

First print



New South Wales

# **Totalizator Legislation Further Amendment Bill 1995**

## **Explanatory note**

This explanatory note relates to this Bill as introduced into Parliament.

### **Overview of Bill**

The object of this Bill is to amend the *Totalizator Act 1916* to enable the Minister to approve of the establishment of certain facilities of a racecourse totalizator at a site other than the racecourse. However, totalizator facilities for accepting investments or on which odds and dividends are displayed must continue to be situated on the racecourse.

The Bill also makes a consequential amendment to the *Totalizator (Off-course Betting) Act 1964*.

---

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides that the proposed Act will commence on a day or days to be appointed by proclamation.

**Clause 3** is a formal provision that gives effect to the Schedule of amendments to the *Totalizator Act 1916*.

**Clause 4** is a formal provision that gives effect to the Schedule containing the amendment to the *Totalizator (Off-course Betting) Act 1964*.

## Schedules

### **Schedule 1      Amendment of Totalizator Act 1916**

**Schedule 1 [1]** makes the amendment outlined above.

**Schedule 1 [4] and [5]** make consequential amendments to extend the powers of inspection that inspectors appointed under the Act have in relation to totalizator facilities on racecourses so as to enable them to exercise those powers in relation to totalizator facilities situated elsewhere.

**Schedule 1 [2], [3], [6] and [7]** contain other consequential amendments.

### **Schedule 2      Amendment of Totalizator (Off-course Betting) Act 1964**

**Schedule 2** contains a consequential amendment.

First print



New South Wales

# Totalizator Legislation Further Amendment Bill 1995

## Contents

---

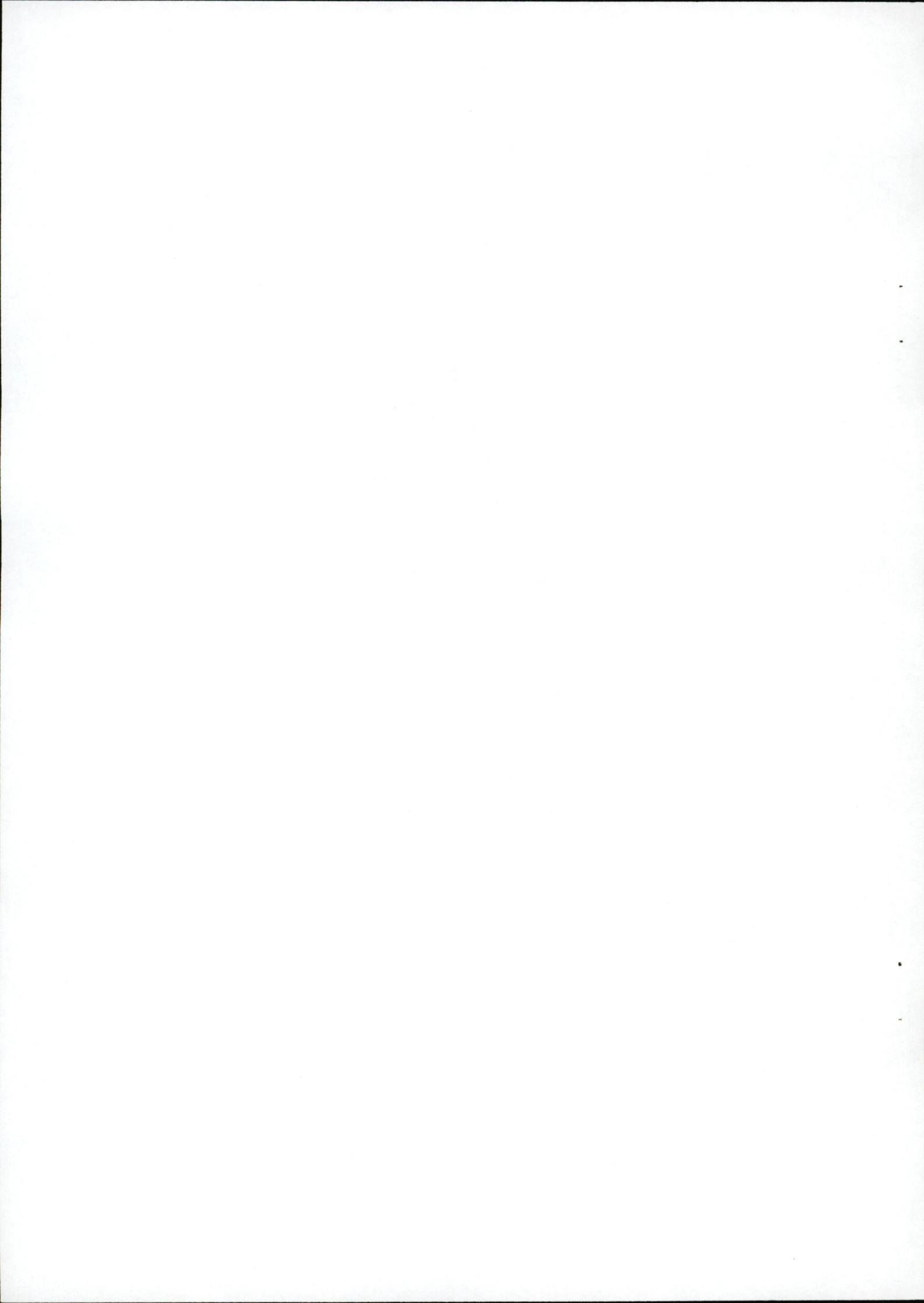
	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Totalizator Act 1916 No 75	2
4 Amendment of Totalizator (Off-course Betting) Act 1964 No 1	2

