

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 15 March, 1967.*

New South Wales



ANNO SEXTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1967.

An Act to make further provisions relating to the publication of betting odds and other information relating to race-meetings, the holding of barrier trial meetings for horse-racing, the recovery of certain wagering debts, the powers of the Greyhound Racing Control Board and the conduct of lotteries and games of chance on certain premises; for these and other purposes to amend the Gaming and Betting Act, 1912, as amended by subsequent Acts, and the Liquor Act, 1912, as amended by subsequent Acts; and for purposes connected therewith.

BE

Gaming and Betting and Liquor (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Gaming and Betting and Liquor (Amendment) Act, 1967". Short title and citation.

(2) The Gaming and Betting Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Gaming and Betting Act, 1912–1967.

2. (1) The Gaming and Betting Act, 1912, as amended by subsequent Acts, is amended— Amendment of Act No. 25, 1912.

(a) by omitting from section one the figures "47" and by inserting in lieu thereof the figures and letter "47G"; Sec. 1. (Short title.)

(b) (i) by inserting in section three next after the definition of "Bookmaker" the following new definition :— Sec. 3. (Interpretation.)

"Broadcasting station" means any station—

(a) provided by the Postmaster-General and from which the Australian Broadcasting Commission broadcasts programmes and other services; or

(b) in respect of which a person holds a licence for a commercial broadcasting station under Part IV of the Australian Broadcasting Act 1942 of the Parliament of the Commonwealth of Australia or any Act of that Parliament amending or replacing that Act.

(ii)

Gaming and Betting and Liquor (Amendment).

(ii) by inserting at the end of the same section the following new definition :—

“Television station” means any station—

- 5 (a) provided by the Postmaster-General and from which the Australian Broadcasting Commission televises programmes and other services; or
- 10 (b) in respect of which a person holds a licence for a commercial television station under Part IV of the Australian Broadcasting Act 1942 of the Parliament of the Commonwealth of Australia or any Act of that Parliament amending or replacing that Act.
- 15

(c) (i) by omitting paragraph (b) of section forty-six and by inserting in lieu thereof the following paragraph :—

Sec. 46.
(Penalty for exhibiting placards, &c., as to betting.)

- 20 (b) prints or publishes in a newspaper, or publishes through the medium of a broadcasting station or television station, otherwise than in accordance with regulations made under this Act, any information or advice as to the
- 25 betting or betting odds—
 - (i) on any intended race or contest to be held at a race-meeting; or
 - 30 (ii) on any race or contest held at a race-meeting, where the information or advice is so printed or, as the case may be, published before the prescribed time referred to in subsection one of section 47A of this Act.
 - 35

(ii)

Gaming and Betting and Liquor (Amendment).

- (ii) by inserting in the same section after the word "liable" the words ", in the cases referred to in paragraphs (a) and (c) of this section,";
- 5 (iii) by inserting in the same section after the word "months" the words "and, in the case referred to in paragraph (b) of this section, to the same penalties as for offences against section 47A of this Act";
- 10 (iv) by inserting at the end of the same section the following words :—

In this section "betting or betting odds" has the meaning ascribed to that expression in section 47A of this Act.

- 15 (d) by inserting at the end of subsection three of section 47A the following new paragraph :—

Sec. 47A.
(Betting information—keeping house, &c., for communication thereof.)

- 20 (b) This section shall not operate to prohibit the communicating or conveying before the prescribed time referred to in subsection one of this section by means of a newspaper or through the medium of a broadcasting station or television station of any information concerning the betting or betting odds referred to in subsection one of this section if—

- 25 (i) the information is communicated or conveyed in accordance with regulations made under this Act; and
- (ii) the race or contest to which the information relates is not a horse-race held or to be held at a barrier trial meeting.

- 30 (e) by inserting next after paragraph (c) of subsection four of section 47B the following new paragraph :—

Sec. 47B.
(Tipsters, etc.—advertisements.)

- (c1) This section shall not operate to prohibit—
- 35 (i) the printing or publication in a newspaper, being a newspaper that complies with subparagraph (i) of paragraph (c) of this subsection,

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subsection, of any information or advice as to the betting or betting odds on a race or contest;

5 (ii) the publication, through the medium of a television station, of a document containing information or advice as to the betting or betting odds on a race or contest; or

10 (iii) the publication, through the medium of a television station, of a document containing a forecast of the probable result of a race or contest,

15 if the information or advice is printed or, as the case may be, the information, advice or document is published, in accordance with regulations made under this Act and, in the case referred to in subparagraph (iii) of this paragraph, the publication is not by way of advertisement or for valuable consideration.

20 In this paragraph "race or contest" means any such race or contest (not being a horse-race at a barrier trial meeting) as is referred to in subsection one of this section.

(f) by inserting at the end of subsection three of section 47C the following new paragraph :—

Sec. 47c.
(Tipsters, etc.—keep-
ing house
for convey-
ing oral
statements.)

25 (b) This section shall not operate to prohibit the making through the medium of a broadcasting station or television station of any oral statement whereby any information or advice referred to in paragraph (c) of subsection one of this section is given, if the statement is made in accordance with regulations made under this Act and, in the case of the information or advice referred to in subparagraph (i) of that paragraph, is not given by way of advertisement or for valuable consideration
30 (other than remuneration referred to in subsection three of section 47D of this Act).
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(g)

Gaming and Betting and Liquor (Amendment).

(g) by inserting in subsection three of section 47D after the word "sound" the words "and 'fee or reward' does not include any remuneration paid by or on behalf of the person having the control and management of a broadcasting station or television station to a person making an oral statement through the medium of that station in accordance with paragraph (b) of subsection three of section 47A, or paragraph (b) of subsection three of section 47C, of this Act";

Sec. 47D.
(Tipsters, etc.—giving oral information for fee or reward.)

(h) by inserting next after section 47F the following new section :—

New sec. 47G.

47G. (1) The power to make regulations conferred upon the Governor by section fifty-nine of this Act shall include power to make regulations for the purposes of paragraph (b) of section forty-six, paragraph (b) of subsection three of section 47A, paragraph (c1) of subsection four of section 47B or paragraph (b) of subsection three of section 47C, of this Act.

Regulations relating to newspapers, broadcasting stations and television stations.

(2) The regulations referred to in subsection one of this section may be made to differ in their application according to different circumstances and, without prejudice to the generality of the foregoing provisions of this subsection, may be made to differ—

- (a) according to whether they are to apply to newspapers or to broadcasting stations or to television stations;
- (b) according to the location of the race-meeting at which the race or contest is to be held;
- (c) according to whether the race-meeting is a meeting for horse-racing, greyhound-racing, pony-racing or trotting contests.

(2) This section shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Gaming and Betting and Liquor (Amendment).

3. The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 25, 1912.

- 5 (a) by inserting immediately before the definition of “Bookmaker” in section three the following new definition :—
- “Barrier trial meeting” means a meeting for horse-racing—
- 10 (a) at which horses, mares and geldings respectively may compete in a training gallop or trial; and
- (b) at or in respect of which no money, valuable thing, or the right to compete at a subsequent meeting for horse-racing is awarded in consideration of the result of any such training gallop or trial.
- 15 (b) by inserting in section seven after the word “horse-races” the words “(not being horse-races at a barrier trial meeting)”;
- 20 (c) by inserting in subsection three of section 47A after the word “race-meeting” where firstly occurring the words “(not being a barrier trial meeting)”;
- 25 (d) (i) by inserting in subparagraph (i) of paragraph (a) of subsection four of section 47B after the word “race-meeting” the words “(not being a barrier trial meeting)”;
- (ii) by inserting in paragraph (b) of the same subsection after the word “race-meeting” where firstly occurring the words “(not being a barrier trial meeting)”;
- 30 (iii) by omitting from paragraph (c) of the same subsection the words “race contest or course” and by inserting in lieu thereof the words “race or contest (not being a horse-race to be held at a barrier trial meeting)”;
- 35 (e)

Sec. 3.
(Interpretation.)

Sec. 7.
(Wagering or betting prohibited.)

Sec. 47A.
(Betting information—keeping house, &c., for communication thereof.)

Sec. 47B.
(Tipsters, etc.—advertisements.)

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- (e) by inserting in subsection three of section 47C after the word "race-meeting" where firstly occurring the words "(not being a barrier trial meeting)"; Sec. 47C. (Tipsters, etc.— keeping house for conveying oral statements.)
- 5 (f) by inserting in subsection three of section fifty-one after the word "horse-racing" the words "(not being barrier trial meetings)"; Sec. 51 (3). (Limitation of horse-races on race-courses.)
- (g) by inserting next after subsection three of section fifty-three the following new subsection :— Sec. 53. (Days of race-meetings.)
- 10 (4) Notwithstanding the foregoing provisions of this section, a barrier trial meeting may be held on any day of the year, not being Good Friday or Christmas Day.
- (h) by inserting at the end of section 53A the following new subsection :— Sec. 53A. (Race-course temporarily unfit for use.)
- 15 (2) Nothing in subsection one of this section shall be construed as requiring the authorisation of the Minister, or his delegate, thereunder in respect of a barrier trial meeting.
- 20 (i) (i) by inserting in paragraph (b) of section 53E after the word "days" the words "being days referred to in subsection three of section fifty-one of this Act,"; Sec. 53E. (Additional meetings.)
- (ii) by omitting from the same paragraph the words "pursuant to this Act".
- 25 4. The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended— Further amendment of Act No. 25, 1912.
- (a) by omitting from section sixteen the words "Provided always that this enactment shall not be deemed to apply to" and by inserting in lieu thereof the words "Provided that the foregoing provisions of this section shall not apply— Sec. 16. (Action not to lie for contracts by way of gaming.)
- 30 (a) to";
- (b)

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- (b) by inserting at the end of the same section the following word and new paragraph :—
- ; or
- 5 (b) in respect of any bet or wager lawfully made on a licensed race-course by or with a book-maker in the course of his business or vocation as such.
5. (1) The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—
- Further amendment of Act No. 25, 1912.
- 10 (a) by omitting from subsection one of section fifty-two the words “Colonial Secretary” and by inserting in lieu thereof the words “Minister or his delegate”;
- Sec. 52. (Issue of licenses.)
- 15 (b) by omitting from subsection two of section 52A the words “Colonial Secretary” and by inserting in lieu thereof the words “Minister or his delegate”;
- Sec. 52A. (Special licenses.)
- (c) by omitting from section 52B the words “Colonial Secretary” wherever occurring and by inserting in lieu thereof the words “Minister or his delegate”;
- Sec. 52B. (Condition of licenses of greyhound clubs.)
- 20 (d) by omitting from paragraph (c) of subsection two of section 52c the words “Colonial Secretary” wherever occurring and by inserting in lieu thereof the words “Minister or his delegate”;
- Sec. 52c. (Power to cancel licenses.)
- (e) by inserting in section 53A after the word “Minister” the words “or his delegate”;
- Sec. 53A. (Race-course temporarily unfit for use.)
- 25 (f) by omitting from subsection one of section 53c the words “Colonial Secretary” and by inserting in lieu thereof the words “Minister or his delegate”;
- Sec. 53c. (Proprietary clubs or associations—licenses.)
- (g)

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(g) by inserting next after section 53E the following New sec. 53F.
new section :—

5 53F. (1) Where, in subsection one of section Delegation of Minister's powers.
fifty-two, subsection two of section 52A, section
52B, paragraph (c) of subsection two of section
52C, section 53A or 53C of this Act, any power or
function is expressed to be conferred upon the
Minister or his delegate, the Minister may, by
10 instrument under his hand, delegate to the extent,
and subject to the conditions, specified in the
instrument, that power or function to the person
named in the instrument and may, in the like
manner, revoke any such delegation.

15 (2) A reference to a delegate in a pro-
vision of this Act referred to in subsection one of
this section shall mean the delegate appointed
under that subsection to exercise or perform the
power or function conferred by that provision.

