

**TOTALIZATOR LEGISLATION (AMENDMENT) BILL, 1992**

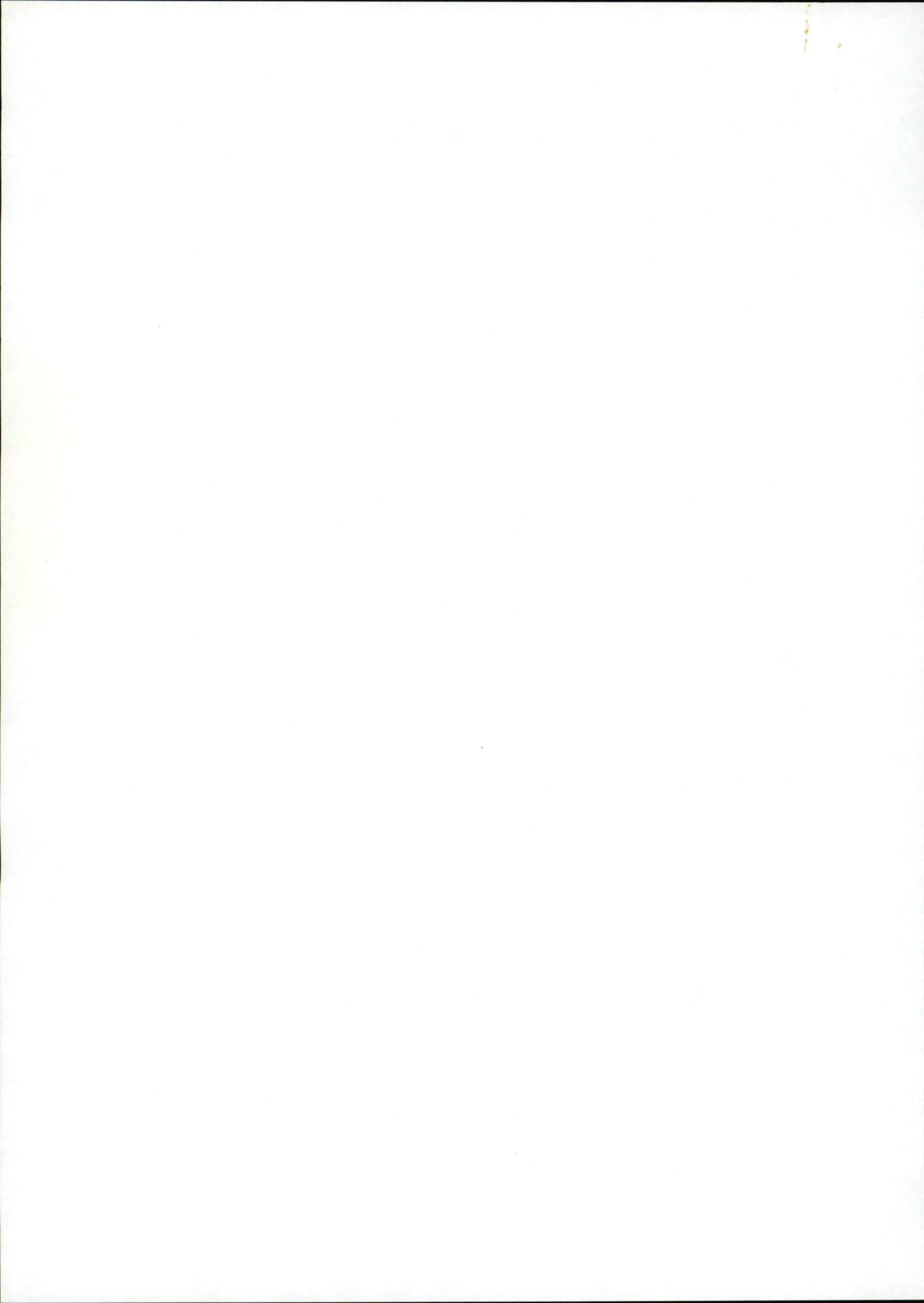
**SECOND READING SPEECH - LEGISLATIVE COUNCIL**

MR. PRESIDENT,

I MOVE THAT THIS BILL BE NOW READ A SECOND TIME.

THE MAIN PURPOSE OF THE BILL IS TO AMEND THE TOTALIZATOR ACT, 1916 AND THE TOTALIZATOR (OFF-COURSE BETTING) ACT, 1964 TO REDUCE THE RATE OF COMMISSION DEDUCTED FROM WIN AND PLACE TOTALIZATORS, AND TO COMPENSATE FOR THAT REDUCTION BY INCREASING THE RATES APPLICABLE TO DOUBLES AND EXACTA TOTALIZATORS AND BY DIVERTING FUNDS FROM THE RACECOURSE DEVELOPMENT FUND TO THE CONSOLIDATED FUND.

AS HONOURABLE MEMBERS WOULD BE AWARE, DURING THE RECENT SPECIAL SITTING OF PARLIAMENT, LEGISLATION WAS ENACTED WHICH INCREASED THE RATES OF COMMISSION ON WIN, PLACE AND QUINELLA TOTALIZATORS FROM 2ND JULY, 1992 FOR THE PURPOSE OF GENERATING ADDITIONAL REVENUE TO COMPENSATE FOR THE CUT IN THIS STATE'S SHARE OF COMMONWEALTH TAX RECEIPTS.

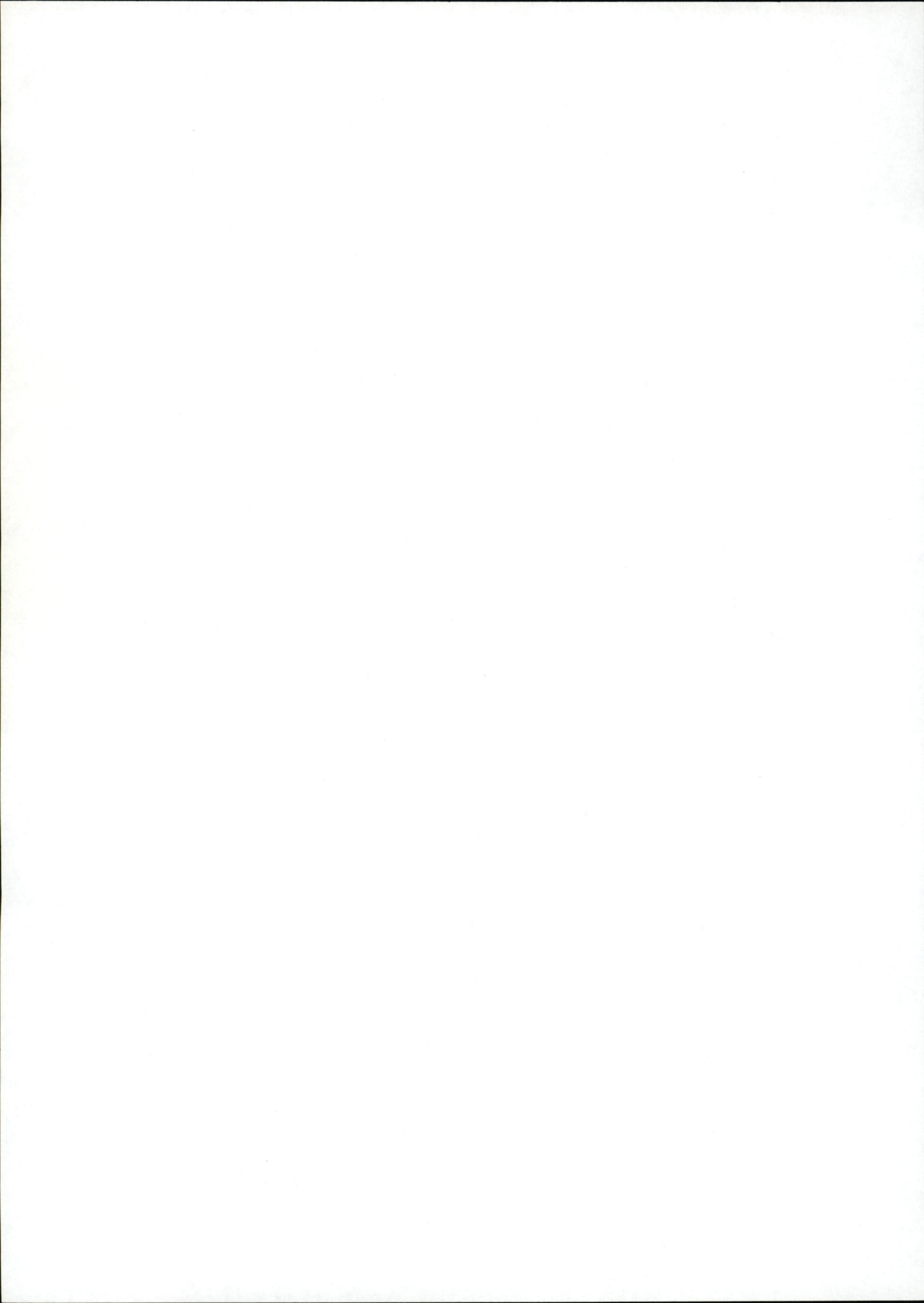


THIS INCREASE IN TOTALIZATOR COMMISSION WAS ONE OF A NUMBER OF MEASURES UNDERTAKEN BY THE GOVERNMENT TO OFFSET THE LOSS OF REVENUE.

ALTHOUGH THESE MEASURES HAVE GENERATED SIGNIFICANT ADDITIONAL REVENUE FOR THE STATE, THERE HAS BEEN A CORRESPONDING DOWNTURN IN THE LEVEL OF INVESTMENTS ON TOTALIZATORS, BOTH ON AND OFF-COURSE.

THIS DOWNTURN IN INVESTMENTS HAS RESULTED IN A NEGATIVE EFFECT ON THE FINANCES OF THE RACING INDUSTRY AND HAS ALSO REDUCED THE ANTICIPATED REVENUE RETURN TO THE GOVERNMENT.

THOUGH THE GOVERNMENT IS MINDFUL OF THE CONCERNS OF THE RACING INDUSTRY IN REGARD TO THIS ISSUE, THERE IS STILL A NEED TO MAXIMISE GOVERNMENT REVENUE FROM BETTING ACTIVITIES. TO THIS END THE PREMIER AND THE MINISTER FOR SPORT, RECREATION AND RACING RECENTLY MET WITH REPRESENTATIVES OF THE MAJOR RACE CLUBS AND INVITED RECOMMENDATIONS AS TO ANY ALTERNATIVES THEY MAY HAVE HAD TO THE CURRENT METHODS OF GENERATING REVENUE OR TO THE MANNER IN WHICH EXISTING REVENUES ARE SHARED BETWEEN THE GOVERNMENT AND THE INDUSTRY.

