

FIRST PRINT

**TOTALIZATOR (AMENDMENT) BILL, 1985**

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**EXPLANATORY NOTE**

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

The object of this Bill is to amend the Totalizator Act, 1916, to reduce the amount of commission payable by a racing club to the Government with respect to totalizator betting where the total amount taken by the club in totalizator bets at a race-meeting does not exceed \$34,500 (Schedule 1 (1)—proposed section 8AA).

The Bill also contains other provisions of a minor, consequential or ancillary nature.

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**TOTALIZATOR (AMENDMENT) BILL, 1985**

No. , 1985.

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**A BILL FOR**

An Act to amend the Totalizator Act, 1916, to provide for a rebate to be given in relation to certain amounts of commission payable under that Act by racing clubs.

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*Totalizator (Amendment) 1985*

**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, 1985".

**Commencement.**

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on such  
10 day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

**Amendment of Act No. 75, 1916.**

3. The Totalizator Act, 1916, is amended in the manner set forth in Schedule 1.

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**SCHEDULE 1.**

(Sec. 3.)

**AMENDMENTS TO THE TOTALIZATOR ACT, 1916.**

(1) Section 8AA—

After section 8A, insert:—

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**Rebate.**

8AA. (1) A racing club having in relation to a race-meeting a race-meeting turnover not exceeding \$34,500 is entitled to a rebate in respect of the total commission payable by the club in relation to the race-meeting.

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(2) The amount of the rebate shall be—

(a) where the race-meeting turnover does not exceed \$10,000—an amount equal to so much of the total commission as does not exceed \$500; or

*Totalizator (Amendment) 1985*SCHEDULE 1—*continued.*AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.*

5 (b) where the race-meeting turnover exceeds \$10,000 but does not exceed \$34,500—\$500 less \$10 for each \$500 or part thereof by which the turnover exceeds \$10,000.

(3) The total amount of commission required to be paid by a racing club in relation to a race-meeting is reduced by the amount of the rebate to which the club is entitled.

10 (4) For the purposes of section 8B, where 2 or more amounts of commission are required to be paid in relation to a race-meeting, each amount of commission shall be deemed to be reduced by so much of the relevant rebate (any fraction of a cent being disregarded) as bears to the rebate the same proportion as the amount of commission bears to the sum of the amounts of commission.

15 (5) In this section—

20 “commission” means an amount of commission payable under section 8 or 8A by a racing club to the Minister in respect of money paid into a totalizator on the day of a race-meeting, but does not include an amount of commission payable in respect of money derived from bets made through the agency of the Totalizator Agency Board;

“race-meeting” means a race-meeting held by one racing club on one racecourse on or after the date of commencement of the Totalizator (Amendment) Act, 1985;

25 “race-meeting turnover”, in relation to a racing club, means the total amount of money (other than any sums refundable to investors or transferable to another type of totalizator, in accordance with the regulations and the rules) paid into all totalizators used by the club on the day of the race-meeting concerned, and includes any money derived from  
30 bets made under section 3B (1) with the club at another racecourse, but does not include—

*Totalizator (Amendment) 1985*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.*

- 5 (a) any money paid into a totalizator by another racing club pursuant to section 3B (2); or
- (b) any money derived from bets made through the agency of the Totalizator Agency Board.

