

TOTALIZATOR (AMENDMENT) BILL, 1981

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The objects of this Bill are to amend the Totalizator Act, 1916—

- (a) to provide for the “rounding off”, in certain cases where an event or contingency results in a dead heat, of the amount which would otherwise be payable as the totalizator dividend in respect of that dead heat (Schedule 1 (3));
 - (b) to provide that, where there is a deficiency in the money available for payment of certain totalizator dividends, the deficiency shall be paid from the Consolidated Revenue Fund (Schedule 1 (6)); and
 - (c) to make other provisions of a minor or consequential nature,
- and to validate certain payments made from the Consolidated Revenue Fund (clause 5).
-

TOTAL MAJOR (AMOUNTS) BILL 1981

EXPLANATORY NOTE

(This explanatory note is for the information of the public.)

The objects of the bill are to amend the Taxation Act 1976 -

- (a) to provide for the payment of a certain sum of money to the Government of the United Kingdom in a certain year and to provide for the payment of a certain sum of money to the Government of the United Kingdom in a certain year;
- (b) to provide that, where there is a deficiency in the money available for the payment of certain expenses, the Government shall be paid out of the Consolidated Fund (Section 1 (b)); and
- (c) to make other provisions of a minor or consequential nature and to make certain payments from the Consolidated Fund (Section 1).

TOTALIZATOR (AMENDMENT) BILL, 1981

No. , 1981.

A BILL FOR

An Act to amend section 9C of the Totalizator Act, 1916, with respect to the calculation and funding of certain totalizator dividends; and to validate certain payments.

[MR BOOTH—3 *March*, 1981.]

Totalizator (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 :—

5 Short title.

1. This Act may be cited as the "Totalizator (Amendment) Act, 1981".

Commencement.

2. (1) Except as provided in subsection (2), this Act shall 10 commence on the date of assent to this Act.

(2) Section 4, in its application to Schedule 1 (1)–(5) and (7), and Schedule 1 (1)–(5) and (7) shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

15 Principal Act.

3. The Totalizator Act, 1916, is referred to in this Act as the Principal Act.

Amendment of Act No. 75, 1916.

4. The Principal Act is amended in the manner set forth in 20 Schedule 1.

Validation.

5. (1) Any payment made by the Treasurer on or after 22nd April, 1972, and before 12th May, 1979, that would have been lawfully made only if—

25 (a) section 9C (9) of the Principal Act, as amended by this Act, had been in force when the payment was made; and

Totalizator (Amendment).

(b) the reference in section 9C (9) (b) of that Act, as so amended, to the Minister were a reference to the Treasurer,

is hereby validated.

5 (2) Any payment made by the Minister on or after 12th May, 1979, and before the date of assent to this Act that would have been lawfully made only if section 9C (9) of the Principal Act, as amended by this Act, had been in force when the payment was made, is hereby validated.

10

SCHEDULE 1.

(Sec. 4.)

AMENDMENTS TO THE PRINCIPAL ACT.

(1) Section 9C (1), definition of "the calculated amount"—
Omit ", (7) and (8)", insert instead "and (7)".

15 (2) Section 9C (2)—

Omit "necessary adjustment under", insert instead "adjustment required to be made by".

(3) Section 9C (6), (6A)—

Omit section 9C (6), insert instead :—

20

(6) Subject to subsection (6A), where—

(a) 2 or more starters fill any one place (including first place) in an event or contingency; and

25

(b) a pool or any part thereof (ascertained in accordance with this Act, the regulations or the rules made under this Act in respect of that place) is required to be divided in respect of the starters filling that place,

Totalizator (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

5 the calculated amount in relation to that event or contingency for each starter that fills that place shall, after any adjustment required to be made by subsection (7), be the payable dividend in relation to that event or contingency for that starter.

10 (6A) Subsection (6) does not apply in a case in which the pool or part thereof referred to in that subsection, which is required to be divided in respect of the starters filling the one place, would have been divided between those starters, had those starters respectively filled consecutive places commencing with that place.

