

FIRST PRINT

TOTALIZATOR LEGISLATION (AMENDMENT) BILL 1993

NEW SOUTH WALES



EXPLANATORY NOTE

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

The object of this Bill is to amend the Totalizator Act 1916 and the Totalizator (Off-course) Betting Act 1964 to provide that the amount of commission resulting from the operation of certain totalizators, and which is paid into the Racecourse Development Fund or the Racing Assistance Fund, is to be paid instead into the Consolidated Fund to be subsequently appropriated to the credit of those funds. The Bill only affects the manner in which the commission is accounted through the Consolidated Fund and does not, in respect of commission payable into the Racecourse Development Fund, alter an existing arrangement for it to be paid into the Consolidated Fund.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act is to commence on 1 July 1993.

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

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

At present under the Totalizator Act 1916 and the Totalizator (Off-course Betting) Act 1964, a percentage of the commission payable on doubles, superfecta and multiple selection totalizators must be credited to the Racecourse Development Fund or to the Racing Assistance Fund, depending on the type of totalizator. A transitional arrangement under both Acts currently provides, however, that any such commission on doubles and multiple selection totalizators payable into the Racecourse Development Fund in respect of events or contingencies occurring between 1 July 1992 and 1 July 1997 must be paid instead into the Consolidated Fund.

Totalizator Legislation (Amendment) 1993

Schedule 1 amends the Totalizator Act 1916, and Schedule 2 amends the Totalizator (Off-course Betting) Act 1964:

- (a) to provide, as from 1 July 1993, for the percentage of commission payable on superfecta totalizators (which is currently credited to the Racing Assistance Fund) to be separately credited to the Consolidated Fund and for an amount equal to that commission to be appropriated out of the Consolidated Fund into the Racing Assistance Fund; and
 - (b) to restate the existing transitional arrangement described above in respect of commission credited to the Racecourse Development Fund. The new provisions require the relevant commission to be separately credited to the Consolidated Fund and provide for the payment out of that Fund into the Racecourse Development Fund, in the year commencing 1 July 1997 and in each succeeding year, of an amount equal to the commission credited to the Consolidated Fund in respect of events or contingencies occurring on or after 1 July 1997.
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FIRST PRINT

TOTALIZATOR LEGISLATION (AMENDMENT) BILL 1993

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

SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916

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

TOTALIZATOR LEGISLATION (AMENDMENT) BILL 1993

NEW SOUTH WALES



No. , 1993

A BILL FOR

An Act to amend the Totalizator Act 1916 and the Totalizator (Off-course Betting) Act 1964 to provide for certain commission under those Acts to be paid into the Consolidated Fund and to be appropriated out of that Fund.

Totalizator Legislation (Amendment) 1993

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Totalizator Legislation (Amendment) Act 1993.

5 Commencement

2. This Act commences on 1 July 1993.

Amendment of Totalizator Act 1916 No. 75

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

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

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

SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916

(Sec. 3)

(1) Sections 8B, 8F:

15 (a) Omit "credited to the Racecourse Development Fund" wherever occurring, insert instead "separately credited to the Consolidated Fund".

(b) At the end of each section, insert:

20 (2) There is to be paid into the Racecourse Development Fund out of the Consolidated Fund (which is appropriated accordingly) in the year commencing 1 July 1997 and in each succeeding year, an amount equal to the commission credited to the Consolidated Fund under subsection (1) (a) (ii), (b) (ii), (c) (ii), (d) (ii) or (e) (ii) in respect of events or

25 contingencies occurring on or after 1 July 1997.

(2) Sections 8E, 9E:

(a) Omit "credited to the Racing Assistance Fund" wherever occurring, insert instead "separately credited to the Consolidated Fund".