---

### Schedules

1 Amendment of Totalizator Act 1916	3
2 Amendment of Totalizator (Off-course Betting) Act 1964	5

---





New South Wales

## **Totalizator Legislation Further Amendment Bill 1995**

No      , 1995

---

### **A Bill for**

An Act to amend the *Totalizator Act 1916* with respect to the location of totalizator operations; to amend consequentially the *Totalizator (Off-course Betting) Act 1964*; and for other purposes.

---

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

**1 Name of Act**

This Act is the *Totalizator Legislation Further Amendment Act 1995*.

**2 Commencement**

5

This Act commences on a day or days to be appointed by proclamation.

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

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

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

10

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

---

## Schedule 1 Amendment of Totalizator Act 1916

(Section 3)

### [1] Section 4 Minister to approve site of totalizator

Insert at the end of section 4:

- (2) The site of a totalizator's betting facilities must be on the racecourse at which the totalizator is to be used, but the site for any of its other facilities may, with the approval of the Minister, be on the racecourse or elsewhere. 5
- (3) A reference in this Act to a totalizator established, situated or used on or at a racecourse is a reference to a totalizator whose betting facilities are situated on the racecourse, whether or not its other facilities are situated elsewhere. 10
- (4) In this section, *betting facilities* means totalizator facilities for accepting investments and displaying odds and dividends to investors. 15

### [2] Section 5 Use of totalizator to be lawful

Omit section 5. Insert instead:

#### 5 Use of totalizator to be lawful

The use of a totalizator, and anything done in relation to a totalizator, in accordance with the provisions of this Act is lawful and is exempt from the provisions of any Act prohibiting gaming, betting or wagering. 20

### [3] Section 16 Officers of racing clubs not to accept certain instructions as to investments on totalizator 25

Insert after section 16 (2):

- (3) This section does not apply to transmissions by or on behalf of a racing club for the purposes of operating a totalizator in accordance with this Act.

Totalizator Legislation Further Amendment Bill 1995

Schedule 1 Amendment of Totalizator Act 1916

---

**[4] Section 18 Inspectors**

Omit “, during such meeting,”.

**[5] Section 18**

Omit “building”.

Insert instead “land or building, whether situated at a racecourse or elsewhere,”. 5

**[6] Section 19A Racecourse Development Fund**

Omit “on any racecourse” wherever occurring in section 19A (5) (a) and (b).

**[7] Section 19A (5) (a) and (b)**

10

Omit “whether the facilities” wherever occurring.

Insert instead “whether the totalizator or ancillary facilities”.



---

**Schedule 2    Amendment of Totalizator (Off-course  
Betting) Act 1964**

(Section 4)

**Section 15 Application of payments by Board to clubs**

Omit "totalizators therein" from section 15 (a).

Insert instead "totalizator facilities, whether or not situated on the club's premises".

5



PROPOSED AMENDMENTS TO THE TOTALIZATOR ACT, 1916

MR PRESIDENT

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

MR PRESIDENT, THE PURPOSE OF THE PROPOSAL BEFORE THE HOUSE IS TO AMEND THE TOTALIZATOR ACT, 1916 TO ENABLE THE ESTABLISHMENT OF A TOTALIZATOR WHERE PART OF THAT TOTALIZATOR IS LOCATED ON OTHER THAN A RACECOURSE.

