

RACING ACT 1976

Reprint No. 1—15.11.91	
Reprint No. 2—21.9.92	
Reprint No. 3—8.5.93	
Reprint No. 4—6.5.94	[Whole Act replaced]
Reprint No. 5—1.7.94	[New Parts 1, 3 and Appendices]
Reprint No. 6—3.8.95	[New Part 3 and Appendices]
Reprint No. 7—25.1.96	[New Parts 1, 3 and Appendices]
Reprint No. 8—11.4.96	[New Part 3, Schedules and Appendices]
Reprint No. 9—23.5.96	[New Parts 1, 2 and Appendices]
Reprint No. 10—1.7.96	[Whole Act replaced]
Reprint No. 11—27.3.97	[New Part 3 and Appendix]
Reprint No. 12—14.8.97	[New Parts 1A, 3, 4, 6 and Appendix]
Reprint No. 13—18.3.99	[New Part 3 and Appendix]
Reprint No. 14—7.8.99	[New Part 3A and Appendix]
Reprint No. 15—1.7.00	[New Parts 1, 3, 3A, 4 and Appendix]
Reprint No. 16—1.10.00	[Whole Act replaced]
Reprint No. 17—18.1.01	[New Parts 1, 3 and Appendix]
Reprint No. 18—26.4.01	[New Parts 1, 2, 3 and Appendix]

[Each Part is numbered from page 1. Subscribers to the Consolidation Service will receive complete replacement Parts incorporating amendments to this Act as they come into force.]

South Australia

RACING ACT 1976

An Act to regulate and control certain forms of racing and betting thereon; to provide for betting on sporting and other events; and for other purposes.

*This Act is reprinted pursuant to the Acts Republication Act 1967 and incorporates all amendments in force as at **26 April 2001**.*

It should be noted that the Act has not been revised (for obsolete references, etc.) by the Commissioner of Statute Revision since the reprint published on 1 July 1996.

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being

Racing Act 1976 No. 104 of 1976 [Assented to 16 December 1976]¹

as amended by

Racing Act Amendment Act 1978 No. 49 of 1978 [Assented to 13 April 1978]²

Racing Act Amendment Act 1980 No. 114 of 1980 [Assented to 18 December 1980]³

Racing Act Amendment Act 1981 No. 87 of 1981 [Assented to 10 December 1981]⁴

Racing Act Amendment Act 1982 No. 83 of 1982 [Assented to 16 September 1982]

Racing Act Amendment Act (No. 2) 1982 No. 98 of 1982 [Assented to 23 December 1982]

Racing Act Amendment Act 1983 No. 7 of 1983 [Assented to 28 April 1983]⁵

Racing Act Amendment Act 1984 No. 29 of 1984 [Assented to 10 May 1984]

Racing Act Amendment Act (No. 2) 1984 No. 71 of 1984 [Assented to 8 November 1984]⁶

Racing Act Amendment Act 1985 No. 40 of 1985 [Assented to 18 April 1985]

Racing Act Amendment Act 1986 No. 30 of 1986 [Assented to 27 March 1986]⁷

Racing Act Amendment Act (No. 2) 1986 No. 51 of 1986 [Assented to 11 September 1986]

Racing Act Amendment Act 1987 No. 70 of 1987 [Assented to 5 November 1987]⁸

Racing Act Amendment Act 1988 No. 53 of 1988 [Assented to 8 September 1988]

Racing Act Amendment Act (No. 2) 1988 No. 91 of 1988 [Assented to 1 December 1988]⁹

Racing (Sporting Events Betting and Appeals) Amendment Act 1991 No. 29 of 1991 [Assented to 24 April 1991]¹⁰

Racing (Interstate Totalizator Pooling) Amendment Act 1992 No. 19 of 1992 [Assented to 7 May 1992]¹¹

Racing (Dividend Adjustment) Amendment Act 1992 No. 41 of 1992 [Assented to 10 September 1992]¹¹

Racing (Miscellaneous) Amendment Act 1993 No. 29 of 1993 [Assented to 6 May 1993]¹²

Racing (Miscellaneous) Amendment Act 1994 No. 25 of 1994 [Assented to 26 May 1994]¹³

Racing (Re-allocation of Totalizator Betting Deductions) Amendment Act 1995 No. 58 of 1995 [Assented to 3 August 1995]¹⁴

Racing (Amalgamation of Pools) Amendment Act 1995 No. 103 of 1995 [Assented to 14 December 1995]¹⁵

Racing (TAB) Amendment Act 1996 No. 4 of 1996 [Assented to 4 April 1996]¹⁶

Racing (Miscellaneous) Amendment Act 1996 No. 15 of 1996 [Assented to 24 April 1996]¹⁷

Racing (Interstate Totalizator) Amendment Act 1997 No. 17 of 1997 [Assented to 27 March 1997]¹⁸

Racing (Miscellaneous) Amendment Act 1997 No. 67 of 1997 [Assented to 7 August 1997]¹⁹

Racing (Deduction from Totalizator Bets) Amendment Act 1999 No. 9 of 1999 [Assented to 18 March 1999]

Statutes Amendment (Lotteries and Racing—GST) Act 2000 No. 26 of 2000 [Assented to 29 June 2000]²⁰

Racing (Controlling Authorities) Amendment Act 2000 No. 59 of 2000 [Assented to 27 July 2000]²¹ (as amended by Racing (Transitional Provisions) Amendment Act 2000 No. 66 of 2000 [Assented to 30 November 2000]²²)

Racing (Proprietary Business Licensing) Act 2000 No. 90 of 2000 [Assented to 21 December 2000]²³

TAB (Disposal) Act 2000 No. 94 of 2000 [Assented to 21 December 2000]²⁴

NOTE:

- Asterisks indicate repeal or deletion of text.
- Entries appearing in bold type indicate the amendments incorporated since the last reprint.
- For the legislative history of the Act see Appendix.

- ¹ Came into operation (except s. 4(1) and Division 3 of Part 2) 1 January 1977: *Gaz.* 16 December 1976, p. 2252; remainder of Act came into operation 1 February 1977: *Gaz.* 27 January 1977, p. 179.
- ² Came into operation 29 May 1978: *Gaz.* 25 May 1978, p. 1825.
- ³ Came into operation (except ss. 3, 8, 10 and 11) 1 January 1981, ss. 10 and 11 came into operation 4 January 1981, ss. 3 and 8 came into operation 1 February 1981: *Gaz.* 18 December 1980, p. 2213.
- ⁴ Came into operation (except ss. 5-7, 12, 13 and 29) 14 December 1981: *Gaz.* 10 December 1981, p. 2342; remainder of Act came into operation 1 February 1982: *Gaz.* 28 January 1982, p. 209.
- ⁵ Came into operation (except s. 5) 1 August 1982: s. 2; s. 5 came into operation 29 May 1983: *Gaz.* 12 May 1983, p. 1116.
- ⁶ Came into operation 31 January 1985: *Gaz.* 31 January 1985, p. 280.
- ⁷ Came into operation (except s. 5(a)) 14 April 1986: *Gaz.* 10 April 1986, p. 870; s. 5(a) came into operation 1 July 1985: s. 2(3).
- ⁸ Came into operation 5 November 1987: *Gaz.* 5 November 1987, p. 1526.
- ⁹ Came into operation (except ss. 11, 12(f), 16-18) 31 January 1989: *Gaz.* 19 January 1989, p. 112; remainder of Act came into operation 3 April 1989: *Gaz.* 23 March 1989, p. 818.
- ¹⁰ Came into operation 17 June 1991: *Gaz.* 13 June 1991, p. 1864.
- ¹¹ Came into operation 21 September 1992: *Gaz.* 10 September 1992, p. 1060.
- ¹² Came into operation 8 May 1993: *Gaz.* 6 May 1993, p. 1576.
- ¹³ Came into operation (except ss. 4, 8, 9(a) and 10) 6 June 1994; ss. 4, 8, 9(a) and 10 came into operation 1 July 1994: *Gaz.* 2 June 1994, p. 1522.
- ¹⁴ Came into operation 1 July 1995: s. 2.
- ¹⁵ Came into operation 25 January 1996: *Gaz.* 25 January 1996, p. 807.
- ¹⁶ Came into operation 11 April 1996: *Gaz.* 11 April 1996, p. 1944.
- ¹⁷ S. 3(b), (d), (e), (j), (k) and (l), definitions of "SAGRA", "SAHRA" and "SATRA" (as inserted by s. 3(m)), new Part 2 (as substituted by s. 4) and clauses 5-8 of Sched. 2 came into operation 23 May 1996, remainder of Act came into operation 1 July 1996: *Gaz.* 23 May 1996, p. 2534.
- ¹⁸ Came into operation 21 September 1992: s. 2.
- ¹⁹ Came into operation (except s. 15) 14 August 1997: *Gaz.* 14 August 1997, p. 337; s. 15 came into operation 7 August 1999 (by virtue of the Acts Interpretation Act 1915, s. 7(5)).
- ²⁰ Part 3 (ss. 5-11) came into operation 1 July 2000: s. 2.
- ²¹ Came into operation 1 October 2000: *Gaz.* 28 September 2000, p. 2221.
- ²² Came into operation 1 October 2000: s. 2.
- ²³ Came into operation 18 January 2001: *Gaz.* 18 January 2001, p. 68.
- ²⁴ **Schedule 3 came into operation 26 April 2001: being the time at which TAB was converted to a company under the Corporations Law: Sched. 3 cl. 1: *Gaz.* 25 January 2001, p. 301.**

N.B. The amendments effected to this Act by the *Statutes Amendment (Gambling Regulation) Act 2001* have not been brought into operation.

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The Parliament of South Australia enacts as follows:

**PART 1
PRELIMINARY**

Short title

1. This Act may be cited as the *Racing Act 1976*.

* * * * *

Interpretation

5. (1) In this Act, unless the contrary intention appears—

"**authorised officer**" means—

- (a) the Commissioner; or
- (b) a member or the secretary of the Authority; or
- (c) an inspector; or
- (d) a police officer;

"**authorised racing club**" means a racing club authorised to conduct on-course totalizator betting on race-results pursuant to Part 3;

"**Authority**" means the Gaming Supervisory Authority established under the *Gaming Supervisory Authority Act 1995*;

"**bookmaker**" includes a bookmaker's agent;

"**Commissioner**" means the person for the time being holding or acting in the office of Liquor and Gaming Commissioner under the *Liquor Licensing Act 1997* (or the Commissioner's delegate);

"**controlling authority**"—see *Part 2*;

"**dividend**" in relation to a totalizator bet means the amount payable from the totalizator pool in respect of each unit of the bet;

"**double**" means a contingency, or combination of contingencies, in respect of two races;

"**football**" means Australian rules football;

"**football-result**" means a contingency, or combination of contingencies, in respect of one or more football matches;

"**football totalizator pool**" means—

- (a) the amount of the totalizator bets made on a football-result;

- (b) where TAB pools the totalizator bets made on two or more football-results pursuant to section 84E—the total amount of the totalizator bets made on those football-results;

"football totalizator rules" means the rules made by the Minister pursuant to Division 3 of Part 3;

"greyhound race" or **"greyhound racing"** means a race or racing between greyhounds in competitive pursuit of a quarry or lure that is not a live animal;

"GST" means the tax payable under the GST law;

"GST law" means—

- (a) *A New Tax System (Goods and Services Tax) Act 1999* of the Commonwealth; and
- (b) the related legislation of the Commonwealth dealing with the imposition of a tax on the supply of goods, services and other things;

"harness race" or **"harness racing"** means a pacing race or trotting race or pacing or trotting;

"horse race" or **"horse racing"** does not include a harness race or harness racing;

"Hospitals Fund" means the fund of that name established at the Treasury and continued in existence under Part 6;

"interstate bet" in relation to an interstate totalizator authority means a totalizator bet accepted by the authority on behalf of TAB pursuant to an agreement under section 82B;

"interstate totalizator authority" means a body or person who is entitled under the law of another State or Territory of the Commonwealth to conduct totalizator betting in that State or Territory;

"the metropolitan area" means the area within a radius of thirty kilometres from the General Post Office at Adelaide in the State;

"multiple" means any contingency, or combination of contingencies, in respect of a race or races, not being a single or a double;

"on-course bet" or **"on-course betting"** means a bet that is made, or betting that takes place, within a racecourse and **"off-course bet"** and **"off-course betting"** have correlative meanings;

"quinella" means a bet that attempts to predict the runners that will win the first two places in a race;

"race" or **"racing"** means—

- (a) a horse race or horse racing; or
- (b) a harness race or harness racing; or

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(c) a greyhound race or greyhound racing,

but does not include a race or racing of a kind prescribed by regulation;

"racecourse" means a place where race meetings are held and includes any land or premises appurtenant thereto and to which persons attending such meetings have access in connection with the meetings;

"race meeting" means a meeting at which horse races, harness races or greyhound races are held;

"race-result" in relation to totalizator betting means a single, double or multiple;

"racing club" means a club or association that—

- (a) is a body corporate; and
- (b) is established for the purpose of conducting race meetings; and
- (c) is not established for the purpose of securing pecuniary profit for its members from its transactions;

"racing totalizator pool" means—

- (a) the amount comprised in the balance remaining of the amount of the totalizator bets on race-results made with any body conducting totalizator betting on a race-result after the deduction of the amounts required by section 68; or
- (b) where two or more racing totalizator pools are pooled pursuant to section 72—an amount equal to the sum of those racing totalizator pools;

"racing totalizator rules" means the rules made by the Authority pursuant to Division 2 of Part 3;

"racing year" means the period commencing on the first day of August in any year and expiring on the succeeding 31 July;

"Recreation and Sport Fund" means the fund of that name established at the Treasury and continued in existence under the *State Lotteries Act 1966*;

"registered greyhound racing club" means a racing club that is established for the purpose of conducting greyhound race meetings and is registered by the controlling authority for greyhound racing;

"registered harness racing club" means a racing club that is established for the purpose of conducting harness race meetings and is registered by the controlling authority for harness racing;

"registered horse racing club" means a racing club that is established for the purpose of conducting horse race meetings and is registered by the controlling authority for horse racing;

"registered racing club" means a registered horse racing club, registered harness racing club or registered greyhound racing club;

"single" means a contingency, or a combination of not more than two contingencies, in respect of one race;

"TAB" means TABCO within the meaning of the *TAB (Disposal) Act 2000*;

"totalizator betting" means betting in accordance with a system under which the amount paid out in respect of a bet made on a particular event or combination of events is proportioned to the total amount bet on that event or combination of events; and **"totalizator bet"** has a corresponding meaning;

"totalizator pool" means—

- (a) a racing totalizator pool; or
- (b) a football totalizator pool; or
- (c) a pool consisting of the gross amount of the bets made with TAB in relation to an event or combination of events in respect of which TAB conducts totalizator betting under Division 4 of Part 3;

"unit" means—

- (a) in relation to on-course totalizator betting on race-results—an amount determined by the appropriate controlling authority as constituting a unit;
- (b) in relation to other forms of totalizator betting—an amount determined by TAB as constituting a unit in relation to that form of totalizator betting;

"winning bet dividend" means the dividend payable on a totalizator bet on a race-result or a football-result for successfully predicting that result.

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PART 2
DESIGNATION OF CONTROLLING AUTHORITIES

Designation of controlling authorities

6. (1) The Governor may, by proclamation—

- (a) designate a body as the controlling authority for horse racing;
- (b) designate a body as the controlling authority for harness racing;
- (c) designate a body as the controlling authority for greyhound racing.