20 (2) The Gaming and Betting Act, 1912, as amended
by subsequent Acts, is further amended— Further amendment of Act No. 25, 1912. (Statute law revision.)

(a) by omitting from section nine the words “or
police”; Sec. 9. (Person removed from land not to re-enter.)

(b) by omitting from section twenty-five the words “or
police”; Sec. 25. (Person found in house or common gaming-house.)

25 (c) (i) by omitting from paragraph (b) of subsection
(5B) of section fifty-one the words “Colonial
Secretary” and by inserting in lieu thereof the Sec. 51. (Race-course to be licensed.)
word “Minister”;

30 (ii) by omitting from paragraph (d) of the same
subsection the words “police or”;

(d)

Gaming and Betting and Liquor (Amendment).

- (d) by omitting from subsection two of section fifty-two the words "Colonial Secretary" and by inserting in lieu thereof the word "Minister"; Sec. 52. (Issue of licenses.)
- 5 (e) by omitting from subsection three of section 52A the words "Colonial Secretary" and by inserting in lieu thereof the word "Minister"; Sec. 52A. (Special licenses.)
- 10 (f) by omitting from section 52C the words "Colonial Secretary" where firstly, secondly and thirdly occurring and by inserting in lieu thereof the word "Minister"; Sec. 52C. (Power to cancel licenses.)
- (g) by omitting from section 52D the words "Colonial Secretary" wherever occurring and by inserting in lieu thereof the word "Minister"; Sec. 52D. (Power to make regulations.)
- 15 (h) by omitting from paragraph (a) of section 53E the words "Chief Secretary" and by inserting in lieu thereof the word "Minister"; Sec. 53E. (Additional meetings.)
- 20 (i) by omitting paragraph (d) of subsection six of section 56C and by inserting in lieu thereof the following paragraph :— Sec. 56C. (Greyhound Racing Control Board.)
- (d) becomes a mentally ill person, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, as amended by subsequent Acts;
- 25 (j) by omitting from section 56K the word "Colonial" wherever occurring; Sec. 56K. (Contributions to Fund by greyhound-racing clubs.)
- (k) by omitting from subsection two of section 56L the word "Colonial"; Sec. 56L. (Report of proceedings of Board.)
- 30 (l) by omitting from paragraph (d) of subsection one of section 56M the word "fits" and by inserting in lieu thereof the word "fit"; Sec. 56M. (Regulations.)
- (m) by omitting from section sixty the words "or police". Sec. 60. (Recovery of penalties.)
- 6.**

Gaming and Betting and Liquor (Amendment).

6. The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 25, 1912.

(a) by inserting next after subsection one of section 56c the following new subsection :—

Sec. 56c.
(Greyhound Racing Control Board.)

5 (1A) (a) The Board shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its corporate name.

(b) The corporate name of the Board shall be "Greyhound Racing Control Board".

10 (c) Subject to paragraph (d) of this subsection, the Board shall be capable—

(i) of purchasing, holding, granting, demising, disposing of or otherwise dealing with real and personal property;

15 (ii) of erecting buildings on any lands held by it; and

(iii) of doing and suffering all such other acts and things as bodies corporate may by law do and suffer.

20 (d) The powers of the Board in relation to real or leasehold property shall not be exercised except with the consent of the Minister and subject to such conditions as he may, in giving his consent, impose.

25 (e) The common seal shall not be attached to any document except on resolution of the Board and shall be authenticated by the signatures of two members of the Board.

30 (f) All courts, judges and persons acting judicially shall take judicial notice of the common seal affixed to any document, and shall presume, until the contrary is proved, that it was properly so affixed.

(b)

Gaming and Betting and Liquor (Amendment).

(b) by inserting next after subsection two of section 56E the following new subsection :—

Sec. 56E.
(Appoint-
ment of
secretary.)

(3) The Board may by the rules—

- 5 (a) provide for the appointment of an executive officer and a deputy executive officer from amongst its members; and
- (b) specify the respective powers, authorities, duties and functions of those officers.

10 (c) by inserting next after section 56H the following new section :—

New sec.
56HA.

56HA. (1) Without prejudice to the generality of subsection one of section 56H of this Act, the Board may make rules, pursuant to and subject to that section—

Rules as to
stewards.

- 15 (a) for or with respect to the powers, authorities, duties and functions of stewards appointed by the Board and in particular in relation to meetings for greyhound-racing;
- 20 (b) conferring upon stewards appointed by the Board, to the extent and in the circumstances specified in the rules, the same powers in relation to meetings at which they act as are exercisable by the Board under subparagraph (iii) of paragraph (c) of subsection one of section 56G of this Act;
- 25 (c) for or with respect to the charges payable by a greyhound-racing club when stewards appointed by the Board act at a meeting for greyhound-racing held by the club;
- 30 (d) for or with respect to the extent to which and the circumstances in which, stewards appointed by the Board may exercise their powers, authorities, duties and functions to the exclusion of stewards of greyhound-racing clubs.
- 35

(2)

Gaming and Betting and Liquor (Amendment).

- (2) Rules referred to in subsection one of this section may be made to differ in their application according to different circumstances.
- 5 (d) by omitting subsections one, two, three and four of section 56I and by inserting in lieu thereof the following subsections :—
- (1) Rules made pursuant to this Part of this Act shall—
- 10 (a) be approved by the Governor;
- (b) on being so approved, be published in the Gazette; and
- (c) take effect from the date of publication, or from a later date to be specified in the rules.
- 15 (2) Any rules in force immediately before the commencement of the Gaming and Betting and Liquor (Amendment) Act, 1967, shall not cease to be in force by reason only of the amendment made to this section by that Act.
- 20 (e) by inserting in paragraph (a) of subsection one of section 56M after the word "or" where firstly and secondly occurring the word "of".
7. The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—
- 25 (a) by inserting in section 58A after the word "Act" the words ", the Totalizator Act, 1916, as amended by subsequent Acts, or the Totalizator (Off-course Betting) Act, 1964, as amended by subsequent Acts,";
- 30 (b) by inserting in the same section after the word "mentioned" where secondly occurring the words "and that such race, contest or course commenced at a time therein mentioned".

Gaming and Betting and Liquor (Amendment).

8. The Liquor Act, 1912, as amended by subsequent Acts, is amended by inserting at the end of section forty-four the following new subsection :—

Amendment
of Act No.
42, 1912.

5 (3) The conduct, on licensed premises or in the
appurtenances thereof, of a lottery or game of chance
pursuant to and in accordance with the provisions of
section four or 4A of the Lotteries and Art Unions Act,
1901, as amended by subsequent Acts, shall not render
10 any person liable to a penalty under the provisions of
this section.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967
[15c]

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No. . 1967.

A BILL

To make further provisions relating to the publication of betting odds and other information relating to race-meetings, the holding of barrier trial meetings for horse-racing, the recovery of certain wagering debts, the powers of the Greyhound Racing Control Board and the conduct of lotteries and games of chance on certain premises; for these and other purposes to amend the Gaming and Betting Act, 1912, as amended by subsequent Acts, and the Liquor Act, 1912, as amended by subsequent Acts; and for purposes connected therewith.

[MR WILLIS—8 March, 1967.]

BE

Gaming and Betting and Liquor (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Gaming and Betting and Liquor (Amendment) Act, 1967".

Short title
and
citation.

(2) The Gaming and Betting Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Gaming and Betting Act, 1912-1967.

2. (1) The Gaming and Betting Act, 1912, as amended by subsequent Acts, is amended—

Amendment
of Act No.
25, 1912.

(a) by omitting from section one the figures "47" and by inserting in lieu thereof the figures and letter "47G";

Sec. 1.
(Short
title.)

(b) (i) by inserting in section three next after the definition of "Bookmaker" the following new definition :—

Sec. 3.
(Interpreta-
tion.)

"Broadcasting station" means any station—

(a) provided by the Postmaster-General and from which the Australian Broadcasting Commission broadcasts programmes and other services; or

(b) in respect of which a person holds a licence for a commercial broadcasting station under Part IV of the Australian Broadcasting Act 1942 of the Parliament of the Commonwealth of Australia or any Act of that Parliament amending or replacing that Act.

(ii)

Gaming and Betting and Liquor (Amendment).

(ii) by inserting at the end of the same section the following new definition :—

“Television station” means any station—

- 5 (a) provided by the Postmaster-General and from which the Australian Broadcasting Commission televises programmes and other services; or
- 10 (b) in respect of which a person holds a licence for a commercial television station under Part IV of the Australian Broadcasting Act 1942 of the Parliament of the Commonwealth of Australia or any Act of that Parliament amending or replacing that Act.
- 15

(c) by omitting paragraph (b) of section forty-six and by inserting in lieu thereof the following paragraph :—

Sec. 46.
(Penalty for exhibiting placards, &c., as to betting.)

- 20 (b) publishes in a newspaper, otherwise than in accordance with regulations made under this Act, any information or advice as to the betting or betting odds on any intended race or contest to be held at a race-meeting;

25 (d) by inserting at the end of subsection three of section 47A the following new paragraph :—

Sec. 47A.
(Betting information—keeping house, &c., for communication thereof.)

- 30 (b) This section shall not operate to prohibit the communicating or conveying before the prescribed time referred to in subsection one of this section by means of a newspaper or through the medium of a broadcasting station or television station of any information concerning the betting or betting odds referred to in subsection one of this section if—

- 35 (i) the information is communicated or conveyed in accordance with regulations made under this Act; and

(ii)

Gaming and Betting and Liquor (Amendment).

- (ii) the race or contest to which the information relates is not a horse-race held or to be held at a barrier trial meeting.
- 5 (e) by inserting next after paragraph (c) of subsection four of section 47B the following new paragraph :— Sec. 47B.
(Tipsters,
etc.—adver-
tisements.)
- 10 (c1) This section shall not operate to prohibit the publication through the medium of a television station of a document containing a forecast of the probable result of any such race or contest (not being a horse-race to be held at a barrier trial meeting) as is referred to in subsection one of this section where the publication of such document is not by way of advertisement or for valuable consideration and is made in accordance with regulations made under this Act.
- 15 (f) by inserting at the end of subsection three of section 47C the following new paragraph :— Sec. 47C.
(Tipsters,
etc.—keep-
ing house
for convey-
ing oral
statements.)
- 20 (b) This section shall not operate to prohibit the making through the medium of a broadcasting station or television station of any oral statement whereby any information or advice referred to in paragraph (c) of subsection one of this section is given, if the statement is made in accordance with regulations made under this Act and, in the case of the information or advice referred to in subparagraph (i) of that paragraph, is not given by way of advertisement or for valuable consideration (other than remuneration referred to in subsection three of section 47D of this Act).
- 25 (g) by inserting in subsection three of section 47D after the word "sound" the words "and 'fee or reward' does not include any remuneration paid by or on behalf of the person having the control and management of a broadcasting station or television station to a person making an oral statement through the medium of that station in
- 30 Sec. 47D.
(Tipsters,
etc.—giving
oral informa-
tion for fee
or reward.)
- 35 accordance

Gaming and Betting and Liquor (Amendment).

accordance with paragraph (b) of subsection three of section 47A, or paragraph (b) of subsection three of section 47C, of this Act”;

5 (h) by inserting next after section 47F the following New sec. 47G.
new section :—

10 47G. (1) The power to make regulations conferred upon the Governor by section fifty-nine of this Act shall include power to make regulations for the purposes of paragraph (b) of section forty-six, paragraph (b) of subsection three of section 47A, paragraph (c1) of subsection four of section 47B or paragraph (b) of subsection three of section 47C, of this Act. Regulations relating to newspapers, broadcasting stations and television stations.