UNDER THE CURRENT PROVISIONS OF THE TOTALIZATOR ACT, THE TOTALIZATOR IN ITS ENTIRETY MUST BE LOCATED ON A RACECOURSE. IT SHOULD BE UNDERSTOOD THAT AT THE TIME THE TOTALIZATOR ACT WAS FRAMED, ON COURSE TOTALIZATORS WERE CONDUCTED BY MANUAL AND RUDIMENTARY MECHANICAL MEANS.

TODAY'S MODERN TECHNOLOGY ALLOWS THE USE OF THE LATEST IN COMPUTER EQUIPMENT UTILISING HIGH SPEED DATA LINES TO CONNECT VARIOUS RACECOURSES AND THE TOTALIZATOR AGENCY BOARD TO THE MAIN CONTROLLING TOTALIZATOR EACH RACE DAY.

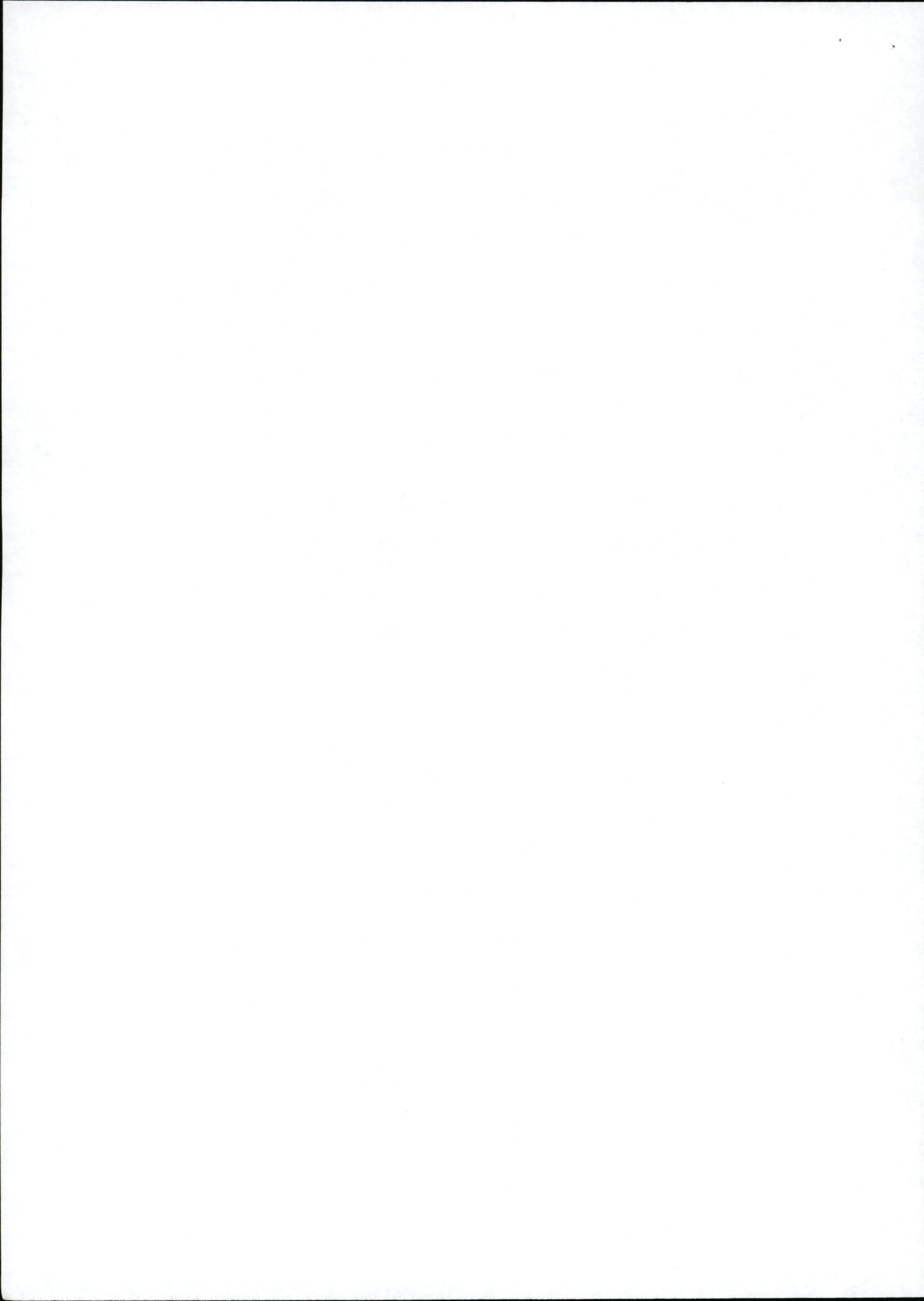
MODERN SOFTWARE NOW PRODUCES COMPLEX ODDS, DIVIDENDS AND MISCELLANEOUS INFORMATION DISPLAYS TO PROVIDE THE MODERN DAY RACEGOER WITH THE LATEST IN BETTING INFORMATION.



