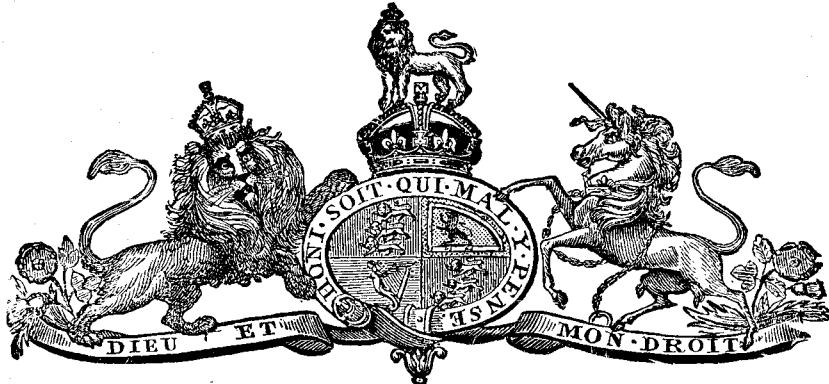


TASMANIA.



1934.

ANNO VICESIMO QUINTO

GEORGII V. REGIS.

No. 73.

ANALYSIS.

- | | |
|---|---|
| <p>1. Short title.</p> <p>2. Amendment of 23 Geo V No. 39.</p> <p>Section 2.</p> <p>Section 3.</p> <p>Section 4.</p> <p>Section 5.</p> <p>Section 6.</p> <p>Section 9.</p> <p>Section 11.</p> <p>Section 13.</p> <p>Section 14.</p> | <p>Section 16.</p> <p>Section 19.</p> <p>Section 21.</p> <p>Section 24.</p> <p>New section 24.</p> <p>New section 24A.</p> <p>Unauthorised betting.</p> <p>New section 24B.</p> <p>Evidence and procedure.</p> <p>3. Extension of operation of 23 Geo. V. No. 39.</p> |
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AN ACT to amend the *Bookmakers Act 1932.* A.D. 1934.
—
 [13 December, 1934.]

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—(1) This Act may be cited as the *Bookmakers Act 1934.*

Short title.

(2) This Act shall come into operation on the thirty-first day of December, one thousand nine hundred and thirty-four, except paragraph IX. of section two, which shall come into operation on the first day of February, one thousand nine hundred and thirty-five.

Bookmakers.

A.D. 1934.

Amend-
ment of 23
Geo. V. No.
39.

2 The *Bookmakers Act* 1932 is hereby amended as from the first day of January, one thousand nine hundred and thirty-five—

- I. By inserting after the definition of “bookmaker” in section two the following definition:—
- “ ‘Coursing’ includes greyhound-racing and whippet-racing : ”; and inserting after the word “thereof” in the third line of the definition of “racecourse” the words “or for holding a coursing meeting” ; and by inserting at the end of the definition of “racing club” the words “or promoting or controlling, or holding meetings for, coursing.”
- Section 3. II. By inserting after the word “race” in the third line of section three thereof the words “or coursing.”
- Section 4. III. As to section four thereof—
- (a) By deleting the word “Southern” in the third line of subsection (1) thereof:
- (b) By inserting the word “and” after the word “respectively” in the fourth line of paragraph 1. of the said subsection (1):
- (c) By inserting after the word “registration” at the end of the said paragraph 1. the words “, with power for the Committee to limit the number of bookmakers to be registered in the State or any part thereof, and to limit and define the area in which any bookmaker may carry on his business elsewhere than on a racecourse: ”:
- (d) By inserting after the word “him” at the end of subsection (2) thereof the words “upon any racecourse in this State or in relation to any race on any such racecourse, and a sum by way of commission equal to two pounds per centum of all moneys paid or payable contingently or otherwise to such bookmaker in respect of all other bets made by him.” : and
- (e) By inserting after subsection (3) the following new subsection (4):—
- “(4) The members of the Committee holding office at the date this subsection comes into operation shall continue in office until the thirty-first day of July next after that date, and thereafter the members of the committee shall retire annually on the thirty first day of July.” :
- Section 5. IV. By inserting after subsection (2) of section five thereof the following new subsection (3):—
- “(3) The Registrar, or any person authorised by him in writing, shall at all times have free access to any part of any racecourse on which any bookmaker is exercising his calling” :

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V. As to section six thereof—

Section 6. A.D. 1934

- (a) By deleting the words “for one year from its date” in the third line of subsection (2) and in the second line of subsection (3) respectively :
- (b) By inserting after the word “events” at the end of subsection (2) the words “or coursing events: Provided that no bookmaker shall carry on his business in any building or premises not within the area specified in his certificate of registration.” : and
- (c) By inserting after subsection (3) the following new subsections (4), (5), (6), and (7)—

“(4) Every certificate of registration issued after the commencement of this subsection shall expire on the thirty-first day of July next after it is issued, unless it is expressed to take effect only until an earlier date, when it shall expire on such earlier date.

“(5) Where the Committee issues a certificate of registration for any period less than one year, the fee payable in respect thereof shall be a proportionate part only of the fee prescribed by subsection (1) hereof in respect of a certificate of the like kind.