15 (2) The regulations referred to in subsection one of this section may be made to differ in their application according to different circumstances and, without prejudice to the generality of the foregoing provisions of this subsection, may be made to differ—

- 20 (a) according to whether they are to apply to newspapers or to broadcasting stations or to television stations;
- 25 (b) according to the location of the race-meeting at which the race or contest is to be held;
- (c) according to whether the race-meeting is a meeting for horse-racing, greyhound-racing, pony-racing or trotting contests.

30 (3) A reference in this section to “the betting or betting odds” shall extend to include a reference to probable totalizator dividends.

(2) This section shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Gaming and Betting and Liquor (Amendment).

3. The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 25, 1912.

- 5 (a) by inserting immediately before the definition of "Bookmaker" in section three the following new definition :—
- "Barrier trial meeting" means a meeting for horse-racing—
- (a) at which horses, mares and geldings respectively may compete in a training gallop or trial; and
- (b) at or in respect of which no money, valuable thing, or the right to compete at a subsequent meeting for horse-racing is awarded in consideration of the result of any such training gallop or trial.
- 10
- 15
- (b) by inserting in section seven after the word "horse-races" the words "(not being horse-races at a barrier trial meeting)";
- 20 (c) by inserting in subsection three of section 47A after the word "race-meeting" where firstly occurring the words "(not being a barrier trial meeting)";
- (d) (i) by inserting in subparagraph (i) of paragraph (a) of subsection four of section 47B after the word "race-meeting" the words "(not being a barrier trial meeting)";
- 25 (ii) by inserting in paragraph (b) of the same subsection after the word "race-meeting" where firstly occurring the words "(not being a barrier trial meeting)";
- 30 (iii) by omitting from paragraph (c) of the same subsection the words "race contest or course" and by inserting in lieu thereof the words "race or contest (not being a horse-race to be held at a barrier trial meeting)";
- 35

Sec. 3. (Interpretation.)

Sec. 7. (Wagering or betting prohibited.)

Sec. 47A. (Betting information—keeping house, &c., for communication thereof.)

Sec. 47B. (Tipsters, etc.—advertisements.)

(e)

Gaming and Betting and Liquor (Amendment).

- (e) by inserting in subsection three of section 47C after the word "race-meeting" where firstly occurring the words "(not being a barrier trial meeting)"; Sec. 47C.
(Tipsters, etc.—
keeping house for conveying oral statements.)
- 5 (f) by inserting in subsection three of section fifty-one after the word "horse-racing" the words "(not being barrier trial meetings)"; Sec. 51 (3).
(Limitation of horse-races on race-courses.)
- (g) by inserting next after subsection three of section fifty-three the following new subsection :— Sec. 53.
(Days of race-meetings.)
- 10 (4) Notwithstanding the foregoing provisions of this section, a barrier trial meeting may be held on any day of the year, not being Good Friday or Christmas Day.
- (h) by inserting at the end of section 53A the following new subsection :— Sec. 53A.
(Race-course temporarily unfit for use.)
- 15 (2) Nothing in subsection one of this section shall be construed as requiring the authorisation of the Minister, or his delegate, thereunder in respect of a barrier trial meeting.
- 20 (i) (i) by inserting in paragraph (b) of section 53E after the word "days" the words "being days referred to in subsection three of section fifty-one of this Act,"; Sec. 53E.
(Additional meetings.)
- (ii) by omitting from the same paragraph the words "pursuant to this Act".
- 25 4. The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended— Further amendment of Act No. 25, 1912.
- (a) by omitting from section sixteen the words "Provided always that this enactment shall not be deemed to apply to" and by inserting in lieu thereof the words "Provided that the foregoing provisions of this section shall not apply— Sec. 16.
(Action not to lie for contracts by way of gaming.)
- 30 (a) to";
- (b)

Gaming and Betting and Liquor (Amendment).

(b) by inserting at the end of the same section the following word and new paragraph :—

; or

5 (b) in respect of any bet or wager lawfully made on a licensed race-course by or with a book-maker in the course of his business or vocation as such.

5. (1) The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 25, 1912.

- 10 (a) by omitting from subsection one of section fifty-two the words “Colonial Secretary” and by inserting in lieu thereof the words “Minister or his delegate”;
- 15 (b) by omitting from subsection two of section 52A the words “Colonial Secretary” and by inserting in lieu thereof the words “Minister or his delegate”;
- (c) by omitting from section 52B the words “Colonial Secretary” wherever occurring and by inserting in lieu thereof the words “Minister or his delegate”;
- 20 (d) by omitting from paragraph (c) of subsection two of section 52C the words “Colonial Secretary” wherever occurring and by inserting in lieu thereof the words “Minister or his delegate”;
- (e) by inserting in section 53A after the word “Minister” the words “or his delegate”;
- 25 (f) by omitting from subsection one of section 53C the words “Colonial Secretary” and by inserting in lieu thereof the words “Minister or his delegate”;

(g)

Gaming and Betting and Liquor (Amendment).

- (g) by inserting next after section 53E the following new section :— New sec. 53F.
- 53F. (1) Where, in subsection one of section fifty-two, subsection two of section 52A, section 52B, paragraph (c) of subsection two of section 52C, section 53A or 53C of this Act, any power or function is expressed to be conferred upon the Minister or his delegate, the Minister may, by instrument under his hand, delegate to the extent, and subject to the conditions, specified in the instrument, that power or function to the person named in the instrument and may, in the like manner, revoke any such delegation. Delegation of Minister's powers.
- (2) A reference to a delegate in a provision of this Act referred to in subsection one of this section shall mean the delegate appointed under that subsection to exercise or perform the power or function conferred by that provision.
- (2) The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended— Further amendment of Act No. 25, 1912. (Statute law revision.)
- (a) by omitting from section nine the words "or police"; Sec. 9. (Person removed from land not to re-enter.)
- (b) by omitting from section twenty-five the words "or police"; Sec. 25. (Person found in house or common gaming-house.)
- (c) (i) by omitting from paragraph (b) of subsection (5B) of section fifty-one the words "Colonial Secretary" and by inserting in lieu thereof the word "Minister"; Sec. 51. (Race-course to be licensed.)
- (ii) by omitting from paragraph (d) of the same subsection the words "police or"; (d)

Gaming and Betting and Liquor (Amendment).

- (d) by omitting from subsection two of section fifty two the words "Colonial Secretary" and by inserting in lieu thereof the word "Minister"; Sec. 52. (Issue of licenses.)
- 5 (e) by omitting from subsection three of section 52A the words "Colonial Secretary" and by inserting in lieu thereof the word "Minister"; Sec. 52A. (Special licenses.)
- 10 (f) by omitting from section 52C the words "Colonial Secretary" where firstly, secondly and thirdly occurring and by inserting in lieu thereof the word "Minister"; Sec. 52C. (Power to cancel licenses.)
- (g) by omitting from section 52D the words "Colonial Secretary" wherever occurring and by inserting in lieu thereof the word "Minister"; Sec. 52D. (Power to make regulations.)
- 15 (h) by omitting from paragraph (a) of section 53E the words "Chief Secretary" and by inserting in lieu thereof the word "Minister"; Sec. 53E. (Additional meetings.)
- (i) by omitting paragraph (d) of subsection six of section 56C and by inserting in lieu thereof the following paragraph :— Sec. 56C. (Greyhound Racing Control Board.)
- 20 (d) becomes a mentally ill person, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, as amended by subsequent Acts;
- 25 (j) by omitting from section 56K the word "Colonial" wherever occurring; Sec. 56K. (Contributions to Fund by greyhound-racing clubs.)
- (k) by omitting from subsection two of section 56L the word "Colonial"; Sec. 56L. (Report of proceedings of Board.)
- 30 (l) by omitting from paragraph (d) of subsection one of section 56M the word "fits" and by inserting in lieu thereof the word "fit"; Sec. 56M. (Regulations.)
- (m) by omitting from section sixty the words "or police". Sec. 60. (Recovery of penalties.)

Gaming and Betting and Liquor (Amendment).

6. The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 25, 1912.

(a) by inserting next after subsection one of section 56c the following new subsection :—

Sec. 56c. (Greyhound Racing Control Board.)

5 (1A) (a) The Board shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its corporate name.

(b) The corporate name of the Board shall be "Greyhound Racing Control Board".

10 (c) Subject to paragraph (d) of this subsection, the Board shall be capable—

(i) of purchasing, holding, granting, demising, disposing of or otherwise dealing with real and personal property;

15 (ii) of erecting buildings on any lands held by it; and

(iii) of doing and suffering all such other acts and things as bodies corporate may by law do and suffer.

20 (d) The powers of the Board in relation to real or leasehold property shall not be exercised except with the consent of the Minister and subject to such conditions as he may, in giving his consent, impose.

25 (e) The common seal shall not be attached to any document except on resolution of the Board and shall be authenticated by the signatures of two members of the Board.

30 (f) All courts, judges and persons acting judicially shall take judicial notice of the common seal affixed to any document, and shall presume, until the contrary is proved, that it was properly so affixed.

(b)

Gaming and Betting and Liquor (Amendment).

(b) by inserting next after subsection two of section 56E the following new subsection :—

Sec. 56E.
(Appoint-
ment of
secretary.)

(3) The Board may by the rules—

5

(a) provide for the appointment of an executive officer and a deputy executive officer from amongst its members; and

(b) specify the respective powers, authorities, duties and functions of those officers.

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(c) by inserting next after section 56H the following new section :—

New sec.
56HA.

56HA. (1) Without prejudice to the generality of subsection one of section 56H of this Act, the Board may make rules, pursuant to and subject to that section—

Rules as to
stewards.

15

(a) for or with respect to the powers, authorities, duties and functions of stewards appointed by the Board and in particular in relation to meetings for greyhound-racing;

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(b) conferring upon stewards appointed by the Board, to the extent and in the circumstances specified in the rules, the same powers in relation to meetings at which they act as are exercisable by the Board under subparagraph (iii) of paragraph (c) of subsection one of section 56G of this Act;

25

(c) for or with respect to the charges payable by a greyhound-racing club when stewards appointed by the Board act at a meeting for greyhound-racing held by the club;

30

(d) for or with respect to the extent to which and the circumstances in which, stewards appointed by the Board may exercise their powers, authorities, duties and functions to the exclusion of stewards of greyhound-racing clubs.

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Gaming and Betting and Liquor (Amendment).

(2) Rules referred to in subsection one of this section may be made to differ in their application according to different circumstances.

5 (d) by omitting subsections one, two, three and four of section 56I and by inserting in lieu thereof the following subsections :— Sec. 56I. (Commencement of rules.)

(1) Rules made pursuant to this Part of this Act shall—

- 10 (a) be approved by the Governor;
- (b) on being so approved, be published in the Gazette; and
- (c) take effect from the date of publication, or from a later date to be specified in the rules.

15 (2) Any rules in force immediately before the commencement of the Gaming and Betting and Liquor (Amendment) Act, 1967, shall not cease to be in force by reason only of the amendment made to this section by that Act.

20 (e) by inserting in paragraph (a) of subsection one of section 56M after the word "or" where firstly and secondly occurring the word "of". Sec. 56M. (Regulations.)

7. The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended— Further amendment of Act No. 25, 1912.

25 (a) by inserting in section 58A after the word "Act" the words ", the Totalizator Act, 1916, as amended by subsequent Acts, or the Totalizator (Off-course Betting) Act, 1964, as amended by subsequent Acts,"; Sec. 58A. (Certain allegations prima facie evidence.)

30 (b) by inserting in the same section after the word "mentioned" where secondly occurring the words "and that such race, contest or course commenced at a time therein mentioned".

Gaming and Betting and Liquor (Amendment).