THE PROPOSED LEGISLATION PROVIDES FOR THE ESTABLISHMENT OF THAT PART OF A TOTALIZATOR DEALING WITH THE CONTROLLING AND PROCESSING OF INVESTMENTS AS WELL AS THE CALCULATION AND DISPLAY OF DIVIDENDS TO BE LOCATED AWAY FROM A RACECOURSE. HOWEVER, ALL BETTING ACTIVITIES MUST TAKE PLACE WITHIN THE CONFINES OF THE RACECOURSE AT WHICH A MEETING IS BEING CONDUCTED ON THAT DAY. IN OTHER WORDS, THE COMPUTER CAN BE LOCATED AWAY FROM THE ACTUAL RACECOURSE.

THE BENEFITS AFFORDED BY THIS PROPOSED LEGISLATION ARE MANY. AS RELATED TO THE SYDNEY METROPOLITAN RACECOURSES THE EXISTING COMPUTER SYSTEM IS HOUSED IN TWO SEMI TRAILERS WHICH HAVE TO BE RELOCATED EACH TIME THE METROPOLITAN RACING VENUE CHANGES. NATURALLY THIS VALUABLE EQUIPMENT WHILST PROPERLY MAINTAINED IS OF A HIGHLY SENSITIVE NATURE AND ITS CONTINUAL EXPOSURE DURING RELOCATION TO THE POSSIBILITY OF ACCIDENT IS A CONSTANT CONCERN TO THE AUSTRALIAN JOCKEY CLUB AND THE SYDNEY TURF CLUB.

THE ENACTMENT OF THIS LEGISLATION WILL MEAN THAT IT WILL NO LONGER BE NECESSARY TO MOBILISE THE TOTALIZATOR SERVICING OUR FOUR METROPOLITAN RACECOURSES NOR WILL IT BE NECESSARY TO UNDERTAKE MOVEMENT OF THE TOTALIZATOR OVERNIGHT WHERE TWO RACE MEETINGS ARE HELD AT DIFFERENT METROPOLITAN RACECOURSES ON CONSECUTIVE DAYS.



