

## RACING (AMENDMENT) ACT.

### Act No. 42, 1949.

An Act to amend the Economic Stability and War-time Provisions Continuance Act, 1946-1948, and the Gaming and Betting Act, 1912-1948, in certain respects; and for purposes connected therewith. [Assented to, 16th November, 1949.]

George VI. 1  
No. 42, 1949.

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**1.** (1) This Act may be cited as the "Racing (Amendment) Act, 1949."

Short title  
and  
citation.

(2) The Economic Stability and War-time Provisions Continuance Act, 1946, as amended by subsequent Acts and by this Act, may be cited as the Economic Stability and War-time Provisions Continuance Act, 1946-1949.

(3) The Gaming and Betting Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Gaming and Betting Act, 1912-1949.

**2.** (1) The Economic Stability and War-time Provisions Continuance Act, 1946-1948, is amended—

Amendment  
of Act No.  
54, 1946.

(a) by omitting subsections one and two of section thirty-two and by inserting in lieu thereof the following subsections:—

Sec. 32.  
(Restrictions  
applicable  
to race  
meetings.)

(1) In this section "race-meeting," "meeting for horse-racing," "meeting for pony-racing," "meeting for greyhound-racing," and "race-course" shall have the meanings ascribed thereto respectively in the Gaming and Betting Act, 1912-1949.

(2)

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(2) No meeting for horse-racing or pony-racing shall be held on any race-course within fifty miles of the General Post Office, Sydney, nor within forty miles of the principal post office, Newcastle, on any day other than a Saturday or public holiday:

Provided that the Governor may authorise a meeting for horse-racing to be held on Randwick Racecourse on the Wednesday following Easter Monday and the Wednesday following the first Monday in October in any year during which this Part of this Act is in force.

(2A) No meeting for greyhound-racing or meeting for trotting-races or contests shall be held before sunset on any race-course within seventy-five miles of the General Post Office, Sydney, nor within forty miles of the principal post office, Newcastle, on any day other than a Saturday or public holiday.

(2B) Where a race-meeting to be held on any race-course on any day in accordance with the provisions of this section cannot be held on such day on account of unfavourable weather such race-meeting may be postponed and held on any other day (not being Sunday, Good Friday or Christmas Day) within fourteen days of such postponement.

(2c) The holder of a license issued under the Gaming and Betting Act, 1912-1949, for a race-course situated beyond fifty miles of the General Post Office, Sydney, but within seventy-five miles of such General Post Office, shall, in such manner and at such times as the Minister shall direct, pay to the credit of the charity registered under the Charitable Collections Act, 1934-1941, as the New South Wales Trainers' Benevolent Fund, an amount equal to one-sixth of the net profits of each meeting for horse-racing or pony-racing held on such race-course on any day other than a Saturday or public holiday in any year during which this Part of this Act is in force.

For

For the purposes of this subsection the expression "net profits" means the amount which remains after deducting from the gross income derived from any such meeting any sums paid by way of taxation on fees from bookmakers or entertainment or admission tax and any amount paid to the Colonial Treasurer pursuant to the Totalizator Act, 1916, as amended by subsequent Acts, and such expenses incidental to the conduct of such meeting as the Minister may approve. No. 42, 1949

Failure to comply with the provisions of this subsection shall be deemed to be a good cause for which the Minister may cancel a license under the Gaming and Betting Act, 1912-1949.

(2D) The holder of a license issued under the Gaming and Betting Act, 1912-1949, for a race-course situated beyond fifty miles of the General Post Office, Sydney, but within seventy-five miles of such General Post Office, and the owner or occupier of any house, office, room, or other place or of any land or building and any person using any house, office, room or other place or any land or building shall not, during the period commencing one hour before the time fixed for the start of the first race on any such race-course on any day other than a Saturday or public holiday and ending upon the running of the last race on such race-course on any such day, communicate or convey or cause or permit any person to communicate or convey, by means of aerial broadcast, to any person any information concerning the running of any horse-race or pony-race on such race-course on such day or the names of any horses entered in any such race or the names of the riders or post positions of such horses or the results of any such race.

Any person who contravenes or fails to comply with any of the provisions of this subsection shall be liable upon summary conviction to a penalty not exceeding one hundred pounds.

(b)

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- (b) by omitting from subsection five of the same section the words "one thousand nine hundred and forty-eight" and by inserting in lieu thereof the words "one thousand nine hundred and fifty."

(2) This section shall commence upon the first day of January, one thousand nine hundred and fifty.

**Amendment  
of Act No.  
25, 1912.**

**3.** The Gaming and Betting Act, 1912-1948, is amended—

**Sec. 52A.  
(Special  
licenses.)**

- (a) (i) by omitting from paragraph (b) of subsection four of section 52A the word "forty" and by inserting in lieu thereof the word "thirty-five";
- (ii) by omitting from subsection (5A) of the same section the word "forty" and by inserting in lieu thereof the word "thirty-five";
- (iii) by omitting from the same subsection the word "three" and by inserting in lieu thereof the word "two";

**Sec. 53.  
(Day of  
race-  
meetings.)**

- (b) by omitting from section fifty-three the word "forty" where thirdly occurring and by inserting in lieu thereof the word "thirty-five";

**Sec. 53D.  
(Limitation  
as to  
number of  
licenses non-  
proprietary  
associations  
may hold.)**

- (c) (i) by omitting from subsection two of section 53D the word "sixty-five" and by inserting in lieu thereof the word "forty";
- (ii) by omitting from the same subsection the words "or forty miles of the principal post office, Newcastle";
- (iii) by inserting in the same subsection after the words and symbols "paragraphs (a) and (b)" the word and symbol "and (c)".