22** enables the Minister to cancel a sports betting authority in certain circumstances.

**Clause 23** provides for the making of rules for sports betting at licensed racecourses.

#### **Division 3 Authorised betting auditoriums**

**Clause 24** provides that racing clubs may be authorised by the Minister to establish and conduct betting auditoriums at licensed racecourses.

**Clause 25** provides that such an authorisation is subject to certain conditions.

**Clause 26** enables the Minister to cancel an authority to conduct a betting auditorium.

## **Part 4 Betting information and advertising**

**Clause 27** contains definitions for the purposes of the proposed Part.

**Clause 28** makes it clear that the publication or advertising of information relating to betting conducted in accordance with the *Totalizator Act 1997* is not affected by the proposed Part.

**Clause 29** prohibits the publication of betting information (ie the betting odds on a race or sports betting event that is to be held) except in certain circumstances.

**Clause 30** prohibits the publishing of advertisements that relate to certain betting services.

**Clause 31** prohibits premises being used for the purposes of publishing betting information or betting services.

**Clause 32** allows betting information to be published by authorised persons.

**Clause 33** prohibits the publication of unauthorised race programs.

## **Part 5 Miscellaneous**

**Clause 34** enables the Minister to delegate his or her functions under the proposed Act.

**Clause 35** provides that offences under the proposed Act are to be dealt with summarily before a Local Court.

**Clause 36** relates to evidence of certain matters under the proposed Act.

**Clause 37** is a general regulation-making power.

**Clause 38** gives effect to the Schedule of savings and transitional provisions.

**Clause 39** provides for a review of the proposed Act after 5 years.

**Schedule 1** contains savings and transitional provisions, including a power to make regulations of a savings and transitional nature consequent on the enactment of the proposed Act and the proposed *Unlawful Gambling Act 1998*, as well as the continuation of existing racecourse licences and betting authorisations in respect of bookmakers.