



ANNO DECIMO SEXTO

**ELIZABETHAE II REGINAE**

A.D. 1967

\*\*\*\*\*

**No. 5 of 1967**

An Act relating to Dog-Racing and matters incidental thereto; to repeal the Coursing Restriction Act, 1927; and for other purposes.

*[Assented to 30th March, 1967.]*

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

**Short title and commencement.**

1. This Act may be cited as the "Dog-Racing Control Act, 1966-1967", and shall come into operation on a day to be fixed by proclamation.

**Repeal.**

2. The Coursing Restriction Act, 1927, is repealed.

**Interpretation.**

3. In this Act, unless the context otherwise requires—

"dog" includes any animal of the same species as that to which dogs belong :

"dog-racing" means racing between dogs in competitive pursuit of a mechanical quarry :

"dog-racing club" means a non-proprietary association formed for the purpose of promoting and conducting dog-racing :

"licensed dog-racing club" means a dog-racing club which is the holder of a licence to conduct dog-racing granted under this Act which licence has not expired or been revoked under this Act :

"mechanical quarry" includes any lure or quarry that is activated, controlled or propelled by mechanical or electrical means :

“non-proprietary association” means a body corporate, unincorporated club or other unincorporated body of persons, the constitution of which—

(a) provides for the application of profits, if any, and other income of the body corporate, club or body to the promotion of its objects ;

and

(b) prohibits the payment of any dividends to the shareholders or members of the body corporate, club or body.

4. No person shall take part or be concerned in the conduct of dog-racing in the State unless such dog-racing is conducted by or on behalf of a licensed dog-racing club. Restriction on participating in dog-racing.

Penalty : Two hundred dollars.

5. (1) Upon application in writing made to the Minister by or on behalf of the governing body of any dog-racing club, and on payment of the prescribed fee, the Minister may grant to that club a licence authorizing such club to conduct dog-racing in the State. Licensing of dog-racing clubs.

(2) A licence granted under this section shall be in force for such period, not exceeding twelve months, as shall be specified in the licence, and may, from time to time, upon application in writing by or on behalf of the governing body of the club and payment of the prescribed fee, be renewed for such period not exceeding twelve months, as shall be specified in the licence.

(3) Any such licence may be granted subject to such conditions as shall be specified in the licence.

(4) No licence shall be granted to a club under subsection (1) of this section unless the granting of such licence is recommended by the committee of the National Coursing Association of South Australia.

(5) The Minister may, by notice in writing delivered at the office of a licensed dog-racing club or, where there is no such office, by notice addressed to such club and published in the *Gazette*, revoke any licence granted to such club under this Act.

(6) If dog-racing is conducted by or on behalf of a dog-racing club to which a licence has not been granted under this Act or whose licence has expired and not been renewed or whose licence has been revoked under this Act, each member of the governing body of such club shall be guilty of an offence against this Act and on conviction shall be liable to a penalty not exceeding Two hundred dollars.

Minister may  
delegate  
powers.

6. (1) The Minister may in writing delegate any of his powers and functions under this Act, whether express or implied to any person and upon such delegation such powers or functions so delegated may be exercised by the delegate and any reference in this Act to the Minister shall be read as a reference to the delegate.

(2) Any delegation by the Minister under subsection (1) of this Act may be revoked at any time by the Minister by notice in writing served on the delegate.

Power of  
authorized  
persons to  
enter premises,  
etc.

7. (1) Any person authorized in that behalf by the Minister or the President of the Royal Society for the Prevention of Cruelty to Animals (South Australia) Incorporated and any member of the police force may at any time enter any premises where any dog is being trained for the purpose of dog-racing or where dog-racing is being conducted or any building, enclosure or place appurtenant thereto and may take such action as he deems necessary to prevent the commission of any offence under, or any infringement of, any provision of this Act or any other Act.

(2) Any person who prevents or hinders any person or member of the police force referred to in subsection (1) of this section from entering any premises, building, enclosure or place referred to in that subsection or from taking any action referred to therein shall be guilty of an offence against this Act and on conviction shall be liable to a penalty not exceeding Two hundred dollars.

Certain  
convicted  
persons not to  
take part in  
dog-racing.

8. (1) A person who has been convicted by any court of an offence under this Act or under the Prevention of Cruelty to Animals Act, 1936-1964, shall not, unless exempted from the provisions of this subsection—

(a) take part or be concerned in the conduct of dog-racing in the State ;

(b) train or undertake the training of any dog for dog-racing ;

(c) accept office, or act, as a member of the governing body of any dog-racing club ;

or

(d) attend, or be present, as a spectator or otherwise, at any place where dog-racing is conducted or any dog is being trained for dog-racing or at any premises appurtenant thereto.

Penalty : Two hundred dollars.

(2) The Minister may, after considering a report made to him by any person or committee appointed by him, for the purpose of making such report, by writing under his hand exempt from

the provisions of subsection (1) of this section any person who has been convicted of an offence under this Act or under the Prevention of Cruelty to Animals Act, 1936-1964.

9. (1) A person shall not, for the purposes of dog-racing or the training of any dog for dog-racing, use, or permit the use of, any mechanical quarry to which is attached any living bird or animal.

Living birds and animals not to be attached to mechanical quarries or used as lures.

Penalty : Two hundred dollars.

(2) A person shall not in the training of any dog for dog-racing use, or permit the use of, any living bird or animal as a lure or quarry.

Penalty : Two hundred dollars.

10. The Governor may make regulations for or with respect to the control and regulation of dog-racing in the State and, without limiting the generality of the foregoing power, may make regulations—

Regulations.

- (a) prescribing matters to be included in any application referred to in section 5 of this Act ;
- (b) prescribing forms to be used for the purposes of this Act ;
- (c) prescribing fees to be paid under this Act and the manner of collecting or receiving such fees ;
- (d) prescribing conditions subject to which a licence may be granted under this Act ;
- (e) prescribing the circumstances under which a licence may be revoked under this Act ;
- (f) regulating the admission of persons to premises where dog-racing is being conducted and providing for the exclusion or expulsion of persons from such premises; and
- (g) providing for penalties, not exceeding in any case One hundred dollars, for any offence under the regulations.

11. Proceedings in respect of any offence under this Act shall be disposed of summarily.

Proceedings for offences.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

EDRIC BASTYAN, Governor.