

FIRST PRINT

TOTALIZATOR (OFF-COURSE BETTING) AMENDMENT BILL 1986

NEW SOUTH WALES



EXPLANATORY NOTE

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

The object of this Bill is to amend the Totalizator (Off-course Betting) Act 1964 to provide for the use of facilities of banks, building societies and other financial institutions for the electronic transfer of funds used for betting purposes.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the provisions of the proposed Act will, with minor exceptions, commence on a day to be appointed by the Governor-in-Council.

Clause 3 is a formal provision which gives effect to the Schedule of amendments.

Schedule 1 (1) inserts interpretation provisions to define the expressions "bank", "building society" and "financial institution" for the purposes of the Principal Act.

Schedule 1 (2) enables the Totalizator Agency Board to accept payment for a bet made at an office, branch or agency of the Board by the electronic transfer of the amount of the bet from an account with a financial institution (being an account established by the person making the bet) to an account established by the Board with a financial institution (proposed section 17 (2) (a) (iii)).

Schedule 1 (3) enables a person other than the Board to utilise the facilities provided (whether or not at the Board's premises) by a financial institution for the electronic transfer of funds to transfer funds between an account established with the Board and an account established with that financial institution. The use of the Board's premises for any such purpose will require the approval of the Minister. Provision is also made for acknowledgment of the transaction by the Board or the financial institution (proposed section 19A).

Schedule 1 (4) provides for the making of regulations with respect to bets made with the Board and paid for by the electronic transfer of funds (proposed section 21 (1) (f)).

TOTALIZATOR (OFF-COURSE BETTING) AMENDMENT BILL 1986

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Act No. 1, 1964

**SCHEDULE 1—AMENDMENTS TO THE TOTALIZATOR (OFF-COURSE
BETTING) ACT 1964**

**TOTALIZATOR (OFF-COURSE BETTING) AMENDMENT
BILL 1986**

NEW SOUTH WALES



No. , 1986

A BILL FOR

An Act to amend the Totalizator (Off-course Betting) Act 1964 to provide for the electronic transfer of funds used for betting purposes.

Totalizator (Off-course Betting) Amendment 1986

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 (Off-course Betting) Amendment Act 1986".

Commencement

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

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

Amendment of Act No. 1, 1964

15 3. The Totalizator (Off-course Betting) Act 1964 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 3)

20 **AMENDMENTS TO THE TOTALIZATOR (OFF-COURSE BETTING)
ACT 1964**

(1) Section 2 (**Interpretation**)—

(a) Definition of "Bank"—

After the definition of "Agency", insert:

25 "Bank" means a bank within the meaning of the Banking Act 1959 of the Commonwealth, as amended and in force for the time being, or a bank constituted by a law of a State or of the Commonwealth.

Totalizator (Off-course Betting) Amendment 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE TOTALIZATOR (OFF-COURSE BETTING)
ACT 1964—*continued*

(b) Definition of “Building society”—

After the definition of “Board”, insert:

5 “Building society” means a corporation or other body registered
 or incorporated as a building society, permanent building
 society, co-operative housing society or similar society under
 a law in force in a State or Territory.

(c) Definition of “financial institution”—

After the definition of “Doubles totalizator”, insert:

“Financial institution” means—

- 10 (a) a bank;
- (b) a building society; or
- (c) a corporation or other body prescribed for the purposes
 of this definition.

15 (2) Section 17 (**Provisions relating to offices, branches and agencies of the
Board**)—

(a) Section 17 (2) (a) (i)—

Omit “or” where secondly occurring.

(b) Section 17 (2) (a) (ii), (iii)—

At the end of section 17 (2) (a) (ii), insert:

- 20 ; or
- (iii) at an office, branch or agency of the Board by the
 electronic transfer of the amount of the bet from an
 account established by the person making the bet with a
25 financial institution to an account established by the Board
 with a financial institution,

Totalizator (Off-course Betting) Amendment 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE TOTALIZATOR (OFF-COURSE BETTING)
ACT 1964—*continued*

(3) Section 19A—

After section 19, insert:

Use of electronic funds transfer terminals

5 19A. (1) A person may use a terminal provided by a financial institution for the electronic transfer of funds to transfer funds (whether by way of deposit or withdrawal) between an account established by that person with the Board and an account established by that person with a financial institution.