Totalizator Legislation (Amendment) 1993

SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—
continued

- (b) At the end of each section, insert:
- (2) There is to be paid into the Racing Assistance Fund out of the Consolidated Fund (which is appropriated accordingly) in the year commencing 1 July 1993 and in each succeeding year, an amount equal to the commission credited to the Consolidated Fund under subsection (1) (a) (ii), (b) (ii) or (c) (ii). 5
- (3) Sections 9B, 9F: 10
- (a) Omit “credited to the Racecourse Development Fund” wherever occurring, insert instead “separately credited to the Consolidated Fund”.
- (b) At the end of each section, insert:
- (2) There is to be paid into the Racecourse Development Fund out of the Consolidated Fund (which is appropriated accordingly) in the year commencing 1 July 1997 and in each succeeding year, an amount equal to the commission credited to the Consolidated Fund under subsection (1) (a) (ii), (b) (ii), (c) (ii), (d) (ii), (e) (ii) or (f) (ii) in respect of events or contingencies occurring on or after 1 July 1997. 15 20
- (4) Section 19A (**Racecourse Development Fund**):
- Omit section 19A (3) (a), insert instead:
- (a) in the year commencing 1 July 1997 and in each succeeding year, such amounts as are directed by sections 8B (2), 8F (2), 9B (2) and 9F (2) of this Act and by sections 13B (2) and 13F (2) of the Totalizator (Off-course Betting) Act 1964; 25
- (5) Section 19B (**Racing Assistance Fund**):
- (a) Omit section 19B (2), insert instead: 30
- (2) There is to be paid into the Racing Assistance Fund, in the year commencing 1 July 1993 and in each succeeding year, such amounts as are directed by sections 8E (2) and 9E (2) of this Act and by section 13E (2) of the Totalizator (Off-course Betting) Act 1964. 35

Totalizator Legislation (Amendment) 1993

SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—
continued

- 5 (b) In section 19B (4), after “applied.”, insert “In calculating the difference under this subsection, any amount of commission credited to the Consolidated Fund under Division 1 or 2 of Part 3 and which is appropriated out of that Fund by a provision of Division 1 or 2, is to be excluded from the calculation.”.
- 10 (6) Schedule 1 (Savings, transitional and other provisions):
From clause 2, omit “1997”, insert instead “1993”.

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

(Sec. 4)

- 15 (1) Sections 13B, 13F:
- (a) Omit “credited to the Racecourse Development Fund” wherever occurring, insert instead “separately credited to the Consolidated Fund”.
- (b) At the end of each section, insert:
- 20 (2) There is to be paid into the Racecourse Development Fund out of the Consolidated Fund (which is appropriated accordingly) in the year commencing 1 July 1997 and in each succeeding year, an amount equal to the commission credited to the Consolidated Fund under subsection (1) (b) in respect of events or contingencies occurring on or after 1 July 1997.
- 25 (2) Section 13E:
- (a) Omit “credited to the Racing Assistance Fund”, insert instead “separately credited to the Consolidated Fund”.
- (b) At the end of the section, insert:
- 30 (2) There is to be paid into the Racing Assistance Fund out of the Consolidated Fund (which is appropriated accordingly) in the year commencing 1 July 1993 and in each succeeding year, an amount equal to the commission credited to the Consolidated Fund under subsection (1) (b).

Totalizator Legislation (Amendment) 1993

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

- (3) Schedule 1 (Savings, transitional and other provisions):**
From clause 2, omit “1997”, insert instead “1993”.
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TOTALIZATOR LEGISLATION (AMENDMENT) BILL, 1993

MR. PRESIDENT,

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

THE PURPOSE OF THE PROPOSAL BEFORE THE HOUSE IS TO AMEND THE TOTALIZATOR ACT, 1916 AND THE TOTALIZATOR (OFF-COURSE) BETTING ACT, 1964 TO PROVIDE THAT CERTAIN MONEYS FROM THE OPERATION OF TOTALIZATORS WHICH ARE NOW BEING CREDITED DIRECT TO THE RACECOURSE DEVELOPMENT FUND OR THE RACING ASSISTANCE FUND ARE TO BE PAID INTO THE CONSOLIDATED FUND AND APPROPRIATED BY PARLIAMENT.

AT PRESENT THE LEGISLATION PROVIDES THAT IN RESPECT OF BETTING ON TOTALIZATORS, ONE HALF OF ONE PERCENT OF INVESTMENTS ON DOUBLES AND MULTIPLE SELECTION TOTALIZATORS IS TO BE DEDUCTED FROM THE INVESTMENT POOL FOR PAYMENT TO THE RACECOURSE DEVELOPMENT FUND.