(2) (a) Section 11 (2A)—

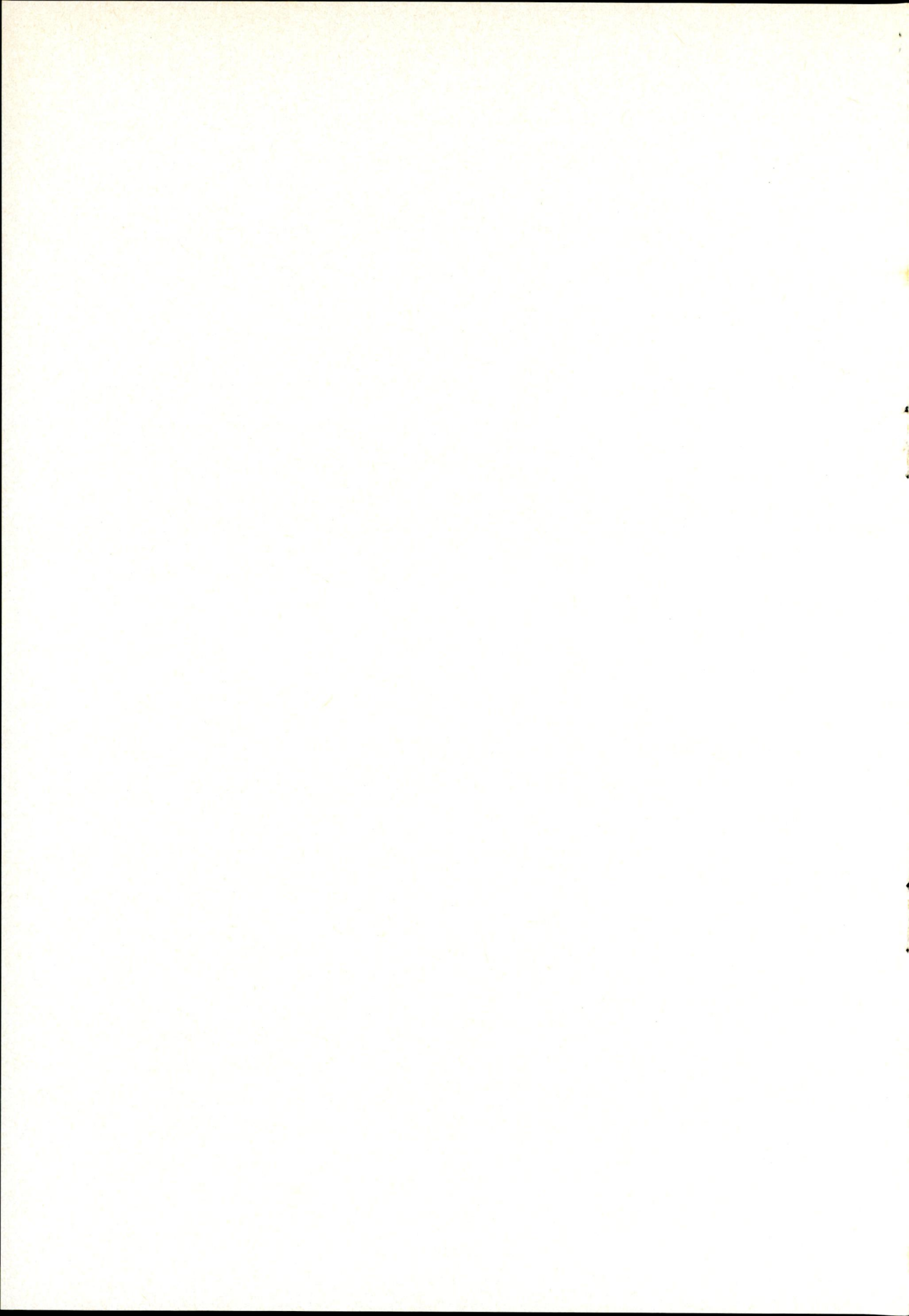
After section 11 (2), insert:—

- 10 (2A) The committee or executive body of any club claiming a rebate on commission pursuant to section 8AA shall deposit with the Minister, within 14 days after the day of the race-meeting to which the claim relates, a return containing such details, and in such form, as may from time to time be approved by the Minister.

15 (b) Section 11 (3)—

Omit “Each such return”, insert instead “The returns referred to in this section”.







**TOTALIZATOR (AMENDMENT) ACT, 1985, No. 29**

*New South Wales*



ANNO TRICESIMO QUARTO

**ELIZABETHÆ II REGINÆ**

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**Act No. 29, 1985.**

An Act to amend the Totalizator Act, 1916, to provide for a rebate to be given in relation to certain amounts of commission payable under that Act by racing clubs. [Assented to, 22nd April, 1985.]

*Totalizator (Amendment) 1985*

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**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, 1985".

**Commencement.**

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

**Amendment of Act No. 75, 1916.**

3. The Totalizator Act, 1916, is amended in the manner set forth in Schedule 1.

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**SCHEDULE 1.**

(Sec. 3.)

**AMENDMENTS TO THE TOTALIZATOR ACT, 1916.**

- (1) Section 8AA—

After section 8A, insert:—

**Rebate.**

8AA. (1) A racing club having in relation to a race-meeting a race-meeting turnover not exceeding \$34,500 is entitled to a rebate in respect of the total commission payable by the club in relation to the race-meeting.

- (2) The amount of the rebate shall be—

- (a) where the race-meeting turnover does not exceed \$10,000—an amount equal to so much of the total commission as does not exceed \$500; or

*Totalizator (Amendment) 1985*SCHEDULE 1—*continued.*AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.*

- (b) where the race-meeting turnover exceeds \$10,000 but does not exceed \$34,500—\$500 less \$10 for each \$500 or part thereof by which the turnover exceeds \$10,000.
- (3) The total amount of commission required to be paid by a racing club in relation to a race-meeting is reduced by the amount of the rebate to which the club is entitled.
- (4) For the purposes of section 8B, where 2 or more amounts of commission are required to be paid in relation to a race-meeting, each amount of commission shall be deemed to be reduced by so much of the relevant rebate (any fraction of a cent being disregarded) as bears to the rebate the same proportion as the amount of commission bears to the sum of the amounts of commission.
- (5) In this section—

“commission” means an amount of commission payable under section 8 or 8A by a racing club to the Minister in respect of money paid into a totalizator on the day of a race-meeting, but does not include an amount of commission payable in respect of money derived from bets made through the agency of the Totalizator Agency Board;

“race-meeting” means a race-meeting held by one racing club on one racecourse on or after the date of commencement of the Totalizator (Amendment) Act, 1985;

“race-meeting turnover”, in relation to a racing club, means the total amount of money (other than any sums refundable to investors or transferable to another type of totalizator, in accordance with the regulations and the rules) paid into all totalizators used by the club on the day of the race-meeting concerned, and includes any money derived from bets made under section 3B (1) with the club at another racecourse, but does not include—

*Totalizator (Amendment) 1985*

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE TOTALIZATOR ACT, 1916—*continued.*

- (a) any money paid into a totalizator by another racing club pursuant to section 3B (2); or
- (b) any money derived from bets made through the agency of the Totalizator Agency Board.

(2) (a) Section 11 (2A)—

After section 11 (2), insert:—

(2A) The committee or executive body of any club claiming a rebate on commission pursuant to section 8AA shall deposit with the Minister, within 14 days after the day of the race-meeting to which the claim relates, a return containing such details, and in such form, as may from time to time be approved by the Minister.

(b) Section 11 (3)—

Omit "Each such return", insert instead "The returns referred to in this section".

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

J. A. ROWLAND,  
*Governor.*

*Government House,  
Sydney, 22nd April, 1985.*