8. The Liquor Act, 1912, as amended by subsequent Acts, is amended by inserting at the end of section forty-four the following new subsection :—

5 (3) The conduct, on licensed premises or in the appurtenances thereof, of a lottery or game of chance pursuant to and in accordance with the provisions of section four or 4A of the Lotteries and Art Unions Act, 1901, as amended by subsequent Acts, shall not render
10 any person liable to a penalty under the provisions of this section.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967
[15c]

THE UNIVERSITY OF CHICAGO

THE UNIVERSITY OF CHICAGO
OFFICE OF THE DEAN
540 EAST 58TH STREET
CHICAGO, ILLINOIS

Dear Sir:
I have the honor to acknowledge the receipt of your letter of the 10th inst. regarding the application of Mr. [Name] for admission to the University of Chicago. The application has been forwarded to the appropriate authorities for their consideration.

Very truly yours,
[Signature]
Dean

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**GAMING AND BETTING AND LIQUOR (AMENDMENT) BILL,
1967**

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to permit, subject to regulations in that behalf, the publication by newspapers, broadcasting stations and television stations of information relating to betting and betting odds before the conclusion of the race-meeting to which that information relates ;
- (b) to enable broadcasting and television stations, subject to regulations in that behalf, to convey information and advice as to the probable result of a race or contest at a race-meeting ;
- (c) to make provision for the holding of barrier trial meetings for horse-racing on any day of the year except Good Friday and Christmas Day, without affecting the number of days in a year on which horse-races may be held, subject to a prohibition on betting or wagering at such meetings ;
- (d) to permit the bringing of an action to recover a betting debt incurred pursuant to a lawful bet with a bookmaker on a licensed race-course ;
- (e) to empower the Minister to delegate certain powers in relation to the issue of race-course licenses and other matters ;
- (f) to constitute the Greyhound Racing Control Board as a body corporate with the usual powers of such bodies ;
- (g) to empower the Greyhound Racing Control Board to make rules with respect to the appointment of stewards and the powers (including disqualification powers) of stewards to conduct meetings for greyhound-races ;
- (h) to amend the procedure for the making of rules by the Greyhound Racing Control Board ;
- (i) to make further provision with respect to the facilitation of proof of illegal betting offences ;
- (j) to permit the conduct, in premises licensed or registered under the Liquor Act, 1912, as amended by subsequent Acts, of lotteries and games of chance pursuant to and in accordance with sections four and 4A of the Lotteries and Art Unions Act, 1901, as amended by subsequent Acts;
- (k) to make provisions consequential upon or ancillary to the foregoing.

1967

TRAINING AND TESTING AND LOGGING PROCEDURES
1967

EXPLANATORY NOTE

The following procedures are intended to provide a uniform basis for the training and testing of personnel and the logging of data. These procedures are based on the current state of knowledge and are subject to change as more information becomes available. It is the responsibility of the user to keep these procedures up to date and to report any changes to the appropriate authority.

The procedures are divided into three main sections: Training, Testing, and Logging. Each section contains detailed instructions and guidelines for the user. The Training section covers the selection and preparation of personnel, the development of training materials, and the conduct of training sessions. The Testing section covers the design and implementation of tests, the scoring and interpretation of test results, and the provision of feedback to testees. The Logging section covers the collection and organization of data, the use of standardized forms and codes, and the analysis and reporting of data.

It is important to note that these procedures are not intended to be rigidly followed. They are designed to be flexible and adaptable to the specific needs and circumstances of the user. The user should exercise judgment and discretion in applying these procedures and should be prepared to modify them as necessary. The user should also be aware of the limitations of these procedures and should seek professional advice when needed.

PROOF

No. , 1967.

A BILL

To make further provisions relating to the publication of betting odds and other information relating to race-meetings, the holding of barrier trial meetings for horse-racing, the recovery of certain wagering debts, the powers of the Greyhound Racing Control Board and the conduct of lotteries and games of chance on certain premises; for these and other purposes to amend the Gaming and Betting Act, 1912, as amended by subsequent Acts, and the Liquor Act, 1912, as amended by subsequent Acts; and for purposes connected therewith.

[MR WILLIS—8 March, 1967.]

BE

Gaming and Betting and Liquor (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Gaming and Betting and Liquor (Amendment) Act, 1967".

Short title
and
citation.

(2) The Gaming and Betting Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Gaming and Betting Act, 1912-1967.

2. (1) The Gaming and Betting Act, 1912, as amended by subsequent Acts, is amended—

Amendment
of Act No.
25, 1912.

(a) by omitting from section one the figures "47" and by inserting in lieu thereof the figures and letter "47G";

Sec. 1.
(Short
title.)

(b) (i) by inserting in section three next after the definition of "Bookmaker" the following new definition :—

Sec. 3.
(Interpreta-
tion.)

"Broadcasting station" means any station—

(a) provided by the Postmaster-General and from which the Australian Broadcasting Commission broadcasts programmes and other services; or

(b) in respect of which a person holds a licence for a commercial broadcasting station under Part IV of the Australian Broadcasting Act 1942 of the Parliament of the Commonwealth of Australia any Act of that Parliament amending or replacing that Act.

(ii)

Gaming and Betting and Liquor (Amendment).

(ii) by inserting at the end of the same section the following new definition :—

“Television station” means any station—

- 5 (a) provided by the Postmaster-General and from which the Australian Broadcasting Commission televises programmes and other services; or
- 10 (b) in respect of which a person holds a licence for a commercial television station under Part IV of the Australian Broadcasting Act 1942 of the Parliament of the Commonwealth of Australia any Act of that Parliament amending or replacing that Act.

15 (c) by omitting paragraph (b) of section forty-six and by inserting in lieu thereof the following paragraph :—

Sec. 46.
(Penalty for exhibiting placards, &c., as to betting.)

- 20 (b) publishes in a newspaper, otherwise than in accordance with regulations made under this Act, any information or advice as to the betting or betting odds on any intended race or contest to be held at a race-meeting;

25 (d) by inserting at the end of subsection three of section 47A the following new paragraph :—

Sec. 47A.
(Betting information—keeping house, &c., for communication thereof.)

- 25 (b) This section shall not operate to prohibit the communicating or conveying before the prescribed time referred to in subsection one of this section by means of a newspaper or through the medium of a broadcasting station or television station of any information concerning the betting or betting odds referred to in subsection one of this section if—

- 30 (i) the information is communicated or conveyed in accordance with regulations made under this Act; and
- 35

(ii)

Gaming and Betting and Liquor (Amendment).

- (ii) the race or contest to which the information relates is not a horse-race held or to be held at a barrier trial meeting.
- 5 (e) by inserting next after paragraph (c) of subsection four of section 47B the following new paragraph :— Sec. 47B.
(Tipsters, etc.—advertisements.)
- 10 (c1) This section shall not operate to prohibit the publication through the medium of a television station of a document containing a forecast of the probable result of any such race or contest (not being a horse-race to be held at a barrier trial meeting) as is referred to in subsection one of this section where the publication of such document is not by way of advertisement or for valuable consideration and is made in accordance with regulations made under this Act.
- 15 (f) by inserting at the end of subsection three of section 47C the following new paragraph :— Sec. 47C.
(Tipsters, etc.—keeping house for conveying oral statements.)
- 20 (b) This section shall not operate to prohibit the making through the medium of a broadcasting station or television station of any oral statement whereby any information or advice referred to in paragraph (c) of subsection one of this section is given, if the statement is made in accordance with regulations made under this Act and, in the case of the information or advice referred to in subparagraph (i) of that paragraph, is not given by way of advertisement or for valuable consideration (other than remuneration referred to in subsection three of section 47D of this Act).
- 25 (g) by inserting in subsection three of section 47D after the word “sound” the words “and ‘fee or reward’ does not include any remuneration paid by or on behalf of the person having the control and management of a broadcasting station or television station to a person making an oral statement through the medium of that station in Sec. 47D.
(Tipsters, etc.—giving oral information for fee or reward.)
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accordance

Gaming and Betting and Liquor (Amendment).

accordance with paragraph (b) of subsection three of section 47A, or paragraph (b) of subsection three of section 47C, of this Act”;

5 (h) by inserting next after section 47F the following New sec. 47G.
new section :—

10 47G. (1) The power to make regulations conferred upon the Governor by section fifty-nine of this Act shall include power to make regulations for the purposes of paragraph (b) of section forty-six, paragraph (b) of subsection three of section 47A, paragraph (c1) of subsection four of section 47B or paragraph (b) of subsection three of section 47C, of this Act. Regulations relating to newspapers, broadcasting stations and television stations.

15 (2) The regulations referred to in subsection one of this section may be made to differ in their application according to different circumstances and, without prejudice to the generality of the foregoing provisions of this subsection, may be made to differ—

20 (a) according to whether they are to apply to newspapers or to broadcasting stations or to television stations;

25 (b) according to the location of the race-meeting at which race or contest is to be held;

(c) according to whether the race-meeting is a meeting for horse-racing, greyhound-racing, pony-racing or trotting contests.

30 (3) A reference in this section to “the betting or betting odds” shall extend to include a reference to probable totalizator dividends.

(2) This section shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Gaming and Betting and Liquor (Amendment).

3. The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 25, 1912.

- 5 (a) by inserting immediately before the definition of "Bookmaker" in section three the following new definition :—
- "Barrier trial meeting" means a meeting for horse-racing—
- (a) at which horses, mares and geldings respectively may compete in a training gallop or trial; and
- (b) at or in respect of which no money, valuable thing, or the right to compete at a subsequent meeting for horse-racing is awarded in consideration of the result of any such training gallop or trial.
- 10
- 15 (b) by inserting in section seven after the word "horse-races" the words "(not being horse-races at a barrier trial meeting)";
- 20 (c) by inserting in subsection three of section 47A after the word "race-meeting" where firstly occurring the words "(not being a barrier trial meeting)";
- (d) (i) by inserting in subparagraph (i) of paragraph (a) of subsection four of section 47B after the word "race-meeting" the words "(not being a barrier trial meeting)";
- (ii) by inserting in paragraph (b) of the same subsection after the word "race-meeting" where firstly occurring the words "(not being a barrier trial meeting)";
- (iii) by omitting from paragraph (c) of the same subsection the words "race contest or course" and by inserting in lieu thereof the words "race or contest (not being a horse-race to be held at a barrier trial meeting)";
- (e)

Sec. 3.
(Interpretation.)

Sec. 7.
(Wagering or betting prohibited.)

Sec. 47A.
(Betting information—keeping house, &c., for communication thereof.)

Sec. 47B.
(Tipsters, etc.—advertisements.)

Gaming and Betting and Liquor (Amendment).

- (e) by inserting in subsection three of section 47C after the word "race-meeting" where firstly occurring the words "(not being a barrier trial meeting)"; Sec. 47C.
(Tipsters, etc.—
keeping house for conveying oral statements.)
- 5 (f) by inserting in subsection three of section fifty-one after the word "horse-racing" the words "(not being barrier trial meetings)"; Sec. 51 (3).
(Limitation of horse-races on race-courses.)
- (g) by inserting next after subsection three of section fifty-three the following new subsection :— Sec. 53.
(Days of race-meetings.)
- 10 (4) Notwithstanding the foregoing provisions of this section, a barrier trial meeting may be held on any day of the year, not being Good Friday or Christmas Day.
- (h) by inserting at the end of section 53A the following new subsection :— Sec. 53A.
(Race-course temporarily unfit for use.)
- 15 (2) Nothing in subsection one of this section shall be construed as requiring the authorisation of the Minister, or his delegate, thereunder in respect of a barrier trial meeting.
- 20 (i) (i) by inserting in paragraph (b) of section 53E after the word "days" the words "being days referred to in subsection three of section fifty-one of this Act,"; Sec. 53E.
(Additional meetings.)
- (ii) by omitting from the same paragraph the words "pursuant to this Act".
- 25 **4.** The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended— Further amendment of Act No. 25, 1912.
- (a) by omitting from section sixteen the words "Provided always that this enactment shall not be deemed to apply to" and by inserting in lieu thereof the words "Provided that the foregoing provisions of this section shall not apply— Sec. 16.
(Action not to lie for contracts by way of gaming.)
- 30 (a) to";
- (b)

Gaming and Betting and Liquor (Amendment).