(2) The Governor may, by subsequent proclamation, vary or revoke a proclamation made under this section.

PART 3
TOTALIZATOR BETTING

DIVISION 1—TOTALIZATOR AGENCY BOARD

Authorisation to conduct totalizator betting

7. TAB will continue to be authorised—

- (a) to conduct off-course totalizator betting on races held within or outside Australia; and
- (b) to act as the agent of an authorised racing club in the conduct by that club of on-course totalizator betting on races held within or outside Australia; and
- (c) to conduct totalizator betting on football-results held within or outside Australia; and
- (d) to conduct totalizator betting on the result of any other sporting event or an event of any other kind or on a combination of sporting or other events whether held or occurring within or outside Australia.

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Totalizator rules of TAB

60. (1) TAB may, with the approval of the Minister, make rules prescribing any matter relating to the acceptance and payment of totalizator bets made with TAB.

(2) TAB may, with the approval of the Minister, amend, vary or revoke any rules made pursuant to subsection (1).

(3) The provisions of the *Subordinate Legislation Act 1978* do not apply in relation to rules made pursuant to this section.

Premises for totalizator betting

61. (1) TAB may not establish an office, branch or agency for the conduct of totalizator betting unless the premises proposed to be used for that purpose and their location have been approved by the Minister.

(2) The Minister must, in determining whether or not to give the approval referred to in subsection (1), have regard to the proximity of the premises to places of public worship, schools and other educational institutions and premises licensed under the *Liquor Licensing Act 1985*, and to such other matters as he or she considers relevant.

Acceptance and payment of bets

62. (1) TAB may accept a totalizator bet—

- (a) by the deposit of the amount of the bet in cash at an office, branch or agency of TAB;
or
- (b) by letter sent through the post, or telegram or telephone message, to an office, branch or agency of TAB by a person who has established and maintained in accordance with the rules of TAB an account with TAB that is sufficiently in credit to meet the amount of the bet; or

(c) by the surrender, or partial surrender, of a cash voucher issued by TAB; or

(d) by the electronic transfer of the amount of the bet to TAB.

(1a) TAB may only accept a bet made electronically if it is made using a card—

(a) that is approved by TAB; and

(b) that does not enable the holder to obtain money on credit for the purpose of making the bet.

(2) Except as otherwise directed by the Minister, TAB must pay dividends on totalizator bets as soon as practicable after completion of the race, match or event in relation to which the bet was made.

(3) Despite subsection (2), TAB may credit to a credit account established with it any dividend on a totalizator bet at any time after the dividend is declared.

DIVISION 2—CONDUCT OF TOTALIZATOR BETTING ON RACES

Conduct of on-course totalizator betting by racing clubs

63. (1) Subject to this Act, a registered racing club may conduct on-course totalizator betting in conjunction with a race meeting held by the club.

(1a) Subject to this Act a racing club that is not registered may, if authorised to do so by the Authority, conduct on-course totalizator betting in conjunction with a race meeting held by the club.

(1b) The Authority's authorisation under subsection (1a)—

(a) may be subject to such conditions as the Authority thinks fit; and

(b) may be varied or revoked by the Authority at any time.

(2) Subsections (1) and (1a) authorise betting on races held at the race meeting and on races of the same form held within or outside Australia.

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(6) The Authority may, subject to such conditions as the Authority thinks fit, by notice in writing to a racing club, authorise the club to conduct on-course totalizator betting in conjunction with a race meeting held by the club on races of other forms held within or outside Australia and may revoke the notice by subsequent notice in writing to the club.

(7) Where a racing club is unable to hold a race meeting because of unforeseen circumstances, it may conduct on-course totalizator betting as if the race meeting had not been cancelled.

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Conduct of on-course totalizator betting when race meeting not in progress

64. The Authority may, subject to such conditions as the Minister thinks fit, by notice in writing to a registered racing club, authorise the club to conduct on-course totalizator betting on races of any form held within or outside Australia when a race meeting is not in progress at the racecourse at which the totalizator betting is to be conducted and the Authority may revoke the notice by subsequent notice in writing to the club.

Revocation of right to conduct on-course totalizator betting

65. If, in the Authority's opinion, an authorised racing club has contravened or failed to comply with any provision of this Act, the racing totalizator rules or a condition of an authorisation granted by the Authority under this Division, the Authority may, by notice in writing given to the club, revoke, suspend or restrict the club's right to conduct on-course totalizator betting whether the club had that right by virtue of this Act or of an authorisation granted by the Authority under this Act.

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Totalizator rules for authorised racing clubs

67. (1) The Authority may, after consultation with the controlling authorities and TAB, make rules prescribing any matter relating to the calculation of dividends on totalizator bets on race-results, the formation of racing totalizator pools and any other matter relating to the conduct of totalizator betting on race-results by authorised racing clubs or TAB.

(2) The Authority may, after consultation with the controlling authorities and TAB, amend, vary or revoke any rules made pursuant to subsection (1).

(3) The provisions of the *Subordinate Legislation Act 1978* do not apply in relation to rules made pursuant to this section.

Deduction of percentage from totalizator money

68. (1) Where TAB, or an authorised racing club, conducts totalizator betting on a race-result, TAB, or the club, as the case may be, must deduct from the amount of the bets an amount or amounts prescribed by regulation or fixed by a person or body appointed by regulation within limits prescribed by the regulation.

(2) For the purposes of subsection (1) the regulations, or a person or body appointed by the regulations, may—

- (a) prescribe or fix different amounts in relation to different kinds of bets;
- (b) where an agreement under section 82A between TAB and an interstate totalizator authority is in force, prescribe or fix an amount by reference to the amount that, under the law of the State or Territory in which the interstate totalizator authority is entitled to conduct totalizator betting, must or may be deducted from the amount of the bets accepted by TAB under the agreement.

(3) The regulations may appoint the same person or body, or different persons or bodies, to fix the amount or amounts to be deducted under subsection (1) in respect of totalizator betting conducted by TAB and each racing club.

Application of amount deducted under s. 68

69. (1) The amount deducted by TAB from totalizator bets pursuant to section 68 must be applied as follows:

(a) if an agreement under section 82B is in force between TAB and an interstate totalizator authority under which the interstate totalizator authority is entitled to deductions made by TAB under section 68 in respect of interstate bets—the amount of those deductions must be paid to the interstate totalizator authority less—

(i) the GST (if any) in respect of those deductions; and

(ii) any amount or amounts that the agreement provides for by way of fee payable to TAB by the interstate totalizator authority; and

(b) the balance must be applied in accordance with subsection (1a).

(1a) The net gambling revenue must be applied as follows:

(a1) firstly, in payment of the GST in respect of the net gambling revenue; and

(a) secondly, in payment of such amount, as the Minister directs, towards the administrative and operating expenses (excluding the GST referred to in paragraph (a1)) of TAB; and

(b) thirdly, in payment to the controlling authorities in the respective shares specified in subsection (2)(b) of an amount equal to 1 per cent of the amount of totalizator bets (other than interstate bets) made with TAB on doubles and an amount equal to 1.4 per cent of the amount of totalizator bets (other than interstate bets) made with TAB on multiples; and

(c) fourthly, in payment into a fund to be applied towards the capital expenses of TAB of an amount equal to 0.5 per cent of the amount of totalizator bets (other than interstate bets) made with TAB on race-results; and

(d) fifthly, in payment to the controlling authorities in the respective shares specified in subsection (2)(b) of an amount equal to 0.5 per cent of the amount of totalizator bets (other than interstate bets) made with TAB on race-results; and

(e) sixthly, in payment of amounts approved by the Minister towards reserves of TAB, to be applied as TAB, with the approval of the Minister, considers necessary; and

(f) seventhly, in payment to the Treasurer to be credited to the Hospitals Fund of an amount equal to six per cent of the net gambling revenue; and

(g) eighthly, in payment to the controlling authorities in the respective shares specified in subsection (2)(b) of an amount equal to 18.45 per cent of the net gambling revenue; and

(h) ninthly, in accordance with subsection (2).

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(2) The balance (if any) of the amount deducted by TAB pursuant to section 68 remaining at the end of each quarter, after deducting the amount of the payments required by subsection (1) or any other provision of this Act to be made in respect of that quarter, must be applied as soon as practicable after the end of that quarter as follows:

- (a) 45 per cent of the balance must be paid to the Treasurer to be credited to the Hospitals Fund; and
- (b) the amount remaining after the payment referred to in paragraph (a) must be shared between the controlling authorities as follows:
 - (i) 73.5 per cent is to be paid to the controlling authority for horse racing;
 - (ii) 17.5 per cent is to be paid to the controlling authority for harness racing;
 - (iii) 9 per cent is to be paid to the controlling authority for greyhound racing.

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(3) Despite subsection (2), TAB may, with the approval of the Minister, before the expiration of a quarter, make an advance to a controlling authority towards the payment to be made under that subsection to the controlling authority in respect of that quarter.

* * * * *

(5) In this section—

"**net gambling revenue**" means the amount deducted by TAB from totalizator bets pursuant to section 68 or, where subsection (1)(a) applies, the balance referred to in subsection (1)(b);

"**quarter**" means a period of approximately one quarter of a year—

- (a) commencing on the first days of January, April, July and October if the day concerned is a Thursday or, if it is not, then commencing on the day nearest to that day that is a Thursday; and
- (b) ending on 31 March, 30 June, 30 September and 31 December if the day concerned is a Wednesday or, if it is not, then ending on the day nearest to that day that is a Wednesday.

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Application of percentage deductions

70. (1) Subject to subsection (4), an authorised racing club must, out of the amount deducted by it pursuant to section 68, from totalizator bets made with it on each day on which it conducts totalizator betting—

- (a) pay to the Treasurer for the credit of the Consolidated Account, where the sum of the amounts of those bets made with it on that day—
 - (i) does not exceed \$30 000—an amount equal to 1 per cent of that sum; or

- (ii) exceeds \$30 000 but does not exceed \$60 000—\$300 plus 2 per cent of the amount in excess of \$30 000; or
- (iii) exceeds \$60 000 but does not exceed \$120 000—\$900 plus 3 per cent of the amount in excess of \$60 000; or
- (iv) exceeds \$120 000—\$2 700 plus 5.25 per cent of the amount in excess of \$120 000,

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and may retain the balance for the purposes of the club.

(1a) Where, on a particular day, two or more authorised racing clubs conducted totalizator betting on the same race results and one or more of those clubs did not hold a race meeting on that day, the amounts of the totalizator bets made with those clubs on that day must be pooled for the purpose of determining the amounts to be paid pursuant to subsection (1).

(1b) The amount remaining after payments have been made under subsection (1) following pooling under subsection (1a) must be divided between the racing clubs so that—

- (a) the club or clubs that held race meetings on the day concerned receive the amount that they would have retained under subsection (1) if pooling had not occurred; and
- (b) the club that did not hold a race meeting on that day receives the balance or, if there were two or more such clubs, the balance is divided between them in proportion to the amount deducted by each of them pursuant to section 68.

(1c) A racing club that has cancelled a race meeting because of unforeseen circumstances but conducts totalizator betting during the period that the cancelled race meeting would have been held will be taken, for the purposes of subsections (1a) and (1b), to have held the race meeting as originally planned.

(2) An amount payable to the Treasurer under this section may be recovered by the Treasurer as a debt by action in a court of competent jurisdiction.

(3) Where the Treasurer is satisfied that an authorised racing club pays its net proceeds (if any) from a race meeting on any day, towards charitable purposes that the Treasurer approves, the Treasurer may authorise that club to pay towards those charitable purposes an amount equal to the amount otherwise payable to the Treasurer under subsection (1)(a).

(3a) For the purpose of determining the net proceeds of a race meeting under subsection (3) the balance retained by the club under subsection (1) in relation to that meeting must be included as part of the gross proceeds of that meeting.

(4) Despite the other provisions of this section, where an authorised racing club pays, in accordance with the authority of the Treasurer given under subsection (3), towards charitable purposes an amount equal to the amount that it is liable to pay to the Treasurer under subsection (1)(a), the club is discharged from the liability to pay that amount to the Treasurer.

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Refund of GST payable by racing club

70A. (1) The Treasurer must pay to an authorised racing club an amount equivalent to the GST paid by the club in respect of amounts deducted by it pursuant to section 68.

(2) The money required for payments under this section must be paid out of the Consolidated Account which is appropriated to the necessary extent.

Fixing the amount of betting unit

71. (1) Subject to subsection (3), TAB may, by notice published in the *Gazette*—

- (a) fix the amount that will, for the purposes of this Act, constitute a unit in relation to off-course totalizator betting on any form of racing; or
- (b) determine the minimum number of units that may constitute a bet for the purposes of off-course totalizator betting on any form of racing; or
- (c) vary or revoke a notice previously published under this subsection.

(2) Subject to subsection (3), the controlling authority for any form of racing may, by notice published in the *Gazette*—

- (a) fix the amount that will, for the purposes of this Act, constitute a unit in relation to on-course totalizator betting on that form of racing; or
- (b) determine the minimum number of units that may constitute a bet for the purpose of on-course totalizator betting on that form of racing; or
- (c) vary or revoke a notice previously published under this subsection.

(3) A notice must not be published under subsection (1) except with the approval of the Minister.

(4) A notice must not be published under subsection (2) except with the approval of the Authority.

Racing totalizator pools

72. Where totalizator betting is conducted on a race-result by more than one body, being—

- (a) TAB and one, or more than one, authorised racing club; or
- (b) more than one authorised racing club,

those bodies may, in accordance with the racing totalizator rules, pool their respective totalizator pools in respect of that race-result.

Application of racing totalizator pools

73. (1) Where TAB or an authorised racing club holds an amount, being the whole or any part of any racing totalizator pool, it must, subject to this Act, apply the whole of that amount in payment, in accordance with this Act and the racing totalizator rules, of dividends on the bets contributing to the racing totalizator pool.

(2) The dividend payable on totalizator bets on race-results made with TAB or an authorised racing club will, subject to this section, be of an amount equal to—

- (a) the amount ascertained in accordance with the racing totalizator rules; or
- (b) in the case of a winning bet dividend, the amount referred to in paragraph (a) or one unit, whichever is the greater.

(3) Despite subsection (2), where, in the case of a winning bet dividend, the amount referred to in paragraph (a) of that subsection is less than one unit and the race-result on which the bets were made, is, or includes, a draw, the winning bet dividend will be of an amount equal to the amount referred to in that paragraph.

(4) Despite the other provisions of this section, the dividend payable on any totalizator bet on a race-result made pursuant to this Act will not include any fraction of five cents.

Jackpot

74. Despite section 73, TAB or an authorised racing club may, in accordance with the racing totalizator rules, pool the totalizator pool derived from bets on a race-result on which no winning bet dividend is payable with the totalizator pool derived from bets on another race-result made with TAB, that authorised club or another authorised racing club.

Totalizator pool insufficient to pay dividends

75. If after deducting the amount required by section 68 a racing totalizator pool would be insufficient to pay winning bet dividends on bets contributing to the pool, the amount to be deducted pursuant to section 68 will be reduced so that dividends can be paid.

