



ANNO VICESIMO QUINTO

GEORGII V REGIS.

A.D. 1934.

No. 2188.

An Act to amend certain provisions of the Lottery and Gaming Act, 1917, and the Acts amending that Act, relating to betting by means of the totalizator and with licensed bookmakers, and for other purposes.

[Assented to, November 29th, 1934.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the " Lottery and Gaming Acts Amendment Act, 1934 ". Short title.

(2) The Lottery and Gaming Act, 1917, is hereinafter called " the principal Act " .

2. This Act is incorporated with the Lottery and Gaming Act, 1917, and all other Acts incorporated therewith, and those Acts and this Act shall be read as one Act. Incorporation.

3. (1) Section 22 of the principal Act is amended by striking out paragraph (b) thereof and inserting in lieu thereof the following paragraph :— Amendment of principal Act, s. 22—
Days on which totalizator may be used.

(b) on any racecourse within fifteen miles of the General Post Office, Adelaide, for more than fourteen days in any one year : Provided that a licence granted

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to the South Australian Jockey Club Limited may sanction the use of the totalizator on the Morphettville Racecourse on one additional day if the Commissioner of Police is satisfied that on that day a race meeting will be held on that course by at least three racing clubs jointly, and that the net profits from that meeting will be devoted to charitable purposes.

(2) Any licence in force at the time of the passing of the Lottery and Gaming Acts Amendment Act, 1934, may be amended by the Commissioner of Police so as to permit the use of the totalizator on additional days as allowed by this section.

Amendment of principal Act, s. 25L—
Effect of registration of club premises.

4. Section 25L of the principal Act is amended by inserting after subsection (3) thereof the following subsection :—

(3A) If the board registers under this section any premises occupied by a club registered under the Licensing Act, 1932, and if that club has in each of the ten years prior to the registration of its premises by the board held a licence to use the totalizator at race meetings conducted by it, the fact that those premises are registered by the board and that betting takes place thereon in accordance with this Part, shall not be a ground of objection to the grant or renewal of the registration of the club under the Licensing Act, 1932, nor shall any betting carried on in the club premises in accordance with this Part, be a ground on which any person shall be convicted of any offence.

Amendment of principal Act, s. 25N—
Stamp duty on betting tickets.

5. (1) Subsection (1) of section 25N of the principal Act is amended by striking out the words "one penny" in paragraph (a) thereof and inserting in lieu thereof the words "one halfpenny".

(2) Subsection (3) of section 25N of the principal Act is amended by adding at the end thereof the words "and may by any regulation prescribe penalties not exceeding twenty pounds for breach of any regulation".

Enactment of sections 25o and 25oA of principal Act—
Betting with minors.

6. Section 25o of the principal Act is repealed, and the following sections are enacted in lieu thereof :—

25o. (1) No bookmaker shall bet with any person under the age of twenty-one years.

Penalty—For a first offence, five pounds.

For a subsequent offence, twenty pounds.

(2) It shall be a defence to any charge under this section if the defendant satisfies the Court that he had reasonable grounds for believing the person with whom any bet is made to have been of or over the age of twenty-one years.

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250a. (1) If any person under twenty-one years of age is in or upon any premises registered under this Part whilst the premises are open to the public for the purpose of betting, that person shall be guilty of an offence.

Presence of minors on registered betting premises.

Penalty—Ten pounds.

(2) If any person under twenty-one years of age is in or upon any premises registered under this Part whilst the premises are open to the public for the purpose of betting, the person in charge of those premises shall be guilty of an offence unless he shows that he could not, by the exercise of all reasonable precautions, have prevented that person from entering those premises.

Penalty—Ten pounds.

(3) Any member of the police force may remove from any registered premises any person who is on those premises in contravention of this section.

7. Section 25Q of the principal Act is amended so as to read as follows :—

Amendment of principal Act, s. 25Q—

25Q. If the holder of any licence is convicted of any offence against this Part, or if the board is satisfied that the holder of any licence has failed to observe any provision of this Part or of the rules or any condition of his licence, the board may as an administrative act cancel his licence.