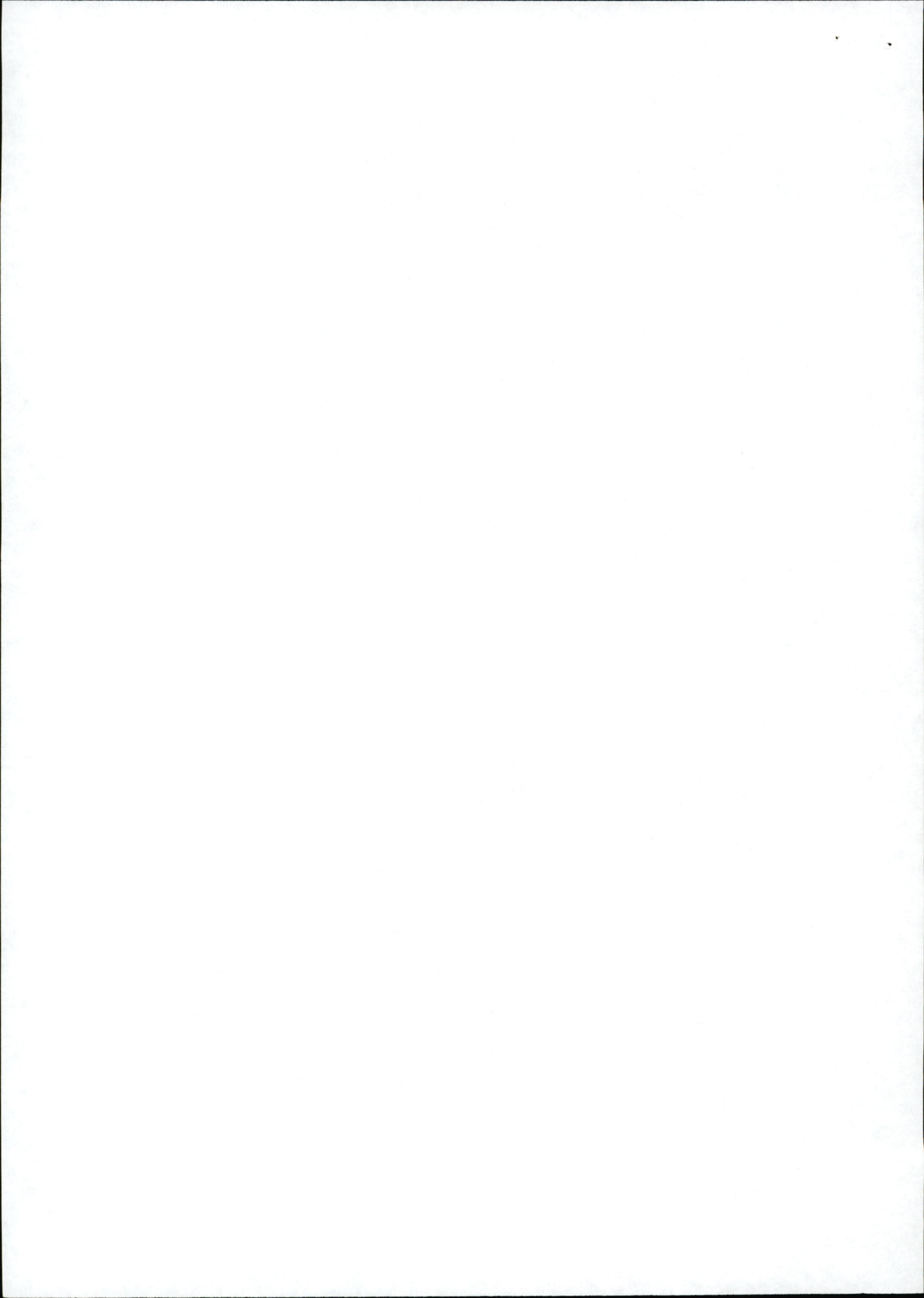
THE ADOPTION OF THIS BILL WILL OFFER CONSIDERABLE TRANSPORTATION AND ADMINISTRATIVE COST SAVINGS TO BOTH THE AUSTRALIAN JOCKEY CLUB AND THE SYDNEY TURF CLUBS.

THE CENTRALISATION OF THE MAIN FRAME COMPUTER WILL ALSO PROVIDE BETTER SERVICING AND DEVELOPMENT OPPORTUNITIES TO THE CLUBS RESULTING IN THE ENHANCED EFFECTIVENESS OF SERVICES OFFERED TO ON-COURSE PATRONS.

THIS AMENDMENT WILL ALSO ALLOW EACH OF THE STATE'S TOTALIZATOR COMPANIES TO BETTER UTILISE PRESENT DAY ADVANCEMENTS IN COMMUNICATIONS TECHNOLOGY AND ESTABLISH THE BEST POSSIBLE MANAGEMENT PRINCIPLES AND PRACTICES.

THOSE COMPANIES WILL BE ABLE TO UTILISE A CENTRAL CONTROL POINT TO EFFECT RACE DAY OPERATIONS AND MINIMISE EXPENSES RELATED TO DATA TRANSMISSIONS BETWEEN THE RACECOURSE AND THE NEW SOUTH WALES TOTALIZATOR AGENCY BOARD.

IN DRAFTING THIS AMENDMENT THE MINISTER FOR GAMING AND RACING HAS BEEN PROVIDED WITH CONTROL OVER THE ESTABLISHMENT AND OPERATION OF A TOTALIZATOR AT ANY REMOTE TOTALIZATOR CONTROL CENTRE. THIS IS ADDITIONAL TO CURRENT CONTROLS OVER THE ESTABLISHMENT AND OPERATION OF TOTALIZATOR SITES ON RACECOURSES.