10 (2) An acknowledgment of a transfer under this section shall, at the time the transaction is completed, be issued or be caused to be issued by the Board or, on behalf of the Board, by the financial institution whose terminal is used to effect the transfer.

15 (3) Nothing in this Act prevents the use, with the consent of the Minister, of a terminal situated at an office, branch or agency of the Board for the purpose of effecting a transfer under this section.

(4) Section 21 (**Regulations**)—

(a) Section 21 (1) (d)—

Omit “and”.

20 (b) Section 21 (1) (e), (f)—

After section 21 (1) (e), insert:

; and

(f) the regulation of bets made with the Board by the electronic transfer of funds.

TOTALIZATOR (OFF-COURSE BETTING) AMENDMENT ACT 1986 No. 171

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Act No. 1, 1964

SCHEDULE 1—AMENDMENTS TO THE TOTALIZATOR (OFF-COURSE
BETTING) ACT 1964

TOTALIZATOR (OFF-COURSE BETTING) AMENDMENT ACT 1986
No. 171

NEW SOUTH WALES



Act No. 171, 1986

An Act to amend the Totalizator (Off-course Betting) Act 1964 to provide for the electronic transfer of funds used for betting purposes. [Assented to 17 December 1986]

Totalizator (Off-course Betting) Amendment 1986

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 (Off-course Betting) Amendment Act 1986".

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 and notified by proclamation published in the Gazette.

Amendment of Act No. 1, 1964

3. The Totalizator (Off-course Betting) Act 1964 is amended in the manner set forth in Schedule 1.

SCHEDULE 1

(Sec. 3)

**AMENDMENTS TO THE TOTALIZATOR (OFF-COURSE BETTING)
ACT 1964**

(1) Section 2 (**Interpretation**)—

(a) Definition of "Bank"—

After the definition of "Agency", insert:

"Bank" means a bank within the meaning of the Banking Act 1959 of the Commonwealth, as amended and in force for the time being, or a bank constituted by a law of a State or of the Commonwealth.

Totalizator (Off-course Betting) Amendment 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE TOTALIZATOR (OFF-COURSE BETTING)
ACT 1964—*continued*

(b) Definition of “Building society”—

After the definition of “Board”, insert:

“Building society” means a corporation or other body registered or incorporated as a building society, permanent building society, co-operative housing society or similar society under a law in force in a State or Territory.

(c) Definition of “financial institution”—

After the definition of “Doubles totalizator”, insert:

“Financial institution” means—

- (a) a bank;
- (b) a building society; or
- (c) a corporation or other body prescribed for the purposes of this definition.

(2) Section 17 (**Provisions relating to offices, branches and agencies of the Board**)—

(a) Section 17 (2) (a) (i)—

Omit “or” where secondly occurring.

(b) Section 17 (2) (a) (ii), (iii)—

At the end of section 17 (2) (a) (ii), insert:

; or

- (iii) at an office, branch or agency of the Board by the electronic transfer of the amount of the bet from an account established by the person making the bet with a financial institution to an account established by the Board with a financial institution,

Totalizator (Off-course Betting) Amendment 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE TOTALIZATOR (OFF-COURSE BETTING)
ACT 1964—*continued*

(3) Section 19A—

After section 19, insert:

Use of electronic funds transfer terminals

19A. (1) A person may use a terminal provided by a financial institution for the electronic transfer of funds to transfer funds (whether by way of deposit or withdrawal) between an account established by that person with the Board and an account established by that person with a financial institution.

(2) An acknowledgment of a transfer under this section shall, at the time the transaction is completed, be issued or be caused to be issued by the Board or, on behalf of the Board, by the financial institution whose terminal is used to effect the transfer.

(3) Nothing in this Act prevents the use, with the consent of the Minister, of a terminal situated at an office, branch or agency of the Board for the purpose of effecting a transfer under this section.

(4) Section 21 (**Regulations**)—

(a) Section 21 (1) (d)—

Omit “and”.

(b) Section 21 (1) (e), (f)—

After section 21 (1) (e), insert:

; and

Totalizator (Off-course Betting) Amendment 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE TOTALIZATOR (OFF-COURSE BETTING)
ACT 1964—*continued*

- (f) the regulation of bets made with the Board by the electronic transfer of funds.

