



TASMANIA

RACING AND GAMING AMENDMENT ACT 1992

No. 37 of 1992

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RACING AND GAMING AMENDMENT ACT 1992

No. 37 of 1992

AN ACT to amend the *Racing and Gaming Act 1952*

[Royal Assent 10 December 1992]

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:—

Short title

1—This Act may be cited as the *Racing and Gaming Amendment Act 1992*.

Commencement

2—This Act commences on a day to be proclaimed.

Principal Act

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

Section 3 amended (Interpretation)

4—Section 3 of the Principal Act is amended as follows:—

(a) by inserting the following definition after the definition of “committee”:

“**consolation double totalizator**” means a totalizator used for enabling persons to invest money on horse or greyhound races by the nomination of a combination of 2 animals on the chance that—

(a) those animals will fill first places in 2 races selected by the Board; or

(b) the first nominated animal will fill first place in the first of those 2 races and the second nominated animal will fill second place in the second of those races;

(b) by inserting the following definition after the definition of “controlling body”:

“**daily double totalizator**” means a totalizator used for enabling persons to invest money on horse or greyhound races by the nomination of a combination of 2 animals on the chance that those animals will fill first places in 2 races selected by the Board;

(c) by inserting the following definition after the definition of “existing club”:

“**forecast totalizator**” means a totalizator used for enabling persons to invest money on horse or greyhound races by the nomination (in a specified order) of a combination of 2 animals on the chance that those animals will fill first and second place (in the order specified) in the same race at a race meeting;

* No. 98 of 1952. For this Act, as amended to 1975, see Appendix D to the Annual Volume of Statutes of 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, Nos. 39, 42 and 86 of 1987, Nos. 1 and 48 of 1988, No. 32 of 1989, Nos. 5, 22 and 40 of 1990 and Nos. 39 and 40 of 1991.

- (d) by inserting the following definition after the definition of “place”:

“**place totalizator**” means a totalizator used for enabling persons to invest money on horse or greyhound races by the nomination of an animal in respect of a race at a race meeting on the chance that the nominated animal will fill a place in that race;

- (e) by inserting the following definitions after the definition of “public place”:

“**quadrella totalizator**” means a totalizator used for enabling persons to invest money on horse or greyhound races by the nomination of a combination of 4 animals on the chance that those animals will fill first places in 4 races selected by the Board;

“**quinella totalizator**” means a totalizator used for enabling persons to invest money on horse or greyhound races by the nomination of a combination of 2 animals on the chance that those animals will fill first and second place (irrespective of order) in the same race at a race meeting;

- (f) by inserting the following definition after the definition of “totalizator licence”:

“**trifecta totalizator**” means a totalizator used for enabling persons to invest money on horse or greyhound races by the nomination (in a specified order) of a combination of 3 animals on the chance that those animals will fill first, second and third place (in the order specified) in the same race at a race meeting;

- (g) by omitting “pacer.” from the definition of “trotting-horse” and substituting “pacer;”;

- (h) by inserting the following definition after the definition of “trotting-horse”:

“**win totalizator**” means a totalizator used for enabling persons to invest money on horse or greyhound races by the nomination of an animal in respect of a race at a race meeting on the chance that the nominated animal will be the winner of that race.

Section 57DA amended (Interpretation of Division)

5—Section 57DA of the Principal Act is amended by inserting the following definition after the definition of “approved betting competition”:

“**approved purposes**” means the purposes specified in section 9 (1) of the *Racing Act 1983*;

Section 57M amended (Deduction of commission and declaration and payment of dividends)

6—Section 57M of the Principal Act is amended as follows:—

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

(1) In this section—

“**competitor**” includes a team;

“**total receipts**” means, in relation to an approved sporting contingency for which the Board conducts totalizator betting, the total amount of money that is paid to the Board by bettors in this State or elsewhere in respect of that approved sporting contingency less any amount that is refundable to such bettors by reason of the cancellation of bets or otherwise.

(1A) The Board must, in respect of each approved sporting contingency for which it conducts totalizator betting, deduct as commission from the total receipts—

(a) an amount equal to 15% or, if another percentage is prescribed, the prescribed percentage of the total amount of any money bet on the win totalizator; and

(b) an amount equal to 15% or, if another percentage is prescribed, the prescribed percentage of the total amount of any money bet on the place totalizator; and

(c) an amount equal to 17% or, if another percentage is prescribed, the prescribed percentage of the total amount of any money bet on the daily double totalizator; and

- (d) an amount equal to 17% or, if another percentage is prescribed, the prescribed percentage of the total amount of any money bet on the consolation double totalizator; and
- (e) an amount equal to 17% or, if another percentage is prescribed, the prescribed percentage of the total amount of any money bet on the forecast totalizator; and
- (f) an amount equal to 17% or, if another percentage is prescribed, the prescribed percentage of the total amount of any money bet in the trifecta totalizator; and
- (g) an amount equal to 15% or, if another percentage is prescribed, the prescribed percentage of the total amount of any money bet on the quinella totalizator; and
- (h) an amount equal to 19% or, if another percentage is prescribed, the prescribed percentage of the total amount of any money bet on the quadrella totalizator.

