

RACING AND GAMING AMENDMENT ACT (No. 2) 1987

No. 42 of 1987

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**RACING AND GAMING AMENDMENT ACT (No. 2)
1987**

No. 42 of 1987

AN ACT to amend the Racing and Gaming Act 1952.

[Royal Assent 3 June 1987]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *Racing and Gaming* Short title.
Amendment Act (No. 2) 1987.

2—(1) This section and section 1 shall commence on the Commencement.
day on which this Act receives the Royal assent.

(2) Except as provided in subsection (1), this Act shall commence on such day as may be fixed by proclamation.

3—In this Act, the *Racing and Gaming Act 1952** is referred Principal Act.
to as the Principal Act.

* No. 98 of 1952. For this Act, as amended to 1975, see Appendix D to the Annual Volume of Statutes for 1974. Subsequently amended by No. 71 of 1975, No. 85 of 1976, No. 104 of 1977, No. 54 of 1978, Nos. 19 and 73 of 1979, No. 90 of 1980, Nos. 9, 10, and 99 of 1982, Nos. 40 and 83 of 1983, Nos. 29 and 36 of 1984, Nos. 51, 89, and 123 of 1985, Nos. 13 and 31 of 1986, and No. 39 of 1987.

Amendment of section 3 of Principal Act (Interpretation).

4—Section 3 of the Principal Act is amended by inserting the following definition before the definition of “approved representative”:

“approved event” means an event approved by the Minister pursuant to a notice under section 63AA (1);

Amendment of section 63 of Principal Act (Betting by bookmakers).

5—Section 63 of the Principal Act is amended as follows:—

(a) by omitting subsection (1) and substituting the following subsections:—

(1) A bookmaker may, subject to this Part, carry on business as a bookmaker on a racecourse but not elsewhere.

(1A) For the purposes of subsection (1), a bookmaker carries on business as a bookmaker on a racecourse—

(a) where, at a race meeting being conducted on that racecourse, he makes a bet with a person on the outcome of any horse-racing or greyhound racing being conducted on that racecourse or elsewhere; or

(b) where, while a race meeting is being conducted on that racecourse, he makes a bet with a person on a sporting contingency relating to an approved event being held, or to be held, elsewhere than on that racecourse.

(b) by omitting from subsection (2) “subsection (1)” and substituting “subsection (1) (a)”.

Insertion in Principal Act of new section 63AA.

6—After section 63 of the Principal Act, the following section is inserted:—

63AA—(1) The Minister may, by notice published in the *Gazette*, approve an event as an event in respect of which bets may be made in accordance with this Act with a bookmaker on a sporting contingency relating to that event.

(2) In subsection (1), “event” means any race, sport, fight, game, exercise, or pastime, other than a horse race or greyhound race.

Amendment of section 69 of Principal Act (Duties of bookmakers).

7—Section 69 of the Principal Act is amended as follows:—

(a) by inserting in subsection (4) (e) “by making bets with persons as mentioned in section 63 (1A) (a)” after “bookmaker”;

(b) by omitting from subsection (4) (f) the passage beginning with “Directorate” and ending with “respectively; and” and substituting the following:—

Directorate, showing—

(i) in the case of bets made with persons as mentioned in section 63 (1A) (a)—the respective race meetings in relation to which the bets were made and the dates on which the respective races were conducted, and the names of the racing clubs conducting each race meeting, respectively; and

(ii) in the case of bets made with persons as mentioned in section 63 (1A) (b)—the respective race meetings and racecourses where the bets were made, being bets on sporting contingencies relating to approved events, particulars of the respective days on which those approved events have respectively been held or are to be held, as the case may be, and of the places when they have respectively been held or are to be held, as the case may be; and

(c) by inserting in subsection (5) “made as mentioned in section 63 (1A) (a)” after “bet”;

(d) by inserting the following subsection after subsection (5):—

(5AA) Where a bet made as mentioned in section 63 (1A) (b) is made on the sporting contingency of more approved events than one, it shall be deemed, for the purposes of a record or return under subsection (4), to relate only to the racecourse on which bets are made on the first of those approved events that is held.

(e) by inserting in subsection (6) “or an approved event” after “meeting”.

8—Section 71 (1) of the Principal Act is amended as follows:—

(a) by omitting “that club and” and substituting “that club,”;

(b) by omitting “this State” and substituting “this State, and in respect of all bets in respect of approved events that are made at a race meeting conducted by that club,”.

Amendment of section 71 of Principal Act (Payment of certain commission to clubs).

Amendment of section 73 of Principal Act (Refunds of stamp duty in certain cases).

9—Section 73 of the Principal Act is amended as follows:—

(a) by inserting in subsection (1) “a horse race or greyhound race at” after “in relation to”;

(b) by inserting in subsection (2) “, or in respect of a bet made as provided in section 63 (1A) (b) on a sporting contingency relating to an approved event that was not held,” after “bet was made”.

Amendment of section 75 of Principal Act (Prohibition of betting at certain odds, &c.).

10—Section 75 (1) of the Principal Act is amended by omitting “a race” and substituting “any horse race, greyhound race, or approved event”.

Transitional provision.

11—Where, immediately before the day fixed by proclamation under section 2 (2), a bookmaker holds a consent under section 64 (1) of the Principal Act authorizing him to bet or carry on business on a racecourse, that consent authorizes him, subject to that Act and to any conditions attached to the consent, to carry on, on and after that day on that racecourse, business as a bookmaker both as provided in section 63 (1A) (a), and as provided in section 63 (1A) (b), of that Act, as inserted by this Act.

Expiry.

12—This Act expires at the expiration of a period of two years beginning on the day fixed by proclamation under section 2 (2), and after that expiration the Principal Act shall have effect as if this Act had never been enacted.