



RACING (INTERSTATE TOTALIZATOR POOLING) AMENDMENT ACT 1992

No. 19 of 1992

SUMMARY OF PROVISIONS

Section

- 1. Short title**
- 2. Commencement**
- 3. Amendment of s. 5—Interpretation**
- 4. Amendment of s. 68—Reduction of percentage from totalizator money**
- 5. Insertion of s. 82a**
 - 82a. Agreement for pooling bets with interstate TAB**



ANNO QUADRAGESIMO PRIMO

ELIZABETHAE II REGINAE

A.D. 1992

No. 19 of 1992

An Act to amend the Racing Act 1976.

[Assented to 7 May 1992]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Racing (Interstate Totalizator Pooling) Amendment Act 1992*.

(2) The *Racing Act 1976* is referred to in this Act as “the principal Act”.

Commencement

2. This Act will come into operation on a day to be fixed by proclamation.

Amendment of s. 5—Interpretation

3. Section 5 of the principal Act is amended—

(a) by inserting after the definition of “the Hospitals Fund” in subsection (1) the following definition:

“interstate TAB” means an authority corresponding to the Totalizator Agency Board established under the law of another State or a Territory of the Commonwealth;

and

(b) by inserting after the definition of “on-course bet” in subsection (1) the following definition:

“quinella” means a bet that attempts to predict the runners that will win the first two places in a race.

Amendment of s. 68—Deduction of percentage from totalizator money

4. Section 68 of the principal Act is amended—

(a) by striking out paragraph (a) and substituting the following paragraphs:

(a) in the case of a quinella, an amount equal to 14.5 per cent of the amount of the quinella;

(ab) in the case of all other bets on a single—

- (i) where an agreement under section 82a between the Totalizator Agency Board and an interstate TAB is in force, an amount that is equivalent to the amount that must, under the law of the State or Territory in which the interstate TAB is established, be deducted from the amount of the bets accepted by the Totalizator Agency Board under the agreement;
- (ii) in any other case, an amount equal to 14 per cent of the amount of the bets.;

and

(b) by inserting after its present contents as amended by paragraph (a) (now to be designated as subsection (1)) the following subsection:

- (2) Where an agreement under section 82a between the Totalizator Agency Board and an interstate TAB is in force, the Board must inform every authorized racing club in writing of the amount that it is required under subsection (1) (ab) (i) to deduct from bets on singles.

Insertion of s. 82a

5. The following section is inserted after section 82 of the principal Act:

Agreement for pooling bets with interstate TAB

82a. (1) The Totalizator Agency Board may, with the approval of the Minister, enter into an agreement with an interstate TAB to act as the agent of the interstate TAB in accepting bets on totalizators conducted under the law of the State or Territory in which the interstate TAB is established.

(2) The only bets that may be accepted by the Totalizator Agency Board under an agreement referred to in subsection (1) are bets on singles that are not quinellas.

(3) The Totalizator Agency Board may accept bets under an agreement referred to in subsection (1) through the agency of an authorized 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 TAB is established—

- (i) includes a provision corresponding to section 68 under which not less than 14 per cent nor more than 15 per cent of the amount of the bets accepted by the Totalizator Agency Board under the agreement must be deducted from those bets;

and

- (ii) does not prevent the execution or operation of the agreement in accordance with subsection (5);

and

(b) the agreement includes a provision that the agreement will terminate if the law for the time being of the State or Territory in which the interstate TAB is established 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).

(5) Subject to subsection (6), an agreement referred to in subsection (1) must provide that the Totalizator Agency Board is entitled—

(a) to the amount referred to in subsection (4) (a) that is deducted from the amount of the bets accepted by the Totalizator Agency Board;

(b) to all fractions not included in dividends on bets accepted by the Totalizator Agency Board;

and

(c) to unclaimed dividends on bets accepted by the Totalizator Agency Board.

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

(a) by the amount of a fee to be paid by the Totalizator Agency Board to the interstate TAB pursuant to the agreement;

and

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

(7) The amount to which the Totalizator Agency Board is entitled under subsection (5) (a) must be applied by the Board in accordance with section 69 as though the amount had been deducted under section 68 but no amount is payable to the Racecourses Development Board under section 69 (1) (b).

(8) Those fractions to which the Board is entitled under the agreement that are attributable to bets accepted by a racing club as agent for the Board must be applied in accordance with section 77 and the remainder of the fractions to which the Board is entitled under the agreement must be applied in accordance with section 76.

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

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

ROMA MITCHELL Governor