(4) Section 9c (7)—

15 Omit “Where the calculated amount is, under subsection (2) or subsection (6) (paragraph (a) excepted), the payable dividend in relation to any event or contingency—”, insert instead “If, had this subsection not been enacted, the
20 calculated amount would have been, by reason of the operation of subsection (2) or (6), the payable dividend in relation to any event or contingency, then—”.

(5) Section 9c (8)—

Omit the subsection.

(6) Section 9c (9)—

25 After “excepted)”, insert “, (5)”.

Totalizator (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

(7) Section 9C (9)—

Omit “, (7) or (8)”, insert instead “or (7)”.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1981

(40c)

THE
SCHEDULE

A MANDATE TO THE

1971

IN THE

TOTALIZATOR (AMENDMENT) ACT, 1981, No. 26

New South Wales



ANNO TRICESIMO

ELIZABETHÆ II REGINÆ

Act No. 26, 1981.

An Act to amend section 9C of the Totalizator Act, 1916, with respect to the calculation and funding of certain totalizator dividends; and to validate certain payments. [Assented to, 14th May, 1981.]

Totalizator (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.

1. This Act may be cited as the "Totalizator (Amendment) Act, 1981".

Commencement.

2. (1) Except as provided in subsection (2), this Act shall commence on the date of assent to this Act.

(2) Section 4, in its application to Schedule 1 (1)–(5) and (7), and Schedule 1 (1)–(5) and (7) shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Principal Act.

3. The Totalizator Act, 1916, is referred to in this Act as the Principal Act.

Amendment of Act No. 75, 1916.

4. The Principal Act is amended in the manner set forth in Schedule 1.

Validation.

5. (1) Any payment made by the Treasurer on or after 22nd April, 1972, and before 12th May, 1979, that would have been lawfully made only if—

- (a) section 9C (9) of the Principal Act, as amended by this Act, had been in force when the payment was made; and

Totalizator (Amendment).

(b) the reference in section 9c (9) (b) of that Act, as so amended, to the Minister were a reference to the Treasurer,

is hereby validated.

(2) Any payment made by the Minister on or after 12th May, 1979, and before the date of assent to this Act that would have been lawfully made only if section 9c (9) of the Principal Act, as amended by this Act, had been in force when the payment was made, is hereby validated.

SCHEDULE 1.

(Sec. 4.)

AMENDMENTS TO THE PRINCIPAL ACT.

- (1) Section 9c (1), definition of "the calculated amount"—
Omit ", (7) and (8)", insert instead "and (7)".
- (2) Section 9c (2)—
Omit "necessary adjustment under", insert instead "adjustment required to be made by".
- (3) Section 9c (6), (6A)—
Omit section 9c (6), insert instead :—
- (6) Subject to subsection (6A), where—
- (a) 2 or more starters fill any one place (including first place) in an event or contingency; and
 - (b) a pool or any part thereof (ascertained in accordance with this Act, the regulations or the rules made under this Act in respect of that place) is required to be divided in respect of the starters filling that place,

Totalizator (Amendment).

SCHEDULE 1—*continued.*AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

the calculated amount in relation to that event or contingency for each starter that fills that place shall, after any adjustment required to be made by subsection (7), be the payable dividend in relation to that event or contingency for that starter.

(6A) Subsection (6) does not apply in a case in which the pool or part thereof referred to in that subsection, which is required to be divided in respect of the starters filling the one place, would have been divided between those starters, had those starters respectively filled consecutive places commencing with that place.

(4) Section 9c (7)—

Omit “Where the calculated amount is, under subsection (2) or subsection (6) (paragraph (a) excepted), the payable dividend in relation to any event or contingency—”, insert instead “If, had this subsection not been enacted, the calculated amount would have been, by reason of the operation of subsection (2) or (6), the payable dividend in relation to any event or contingency, then—”.

(5) Section 9c (8)—

Omit the subsection.

(6) Section 9c (9)—

After “excepted)”, insert “, (5)”.

Totalizator (Amendment).

SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

(7) Section 9C (9)—

Omit “, (7) or (8)”, insert instead “or (7)”.

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

J. A. ROWLAND,
Governor.

*Government House,
Sydney, 14th May, 1981.*





