

LEGISLATIVE ASSEMBLY

Read 1° 30 April 1992

(Brought in by Mr Trezise and Mr Kennan)

A BILL

to amend the **Racing Act 1958** and the **Sunday Entertainment Act 1967** and for other purposes.

Racing (Further Miscellaneous Amendments) Act 1992

The Parliament of Victoria enacts as follows:

PART 1—PRELIMINARY

1. *Purposes*

The following are the purposes of this Act:

- 5 (a) To increase the number of Sundays on which race meetings may be held each year;
- (b) To increase the maximum number of country race meetings that may be held each year;
- 10 (c) To make miscellaneous minor amendments to the **Racing Act 1958** and the **Sunday Entertainment Act 1967**.

Section headings appear in bold italics and are not part of the Act.
(See **Interpretation of Legislation Act 1984**.)

2. Commencement

This Act comes into operation on a day or days to be proclaimed.

3. Principal Act

In this Act, the **Racing Act 1958** is called the Principal Act. 5

PART 2—AMENDMENT OF THE *RACING ACT 1958***4. Mixed sports gatherings**

- (1) In section 3 (1) of the Principal Act, in the definition of “Mixed sports gathering”— 10
- (a) omit sub-paragraphs (ii) and (iia) of paragraph (a);
and
- (b) for paragraph (b) (ii) substitute—
- “(ii) which is conducted by a club or other body of persons approved by the Minister.”. 15
- (2) In section 19 (1) of the Principal Act, after “consent” insert “, with or without conditions,”.
- (3) In section 19 of the Principal Act, sub-sections (1A) and (1B) are repealed.

5. Country race meetings 20

After section 16 (1) of the Principal Act insert—

- “(1A) In addition to the number of race-meetings authorised under sub-section (1) (a), the Minister may determine that not more than 30 further race-meetings for horse races may be held on race-courses not within 32 kilometres of the General Post Office Melbourne nominated by the Race-courses Licences Board, after consultation with the Victoria Racing Club. 25
- (1B) Section 33 does not apply to sub-section (1A).” 30

No. 6353.
R printed to
No. 49/1988
and
subsequently
amended by
Nos 65/1988,
73/1988,
78/1988,
12/1989,
41/1989,
71/1989,
12/1991,
53/1991 and
66/1991.

6. Sunday racing

(1) In section 3 (3) of the Principal Act, after “Part” insert
“, unless the contrary intention appears,”.

(2) For section 22A (7) of the Principal Act substitute—

5 “(7) Despite anything in this Division, a race-meeting
may be held on Anzac Day if it falls on a Sunday.”.

(3) For section 22C (1) of the Principal Act substitute—

10 “(1) Race-meetings, other than mixed sports gatherings,
must not be held on a Sunday except a Sunday
approved by the Minister under sub-section (1A).

(1A) The Minister may approve not more than 5
Sundays in a calendar year as Sundays on which
race-meetings may be held.”.

15 (4) In section 22C (2) of the Principal Act for “Sunday
approved under sub-section (1)” substitute “Sundays
approved under sub-section (1A)”.

(5) For section 54 (2) of the Principal Act substitute—

20 “(2) Greyhound races, other than plumpton coursing
matches permitted under section 52A, must not be
held on a Sunday except a Sunday approved by the
Minister under sub-section (2A).

(2A) The Minister may approve not more than 5
Sundays in a calendar year as Sundays on which
greyhound races may be held.”.

25 (6) In section 54 (3) of the Principal Act, for “Sunday
approved under sub-section (2)” substitute “Sundays
approved under sub-section (2A)”.

(7) After section 63A (4) of the Principal Act insert—

30 “(5) Despite anything in this Division, greyhound races
may be held on Anzac Day if it falls on a Sunday.”.