(b) by inserting at the end of the same section the following word and new paragraph :—

; or

5 (b) in respect of any bet or wager lawfully made on a licensed race-course by or with a book-maker in the course of his business or vocation as such.

5. (1) The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 25, 1912.

- 10 (a) by omitting from subsection one of section fifty-two the words "Colonial Secretary" and by inserting in lieu thereof the words "Minister or his delegate";
- 15 (b) by omitting from subsection two of section 52A the words "Colonial Secretary" and by inserting in lieu thereof the words "Minister or his delegate";
- (c) by omitting from section 52B the words "Colonial Secretary" wherever occurring and by inserting in lieu thereof the words "Minister or his delegate";
- 20 (d) by omitting from paragraph (c) of subsection two of section 52C the words "Colonial Secretary" wherever occurring and by inserting in lieu thereof the words "Minister or his delegate";
- (e) by inserting in section 53A after the word "Minister" the words "or his delegate";
- 25 (f) by omitting from subsection one of section 53C the words "Colonial Secretary" and by inserting in lieu thereof the words "Minister or his delegate";

Sec. 52. (Issue of licenses.)

Sec. 52A. (Special licenses.)

Sec. 52B. (Condition of licenses to greyhound clubs.)

Sec. 52c. (Power to cancel licenses.)

Sec. 53A. (Race-course temporarily unfit for use.)

Sec. 53c. (Proprietary clubs or associations—licenses.)

(g)

Gaming and Betting and Liquor (Amendment).

(g) by inserting next after section 53E the following new section :— New sec. 53F.

5 53F. (1) Where, in subsection one of section fifty-two, subsection two of section 52A, section 52B, paragraph (c) of subsection two of section 52C, section 53A or 53C of this Act, any power or function is expressed to be conferred upon the Minister or his delegate, the Minister may, by instrument under his hand, delegate to the extent, and subject to the conditions, specified in the instrument, that power or function to the person named in the instrument and may, in the like manner, revoke any such delegation. Delegation of Minister's powers.

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15 (2) A reference to a delegate in a provision of this Act referred to in subsection one of this section shall mean the delegate appointed under that subsection to exercise or perform the power or function conferred by that provision.

20 (2) The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended— Further amendment of Act No. 25, 1912. (Statute law revision.)

(a) by omitting from section nine the words "or police"; Sec. 9. (Person removed from land not to re-enter.)

(b) by omitting from section twenty-five the words "or police"; Sec. 25. (Person found in house or common gaming-house.)

25 (c) (i) by omitting from paragraph (b) of subsection (5B) of section fifty-one the words "Colonial Secretary" and by inserting in lieu thereof the word "Minister"; Sec. 51. (Race-course to be licensed.)

30 (ii) by omitting from paragraph (d) of the same subsection the words "police or";

(d)

Gaming and Betting and Liquor (Amendment).

- (d) by omitting from subsection two of section fifty two the words "Colonial Secretary" and by inserting in lieu thereof the word "Minister"; Sec. 52.
(Issue of licenses.)
- 5 (e) by omitting from subsection three of section 52A the words "Colonial Secretary" and by inserting in lieu thereof the word "Minister"; Sec. 52A.
(Special licenses.)
- (f) by omitting from section 52C the words "Colonial Secretary" where firstly, secondly and thirdly occurring and by inserting in lieu thereof the word "Minister"; Sec. 52C.
(Power to cancel licenses.)
- 10 (g) by omitting from section 52D the words "Colonial Secretary" wherever occurring and by inserting in lieu thereof the word "Minister"; Sec. 52D.
(Power to make regulations.)
- (h) by omitting from paragraph (a) of section 53E the words "Chief Secretary" and by inserting in lieu thereof the word "Minister"; Sec. 53E.
(Additional meetings.)
- 15 (i) by omitting paragraph (d) of subsection six of section 56C and by inserting in lieu thereof the following paragraph :— Sec. 56C.
(Greyhound Racing Control Board.)
- 20 (d) becomes a mentally ill person, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, as amended by subsequent Acts;
- (j) by omitting from section 56K the word "Colonial" wherever occurring; Sec. 56K.
(Contributions to Fund by greyhound-racing clubs.)
- 25 (k) by omitting from subsection two of section 56L the word "Colonial"; Sec. 56L.
(Report of proceedings of Board.)
- (l) by omitting from paragraph (d) of subsection one of section 56M the word "fits" and by inserting in lieu thereof the word "fit"; Sec. 56M.
(Regulations.)
- 30 (m) by omitting from section sixty the words "or police". Sec. 60.
(Recovery of penalties.)

Gaming and Betting and Liquor (Amendment).

6. The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 25, 1912.

(a) by inserting next after subsection one of section 56c the following new subsection :—

Sec. 56c. (Greyhound Racing Control Board.)

5 (1A) (a) The Board shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its corporate name.

(b) The corporate name of the Board shall be "Greyhound Racing Control Board".

10 (c) Subject to paragraph (d) of this subsection, the Board shall be capable—

(i) of purchasing, holding, granting, demising, disposing of or otherwise dealing with real and personal property;

15 (ii) of erecting buildings on any lands held by it; and

(iii) of doing and suffering all such other acts and things as bodies corporate may by law do and suffer.

20 (d) The powers of the Board in relation to real or leasehold property shall not be exercised except with the consent of the Minister and subject to such conditions as he may, in giving his consent, impose.

25 (e) The common seal shall not be attached to any document except on resolution of the Board and shall be authenticated by the signatures of two members of the Board.

30 (f) All courts, judges and persons acting judicially shall take judicial notice of the common seal affixed to any document, and shall presume, until the contrary is proved, that it was properly so affixed.

(b)

Gaming and Betting and Liquor (Amendment).

(b) by inserting next after subsection two of section 56E the following new subsection :—

Sec. 56E.
(Appoint-
ment of
secretary.)

(3) The Board may by the rules—

- 5 (a) provide for the appointment of an executive officer and a deputy executive officer from amongst its members; and
- (b) specify the respective powers, authorities, duties and functions of those officers.

10 (c) by inserting next after section 56H the following new section :—

New sec.
56HA.

56HA. (1) Without prejudice to the generality of subsection one of section 56H of this Act, the Board may make rules, pursuant to and subject to that section—

Rules as to
stewards.

- 15 (a) for or with respect to the powers, authorities, duties and functions of stewards appointed by the Board and in particular in relation to meetings for greyhound-racing;
- 20 (b) conferring upon stewards appointed by the Board, to the extent and in the circumstances specified in the rules, the same powers in relation to meetings at which they act as are exercisable by the Board under subparagraph (iii) of paragraph (c) of
- 25 subsection one of section 56G of this Act;
- (c) for or with respect to the charges payable by a greyhound-racing club when stewards appointed by the Board act at a meeting for greyhound-racing held by the club;
- 30 (d) for or with respect to the extent to which and the circumstances in which, stewards appointed by the Board may exercise their powers, authorities, duties and functions to the exclusion of stewards of greyhound-
- 35 racing clubs.

(2)

Gaming and Betting and Liquor (Amendment).

(2) Rules referred to in subsection one of this section may be made to differ in their application according to different circumstances.

- 5 (d) by omitting subsections one, two, three and four of section 56I and by inserting in lieu thereof the following subsections :— Sec. 56I. (Commencement of rules.)

(1) Rules made pursuant to this Part of this Act shall—

- 10 (a) be approved by the Governor;
 (b) on being so approved, be published in the Gazette; and
 (c) take effect from the date of publication, or from a later date to be specified in the rules.

15 (2) Any rules in force immediately before the commencement of the Gaming and Betting and Liquor (Amendment) Act, 1967, shall not cease to be in force by reason only of the amendment made to this section by that Act.

- 20 (e) by inserting in paragraph (a) of subsection one of section 56M after the word "or" where firstly and secondly occurring the word "of". Sec. 56M. (Regulations.)

7. The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended— Further amendment of Act No. 25, 1912.

- 25 (a) by inserting in section 58A after the word "Act" the words ", the Totalizator Act, 1916, as amended by subsequent Acts, or the Totalizator (Off-course Betting) Act, 1964, as amended by subsequent Acts,"; Sec. 58A. (Certain allegations prima facie evidence.)

- 30 (b) by inserting in the same section after the word "mentioned" where secondly occurring the words "and that such race, contest or course commenced at a time therein mentioned".

Gaming and Betting and Liquor (Amendment).

8. The Liquor Act, 1912, as amended by subsequent Acts, is amended by inserting at the end of section forty-four the following new subsection :— Amendment of Act No. 42, 1912.

5 (2) The conduct, on licensed premises or in the appurtenances thereof, of a lottery or game of chance pursuant to and in accordance with the provisions of section four or 4A of the Lotteries and Art Unions Act, 1901, as amended by subsequent Acts, shall not render
10 any person liable to a penalty under the provisions of this section.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967

New South Wales



ANNO SEXTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 7, 1967.

An Act to make further provisions relating to the publication of betting odds and other information relating to race-meetings, the holding of barrier trial meetings for horse-racing, the recovery of certain wagering debts, the powers of the Greyhound Racing Control Board and the conduct of lotteries and games of chance on certain premises; for these and other purposes to amend the Gaming and Betting Act, 1912, as amended by subsequent Acts, and the Liquor Act, 1912, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 20th March, 1967.]

BE

Gaming and Betting and Liquor (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title
and
citation.

1. (1) This Act may be cited as the "Gaming and Betting and Liquor (Amendment) Act, 1967".

(2) The Gaming and Betting Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Gaming and Betting Act, 1912–1967.

Amendment
of Act No.
25, 1912.

2. (1) The Gaming and Betting Act, 1912, as amended by subsequent Acts, is amended—

Sec. 1.
(Short
title.)

(a) by omitting from section one the figures "47" and by inserting in lieu thereof the figures and letter "47G";

Sec. 3.
(Interpreta-
tion.)

(b) (i) by inserting in section three next after the definition of "Bookmaker" the following new definition :—

"Broadcasting station" means any station—

(a) provided by the Postmaster-General and from which the Australian Broadcasting Commission broadcasts programmes and other services; or

(b) in respect of which a person holds a licence for a commercial broadcasting station under Part IV of the Australian Broadcasting Act 1942 of the Parliament of the Commonwealth of Australia or any Act of that Parliament amending or replacing that Act.

(ii)

Gaming and Betting and Liquor (Amendment).

(ii) by inserting at the end of the same section the following new definition :—

“Television station” means any station—

- (a) provided by the Postmaster-General and from which the Australian Broadcasting Commission televises programmes and other services; or
- (b) in respect of which a person holds a licence for a commercial television station under Part IV of the Australian Broadcasting Act 1942 of the Parliament of the Commonwealth of Australia or any Act of that Parliament amending or replacing that Act.

(c) (i) by omitting paragraph (b) of section forty-six and by inserting in lieu thereof the following paragraph :—

Sec. 46.
(Penalty for exhibiting placards, &c., as to betting.)

(b) prints or publishes in a newspaper, or publishes through the medium of a broadcasting station or television station, otherwise than in accordance with regulations made under this Act, any information or advice as to the betting or betting odds—

(i) on any intended race or contest to be held at a race-meeting; or

(ii) on any race or contest held at a race-meeting, where the information or advice is so printed or, as the case may be, published before the prescribed time referred to in subsection one of section 47A of this Act.

(ii)

Gaming and Betting and Liquor (Amendment).