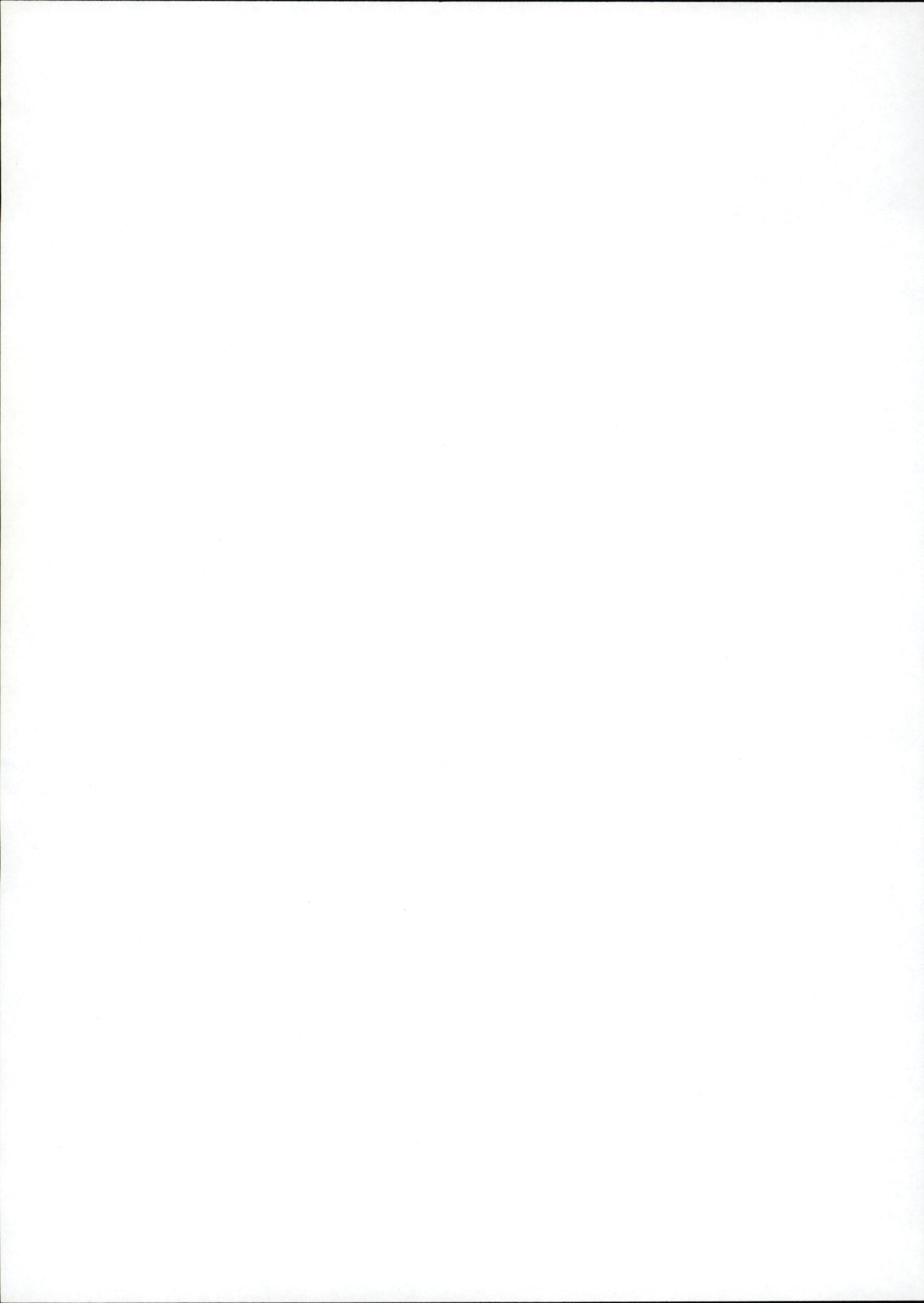


AS A RESULT OF THIS MEETING AND SUBSEQUENT NEGOTIATIONS WITH THE CLUBS, AGREEMENT WAS REACHED ON THE CONTENTS OF A PACKAGE OF OPTIONS IN LIEU OF THE PREVIOUS 1% INCREASE ON WIN, PLACE AND QUINELLA BETTING.

THIS PACKAGE PUT FORWARD BY THE INDUSTRY COMPRISES A 1% INCREASE IN DOUBLES COMMISSION, A 2% INCREASE IN EXACTA COMMISSION, AND THE RETENTION OF THE PREVIOUS 1% INCREASE IN QUINELLA COMMISSION.

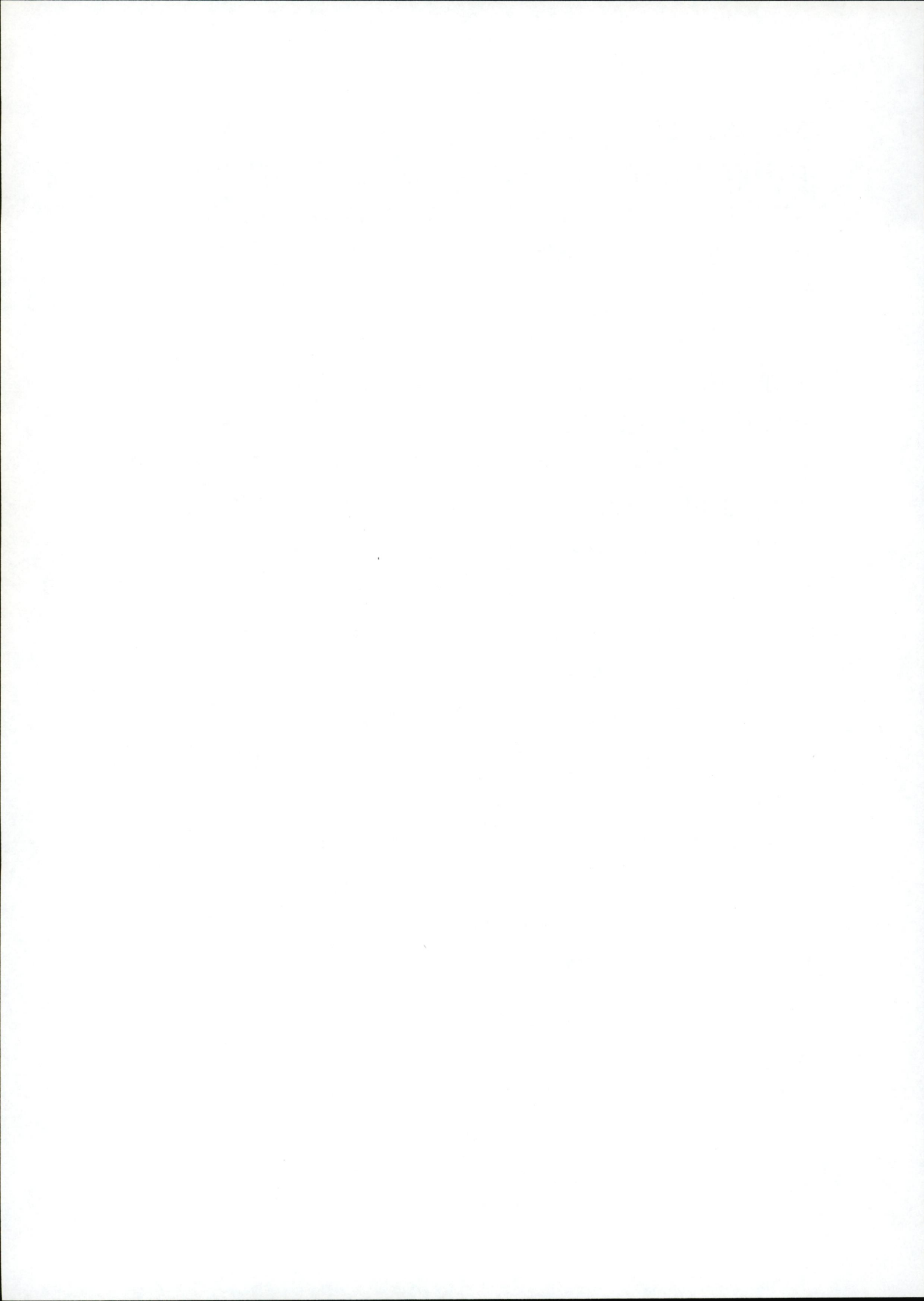
IN ADDITION FOR THE NEXT 5 YEARS THAT PART OF THE COMMISSION CURRENTLY PAID INTO THE RACECOURSE DEVELOPMENT FUND FROM DOUBLES AND TRIFECTA BETS (0.5%) IS TO BE DIVERTED TO THE CONSOLIDATED FUND.

INCLUDED IN THE CLUBS' PACKAGE WAS A PROPOSAL TO RETURN THE RATE OF COMMISSION ON WIN AND PLACE TOTALIZATOR BETS TO ITS PREVIOUS LEVEL OF 14%, HOWEVER, IT WAS A PREREQUISITE OF GOVERNMENT THAT ANY CHANGES BE REVENUE NEUTRAL, AND ACCORDINGLY THE RATE ON THOSE BETS HAS BEEN REDUCED TO 14.25% TO WHICH THE CLUBS HAVE AGREED, ALBEIT SOMEWHAT RELUCTANTLY.



THIS ACTION WILL RESULT IN NSW RETAINING ITS COMPETITIVE EDGE, WITH THE RANGE OF TOTALIZATOR COMMISSION RATES EQUAL TO OR LESS THAN THOSE CHARGED IN OTHER STATES AND TERRITORIES.

WITH REGARD TO THE RACECOURSE DEVELOPMENT FUND, THE INDUSTRY HAS AGREED THAT FOR THE NEXT 5 YEARS CAPITAL DEVELOPMENT CAN BE CURTAILED AND THAT THE 0.5% COMMISSION ON DOUBLES AND TRIFECTA BETS CURRENTLY PAID INTO THE FUND CAN NOW BE DIVERTED INTO THE CONSOLIDATED FUND. THE FUND WILL CONTINUE TO OPERATE DURING THIS PERIOD, BUT WILL BE FINANCED ONLY BY A PERCENTAGE OF THE ANNUAL TAB SURPLUS. IN THIS RESPECT IT IS ASSURED THAT CURRENT COMMITMENTS AND FORESEEN CONTINGENCIES CAN BE MET FROM THE STILL SIGNIFICANT AMOUNTS TOTALLING \$23 - \$24 MILLION PER ANNUM WHICH WILL BE AVAILABLE FOR DISTRIBUTION THROUGH THE RACECOURSE DEVELOPMENT FUND.





IN CONCLUSION HONOURABLE MEMBERS ARE REMINDED THAT THE MEASURES CONTAINED IN THIS BILL SHOULD ENSURE THAT THERE IS NOT A NEGATIVE IMPACT ON GOVERNMENT REVENUE WHILST AT THE SAME TIME MINIMISING ANY DETRIMENTAL EFFECTS ON THE RACING INDUSTRY, WHICH ITSELF HAS SUPPORTED THESE CHANGES AS BEING FAIRER THAN AND PREFERABLE TO EARLIER ARRANGEMENTS.

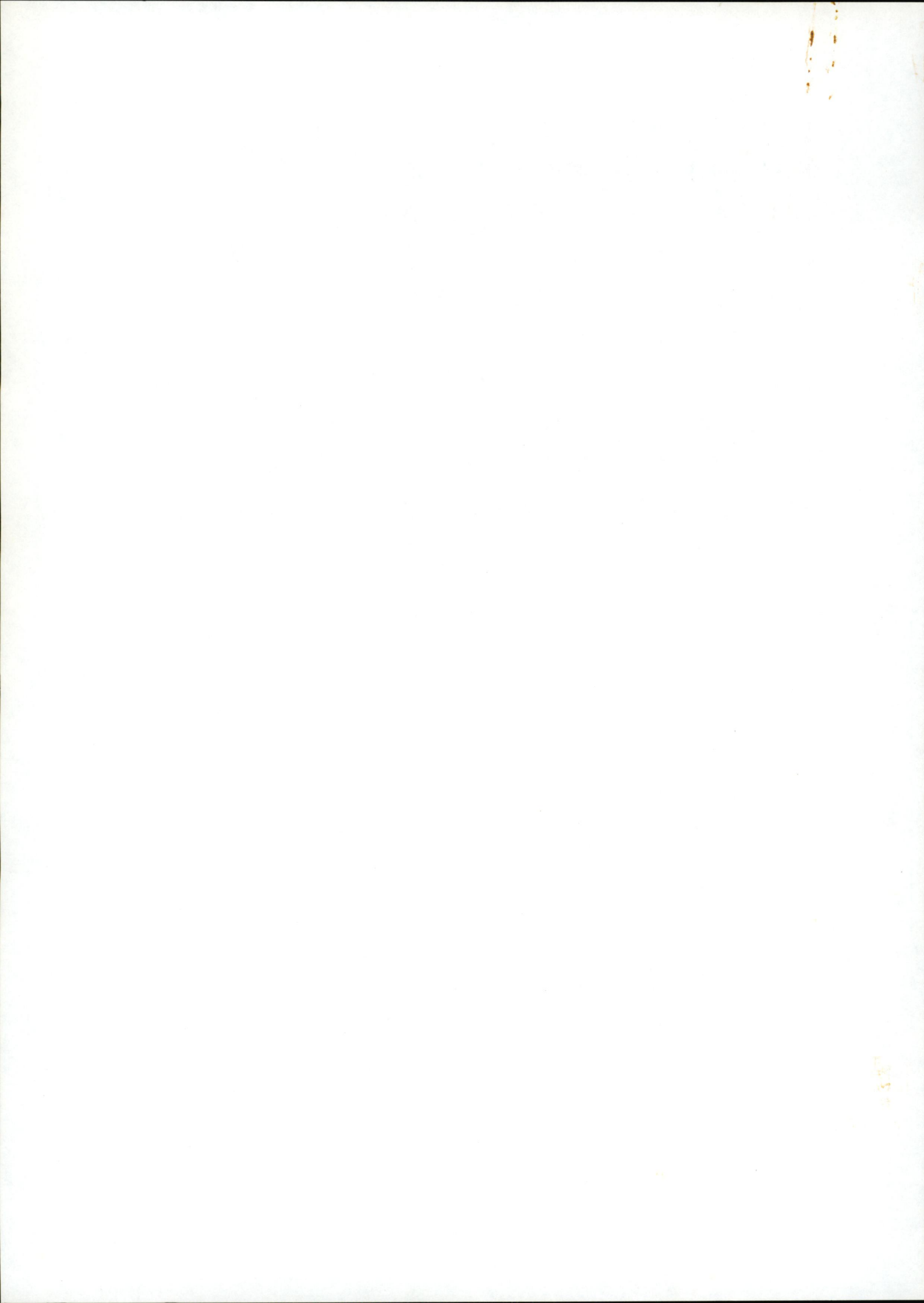
IT IS PROPOSED THAT THE REDUCTION IN THE WIN AND PLACE TOTALIZATOR RATES TAKE EFFECT AS AT 1ST SEPTEMBER, 1992 WHILST THE CHANGES TO DOUBLES AND EXACTA COMMISSION TAKE EFFECT UPON ENACTMENT OF THIS LEGISLATION. IN ADDITION, THE AMENDMENT AS IT APPLIES TO COMMISSION PAYABLE TO THE RACECOURSE DEVELOPMENT FUND WILL BE FOR THE FULL YEAR COMMENCING ON 1ST JULY, 1992.