Application of fractions by TAB

76. (1) The amount of fractions retained by TAB under section 73(4) must be applied by TAB as follows:

- (a) if an agreement under section 82B is in force between TAB and an interstate totalizator authority under which the authority is entitled to the fractions arising from dividends on interstate bets—the amount of those fractions must be paid to the interstate totalizator authority in accordance with the agreement; and
- (b) the balance must be applied in accordance with subsection (2).

(2) The amount of fractions retained by TAB under section 73(4) or, where subsection (1)(a) applies, the balance referred to in subsection (1)(b) must be applied by TAB as follows:

- (a) one half must be paid to the Treasurer to the credit of the Hospitals Fund; and
- (b) the amount remaining after the payment referred to in paragraph (a) must be paid to the controlling authorities in the respective shares specified in section 69(2)(b).

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Unclaimed dividends

78. (1) Subject to subsection (1a), TAB will not, after the expiration of the period of six months commencing on the day on which a race is held, be liable to pay any dividend on a totalizator bet made with it in respect of that race.

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(1a) If an agreement under section 82B is in force between TAB and an interstate totalizator authority under which the authority is entitled to the payment of unclaimed dividends on interstate bets, TAB must pay those dividends to the interstate totalizator authority in accordance with the agreement.

(2) An authorised racing club will not, after the expiration of the period of two months commencing on the day on which a race is held, be liable to pay any dividend on a totalizator bet made with it in respect of that race.

(3) Any amount accruing to TAB by virtue of the operation of subsection (1) must be applied by TAB as follows:

- (a) an amount equal to one-half of the amount must be paid to the Treasurer to be credited to the Hospitals Fund; and
- (b) the amount remaining after the payment referred to in paragraph (a) must be paid to the controlling authorities in the respective shares specified in section 69(2)(b).

(3a) Any amount accruing to an authorised racing club by virtue of the operation of subsection (2) must be paid by the club to the Treasurer to be credited to the Hospitals Fund.

(4) Where, before the expiration of the period of twelve months commencing on the day on which a race is held, any person makes a claim to the Treasurer for payment of a dividend on a totalizator bet (other than an interstate bet) made in respect of that race and the Treasurer is satisfied—

- (a) that a payment has been made pursuant to subsection (3) or (3a) in respect of the dividend; and
- (b) that the person would have been entitled to be paid the dividend by TAB or the authorised racing club, as the case may be, if he or she had made a valid claim for such payment before TAB or the authorised racing club, as the case may be, ceased to be liable to pay the dividend; and
- (c) that payment of the dividend has not been made to any person and no other person has a valid claim to be paid the dividend,

the Treasurer may pay to that person from the Hospitals Fund the amount of the dividend.

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Power to conduct off-course totalizator betting outside State

82. (1) TAB may on and subject to such terms and conditions as may be agreed between the Minister and any responsible Minister of the Crown in right of the Commonwealth or in right of any other State, do all or any of the following things:

- (a) conduct or assist in conducting off-course totalizator betting on race-results within any Territory of the Commonwealth or within that other State, for or on behalf of the Commonwealth or that other State, as the case may be, or for or on behalf of any person authorised by or under the law of the Commonwealth or that other State to conduct or provide off-course totalizator betting on race-results or off-course facilities for totalizator betting on race-results in such Territory or other State;

- (b) employ any person as the agent and establish agencies of TAB in any Territory of the Commonwealth or within that other State;
- (c) act as the agent in this State of any person authorised by or under the law of the Commonwealth or that other State to conduct totalizator betting on race-results or to provide off-course facilities for totalizator betting on race-results in any Territory of the Commonwealth or in that other State.

(2) Any agreement entered into under subsection (1) may be carried into effect despite anything to the contrary or otherwise contained in this Act.

Agreement with interstate totalizator authority—interstate authority conducts totalizator

82A. (1) TAB may, with the approval of the Minister, enter into an agreement with an interstate totalizator authority to act as the agent of the interstate totalizator authority in accepting totalizator bets for the formation of racing totalizator pools by the interstate totalizator authority under the law of another State or Territory.

(2) An agreement referred to in subsection (1) may apply in relation to any kind of totalizator bets.

(3) TAB may accept bets under an agreement referred to in subsection (1) through the agency of an authorised racing club.

(4) An agreement referred to in subsection (1) cannot be made and does not remain in force unless—

- (a) the law for the time being of the State or Territory in which the interstate totalizator authority is entitled to conduct totalizator betting—
 - (i) includes a provision corresponding to section 68 under which a percentage (being a percentage within a prescribed range) of the amount of the bets accepted by TAB under the agreement either must or may be deducted from those bets; and
 - (ii) does not prevent the execution or operation of the agreement in accordance with subsection (5);
- (b) the agreement includes a provision that TAB may terminate the agreement if the law for the time being of the State or Territory in which the interstate totalizator authority is entitled to conduct totalizator betting does not include the provision referred to in paragraph (a)(i) or prevents the execution or operation of the agreement in accordance with subsection (5).

(4a) The prescribed range of percentages referred to in subsection (4)(a)(i) is 0 to 20 per cent.

(5) Subject to subsection (6), an agreement referred to in subsection (1) must provide that TAB is entitled—

- (a) to the amount referred to in subsection (4)(a) that is deducted from the amount of the bets accepted by TAB; and
- (b) to all fractions not included in dividends on bets accepted by TAB; and

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(c) to unclaimed dividends on bets accepted by TAB.

(6) An agreement referred to in subsection (1) may provide that the amount that TAB would otherwise be entitled to under subsection (5)(a) may be reduced—

(a) by the amount of a fee to be paid by TAB to the interstate totalizator authority pursuant to the agreement; and

(b) where the law of the State or Territory in which the interstate totalizator authority is entitled to conduct totalizator betting provides for a minimum dividend of 50 cents, by an amount necessary to increase a dividend to 50 cents.

(7) The amount to which TAB is entitled under subsection (5)(a) must be applied by TAB in accordance with section 69 as though the amount had been deducted under section 68.

(8) Those fractions to which TAB is entitled under the agreement that are attributable to bets accepted by a racing club as agent for TAB must be paid to the racing club and the remainder of the fractions to which TAB is entitled under the agreement must be applied in accordance with section 76.

(9) Those unclaimed dividends to which TAB is entitled under the agreement that are attributable to bets accepted by a racing club as agent for TAB must be paid to the Treasurer to be credited to the Hospitals Fund and the remainder of the unclaimed dividends to which TAB is entitled under the agreement must be applied in accordance with section 78(3).

Agreement with interstate totalizator authority—TAB conducts totalizator

82B. (1) TAB may, with the approval of the Minister, enter into an agreement with an interstate totalizator authority under which the interstate totalizator authority agrees to accept totalizator bets as agent for TAB.

(2) An agreement referred to in subsection (1) may apply in relation to any kind of totalizator bets.

(3) An agreement referred to in subsection (1) may provide that the interstate totalizator authority is entitled to—

(a) deductions made by TAB under section 68 in respect of interstate bets;

(b) fractions not included in dividends on interstate bets;

(c) unclaimed dividends on interstate bets.

Returns by authorised clubs

83. (1) An authorised racing club must, before the expiration of the period of twenty-one days commencing on any day on which the club conducts totalizator betting on race-results, furnish to the Commissioner a return in a form approved by the Commissioner setting out—

(a) the amount of the totalizator bets made with it on that day on each race-result; and

(b) the amount paid in dividends on totalizator bets made with it on that day on each race-result; and

- (c) the amount, if any, paid by it to a controlling authority pursuant to section 70 in respect of that day; and
- (d) the amount retained by the club for its purposes from the amount deducted pursuant to section 68; and
- (e) the amount of any fractions retained by the club in respect of that day; and
- (f) the amount of dividends on totalizator bets made with it on that day on each race-result that are unclaimed.

(2) If an authorised racing club fails to furnish a return in accordance with subsection (1), or furnishes a return that is false or misleading in a material particular, the club is guilty of an offence.

Maximum penalty: \$5 000.

Facilities for police to be provided by authorised racing clubs

84. An authorised racing club must on any day on which it is authorised to conduct totalizator betting at a racecourse provide within that racecourse for the sole use of the members of the police force of the State a room constructed, furnished and situated as the Authority, after consultation with the Commissioner of Police, may require.

DIVISION 3—CONDUCT OF TOTALIZATOR BETTING ON FOOTBALL MATCHES

Football totalizator rules

84A. (1) The Minister may, after consultation with TAB and the South Australian National Football League, make rules prescribing—

- (a) any matter relating to the calculation of dividends on totalizator bets on football-results; and
- (b) the formation of football totalizator pools; and
- (c) any other matter relating to the conduct of totalizator betting on football-results by TAB.

(2) The Minister may, after consultation with TAB, amend, vary or revoke any rules made pursuant to subsection (1).

(3) The provisions of the *Subordinate Legislation Act 1978* do not apply to or in relation to rules made pursuant to this section.

Application of twenty per cent of totalizator bets on football matches

84B. (1) Twenty per cent of each football totalizator pool must be applied by TAB as follows:

- (a1) firstly, in payment of the GST in respect of the net gambling revenue; and
- (a) secondly, in payment of such amount, as the Minister directs, towards the administrative and operating expenses (excluding the GST referred to in paragraph (a1)) of TAB; and

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- (b) thirdly, in payment into a fund to be applied towards the capital expenses of TAB of an amount equal to one per cent of the football totalizator pool; and
- (ba) fourthly, in payment of an amount equal to six per cent of the net gambling revenue into the Recreation and Sport Fund; and
- (bb) fifthly, in payment of an amount equal to 15.09 per cent of the net gambling revenue to the South Australian National Football League; and
- (c) sixthly, in payment of the balance (if any) to the Recreation and Sport Fund and the South Australian National Football League in equal shares.

(2) TAB is not required to make payments under subsection (1) before 31 December in the year in which the bets constituting the football totalizator pool were made.

(3) In this section—

"**net gambling revenue**" means the 20 per cent of a football totalizator pool referred to in subsection (1).

Fixing the amount of betting unit

84C. (1) Subject to subsection (2), TAB may, by notice in the *Gazette*—

- (a) fix the amount that will, for the purposes of this Act, constitute a unit in relation to totalizator betting on football-results; or
- (b) determine the minimum number of units that may constitute a bet for the purposes of totalizator betting on football-results; or
- (c) vary or revoke a notice previously published under this subsection.

(2) A notice must not be published under this section except with the approval of the Minister.

Application of football totalizator pools

84D. (1) TAB must apply football totalizator pools in accordance with this Act and the football totalizator rules.

(2) The dividend payable on totalizator bets on football-results will, subject to this section, be—

- (a) the amount ascertained in accordance with the football totalizator rules; or
- (b) in the case of a winning bet dividend—the amount referred to in paragraph (a) or one unit, whichever is the greater.

(3) Despite subsection (2), where, in the case of a winning bet dividend, the amount referred to in paragraph (a) is less than one unit and the football-result on which the bets were made is, or includes, a draw, the winning bet dividend will be the amount referred to in that paragraph.

(4) Despite the other provisions of this section, the dividend payable on any totalizator bet on a football-result made pursuant to this Act will not include any fraction of five cents.

Jackpot

84E. TAB may, in accordance with the football totalizator rules, pool the football totalizator pool derived from bets on a football-result on which no winning bet dividend is payable with the football totalizator pool derived from bets on another football-result made with TAB.

Insufficiency of totalizator pool

84F. Where a football totalizator pool is insufficient to pay winning bet dividends payable on bets contributing to the pool, TAB must, to the extent necessary to enable it to pay those dividends, draw on—

- (a) firstly, the amount accruing to it on the day by virtue of the non-payment of fractions; and
- (b) secondly, the Recreation and Sport Fund, and the Treasurer may pay from that Fund to TAB such amount accordingly.

Application of balance of fractions by TAB

84G. Any balance remaining on any day of the amount accruing to TAB by virtue of the non-payment of fractions after payments pursuant to section 84F must, before the expiration of the period of three weeks commencing on that day, be applied by TAB as follows:

- (a) one-half of the balance must be paid to the Treasurer to be credited to the Recreation and Sport Fund; and
- (b) the other half must be paid to the South Australian National Football League.

Unclaimed dividends

84H. (1) TAB will not, after the expiration of the period of six months commencing on the day on which a football match is held, be liable to pay any dividend on a totalizator bet made with it in respect of that match.

(2) Any amount accruing to TAB by virtue of the operation of subsection (1) must be applied by TAB as follows:

- (a) one-half of the amount must be paid to the Treasurer to be credited to the Recreation and Sport Fund; and
- (b) the other half of the amount must be paid to the South Australian National Football League.

(3) Where, before the expiration of the period of twelve months commencing on the day on which a football match is held, any person makes a claim to the Treasurer for payment of a dividend on a totalizator bet made in respect of that match and the Treasurer is satisfied—

- (a) that a payment has been made pursuant to subsection (2) in respect of the dividend; and
- (b) that the person would have been entitled to be paid the dividend by TAB if he or she had made a valid claim for such payment before TAB ceased to be liable to pay the dividend; and

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- (c) that payment of the dividend has not been made to any person and no other person has a valid claim to be paid the dividend,

the Treasurer may pay to that person from the Recreation and Sport Fund the amount of the dividend.

DIVISION 4—TOTALIZATOR BETTING ON OTHER EVENTS**Totalizator betting by TAB on other events**

84I. (1) TAB may, with the approval of the Minister, conduct totalizator betting under this Division on sporting events or events of any other kind or on a combination of sporting or other events whether held or occurring within or outside Australia.

(2) This section does not authorise TAB to conduct totalizator betting on a race or football match.

Totalizator rules for betting on other events

84IA. (1) The Minister may, after consultation with TAB, make rules prescribing—

- (a) any matter relating to the calculation of dividends on totalizator bets on sporting or other events to which this Division applies; and
- (b) the formation of totalizator pools in relation to such bets; and
- (c) any other matter relating to the conduct of totalizator betting by TAB on sporting or other events to which this Division applies.

(2) The Minister may, after consultation with TAB, vary or revoke any rules made pursuant to subsection (1).

(3) The provisions of the *Subordinate Legislation Act 1978* do not apply to or in relation to rules made pursuant to this section.

Application of amount bet

84J. (1) Where TAB conducts totalizator betting on an event or combination of events in pursuance of this Division—

- (a) the percentage prescribed by regulation of the totalizator pool must be set aside to be applied as soon as practicable after the end of each half-yearly period as follows:
 - (ai) firstly, in payment of the GST in respect of the net gambling revenue; and
 - (i) secondly, in payment of such amount, as the Minister directs, towards the administrative and operating expenses (excluding the GST referred to in subparagraph (ai)) of TAB; and
 - (ii) thirdly, in payment into a fund to be applied towards the capital expenses of TAB of an amount equal to one per cent of the totalizator pool; and
 - (iia) fourthly, in payment of an amount equal to six per cent of the net gambling revenue into the Recreation and Sport Fund; and

- (iii) fifthly, the balance (if any) must be paid into the Recreation and Sport Fund; and

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- (b) subject to the rules, the balance of the totalizator pool must be applied in the payment of dividends.

(1a) The regulations may prescribe percentages for the purposes of subsection (1)(a) that vary according to the event or combination of events to which they are expressed to apply or any other factor.

- (2) In this section—

"**half-yearly period**" means a period of 6 months commencing on 1 January or 1 July in a calendar year;

"**net gambling revenue**" means the 20 per cent of a totalizator pool referred to in paragraph (a) of subsection (1).