I REITERATE THAT IT WILL NOT BE LEGAL FOR INVESTMENTS TO BE MADE INTO AN ON COURSE TOTALIZATOR FROM PLACES OTHER THAN AT THE LOCATION OF THE RACE MEETING AND WITHIN THE CONFINES OF THE RACECOURSE.

THIS AMENDMENT WILL ENSURE THE CONTINUED PROTECTION OF GOVERNMENT REVENUE AND THE PUBLIC INTEREST BY PROVIDING RIGHT OF ACCESS TO REMOTE TOTALIZATOR LOCATIONS AS WELL AS THOSE WITHIN THE CONFINES OF A RACECOURSE BY DEPARTMENT OF RACING AND GAMING INSPECTORS, SO THAT THE INTEGRITY OF THE TOTALIZATOR CAN BE INVESTIGATED INSPECTED OR TESTED AT ANY TIME DURING THE CONDUCT OF ITS OPERATION.

INDEED THE CENTRALISATION OF THE COMPUTER EQUIPMENT WILL PROVIDE THE DEPARTMENT WITH THE OPPORTUNITY TO IMPROVE THE EFFECTIVENESS AND EFFICIENCY OF ITS COMPLIANCE AND REVENUE COLLECTION PROGRAMS.

THIS WILL IS A DEMONSTRATION OF THE GOVERNMENT'S COMMITMENT TOWARDS INFRASTRUCTURE IMPROVEMENTS AFFECTING THE ECONOMIC PERFORMANCE OF ONE OF THIS STATE'S PRINCIPLE INDUSTRIES. THE CONTINUED VIABILITY OF THE NEW SOUTH WALES RACING INDUSTRY REMAINS A KEY OBJECTIVE.

I COMMEND THIS BILL TO THE HOUSE.





New South Wales

# Totalizator Legislation Further Amendment Act 1995 No 59

## Contents

---

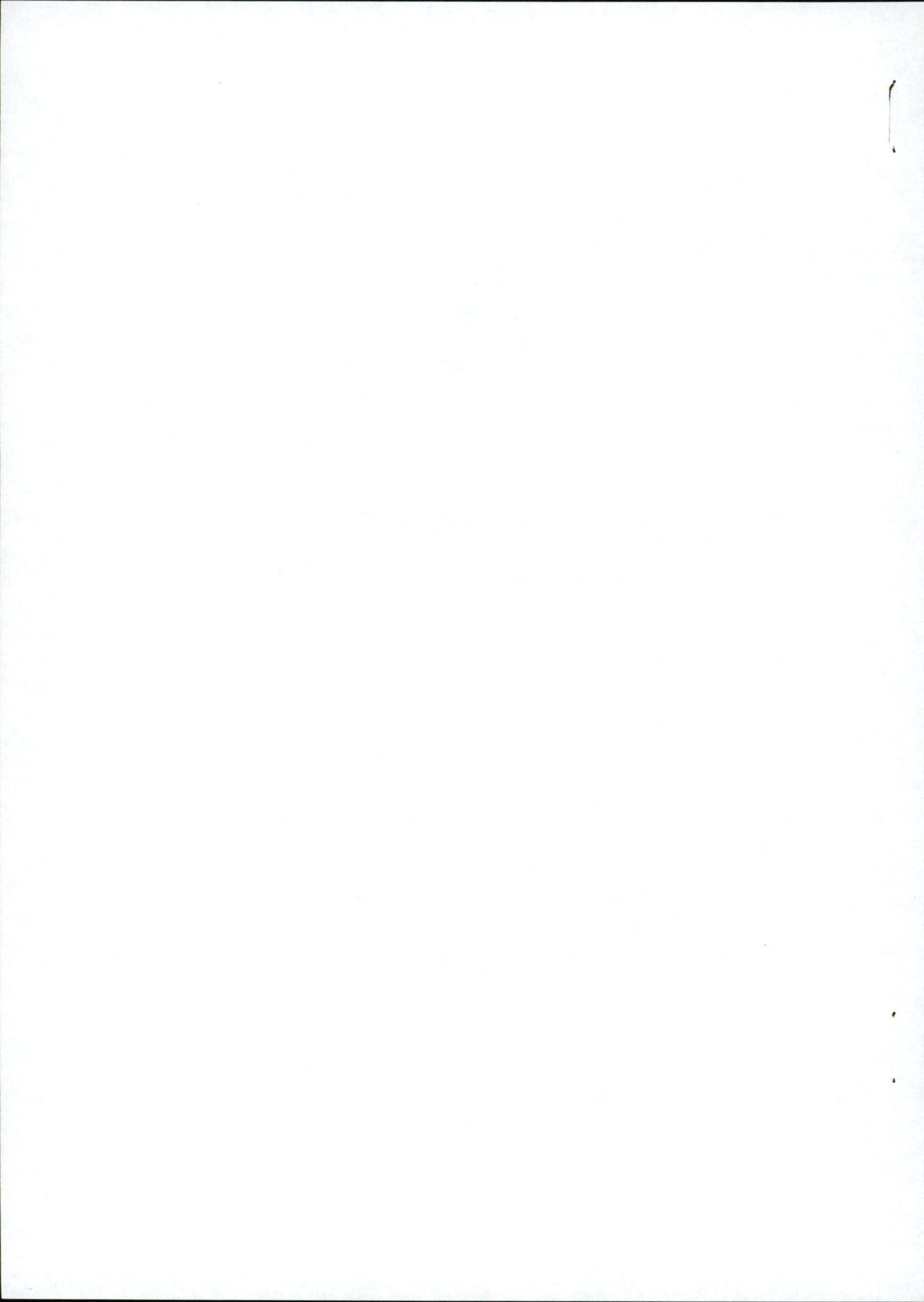
	Page
1 Name of Act	2
2 Commencement	2
3 Amendment of Totalizator Act 1916 No 75	2
4 Amendment of Totalizator (Off-course Betting) Act 1964 No 1	2

