



ANNO TRICESIMO

**ELIZABETHAE II REGINAE**

A.D. 1981

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**No. 87 of 1981****An Act to amend the Racing Act, 1976-1980.***[Assented to 10 December 1981]*

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

Short titles.

1. (1) This Act may be cited as the "Racing Act Amendment Act, 1981".
- (2) The Racing Act, 1976-1980, is in this Act referred to as "the principal Act".
- (3) The principal Act, as amended by this Act, may be cited as the "Racing Act, 1976-1981".

Commence-  
ment.

2. (1) This Act shall come into operation on a day to be fixed by proclamation.
- (2) The Governor may, in a proclamation made for the purposes of this Act, suspend the operation of any specified provisions of this Act until a subsequent day fixed in the proclamation, or a day to be fixed by subsequent proclamation.

Amendment of  
s. 3—  
Arrangement  
of Act.

3. Section 3 of the principal Act is amended by striking out the word "DOG" and substituting the word "GREYHOUND".

Amendment of  
s. 5—  
Interpretation.

4. Section 5 of the principal Act is amended—
  - (a) by striking out paragraph (c) of the definition of "controlling authority" and substituting the following paragraph:
    - (c) in relation to greyhound racing, means the Greyhound Racing Control Board;
  - (b) by striking out the definitions of "dog race", "dog racing" and "the Dog Racing Control Board";
  - (c) by inserting after the definition of "double" the following definitions:
    - "greyhound race" or "greyhound racing" means a race or racing between greyhounds in competitive pursuit of a quarry or lure that is not a live animal;

“the Greyhound Racing Control Board” means the board established under Part II and continued in existence under the name the “Greyhound Racing Control Board”;

(d) by striking out from the definition of “race” and “racing” the word “dog”, twice occurring, and substituting, in each case, the word “greyhound”;

(e) by striking out from the definition of “race meeting” the word “dog” and substituting the word “greyhound”;

(f) by striking out the definition of “registered dog racing club” and substituting the following definition:

“registered greyhound racing club” means a racing club that is established for the purpose of conducting greyhound race meetings and is registered by the Greyhound Racing Control Board;

(g) by striking out from the definition of “registered racing club” the word “dog” and substituting the word “greyhound”;

and

(h) by inserting after its present contents as amended by this section (now to be designated as subsection (1)) the following subsection:

(2) A reference to the Dog Racing Control Board made in any Act or instrument made under an Act or in any other instrument or document of any kind shall, unless the contrary intention appears, be construed as a reference to the Greyhound Racing Control Board.

5. Section 10 of the principal Act is amended by striking out subsection (1) and substituting the following subsections:

Amendment of  
s. 10—  
Constitution  
of Board.

(1) The Board shall consist of five members appointed by the Governor of whom—

(a) two shall be appointed on the recommendation of the Minister of whom one shall be the chairman and the other the deputy of the chairman;

(b) one shall be a person nominated by the Minister from a panel of three persons nominated by the Governing Body of the South Australian Breeders, Owners, Trainers and Reinsmens Association, Incorporated;

(c) one shall be a person nominated by the Minister from a panel of three persons nominated by the Committee of the South Australian Trotting Club Incorporated;

and

(d) one shall be a person nominated by the Minister from a panel of three persons nominated by resolution passed at a meeting constituted of one delegate from each of the registered trotting clubs other than the South Australian Trotting Club Incorporated by a majority of those delegates.

(1a) Notwithstanding the provisions of subsection (1), the Minister shall, before making a nomination under that subsection from a panel of nominees, consult with the body or persons that nominated that panel.

Amendment of  
s. 11—  
Terms and  
conditions of  
office.

6. Section 11 of the principal Act is amended by striking out from subsection (1) the word “four” and substituting the word “three”.

Amendment of  
s. 13—  
Quorum, etc.

7. Section 13 of the principal Act is amended by striking out from subsection (1) the word “four” and substituting the word “three”.