Agreement with interstate or overseas totalizator authority

84K. (1) TAB may, with the approval of the Minister, enter into an agreement with an interstate or overseas totalizator authority to act as the agent of the interstate or overseas totalizator authority in accepting totalizator bets for the formation of sporting totalizator pools by the interstate or overseas totalizator authority under the law of another State or Territory or another country.

(2) An agreement referred to in subsection (1) may apply in relation to any kind of totalizator bets.

(3) An agreement referred to in subsection (1) cannot be made and does not remain in force if the law for the time being of the State, Territory or other country in which the interstate or overseas totalizator authority is entitled to conduct totalizator betting—

- (a) does not include a provision under which a percentage (being a percentage within a prescribed range) of the amount of the bets accepted by TAB under the agreement either must or may be deducted from those bets; or

- (b) prevents the execution or operation of the agreement in accordance with subsection (5).

- (4) The prescribed range of percentages referred to in subsection (3)(a) is 0 to 20 per cent.

(5) Subject to subsection (6), an agreement referred to in subsection (1) must provide that TAB is entitled—

- (a) to the amount referred to in subsection (3)(a) that is deducted from the amount of the bets accepted by TAB; and

- (b) to all fractions not included in dividends on bets accepted by TAB; and

- (c) to unclaimed dividends on bets accepted by TAB.

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(6) An agreement referred to in subsection (1) may provide that the amount that TAB would otherwise be entitled to under subsection (5)(a) may be reduced—

- (a) by the amount of a fee to be paid by TAB to the interstate or overseas totalizator authority pursuant to the agreement; and
- (b) where the law of the State, Territory or other country in which the interstate or overseas totalizator authority is entitled to conduct totalizator betting provides for a minimum dividend of 50 cents, by an amount necessary to increase a dividend to 50 cents.

(7) The amount to which TAB is entitled under subsection (5)(a) must be applied by TAB in accordance with section 84J.

(8) In this section—

"**overseas totalizator authority**" means a body or person who is entitled under the law of another country to conduct totalizator betting in that country;

"**sporting totalizator pool**" means the amount of totalizator bets made on the result of a sporting event (including a football match but not including a race).

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PART 3A

FIXED ODDS BETTING WITH INTERSTATE OR OVERSEAS AUTHORITY

Agreement with interstate or overseas authority

84L. (1) TAB may, with the approval of the Minister, enter into an agreement with an interstate or overseas authority to act as the agent of the interstate or overseas authority in accepting fixed odds bets on sporting or other events (including football matches but not including races) by the interstate or overseas authority under the law of another State, Territory or country.

(2) An agreement referred to in subsection (1) cannot be made and does not remain in force if the law for the time being of the State, Territory or other country in which the interstate or overseas authority is entitled to conduct betting prevents the execution or operation of the agreement in accordance with subsection (3).

(3) Subject to subsection (4), an agreement referred to in subsection (1) must provide that TAB is entitled—

- (a) to the amount of the bets accepted by TAB remaining after payment of dividends on those bets; and
- (b) to unclaimed dividends on bets accepted by TAB.

(4) An agreement referred to in subsection (1) may provide that the amount that TAB would otherwise be entitled to under subsection (3)(a) may be reduced—

- (a) by the amount of a fee to be paid by TAB to the interstate or overseas authority pursuant to the agreement; and
- (b) by an amount that is payable by TAB to the interstate or overseas authority pursuant to the agreement where the amount of the bets accepted by TAB on a sporting or other event is less than the dividends payable on those bets.

(5) In this section—

"interstate authority" means a body or person who is entitled under the law of another State or Territory of the Commonwealth to conduct fixed odds betting in that State or Territory on sporting or other events;

"overseas authority" means a body or person who is entitled under the law of another country to conduct fixed odds betting on sporting or other events.

Application of profits from fixed odds betting

84M. (1) The amount to which TAB is entitled under section 84L(3)(a) must be applied by TAB as follows:

- (a) firstly, in payment of such amount as the Minister directs towards the administrative and operating costs of TAB under this Part; and
- (b) secondly, in payment into a fund (to be applied towards the capital expenses of TAB) of one per cent of the amount to which TAB is entitled under section 84L(3)(a); and

(ba) thirdly, in payment of six per cent of that amount into the Recreation and Sport Fund; and

(c) fourthly, the balance (if any) must be paid into the Recreation and Sport Fund.

(2) Payments under subsection (1)(c) must be made as soon as practicable after 30 June and 31 December in each year.

Unclaimed dividends

84N. (1) The amount of unclaimed dividends received by TAB under the agreement referred to in section 84L must be paid into the Recreation and Sport Fund.

(2) Where, before the expiration of twelve months after a sporting or other event was held or occurred, a person makes a claim to the Treasurer for payment of an unclaimed dividend referred to in subsection (1) in respect of that event and the Treasurer is satisfied that—

(a) the amount of the dividend has been paid into the Recreation and Sport Fund in accordance with subsection (1); and

(b) the person would have been entitled to be paid the dividend if he or she had made a valid claim for such payment; and

(c) payment of the dividend has not been made to any person and no other person has a valid claim to be paid the dividend,

the Treasurer may pay to that person from the Recreation and Sport Fund the amount of the dividend.

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PART 4
REGULATION OF BOOKMAKERS**Interpretation**

85. In this Part, unless the contrary intention appears—

"**approved event**" means a sporting event (except a race) that has been approved by the Authority for the purposes of this definition or an event of any other kind that has been so approved or a combination of approved sporting events or other kinds of approved events whether held or occurring within or outside Australia;

"**betting**" means fixed odds betting and "**bet**" has a corresponding meaning;

"**cash bet**" means a bet where the bettor pays the amount bet to the bookmaker when the bet is accepted;

"**foot race**" means a race between persons on foot;

"**foot racing ground**" means a place where a foot race meeting is held and includes land or premises appurtenant thereto and to which persons attending such meeting have access in connection with the meeting;

"**foot race meeting**" means a meeting at which foot races are held;

"**prescribed foot race meeting**" means the foot race meeting known as the "Bay Sheffield Carnival" conducted by the South Australian Athletic League Incorporated or any other foot race meeting conducted by that body and prescribed by regulation;

"**race**" includes a foot race that forms part of a prescribed foot race meeting;

"**racecourse**" includes a foot racing ground used for the holding of a prescribed foot race meeting;

"**race meeting**" includes a prescribed foot race meeting;

"**racing club**" includes the South Australian Athletic League Incorporated;

"**race-result**" means a contingency, or combination of contingencies, in respect of one, or more than one, race;

"**registered premises**" means premises registered under this Part as premises in which betting on races or approved events may be carried on.

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Licences

100. (1) The Authority may, on application under this Part, at its discretion, without assigning any reason, grant, or refuse to grant, a licence to a person—

(a) to act as a bookmaker; or

(b) to act as the clerk of a licensed bookmaker.

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(1a) Subject to subsections (2) and (3), in determining whether to grant a licence under this Part, the primary consideration is to be the interests of the racing industry.

(2) A licence must not be granted to a body corporate.

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Applications for licences

101. (1) An application for a licence under this Part must be made to the Authority in a manner approved by the Authority and be accompanied by the prescribed fee.

(2) An applicant for a licence under this Part must, if the Authority so requires—

- (a) furnish the Authority with such information as it specifies; and
- (b) verify by statutory declaration any information furnished for the purposes of the application.

Conditions to licences

102. (1) The Authority may, on granting or renewing a licence under this Part, attach to the licence such conditions as it considers appropriate.

(2) The Authority may, by notice in writing to the holder of a licence under this Part, vary or revoke a condition attached to the licence or attach a further condition.

Terms of licences

103. (1) A licence granted under this Part will, subject to this Act, have effect until 31 July next following the day on which the licence was granted, and may, from time to time, be renewed for successive periods of one year expiring, subject to this Act, on 31 July.

(2) An application for renewal of a licence under this Part must be made to the Authority in a manner approved by the Authority and be accompanied by the prescribed fee.

(3) An applicant for renewal of a licence under this Part must, if the Authority so requires—

- (a) furnish the Authority with such information as it specifies; and
- (b) verify by statutory declaration any information furnished for the purposes of the application.

(4) The Authority may, on application under this section, at its discretion, without assigning any reason, grant, or refuse to grant, renewal of a licence under this Part.

(5) In determining whether to renew a licence under this Part, the primary consideration is to be the interests of the racing industry.

Suspension and cancellation of licences

104. (1) The Authority may, as an administrative act, suspend for such period as it thinks fit, or cancel, a licence under this Part.

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(2) A licence—

- (a) that is suspended under subsection (1) ceases to have any effect for the period of the suspension; or
- (b) that is cancelled under that subsection ceases to have any effect.

Power to impose fines

104A. (1) The Authority may, if of the opinion—

- (a) that the holder of a licence under this Part should be disciplined; but
- (b) that cancellation or suspension of the person's licence is not warranted or appropriate in the circumstances,

impose a fine not exceeding \$5 000 on the person.

(2) A fine imposed under this section may be recovered summarily by the Authority.

Registration of betting premises at Port Pirie

105. (1) The Authority may, on application under this Part by any person who holds a licence under this Part to act as a bookmaker, at its discretion, without assigning any reason, register, or refuse to register, any premises situated within the City of Port Pirie as premises in which betting on races or approved events may be carried on.

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Applications for registration of premises

106. (1) An application for the registration of premises under this Part must be made to the Authority in a manner approved by the Authority and be accompanied by the prescribed fee.

(2) An applicant for the registration of premises under this Part must, if the Authority so requires—

- (a) furnish the Authority with such information as it specifies; and
- (b) verify by statutory declaration any information furnished for the purposes of the application.

Conditions to registration

107. (1) The Authority may, on registering or renewing the registration of any premises under this Part, attach to the registration such conditions as it considers appropriate.

(2) The Authority may, by notice in writing to the person granted the registration of any premises under this Part, vary or revoke a condition attached to the registration or attach a further condition.

Restriction on use of registered premises

108. A person must not—

- (a) carry on business as a bookmaker in registered premises; or

- (b) keep any registered premises open to the public,

at any time on a day on which a race meeting at which horse races are to be conducted is to be held at a racecourse within fifteen kilometres of those premises.

Maximum penalty: \$5 000.

Term of registration

109. (1) The registration of any premises under this Part will, subject to this Act, have effect until 31 January next following the day on which the registration was granted, and may, from time to time, be renewed for successive periods of one year expiring, subject to this Act, on 31 January.

(2) An application for renewal of the registration of any premises under this Part must be made to the Authority in a manner approved by the Authority and be accompanied by the prescribed fee.

(3) An applicant for renewal of the registration of any premises under this Part must, if the Authority so requires—

- (a) furnish the Authority with such information as it specifies; and
- (b) verify by statutory declaration any information furnished for the purposes of the application.

(4) The Authority may, on application under this section, at its discretion, without assigning any reason, grant, or refuse to grant, renewal of the registration of any premises under this Part.

Suspension and cancellation of registration

110. (1) The Authority may, as an administrative act, suspend for such period as it thinks fit, or cancel, the registration of any premises under this Part.

(2) The registration of any premises—

- (a) that is suspended under subsection (1) ceases to have any effect for the period of the suspension; or
- (b) that is cancelled under that subsection ceases to have any effect.

Permit required to accept bets

111. The granting to a person of a licence to act as a bookmaker or of the registration of premises under this Part does not authorise that person to accept bets except in accordance with a permit granted under this Part to the person or to a group of bookmakers of which he or she is a member.

Permit authorising bookmaker to accept bets

112. (1) Subject to this section, the Commissioner may grant to a person who holds a licence under this Part to act as a bookmaker a permit to accept bets on races or approved events made on a day and within a racecourse, in registered premises or at any other place, specified in the permit.

(1a) Subject to this Part, a permit must not be granted to a group of licensed bookmakers.

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(2) The Commissioner must not grant a permit under this section in respect of betting on a day and within a racecourse except after consultation with the racing club conducting the race meeting on that day or, if no race meeting is conducted on that day, with the racing club that normally conducts race meetings at that racecourse.

(2a) The Commissioner must not grant a permit under this section in respect of betting on a day and at a place (not being a racecourse or registered premises) unless—

- (a) the Minister has approved the granting of the permit; and
- (b) the person or body that occupies or has control of that place on that day has been consulted.

(3) The Commissioner may, on granting a permit under this section, attach to the permit such conditions as the Commissioner considers appropriate.

(4) The Commissioner may, by notice in writing to the holder of a permit under this section, vary or revoke a condition attached to the permit or attach a further condition.

(5) The Commissioner must not grant a permit under this section to accept bets made on a day and within a racecourse unless—

- (a) the conduct of totalizator betting is authorised by or under Part 3 on that racecourse on that day; or
- (b) the only races held at that racecourse on that day are foot races.

(6) A permit authorises the acceptance of a bet by telephone or the acceptance of a bet made by facsimile transmission if the permit is endorsed to that effect by the Commissioner.

Grant of permit to group of bookmakers

112A. (1) A permit to accept bets within a racecourse when a race meeting is not in progress at the racecourse may be granted under section 112 to a group of licensed bookmakers who, in the opinion of the Commissioner, collectively have the financial resources to accept bets pursuant to the permit.

(2) A permit to accept bets within a racecourse when a race meeting is not in progress must not be granted to an individual bookmaker unless the Commissioner is satisfied that—

- (a) the bookmaker has the necessary financial resources to accept bets pursuant to the permit; and
- (b) it is in the interests of the racing industry to grant the permit.

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(4) The Commissioner must not grant a permit to a group of bookmakers unless—

- (a) the bookmakers have entered into an agreement with each other that—
 - (i) provides for sharing the bets accepted pursuant to the permit; and

- (ii) provides for the shares in which the members of the group will be liable for the amount due to the Commissioner under section 114 in respect of those bets; and
 - (iii) provides for the shares in which the members of the group will be liable for the amount won on those bets; and
 - (iv) authorises a person (whether a member of the group or some other person approved by the Commissioner) to accept bets on behalf of the group; and
 - (v) includes such other terms as the Commissioner requires; and
- (b) the Commissioner has given the Commissioner's approval to the agreement.

(5) Each member of a group of bookmakers to whom the Commissioner has granted a permit under this Act is liable to the Commissioner for the amount due to the Commissioner under section 114 in respect of the bets accepted pursuant to the permit but the aggregate of the amounts recovered by the Commissioner from two or more members of the group must not exceed the amount due under section 114.

(6) Where—

- (a) a group of bookmakers has accepted bets within a racecourse pursuant to a permit referred to in subsection (1) when a race meeting was not in progress at the racecourse; and
- (b) a race meeting is subsequently held at the racecourse on the same day,

the group may continue to accept bets pursuant to the permit while the race meeting is in progress.

(7) A permit granted to a group under this section will be taken, for the purposes of this Act and any other Act, to have been granted to each member of the group.

Revocation of permit

112B. The Commissioner may, as an administrative act, revoke a permit under this Part.

Operation of bookmakers on racecourses

113. (1) A bookmaker who holds a permit under this Part to accept bets on races or approved events made on a day and within a racecourse specified in the permit (whether he or she holds the permit individually or as a member of a group) is entitled to accept bets on that day within that racecourse in accordance with this Act and the licence and permit granted to the bookmaker if he or she has paid the prescribed fee—

- (a) where a race meeting is being conducted on that day at that racecourse—to the racing club conducting the meeting; or
- (b) where a race meeting is not being conducted at that racecourse—to the racing club that normally conducts race meetings at that racecourse.