THE INDUSTRY HAS BEEN VERY CONSTRUCTIVE IN THE NEGOTIATIONS THAT HAVE TAKEN PLACE IN RESPECT OF THE PROPOSED CHANGES. THOUGH THE INDUSTRY WOULD LIKE TO RETAIN THE BEST ARRANGEMENT POSSIBLE, IT ALSO RECOGNISES THE DIRE STATE OF THE ECONOMY AND OF REVENUE.



REPRESENTATIVES OF THE RACING INDUSTRY HAVE MET WITH THE PREMIER, THE MINISTER AND WITH OFFICIALS FROM THE DEPARTMENT OF SPORT, RECREATION AND RACING IN A MATURE, SENSIBLE AND CONSTRUCTIVE WAY, AND WHICH BROUGHT ABOUT AN OUTCOME THAT BOTH SIDES CAN LIVE WITH. IT IS BELIEVED THAT THE RACING INDUSTRY WILL NOW HAVE RESTORED TO IT THE INTEREST IN BETTING THROUGH THE TAB WHICH IT SEEMED TO BE LOSING AS A RESULT OF THE NEW MEASURES INTRODUCED FROM THE MIDDLE OF THIS YEAR.

I COMMEND THE BILL TO THE HOUSE.



FIRST PRINT

## TOTALIZATOR LEGISLATION (AMENDMENT) BILL 1992

NEW SOUTH WALES



### 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, the Totalizator (Off-course Betting) Act 1964 and the Win and Place Totalizator Rules 1964 so as:

- (a) to vary the rates of commission payable under those Acts;
- (b) to make provision of a minor, consequential or ancillary nature; and
- (c) to effect minor statute law revision.

The opportunity has been taken to rewrite the provisions that are the subject of the proposed substantive amendments so as to make those provisions easier to understand.

The effects of the substantive amendments proposed to be made by this Bill are:

- (a) to reduce the rate of commission payable on a win and place totalizator from 15% to 14.25%, the whole of the reduction being borne by the Government; and
- (b) to increase the rate of commission payable on a doubles totalizator from 16% to 17%, the whole of the increase being credited to the Consolidated Fund; and
- (c) to increase the rate of commission payable on an exacta totalizator from 15% to 17%, the whole of the increase being credited to the Consolidated Fund; and
- (d) to provide that the commission that is currently paid into the Racecourse Development Fund be paid instead into the Consolidated Fund for totalizators conducted in respect of events and contingencies occurring between 1 July 1992 and 30 June 1997.

The reduction of commission payable on win and place totalizators is to be taken to have had effect from 1 September 1992.

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Clause 1 specifies the short title to the proposed Act.

Clause 2 provides that the proposed Act is to commence on the date of assent.

Clause 3 gives effect to the Schedule of amendments to the Totalizator Act 1916.

*Totalizator Legislation (Amendment) 1992*

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Clause 4 gives effect to the Schedule of amendments to the Totalizator (Off-course Betting) Act 1964.

Clause 5 amends the Win and Place Totalizator Rules 1964 so as to give effect to the objects of the proposed Act with respect to those Rules.

Schedule 1 amends the Totalizator Act 1916 so as to give effect to the objects of the proposed Act with respect to that Act.

With regard to totalizators conducted at Sydney metropolitan racecourses:

- (a) proposed section 8B provides for deductions totalling 17% for doubles totalizators compared with the current deductions totalling 16% effected by the existing section 8 (4); and
- (b) proposed section 8C provides for deductions totalling 17% for exacta totalizators compared with the current deductions totalling 15% effected by the existing section 8 (3); and
- (c) proposed section 8D provides for deductions totalling 15% for quinella totalizators compared with the current deductions totalling 15% effected by the existing section 8 (3); and
- (d) proposed section 8E provides for deductions totalling 20% for superfecta totalizators compared with the current deductions totalling 20% effected by the existing section 8 (6); and
- (e) proposed section 8F provides for deductions totalling 17% for multiple selection totalizators compared with the current deductions totalling 17% effected by the existing section 8 (5); and
- (f) proposed section 8G provides for deductions totalling 14.25% for all other totalizators compared with the current deductions totalling 15% effected by the existing section 8 (3).

With regard to totalizators conducted at country racecourses:

- (a) proposed section 9B provides for deductions totalling 17% for doubles totalizators compared with the current deductions totalling 16% effected by the existing section 8A (4); and
- (b) proposed section 9C provides for deductions totalling 17% for exacta totalizators compared with the current deductions totalling 15% effected by the existing section 8A (3); and
- (c) proposed section 9D provides for deductions totalling 15% for quinella totalizators compared with the current deductions totalling 15% effected by the existing section 8A (3); and
- (d) proposed section 9E provides for deductions totalling 20% for superfecta totalizators compared with the current deductions totalling 20% effected by the existing section 8 (6); and
- (e) proposed section 9F provides for deductions totalling 17% for multiple selection totalizators compared with the current deductions totalling 17% effected by the existing section 8A (5); and
- (f) proposed section 9G provides for deductions totalling 14.25% for all other totalizators compared with the current deductions totalling 15% effected by the existing section 8A (3).

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Clause 2 of proposed Schedule 1 provides for the payment into the Consolidated Fund, for the five year period beginning 1 July 1992, of money that would otherwise be paid into the Racecourse Development Fund.

Clause 3 of proposed Schedule 1 provides that proposed section 5 (Amendment of Win and Place Totalizator Rules 1964) and the replacement of the existing sections 8 (3) and 8A (3) by proposed sections 8G and 9G (with respect to win and place totalizators only) are taken to have commenced on 1 September 1992.

Clause 4 of proposed Schedule 1 provides for the construction of references in other Acts and instruments to provisions that are to be renumbered by the proposed Act.

Schedule 2 amends the Totalizator (Off-course Betting) Act 1964 so as to give effect to the objects of the proposed Act with respect to that Act.

With regard to totalizators conducted at all racecourses:

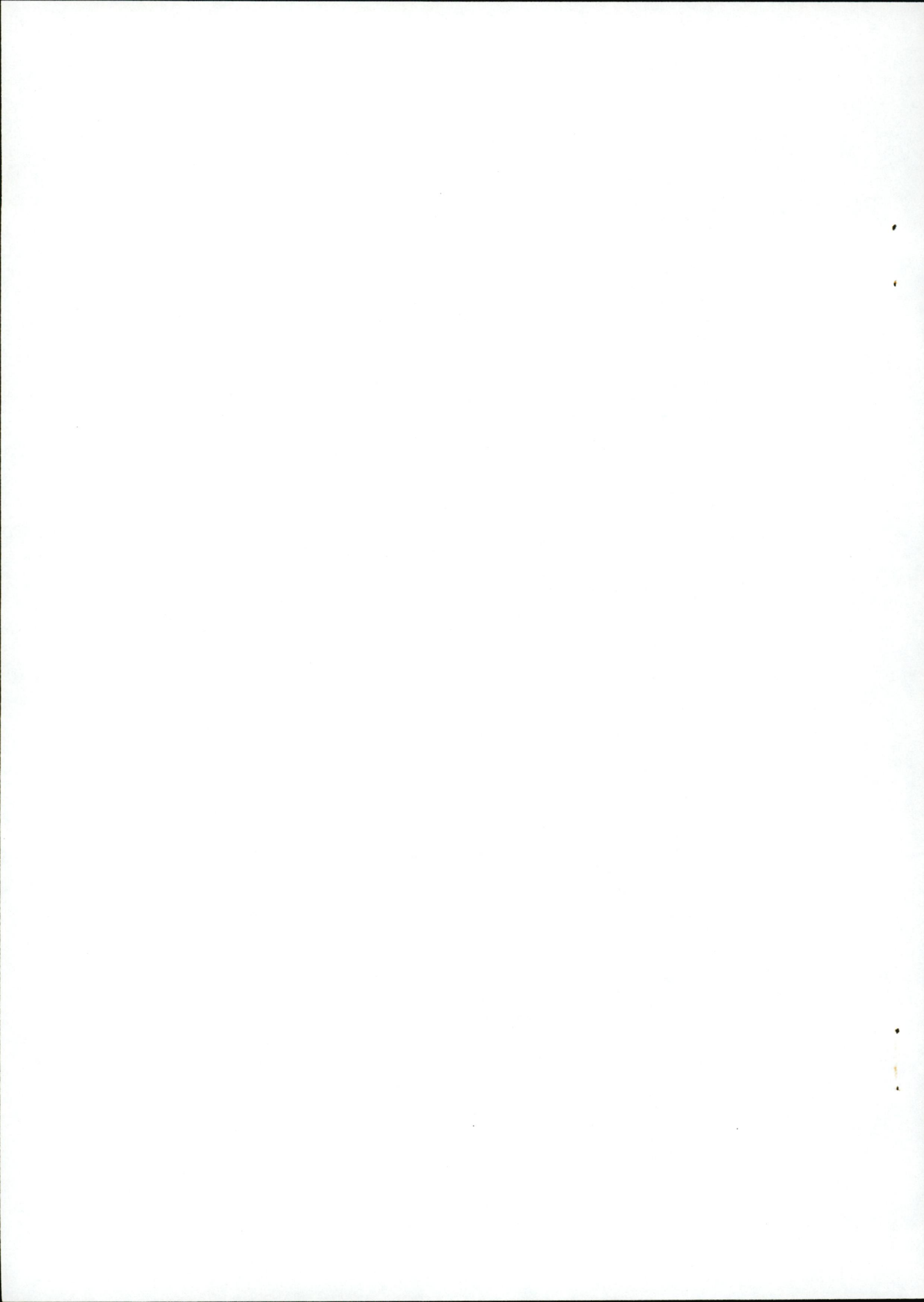
- (a) proposed section 13B provides for deductions totalling 17% for doubles totalizators compared with the current deductions totalling 16% effected by the existing section 13A (3); and
- (b) proposed section 13C provides for deductions totalling 17% for exacta totalizators compared with the current deductions totalling 15% effected by the existing section 13A (2); and
- (c) proposed section 13D provides for deductions totalling 15% for quinella totalizators compared with the current deductions totalling 15% effected by the existing section 13A (2); and
- (d) proposed section 13E provides for deductions totalling 20% for superfecta totalizators compared with the current deductions totalling 20% effected by the existing section 13A (5); and
- (e) proposed section 13F provides for deductions totalling 17% for multiple selection totalizators compared with the current deductions totalling 17% effected by the existing section 13A (4); and
- (f) proposed section 13G provides for deductions totalling 14.25% for all other totalizators compared with the current deductions totalling 15% effected by the existing section 13A (2).