FOR THE INFORMATION OF MEMBERS, MONEYS PAID INTO THE RACECOURSE DEVELOPMENT FUND ARE USED PRIMARILY TO PROVIDE FINANCE TOWARDS THE COST OF PERMANENT IMPROVEMENTS TO RACECOURSES AND TRAINING FACILITIES THROUGHOUT THE STATE.

SIMILARLY, THE LEGISLATION PROVIDES THAT A SMALL PERCENTAGE OF INVESTMENTS ON SUPERFECTA TOTALIZATORS IS TO BE PAID TO THE RACING ASSISTANCE FUND. RACING ASSISTANCE FUND MONEYS ARE USED TO HELP RACING CLUBS REMAIN VIABLE AND TO FUND SCIENTIFIC RESEARCH INTO RACING ANIMALS.

MR. PRESIDENT, A RECENT STUDY OF THE VALUE OF THE RACING INDUSTRY TO THE ECONOMY OF NEW SOUTH WALES SHOWS THAT THE INDUSTRY CONTRIBUTES APPROXIMATELY \$930 MILLION TO THE NSW GROSS DOMESTIC PRODUCT AND PROVIDES DIRECT EMPLOYMENT FOR ABOUT 50,000 PEOPLE (REPRESENTING THE EQUIVALENT OF APPROXIMATELY 16,500 FULL-TIME JOBS). IN THE CURRENT FINANCIAL YEAR THE CONTRIBUTION FROM THE RACING INDUSTRY TO CONSOLIDATED REVENUE IS EXPECTED TO BE APPROXIMATELY \$322.5 MILLION.

WITH THIS IN MIND I AM SURE THAT MEMBERS WILL APPRECIATE THE IMPORTANCE OF MAINTAINING A VIABLE RACING INDUSTRY IN THE STATE.

AT PRESENT THE MONEYS PAID TO THE RACECOURSE DEVELOPMENT FUND OR THE RACING ASSISTANCE FUND AS A RESULT OF TOTALIZATOR OPERATIONS ARE CREDITED DIRECT TO THE RESPECTIVE FUNDS. HOWEVER, UNDER POLICIES DEVELOPED WITH THE INTRODUCTION OF ACCRUAL ACCOUNTING AND NET APPROPRIATIONS TO DEPARTMENTS, RECEIPTS OF THE NATURE OF THESE COLLECTIONS SHOULD BE PAID INTO THE CONSOLIDATED FUND AND BE APPROPRIATED BY PARLIAMENT. THE LEGISLATION WILL PROVIDE FOR AMOUNTS EQUAL TO THOSE PAID TO THE CONSOLIDATED FUND TO BE CREDITED TO THE RESPECTIVE FUNDS.

I COMMEND THE BILL TO THE HOUSE.

TOTALIZATOR LEGISLATION (AMENDMENT) ACT 1993
No. 58

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

SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916

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

TOTALIZATOR LEGISLATION (AMENDMENT) ACT 1993
No. 58

NEW SOUTH WALES



Act No. 58, 1993

An Act to amend the Totalizator Act 1916 and the Totalizator (Off-course Betting) Act 1964 to provide for certain commission under those Acts to be paid into the Consolidated Fund and to be appropriated out of that Fund. [Assented to 24 September 1993]

Totalizator Legislation (Amendment) Act 1993 No. 58

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Totalizator Legislation (Amendment) Act 1993.

Commencement

2. This Act commences on 1 July 1993.

Amendment of Totalizator Act 1916 No. 75

3. The Totalizator Act 1916 is amended as 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 as set out in Schedule 2.

SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916

(Sec. 3)

(1) Sections 8B, 8F:

(a) Omit “credited to the Racecourse Development Fund” wherever occurring, insert instead “separately credited to the Consolidated Fund”.

