

Act No. 6 of 1987

TOTALIZATOR (AMENDMENT) BILL 1987

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 ("the Principal Act") so as—

- (a) to ensure that in no case will a successful punter receive a dividend of an amount less than the amount invested by the punter in respect of an event or contingency (Schedule 1);
- (b) to extend from 1 month to 2 months the period during which punters may collect dividends and refunds before they are paid into the Consolidated Fund (Schedule 2 (1), (2));
- (c) to confer on punters an entitlement to recover dividends and refunds from the Consolidated Fund after the end of that period (Schedule 2 (3)); and
- (d) to effect minor amendments (Schedule 3).

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for Schedules 1 and 2 to the proposed Act to commence on a day or days to be appointed by the Governor-in-Council. The remaining provisions are to commence on assent.

Clause 3 is a formal provision that gives effect to the Schedules of amendments.

Clause 4 is a formal provision that gives effect to the Schedule of transitional provisions.

Totalizator (Amendment) 1987

SCHEDULE 1—AMENDMENTS TO THE TOTALIZATOR ACT 1916 RELATING TO THE MINIMUM AMOUNT OF DIVIDENDS

Schedule 1 amends section 9c of the Principal Act, which provides for the determination of dividends. The amendment is designed to ensure that in no case (including the case of a dead-heat for a place) will a successful punter receive as a dividend an amount less than the amount invested by the punter. The main amendments in the Schedule are the repeal of section 9c (6) and the enactment of section 9c (4) (b).

SCHEDULE 2—AMENDMENTS TO THE TOTALIZATOR ACT 1916 RELATING TO UNCLAIMED DIVIDENDS AND REFUNDS

Schedule 2 (1) and (2) amend sections 9 and 10 of the Principal Act so as to provide that unclaimed dividends and unclaimed refunds are not required to be paid into the Consolidated Fund until 2 months after they first became payable instead of 1 month as at present.

Schedule 2 (3) inserts section 10A into the Principal Act which entitles successful punters who do not claim their dividends or refunds until after that period of 2 months has expired to recover equivalent amounts from the Consolidated Fund.

Schedule 2 (4) makes a consequential amendment.

SCHEDULE 3—MINOR AMENDMENTS TO THE TOTALIZATOR ACT 1916

Schedule 3 amends the Principal Act in a number of minor respects. Items (1), (3), (4), (8), (9), (10) and (11) divide the Principal Act into numbered Parts. Item (2) omits an out-of-date reference in a citation of an Act. Items (5), (6) and (7) make it clear that sections 8, 8A and 9 of the Principal Act do not apply to totalizators controlled under section 10 of the Principal Act (that section independently makes provision for the matters dealt with by those sections). Item (12) re-enacts section 21 of the Principal Act in an up-to-date form.

SCHEDULE 4—TRANSITIONAL PROVISIONS

Schedule 4 provides that the amendments made by Schedules 1 and 2 apply prospectively, except that section 10A (as inserted by Schedule 2) allows punters to claim unclaimed dividends and refunds from the Consolidated Fund, whether they were paid into the Fund before or after the commencement of the section.