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(2) In this section the "**prescribed fee**" in relation to a racing year and a bookmaker of a class means—

- (a) the fee fixed by agreement between the controlling authority and the South Australian Bookmakers League Incorporated; or
- (b) if the bodies referred to in paragraph (a) fail to agree on a fee, the fee fixed by an arbitrator appointed by agreement between those bodies; or
- (c) if a fee is not fixed in relation to a racing year in a manner referred to in paragraph (a) or (b) before the commencement of the racing year, the fee fixed by an arbitrator appointed by the Authority,

in relation to that racing year and class of bookmakers.

Payment to Commissioner of percentage of money bet with bookmakers

114. (1) Every bookmaker must, not later than 3 p.m. on each Thursday, pay to the Commissioner in respect of bets made with him or her on race-results decided during the week that ended at midnight on the Saturday next preceding that Thursday—

- (a) in respect of bets made with him or her on any racecourse situated within the metropolitan area or in any registered premises or at any other place (except a racecourse situated outside the metropolitan area)—
 - (i) in respect of races held within the State—an amount equal to 1.57 per cent of the amount paid or payable to the bookmaker in respect of those bets;
 - (ii) in respect of races held outside the State—an amount equal to 2.17 per cent of the amount paid or payable to the bookmaker in respect of those bets;
- (b) in respect of bets made with him or her on any racecourse situated outside the metropolitan area—
 - (i) in respect of races held within the State—an amount equal to 1.4 per cent of the amount paid or payable to the bookmaker in respect of those bets;
 - (ii) in respect of races held outside the State—an amount equal to 1.97 per cent of the amount paid or payable to the bookmaker in respect of those bets.

(2) A bookmaker is not liable to pay the amount under subsection (1) in respect of a bet on a race that is abandoned or in respect of a bet that is declared off.

(3) Every bookmaker must, not later than 3.00 p.m. on each Thursday, pay to the Commissioner in respect of bets made with the bookmaker on approved events during the week that ended at midnight on the Saturday next preceding that Thursday an amount equal to 1.75 per cent of the amount paid or payable to the bookmaker in respect of those bets.

(4) The Commissioner must, on application by a bookmaker in writing and on being satisfied that the bookmaker has paid an amount to the Commissioner pursuant to subsection (3) in respect of a bet on an approved event that has been abandoned or a bet that has been declared off, refund to the bookmaker the amount paid to the Commissioner in respect of that bet.

(4a) For the purposes of this section a bet made with a group of bookmakers will be taken to have been made with a single bookmaker and the amount of the bet will be taken to have been paid, or to be payable, to a single bookmaker.

(5) The Commissioner must make payments out of the amounts paid to the Commissioner pursuant to this section as follows:

- (a) in respect of bets made on a racecourse on race-results that were decided on the day on which the bets were made—
 - (i) where a race meeting was conducted at that racecourse on that day—a payment to the racing club conducting the meeting of an amount equal to 1.4 per cent of the amount of those bets;
 - (ii) where a race meeting was not conducted at that racecourse on that day—a payment to the racing club that normally conducts race meetings at that racecourse of an amount equal to 1.4 per cent of the amount of those bets;
- (b) in respect of bets made on a racecourse on race-results of races held within the State and decided on a day or days subsequent to the day on which the bets were made—a payment to the racing club holding those races of an amount equal to 1.4 per cent of the amount paid or payable to bookmakers in respect of those bets;
- (c) in respect of bets made on the result of an approved event—payment to the Recreation and Sport Fund of the amount paid to the Commissioner pursuant to this section in respect of those bets.

Payments of GST on behalf of bookmakers

114A. (1) The Commissioner must pay to a bookmaker who has paid an amount to the Commissioner under section 114 in respect of bets made with him or her on race-results an amount equivalent to the GST paid by the bookmaker in respect of those bets.

(2) The money required by the Commissioner for payments to bookmakers under this section must be paid to the Commissioner by the Treasurer from the Consolidated Account which is appropriated to the necessary extent.

Betting tickets

115. A bookmaker must, on accepting a cash bet with a person on a race-result or the result of an approved event, issue and deliver to the person a betting ticket in the prescribed form.

Recovery of amounts payable by bookmakers

116. (1) An amount payable by a bookmaker to the Commissioner under this Part is a debt due to the Commissioner and may be recovered by the Commissioner in any court of competent jurisdiction.

(2) Every bookmaker must, not later than 3 p.m. on each Thursday, forward to the Commissioner a return, in such form as the Commissioner may approve, setting out such matters as are prescribed.

(3) A bookmaker must not forward a return referred to in subsection (2) that is false or misleading in any material particular.

Racing Act 1976**Licensed bookmakers required to hold permits****117.**

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(1a) A person who holds a licence under this Part and who accepts bets without being authorised to do so by a permit granted by the Commissioner under this Part is guilty of an offence.

Maximum penalty: \$50 000 or imprisonment for 4 years.

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Effect of licence

118. (1) A person who holds a licence under this Part to act as a bookmaker is not guilty of an offence against any Act by reason only that he or she accepts bets on races or approved events made on a day and within a racecourse or at some other place, or in registered premises, in respect of which he or she has been granted a permit under this Part and in accordance with this Act and the conditions, if any, attached to the licence and permit.

(2) Any premises or place is not a common gaming house or nuisance by reason only that it is used for the purpose of accepting bets in the manner referred to in subsection (1).

(3) A person who holds a licence under this Part to act as the clerk of a licensed bookmaker is not guilty of an offence against any Act by reason only that he or she acts as the clerk of the licensed bookmaker in accordance with this Act and the conditions, if any, attached to the licence.

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(5) A person who is not less than eighteen years of age is not guilty of an offence against any Act by reason only that he or she makes a bet with a bookmaker who may lawfully accept that bet.

Prohibition of certain information as to racing or betting

119. (1) Subject to this section, a person must not communicate, or cause to be communicated, by any means, directly or indirectly for fee or reward to any other person any information or advice as to the probable result of any race or approved event within or outside Australia in relation to which a bookmaker is authorised by permit under this Part to accept bets.

Maximum penalty: \$5 000.

(2) Subsection (1) does not apply to any communication published in a newspaper or broadcast by radio or television.

(3) Subject to this Act, a person who is, or was, within a racecourse or other place during a period when bookmakers are, or were, accepting bets on races or approved events must not, before the end of that period, communicate to a person who is outside the racecourse or other place any information or advice as to the betting under this Part at that racecourse or place.

Maximum penalty: \$5 000.

(3a) In subsection (3)—

"**communicate**" means to communicate (whether or not for fee or reward) by any means either directly or indirectly and includes to cause to be communicated;

"races or approved events" means races or approved events held or occurring or that will be held or will occur within or outside Australia.

(4) This section does not apply in relation to TAB in the performance of its functions under this Act.

Commissioner may give or authorise information as to betting

120. (1) The Commissioner may—

- (a) communicate, or cause to be communicated; or
- (b) grant to any person an authority to communicate, in a manner and during a period specified in the notice,

information or advice as to the betting on a race or approved event held or occurring or that will be held or will occur within or outside Australia.

(2) The Commissioner may, on granting an authority under subsection (1), attach to the authority such conditions as the Commissioner considers appropriate.

(3) The Commissioner may, by notice in writing to the person granted an authority under this section, amend, vary or revoke a condition attached to the authority or attach a further condition.

(4) The Commissioner may, as an administrative act, by notice in writing to the person granted an authority under this section, cancel the authority and the authority will cease to have any effect.

(5) A person granted an authority under this section is not guilty of an offence against this Act or any other Act by reason only that he or she communicated, or caused to be communicated, any information or advice in accordance with the authority and any conditions attached to the authority.

Unclaimed bets

121. (1) The Commissioner may hold on behalf of the person entitled thereto the amount payable on a bet that is unclaimed and is paid to the Commissioner in accordance with the rules made by the Authority under this Part for a period of twelve months after the amount became so payable and, if during that period it is claimed by the person entitled thereto, the Commissioner must, subject to those rules, pay the amount to that person.

(2) If an amount held by the Commissioner is not paid by the Commissioner within the period of 12 months under subsection (1), the Commissioner must pay the amount to the Treasurer for the credit of the Consolidated Account.

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Rules relating to bookmakers

124. (1) The Authority may make rules for any of the following purposes:

- (a) to prescribe any matter or thing relating to the general administration of this Part; and
- (b) to prescribe any matter or thing relating to the licensing of bookmakers, or bookmakers' clerks; and
- (c) to prescribe any matter or thing relating to the registration of premises; and

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- (d) to prescribe any matter or thing relating to the conduct of bookmakers, or bookmakers' clerks; and
 - (e) to regulate betting by and with bookmakers; and
 - (f) to require an applicant for a licence to give security for compliance with this Act, these rules and any conditions attached to the licence; and
 - (g) to require and prescribe any matter or thing relating to the keeping of records by bookmakers, the inspection of such records and the furnishing of returns by bookmakers; and
 - (h) to prohibit or restrict advertising by bookmakers; and
 - (i) to prescribe fees in respect of any licence, registration, authority or service granted or provided by the Authority or the Commissioner; and
 - (j) to prescribe penalties not exceeding \$5 000 for contravention of, or failure to comply with, any rule.

(2) Rules made under subsection (1) may confer powers or impose duties on the Authority, the Commissioner or any other person.

Racing Act 1976

**PART 5
ENFORCEMENT****Commissioner's responsibility to Authority**

125. The Commissioner is responsible to the Authority for the constant scrutiny of betting operations of a kind authorised by this Act (other than operations of TAB).

Appointment of inspectors

126. (1) There will be such number of inspectors as are necessary for the proper administration of this Act.

(2) An inspector is a Public Service employee.

(3) The Commissioner must provide each inspector with a certificate of identity and an inspector must, at the request of a person in relation to whom the inspector has exercised, or intends to exercise, powers under this Act, produce that certificate.

Power to enter and inspect

127. (1) Subject to this section, an authorised officer may—

- (a) enter or, where necessary, break into any place, using only such force as is reasonably necessary for the purpose;
- (b) inspect or search the place or anything in the place;
- (c) require any person in the place to—
 - (i) produce any equipment or other items, or any books, papers or documents, that are in the person's custody or control;
 - (ii) answer any questions put by the authorised officer;
- (d) inspect any books, papers or documents produced to him or her and retain them for so long as is reasonably necessary for the purpose of copying or taking extracts from any of them;
- (e) if the authorised officer suspects on reasonable grounds that an offence has been committed, seize and retain anything that he or she believes affords evidence of the offence;
- (f) give such directions as are reasonably necessary for, or as are incidental to, the effective exercise of the officer's powers under this section.

(2) An authorised officer may only exercise powers under subsection (1) in relation to a place—

- (a) at any time when operations of a kind authorised under this Act are being carried on in the place; or
- (b) at any time when there are reasonable grounds to suspect that an offence has been, is being or is about to be committed in the place or that evidence of such an offence is likely to be found in the place; or

- (c) at any reasonable time when the exercise of the powers is required for the purposes of the administration or enforcement of this Act.

(3) An authorised officer may only exercise powers under subsection (1)(a) in relation to a place in which there are not any operations of a kind authorised under this Act being conducted on the authority of a warrant issued by a magistrate.

(4) A magistrate cannot issue a warrant under subsection (3) unless satisfied, on information given on oath—

- (a) that there are reasonable grounds for suspecting that an offence has been, is being or is about to be committed; and
- (b) that the warrant is reasonably required in the circumstances.

(5) An authorised officer may, in exercising powers under this section, be accompanied by such assistants as are reasonably necessary for the purpose.

(6) Subject to subsection (7), a person who—

- (a) without reasonable excuse, hinders or obstructs an authorised officer in the exercise of powers under this section; or
- (b) fails to answer a question put by an authorised officer to the best of his or her knowledge, information or belief; or
- (c) fails to comply with any other lawful requirement or direction of an authorised officer; or
- (d) uses abusive, threatening or insulting language to an authorised officer or a person assisting an authorised officer; or
- (e) falsely represents, by word or conduct, that he or she is an authorised officer,

is guilty of an offence.

Maximum penalty: \$5 000.

(7) A person is not required to answer a question, or to produce books, papers or documents, under this section if—

- (a) the answer to the question or the contents of the books, papers or documents would tend to incriminate the person of an offence; or
- (b) answering the question or producing the books, papers or documents would result in a breach of legal professional privilege.

(8) In this section—

"offence" means an offence against this Act or any other offence arising out of or committed in connection with the conduct of betting operations of a kind authorised by this Act.

Racing Act 1976**PART 6
MISCELLANEOUS**

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Hospitals Fund

146. (1) The Fund entitled the "Hospitals Fund" and established at the Treasury continues in existence under that name.

(2) The Hospitals Fund consists of the following money:

(a) the money in the Fund immediately before the commencement of this Act; and

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(c) the money paid by TAB and authorised racing clubs to the Treasurer and credited to the Fund pursuant to section 78; and

(d) money credited to the Fund under any other provision of this Act; and

(e) any other money paid into the Fund pursuant to any other Act.

(3) The Hospitals Fund must be applied as follows:

(a) firstly, in payment towards the payment of dividends on totalizator bets pursuant to section 78; and

(b) secondly, in the debiting to the Fund and crediting to the Consolidated Account of amounts approved by the Treasurer towards amounts appropriated by Parliament and paid from the Consolidated Account for the purposes of the provision, maintenance, development or improvement of public hospitals or equipment for public hospitals.

Delegation by Minister

146A. (1) The Minister may, by instrument in writing, delegate any of the powers or functions of the Minister under this Act—

(a) to a particular person or body; or

(b) to the person for the time being occupying or acting in a particular position.

(2) A power or function delegated under this section may, subject to the conditions of the instrument of delegation, be further delegated by instrument in writing.

(3) A delegation under this section—

(a) may be unconditional or subject to conditions specified by the delegator; and

(b) does not derogate from the power of the delegator to act personally in any matter; and

(c) is revocable at will by the delegator.

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No offence under other laws in respect of betting under this Act

148A. Despite any other law—

- (a) it is not unlawful for TAB, its agents or employees, to accept bets in the course of totalizator betting or fixed odds betting authorised by this Act;
- (b) it is not unlawful for an authorised racing club, its agents or employees, to accept bets in the course of on-course totalizator betting authorised by this Act;
- (c) premises in which TAB or an authorised racing club conducts betting referred to in paragraphs (a) or (b) does not constitute, by reason of the conduct of that betting, a common gaming house or nuisance;
- (d) it is not unlawful for a person of or above the age of 18 years to make a bet with TAB or an authorised racing club.

Betting with infants

149. (1) A person who is authorised pursuant to this Act to accept bets must not accept a bet, or cause, suffer or permit a bet to be accepted, from any person who is less than eighteen years of age.

Maximum penalty: \$750.

(2) Despite subsection (1), it is a defence to a charge of an offence against that subsection, if the defendant proves that he or she had reasonable cause to believe that the person was not less than eighteen years of age.

(3) A person who is less than eighteen years of age must not make any bet with a person who is authorised pursuant to this Act to accept bets.

Maximum penalty: \$250.

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Offences by bodies corporate

152. If a body corporate is guilty of an offence against this Act, a person concerned in the management of the body corporate is guilty of an offence and liable to the same penalty as is prescribed for the principal offence unless it is proved that he or she could not by the exercise of reasonable diligence have prevented the commission of that offence.

