



ANNO TRICESIMO QUINTO

ELIZABETHAE II REGINAE

A.D. 1986

No. 51 of 1986

An Act to amend the Racing Act, 1976.

[Assented to 11 September 1986]

The Parliament of South Australia enacts as follows:

1. (1) This Act may be cited as the "Racing Act Amendment Act (No. 2), 1986". Short title.

(2) The Racing Act, 1976, is in this Act referred to as "the principal Act".

2. The long title to the principal Act is amended by inserting "or other sporting events" after "totalizator betting on football matches". Amendment of long title.

3. Section 3 of the principal Act is repealed. Repeal of s. 3.

4. Section 5 of the principal Act is amended— Amendment of s. 5— Interpretation.

(a) by striking out the definition of "dividend" from subsection (1) and substituting the following definition:

"dividend" in relation to a totalizator bet means the amount payable from the totalizator pool in respect of each unit of the bet;

(b) by striking out from subsection (1) the definitions of "totalizator betting" and "totalizator bet" and substituting the following definitions:

"totalizator betting" means betting in accordance with a system under which the amount paid out in respect of a bet made on a particular event or combination of events is proportioned to the total amount bet on that event or combination of events; and "totalizator bet" has a corresponding meaning;

(c) by striking out from subsection (1) the definition of "totalizator pool" and substituting the following definition:

"totalizator pool" means—

(a) a racing totalizator pool;

(b) a football totalizator pool;

or

(c) a pool consisting of the gross amount of the bets made with the Totalizator Agency Board in relation to an event or combination of events in respect of which the Board conducts totalizator betting under Division IV of Part III;

and

(d) by striking out from subsection (1) the definition of "unit" and substituting the following definition:

"unit" means—

(a) in relation to on-course totalizator betting on race results—an amount determined by the appropriate controlling authority as constituting a unit;

(b) in relation to other forms of totalizator betting—an amount determined by the Totalizator Agency Board as constituting a unit in relation to that form of totalizator betting.

Amendment of heading.

5. The heading to Part III of the principal Act is amended by striking out "ON RACES AND FOOTBALL MATCHES".

Amendment of s. 51—
Functions and powers of the Board.

6. Section 51 of the principal Act is amended—

(a) by striking out "and" between paragraphs (b) and (c) of subsection (1);

(b) by inserting after paragraph (c) of subsection (1) the following word and paragraph:

and

(d) to conduct, with the approval of the Minister, totalizator betting on the results of any major sporting event held within or outside Australia (other than a race or football match).;

(c) by striking out from paragraph (c) of subsection (2) "on races or football matches held within or outside Australia";

and

(d) by striking out paragraphs (d) and (da) of subsection (2) and substituting the following paragraph:

(d) enter into contracts or arrangements with any racing club, the South Australian National Football League or with any other person or body of persons with respect to the conduct of totalizator betting and the exchange of information in relation to the events on which it is conducted;

7. Section 62 of the principal Act is amended—

- (a) by striking out subsection (2) and substituting the following subsection:

(2) Except as otherwise directed by the Minister, the Board shall pay dividends on totalizator bets as soon as practicable after completion of the race, match or event in relation to which the bet was made.;

and

- (b) by striking out from subsection (3) “on an off-course totalizator bet on a race result or a totalizator bet on a football result” and substituting “on a totalizator bet”.

8. Sections 84i and 84j of the principal Act are repealed and the following headings and sections are substituted:

DIVISION IV—TOTALIZATOR BETTING ON OTHER SPORTING EVENTS

84i. (1) The Totalizator Agency Board—

- (a) may conduct totalizator betting on the results of any Australian Formula One Grand Prix motor car race;
- (b) may conduct totalizator betting on the results of any America's Cup yachting race or series of America's Cup yachting races conducted in Australia;
- (c) may conduct totalizator betting on the results of any international cricket match or series of international cricket matches conducted in Australia;

and

- (d) may, with the approval of the Minister, conduct totalizator betting on any other major sporting event or combination of events.

(2) The approval of the Minister shall not be granted under subsection (1) (d) except in pursuance of a resolution passed by both Houses of Parliament.

(3) Any such totalizator betting shall be governed by rules approved by the Minister.

(4) This section does not authorize the Board to conduct totalizator betting in relation to a race or football match.

(5) The Subordinate Legislation Act, 1978, does not apply in relation to rules approved under this section.

84j. (1) Where the Totalizator Agency Board conducts totalizator betting on an event or combination of events in pursuance of this Division—

- (a) 20 per cent of the totalizator pool shall be set aside to be applied as soon as practicable after the end of each half-yearly period as follows:

- (i) firstly, in payment of such amount, as the Minister directs, towards the administrative and operating expenses of the Board;

Amendment of s. 62—
Acceptance of and payment on totalizator bets.

Repeal of ss. 84i and 84j and substitution of new headings and sections.

Power of Board to conduct totalizator betting on other major sporting events.

Application of amount bet.

- (ii) secondly, in payment into a fund to be applied towards the capital expenses of the Board of an amount equal to one per cent of the totalizator pool;
- (iii) thirdly, in payment of such amount (if any) as the Minister directs to the body by which the event or events were conducted or to such other related body as the Minister may determine;
- (iv) fourthly, the balance (if any) shall be paid into the Recreation and Sport Fund;

and

- (b) subject to the rules, the balance of the totalizator pool shall be applied in the payment of dividends.

(2) In this section—

“half-yearly period” means a period of 6 months commencing on 1 January or 1 July in a calendar year.

DIVISION V—MISCELLANEOUS

84k. Except as authorized by this Act, no person shall conduct totalizator betting.

Penalty: \$1 000.

84l. Notwithstanding any other law—

- (a) it is not unlawful for the Totalizator Agency Board, its agents and employees, to accept bets in the course of totalizator betting authorized by this Act;
- (b) no premises in which any such betting is conducted constitute, by reason of the conduct of that betting, a common gaming house or a nuisance;

and

- (c) it is not unlawful for a person of or above the age of 18 years to place a bet with the Totalizator Agency Board.

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

D. B. DUNSTAN, Governor

Unauthorized
totalizator betting.

No offence, etc.,
arises under other
laws in respect of
totalizator betting
authorized by this
Act.