“(6) Where the Committee is satisfied that a bookmaker is temporarily unable, owing to illness or other unavoidable cause, to carry on his business, the Committee in its discretion may issue a substitute certificate of registration to some person approved by it to act in his stead for such period as the Committee may specify therein, and such certificate shall authorise such person to carry on the business of such bookmaker on his behalf during such period.

“(7) Such person shall be subject to the same liability in all respects as if he were a registered bookmaker, and the bookmaker shall be responsible for all the acts of such person acting, or purporting to act, on his behalf.”:

VI. By inserting after subsection (6) of section nine thereof the Section 9. following new subsections (7), (8), and (9):—

“(7) All premises approved as aforesaid shall be under the supervision and control of the Committee, and the Committee or the Commissioner of Police or any of their officers may regulate the number of persons to be admitted to any such premises at any time or at any particular time, or may, if such officer thinks necessary, order such premises to be cleared, and may limit the number of persons to be admitted thereto as he may think advisable.

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“(8) The regulations may provide for the regulation of such premises and of the conduct of persons therein.

“(9) No person under the age of twenty-one years shall be upon any such premises.

Penalty: First offence, ten pounds; for a subsequent offence, fifty pounds.”:

Section 11.

VII. As to section eleven thereof—

(a) By inserting after the word “inspection” in the second line of paragraph iii. of subsection (1) thereof the words “by any officer of the Audit Department or”: and

(b) By inserting after subsection (4) thereof the following new subsection (5):—

“(5) The books and accounts of every bookmaker shall be subject to inspection at any time by the Auditor-General or any person authorised by him, and the Auditor-General at any time may direct any of his officers to make an audit of any such accounts”:

Section 13.

VIII By inserting after subsection (2) of section thirteen thereof the following new subsection (3):—

“(3) The accounts of the Registrar under this Act shall be audited by the Auditor-General in accordance with the provisions of the *Audit Act* 1918.”:

9 Geo. V.
No. 3.

Section 14.

IX. By deleting the words “impressed stamp” in the eighth line of section fourteen thereof and substituting therefor the words “a stamp printed by the Government Printer”; and by adding after the word “ticket” in the same line the words “and all such tickets shall be purchased from and sold by the Treasurer as may be prescribed.”:

Section 16.

X. By inserting the numeral “(1)” at the beginning of section sixteen thereof, and adding at the end of that section the following new subsections (2) and (3):—

“(2) Upon a certificate from the Registrar that any ticket has been issued by a bookmaker in respect of a bet made on a horse which was not a starter in the race in respect of which the bet was made, and that the stake for such bet has been refunded or credited to the bettor, or that any ticket has been written in error and never effectively used, and upon production of such ticket, the Treasurer shall allow the bookmaker credit for the amount of stamp duty printed on such ticket.

“(3) On the sale of any tickets as provided by section fourteen, the Treasurer may give credit to any bookmaker for the full face value of any stamps impressed on any unused betting tickets tendered and delivered to the Treasurer by such bookmaker.”:

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XI. By inserting after paragraph iv. of subsection (1) of section **Section 19.** **A.D. 1934.** nineteen thereof the following new paragraph v. :—

“ v. Have in his possession, for a longer period than is necessary to enable him to destroy the same, any betting ticket which has been used and issued to a bettor.” :

XII. By inserting after subsection (4) of section twenty-one **Section 21.** thereof the following new subsection (5) :—

“(5) The Committee may define the duties of a bookmaker's clerk, and no person shall act as a bookmaker's clerk unless he is registered for that purpose as provided by this Act.

Penalty : Ten pounds.” :

XIII. By deleting the last three lines of section twenty-four and **Section 24.** inserting after subsection (3) of that section the following new subsection (4) :—

“(4) For the purposes of this section any person carrying on the business of a bookmaker in any place other than a racecourse or a building or premises approved under this Act shall be deemed to be an unauthorised person.” : and

XIV. By inserting after section twenty-four the following new sections twenty-four A and twenty-four B :—

“ **24A** No person shall carry on the business of betting **Unauthor-** **New** unless he is registered as a bookmaker under this Act. **ised betting.** **section** **24A.** ”

Penalty : For a first offence : one hundred pounds. For any subsequent offence : three months' imprisonment.

“ **24B** In any proceedings in respect of offences **Evidence** **New sec-** against this Act or the Principal Act, an allegation on the **and** **tion 24B.** complaint that— **procedure.** ”

i. At any relevant time—

- (a) Any person was or was not a registered bookmaker ;
- (b) Any premises were or were not approved as provided by section nine ; or
- (c) Any place was a public place within the meaning of this Act : or

ii. On any specified day—

- (a) A race-meeting took place, or was appointed to take place, at any specified place ; or

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(b) A horse, known by any specified name, competed in, or had been entered to compete in, any race at any such race-meeting—

as the case may be, shall be deemed to be proved until proof to the contrary is adduced.”

Extension
of operation
of 23 Geo.
V. No. 39.

3 Section twenty-seven is hereby amended by deleting the word “thirty-four” and substituting the word “thirty-six.”