Service of notices

153. A notice to be given under this Act may be served by post.

Regulations

154. The Governor may make such regulations as are contemplated by this Act, or as are necessary or expedient for the purposes of this Act.

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Racing Act 1976

APPENDIX**LEGISLATIVE HISTORY****Repeals**

The *Racing Act 1976* repealed the *Dog-Racing Control Act 1966*.

Amendments

The *Racing Act 1976* amended the following Acts:

Lottery and Gaming Act 1936

Stamp Duties Act 1923.

Transitional Provisions

(Transitional provisions from Racing (Miscellaneous) Amendment Act 1996, Sched. 2)

RIDA and Bookmakers Licensing Board

1. (1) Subject to any direction in writing by the Minister, the assets and liabilities of the Bookmakers Licensing Board immediately before the commencement of this clause are transferred to and vested in RIDA.

(2) A person employed by the Bookmakers Licensing Board immediately before the commencement of this clause is transferred to the employment of RIDA.

(3) An employee transferred to the employment of RIDA under this clause will have rights and liabilities in respect of his or her employment with RIDA that are the same as or equivalent to those that would apply if the employee continued in the employment of the Bookmakers Licensing Board.

(4) Subclause (3) applies subject to any industrial or enterprise award, determination or agreement that may become binding on RIDA after the commencement of this clause.

(5) A reference in an Act, instrument or document to the Bookmakers Licensing Board is (where the context admits) to be read as a reference to RIDA.

(6) A licence, registration, permit or authority in force under Part 4 of the principal Act immediately before the commencement of this clause continues in force (subject to that Part) as if it had been granted by RIDA.

(7) Rules made by the Bookmakers Licensing Board and in force under Part 4 of the principal Act immediately before the commencement of this clause continue in force (subject to that Part) as if they had been made by RIDA.

(8) Proceedings or processes commenced by or in relation to the Bookmakers Licensing Board before the commencement of this clause may be continued and completed by or in relation to RIDA.

RIDA and Racecourses Development Board

2. (1) Subject to any direction in writing by the Minister, the assets and liabilities of the Racecourses Development Board immediately before the commencement of this clause are transferred to and vested in RIDA.

(2) A reference in an Act, instrument or document to the Racecourses Development Board is (where the context admits) to be read as a reference to RIDA.

(3) Proceedings or processes commenced by or in relation to the Racecourses Development Board before the commencement of this clause may be continued and completed by or in relation to RIDA.

RIDA and Office for Recreation, Sport and Racing

3. (1) A person employed in the Public Service in the Office for Recreation, Sport and Racing is, if the Minister so directs in writing, transferred to the employment of RIDA.

(2) An employee transferred to the employment of RIDA under this clause will have rights and liabilities in respect of his or her employment with RIDA that are the same as or equivalent to those that would apply if the employee continued in employment in the Public Service.

(3) Subclause (2) applies subject to any industrial or enterprise award, determination or agreement that may become binding on RIDA after the commencement of this clause.

RIDA Fund and Racing Grounds Development Funds

4. The money in the following funds immediately before the commencement of this clause:

- (a) the Horse Racing Grounds Development Fund;
- (b) the Harness Racing Grounds Development Fund;
- (c) the Greyhound Racing Grounds Development Fund,

is credited to the RIDA Fund.

SATRA and SAJC Committee

5. (1) An approval granted by the Committee of the South Australian Jockey Club Incorporated and in force under Division 1 of Part 2 of the principal Act immediately before the commencement of this clause continues in force (subject to that Division) as if it had been granted by SATRA.

(2) SATRA may make as rules under Division 1 of Part 2 of the principal Act any transitional provisions relating to the regulation or control of horse racing that SATRA considers are required in consequence of its establishment as the controlling authority for horse racing in place of the Committee of the South Australian Jockey Club Incorporated.

SAHRA and South Australian Harness Racing Board

6. (1) SAHRA is the same body corporate as the South Australian Harness Racing Board.

(2) A reference in an Act, instrument or document to the South Australian Harness Racing Board is (where the context admits) to be read as a reference to SAHRA.

(3) The offices of the persons holding office as members of the South Australian Harness Racing Board under Division 2 of Part 2 of the principal Act immediately before the commencement of this clause are vacated.

SAGRA and South Australian Greyhound Racing Board

7. (1) SAGRA is the same body corporate as the South Australian Greyhound Racing Board.

(2) A reference in an Act, instrument or document to the South Australian Greyhound Racing Board is (where the context admits) to be read as a reference to SAGRA.

(3) The offices of the persons holding office as members of the South Australian Greyhound Racing Board under Division 3 of Part 2 of the principal Act immediately before the commencement of this clause are vacated.

Acts Interpretation Act not affected

8. The *Acts Interpretation Act 1915* applies, except to the extent of any inconsistency with this schedule, to the amendments effected by this Act.

Racing Act 1976

(Transitional provisions from Racing (Controlling Authorities) Amendment Act 2000, ss. 49 - 54 (as amended by Racing (Transitional Provisions) Amendment Act 2000, s. 3))

Transitional provisions—Minister

49. (1) Rules made by the Minister and in force under section 67 of the principal Act immediately before the commencement of this section continue in force (subject to that section) as if they had been made by the Gaming Supervisory Authority.

(2) An approval of an event given by the Minister and in force under section 85 of the principal Act immediately before the commencement of this section continues in force as if it had been given by the Gaming Supervisory Authority.

Transitional provisions—RIDA

50. (1) The Minister may, by order in writing, direct that a specified asset or liability of RIDA, or a specified amount in the RIDA Fund, immediately before the commencement of this section is to be transferred to and vested in a specified controlling authority.

(2) An authorisation or notice given by RIDA and in force under Part 3 of the principal Act immediately before the commencement of this section continues in force (subject to that Part) as if it had been given by the Gaming Supervisory Authority.

(3) A licence or registration in force under Part 4 of the principal Act immediately before the commencement of this section continues in force (subject to that Part) as if it had been granted by the Gaming Supervisory Authority.

(4) A permit or authority in force under Part 4 of the principal Act immediately before the commencement of this section continues in force (subject to that Part) as if it had been granted by the Liquor and Gaming Commissioner.

(5) Rules made by RIDA and in force under Part 4 of the principal Act immediately before the commencement of this section continue in force (subject to that Part) as if they had been made by the Gaming Supervisory Authority.

(6) Proceedings or processes commenced by or in relation to RIDA before the commencement of this section may be continued and completed by or in relation to the Crown.

(7) A bond or other security lodged by an applicant for, or holder of, a licence under Part 4 of the principal Act in accordance with the rules under that Part is to be taken to have been lodged with the Gaming Supervisory Authority, and a reference in the bond or other security to RIDA or the Bookmakers Licensing Board or the Betting Control Board is to be taken to be a reference to the Gaming Supervisory Authority.

Transitional provisions—SATRA

51. (1) The assets and liabilities of the South Australian Thoroughbred Racing Authority, and the money in the SATRA Fund, immediately before the commencement of this section are transferred to and vested in the designated controlling authority for horse racing.

(2) A reference in an instrument or document to the South Australian Thoroughbred Racing Authority is (where the context admits) to be read as a reference to the body that is the controlling authority for horse racing.

(3) Rules adopted or made by the South Australian Thoroughbred Racing Authority and in force under Part 2 of the principal Act immediately before the commencement of this section continue in force (subject to any later action by the controlling authority for horse racing) as if they had been adopted or made by the controlling authority for horse racing.

(4) Proceedings or processes commenced by or in relation to the South Australian Thoroughbred Racing Authority before the commencement of this section may be continued and completed by or in relation to the designated controlling authority for horse racing.

(5) A person employed by the South Australian Thoroughbred Racing Authority immediately before the commencement of this section becomes an employee of the designated controlling authority for horse racing without reduction in salary or status, and without loss of accrued or accruing leave entitlements.

(6) In this section—

"designated controlling authority for horse racing" means the body first designated by proclamation on or after the commencement of this section as the controlling authority for horse racing.

Transitional provisions—SAHRA

52. (1) The assets and liabilities of the South Australian Harness Racing Authority, and the money in the SAHRA Fund, immediately before the commencement of this section are to be transferred to and vested in the designated controlling authority for harness racing.

(2) A reference in an instrument or document to the South Australian Harness Racing Authority is (where the context admits) to be read as a reference to the body that is the controlling authority for harness racing.

(3) Rules made by the South Australian Harness Racing Authority and in force under Part 2 of the principal Act immediately before the commencement of this section continue in force (subject to any later action by the controlling authority for harness racing) as if they had been adopted or made by the controlling authority for harness racing.

(4) Proceedings or processes commenced by or in relation to the South Australian Harness Racing Authority before the commencement of this section may be continued and completed by or in relation to the designated controlling authority for harness racing.

(5) A person employed by the South Australian Harness Racing Authority immediately before the commencement of this section becomes an employee of the designated controlling authority for harness racing without reduction in salary or status, and without loss of accrued or accruing leave entitlements.

(6) In this section—

"designated controlling authority for harness racing" means the body first designated by proclamation on or after the commencement of this section as the controlling authority for harness racing.

Transitional provisions—SAGRA

53. (1) The assets and liabilities of the South Australian Greyhound Racing Authority, and the money in the SAGRA Fund, immediately before the commencement of this section are to be transferred to and vested in the designated controlling authority for greyhound racing.

(2) A reference in an instrument or document to the South Australian Greyhound Racing Authority is (where the context admits) to be read as a reference to the body that is the controlling authority for greyhound racing.

(3) Rules made by the South Australian Greyhound Racing Authority and in force under Part 2 of the principal Act immediately before the commencement of this section continue in force (subject to any later action by the controlling authority for greyhound racing) as if they had been adopted or made by the designated controlling authority for greyhound racing.

(4) Proceedings or processes commenced by or in relation to the South Australian Greyhound Racing Authority before the commencement of this section may be continued and completed by or in relation to the designated controlling authority for greyhound racing.

(5) A person employed by the South Australian Greyhound Racing Authority immediately before the commencement of this section becomes an employee of the designated controlling authority for greyhound racing without reduction in salary or status, and without loss of accrued or accruing leave entitlements.

Racing Act 1976

(6) In this section—

"designated controlling authority for greyhound racing" means the body first designated by proclamation on or after the commencement of this section as the controlling authority for greyhound racing.

Acts Interpretation Act not affected

54. The *Acts Interpretation Act 1915* applies, except to the extent of any inconsistency with this Act, to the amendments effected by this Act.

Legislative History

(entries in bold type indicate amendments incorporated since the last reprint)

Long title:	amended by 40, 1985, s. 2; 51, 1986, s. 2; 25, 1994, s. 3; 59, 2000, s. 3
Section 2:	repealed by 15, 1996, Sched. 1
Section 3:	amended by 87, 1981, s. 3; 40, 1985, s. 3; repealed by 51, 1986, s. 3
Section 4:	amended by 40, 1985, s. 4; repealed by 15, 1996, Sched. 1
Section 5(1):	redesignated as s. 5(1) by 87, 1981, s. 4(h)
(previously section 5)	definition of "authorised officer" inserted by 59, 2000, s. 4(a)
	definition of "authorised racing club" amended by 40, 1985, s. 5(a); 15, 1996, Sched. 1
	definition of "Authority" inserted by 59, 2000, s. 4(b)
	definition of "the Betting Control Board" repealed by 91, 1988, s. 3(a)
	definition of "bookmaker" inserted by 114, 1980, s. 3(a)
	definition of "the Bookmakers Licensing Board" inserted by 91, 1988, s. 3(b); repealed by 15, 1996, s. 3(a)
	definition of "Commissioner" inserted by 59, 2000, s. 4(c)
	definition of "controlling authority" amended by 87, 1981, s. 4(a); 91, 1988, s. 3(c); substituted by 15, 1996, s. 3(b); 59, 2000, s. 4(c)
	definition of "dividend" amended by 40, 1985, s. 5(b); substituted by 51, 1986, s. 4(a)
	definition of "the Dividends Adjustment Account" repealed by 15, 1996, Sched. 1
	definition of "dog race" or "dog racing" repealed by 87, 1981, s. 4(b)
	definition of "the Dog Racing Control Board" repealed by 87, 1981, s. 4(b)
	definition of "football" inserted by 40, 1985, s. 5(c)
	definition of "football-result" inserted by 40, 1985, s. 5(c)
	definition of "football totalizator pool" inserted by 40, 1985, s. 5(c); amended by 15, 1996, s. 3(c)
	definition of "football totalizator rules" inserted by 40, 1985, s. 5(c)
	definition of "greyhound race" or "greyhound racing" inserted by 87, 1981, s. 4(c)
	definitions of "GST" and "GST law" inserted by 26, 2000, s. 5
	definition of "the Greyhound Racing Control Board" inserted by 87, 1981, s. 4(c); repealed and definition of "the Greyhound Racing Board" inserted in its place by 91, 1988, s. 3(d); repealed by 15, 1996, s. 3(d)
	definition of "harness race" or "harness racing" inserted by 91, 1988, s. 3(d)
	definition of "the Harness Racing Board" inserted by 91, 1988, s. 3(d); repealed by 15, 1996, s. 3(e)

definition of "horse races" or "horse racing" repealed and definition of "horse race" or "horse racing" inserted in its place by 91, 1988, s. 3(d)

definition of "Hospitals Fund" substituted by 15, 1996, s. 3(f)

definition of "interstate bet" inserted by 103, 1995, s. 3; amended by 15, 1996, s. 3(g)

definition of "interstate TAB" inserted by 19, 1992, s. 3(a); repealed and definition of "interstate totalizator authority" inserted in its place by 25, 1994, s. 4

definition of "on-course bet" and "on-course betting" amended by 71, 1984, s. 3

definition of "quinella" inserted by 19, 1992, s. 3(b)

definition of "race" or "racing" amended by 87, 1981, s. 4(d); 91, 1988, s. 3(e); substituted by 90, 2000, Sched. 2 cl. 2(a)

definition of "the Racecourses Development Board" repealed by 15, 1996, s. 3(h)

definition of "race meeting" amended by 87, 1981, s. 4(e); 91, 1988, s. 3(f)

definition of "racing totalizator pool" inserted by 40, 1985, s. 5(d)

definition of "racing totalizator rules" inserted by 40, 1985, s. 5(d); amended by 59, 2000, s. 4(d)

definition of "racing year" amended by 15, 1996, Sched. 1

definition of "Recreation and Sport Fund" inserted by 15, 1996, s. 3(i)

definition of "registered dog racing club" repealed and definition of "registered greyhound racing club" inserted in its place by 87, 1981, s. 4(f); amended by 91, 1988, s. 3(g); 15, 1996, s. 3(j); 59, 2000, s. 4(e)

definition of "registered harness racing club" inserted by 91, 1988, s. 3(h); amended by 15, 1996, s. 3(k); 59, 2000, s. 4(f)

definition of "registered horse racing club" amended by 15, 1996, s. 3(l); 59, 2000, s. 4(g)

definition of "registered racing club" amended by 87, 1981, s. 4(g); substituted by 91, 1988, s. 3(i)

definitions of "RIDA" and "RIDA Fund" inserted by 15, 1996, s. 3(m); repealed by 59, 2000, s. 4(h)

definitions of "SAGRA" and "SAGRA Fund" inserted by 15, 1996, s. 3(m); repealed by 59, 2000, s. 4(h)

definitions of "SAHRA" and "SAHRA Fund" inserted by 15, 1996, s. 3(m); repealed by 59, 2000, s. 4(h)

definitions of "SATRA" and "SATRA Fund" inserted by 15, 1996, s. 3(m); repealed by 59, 2000, s. 4(h)

definition of "registered trotting club" repealed by 91, 1988, s. 3(i)

definition of "the Totalizator Agency Board" repealed and **definition of "TAB"** inserted in its place by 15, 1996, s. 3(n); **substituted by 94, 2000, Sched. 3 cl. 2(a)**

definition of "totalizator betting" and "totalizator bet" amended by 40, 1985, s. 5(e); substituted by 51, 1986, s. 4(b)

definition of "totalizator pool" substituted by 40, 1985, s. 5(f); 51, 1986, s. 4(c); amended by 15, 1996, s. 3(o)

definition of "totalizator rules" repealed by 40, 1985, s. 5(f)

definition of "trotting" repealed by 91, 1988, s. 3(j)

definition of "the Trotting Control Board" repealed by 91, 1988, s. 3(j)