7. Harness Racing Board

After section 44 of the Principal Act insert—

“44AA. Board may act as venue operator

- (1) The Board may hold a venue operator’s licence under the **Gaming Machine Control Act 1991** and may, subject to that Act, do anything that a venue operator is empowered to do under that Act. 5
- (2) For the purposes of sub-section (1), the Board—
 - (a) with the approval of the Minister and the Treasurer, may enter into any arrangement or agreement and has power to do anything necessary or expedient to carry that arrangement or agreement into effect; and 10
 - (b) may apply for and hold a licence under section 46, 47 or 48 of the **Liquor Control Act 1987**.”. 15

8. Registration of bookmakers etc.

- (1) In section 86 (4) (a) of the Principal Act, for “next” substitute “in the third year”. 20
- (2) In section 87 (3) (a) of the Principal Act, for “next” substitute “in the third year”.
- (3) In section 87A (3) (a) of the Principal Act, for “next” substitute “in the third year”.
- (4) The Principal Act as amended by this section applies to certificates of registration issued after 30 November 1991. 25

9. Betting-tickets

In section 84 of the Principal Act—

- (a) before the definition of “bookmaker” insert—
 - “Automatic recorder” has the same meaning as in section 112 of the **Stamps Act 1958**.”; and 30
- (b) at the end of the section insert—

‘“Write out” in respect of a betting-ticket includes issue by means of an automatic recorder approved under section 115 of the **Stamps Act 1958**.’

5 **10. Bookmakers’ clerks**

After section 87 (3) of the Principal Act insert—

- 10 “(4) The holder of a certificate of registration as a bookmaker’s clerk for the time being in force may in the presence of the bookmaker by whom he or she is employed write out and cancel any betting-ticket in respect of any bet made by the bookmaker.
- 15 (5) All bets made and all betting-tickets issued by a bookmaker’s clerk under this section are as valid and effectual for all purposes as if made or issued by the bookmaker personally.”

11. Showgrounds racecourse

- (1) In section 122 (2) of the Principal Act, omit “or the Royal Showgrounds race-course at Ascot Vale”.
- 20 (2) In section 123 of the Principal Act for “Royal Showgrounds race-course at Ascot Vale” substitute “Moonee Valley race-course”.

12. Racecourse rules

After section 5 (4) of the Principal Act insert—

- 25 “(5) A power conferred by sub-section (1) to make rules and regulations providing for the imposition of fees may be exercised by providing for all or any of the following matters:
- 30 (a) Specific fees;
- (b) Maximum fees;
- (c) Minimum fees;
- (d) Fees that vary according to value or time or any other circumstance;
- (e) The manner of payment of fees;
- (f) The time or times at which fees are to be paid.

- (6) Rules and regulations made under this section may be made—
- (a) so as to provide for the exemption of persons or classes of persons from any of the rules and regulations providing for the imposition of fees; or 5
- (b) so as to provide for the refund of fees, in whole or in part.”.

PART 3—AMENDMENT OF THE *SUNDAY ENTERTAINMENT ACT 1967* 10

13. *Amendment of the Sunday Entertainment Act*

- (1) In section 4A (2) of the **Sunday Entertainment Act 1967**, after “that Act” insert “or a mixed sports gathering to be held on a Sunday and authorised under section 19 of that Act or a plumpton coursing match to be held on a Sunday and permitted under section 52A of that Act”. 15
- (2) After section 4A (2) of the **Sunday Entertainment Act 1967** insert—
- “(3) Sub-section (1) does not apply to betting on foot races and bicycle races to be held on a Sunday and approved under section 38 (2) of the **Lotteries Gaming and Betting Act 1966**.”. 20
- (3) In section 5 (3) of the **Sunday Entertainment Act 1967**, after “that Act” insert “or a mixed sports gathering held on a Sunday and authorised under section 19 of that Act or a plumpton coursing match held on a Sunday and permitted under section 52A of that Act”. 25
- (4) In section 12A of the **Sunday Entertainment Act 1967**, for “Secretary for Labour and Industry” substitute “Director-General of Labour”. 30
- (5) Section 15 of the **Sunday Entertainment Act 1967** is repealed.