Clause 2 of proposed Schedule 1 provides for the payment into the Consolidated Fund, for the five year period beginning 1 July 1992, of money that would otherwise be paid into the Racecourse Development Fund.

Clause 3 of proposed Schedule 1 provides that the replacement of the existing section 13A (2) by proposed section 13G (with respect to win and place totalizators only) is taken to have commenced on 1 September 1992.

Clause 4 of proposed Schedule 1 provides for the construction of references in other Acts and instruments to provisions that are to be renumbered by the proposed Act.

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FIRST PRINT

**TOTALIZATOR LEGISLATION (AMENDMENT) BILL 1992**

NEW SOUTH WALES



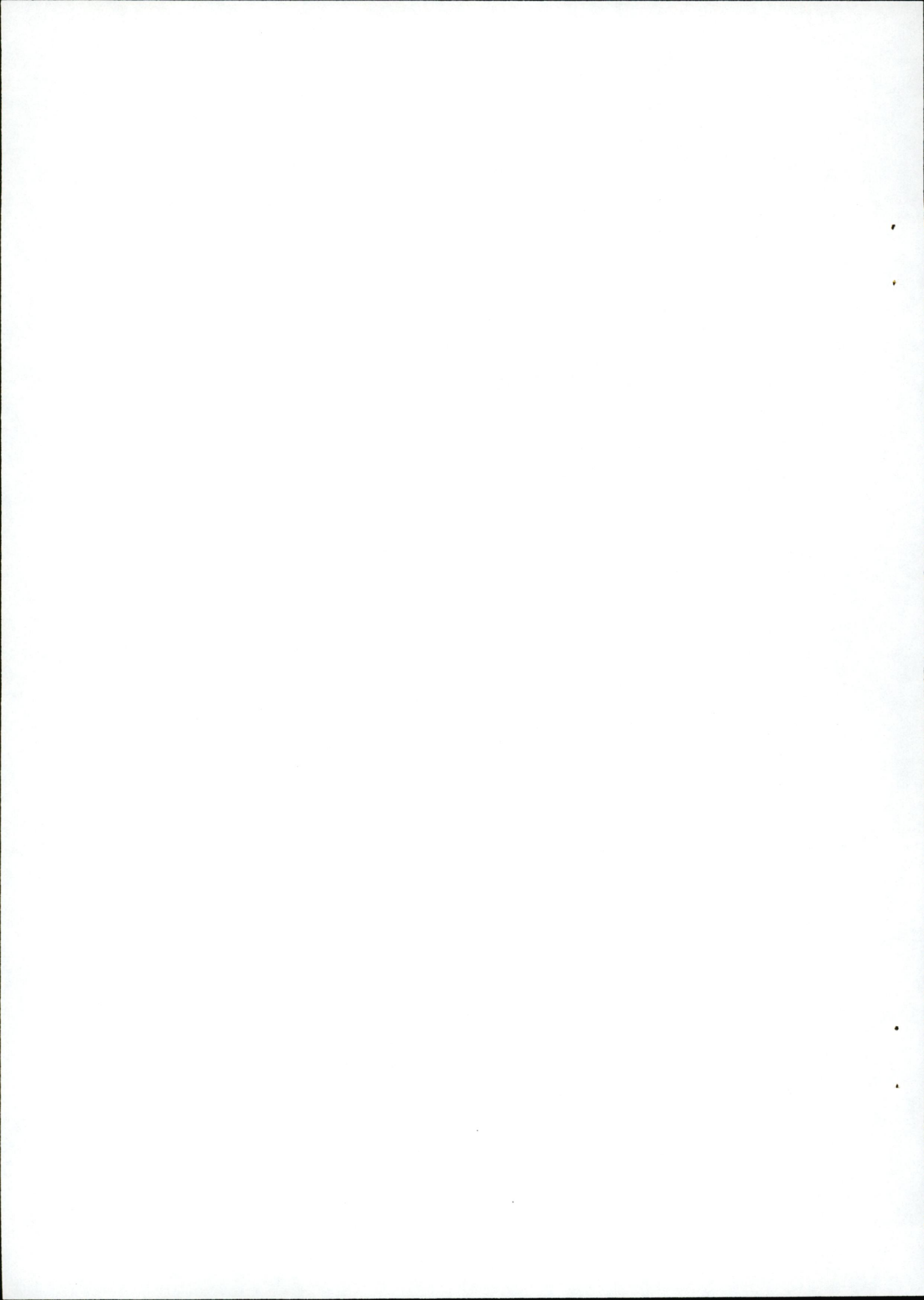
**TABLE OF PROVISIONS**

1. Short title
2. Commencement
3. Amendment of Totalizator Act 1916 No. 75
4. Amendment of Totalizator (Off-course Betting) Act 1964 No. 1
5. Amendment of Win and Place Totalizator Rules 1964

SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916

SCHEDULE 2—AMENDMENT OF TOTALIZATOR (OFF-COURSE BETTING)  
ACT 1964

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**TOTALIZATOR LEGISLATION (AMENDMENT) BILL 1992**

NEW SOUTH WALES



No.           , 1992

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**A BILL FOR**

An Act to amend the Totalizator Act 1916 and the Totalizator (Off-course Betting) Act 1964 with respect to the payment of commission under those Acts; and for other purposes.

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*Totalizator Legislation (Amendment) 1992*

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**The Legislature of New South Wales enacts:**

**Short title**

1. This Act may be cited as the Totalizator Legislation (Amendment) Act 1992.

**5 Commencement**

2. This Act commences on the date of assent.

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

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

**10 Amendment of Totalizator (Off-course Betting) Act 1964 No. 1**

4. The Totalizator (Off-course Betting) Act 1964 is amended in the manner set out in Schedule 2.

**Amendment of Win and Place Totalizator Rules 1964**

15 5. (1) The Win and Place Totalizator Rules 1964 are amended by omitting from Rules 16A and 16B the words "fifteen eighty-fifths" wherever occurring and by inserting instead the words "fifty-seven three hundred and forty-thirds".

(2) The amendments made by this Act to the Win and Place Totalizator Rules 1964 do not affect the future amendment or repeal of those Rules.

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**20 SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916**

(Sec. 3)

(1) Section 2 (**Definitions**):

Omit the definition of "Multiple selection totalizator", insert, in alphabetical order, the following definitions:

25 "Country racecourse" means a racecourse that is not a metropolitan racecourse.

"Exacta totalizator" means an exacta totalizator as defined in the rules.

30 "Metropolitan racecourse" means a racecourse referred to in section 8.

*Totalizator Legislation (Amendment) 1992*

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

“**Multiple selection totalizator**” means a totalizator that provides for an investor to select a combination of 2 or more contestants in an event or a combination of events, but does not include: 5

- (a) a doubles totalizator; or
- (b) an exacta totalizator; or
- (c) a quinella totalizator; or
- (d) a superfecta totalizator. 10

“**Quinella totalizator**” means a quinella totalizator as defined in the rules.

(2) **Section 3B (Common-pool totalizator betting):**

From section 3B (5), omit “sections 8, 8A, 9C (10), 10 and 11”, insert instead “Divisions 1 and 2 of Part 3 and sections 10H (10) and 11”. 15

(3) **Part 3, Division 1, heading:**

After the heading to Part 3, insert:

**Division 1—Distribution of investments on metropolitan  
racecourse totalizators** 20

(4) **Section 8:**

Omit the section, insert instead:

**Application of Division**

8. This Division applies to every totalizator established and used under this Act: 25

- (a) at the Randwick Racecourse, the Canterbury Racecourse, the Rosehill Racecourse or the Warwick Farm Racecourse; or
- (b) at the Wentworth Park Racecourse or the Harold Park Paceway; or 30
- (c) at any other racecourse specified by the regulations as being a racecourse to which this Division applies.

**Distribution of investments generally**

8A. A racing club which, under this Act, uses a totalizator to which this Division applies: 35

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- 5 (a) must deduct from the total money paid into the totalizator in respect of any event or contingency any sums refundable to investors, or transferable to another type of totalizator, in accordance with the regulations and the rules; and
- 10 (b) on the happening of that event or contingency, must distribute the balance in accordance with the provisions of this Division.

**Doubles totalizators**

8B. In the case of a doubles totalizator:

- 15 (a) of the balance referred to in section 8A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d) or (e):
- (i) 10.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
- 20 (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
- (iii) 6 per cent may be retained as commission by the club; and
- 25 (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:
- (i) 9 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
- 30 (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
- (iii) 7.5 per cent must be paid as commission to the Board; and
- 35 (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a country racecourse:
- (i) 7.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
- 40 and

*Totalizator Legislation (Amendment) 1992*

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

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| (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and  | 5  |
| (iii) 9 per cent may be retained as commission by the club; and  |    |
| (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse:                    | 10 |
| (i) 10.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and           |    |
| (ii) 0.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and | 15 |
| (iii) 6 per cent must be paid as commission to that other club; and  | 20 |
| (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a country racecourse:                         |    |
| (i) 7.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and            | 25 |
| (ii) 0.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and | 30 |
| (iii) 9 per cent must be paid as commission to that other club; and  |    |
| (f) the remainder of that balance must be paid as dividends.   | 35 |

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

**Exacta totalizators**

- 8C. In the case of an exacta totalizator:
- 5 (a) of the balance referred to in section 8A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d) or (e):
- 10 (i) 11 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
- (ii) 6 per cent may be retained as commission by the club; and
- 15 (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:
- (i) 9.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
- 20 (ii) 7.5 per cent must be paid as commission to the Board; and
- (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a country racecourse:
- 25 (i) 8 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
- (ii) 9 per cent may be retained as commission by the club; and
- 30 (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse:
- (i) 11 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
- 35 (ii) 6 per cent must be paid as commission to that other club; and



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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

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| (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a country racecourse:                   | 5  |
| (i) 8 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and        |    |
| (ii) 9 per cent must be paid as commission to that other club; and   | 10 |
| (f) the remainder of that balance must be paid as dividends.   |    |
| <b>Quinella totalizators</b>   |    |
| 8D. In the case of a quinella totalizator:   | 15 |
| (a) of the balance referred to in section 8A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d) or (e): |    |
| (i) 9 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and   | 20 |
| (ii) 6 per cent may be retained as commission by the club; and   |    |
| (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:                                  | 25 |
| (i) 7.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and   |    |
| (ii) 7.5 per cent must be paid as commission to the Board; and   | 30 |
| (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a country racecourse:                              |    |
| (i) 6 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and   | 35 |
| (ii) 9 per cent may be retained as commission by the club; and   |    |

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- 5 (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse:
- (i) 9 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
- 10 (ii) 6 per cent must be paid as commission to that other club; and
- (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a country racecourse:
- 15 (i) 6 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
- (ii) 9 per cent must be paid as commission to that other club; and
- 20 (f) the remainder of that balance must be paid as dividends.