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	definition of "unit" substituted by 114, 1980, s. 3(b); amended by 40, 1985, s. 5(g), (h); substituted by 51, 1986, s. 4(d); amended by 15, 1996, s. 3(p)
	definition of "winning bet dividend" amended by 40, 1985, s. 5(i)
Section 5(2):	inserted by 87, 1981, s. 4(h); repealed by 91, 1988, s. 3(k)
Section 5A:	inserted by 71, 1984, s. 4; repealed by 15, 1996, Sched. 1
	Part 1A comprising ss. 6 - 22 and heading inserted by 15, 1996, s. 4; amended by 67, 1997, s. 3; repealed by 59, 2000, s. 5
	Part 1B comprising ss. 23, 24 and heading inserted by 15, 1996, s. 4; repealed by 59, 2000, s. 5
	Part 2 comprising ss. 6 - 41 and headings amended by 49, 1978, s. 3; 87, 1981, ss. 5-16; 91, 1988, ss. 4-17, Sched.; 29, 1993, s. 3; repealed and ss. 25 - 41 and headings inserted in its place by 15, 1996, s. 4; repealed and s. 6 and heading inserted in its place by 59, 2000, s. 5
	Part 2A comprising ss. 41A - 41N and heading inserted by 91, 1988, s. 18; amended by 29, 1991, ss. 3-5; 25, 1994, ss. 5-7; 15, 1996, ss. 5, 6, Sched. 1; repealed by 59, 2000, s. 5
Part 3 heading:	substituted by 40, 1985, s. 6; amended by 51, 1986, s. 5
Section 4:	inserted by 94, 2000, Sched. 3 cl. 2(b); redesignated as s. 7 in pursuance of the Acts Republication Act 1967
Section 42:	amended by 4, 1996, s. 3; repealed by 15, 1996, Sched. 1
Section 43:	amended by 15, 1996, Sched. 1; repealed by 94, 2000, Sched. 3 cl. 2(b)
Section 44:	amended by 87, 1981, s. 17; 91, 1988, s. 19; 29, 1993, s. 4; substituted by 4, 1996, s. 4; amended by 15, 1996, Sched. 1; repealed by 94, 2000, Sched. 3 cl. 2(b)
Section 45:	amended by 87, 1981, s. 18; 4, 1996, s. 5; 15, 1996, Sched. 1; repealed by 94, 2000, Sched. 3 cl. 2(b)
Section 46:	substituted by 15, 1996, Sched. 1; repealed by 94, 2000, Sched. 3 cl. 2(b)
Section 47:	amended by 29, 1993, s. 5; 4, 1996, s. 6; 15, 1996, Sched. 1; repealed by 94, 2000, Sched. 3 cl. 2(b)
Section 48:	amended by 15, 1996, Sched. 1; repealed by 94, 2000, Sched. 3 cl. 2(b)
Section 49:	substituted by 15, 1996, Sched. 1; repealed by 94, 2000, Sched. 3 cl. 2(b)
Section 50:	amended by 91, 1988, Sched.; substituted by 15, 1996, Sched. 1; repealed by 94, 2000, Sched. 3 cl. 2(b)
Section 51:	amended by 71, 1984, s. 5; 40, 1985, s. 7; 51, 1986, s. 6; 15, 1996, s. 7, Sched. 1; 67, 1997, s. 4; 59, 2000, s. 6; repealed by 94, 2000, Sched. 3 cl. 2(b)
Section 52:	amended by 29, 1993, s. 6; 15, 1996, Sched. 1; repealed by 94, 2000, Sched. 3 cl. 2(b)
Section 53:	substituted by 15, 1996, Sched. 1; repealed by 94, 2000, Sched. 3 cl. 2(b)
Section 54:	amended by 29, 1993, s. 7; repealed by 15, 1996, Sched. 1
Section 55:	substituted by 15, 1996, Sched. 1; repealed by 94, 2000, Sched. 3 cl. 2(b)
Section 56:	amended by 114, 1980, s. 4; 87, 1981, s. 19; repealed by 40, 1985, s. 8

Section 57:	amended by 15, 1996, Sched. 1; repealed by 94, 2000, Sched. 3 cl. 2(b)
Sections 58 and 59:	substituted by 15, 1996, Sched. 1; repealed by 94, 2000, Sched. 3 cl. 2(b)
Section 60(1) and (2):	amended by 15, 1996, Sched. 1
Section 60(3):	substituted by 15, 1996, Sched. 1
Section 61(1):	amended by 40, 1985, s. 9; 15, 1996, Sched. 1
Section 61(2):	substituted by 15, 1996, Sched. 1
Section 62(1):	amended by 40, 1985, s. 10(a); 15, 1996, Sched. 1; substituted by 67, 1997, s. 5
Section 62(1a):	inserted by 67, 1997, s. 5
Section 62(2):	substituted by 87, 1981, s. 20; 40, 1985, s. 10(b); 51, 1986, s. 7(a); amended by 15, 1996, Sched. 1
Section 62(3):	amended by 40, 1985, s. 10(c); 51, 1986, s. 7(b); 15, 1996, Sched. 1
Part 3 Division 2 heading:	substituted by 40, 1985, s. 11
Section 63:	amended by 87, 1981, s. 21; substituted by 71, 1984, s. 6; amended by 30, 1986, s. 3; substituted by 29, 1993, s. 8
Section 63(1a):	inserted by 67, 1997, s. 6(a); amended by 59, 2000, s. 7(a)
Section 63(1b):	inserted by 67, 1997, s. 6(a); amended by 59, 2000, s. 7(b), (c)
Section 63(2):	amended by 67, 1997, s. 6(b)
Section 63(3):	amended by 15, 1996, s. 8(a); repealed by 59, 2000, s. 7(d)
Section 63(4):	amended by 67, 1997, s. 6(c); repealed by 59, 2000, s. 7(d)
Section 63(5):	amended by 15, 1996, s. 8(b); repealed by 59, 2000, s. 7(d)
Section 63(6):	amended by 15, 1996, s. 8(c); 67, 1997, s. 6(d); 59, 2000, s. 7(e), (f)
Section 63(7):	amended by 15, 1996, s. 8(d); substituted by 59, 2000, s. 7(g)
Section 63A:	inserted by 30, 1986, s. 4; repealed by 29, 1993, s. 8
Section 64:	amended by 87, 1981, s. 22; substituted by 71, 1984, s. 6; 29, 1993, s. 8; amended by 15, 1996, s. 9; 59, 2000, s. 8
Section 65:	amended by 87, 1981, s. 23; repealed by 71, 1984, s. 6; inserted by 29, 1993, s. 8; amended by 15, 1996, s. 10; 59, 2000, s. 9
Section 66:	repealed by 114, 1980, s. 5
Section 67(1):	amended by 40, 1985, s. 12; 15, 1996, Sched. 1; 59, 2000, s. 10
Section 67(2):	amended by 15, 1996, Sched. 1; 59, 2000, s. 10
Section 67(3):	substituted by 15, 1996, Sched. 1
Section 68(1):	amended by 70, 1987, s. 3; amended and redesignated as
(previously section 68)	s. 68(1) by 19, 1992, s. 4; amended by 25, 1994, s. 8(a), (b); 103, 1995, s. 4(a); 15, 1996, Sched. 1; 9, 1999, s. 2(a)
Section 68(1)(a)-(c):	repealed by 103, 1995, s. 4(a)
Section 68(2):	inserted by 19, 1992, s. 4(b); amended by 25, 1994, s. 8(c); substituted by 103, 1995, s. 4(b); amended by 15, 1996, Sched. 1; 9, 1999, s. 2(b)-(d)
Section 68(3):	inserted by 9, 1999, s. 2(e)
Section 69:	substituted by 114, 1980, s. 6; 40, 1985, s. 13
Section 69(1):	amended by 70, 1987, s. 4; 41, 1992, s. 3; 58, 1995, s. 3(a)-(e); substituted by 103, 1995, s. 5; amended by 15, 1996, Sched. 1; 26, 2000, s. 6(a)
Section 69(1a):	inserted by 103, 1995, s. 5; amended by 15, 1996, s. 11(a), (b), Sched. 1; 26, 2000, s. 6(b)-(f); 59, 2000, s. 11(a)
Section 69(1a)(i):	repealed by 59, 2000, s. 11(a)
Section 69(2):	amended by 30, 1986, s. 5(a); 91, 1988, s. 20; 25, 1994, s. 9(a); 15, 1996, s. 11(c), Sched. 1; 59, 2000, s. 11(b)
Section 69(2a):	inserted by 30, 1986, s. 5(b); substituted by 25, 1994, s. 9(b); repealed by 58, 1995, s. 3(f)
Section 69(2b) and (2c):	inserted by 25, 1994, s. 9(b); repealed by 58, 1995, s. 3(f)
Section 69(3):	substituted by 15, 1996, s. 11(d); 59, 2000, s. 11(c)

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Section 69(4):	repealed by 15, 1996, s. 11(d); inserted by 67, 1997, s. 7(a); repealed by 59, 2000, s. 11(c)
Section 69(5):	substituted by 67, 1997, s. 7(b) definition of "net gambling revenue" inserted by 26, 2000, s. 6(g)
Section 69A:	inserted by 30, 1986, s. 6; repealed by 29, 1993, s. 9
Section 70(1):	amended by 114, 1980, s. 7; 30, 1986, s. 7(a); substituted by 70, 1987, s. 5; amended by 41, 1992, s. 4; 15, 1996, s. 12(a), Sched. 1
Section 70(1)(b) and (c):	repealed by 59, 2000, s. 12(a)
Section 70(1a):	inserted by 29, 1993, s. 10; amended by 15, 1996, s. 12(b)
Section 70(1b):	amended by 15, 1996, s. 12(c)
Section 70(1c):	inserted by 29, 1993, s. 10
Section 70(2):	substituted by 15, 1996, s. 12(d); amended by 59, 2000, s. 12(b)
Section 70(3):	substituted by 30, 1986, s. 7(b); amended by 15, 1996, Sched. 1
Section 70(3a):	inserted by 30, 1986, s. 7(b); amended by 15, 1996, Sched. 1
Section 70(4):	amended by 15, 1996, Sched. 1
Section 70A:	inserted by 26, 2000, s. 7
Section 70A(1):	amended by 59, 2000, s. 13(a)
Section 70A(2):	substituted by 59, 2000, s. 13(b)
Section 71(1) and (2):	substituted by 114, 1980, s. 8; amended by 15, 1996, Sched. 1
Section 71(3):	substituted by 114, 1980, s. 8; amended by 59, 2000, s. 14(a)
Section 71(4):	inserted by 59, 2000, s. 14(b)
Section 72:	amended by 40, 1985, s. 14; 15, 1996, Sched. 1
Section 73(1):	amended by 40, 1985, s. 15(a), (b); 15, 1996, Sched. 1
Section 73(2):	amended by 40, 1985, s. 15(b), (c); 15, 1996, Sched. 1
Section 73(3):	amended by 15, 1996, Sched. 1
Section 73(4):	amended by 40, 1985, s. 15(d); 15, 1996, Sched. 1
Section 74:	amended by 40, 1985, s. 16; 15, 1996, Sched. 1
Section 75:	amended by 40, 1985, s. 17; substituted by 41, 1992, s. 5; 103, 1995, s. 6
Section 76:	amended by 7, 1983, s. 3; 41, 1992, s. 6; substituted by 103, 1995, s. 7
Section 76(1):	amended by 15, 1996, Sched. 1
Section 76(2):	amended by 15, 1996, s. 13, Sched. 1; 59, 2000, s. 15
Section 77:	substituted by 41, 1992, s. 7; amended by 15, 1996, s. 14; repealed by 59, 2000, s. 16
Section 78(1):	amended by 103, 1995, s. 8(a); 15, 1996, Sched. 1
Section 78(1a):	inserted by 103, 1995, s. 8(b); amended by 15, 1996, Sched. 1
Section 78(2):	amended by 15, 1996, Sched. 1
Section 78(3):	substituted by 7, 1983, s. 4(a); amended by 15, 1996, s. 15, Sched. 1; 59, 2000, s. 17
Section 78(3a):	inserted by 7, 1983, s. 4(a); amended by 15, 1996, Sched. 1
Section 78(4):	amended by 7, 1983, s. 4(b); 103, 1995, s. 8(c); 15, 1996, Sched. 1
Section 79:	amended by 40, 1985, s. 18; 91, 1988, Sched.; repealed by 15, 1996, s. 16
Section 80:	amended by 40, 1985, s. 19; 15, 1996, Sched. 1; repealed by 67, 1997, s. 8
Section 81:	amended by 40, 1985, s. 20; repealed by 29, 1993, s. 11
Section 82(1):	amended by 40, 1985, s. 21; 15, 1996, Sched. 1
Section 82(2):	amended by 15, 1996, Sched. 1
Section 82A:	inserted by 19, 1992, s. 5
Section 82A(1):	amended by 25, 1994, s. 10(a), (b); 103, 1995, s. 9(a); 15, 1996, Sched. 1
Section 82A(2):	substituted by 103, 1995, s. 9(b)
Section 82A(3):	amended by 15, 1996, Sched. 1

