

# Racing (Miscellaneous Amendments) Bill

## EXPLANATORY MEMORANDUM

### Outline

The purposes of this Bill are—

- (a) to remove certain limitations on restricted harness racing meetings in the *Racing Act 1958*;
- (b) to remove the requirement for a specific number of harness racing meetings in the Mildura district;
- (c) to change the date for registration of bookmakers and bookmakers clerks;
- (d) to effect machinery matters in respect of gaming investigators;
- (e) to empower the T.A.B. to assume responsibility for the provision of on-course totalizator equipment and technical support;
- (f) to provide that in respect of Totalizator Agency Board facilities on licensed premises: distance is to be measured by the most direct road route;
- (g) to broaden the exemption of the T.A.B. from the provisions of the *Lotteries Gaming and Betting Act 1966*;
- (h) to increase the level of penalties provided under the *Racing Act 1958*.

### Notes on Clauses

*Clause 1* sets out the general purposes of the Act.

*Clause 2* provides that the Act comes into operation on a day or days to be proclaimed.

*Clause 3* provides that the *Racing Act 1958* is the Principal Act.

*Clause 4* amends section 3 (1) of the Principal Act to increase the limit on the value of prizes at restricted harness racing meetings.

*Clause 5* repeals sections 4 (1A) and 19A (3) and (4) of the Principal Act thereby removing the prohibition on betting at restricted harness racing meetings.

*Clause 6* substitutes a new section 16 (b) in the Principal Act to permit wider allocation of harness racing meetings.

*Clause 7* provides for amendments to the Principal Act and the *Stamps Act 1958* to change the date of registration of bookmakers from 31 October to 30 November.

Provision is also made for a transition period whereby registration that had effect until 31 October 1987 continues to have effect until 30 November 1987.

*Clause 8* provides for amendments to the Principal Act in respect of Gaming Investigators. Paragraph (a) inserts a definition of Gaming Investigator into section 84. Paragraph (b) inserts the words “or any gaming investigator” in sections 90 (2) and 92.

Paragraphs (c) to (h) make consequential amendments by substituting the words “gaming investigator” for the word “inspector”.

*Clause 9* provides for amendments to the *Lotteries Gaming and Betting Act 1966*.

Paragraph (a) inserts in section 3 of the *Lotteries Gaming and Betting Act 1966* a definition of “Gaming Investigator”.

Paragraphs (b) to (m) provide for consequential amendments by substituting the words “gaming investigator” for the word “Inspector”.

*Clause 10* substitutes a new heading for Division 2 of Part V. of the Principal Act.

*Clause 11* inserts in the Principal Act a new section 116HC to provide that the T.A.B. may provide totalizator equipment and technical services for the operation of an on-course totalizator.

Section 116HC (3) provides that the Board must obtain the approval of Tote-All Clubs Pty. Ltd. before selecting equipment for on-course totalizators or implementing any policy for operating the on-course totalizator.

A new section 116HD provides for the application of profit from the Board’s operation pursuant to section 116HC.

The Board must apply any profit—

- (a) first, towards the improvement of on-course totalizator equipment and services supplied by the Board;
- (b) second, in accordance with a scheme for the benefit of the racing industry recommended by Tote-All Clubs Pty. Ltd. and approved by the Minister.

*Clause 12* amends section 116M of the Principal Act in respect of T.A.B. facilities on licensed premises by inserting a new sub-section (5) providing for distance to be measured by the most direct road route.

*Clause 13* substitutes a new section 116GA (b) to provide that with the approval of the Minister, the T.A.B. may promote the Board, its services and activities.

*Clause 14* amends sections 116T (2) and 116AH (2) to provide that the provisions of section 42 (1) of the Lotteries Gaming and Betting Act will not apply to the T.A.B. broadcasting or communicating betting information in respect of the totalizator.

*Clause 15* amends various sections of the Principal Act to increase the level of penalties and to convert monetary penalties to penalty units where appropriate.

*Clause 16* provides for a number of minor machinery amendments.