**Superfecta totalizators**

- 8E. In the case of a superfecta totalizator:
- 25 (a) of the balance referred to in section 8A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b) or (c):
- (i) 5.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
- 30 (ii) 4.5 per cent must be paid as commission to the Minister to be credited to the Racing Assistance Fund; and
- (iii) 10 per cent may be retained as commission by the club; and
- 35 (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:

*Totalizator Legislation (Amendment) 1992*

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

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| (i) 5.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and  | 5  |
| (ii) 6 per cent must be paid as commission to the Minister to be credited to the Racing Assistance Fund; and  |    |
| (iii) 8.5 per cent must be paid as commission to the Board; and   | 10 |
| (c) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan or country racecourse:    |    |
| (i) 5.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and       | 15 |
| (ii) 4.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racing Assistance Fund; and | 20 |
| (iii) 10 per cent must be paid as commission to that other club; and  |    |
| (d) the remainder of that balance must be paid as dividends.  | 25 |
| <b>Multiple selection totalizators</b>  |    |
| 8F. In the case of a multiple selection totalizator:  |    |
| (a) of the balance referred to in section 8A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d) or (e):  | 30 |
| (i) 9.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and  |    |
| (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and   | 35 |
| (iii) 7 per cent may be retained as commission by the club; and   |    |

*Totalizator Legislation (Amendment) 1992*

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- 5 (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:
- (i) 8 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - 10 (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 8.5 per cent must be paid as commission to the Board; and
- 15 (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a country racecourse:
- (i) 6.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - 20 (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 10 per cent may be retained as commission by the club; and
- 25 (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse:
- (i) 9.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - 30 (ii) 0.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and
  - 35 (iii) 7 per cent must be paid as commission to that other club; and

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a country racecourse: 5
- (i) 6.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
- (ii) 0.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and 10
- (iii) 10 per cent must be paid as commission to that other club; and 15
- (f) the remainder of that balance must be paid as dividends.

**Win and place and other totalizators**

8G. In the case of any other totalizator:

- (a) of the balance referred to in section 8A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d) or (e): 20
- (i) 8.25 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and 25
- (ii) 6 per cent may be retained as commission by the club; and
- (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board: 30
- (i) 6.75 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
- (ii) 7.5 per cent must be paid as commission to the Board; and 35
- (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a country racecourse:

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- 5 (i) 5.25 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
- (ii) 9 per cent may be retained as commission by the club; and
- 10 (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse:
- (i) 8.25 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
- 15 (ii) 6 per cent must be paid as commission to that other club; and
- (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a country racecourse:
- 20 (i) 5.25 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
- 25 (ii) 9 per cent must be paid as commission to that other club; and
- (f) the remainder of that balance must be paid as dividends.
- (5) Part 3, Division 2, heading:  
After section 8G (as inserted by item (4)), insert:
- 30 **Division 2—Distribution of investments on country racecourse totalizators**
- (6) Section 8A:  
Omit the section, insert instead:
- 35 **Application of Division**  
9. This Division applies to every totalizator established and used under this Act at a country racecourse.

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

**Distribution of investments generally**

9A. A racing club which, under this Act, uses a totalizator to which this Division applies: 5

- (a) must deduct from the total money paid into the totalizator in respect of any event or contingency any sums refundable to investors, or transferable to another type of totalizator, in accordance with the regulations and the rules; and 10
- (b) on the happening of that event or contingency, must distribute the balance in accordance with the provisions of this Division.

**Doubles totalizators**

9B. In the case of a doubles totalizator: 15

- (a) of the balance referred to in section 9A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d), (e) or (f):
  - (i) 7.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and 20
  - (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 9 per cent may be retained as commission by the club; and 25
- (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:
  - (i) 9 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and 30
  - (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and 35
  - (iii) 7.5 per cent must be paid as commission to the Board; and

*Totalizator Legislation (Amendment) 1992*SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- 5 (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a metropolitan racecourse:
- (i) 10.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - 10 (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 6 per cent may be retained as commission by the club; and
- 15 (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a country racecourse:
- (i) 7.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - 20 (ii) 0.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and
  - 25 (iii) 9 per cent must be paid as commission to that other club; and
- 30 (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (a):
- (i) 7.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - 35 (ii) 0.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and
  - 40 (iii) 3 per cent must be paid as commission to that other club for its own use; and



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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

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|---|----|
| (iv) 6 per cent may be retained as commission by the club on whose totalizator the bets were placed; and  | 5  |
| (f) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (b) or (c): |    |
| (i) 10.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and                            | 10 |
| (ii) 0.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and                  | 15 |
| (iii) 6 per cent must be paid as commission to that other club for its own use; and   |    |
| (g) the remainder of that balance must be paid as dividends.  | 20 |
| <b>Exacta totalizators</b>  |    |
| 9C. In the case of an exacta totalizator:   |    |
| (a) of the balance referred to in section 9A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d), (e) or (f):                   | 25 |
| (i) 8 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and  |    |
| (ii) 9 per cent may be retained as commission by the club; and  | 30 |
| (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:   |    |
| (i) 9.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and  | 35 |
| (ii) 7.5 per cent must be paid as commission to the Board; and  |    |

*Totalizator Legislation (Amendment) 1992*SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- 5 (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a metropolitan racecourse:
- (i) 11 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - 10 (ii) 6 per cent may be retained as commission by the club; and
- (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a country racecourse:
- 15 (i) 8 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 9 per cent must be paid as commission to that other club; and
- 20 (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (a):
- 25 (i) 8 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 3 per cent must be paid as commission to that other club for its own use; and
  - 30 (iii) 6 per cent may be retained as commission by the club on whose totalizator the bets were placed; and
- 35 (f) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (b) or (c):
- 40 (i) 11 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (ii) 6 per cent must be paid as commission to that other club for its own use; and
- (g) the remainder of that balance must be paid as dividends. 5

**Quinella totalizators**

9D. In the case of a quinella totalizator:

- (a) of the balance referred to in section 9A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d), (e) or (f): 10
  - (i) 6 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 9 per cent may be retained as commission by the club; and 15
- (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board: 20
  - (i) 7.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 7.5 per cent must be paid as commission to the Board; and
- (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a metropolitan racecourse: 25
  - (i) 9 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and 30
  - (ii) 6 per cent may be retained as commission by the club; and
- (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a country racecourse: 35
  - (i) 6 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (ii) 9 per cent must be paid as commission to that other club; and
- 5 (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (a):
- 10 (i) 6 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
- (ii) 3 per cent must be paid as commission to that other club for its own use; and
- 15 (iii) 6 per cent may be retained as commission by the club on whose totalizator the bets were placed; and
- (f) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (b) or (c):
- 20 (i) 9 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
- 25 (ii) 6 per cent must be paid as commission to that other club for its own use; and
- (g) the remainder of that balance must be paid as dividends.
- 30 **Superfecta totalizators**
- 9E. In the case of a superfecta totalizator:
- (a) of the balance referred to in section 9A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b) or (c):
- 35 (i) 5.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
- (ii) 4.5 per cent must be paid as commission to the Minister to be credited to the Racing Assistance Fund; and
- 40

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (iii) 10 per cent may be retained as commission by the club; and
  - (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board: 5
    - (i) 5.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and 10
    - (ii) 6 per cent must be paid as commission to the Minister to be credited to the Racing Assistance Fund; and
    - (iii) 8.5 per cent must be paid as commission to the Board; and 15
  - (c) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan or country racecourse:
    - (i) 5.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and 20
    - (ii) 4.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racing Assistance Fund; and 25
    - (iii) 10 per cent must be paid as commission to that other club; and
  - (d) the remainder of that balance must be paid as dividends. 30
- Multiple selection totalizators**
- 9F. In the case of a multiple selection totalizator:
- (a) of the balance referred to in section 9A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d), (e) or (f): 35
    - (i) 6.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and

*Totalizator Legislation (Amendment) 1992*SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- 5 (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
- (iii) 10 per cent may be retained as commission by the club; and
- 10 (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:
- (i) 8 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
- 15 (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
- (iii) 8.5 per cent must be paid as commission to the Board; and
- 20 (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a metropolitan racecourse:
- (i) 9.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
- 25 (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
- (iii) 7 per cent may be retained as commission by the club; and
- 30 (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a country racecourse:
- (i) 6.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
- 35 (ii) 0.5 per cent must be paid to that other club to be paid by that other club as commission to the Minister to be credited to the Racecourse Development Fund; and
- 40

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

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|---|----|
| (iii) 10 per cent must be paid as commission to that other club; and  | 5  |
| (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (a):        | 5  |
| (i) 6.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and                             | 10 |
| (ii) 0.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and                  | 15 |
| (iii) 3 per cent must be paid as commission to that other club for its own use; and   |    |
| (iv) 7 per cent may be retained as commission by the club on whose totalizator the bets were placed; and  | 20 |
| (f) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (b) or (c): | 25 |
| (i) 9.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and                             |    |
| (ii) 0.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and                  | 30 |
| (iii) 7 per cent must be paid as commission to that other club for its own use; and   | 35 |
| (g) the remainder of that balance must be paid as dividends.  |    |

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

**Win and place and other totalizators**

9G. In the case of any other totalizator:

- 5 (a) of the balance referred to in section 9A (b), excluding  
any part of that balance which is derived from bets  
referred to in paragraph (b), (c), (d), (e) or (f):
- 10 (i) 5.25 per cent must be paid as commission to the  
Minister to be credited to the Consolidated Fund;  
and
- (ii) 9 per cent may be retained as commission by the  
club; and
- 15 (b) of that part (if any) of that balance which is derived  
from bets made through the agency of the Totalizator  
Agency Board:
- (i) 6.75 per cent must be paid as commission to the  
Minister to be credited to the Consolidated Fund;  
and
- 20 (ii) 7.5 per cent must be paid as commission to the  
Board; and
- (c) of that part (if any) of that balance which is derived  
from bets made under section 3B with the club at a  
metropolitan racecourse:
- 25 (i) 8.25 per cent must be paid as commission to the  
Minister to be credited to the Consolidated Fund;  
and
- (ii) 6 per cent may be retained as commission by the  
club; and
- 30 (d) of that part (if any) of that balance which is derived  
from bets made under section 3B with another racing  
club at a country racecourse:
- (i) 5.25 per cent must be paid to that other club to  
be paid as commission by that other club to the  
Minister to be credited to the Consolidated Fund;  
and
- 35 (ii) 9 per cent must be paid as commission to that  
other club; and



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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (a): 5
- (i) 5.25 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and 10
- (ii) 3 per cent must be paid as commission to that other club for its own use; and
- (iii) 6 per cent may be retained as commission by the club on whose totalizator the bets were placed; and 15
- (f) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (b) or (c):
- (i) 8.25 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and 20
- (ii) 6 per cent must be paid as commission to that other club for its own use; and 25
- (g) the remainder of that balance must be paid as dividends.
- (7) Part 3, heading:  
After section 9G (as inserted by item (6)), insert:  
**Division 3—Miscellaneous** 30
- (8) Renumber sections 8AA, 8B, 8C, 8D, 9, 9A, 9B and 9C as sections 10A, 10B, 10C, 10D, 10E, 10F, 10G and 10H, respectively.
- (9) Section 8AA (Rebate):
- (a) From section 8AA (4), omit “section 8B”, insert instead “section 10B”. 35
- (b) From the definition of “commission” in section 8AA (5), omit “section 8 or 8A”, insert instead “Division 1 or 2”.

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- 5 (10) Section 8B (**Payments to the Minister**):  
From section 8B (1), omit “section 8 or 8A”, insert instead  
“Division 1 or 2”.
- (11) Section 8D (**Payment to another club**):  
From section 8D (1), omit “under section 8, 8A or 9C (10)”,  
insert instead “under Division 1 or 2 or under section 10H  
(10)”.
- 10 (12) Section 9A (**Dividends Adjustment Fund**):  
From section 9A (5), omit “sections 8, 8A and 9C”, insert  
instead “Divisions 1 and 2 and section 10H”.
- (13) Section 10A (**Entitlements to unclaimed dividends and  
refunds**):  
15 From existing section 10A (1) and (2), omit “section 9 (3) or  
10 (5)” wherever occurring, insert instead “section 10E (3)”.
- (14) Renumber existing section 10A as section 10I and relocate it after  
section 10H (as renumbered by item (8)).
- (15) Section 11 (**Returns**):  
20 From section 11 (2A), omit “section 8AA”, insert instead  
“section 10A”.
- (16) Section 19B (**Racing Assistance Fund**):  
25 (a) From section 19B (2), omit “sections 8 (6) and 10 (4B)”,  
insert instead “sections 8E and 9E”.  
(b) From section 19B (2), omit “section 13A (5)”, insert instead  
“section 13E”.  
(c) From section 19B (4), omit “section 8”, insert instead  
“Division 1 of Part 3”.  
30 (d) From section 19B (4), omit “section 8A”, insert instead  
“Division 2 of Part 3”.
- (17) Section 22:  
After section 21, insert:  
**Savings, transitional and other provisions**  
22. Schedule 1 has effect.