Section 82A(4):	amended by 25, 1994, s. 10(c), (d); 15, 1996, Sched. 1; 17, 1997, s. 3(a), (b)
Section 82A(4a):	inserted by 17, 1997, s. 3(c)
Section 82A(5):	amended by 15, 1996, Sched. 1
Section 82A(6):	amended by 25, 1994, s. 10(e), (f); 15, 1996, Sched. 1
Section 82A(7):	amended by 103, 1995, s. 9(c); 15, 1996, s. 17, Sched. 1
Section 82A(8):	amended by 15, 1996, Sched. 1; 59, 2000, s. 18
Section 82A(9):	amended by 15, 1996, Sched. 1
Section 82B:	inserted by 103, 1995, s. 10
Section 82B(1) and (3):	amended by 15, 1996, Sched. 1
Section 83(1):	amended by 40, 1985, s. 22; 15, 1996, s. 18, Sched. 1; 59, 2000, s. 19
Section 83(2):	amended by 91, 1988, Sched.; substituted by 15, 1996, Sched. 1
Section 84:	amended by 15, 1996, Sched. 1; 59, 2000, s. 20
Division 3 of Part 3 comprising ss. 84A - 84J and heading inserted by 40, 1985, s. 23	
Section 84A(1) - (3):	amended by 15, 1996, Sched. 1
Section 84B(1):	amended by 15, 1996, Sched. 1; 26, 2000, s. 8(a)-(e)
Section 84B(2):	amended by 15, 1996, Sched. 1
Section 84B(3):	inserted by 26, 2000, s. 8(f)
Section 84C(1) and (2):	amended by 15, 1996, Sched. 1
Section 84D(1) - (4):	amended by 15, 1996, Sched. 1
Sections 84E - 84G:	amended by 15, 1996, Sched. 1
Section 84H(1) - (3):	amended by 15, 1996, Sched. 1
Part 3 Division 4 heading:	substituted by 67, 1997, s. 9
Sections 84I and 84J:	repealed and Division 4 of Part 3 comprising ss. 84I, 84J and heading inserted in their place by 51, 1986, s. 8
Section 84I:	amended by 29, 1991, s. 6; 15, 1996, Sched. 1; substituted by 67, 1997, s. 10
Section 84IA:	inserted by 67, 1997, s. 11
Section 84J(1):	amended by 15, 1996, Sched. 1; 67, 1997, s. 12; 26, 2000, s. 9(a)-(d); 90, 2000, Sched. 2 cl. 2(b)
Section 84J(1)(iv):	repealed by 67, 1997, s. 12
Section 84J(1a):	inserted by 90, 2000, Sched. 2 cl. 2(c)
Section 84J(2):	definition of "net gambling revenue" inserted by 26, 2000, s. 9(e)
Section 84K:	inserted by 67, 1997, s. 13
Division 5 of Part 3 comprising ss. 84K, 84L and heading inserted by 51, 1986, s. 8; amended by 91, 1988, Sched.; 15, 1996, s. 19, Sched. 1; repealed by 67, 1997, s. 14	
Part 3A comprising ss. 84L - 84N and heading inserted by 67, 1997, s. 15	
Section 84M(1):	amended by 26, 2000, s. 10
Part 4 heading:	substituted by 91, 1988, s. 21; amended by 15, 1996, s. 20
Section 85:	definition of "approved sporting event" inserted by 29, 1991, s. 7(a); repealed and definition of "approved event" inserted in its place by 25, 1994, s. 11(a); substituted by 67, 1997, s. 16; amended by 59, 2000, s. 21(a) definition of "approved sporting venue" inserted by 25, 1994, s. 11(a); repealed by 67, 1997, s. 16 definition of "betting" inserted by 67, 1997, s. 16 definition of "the Board" substituted by 91, 1988, s. 22; repealed by 15, 1996, s. 21(a)

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	definition of "cash bet" inserted by 29, 1993, s. 12(a)
	definition of "coursing event" repealed by 29, 1993, s. 12(b)
	definition of "coursing ground" repealed by 29, 1993, s. 12(c)
	definition of "coursing meeting" repealed by 29, 1993, s. 12(d)
	definition of "the chairman" repealed by 15, 1996, s. 21(a)
	definition of "foot race" inserted by 98, 1982, s. 2(a)
	definition of "foot racing ground" inserted by 98, 1982, s. 2(a)
	definition of "foot race meeting" inserted by 98, 1982, s. 2(a)
	definition of "member" repealed by 15, 1996, s. 21(a)
	definition of "prescribed foot race meeting" inserted by 98, 1982, s. 2(b)
	definition of "race" amended by 98, 1982, s. 2(c); 29, 1993, s. 12(e)
	definition of "racecourse" amended by 98, 1982, s. 2(d); 29, 1993, s. 12(f)
	definition of "race meeting" amended by 98, 1982, s. 2(e); 29, 1993, s. 12(g)
	definition of "racing club" amended by 98, 1982, s. 2(f); 29, 1993, s. 12(h)
	definition of "registered premises" amended by 29, 1991, s. 7(b); 25, 1994, s. 11(b); 15, 1996, s. 21(b); 59, 2000, s. 21(b)
Section 86:	substituted by 91, 1988, s. 23; repealed by 15, 1996, s. 22
Sections 87 - 92:	repealed by 15, 1996, s. 22
Section 93:	amended by 29, 1991, s. 8; 25, 1994, s. 12; repealed by 15, 1996, s. 22
Sections 94 - 97:	repealed by 15, 1996, s. 22
Section 98:	substituted by 15, 1996, s. 23; repealed by 59, 2000, s. 22
Section 99:	repealed by 15, 1996, s. 23
Section 100(1):	amended by 114, 1980, s. 9; 15, 1996, s. 24(a); 59, 2000, s. 23
Section 100(1)(c):	repealed by 114, 1980, s. 9
Section 100(1a):	inserted by 91, 1988, s. 24
Section 100(2):	substituted by 29, 1993, s. 13
Section 100(3):	repealed by 29, 1991, s. 9
Section 100(4):	repealed by 15, 1996, s. 24(b)
Section 101(1) and (2):	amended by 15, 1996, s. 25; 59, 2000, s. 24
Section 102(1) and (2):	amended by 15, 1996, s. 26; 59, 2000, s. 25
Section 103(1):	substituted by 15, 1996, Sched. 1
Section 103(2) and (3):	amended by 15, 1996, s. 27(a); 59, 2000, s. 26(a)
Section 103(4):	amended by 15, 1996, s. 27(b); 59, 2000, s. 26(b)
Section 103(5):	inserted by 91, 1988, s. 25
Section 104(1):	amended by 15, 1996, s. 28; 59, 2000, s. 27
Section 104(2):	amended by 15, 1996, Sched. 1
Section 104A:	inserted by 91, 1988, s. 26
Section 104A(1):	amended by 15, 1996, s. 29(a); 59, 2000, s. 28(a)
Section 104A(2):	amended by 15, 1996, s. 29(b); 59, 2000, s. 28(b)
Section 105(1):	amended by 29, 1991, s. 10; 25, 1994, s. 13; 15, 1996, s. 30(a); 59, 2000, s. 29
Section 105(2):	repealed by 83, 1982, s. 2
Section 105(3):	repealed by 15, 1996, s. 30(b)
Section 106(1) and (2):	amended by 15, 1996, s. 31; 59, 2000, s. 30
Section 107(1) and (2):	amended by 15, 1996, s. 32; 59, 2000, s. 31
Section 108:	amended by 91, 1988, Sched.; 15, 1996, Sched. 1
Section 109(1):	substituted by 15, 1996, Sched. 1
Section 109(2) and (3):	amended by 15, 1996, s. 33(a); 59, 2000, s. 32(a)
Section 109(4):	amended by 15, 1996, s. 33(b); 59, 2000, s. 32(b)
Section 110(1):	amended by 15, 1996, s. 34; 59, 2000, s. 33
Section 110(2):	amended by 15, 1996, Sched. 1
Section 111:	amended by 29, 1993, s. 14

Section 112(1):	amended by 29, 1991, s. 11(a); substituted by 25, 1994, s. 14; amended by 15, 1996, s. 35(a); 67, 1997, s. 17(a); 59, 2000, s. 34(a)
Section 112(1a):	inserted by 29, 1993, s. 15(a)
Section 112(2):	amended by 29, 1993, s. 15(b); 15, 1996, s. 35(b), Sched. 1; 59, 2000, s. 34(b)
Section 112(2a):	inserted by 67, 1997, s. 17(b); substituted by 59, 2000, s. 34(c)
Section 112(3):	amended by 15, 1996, s. 35(b); 59, 2000, s. 34(d), (e)
Section 112(4):	amended by 15, 1996, s. 35(b); 59, 2000, s. 34(d)
Section 112(5):	amended by 98, 1982, s. 3; substituted by 29, 1991, s. 11(b); amended by 29, 1993, s. 15(c); 15, 1996, s. 35(b); 59, 2000, s. 34(d)
Section 112(6):	inserted by 29, 1993, s. 15(d); amended by 15, 1996, s. 35(a); 59, 2000, s. 34(f)
Section 112A:	inserted by 71, 1984, s. 7; substituted by 29, 1993, s. 16
Section 112A(1) and (2):	amended by 15, 1996, s. 36(a); 59, 2000, s. 35(a)
Section 112A(3):	repealed by 59, 2000, s. 35(b)
Section 112A(4):	amended by 15, 1996, s. 36(a), (b); 59, 2000, s. 35(c)-(e)
Section 112A(5):	amended by 15, 1996, s. 36(a); 59, 2000, s. 35(f)
Section 112A(7):	inserted by 15, 1996, s. 36(c)
Section 112B:	inserted by 29, 1993, s. 16; amended by 15, 1996, s. 37; 59, 2000, s. 36
Section 113(1):	amended by 29, 1991, s. 12; substituted by 29, 1993, s. 17; amended by 25, 1994, s. 15
Section 113(2):	amended by 15, 1996, Sched. 1; 59, 2000, s. 37
Section 114(1):	amended by 114, 1980, s. 10(a)-(d); 7, 1983, s. 5; 25, 1994, s. 16(a), (b); 15, 1996, s. 38(a), Sched. 1; 67, 1997, s. 18(a); 59, 2000, s. 38(a)
Section 114(2):	amended by 15, 1996, Sched. 1
Section 114(3):	amended by 114, 1980, s. 10(e); substituted by 29, 1991, s. 13; 25, 1994, s. 16(c); amended by 15, 1996, s. 38(a); substituted by 67, 1997, s. 18(b); amended by 59, 2000, s. 38(a)
Section 114(4):	inserted by 29, 1991, s. 13; amended by 25, 1994, s. 16(d); 15, 1996, s. 38(a), (b); 59, 2000, s. 38(b), (c)
Section 114(4a):	inserted by 29, 1993, s. 18(a)
Section 114(5):	inserted by 29, 1991, s. 13; amended by 29, 1993, s. 18(b); 25, 1994, s. 16(e); 15, 1996, s. 38(a), (b), Sched. 1; 67, 1997, s. 18(c); 59, 2000, s. 38(d)-(f)
Section 114A:	inserted by 26, 2000, s. 11
Section 114A(1):	amended by 59, 2000, s. 39(a), (b)
Section 114A(2):	amended by 59, 2000, s. 39(b)
Section 115:	amended by 114, 1980, s. 11; 29, 1991, s. 14; substituted by 29, 1993, s. 19; amended by 25, 1994, s. 17; 15, 1996, Sched. 1
Section 116(1):	amended by 114, 1980, s. 12; 29, 1993, s. 20; 15, 1996, s. 39, Sched. 1; 59, 2000, s. 40
Section 116(2):	amended by 15, 1996, s. 39, Sched. 1; 59, 2000, s. 40
Section 116(3):	amended by 15, 1996, Sched. 1
Section 117:	substituted by 114, 1980 s. 13
Section 117(1):	repealed by 15, 1996, s. 40(a)
Section 117(1a):	inserted by 29, 1993, s. 21(a); amended by 15, 1996, s. 40(b), (c); 59, 2000, s. 41
Section 117(2):	amended by 29, 1993, s. 21(b); repealed by 15, 1996, s. 40(d)
Section 117(3):	amended by 29, 1984, s. 2(a), (b); 53, 1988, s. 2(a), (b); 91, 1988, Sched.; 29, 1993, s. 21(c); repealed by 15, 1996, s. 40(d)
Section 117(4):	amended by 29, 1984, s. 2(c); 53, 1988, s. 2(c); 91, 1988, Sched.; repealed by 15, 1996, s. 40(d)

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Section 118(1):	amended by 29, 1991, s. 15; 25, 1994, s. 18; 15, 1996, Sched. 1; 67, 1997, s. 19
Section 118(2) and (3):	amended by 15, 1996, Sched. 1
Section 118(4):	repealed by 114, 1980, s. 14
Section 118(5):	amended by 15, 1996, Sched. 1
Section 119(1):	amended by 91, 1988, Sched.; 29, 1991, s. 16(a); 25, 1994, s. 19(a); 15, 1996, Sched. 1; 67, 1997, s. 20(a)
Section 119(2):	amended by 15, 1996, Sched. 1
Section 119(3):	amended by 91, 1988, Sched.; 29, 1991, s. 16(b); substituted by 25, 1994, s. 19(b); 15, 1996, Sched. 1; 67, 1997, s. 20(b)
Section 119(3a):	inserted by 25, 1994, s. 19(b) definition of "races or approved events" substituted by 67, 1997, s. 20(c)
Section 119(4):	substituted by 15, 1996, Sched. 1
Section 120(1):	amended by 29, 1991, s. 17; 25, 1994, s. 20; 15, 1996, s. 41; 67, 1997, s. 21; 59, 2000, s. 42(a), (b)
Section 120(2):	amended by 15, 1996, s. 41, Sched. 1; 59, 2000, s. 42(a), (c)
Section 120(3):	amended by 15, 1996, s. 41; 59, 2000, s. 42(a)
Section 120(4):	amended by 15, 1996, s. 41, Sched. 1; 59, 2000, s. 42(a)
Section 120(5):	amended by 29, 1993, s. 22; 15, 1996, Sched. 1
Section 121(1):	amended by 15, 1996, s. 42(a), (b), Sched. 1; 59, 2000, s. 43(a)-(c)
Section 121(2):	substituted by 15, 1996, s. 42(c); amended by 59, 2000, s. 43(d)
Sections 122 and 123:	repealed by 15, 1996, s. 43
Section 124(1):	amended by 114, 1980, s. 15; amended and redesignated as s. 124(1) by 29, 1993, s. 23; amended by 15, 1996, s. 44(a)-(c); 59, 2000, s. 44(a), (b)
Section 124(2):	inserted by 29, 1993, s. 23(b); amended by 15, 1996, s. 44(d); 59, 2000, s. 44(c)
Part 5 comprising ss. 125 - 144 and heading amended by 7, 1983, ss. 6, 7; 71, 1984, s. 8; 91, 1988, ss. 27-30; 87, 1991, ss. 24-28; repealed by 15, 1996, s. 45; comprising ss. 125 - 127 and heading inserted by 59, 2000, s. 45	
Section 145:	repealed by 41, 1992, s. 8
Section 146(1):	amended by 15, 1996, Sched. 1
Section 146(2):	amended by 114, 1980, s. 16; 41, 1992, s. 9; 15, 1996, Sched. 1
Section 146(2)(b):	repealed by 15, 1996, Sched. 1
Section 146(3):	amended by 15, 1996, Sched. 1
Section 146A:	inserted by 87, 1981, s. 29; amended by 91, 1988, s. 31; 15, 1996, s. 46; substituted by 59, 2000, s. 46
Section 147:	amended by 91, 1988, Sched.; substituted by 15, 1996, Sched. 1; repealed by 59, 2000, s. 47
Section 148:	amended by 15, 1996, Sched. 1; repealed by 59, 2000, s. 47
Section 148A:	inserted by 67, 1997, s. 22
Section 149(1):	amended by 91, 1988, Sched.; 15, 1996, Sched. 1
Section 149(2):	substituted by 15, 1996, Sched. 1
Section 149(3):	amended by 91, 1988, Sched.; 15, 1996, Sched. 1
Sections 150 and 151:	repealed by 15, 1996, Sched. 1
Section 152:	substituted by 15, 1996, Sched. 1
Schedules 1 and 2:	repealed by 59, 2000, s. 48
Schedule 3:	inserted by 41, 1992, s. 10; amended by 4, 1996, s. 7; repealed by 59, 2000, s. 48