Cancellation of licences.

8. Section 42A of the principal Act (as enacted by section 7 of the Lottery and Gaming and Licensing Acts Amendment Act, 1933) is amended by inserting at the end thereof the following subsection :—

Amendment of principal Act, s. 42A—

Information as to racing

(4) In this section the expression “ give oral information or advice ” includes every method of communicating information by spoken words whether directly or through the medium of any apparatus for the reproduction of sound.

9. The following section is hereby enacted and inserted in the principal Act after section 42A thereof :—

Enactment of s. 42B of the Lottery and Gaming Act, 1917—

Authorised information as to racing.

42B. (1) The Betting Control Board may in writing grant to any person a general or limited authority to publish or communicate, in any manner specified by the Board, oral or written information or advice, relating to any horse race, pony race, trotting race, or coursing event, or to the betting odds thereon.

(2) Such an authority may contain any conditions imposed by the Board and shall be void if any condition thereof is not observed.

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(3) No person shall be liable to any proceedings or penalty in consequence only of publishing or communicating any information or advice pursuant to an authority under this section.

Amendment of
1447, 1920,
s. 11—
Totalizator
tickets.

10. Section 11 of the Lottery and Gaming Act Amendment Act, 1920 (as amended by section 12 of the Lottery and Gaming Act Amendment Act, 1921, and section 8 of the Lottery and Gaming Act Amendment Act, 1928), is further amended—

(a) by inserting after the word “ of ” in the fifth line thereof the words “ either two shillings or ” ;

(b) by adding at the end of subsection (1) thereof the following proviso :—

“ Provided further that nothing in this section shall be deemed to prevent the committee or executive body of the club from issuing from any totalizator tickets for both amounts as aforesaid nor from issuing tickets for any amount which is a multiple of either such amount.”

Use of
totalizator at
trotting races.

11. (1) Notwithstanding any provision of the Lottery and Gaming Act, 1917, the Commissioner of Police may, upon application made to him for the purpose, and subject to the approval of the Chief Secretary, issue a licence to the committee or other executive body of any trotting club authorising the use of the totalizator at any trotting race meeting or meetings for which a permit has been obtained under section 12.

(2) The licences granted under this section shall not authorise the use of the totalizator in the aggregate for more than thirty-five nights per year in the metropolitan area and sixty nights per year outside the metropolitan area, or for more than eleven nights per year at any one town outside the metropolitan area.

Permits to
hold trotting
races.

12. (1) No trotting race meeting at which the totalizator is used shall be held unless a permit, in writing, authorising it to be held has been issued by the South Australian Trotting League Incorporated.

(2) The said League may, with the consent of the Commissioner of Police, issue such permits for the holding of trotting race meetings as it thinks fit. Each permit shall be for one night only as regards a meeting to be held in the metropolitan area, and for either one day or one night as regards a meeting to be held outside the metropolitan area.

(3) If any trotting race meeting is held in contravention of this section the person by or on whose behalf the trotting race meeting is held, or, if the meeting is held by an association of

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persons, each member of the committee or other executive body of the association, and any person acting at the meeting as steward, starter, or judge shall be guilty of an offence punishable on summary conviction.

Penalty—Twenty pounds.

(4) For the purpose of this Act no agricultural show shall be deemed to be a trotting race meeting.

(5) In this section “metropolitan area” means the area within a radius of twenty-five miles from the General Post Office.

13. Sections 16, 16a, the rules and regulations under section 17, sections 18, 19, 23, 24, and 25 of the Lottery and Gaming Act, 1917, and the provisions of the Stamp Duty Act, 1923, relating to totalizator duty shall apply, with the necessary modifications, in respect of the licensing, use, and receipts of the totalizator used at trotting race meetings, pursuant to this Act.

Application of
Lottery and
Gaming Act
to totalizator
at trotting
races.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

W. DUGAN, Governor.