Amendment of  
s. 16—  
Functions and  
powers of the  
Board.

8. Section 16 of the principal Act is amended—

(a) by striking out from paragraph (h) of subsection (2) the word “dog” and substituting the word “greyhound”;

and

(b) by striking out from paragraph (h) of subsection (2) the word “dogs” and substituting the word “greyhounds”.

Substitution of  
heading to  
Division III  
of Part II.

9. The heading to Division III of Part II is repealed and the following heading is substituted:

DIVISION III—CONTROLLING AUTHORITY FOR GREYHOUND RACING

Amendment of  
s. 25—  
Interpretation.

10. Section 25 of the principal Act is amended by striking out the definition of “the Board” and substituting the following definition:

“the Board” means the board established under this Division and continued in existence under the name the “Greyhound Racing Control Board”.

Amendment of  
s. 26—  
Establishment  
of Board.

11. Section 26 of the principal Act is amended by striking out subsection (1) and substituting the following subsection:

(1) The board established under this Division shall continue in existence under the name the “Greyhound Racing Control Board”.

Amendment of  
s. 27—  
Constitution of  
Board.

12. Section 27 of the principal Act is amended by striking out subsection (1) and substituting the following subsections:

(1) The Board shall consist of five members appointed by the Governor of whom—

(a) two shall be appointed on the recommendation of the Minister of whom one shall be the chairman and the other the deputy of the chairman;

(b) one shall be a person nominated by the Minister from a panel of three persons nominated by the Adelaide Greyhound Racing Club;

(c) one shall be a person nominated by the Minister from a panel of three persons nominated by resolution passed at a meeting constituted of one delegate from each of the registered greyhound racing clubs other than the Adelaide Greyhound Racing Club by a majority of those delegates;

and

(d) one shall be a person nominated by the Minister from a panel of three persons nominated by the Greyhound Owners, Trainers and Breeders' Association of South Australia, Incorporated.

(1a) Notwithstanding the provisions of subsection (1), the Minister shall, before making a nomination under that subsection from a panel of nominees, consult with the body or persons that nominated that panel.

13. Section 28 of the principal Act is amended by striking out from subsection (1) the word "four" and substituting the word "three".

Amendment of s. 28—  
Term and conditions of office.

14. Section 33 of the principal Act is amended—

(a) by striking out the word "dog", wherever it occurs, and substituting, in each case, the word "greyhound";

and

(b) by striking out from subsection (2) the word "dogs" and substituting the word "greyhounds".

Amendment of s. 33—  
Functions and powers of the Board.

15. Section 39 of the principal Act is amended by striking out from subsection (1) the word "dog", twice occurring, and substituting, in each case, the word "greyhound".

Amendment of s. 39—  
Prohibition of certain race meetings.

16. Section 41 of the principal Act is amended by striking out the word "dog", wherever it occurs, and substituting, in each case, the word "greyhound".

Amendment of s. 41—  
Rules of the Board.

17. Section 44 of the principal Act is amended by striking out from paragraph (d) the word "dog" and substituting the word "greyhound".

Amendment of s. 44—  
Constitution of Board.

18. Section 45 of the principal Act is amended by striking out from subsection (1) the word "four" and substituting the word "three".

Amendment of s. 45—  
Terms and conditions of office.

19. Section 56 of the principal Act is amended by striking out subsection (5) and substituting the following subsection:

Amendment of s. 56—  
Application of funds of the Board.

(5) In this section—

"quarter" means the period elapsing between a quarterly accounting day and the next quarterly accounting day:

"quarterly accounting day" means the last day of the four-weekly accounting period of the Board last expiring in the month of March, June, September or December, in any year.

20. Section 62 of the principal Act is amended by striking out subsection (2) and substituting the following subsection:

Amendment of s. 62—  
Acceptance of, and payment on, off-course totalizator bets.