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

(18) Schedule 1:

At the end of the Act, insert:

**SCHEDULE 1—SAVINGS, TRANSITIONAL AND OTHER  
PROVISIONS** 5

(Sec. 22)

**Part 1—Preliminary**

**Regulations**

1. (1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of the following Acts: 10  
**Totalizator Legislation (Amendment) Act 1992**

(2) Any such provision may, if the regulations so provide, take effect from the date of assent to the Act concerned or from a later date.

(3) To the extent to which any such provision takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as: 15

(a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication; or 20

(b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted before the date of its publication.

**Part 2—Provisions consequent on the enactment of the Totalizator  
Legislation (Amendment) Act 1992** 25

**Payments to the Consolidated Fund**

2. Any money:

(a) that is paid into a totalizator in respect of an event or contingency occurring on or after 1 July 1992 and before 1 July 1997; and

(b) that, but for this clause, would be required by this Act to be paid as commission to the Minister to be credited to the Racecourse Development Fund, 30

is instead to be paid as commission to the Minister to be credited to the Consolidated Fund and any adjustments to those Funds that are required to be made as a consequence of this clause are to be made accordingly. 35

**Operation of certain amendments (win and place totalizators) from 1 September 1992**

3. (1) Section 5 of the Totalizator Legislation (Amendment) Act 1992 is taken to have commenced on 1 September 1992.

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

5           (2) The provisions of Schedule 1 (4) and (6) to the Totalizator  
Legislation (Amendment) Act 1992 are taken to have commenced on 1  
September 1992 to the extent to which they omit sections 8 (3) and 8A  
(3) of the Totalizator Act 1916 (with respect only to win and place  
totalizators) and insert sections 8G and 9G into that Act.

10           (3) The reference in clause 4 to the date of assent to the Totalizator  
Legislation (Amendment) Act 1992 is taken to be a reference to 1  
September 1992 for the purposes of this clause.

**Construction of certain references**

15           4. A reference in any Act or instrument to a provision of this Act (as  
in force immediately before the date of assent to the Totalizator  
Legislation (Amendment) Act 1992) extends to the corresponding  
provision of this Act, as amended by that Act.

**SCHEDULE 2—AMENDMENT OF TOTALIZATOR  
(OFF-COURSE BETTING) ACT 1964**

(Sec. 4)

20           (1) Part 1, heading:

Before section 1, insert:

**PART 1—PRELIMINARY**

(2) Section 2 (**Definitions**):

Omit the definition of “Multiple selection totalizator”, insert,  
in alphabetical order, the following definitions:

25           “**Exacta totalizator**” has the meaning given to that  
expression by section 2 of the Totalizator Act 1916.

            “**Multiple selection totalizator**” has the meaning given  
to that expression by section 2 of the Totalizator Act  
1916.

30           “**Quinella totalizator**” has the meaning given to that  
expression by section 2 of the Totalizator Act 1916.

(3) Part 2, heading:

After section 2, insert:

**PART 2—THE TOTALIZATOR AGENCY BOARD**

*Totalizator Legislation (Amendment) 1992*

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SCHEDULE 2—AMENDMENT OF TOTALIZATOR (OFF-COURSE  
BETTING) ACT 1964—*continued*

- (4) Part 3, headings:  
 After section 11, insert:  
     **PART 3—OFF-COURSE BETTING** 5  
     **Division 1—Conduct of off-course totalizators**
- (5) Section 12B (Sweepstakes on the Melbourne Cup and other events):  
 From section 12B (3) (c), omit “section 13B”, insert instead “section 13H”. 10
- (6) Part 3, Division 2, heading:  
 After section 13, insert:  
     **Division 2—Distribution of investments**
- (7) Section 13A: 15  
 Omit the section, insert instead:  
     **Distribution of money invested in totalizators conducted by the Board**  
     13A. If any money is placed in a totalizator conducted by the Board in respect of any event or contingency in accordance with section 12 (3), the Board: 20  
     (a) must deduct from that money any sums refundable to investors, or transferable to another type of totalizator, in accordance with the regulations and with the rules made under the Totalizator Act 1916 so far as they are applicable to the Board; and 25  
     (b) on the happening of that event or contingency, must distribute the balance in accordance with the provisions of this Division.
- Doubles totalizators**  
     13B. In the case of a doubles totalizator, of the balance referred to in section 13A (b): 30  
     (a) 9 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and  
     (b) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and 35

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SCHEDULE 2—AMENDMENT OF TOTALIZATOR (OFF-COURSE BETTING) ACT 1964—*continued*

(c) 7.5 per cent may be retained as commission by the Board; and

5 (d) the remainder must be paid as dividends.

**Exacta totalizators**

13C. In the case of an exacta totalizator, of the balance referred to in section 13A (b):

10 (a) 9.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and

(b) 7.5 per cent may be retained as commission by the Board; and

(c) the remainder must be paid as dividends.

**Quinella totalizators**

15 13D. In the case of a quinella totalizator, of the balance referred to in section 13A (b):

(a) 7.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and

20 (b) 7.5 per cent may be retained as commission by the Board; and

(c) the remainder must be paid as dividends.

**Superfecta totalizators**

13E. In the case of a superfecta totalizator, of the balance referred to in section 13A (b):

25 (a) 5.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and

(b) 6 per cent must be paid as commission to the Minister to be credited to the Racing Assistance Fund; and

30 (c) 8.5 per cent may be retained as commission by the Board; and

(d) the remainder must be paid as dividends.

**Multiple selection totalizators**

13F. In the case of a multiple selection totalizator, of the balance referred to in section 13A (b):

35 (a) 8 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and

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SCHEDULE 2—AMENDMENT OF TOTALIZATOR (OFF-COURSE  
BETTING) ACT 1964—*continued*

- (b) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and 5
- (c) 8.5 per cent may be retained as commission by the Board; and
- (d) the remainder must be paid as dividends.
- Win and place and other totalizators**
- 13G. In the case of any other kind of totalizator, of the balance referred to in section 13A (b): 10
- (a) 6.75 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
- (b) 7.5 per cent may be retained as commission by the Board; and 15
- (c) the remainder must be paid as dividends.
- (8) Section 13B:  
Renumber existing section 13B as section 13H.
- (9) Part 3, Division 3, heading:  
Before section 14, insert: 20
- Division 3—Miscellaneous**
- (10) Section 14 (**Application of Totalizator Act 1916 to payments by and to the Board**):
- (a) From section 14 (1), omit “Sections 8B, 9, 9B, 9C and 11”, insert instead “Sections 10B, 10E, 10G, 10H and 11”. 25
- (b) From section 14 (2), omit “sections 8B, 9, 9B, 9C”, insert instead “sections 10B, 10E, 10G, 10H”.
- (c) From section 14 (2A), omit “sections 8B, 9, 9B”, insert instead “sections 10B, 10E, 10G”.
- (d) From section 14 (2A) (c), omit “section 13B”, insert instead “section 13H”. 30
- (e) From section 14 (3), omit “sections 8 and 8A”, insert instead “Divisions 1 and 2 of Part 3”.
- (f) From section 14 (3), omit “section 13A or 13B”, insert instead “Division 2”. 35

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SCHEDULE 2—AMENDMENT OF TOTALIZATOR (OFF-COURSE  
BETTING) ACT 1964—*continued*

(11) Part 4, heading:

After section 14, insert:

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**PART 4—GENERAL**

(12) Section 23:

After section 22, insert:

**Savings, transitional and other provisions**

23. Schedule 1 has effect.

10 (13) Schedule 1:

At the end of the Act, insert:

**SCHEDULE 1—SAVINGS, TRANSITIONAL AND OTHER  
PROVISIONS**

(Sec. 23)

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**Part 1—Preliminary**

**Regulations**

1. (1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of the following Acts:

**Totalizator Legislation (Amendment) Act 1992**

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(2) Any such provision may, if the regulations so provide, take effect from the date of assent to the Act concerned or from a later date.

(3) To the extent to which any such provision takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:

25

(a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication; or

(b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted before the date of its publication.

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**Part 2—Provisions consequent on the enactment of the Totalizator  
Legislation (Amendment) Act 1992**

**Payments to the Consolidated Fund**

2. Any money:

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(a) that is paid into a totalizator in respect of an event or contingency occurring on or after 1 July 1992 and before 1 July 1997; and

(b) that, but for this clause, would be required by this Act to be paid as commission to the Minister to be credited to the Racecourse Development Fund,



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SCHEDULE 2—AMENDMENT OF TOTALIZATOR (OFF-COURSE  
BETTING) ACT 1964—*continued*

is instead to be paid as commission to the Minister to be credited to the Consolidated Fund and any adjustments to those Funds that are required to be made as a consequence of this clause are to be made accordingly. 5  
**Operation of certain amendments (win and place totalizators) from 1 September 1992**

3. (1) The provisions of Schedule 2 (7) to the Totalizator Legislation (Amendment) Act 1992 are taken to have commenced on 1 September 1992 to the extent to which they omit section 13A (2) of the Totalizator (Off-course Betting) Act 1964 (with respect only to win and place totalizators) and insert section 13G into that Act. 10

(2) The reference in clause 4 to the date of assent to the Totalizator Legislation (Amendment) Act 1992 is taken to be a reference to 1 September 1992 for the purposes of this clause. 15

**Construction of certain references**

4. A reference in any Act or instrument to a provision of this Act (as in force immediately before the date of assent to the Totalizator Legislation (Amendment) Act 1992) extends to the corresponding provision of this Act, as amended by that Act. 20

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**TOTALIZATOR LEGISLATION (AMENDMENT) ACT 1992**  
**No. 60**

**NEW SOUTH WALES**



**TABLE OF PROVISIONS**

1. Short title
2. Commencement
3. Amendment of Totalizator Act 1916 No. 75
4. Amendment of Totalizator (Off-course Betting) Act 1964 No. 1
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**SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916**

**SCHEDULE 2—AMENDMENT OF TOTALIZATOR (OFF-COURSE BETTING)**  
**ACT 1964**

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**TOTALIZATOR LEGISLATION (AMENDMENT) ACT 1992**  
**No. 60**

NEW SOUTH WALES



**Act No. 60, 1992**

An Act to amend the Totalizator Act 1916 and the Totalizator (Off-course Betting) Act 1964 with respect to the payment of commission under those Acts; and for other purposes. [Assented to 20 October 1992]

*Totalizator Legislation (Amendment) Act 1992 No. 60*

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**The Legislature of New South Wales enacts:**

**Short title**

1. This Act may be cited as the Totalizator Legislation (Amendment) Act 1992.

**Commencement**

2. This Act commences on the date of assent.

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

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

**Amendment of Totalizator (Off-course Betting) Act 1964 No. 1**

4. The Totalizator (Off-course Betting) Act 1964 is amended in the manner set out in Schedule 2.

**Amendment of Win and Place Totalizator Rules 1964**

5. (1) The Win and Place Totalizator Rules 1964 are amended by omitting from Rules 16A and 16B the words "fifteen eighty-fifths" wherever occurring and by inserting instead the words "fifty-seven three hundred and forty-thirds".

(2) The amendments made by this Act to the Win and Place Totalizator Rules 1964 do not affect the future amendment or repeal of those Rules.

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**SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916**

(Sec. 3)

(1) Section 2 (**Definitions**):

Omit the definition of "Multiple selection totalizator", insert, in alphabetical order, the following definitions:

"**Country racecourse**" means a racecourse that is not a metropolitan racecourse.