- (ii) by inserting in the same section after the word "liable" the words " , in the cases referred to in paragraphs (a) and (c) of this section,";
- (iii) by inserting in the same section after the word "months" the words "and, in the case referred to in paragraph (b) of this section, to the same penalties as for offences against section 47A of this Act";
- (iv) by inserting at the end of the same section the following words :—

In this section "betting or betting odds" has the meaning ascribed to that expression in section 47A of this Act.

Sec. 47A.
(Betting information—keeping house, &c., for communication thereof.)

- (d) by inserting at the end of subsection three of section 47A the following new paragraph :—

(b) This section shall not operate to prohibit the communicating or conveying before the prescribed time referred to in subsection one of this section by means of a newspaper or through the medium of a broadcasting station or television station of any information concerning the betting or betting odds referred to in subsection one of this section if—

- (i) the information is communicated or conveyed in accordance with regulations made under this Act; and
- (ii) the race or contest to which the information relates is not a horse-race held or to be held at a barrier trial meeting.

Sec. 47B.
(Tipsters, etc.—advertisements.)

- (e) by inserting next after paragraph (c) of subsection four of section 47B the following new paragraph :—

(c1) This section shall not operate to prohibit—

- (i) the printing or publication in a newspaper, being a newspaper that complies with subparagraph (i) of paragraph (c) of this subsection,

Gaming and Betting and Liquor (Amendment).

subsection, of any information or advice as to the betting or betting odds on a race or contest ;

- (ii) the publication, through the medium of a television station, of a document containing information or advice as to the betting or betting odds on a race or contest ; or
- (iii) the publication, through the medium of a television station, of a document containing a forecast of the probable result of a race or contest,

if the information or advice is printed or, as the case may be, the information, advice or document is published, in accordance with regulations made under this Act and, in the case referred to in subparagraph (iii) of this paragraph, the publication is not by way of advertisement or for valuable consideration.

In this paragraph "race or contest" means any such race or contest (not being a horse-race at a barrier trial meeting) as is referred to in subsection one of this section.

- (f) by inserting at the end of subsection three of section 47C the following new paragraph :—

(b) This section shall not operate to prohibit the making through the medium of a broadcasting station or television station of any oral statement whereby any information or advice referred to in paragraph (c) of subsection one of this section is given, if the statement is made in accordance with regulations made under this Act and, in the case of the information or advice referred to in subparagraph (i) of that paragraph, is not given by way of advertisement or for valuable consideration (other than remuneration referred to in subsection three of section 47D of this Act).

Sec. 47c.
(Tipsters,
etc.—keep-
ing house
for convey-
ing oral
statements.)

(g)

Gaming and Betting and Liquor (Amendment).

Sec. 47D.
(Tipsters,
etc.—giving
oral informa-
tion for fee
or reward.)

- (g) by inserting in subsection three of section 47D after the word "sound" the words "and 'fee or reward' does not include any remuneration paid by or on behalf of the person having the control and management of a broadcasting station or television station to a person making an oral statement through the medium of that station in accordance with paragraph (b) of subsection three of section 47A, or paragraph (b) of subsection three of section 47C, of this Act";

New sec.
47G.

- (h) by inserting next after section 47F the following new section :—

Regulations
relating to
newspapers,
broadcast-
ing stations
and tele-
vision
stations.

47G. (1) The power to make regulations conferred upon the Governor by section fifty-nine of this Act shall include power to make regulations for the purposes of paragraph (b) of section forty-six, paragraph (b) of subsection three of section 47A, paragraph (c1) of subsection four of section 47B or paragraph (b) of subsection three of section 47C, of this Act.

(2) The regulations referred to in subsection one of this section may be made to differ in their application according to different circumstances and, without prejudice to the generality of the foregoing provisions of this subsection, may be made to differ—

- (a) according to whether they are to apply to newspapers or to broadcasting stations or to television stations;
- (b) according to the location of the race-meeting at which the race or contest is to be held;
- (c) according to whether the race-meeting is a meeting for horse-racing, greyhound-racing, pony-racing or trotting contests.

(2) This section shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Gaming and Betting and Liquor (Amendment).

3. The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 25, 1912.

- (a) by inserting immediately before the definition of "Bookmaker" in section three the following new definition :—

Sec. 3. (Interpretation.)

"Barrier trial meeting" means a meeting for horse-racing—

- (a) at which horses, mares and geldings respectively may compete in a training gallop or trial; and
- (b) at or in respect of which no money, valuable thing, or the right to compete at a subsequent meeting for horse-racing is awarded in consideration of the result of any such training gallop or trial.
- (b) by inserting in section seven after the word "horse-races" the words "(not being horse-races at a barrier trial meeting)";
- Sec. 7. (Wagering or betting prohibited.)
- (c) by inserting in subsection three of section 47A after the word "race-meeting" where firstly occurring the words "(not being a barrier trial meeting)";
- Sec. 47A. (Betting information—keeping house, &c., for communication thereof.)
- (d) (i) by inserting in subparagraph (i) of paragraph (a) of subsection four of section 47B after the word "race-meeting" the words "(not being a barrier trial meeting)";
- Sec. 47B. (Tipsters, etc.—advertisements.)
- (ii) by inserting in paragraph (b) of the same subsection after the word "race-meeting" where firstly occurring the words "(not being a barrier trial meeting)";
- (iii) by omitting from paragraph (c) of the same subsection the words "race contest or course" and by inserting in lieu thereof the words "race or contest (not being a horse-race to be held at a barrier trial meeting)";

(e)

Gaming and Betting and Liquor (Amendment).

Sec. 47C.
(Tipsters,
etc.—
keeping
house for
conveying
oral
statements.)

- (e) by inserting in subsection three of section 47C after the word “race-meeting” where firstly occurring the words “(not being a barrier trial meeting)”;

Sec. 51 (3).
(Limitation
of horse-
races on
race-
courses.)

- (f) by inserting in subsection three of section fifty-one after the word “horse-racing” the words “(not being barrier trial meetings)”;

Sec. 53.
(Days of
race-
meetings.)

- (g) by inserting next after subsection three of section fifty-three the following new subsection :—

(4) Notwithstanding the foregoing provisions of this section, a barrier trial meeting may be held on any day of the year, not being Good Friday or Christmas Day.

Sec. 53A.
(Race-
course
temporarily
unfit for
use.)

- (h) by inserting at the end of section 53A the following new subsection :—

(2) Nothing in subsection one of this section shall be construed as requiring the authorisation of the Minister, or his delegate, thereunder in respect of a barrier trial meeting.

Sec. 53E.
(Additional
meetings.)

- (i) (i) by inserting in paragraph (b) of section 53E after the word “days” the words “being days referred to in subsection three of section fifty-one of this Act.”;

(ii) by omitting from the same paragraph the words “pursuant to this Act”.

Further
amendment
of Act No.
25, 1912.

4. The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—

Sec. 16.
(Action not
to lie for
contracts
by way of
gaming.)

- (a) by omitting from section sixteen the words “Provided always that this enactment shall not be deemed to apply to” and by inserting in lieu thereof the words “Provided that the foregoing provisions of this section shall not apply—

(a) to”;

(b)

Gaming and Betting and Liquor (Amendment).

(b) by inserting at the end of the same section the following word and new paragraph :—

; or

(b) in respect of any bet or wager lawfully made on a licensed race-course by or with a book-maker in the course of his business or vocation as such.

5. (1) The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 25, 1912.

(a) by omitting from subsection one of section fifty-two the words “Colonial Secretary” and by inserting in lieu thereof the words “Minister or his delegate”;

Sec. 52.
(Issue of licenses.)

(b) by omitting from subsection two of section 52A the words “Colonial Secretary” and by inserting in lieu thereof the words “Minister or his delegate”;

Sec. 52A.
(Special licenses.)

(c) by omitting from section 52B the words “Colonial Secretary” wherever occurring and by inserting in lieu thereof the words “Minister or his delegate”;

Sec. 52B.
(Condition of licenses to greyhound clubs.)

(d) by omitting from paragraph (c) of subsection two of section 52c the words “Colonial Secretary” wherever occurring and by inserting in lieu thereof the words “Minister or his delegate”;

Sec. 52c.
(Power to cancel licenses.)

(e) by inserting in section 53A after the word “Minister” the words “or his delegate”;

Sec. 53A.
(Race-course temporarily unfit for use.)

(f) by omitting from subsection one of section 53c the words “Colonial Secretary” and by inserting in lieu thereof the words “Minister or his delegate”;

Sec. 53c.
(Proprietary clubs or associations—licenses.)

(g)

Gaming and Betting and Liquor (Amendment).

New sec.
53F.

- (g) by inserting next after section 53E the following new section :—

Delegation
of Minister's
powers.

53F. (1) Where, in subsection one of section fifty-two, subsection two of section 52A, section 52B, paragraph (c) of subsection two of section 52C, section 53A or 53C of this Act, any power or function is expressed to be conferred upon the Minister or his delegate, the Minister may, by instrument under his hand, delegate to the extent, and subject to the conditions, specified in the instrument, that power or function to the person named in the instrument and may, in the like manner, revoke any such delegation.

(2) A reference to a delegate in a provision of this Act referred to in subsection one of this section shall mean the delegate appointed under that subsection to exercise or perform the power or function conferred by that provision.

Further
amendment
of Act No.
25, 1912.
(Statute law
revision.)

- (2) The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—

Sec. 9.
(Person re-
moved from
land not to
re-enter.)

- (a) by omitting from section nine the words “or police”;

Sec. 25.
(Person
found
in house or
common
gaming-
house.)

- (b) by omitting from section twenty-five the words “or police”;

Sec. 51.
(Race-course
to be
licensed.)

- (c) (i) by omitting from paragraph (b) of subsection (5B) of section fifty-one the words “Colonial Secretary” and by inserting in lieu thereof the word “Minister”;
- (ii) by omitting from paragraph (d) of the same subsection the words “police or”;

(d)

Gaming and Betting and Liquor (Amendment).

- (d) by omitting from subsection two of section fifty-two the words "Colonial Secretary" and by inserting in lieu thereof the word "Minister"; Sec. 52.
(Issue of licenses.)
- (e) by omitting from subsection three of section 52A the words "Colonial Secretary" and by inserting in lieu thereof the word "Minister"; Sec. 52A.
(Special licenses.)
- (f) by omitting from section 52C the words "Colonial Secretary" where firstly, secondly and thirdly occurring and by inserting in lieu thereof the word "Minister"; Sec. 52C.
(Power to cancel licenses.)
- (g) by omitting from section 52D the words "Colonial Secretary" wherever occurring and by inserting in lieu thereof the word "Minister"; Sec. 52D.
(Power to make regulations.)
- (h) by omitting from paragraph (a) of section 53E the words "Chief Secretary" and by inserting in lieu thereof the word "Minister"; Sec. 53E.
(Additional meetings.)
- (i) by omitting paragraph (d) of subsection six of section 56C and by inserting in lieu thereof the following paragraph :— Sec. 56C.
(Greyhound Racing Control Board.)
- (d) becomes a mentally ill person, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, as amended by subsequent Acts;
- (j) by omitting from section 56K the word "Colonial" wherever occurring; Sec. 56K.
(Contributions to Fund by greyhound-racing clubs.)
- (k) by omitting from subsection two of section 56L the word "Colonial"; Sec. 56L.
(Report of proceedings of Board.)
- (l) by omitting from paragraph (d) of subsection one of section 56M the word "fits" and by inserting in lieu thereof the word "fit"; Sec. 56M.
(Regulations.)
- (m) by omitting from section sixty the words "or police". Sec. 60.
(Recovery of penalties.)

Gaming and Betting and Liquor (Amendment).

Further amendment of Act No. 25, 1912.

6. The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—

Sec. 56c.
(Greyhound Racing Control Board.)

(a) by inserting next after subsection one of section 56c the following new subsection :—

(1A) (a) The Board shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its corporate name.

(b) The corporate name of the Board shall be “Greyhound Racing Control Board”.

