

[Act 2000 No 108]



New South Wales

Racing and Totalizator Legislation Amendment Bill 2000

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are:

- (a) to amend the *Racing Administration Act 1998* to exempt, from the prohibition contained in that Act on the publication of betting information, the publication by certain bodies of certain overseas betting information, and
 - (b) to amend the *Totalizator Act 1997*:
 - (i) to remove the time limit that currently exists on the operation of orders made by the Minister declaring a State, Territory or country to be a participating jurisdiction so as to provide betting tax exemptions in relation to amounts invested in a totalizator on behalf of totalizator authorities operating in such jurisdictions, and
 - (ii) to enable the Minister to limit by those orders the circumstances in which, and the periods for which, States, Territories or countries are taken to be participating jurisdictions.
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Outline of provisions

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 is a formal provision giving effect to the amendments to the *Racing Administration Act 1998* set out in Schedule 1.

Clause 4 is a formal provision giving effect to the amendments to the *Totalizator Act 1997* set out in Schedule 2.

Schedule 1 Amendment of Racing Administration Act 1998

Schedule 1 [1] provides that the publication of certain betting information by a prescribed person or body is not prohibited or restricted by the provisions of Part 4 of the *Racing Administration Act 1998* (which deals with betting information and advertising). The information must relate to authorised totalizator operations conducted in another country by a person or body that is specified, or is of a class or description of persons or bodies specified, by the Minister by order published in the Gazette and must also relate to an event, or an event of a class or description, so specified.

Schedule 1 [2] enables regulations of a savings and transitional nature to be made consequent on the enactment of the proposed Act.

Schedule 2 Amendment of Totalizator Act 1997

Currently section 71 of the *Totalizator Act 1997* provides an exemption from betting tax in relation to amounts invested in a totalizator on behalf of an authority that conducts totalizator betting in a participating jurisdiction. A participating jurisdiction is a State, Territory or country in which it is lawful to conduct the same types of totalizator as are conducted under that Act and which is declared by the Minister by order published in the Gazette to be a participating jurisdiction. That section also provides that those orders can only operate for up to 12 months, but does not prevent further such orders being made.

Explanatory note

Schedule 2 [1] replaces section 71 so as to remove the specified time limitation on such orders and to enable the Minister to restrict the period for which a particular State, Territory or country is taken to be a participating jurisdiction by the terms of the order itself. Proposed section 71 also enables the Minister to limit the circumstances in which a State, Territory or country is taken to be a participating jurisdiction for the purposes of the section.

Schedule 2 [2] and **[3]** contain certain specific savings and transitional provisions and enable regulations of a savings and transitional nature to be made consequent on the enactment of the proposed Act.