

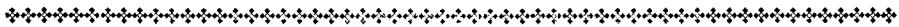


RACING AND GAMING (No. 2)

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 No. 93 of 1974
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ANALYSIS

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AN ACT to amend the Racing and Gaming Act 1952 and the Racing and Gaming Act 1974.

[19 December 1974]

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 *Racing and Gaming Act* Short title and citation. (No. 2) 1974.

(2) The *Racing and Gaming Act 1952*, as subsequently amended, is in this Act referred to as the Principal Act.

Returns and information to be furnished by clubs.

2 Section 35 of the Principal Act is amended by omitting, from subsection (1), the word “fifty-four” and substituting therefor the figures and letter “57Q”.

Fund for the relief of jockeys and their dependants.

3 Section 43 of the Principal Act is amended by inserting, at the end of subsection (3) (*d*), the words “or section 57zx (1) (*ab*)”.

Betting on totalizators.

4 Section 57H of the Principal Act is amended by omitting the words “or any multiple of that amount” and substituting therefor the words “or such greater amounts as the Commission with the approval of the Minister may from time to time determine, or any multiple of any of the amounts so specified or determined”.

Powers and functions of the Trust.

5 Section 57 zx of the Principal Act is amended—

(*a*) by inserting after paragraph (*a*) of subsection (1) the following paragraph:—

“(ab) may make non-repayable grants to the fund established as provided by section 43;”;

(*b*) by inserting in subsection (2), after the word “under”, the words “paragraph (*ab*) or”; and

(*c*) by omitting from subsection (3) the word and letter “paragraph (*d*)” and substituting therefor the word and letter “paragraph (*e*)”.

Application of Part VI.

6 Section 83 of the Principal Act is amended—

(*a*) by transposing the word “or” from the end of paragraph (*c*) to the end of paragraph (*d*);

(*b*) by inserting at the end thereof the following paragraph:—

“(e) subject to subsection (2), a raffle or series of raffles—

(i) where the article to be disposed of does not exceed, or the articles to be disposed of in the aggregate do not exceed, \$100; and

(ii) where the proceeds are applied exclusively for the lawful purposes of some organization, institution, body, or association of persons and not for the private gain or benefit of any person except by way of charity.”; and

(c) by adding the following subsection:—

“(2) Subsection (1) (e) shall not apply in the case of the disposal of a money prize by means of the practice known as lucky envelopes or any similar practice.”.

7 The Principal Act is amended by inserting, after section 88A, the following section:—

“88AB—(1) The disposal of a money prize by means of the practice known as lucky envelopes or any similar practice shall, for the purposes of this Division, be deemed to be a raffle. Lucky envelopes.

“(2) When authorizing the disposal of money prizes by way of lucky envelopes or any similar practice the Commission shall approve the form and type of envelopes to be used, the number of envelopes to be sold in respect of each disposal, the price to be paid for each envelope, and the scale of prizes.

“(3) Any person who, in disposing of a money prize purportedly in pursuance of an authorization given as provided by section 88A, fails to observe or contravenes any condition approved in the authorization shall be liable to the same penalty as if he was not so authorized in respect of that disposal of a money prize.”.

8—(1) The *Racing and Gaming Act 1974* is amended—

(a) by adding the following subsection at the end of section 24:—

“(2) Subsection (1) (b) shall commence on the day of the first proclamation that is made as provided by section 37.”; and

(b) by omitting from section 39 (2) the word “thirty-eight” (first occurring) and substituting therefor the word “thirty-seven”.

(2) This section shall be deemed to have commenced on 16th May 1974.

Amendments
to *Racing and
Gaming Act
1974.*