



ANNO QUADRAGESIMO

ELIZABETHAE II REGINAE

A.D. 1991

No. 29 of 1991

An Act to amend the Racing Act 1976.

[Assented to 24 April 1991]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Racing (Sporting Events Betting and Appeals) Amendment Act 1991*.

(2) *The Racing Act 1976* is referred to in this Act as “the principal Act”.

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

Appeals to Tribunal

3. Section 41g of the principal Act is amended by striking out from paragraph (b) “from participating in that code”.

Proceedings on appeal

4. Section 41i of the principal Act is amended—

(a) by striking out from subsection (1) “and afford any such person a reasonable opportunity to call or give evidence, to examine or cross-examine witnesses, and to make submissions to the Tribunal”;

and

(b) by inserting after subsection (9) the following subsection:

(9a) The Tribunal must afford each party to an appeal a reasonable opportunity to make submissions to the Tribunal and, subject to subsection (9), to call or give evidence and examine or cross-examine witnesses.

Orders, etc., that may be made by Tribunal

5. Section 41m of the principal Act is amended—

(a) by striking out paragraph (c) and substituting the following paragraph:

(c) subject to subsection (2), make any further or other order that the case requires.;

and

(b) by inserting after its present contents as amended by this section (now to be designated as subsection (1)) the following subsection:

(2) Each party to an appeal must bear that party's own costs except where the Tribunal considers that would be unjust, in which case the Tribunal may make such order as to costs as it thinks fit.

Power of Board to conduct totalizator betting on other major sporting events

6. Section 84i of the principal Act is amended—

(a) by striking out paragraph (d) of subsection (1) and substituting the following paragraph:

(d) may conduct totalizator betting on any other sporting event or combination of sporting events (whether held within or outside Australia) prescribed by regulation.;

and

(b) by striking out subsection (2).

Interpretation

7. Section 85 of the principal Act is amended—

(a) by inserting before the definition of “the Board” the following definition:

“approved sporting event” means a sporting event or combination of sporting events (whether held within or outside Australia) declared by regulation to be an approved sporting event for the purposes of this Part.;

and

(b) by inserting in the definition of “registered premises” “or approved sporting events” after “races”.

Functions and powers of Board

8. Section 93 of the principal Act is amended by inserting in paragraph (a) of subsection (1) “or approved sporting events” after “races”.

Licences

9. Section 100 of the principal Act is amended by striking out subsection (3).

Registration of betting premises at Port Pirie

10. Section 105 of the principal Act is amended by inserting in subsection (1) “or approved sporting events” after “races”.

Permits for licensed bookmakers to bet on racecourses

11. Section 112 of the principal Act is amended—

(a) by inserting in subsection (1) “or approved sporting events” after “races”;

and

(b) by striking out subsection (5) and substituting the following subsection:

(5) The Board must not grant a permit under this section to accept bets made on a day and within a racecourse at which races other than coursing events or foot races are held unless the Minister has, pursuant to Part III, authorized the conduct of totalizator betting on that racecourse on that day.

Operation of bookmakers on racecourses

12. Section 113 of the principal Act is amended by inserting in subsection (1) "or approved sporting events" after "races".

Payment to Board of percentage of moneys bet with bookmakers

13. Section 114 of the principal Act is amended by striking out subsection (3) and substituting the following subsections:

(3) Every bookmaker must, not later than 3 pm on each Thursday, pay to the Board in respect of bets made with the bookmaker on approved sporting events during the week that ended at midnight on the Saturday next preceding that Thursday an amount equal to 2.25 per centum of the amount paid or payable to the bookmaker in respect of those bets.

(4) The Board must, on application by a bookmaker in writing and on being satisfied that the bookmaker has paid an amount to the Board pursuant to subsection (3) in respect of a bet on an approved sporting event that has been abandoned or a bet that has been declared off, refund to the bookmaker the amount paid to the Board in respect of that bet.

(5) The Board must make payments out of the amounts paid to it pursuant to this section as follows:

(a) in respect of bets made on a racecourse on race-results that were decided on the day on which the bets were made—a payment to the racing club conducting the race meeting at that racecourse of an amount equal to 1.4 per centum of the amount paid or payable to bookmakers in respect of those bets;

(b) in respect of bets made on a racecourse on race-results of races held within the State and decided on a day or days subsequent to the day on which the bets were made—a payment to the racing club holding those races of an amount equal to 1.4 per centum of the amount paid or payable to bookmakers in respect of those bets;

(c) in respect of bets made on an approved sporting event—

(i) if the Minister has determined that a payment be made to the body conducting the event or some other related body—

(A) a payment to the body determined by the Minister of an amount equal to 1.4 per centum of the amount paid or payable to bookmakers in respect of those bets;

and

(B) a payment to the Recreation and Sport Fund of the balance of the amount paid to the Board pursuant to this section in respect of those bets;

or

- (ii) in any other case—a payment to the Recreation and Sport Fund of the amount paid to the Board pursuant to this section in respect of those bets.

Betting tickets

14. Section 115 of the principal Act is amended by inserting in subsection (1) “or the result of an approved sporting event” after “race-result”.

Effect of licence

15. Section 118 of the principal Act is amended by inserting in subsection (1) “or approved sporting events” after “races”.

Prohibition of certain information as to racing or betting

16. Section 119 of the principal Act is amended—

(a) by inserting in subsection (1) “or approved sporting event” after “race”;

and

(b) by inserting in subsection (3) “or approved sporting event” after “betting on a race”.

Board may give or authorize information as to betting

17. Section 120 of the principal Act is amended by inserting in subsection (1) “or approved sporting event” after “race”.

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

ROMA MITCHELL Governor