(2) Except as otherwise directed by the Minister, the Board shall pay the dividend on every off-course totalizator bet as soon as practicable after the completion of the race on which the bet was made.

Amendment of  
s. 63—  
Conduct of  
on-course  
totalizator  
betting by  
horse racing  
clubs.

21. Section 63 of the principal Act is amended by striking out subsection (3).

Amendment of  
s. 64—  
Conduct of  
on-course  
totalizator  
betting by  
trotting clubs.

22. Section 64 of the principal Act is amended by striking out subsection (3).

Amendment of  
s. 65—  
Conduct of  
on-course  
totalizator  
betting by  
greyhound  
racing clubs.

23. Section 65 of the principal Act is amended—

(a) by striking out from subsections (1) and (2) the word “dog”, wherever it occurs, and substituting, in each case, the word “greyhound”;

and

(b) by striking out subsection (3).

Amendment of  
s. 125—  
Interpretation.

24. Section 125 of the principal Act is amended by striking out from the definition of “Fund” the passage ‘dog racing, means the “Dog’ and substituting the passage ‘greyhound racing, means the “Greyhound’.

Amendment of  
s. 127—  
Constitution of  
Board.

25. Section 127 of the principal Act is amended by striking out from paragraph (d) of subsection (1) the word “dog” and substituting the word “greyhound”.

Amendment of  
s. 128—  
Terms and  
conditions of  
office.

26. Section 128 of the principal Act is amended by inserting in subsection (1) after the passage “term of office” the passage “, not exceeding three years,”.

Amendment of  
s. 133—  
Establishment  
of separate  
funds for  
forms of  
racing.

27. Section 133 of the principal Act is amended by striking out subsection (1) and substituting the following subsection:

(1) The funds for each form of racing kept at the Treasury pursuant to this section as in force before the commencement of the Racing Act Amendment Act, 1981, shall continue to be kept at the Treasury—

(a) in the case of the fund for horse racing, under the name the “Horse Racing Grounds Development Fund”;

(b) in the case of the fund for trotting, under the name the “Trotting Grounds Development Fund”;

(c) in the case of the other fund, as the fund for greyhound racing under the name the “Greyhound Racing Grounds Development Fund”.

Amendment of  
s. 135—  
Functions and  
powers of the  
Board.

28. Section 135 of the principal Act is amended—

(a) by striking out subsection (1) and substituting the following subsections:

(1) The function of the Board is to provide financial assistance—

(a) for the development of public facilities in the grounds of racecourses used or proposed to be used for horse racing, trotting or greyhound racing;

or

(b) for the development of any other facilities that the Board is satisfied benefit or would benefit horse racing, trotting or greyhound racing.

(1a) The Board shall not provide financial assistance referred to in subsection (1) (b) except with the approval of the Minister.;

and

(b) by striking out from subsection (2) the passage "registered racing club", wherever it occurs, and substituting, in each case, the passage "person or body".

29. The following section is inserted after section 146 of the principal Act:

Insertion of  
new s. 146a.

146a. (1) No member of a Board shall, without the consent of the Minister, be or become the secretary or an employee of any club or association established in the State for any purpose related to racing.

Special  
conditions of  
appointment  
to Boards.

(2) Every member of a Board shall, except where the Board is required to give effect to directions of the Minister, make each decision required to be made in the performance or discharge of his functions, powers or duties as a member of the Board according to his own opinion or belief and not according to the directions of any person or body.

(3) Where a member of a Board contravenes subsection (1) or (2) he shall be deemed to be in breach of a condition of his appointment as a member and may be removed from office in accordance with the provisions of this Act.

(4) In this section "Board" means—

- (a) the Trotting Control Board;
- (b) the Greyhound Racing Control Board;
- (c) the Totalizator Agency Board;
- (d) the Betting Control Board;

or

- (e) the Racecourses Development Board.

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

K. D. SEAMAN, Governor