"**Exacta totalizator**" means an exacta totalizator as defined in the rules.

"**Metropolitan racecourse**" means a racecourse referred to in section 8.

*Totalizator Legislation (Amendment) Act 1992 No. 60*

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

“**Multiple selection totalizator**” means a totalizator that provides for an investor to select a combination of 2 or more contestants in an event or a combination of events, but does not include:

- (a) a doubles totalizator; or
- (b) an exacta totalizator; or
- (c) a quinella totalizator; or
- (d) a superfecta totalizator.

“**Quinella totalizator**” means a quinella totalizator as defined in the rules.

(2) Section 3B (**Common-pool totalizator betting**):

From section 3B (5), omit “sections 8, 8A, 9C (10), 10 and 11”, insert instead “Divisions 1 and 2 of Part 3 and sections 10H (10) and 11”.

(3) Part 3, Division 1, heading:

After the heading to Part 3, insert:

**Division 1—Distribution of investments on metropolitan racecourse totalizators**

(4) Section 8:

Omit the section, insert instead:

**Application of Division**

8. This Division applies to every totalizator established and used under this Act:

- (a) at the Randwick Racecourse, the Canterbury Racecourse, the Rosehill Racecourse or the Warwick Farm Racecourse; or
- (b) at the Wentworth Park Racecourse or the Harold Park Paceway; or
- (c) at any other racecourse specified by the regulations as being a racecourse to which this Division applies.

**Distribution of investments generally**

8A. A racing club which, under this Act, uses a totalizator to which this Division applies:

*Totalizator Legislation (Amendment) Act 1992 No. 60*

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (a) must deduct from the total money paid into the totalizator in respect of any event or contingency any sums refundable to investors, or transferable to another type of totalizator, in accordance with the regulations and the rules; and
- (b) on the happening of that event or contingency, must distribute the balance in accordance with the provisions of this Division.

**Doubles totalizators**

8B. In the case of a doubles totalizator:

- (a) of the balance referred to in section 8A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d) or (e):
  - (i) 10.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 6 per cent may be retained as commission by the club; and
- (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:
  - (i) 9 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 7.5 per cent must be paid as commission to the Board; and
- (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a country racecourse:
  - (i) 7.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and



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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 9 per cent may be retained as commission by the club; and
- (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse:
- (i) 10.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 6 per cent must be paid as commission to that other club; and
- (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a country racecourse:
- (i) 7.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 9 per cent must be paid as commission to that other club; and
- (f) the remainder of that balance must be paid as dividends.

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

**Exacta totalizators**

8C. In the case of an exacta totalizator:

- (a) of the balance referred to in section 8A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d) or (e):
  - (i) 11 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 6 per cent may be retained as commission by the club; and
- (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:
  - (i) 9.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 7.5 per cent must be paid as commission to the Board; and
- (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a country racecourse:
  - (i) 8 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 9 per cent may be retained as commission by the club; and
- (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse:
  - (i) 11 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 6 per cent must be paid as commission to that other club; and

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a country racecourse:
  - (i) 8 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 9 per cent must be paid as commission to that other club; and
- (f) the remainder of that balance must be paid as dividends.

**Quinella totalizators**

8D. In the case of a quinella totalizator:

- (a) of the balance referred to in section 8A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d) or (e):
  - (i) 9 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 6 per cent may be retained as commission by the club; and
- (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:
  - (i) 7.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 7.5 per cent must be paid as commission to the Board; and
- (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a country racecourse:
  - (i) 6 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 9 per cent may be retained as commission by the club; and

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse:
  - (i) 9 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 6 per cent must be paid as commission to that other club; and
- (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a country racecourse:
  - (i) 6 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 9 per cent must be paid as commission to that other club; and
- (f) the remainder of that balance must be paid as dividends.

**Superfecta totalizators**

- 8E. In the case of a superfecta totalizator:
- (a) of the balance referred to in section 8A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b) or (c):
    - (i) 5.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
    - (ii) 4.5 per cent must be paid as commission to the Minister to be credited to the Racing Assistance Fund; and
    - (iii) 10 per cent may be retained as commission by the club; and
  - (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (i) 5.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 6 per cent must be paid as commission to the Minister to be credited to the Racing Assistance Fund; and
  - (iii) 8.5 per cent must be paid as commission to the Board; and
- (c) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan or country racecourse:
- (i) 5.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 4.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racing Assistance Fund; and
  - (iii) 10 per cent must be paid as commission to that other club; and
- (d) the remainder of that balance must be paid as dividends.

**Multiple selection totalizators**

8F. In the case of a multiple selection totalizator:

- (a) of the balance referred to in section 8A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d) or (e):
  - (i) 9.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 7 per cent may be retained as commission by the club; and

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:
  - (i) 8 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 8.5 per cent must be paid as commission to the Board; and
- (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a country racecourse:
  - (i) 6.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 10 per cent may be retained as commission by the club; and
- (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse:
  - (i) 9.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 7 per cent must be paid as commission to that other club; and

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a country racecourse:
  - (i) 6.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 10 per cent must be paid as commission to that other club; and
- (f) the remainder of that balance must be paid as dividends.

**Win and place and other totalizators**

8G. In the case of any other totalizator:

- (a) of the balance referred to in section 8A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d) or (e):
  - (i) 8.25 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 6 per cent may be retained as commission by the club; and
- (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:
  - (i) 6.75 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 7.5 per cent must be paid as commission to the Board; and
- (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a country racecourse:

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (i) 5.25 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 9 per cent may be retained as commission by the club; and
  - (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse:
    - (i) 8.25 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
    - (ii) 6 per cent must be paid as commission to that other club; and
  - (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a country racecourse:
    - (i) 5.25 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
    - (ii) 9 per cent must be paid as commission to that other club; and
  - (f) the remainder of that balance must be paid as dividends.
- (5) Part 3, Division 2, heading:  
After section 8G (as inserted by item (4)), insert:  
**Division 2—Distribution of investments on country racecourse totalizators**
- (6) Section 8A:  
Omit the section, insert instead:  
**Application of Division**  
9. This Division applies to every totalizator established and used under this Act at a country racecourse.



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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

**Distribution of investments generally**

9A. A racing club which, under this Act, uses a totalizator to which this Division applies:

- (a) must deduct from the total money paid into the totalizator in respect of any event or contingency any sums refundable to investors, or transferable to another type of totalizator, in accordance with the regulations and the rules; and
- (b) on the happening of that event or contingency, must distribute the balance in accordance with the provisions of this Division.

**Doubles totalizators**

9B. In the case of a doubles totalizator:

- (a) of the balance referred to in section 9A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d), (e) or (f):
  - (i) 7.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 9 per cent may be retained as commission by the club; and
- (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:
  - (i) 9 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 7.5 per cent must be paid as commission to the Board; and

*Totalizator Legislation (Amendment) Act 1992 No. 60*

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a metropolitan racecourse:
- (i) 10.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 6 per cent may be retained as commission by the club; and
- (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a country racecourse:
- (i) 7.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 9 per cent must be paid as commission to that other club; and
- (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (a):
- (i) 7.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 3 per cent must be paid as commission to that other club for its own use; and

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (iv) 6 per cent may be retained as commission by the club on whose totalizator the bets were placed; and
- (f) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (b) or (c):
  - (i) 10.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 6 per cent must be paid as commission to that other club for its own use; and
- (g) the remainder of that balance must be paid as dividends.

**Exacta totalizators**

9C. In the case of an exacta totalizator:

- (a) of the balance referred to in section 9A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d), (e) or (f):
  - (i) 8 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 9 per cent may be retained as commission by the club; and
- (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:
  - (i) 9.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 7.5 per cent must be paid as commission to the Board; and

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a metropolitan racecourse:
  - (i) 11 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 6 per cent may be retained as commission by the club; and
- (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a country racecourse:
  - (i) 8 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 9 per cent must be paid as commission to that other club; and
- (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (a):
  - (i) 8 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 3 per cent must be paid as commission to that other club for its own use; and
  - (iii) 6 per cent may be retained as commission by the club on whose totalizator the bets were placed; and
- (f) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (b) or (c):
  - (i) 11 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (ii) 6 per cent must be paid as commission to that other club for its own use; and
- (g) the remainder of that balance must be paid as dividends.

**Quinella totalizators**

9D. In the case of a quinella totalizator:

- (a) of the balance referred to in section 9A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d), (e) or (f):
  - (i) 6 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 9 per cent may be retained as commission by the club; and
- (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:
  - (i) 7.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 7.5 per cent must be paid as commission to the Board; and
- (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a metropolitan racecourse:
  - (i) 9 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 6 per cent may be retained as commission by the club; and
- (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a country racecourse:
  - (i) 6 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (ii) 9 per cent must be paid as commission to that other club; and
- (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (a):
  - (i) 6 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 3 per cent must be paid as commission to that other club for its own use; and
  - (iii) 6 per cent may be retained as commission by the club on whose totalizator the bets were placed; and
- (f) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (b) or (c):
  - (i) 9 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 6 per cent must be paid as commission to that other club for its own use; and
- (g) the remainder of that balance must be paid as dividends.

**Superfecta totalizators**

9E. In the case of a superfecta totalizator:

- (a) of the balance referred to in section 9A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b) or (c):
  - (i) 5.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 4.5 per cent must be paid as commission to the Minister to be credited to the Racing Assistance Fund; and

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (iii) 10 per cent may be retained as commission by the club; and
- (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:
  - (i) 5.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 6 per cent must be paid as commission to the Minister to be credited to the Racing Assistance Fund; and
  - (iii) 8.5 per cent must be paid as commission to the Board; and
- (c) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan or country racecourse:
  - (i) 5.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 4.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racing Assistance Fund; and
  - (iii) 10 per cent must be paid as commission to that other club; and
- (d) the remainder of that balance must be paid as dividends.

**Multiple selection totalizators**

9F. In the case of a multiple selection totalizator:

- (a) of the balance referred to in section 9A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d), (e) or (f):
  - (i) 6.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 10 per cent may be retained as commission by the club; and
- (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:
- (i) 8 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 8.5 per cent must be paid as commission to the Board; and
- (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a metropolitan racecourse:
- (i) 9.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 7 per cent may be retained as commission by the club; and
- (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a country racecourse:
- (i) 6.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid to that other club to be paid by that other club as commission to the Minister to be credited to the Racecourse Development Fund; and



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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (iii) 10 per cent must be paid as commission to that other club; and
- (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (a):
  - (i) 6.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 3 per cent must be paid as commission to that other club for its own use; and
  - (iv) 7 per cent may be retained as commission by the club on whose totalizator the bets were placed; and
- (f) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (b) or (c):
  - (i) 9.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 0.5 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Racecourse Development Fund; and
  - (iii) 7 per cent must be paid as commission to that other club for its own use; and
- (g) the remainder of that balance must be paid as dividends.

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

**Win and place and other totalizators**

9G. In the case of any other totalizator:

- (a) of the balance referred to in section 9A (b), excluding any part of that balance which is derived from bets referred to in paragraph (b), (c), (d), (e) or (f):
  - (i) 5.25 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 9 per cent may be retained as commission by the club; and
- (b) of that part (if any) of that balance which is derived from bets made through the agency of the Totalizator Agency Board:
  - (i) 6.75 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 7.5 per cent must be paid as commission to the Board; and
- (c) of that part (if any) of that balance which is derived from bets made under section 3B with the club at a metropolitan racecourse:
  - (i) 8.25 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
  - (ii) 6 per cent may be retained as commission by the club; and
- (d) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a country racecourse:
  - (i) 5.25 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
  - (ii) 9 per cent must be paid as commission to that other club; and

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (e) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (a):
    - (i) 5.25 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
    - (ii) 3 per cent must be paid as commission to that other club for its own use; and
    - (iii) 6 per cent may be retained as commission by the club on whose totalizator the bets were placed; and
  - (f) of that part (if any) of that balance which is derived from bets made under section 3B with another racing club at a metropolitan racecourse referred to in section 8 (b) or (c):
    - (i) 8.25 per cent must be paid to that other club to be paid as commission by that other club to the Minister to be credited to the Consolidated Fund; and
    - (ii) 6 per cent must be paid as commission to that other club for its own use; and
  - (g) the remainder of that balance must be paid as dividends.
- (7) Part 3, heading:  
After section 9G (as inserted by item (6)), insert:  
**Division 3—Miscellaneous**
- (8) Renumber sections 8AA, 8B, 8C, 8D, 9, 9A, 9B and 9C as sections 10A, 10B, 10C, 10D, 10E, 10F, 10G and 10H, respectively.
- (9) Section 8AA (**Rebate**):
- (a) From section 8AA (4), omit “section 8B”, insert instead “section 10B”.
  - (b) From the definition of “commission” in section 8AA (5), omit “section 8 or 8A”, insert instead “Division 1 or 2”.