---

### Schedules

1 Amendment of Totalizator Act 1916	3
2 Amendment of Totalizator (Off-course Betting) Act 1964	5

---





New South Wales

## **Totalizator Legislation Further Amendment Act 1995 No 59**

Act No 59, 1995

---

An Act to amend the *Totalizator Act 1916* with respect to the location of totalizator operations; to amend consequentially the *Totalizator (Off-course Betting) Act 1964*; and for other purposes. [Assented to 30 November 1995]

---

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

**1 Name of Act**

This Act is the *Totalizator Legislation Further Amendment Act 1995*.

**2 Commencement**

This Act commences on a day or days to be appointed by proclamation.

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

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

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

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

---

## **Schedule 1    Amendment of Totalizator Act 1916**

(Section 3)

### **[1]    Section 4 Minister to approve site of totalizator**

Insert at the end of section 4:

- (2)    The site of a totalizator's betting facilities must be on the racecourse at which the totalizator is to be used, but the site for any of its other facilities may, with the approval of the Minister, be on the racecourse or elsewhere.
- (3)    A reference in this Act to a totalizator established, situated or used on or at a racecourse is a reference to a totalizator whose betting facilities are situated on the racecourse, whether or not its other facilities are situated elsewhere.
- (4)    In this section, *betting facilities* means totalizator facilities for accepting investments and displaying odds and dividends to investors.

### **[2]    Section 5 Use of totalizator to be lawful**

Omit section 5. Insert instead:

#### **5 Use of totalizator to be lawful**

The use of a totalizator, and anything done in relation to a totalizator, in accordance with the provisions of this Act is lawful and is exempt from the provisions of any Act prohibiting gaming, betting or wagering.

### **[3]    Section 16 Officers of racing clubs not to accept certain instructions as to investments on totalizator**

Insert after section 16 (2):

- (3)    This section does not apply to transmissions by or on behalf of a racing club for the purposes of operating a totalizator in accordance with this Act.

**[4] Section 18 Inspectors**

Omit “, during such meeting,”.

**[5] Section 18**

Omit “building”.

Insert instead “land or building, whether situated at a racecourse or elsewhere,”.

**[6] Section 19A Racecourse Development Fund**

Omit “on any racecourse” wherever occurring in section 19A (5) (a) and (b).

**[7] Section 19A (5) (a) and (b)**

Omit “whether the facilities” wherever occurring.

Insert instead “whether the totalizator or ancillary facilities”.



---

**Schedule 2    Amendment of Totalizator (Off-course Betting) Act 1964**

(Section 4)

**Section 15 Application of payments by Board to clubs**

Omit "totalizators therein" from section 15 (a).

Insert instead "totalizator facilities, whether or not situated on the club's premises".

[Minister's second reading speech made in—  
Legislative Assembly on 26 October 1995  
Legislative Council on 22 November 1995]

BY AUTHORITY