(c) Subject to paragraph (d) of this subsection, the Board shall be capable—

- (i) of purchasing, holding, granting, demising, disposing of or otherwise dealing with real and personal property ;
- (ii) of erecting buildings on any lands held by it ; and
- (iii) of doing and suffering all such other acts and things as bodies corporate may by law do and suffer.

(d) The powers of the Board in relation to real or leasehold property shall not be exercised except with the consent of the Minister and subject to such conditions as he may, in giving his consent, impose.

(e) The common seal shall not be attached to any document except on resolution of the Board and shall be authenticated by the signatures of two members of the Board.

(f) All courts, judges and persons acting judicially shall take judicial notice of the common seal affixed to any document, and shall presume, until the contrary is proved, that it was properly so affixed.

(b)

Gaming and Betting and Liquor (Amendment).

- (b) by inserting next after subsection two of section 56E the following new subsection :— Sec. 56E.
(Appoint-
ment of
secretary.)
- (3) The Board may by the rules—
- (a) provide for the appointment of an executive officer and a deputy executive officer from amongst its members; and
- (b) specify the respective powers, authorities, duties and functions of those officers.
- (c) by inserting next after section 56H the following new section :— New sec.
56HA.
- 56HA. (1) Without prejudice to the generality of subsection one of section 56H of this Act, the Board may make rules, pursuant to and subject to that section— Rules as to
stewards.
- (a) for or with respect to the powers, authorities, duties and functions of stewards appointed by the Board and in particular in relation to meetings for greyhound-racing;
- (b) conferring upon stewards appointed by the Board, to the extent and in the circumstances specified in the rules, the same powers in relation to meetings at which they act as are exercisable by the Board under subparagraph (iii) of paragraph (c) of subsection one of section 56G of this Act;
- (c) for or with respect to the charges payable by a greyhound-racing club when stewards appointed by the Board act at a meeting for greyhound-racing held by the club;
- (d) for or with respect to the extent to which and the circumstances in which, stewards appointed by the Board may exercise their powers, authorities, duties and functions to the exclusion of stewards of greyhound-racing clubs.

Gaming and Betting and Liquor (Amendment).

(2) Rules referred to in subsection one of this section may be made to differ in their application according to different circumstances.

Sec. 56I.
(Commence-
ment of
rules.)

(d) by omitting subsections one, two, three and four of section 56I and by inserting in lieu thereof the following subsections :—

(1) Rules made pursuant to this Part of this Act shall—

- (a) be approved by the Governor;
- (b) on being so approved, be published in the Gazette; and
- (c) take effect from the date of publication, or from a later date to be specified in the rules.

(2) Any rules in force immediately before the commencement of the Gaming and Betting and Liquor (Amendment) Act, 1967, shall not cease to be in force by reason only of the amendment made to this section by that Act.

Sec. 56M.
(Regula-
tions.)

(e) by inserting in paragraph (a) of subsection one of section 56M after the word “or” where firstly and secondly occurring the word “of”.

Further
amendment
of Act No.
25, 1912.

7. The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—

Sec. 58A.
(Certain
allegations
prima facie
evidence.)

(a) by inserting in section 58A after the word “Act” the words “, the Totalizator Act, 1916, as amended by subsequent Acts, or the Totalizator (Off-course Betting) Act, 1964, as amended by subsequent Acts,”;

(b) by inserting in the same section after the word “mentioned” where secondly occurring the words “and that such race, contest or course commenced at a time therein mentioned”.

Gaming and Betting and Liquor (Amendment).

8. The Liquor Act, 1912, as amended by subsequent Acts, is amended by inserting at the end of section forty-four the following new subsection :—

Amendment
of Act No.
42, 1912.

(3) The conduct, on licensed premises or in the appurtenances thereof, of a lottery or game of chance pursuant to and in accordance with the provisions of section four or 4A of the Lotteries and Art Unions Act, 1901, as amended by subsequent Acts, shall not render any person liable to a penalty under the provisions of this section.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1967

Section 1. The following provisions shall be in full force and effect from and after the date of the passage of this act:

Section 2. The following provisions shall be in full force and effect from and after the date of the passage of this act:

Section 3. The following provisions shall be in full force and effect from and after the date of the passage of this act:

SECTION 4

The following provisions shall be in full force and effect from and after the date of the passage of this act:

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 16 March, 1967.*

New South Wales



ANNO SEXTO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 7, 1967.

An Act to make further provisions relating to the publication of betting odds and other information relating to race-meetings, the holding of barrier trial meetings for horse-racing, the recovery of certain wagering debts, the powers of the Greyhound Racing Control Board and the conduct of lotteries and games of chance on certain premises; for these and other purposes to amend the Gaming and Betting Act, 1912, as amended by subsequent Acts, and the Liquor Act, 1912, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 20th March, 1967.]

BE

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

G. R. CRAWFORD,
Chairman of Committees of the Legislative Assembly.

Gaming and Betting and Liquor (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title
and
citation.

1. (1) This Act may be cited as the "Gaming and Betting and Liquor (Amendment) Act, 1967".

(2) The Gaming and Betting Act, 1912, as amended by subsequent Acts and by this Act, may be cited as the Gaming and Betting Act, 1912–1967.

Amendment
of Act No.
25, 1912.

2. (1) The Gaming and Betting Act, 1912, as amended by subsequent Acts, is amended—

Sec. 1.
(Short
title.)

(a) by omitting from section one the figures "47" and by inserting in lieu thereof the figures and letter "47G";

Sec. 3.
(Interpreta-
tion.)

(b) (i) by inserting in section three next after the definition of "Bookmaker" the following new definition:—

"Broadcasting station" means any station—

(a) provided by the Postmaster-General and from which the Australian Broadcasting Commission broadcasts programmes and other services; or

(b) in respect of which a person holds a licence for a commercial broadcasting station under Part IV of the Australian Broadcasting Act 1942 of the Parliament of the Commonwealth of Australia or any Act of that Parliament amending or replacing that Act.

(ii)

Gaming and Betting and Liquor (Amendment).

(ii) by inserting at the end of the same section the following new definition :—

“Television station” means any station—

- (a) provided by the Postmaster-General and from which the Australian Broadcasting Commission televises programmes and other services; or
- (b) in respect of which a person holds a licence for a commercial television station under Part IV of the Australian Broadcasting Act 1942 of the Parliament of the Commonwealth of Australia or any Act of that Parliament amending or replacing that Act.

(c) (i) by omitting paragraph (b) of section forty-six and by inserting in lieu thereof the following paragraph :—

Sec. 46.
(Penalty for exhibiting placards, &c., as to betting.)

(b) prints or publishes in a newspaper, or publishes through the medium of a broadcasting station or television station, otherwise than in accordance with regulations made under this Act, any information or advice as to the betting or betting odds—

- (i) on any intended race or contest to be held at a race-meeting; or
- (ii) on any race or contest held at a race-meeting, where the information or advice is so printed or, as the case may be, published before the prescribed time referred to in subsection one of section 47A of this Act.

(ii)

Gaming and Betting and Liquor (Amendment).

- (ii) by inserting in the same section after the word "liable" the words "in the cases referred to in paragraphs (a) and (c) of this section,";
- (iii) by inserting in the same section after the word "months" the words "and, in the case referred to in paragraph (b) of this section, to the same penalties as for offences against section 47A of this Act";
- (iv) by inserting at the end of the same section the following words :—

In this section "betting or betting odds" has the meaning ascribed to that expression in section 47A of this Act.

Sec. 47A.
(Betting information—keeping house, &c., for communication thereof.)

- (d) by inserting at the end of subsection three of section 47A the following new paragraph :—

(b) This section shall not operate to prohibit the communicating or conveying before the prescribed time referred to in subsection one of this section by means of a newspaper or through the medium of a broadcasting station or television station of any information concerning the betting or betting odds referred to in subsection one of this section if—

- (i) the information is communicated or conveyed in accordance with regulations made under this Act; and
- (ii) the race or contest to which the information relates is not a horse-race held or to be held at a barrier trial meeting.

Sec. 47B.
(Tipsters, etc.—advertisements.)

- (e) by inserting next after paragraph (c) of subsection four of section 47B the following new paragraph :—

(c1) This section shall not operate to prohibit—

- (i) the printing or publication in a newspaper, being a newspaper that complies with subparagraph (i) of paragraph (c) of this subsection,

Gaming and Betting and Liquor (Amendment).

subsection, of any information or advice as to the betting or betting odds on a race or contest;

- (ii) the publication, through the medium of a television station, of a document containing information or advice as to the betting or betting odds on a race or contest; or
- (iii) the publication, through the medium of a television station, of a document containing a forecast of the probable result of a race or contest,

if the information or advice is printed or, as the case may be, the information, advice or document is published, in accordance with regulations made under this Act and, in the case referred to in subparagraph (iii) of this paragraph, the publication is not by way of advertisement or for valuable consideration.

In this paragraph "race or contest" means any such race or contest (not being a horse-race at a barrier trial meeting) as is referred to in subsection one of this section.

- (f) by inserting at the end of subsection three of section 47C the following new paragraph :—
- (b) This section shall not operate to prohibit the making through the medium of a broadcasting station or television station of any oral statement whereby any information or advice referred to in paragraph (c) of subsection one of this section is given, if the statement is made in accordance with regulations made under this Act and, in the case of the information or advice referred to in subparagraph (i) of that paragraph, is not given by way of advertisement or for valuable consideration (other than remuneration referred to in subsection three of section 47D of this Act).

Sec. 47c.
(Tipsters,
etc.—keep-
ing house
for convey-
ing oral
statements.)

(g)

Gaming and Betting and Liquor (Amendment).

Sec. 47D.
(Tipsters,
etc.—giving
oral informa-
tion for fee
or reward.)

- (g) by inserting in subsection three of section 47D after the word “sound” the words “and ‘fee or reward’ does not include any remuneration paid by or on behalf of the person having the control and management of a broadcasting station or television station to a person making an oral statement through the medium of that station in accordance with paragraph (b) of subsection three of section 47A, or paragraph (b) of subsection three of section 47C, of this Act”;

New sec.
47G.

- (h) by inserting next after section 47F the following new section :—

Regulations
relating to
newspapers,
broadcast-
ing stations
and tele-
vision
stations.

47G. (1) The power to make regulations conferred upon the Governor by section fifty-nine of this Act shall include power to make regulations for the purposes of paragraph (b) of section forty-six, paragraph (b) of subsection three of section 47A, paragraph (c1) of subsection four of section 47B or paragraph (b) of subsection three of section 47C, of this Act.

(2) The regulations referred to in subsection one of this section may be made to differ in their application according to different circumstances and, without prejudice to the generality of the foregoing provisions of this subsection, may be made to differ—

- (a) according to whether they are to apply to newspapers or to broadcasting stations or to television stations;
- (b) according to the location of the race-meeting at which the race or contest is to be held;
- (c) according to whether the race-meeting is a meeting for horse-racing, greyhound-racing, pony-racing or trotting contests.

(2) This section shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Gaming and Betting and Liquor (Amendment).

3. The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 25, 1912.

- (a) by inserting immediately before the definition of "Bookmaker" in section three the following new definition :—

Sec. 3.
(Interpretation.)