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

- (10) Section 8B (**Payments to the Minister**):  
From section 8B (1), omit “section 8 or 8A”, insert instead “Division 1 or 2”.
- (11) Section 8D (**Payment to another club**):  
From section 8D (1), omit “under section 8, 8A or 9C (10)”, insert instead “under Division 1 or 2 or under section 10H (10)”.
- (12) Section 9A (**Dividends Adjustment Fund**):  
From section 9A (5), omit “sections 8, 8A and 9C”, insert instead “Divisions 1 and 2 and section 10H”.
- (13) Section 10A (**Entitlements to unclaimed dividends and refunds**):  
From existing section 10A (1) and (2), omit “section 9 (3) or 10 (5)” wherever occurring, insert instead “section 10E (3)”.
- (14) Renumber existing section 10A as section 10I and relocate it after section 10H (as renumbered by item (8)).
- (15) Section 11 (**Returns**):  
From section 11 (2A), omit “section 8AA”, insert instead “section 10A”.
- (16) Section 19B (**Racing Assistance Fund**):
- (a) From section 19B (2), omit “sections 8 (6) and 10 (4B)”, insert instead “sections 8E and 9E”.
  - (b) From section 19B (2), omit “section 13A (5)”, insert instead “section 13E”.
  - (c) From section 19B (4), omit “section 8”, insert instead “Division 1 of Part 3”.
  - (d) From section 19B (4), omit “section 8A”, insert instead “Division 2 of Part 3”.
- (17) Section 22:  
After section 21, insert:  
**Savings, transitional and other provisions**  
22. Schedule 1 has effect.

*Totalizator Legislation (Amendment) Act 1992 No. 60***SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*****(18) Schedule 1:**

At the end of the Act, insert:

**SCHEDULE 1—SAVINGS, TRANSITIONAL AND OTHER  
PROVISIONS**

(Sec. 22)

**Part 1—Preliminary**

**Regulations**

1. (1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of the following Acts:

**Totalizator Legislation (Amendment) Act 1992**

(2) Any such provision may, if the regulations so provide, take effect from the date of assent to the Act concerned or from a later date.

(3) To the extent to which any such provision takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:

- (a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication; or
- (b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted before the date of its publication.

**Part 2—Provisions consequent on the enactment of the Totalizator  
Legislation (Amendment) Act 1992**

**Payments to the Consolidated Fund**

2. Any money:

- (a) that is paid into a totalizator in respect of an event or contingency occurring on or after 1 July 1992 and before 1 July 1997; and
- (b) that, but for this clause, would be required by this Act to be paid as commission to the Minister to be credited to the Racecourse Development Fund,

is instead to be paid as commission to the Minister to be credited to the Consolidated Fund and any adjustments to those Funds that are required to be made as a consequence of this clause are to be made accordingly.

**Operation of certain amendments (win and place totalizators) from 1  
September 1992**

3. (1) Section 5 of the Totalizator Legislation (Amendment) Act 1992 is taken to have commenced on 1 September 1992.

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SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—  
*continued*

(2) The provisions of Schedule 1 (4) and (6) to the Totalizator Legislation (Amendment) Act 1992 are taken to have commenced on 1 September 1992 to the extent to which they omit sections 8 (3) and 8A (3) of the Totalizator Act 1916 (with respect only to win and place totalizators) and insert sections 8G and 9G into that Act.

(3) The reference in clause 4 to the date of assent to the Totalizator Legislation (Amendment) Act 1992 is taken to be a reference to 1 September 1992 for the purposes of this clause.

**Construction of certain references**

4. A reference in any Act or instrument to a provision of this Act (as in force immediately before the date of assent to the Totalizator Legislation (Amendment) Act 1992) extends to the corresponding provision of this Act, as amended by that Act.

SCHEDULE 2—AMENDMENT OF TOTALIZATOR  
(OFF-COURSE BETTING) ACT 1964

(Sec. 4)

(1) Part 1, heading:

Before section 1, insert:

**PART 1—PRELIMINARY**

(2) Section 2 (Definitions):

Omit the definition of “Multiple selection totalizator”, insert, in alphabetical order, the following definitions:

“Exacta totalizator” has the meaning given to that expression by section 2 of the Totalizator Act 1916.

“Multiple selection totalizator” has the meaning given to that expression by section 2 of the Totalizator Act 1916.

“Quinella totalizator” has the meaning given to that expression by section 2 of the Totalizator Act 1916.

(3) Part 2, heading:

After section 2, insert:

**PART 2—THE TOTALIZATOR AGENCY BOARD**

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SCHEDULE 2—AMENDMENT OF TOTALIZATOR (OFF-COURSE  
BETTING) ACT 1964—*continued*

(4) Part 3, headings:

After section 11, insert:

**PART 3—OFF-COURSE BETTING**

**Division 1—Conduct of off-course totalizators**

(5) Section 12B (Sweepstakes on the Melbourne Cup and other events):

From section 12B (3) (c), omit “section 13B”, insert instead “section 13H”.

(6) Part 3, Division 2, heading:

After section 13, insert:

**Division 2—Distribution of investments**

(7) Section 13A:

Omit the section, insert instead:

**Distribution of money invested in totalizators conducted by the Board**

13A. If any money is placed in a totalizator conducted by the Board in respect of any event or contingency in accordance with section 12 (3), the Board:

- (a) must deduct from that money any sums refundable to investors, or transferable to another type of totalizator, in accordance with the regulations and with the rules made under the Totalizator Act 1916 so far as they are applicable to the Board; and
- (b) on the happening of that event or contingency, must distribute the balance in accordance with the provisions of this Division.

**Doubles totalizators**

13B. In the case of a doubles totalizator, of the balance referred to in section 13A (b):

- (a) 9 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
- (b) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and

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SCHEDULE 2—AMENDMENT OF TOTALIZATOR (OFF-COURSE BETTING) ACT 1964—*continued*

- (c) 7.5 per cent may be retained as commission by the Board; and
- (d) the remainder must be paid as dividends.

**Exacta totalizators**

13C. In the case of an exacta totalizator, of the balance referred to in section 13A (b):

- (a) 9.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
- (b) 7.5 per cent may be retained as commission by the Board; and
- (c) the remainder must be paid as dividends.

**Quinella totalizators**

13D. In the case of a quinella totalizator, of the balance referred to in section 13A (b):

- (a) 7.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
- (b) 7.5 per cent may be retained as commission by the Board; and
- (c) the remainder must be paid as dividends.

**Superfecta totalizators**

13E. In the case of a superfecta totalizator, of the balance referred to in section 13A (b):

- (a) 5.5 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
- (b) 6 per cent must be paid as commission to the Minister to be credited to the Racing Assistance Fund; and
- (c) 8.5 per cent may be retained as commission by the Board; and
- (d) the remainder must be paid as dividends.

**Multiple selection totalizators**

13F. In the case of a multiple selection totalizator, of the balance referred to in section 13A (b):

- (a) 8 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and



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SCHEDULE 2—AMENDMENT OF TOTALIZATOR (OFF-COURSE BETTING) ACT 1964—*continued*

- (b) 0.5 per cent must be paid as commission to the Minister to be credited to the Racecourse Development Fund; and
- (c) 8.5 per cent may be retained as commission by the Board; and
- (d) the remainder must be paid as dividends.

**Win and place and other totalizators**

13G. In the case of any other kind of totalizator, of the balance referred to in section 13A (b):

- (a) 6.75 per cent must be paid as commission to the Minister to be credited to the Consolidated Fund; and
- (b) 7.5 per cent may be retained as commission by the Board; and
- (c) the remainder must be paid as dividends.

(8) Section 13B:

Renumber existing section 13B as section 13H.

(9) Part 3, Division 3, heading:

Before section 14, insert:

**Division 3—Miscellaneous**

(10) Section 14 (**Application of Totalizator Act 1916 to payments by and to the Board**):

- (a) From section 14 (1), omit “Sections 8B, 9, 9B, 9C and 11”, insert instead “Sections 10B, 10E, 10G, 10H and 11”.
- (b) From section 14 (2), omit “sections 8B, 9, 9B, 9C”, insert instead “sections 10B, 10E, 10G, 10H”.
- (c) From section 14 (2A), omit “sections 8B, 9, 9B”, insert instead “sections 10B, 10E, 10G”.
- (d) From section 14 (2A) (c), omit “section 13B”, insert instead “section 13H”.
- (e) From section 14 (3), omit “sections 8 and 8A”, insert instead “Divisions 1 and 2 of Part 3”.
- (f) From section 14 (3), omit “section 13A or 13B”, insert instead “Division 2”.

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SCHEDULE 2—AMENDMENT OF TOTALIZATOR (OFF-COURSE  
BETTING) ACT 1964—*continued*

(11) Part 4, heading:

After section 14, insert:

**PART 4—GENERAL**

(12) Section 23:

After section 22, insert:

**Savings, transitional and other provisions**

23. Schedule 1 has effect.

(13) Schedule 1:

At the end of the Act, insert:

**SCHEDULE 1—SAVINGS, TRANSITIONAL AND OTHER  
PROVISIONS**

(Sec. 23)

**Part 1—Preliminary**

**Regulations**

1. (1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of the following Acts:

Totalizator Legislation (Amendment) Act 1992

(2) Any such provision may, if the regulations so provide, take effect from the date of assent to the Act concerned or from a later date.

(3) To the extent to which any such provision takes effect from a date that is earlier than the date of its publication in the Gazette, the provision does not operate so as:

(a) to affect, in a manner prejudicial to any person (other than the State or an authority of the State), the rights of that person existing before the date of its publication; or

(b) to impose liabilities on any person (other than the State or an authority of the State) in respect of anything done or omitted before the date of its publication.

**Part 2—Provisions consequent on the enactment of the Totalizator  
Legislation (Amendment) Act 1992**

**Payments to the Consolidated Fund**

2. Any money:

(a) that is paid into a totalizator in respect of an event or contingency occurring on or after 1 July 1992 and before 1 July 1997; and

(b) that, but for this clause, would be required by this Act to be paid as commission to the Minister to be credited to the Racecourse Development Fund,

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SCHEDULE 2—AMENDMENT OF TOTALIZATOR (OFF-COURSE BETTING) ACT 1964—*continued*

is instead to be paid as commission to the Minister to be credited to the Consolidated Fund and any adjustments to those Funds that are required to be made as a consequence of this clause are to be made accordingly.

**Operation of certain amendments (win and place totalizators) from 1 September 1992**

3. (1) The provisions of Schedule 2 (7) to the Totalizator Legislation (Amendment) Act 1992 are taken to have commenced on 1 September 1992 to the extent to which they omit section 13A (2) of the Totalizator (Off-course Betting) Act 1964 (with respect only to win and place totalizators) and insert section 13G into that Act.

(2) The reference in clause 4 to the date of assent to the Totalizator Legislation (Amendment) Act 1992 is taken to be a reference to 1 September 1992 for the purposes of this clause.

**Construction of certain references**

4. A reference in any Act or instrument to a provision of this Act (as in force immediately before the date of assent to the Totalizator Legislation (Amendment) Act 1992) extends to the corresponding provision of this Act, as amended by that Act.

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[Minister's second reading speech made in—  
*Legislative Assembly on 3 September 1992*  
*Legislative Council on 13 October 1992*]