(1B) Where the Board conducts totalizator betting in respect of an approved sporting contingency relating to a race or event other than a horse or greyhound race, the provisions of subsection (1A) apply to that approved sporting contingency in the same manner, but with such modifications as may be prescribed, as if that approved sporting contingency were a horse or greyhound race.

(1C) The Board must, after deducting the commission referred to in subsection (1A) from the total receipts in respect of each approved sporting contingency for which it conducts totalizator betting—

- (a) declare the balance of the total receipts to be the amount available for the payment of dividends for that approved sporting contingency; and
 - (b) subject to this section—pay out the dividends to the persons entitled to them.
- (b) by omitting from subsection (2) “(1)” and substituting “(1C)”;
 - (c) by omitting from subsection (4) “(1)” and substituting “(1A)”;
 - (d) by omitting subsection (6).

Section 57Q amended (Disbursement of totalizator commission)

7—Section 57Q (1) of the Principal Act is amended as follows:—

- (a) by omitting “57M” and substituting “57M (1A)”;
- (b) by omitting paragraphs (a) and (b) and substituting the following paragraphs:—
 - (a) if the amount required to be deducted is the amount referred to in section 57M (1A) (a)—
 - (i) 10% or, if another percentage is prescribed, the prescribed percentage of that money to its revenue account; and
 - (ii) 4.5% or, if another percentage is prescribed, the prescribed percentage of that money to the Consolidated Fund; and
 - (iii) 0.5% or, if another percentage is prescribed, the prescribed percentage of that money to the Authority for approved purposes; and
 - (b) if the amount required to be deducted is the amount referred to in section 57M (1A) (b)—
 - (i) 10% or, if another percentage is prescribed, the prescribed percentage of that money to its revenue account; and
 - (ii) 4.5% or, if another percentage is prescribed, the prescribed percentage of that money to the Consolidated Fund; and
 - (iii) 0.5% or, if another percentage is prescribed, the prescribed percentage of that money to the Authority for approved purposes; and
 - (c) if the amount required to be deducted is the amount referred to in section 57M (1A) (c)—
 - (i) 11% or, if another percentage is prescribed, the prescribed percentage of that money to its revenue account; and

- (ii) 4.5% or, if another percentage is prescribed, the prescribed percentage of that money to the Consolidated Fund; and
 - (iii) 1.5% or, if another percentage is prescribed, the prescribed percentage of that money to the Authority for approved purposes; and
- (d) if the amount required to be deducted is the amount referred to in section 57M (1A) (d)—
- (i) 11% or, if another percentage is prescribed, the prescribed percentage of that money to its revenue account; and
 - (ii) 4.5% or, if another percentage is prescribed, the prescribed percentage of that money to the Consolidated Fund; and
 - (iii) 1.5% or, if another percentage is prescribed, the prescribed percentage of that money to the Authority for approved purposes; and
- (e) if the amount required to be deducted is the amount referred to in section 57M (1A) (e)—
- (i) 11% or, if another percentage is prescribed, the prescribed percentage of that money to its revenue account; and
 - (ii) 4.5% or, if another percentage is prescribed, the prescribed percentage of that money to the Consolidated Fund; and
 - (iii) 1.5% or, if another percentage is prescribed, the prescribed percentage of that money to the Authority for approved purposes; and
- (f) if the amount required to be deducted is the amount referred to in section 57M (1A) (f)—
- (i) 11% or, if another percentage is prescribed, the prescribed percentage of that money to its revenue account; and

- (ii) 4.5% or, if another percentage is prescribed, the prescribed percentage of that money to the Consolidated Fund; and
 - (iii) 1.5% or, if another percentage is prescribed, the prescribed percentage of that money to the Authority for approved purposes; and
- (g) if the amount required to be deducted is the amount referred to in section 57M (1A) (g)—
- (i) 10% or, if another percentage is prescribed, the prescribed percentage of that money to its revenue account; and
 - (ii) 4.5% or, if another percentage is prescribed, the prescribed percentage of that money to the Consolidated Fund; and
 - (iii) 0.5% or, if another percentage is prescribed, the prescribed percentage of that money to the Authority for approved purposes; and
- (h) if the amount required to be deducted is the amount referred to in section 57M (1A) (h)—
- (i) 11% or, if another percentage is prescribed, the prescribed percentage of that money to its revenue account; and
 - (ii) 6.5% or, if another percentage is prescribed, the prescribed percentage of that money to the Consolidated Fund; and
 - (iii) 1.5% or, if another percentage is prescribed, the prescribed percentage of that money to the Authority for approved purposes.

Section 57T amended (Transfer of profits from Board to Authority)

8—Section 57T (1) of the Principal Act is amended by omitting “the purposes specified in section 9 of the *Racing Act 1983*” and substituting “approved purposes”.

Section 57Y amended (Provisions relating to Board, of application to committee conducting totalizator betting)

9--Section 57Y of the Principal Act is amended by omitting from paragraph (a) "57M (1) and (2)" and substituting "57M".