(b) At the end of each section, insert:

(2) There is to be paid into the Racecourse Development Fund out of the Consolidated Fund (which is appropriated accordingly) in the year commencing 1 July 1997 and in each succeeding year, an amount equal to the commission credited to the Consolidated Fund under subsection (1) (a) (ii), (b) (ii), (c) (ii), (d) (ii) or (e) (ii) in respect of events or contingencies occurring on or after 1 July 1997.

(2) Sections 8E, 9E:

(a) Omit “credited to the Racing Assistance Fund” wherever occurring, insert instead “separately credited to the Consolidated Fund”.

Totalizator Legislation (Amendment) Act 1993 No. 58

SCHEDULE 1—AMENDMENT OF TOTALIZATOR ACT 1916—
continued

(b) At the end of each section, insert:

(2) There is to be paid into the Racing Assistance Fund out of the Consolidated Fund (which is appropriated accordingly) in the year commencing 1 July 1993 and in each succeeding year, an amount equal to the commission credited to the Consolidated Fund under subsection (1) (a) (ii), (b) (ii) or (c) (ii).

(3) Sections 9B, 9F:

(a) Omit “credited to the Racecourse Development Fund” wherever occurring, insert instead “separately credited to the Consolidated Fund”.

(b) At the end of each section, insert:

(2) There is to be paid into the Racecourse Development Fund out of the Consolidated Fund (which is appropriated accordingly) in the year commencing 1 July 1997 and in each succeeding year, an amount equal to the commission credited to the Consolidated Fund under subsection (1) (a) (ii), (b) (ii), (c) (ii), (d) (ii), (e) (ii) or (f) (ii) in respect of events or contingencies occurring on or after 1 July 1997.

(4) Section 19A (**Racecourse Development Fund**):

Omit section 19A (3) (a), insert instead:

(a) in the year commencing 1 July 1997 and in each succeeding year, such amounts as are directed by sections 8B (2), 8F (2), 9B (2) and 9F (2) of this Act and by sections 13B (2) and 13F (2) of the Totalizator (Off-course Betting) Act 1964;

(5) Section 19B (**Racing Assistance Fund**):

(a) Omit section 19B (2), insert instead:

(2) There is to be paid into the Racing Assistance Fund, in the year commencing 1 July 1993 and in each succeeding year, such amounts as are directed by sections 8E (2) and 9E (2) of this Act and by section 13E (2) of the Totalizator (Off-course Betting) Act 1964.

Totalizator Legislation (Amendment) Act 1993 No. 58

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

- (b) In section 19B (4), after “applied.”, insert “In calculating the difference under this subsection, any amount of commission credited to the Consolidated Fund under Division 1 or 2 of Part 3 and which is appropriated out of that Fund by a provision of Division 1 or 2, is to be excluded from the calculation.”.
- (6) **Schedule 1 (Savings, transitional and other provisions):**
From clause 2, omit “1997”, insert instead “1993”.

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

(Sec. 4)

- (1) **Sections 13B, 13F:**
 - (a) Omit “credited to the Racecourse Development Fund” wherever occurring, insert instead “separately credited to the Consolidated Fund”.
 - (b) At the end of each section, insert:
 - (2) There is to be paid into the Racecourse Development Fund out of the Consolidated Fund (which is appropriated accordingly) in the year commencing 1 July 1997 and in each succeeding year, an amount equal to the commission credited to the Consolidated Fund under subsection (1) (b) in respect of events or contingencies occurring on or after 1 July 1997.
- (2) **Section 13E:**
 - (a) Omit “credited to the Racing Assistance Fund”, insert instead “separately credited to the Consolidated Fund”.
 - (b) At the end of the section, insert:
 - (2) There is to be paid into the Racing Assistance Fund out of the Consolidated Fund (which is appropriated accordingly) in the year commencing 1 July 1993 and in each succeeding year, an amount equal to the commission credited to the Consolidated Fund under subsection (1) (b).

Totalizator Legislation (Amendment) Act 1993 No. 58

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

(3) Schedule 1 (**Savings, transitional and other provisions**):

From clause 2, omit “1997”, insert instead “1993”.

[Minister's second reading speech made in—

Legislative Assembly on 20 May 1993

Legislative Council on 15 September 1993]