"Barrier trial meeting" means a meeting for horse-racing—

- (a) at which horses, mares and geldings respectively may compete in a training gallop or trial; and
- (b) at or in respect of which no money, valuable thing, or the right to compete at a subsequent meeting for horse-racing is awarded in consideration of the result of any such training gallop or trial.
- (b) by inserting in section seven after the word "horse-races" the words "(not being horse-races at a barrier trial meeting)";
- Sec. 7.
(Wagering or betting prohibited.)
- (c) by inserting in subsection three of section 47A after the word "race-meeting" where firstly occurring the words "(not being a barrier trial meeting)";
- Sec. 47A.
(Betting information—keeping house, &c., for communication thereof.)
- (d) (i) by inserting in subparagraph (i) of paragraph (a) of subsection four of section 47B after the word "race-meeting" the words "(not being a barrier trial meeting)";
- Sec. 47B.
(Tipsters, etc.—advertisements.)
- (ii) by inserting in paragraph (b) of the same subsection after the word "race-meeting" where firstly occurring the words "(not being a barrier trial meeting)";
- (iii) by omitting from paragraph (c) of the same subsection the words "race contest or course" and by inserting in lieu thereof the words "race or contest (not being a horse-race to be held at a barrier trial meeting)";

(e)

Gaming and Betting and Liquor (Amendment).

- Sec. 47c.
(Tipsters,
etc.—
keeping
house for
conveying
oral
statements.)
- Sec. 51 (3).
(Limitation
of horse-
races on
race-
courses.)
- Sec. 53.
(Days of
race-
meetings.)
- Sec. 53A.
(Race-
course
temporarily
unfit for
use.)
- Sec. 53E.
(Additional
meetings.)
- Further
amendment
of Act No.
25, 1912.
- Sec. 16.
(Action not
to lie for
contracts
by way of
gaming.)
- (e) by inserting in subsection three of section 47c after the word “race-meeting” where firstly occurring the words “(not being a barrier trial meeting)”;
- (f) by inserting in subsection three of section fifty-one after the word “horse-racing” the words “(not being barrier trial meetings)”;
- (g) by inserting next after subsection three of section fifty-three the following new subsection :—
(4) Notwithstanding the foregoing provisions of this section, a barrier trial meeting may be held on any day of the year, not being Good Friday or Christmas Day.
- (h) by inserting at the end of section 53A the following new subsection :—
(2) Nothing in subsection one of this section shall be construed as requiring the authorisation of the Minister, or his delegate, thereunder in respect of a barrier trial meeting.
- (i) (i) by inserting in paragraph (b) of section 53E after the word “days” the words “being days referred to in subsection three of section fifty-one of this Act,”;
- (ii) by omitting from the same paragraph the words “pursuant to this Act”.
- 4.** The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—
- (a) by omitting from section sixteen the words “Provided always that this enactment shall not be deemed to apply to” and by inserting in lieu thereof the words “Provided that the foregoing provisions of this section shall not apply—
(a) to”;
- (b)

Gaming and Betting and Liquor (Amendment).

(b) by inserting at the end of the same section the following word and new paragraph :—

; or

(b) in respect of any bet or wager lawfully made on a licensed race-course by or with a book-maker in the course of his business or vocation as such.

5. (1) The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—

Further amendment of Act No. 25, 1912.

(a) by omitting from subsection one of section fifty-two the words “Colonial Secretary” and by inserting in lieu thereof the words “Minister or his delegate”;

Sec. 52. (Issue of licenses.)

(b) by omitting from subsection two of section 52A the words “Colonial Secretary” and by inserting in lieu thereof the words “Minister or his delegate”;

Sec. 52A. (Special licenses.)

(c) by omitting from section 52B the words “Colonial Secretary” wherever occurring and by inserting in lieu thereof the words “Minister or his delegate”;

Sec. 52B. (Condition of licenses to grey-hound clubs.)

(d) by omitting from paragraph (c) of subsection two of section 52c the words “Colonial Secretary” wherever occurring and by inserting in lieu thereof the words “Minister or his delegate”;

Sec. 52c. (Power to cancel licenses.)

(e) by inserting in section 53A after the word “Minister” the words “or his delegate”;

Sec. 53A. (Race-course temporarily unfit for use.)

(f) by omitting from subsection one of section 53c the words “Colonial Secretary” and by inserting in lieu thereof the words “Minister or his delegate”;

Sec. 53c. (Proprietary clubs or associations—licenses.)

(g)

Gaming and Betting and Liquor (Amendment).

New sec.
53F.

- (g) by inserting next after section 53E the following new section :—

Delegation
of Minister's
powers.

53F. (1) Where, in subsection one of section fifty-two, subsection two of section 52A, section 52B, paragraph (c) of subsection two of section 52C, section 53A or 53C of this Act, any power or function is expressed to be conferred upon the Minister or his delegate, the Minister may, by instrument under his hand, delegate to the extent, and subject to the conditions, specified in the instrument, that power or function to the person named in the instrument and may, in the like manner, revoke any such delegation.

(2) A reference to a delegate in a provision of this Act referred to in subsection one of this section shall mean the delegate appointed under that subsection to exercise or perform the power or function conferred by that provision.

Further
amendment
of Act No.
25, 1912.
(Statute law
revision.)

- (2) The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—

Sec. 9.
(Person re-
moved from
land not to
re-enter.)

- (a) by omitting from section nine the words "or police";

Sec. 25.
(Person
found
in house or
common
gaming-
house.)

- (b) by omitting from section twenty-five the words "or police";

Sec. 51.
(Race-course
to be
licensed.)

- (c) (i) by omitting from paragraph (b) of subsection (5B) of section fifty-one the words "Colonial Secretary" and by inserting in lieu thereof the word "Minister";
- (ii) by omitting from paragraph (d) of the same subsection the words "police or";

(d)

Gaming and Betting and Liquor (Amendment).

- (d) by omitting from subsection two of section fifty-two the words "Colonial Secretary" and by inserting in lieu thereof the word "Minister"; Sec. 52. (Issue of licenses.)
- (e) by omitting from subsection three of section 52A the words "Colonial Secretary" and by inserting in lieu thereof the word "Minister"; Sec. 52A. (Special licenses.)
- (f) by omitting from section 52C the words "Colonial Secretary" where firstly, secondly and thirdly occurring and by inserting in lieu thereof the word "Minister"; Sec. 52C. (Power to cancel licenses.)
- (g) by omitting from section 52D the words "Colonial Secretary" wherever occurring and by inserting in lieu thereof the word "Minister"; Sec. 52D. (Power to make regulations.)
- (h) by omitting from paragraph (a) of section 53E the words "Chief Secretary" and by inserting in lieu thereof the word "Minister"; Sec. 53E. (Additional meetings.)
- (i) by omitting paragraph (d) of subsection six of section 56C and by inserting in lieu thereof the following paragraph :— Sec. 56C. (Greyhound Racing Control Board.)
- (d) becomes a mentally ill person, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, as amended by subsequent Acts;
- (j) by omitting from section 56K the word "Colonial" wherever occurring; Sec. 56K. (Contributions to Fund by greyhound-racing clubs.)
- (k) by omitting from subsection two of section 56L the word "Colonial"; Sec. 56L. (Report of proceedings of Board.)
- (l) by omitting from paragraph (d) of subsection one of section 56M the word "fits" and by inserting in lieu thereof the word "fit"; Sec. 56M. (Regulations.)
- (m) by omitting from section sixty the words "or police". Sec. 60. (Recovery of penalties.)

Gaming and Betting and Liquor (Amendment).

Further
amendment
of Act No.
25, 1912.

Sec. 56c.
(Greyhound
Racing
Control
Board.)

6. The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—

(a) by inserting next after subsection one of section 56c the following new subsection :—

(1A) (a) The Board shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its corporate name.

(b) The corporate name of the Board shall be "Greyhound Racing Control Board".

(c) Subject to paragraph (d) of this subsection, the Board shall be capable—

(i) of purchasing, holding, granting, demising, disposing of or otherwise dealing with real and personal property;

(ii) of erecting buildings on any lands held by it; and

(iii) of doing and suffering all such other acts and things as bodies corporate may by law do and suffer.

(d) The powers of the Board in relation to real or leasehold property shall not be exercised except with the consent of the Minister and subject to such conditions as he may, in giving his consent, impose.

(e) The common seal shall not be attached to any document except on resolution of the Board and shall be authenticated by the signatures of two members of the Board.

(f) All courts, judges and persons acting judicially shall take judicial notice of the common seal affixed to any document, and shall presume, until the contrary is proved, that it was properly so affixed.

(b)

Gaming and Betting and Liquor (Amendment).

- (b) by inserting next after subsection two of section 56E the following new subsection :—

Sec. 56E.
(Appoint-
ment of
secretary.)

- (3) The Board may by the rules—
- (a) provide for the appointment of an executive officer and a deputy executive officer from amongst its members; and
 - (b) specify the respective powers, authorities, duties and functions of those officers.

- (c) by inserting next after section 56H the following new section :—

New sec.
56HA.

56HA. (1) Without prejudice to the generality of subsection one of section 56H of this Act, the Board may make rules, pursuant to and subject to that section—

Rules as to
stewards.

- (a) for or with respect to the powers, authorities, duties and functions of stewards appointed by the Board and in particular in relation to meetings for greyhound-racing;
- (b) conferring upon stewards appointed by the Board, to the extent and in the circumstances specified in the rules, the same powers in relation to meetings at which they act as are exercisable by the Board under subparagraph (iii) of paragraph (c) of subsection one of section 56G of this Act;
- (c) for or with respect to the charges payable by a greyhound-racing club when stewards appointed by the Board act at a meeting for greyhound-racing held by the club;
- (d) for or with respect to the extent to which and the circumstances in which, stewards appointed by the Board may exercise their powers, authorities, duties and functions to the exclusion of stewards of greyhound-racing clubs.

Gaming and Betting and Liquor (Amendment).

(2) Rules referred to in subsection one of this section may be made to differ in their application according to different circumstances.

Sec. 56i.
(Commence-
ment of
rules.)

(d) by omitting subsections one, two, three and four of section 56i and by inserting in lieu thereof the following subsections :—

(1) Rules made pursuant to this Part of this Act shall—

- (a) be approved by the Governor;
- (b) on being so approved, be published in the Gazette; and
- (c) take effect from the date of publication, or from a later date to be specified in the rules.

(2) Any rules in force immediately before the commencement of the Gaming and Betting and Liquor (Amendment) Act, 1967, shall not cease to be in force by reason only of the amendment made to this section by that Act.

Sec. 56M.
(Regula-
tions.)

(e) by inserting in paragraph (a) of subsection one of section 56M after the word "or" where firstly and secondly occurring the word "of".

Further
amendment
of Act No.
25, 1912.

7. The Gaming and Betting Act, 1912, as amended by subsequent Acts, is further amended—

Sec. 58A.
(Certain
allegations
prima facie
evidence.)

- (a) by inserting in section 58A after the word "Act" the words ", the Totalizator Act, 1916, as amended by subsequent Acts, or the Totalizator (Off-course Betting) Act, 1964, as amended by subsequent Acts,";
- (b) by inserting in the same section after the word "mentioned" where secondly occurring the words "and that such race, contest or course commenced at a time therein mentioned".

Gaming and Betting and Liquor (Amendment).

8. The Liquor Act, 1912, as amended by subsequent Acts, is amended by inserting at the end of section forty-four the following new subsection :—

Amendment
of Act No.
42, 1912.

(3) The conduct, on licensed premises or in the appurtenances thereof, of a lottery or game of chance pursuant to and in accordance with the provisions of section four or 4A of the Lotteries and Art Unions Act, 1901, as amended by subsequent Acts, shall not render any person liable to a penalty under the provisions of this section.

*In the name and on behalf of Her Majesty I assent to
this Act.*

A. R. CUTLER,
Governor.

*Government House,
Sydney, 20th March, 1967.*

THE UNIVERSITY OF CHICAGO

PH.D. THESIS
SUBMITTED TO THE FACULTY OF THE DIVISION OF THE PHYSICAL SCIENCES
IN CANDIDACY FOR THE DEGREE OF DOCTOR OF PHILOSOPHY
BY
[Name]
DEPARTMENT OF CHEMISTRY
CHICAGO, ILLINOIS
[Date]

THESIS
BY
[Name]
DEPARTMENT OF CHEMISTRY
CHICAGO, ILLINOIS
[Date]