



TASMANIA

**RACING AND GAMING AMENDMENT (TELEPHONE
SPORTS BETTING) ACT 1995**

No. 109 of 1995

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**RACING AND GAMING AMENDMENT (TELEPHONE
SPORTS BETTING) ACT 1995**

No. 109 of 1995

AN ACT to amend the *Racing and Gaming Act 1952*

[Royal Assent 8 December 1995]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title

1—This Act may be cited as the *Racing and Gaming Amendment (Telephone Sports Betting) Act 1995*.

Commencement

2—This Act commences on the day on which it receives the Royal Assent.

Principal Act

3—In this Act, the *Racing and Gaming Act 1952** is referred to as the Principal Act.

Section 74A amended (Interpretation of Division)

4—Section 74A of the Principal Act is amended as follows:—

(a) by omitting the definition of “approved venue” and substituting the following definitions:—

“approved venue” means—

(a) in the case of a licence issued to a bookmaker for the purpose of conducting telephone sports betting and business in the northern area—

(i) the Mowbray racecourse or such other racecourse under the control of the Authority as it may approve; or

(ii) such other venue, other than a racecourse, as the Commission may approve; and

(b) in the case of a licence issued to a bookmaker for the purpose of conducting telephone sports betting and business in the southern area—

(i) the Royal Hobart Showground racecourse or such other racecourse under the control of the Authority as it may approve; or

(ii) such other venue, other than a racecourse, as the Commission may approve;

* No. 98 of 1952. For this Act, as amended to 1975, see Appendix D to the Annual Volume of Statutes of 1974. Subsequently amended by No. 71 of 1975, No. 85 of 1976, No. 104 of 1977, No. 54 of 1978, Nos. 19 and 73 of 1979, No. 90 of 1980, Nos. 9, 10 and 99 of 1982, Nos. 40 and 83 of 1983, Nos. 29 and 36 of 1984, Nos. 51, 89 and 123 of 1985, Nos. 13 and 31 of 1986, Nos. 39, 42 and 86 of 1987, Nos. 1 and 48 of 1988, No. 32 of 1989, Nos. 5, 22 and 40 of 1990, Nos. 39 and 40 of 1991, No. 37 of 1992, Nos. 53, 54, 55, 93, 94 and 99 of 1993, Nos. 32, 68, 70 and 91 of 1994 and Nos. 52, 71, 82 and 108 of 1995.

“approved off-course venue” means an approved venue which is not a racecourse;

“approved on-course venue” means an approved venue which is a racecourse;

(b) by inserting the following definition after the definition of “sports betting”:—

“Supervising Agency” means—

(a) in the case of sports betting and business conducted by a licensee at an approved on-course venue—the Authority; or

(b) in the case of sports betting and business conducted by a licensee at an approved off-course venue—the Commission;

(c) by omitting the definitions of “telephone betting premises” and “telephone sports betting” and substituting the following definitions:—

“telephone betting premises” means premises, approved by the Supervising Agency, that are located at a licensee’s approved venue and at which the licensee may conduct sports betting and business, either in person or by telephone;

“telephone sports betting” means betting on the result of approved events that is conducted under a telephone sports betting licence.

Section 74E amended (Telephone sports betting licences)

5—Section 74E (1) of the Principal Act is amended by inserting the following paragraph after paragraph (a):—

(ab) to make bets in respect of approved events with persons who are physically present at those telephone betting premises; and

Section 74F amended (Obligations of licensees)

6—Section 74F of the Principal Act is amended as follows:—

(a) by omitting from paragraph (a) “by telephone”;

- (b) by omitting from paragraph (c) “Authority” and substituting “Supervising Agency”;
- (c) by omitting from paragraph (d) “Authority” and substituting “Supervising Agency”;
- (d) by omitting from paragraph (e) “Authority” and substituting “Supervising Agency”;
- (e) by omitting from paragraph (f) “Authority” (twice occurring) and substituting “Supervising Agency”.

Section 74G substituted

7—Section 74G of the Principal Act is repealed and the following section is substituted:—

Conditions of licences

74G—A licence is subject to—

- (a) such conditions relating to approved on-course venue betting and business as the Authority determines and the Minister approves; and
- (b) such conditions relating to approved off-course venue betting and business as the Commission determines and the Minister administering the *Gaming Control Act 1993* approves; and
- (c) such other conditions as may be prescribed.

Section 74H amended (Inspections)

8—Section 74H of the Principal Act is amended as follows:—

- (a) by omitting from subsection (1) “Authority” (wherever occurring) and substituting “Supervising Agency”;
- (b) by omitting from subsection (2) “Authority” and substituting “Supervising Agency”;
- (c) by omitting from subsection (3) “Authority” and substituting “Supervising Agency”.

Section 74I amended (Control of licences)

9—Section 74I of the Principal Act is amended as follows:—

- (a) by omitting from subsection (1) “Authority” (wherever occurring) and substituting “Supervising Agency”;
- (b) by omitting from subsection (2) “Authority” (wherever occurring) and substituting “Supervising Agency”;
- (c) by omitting from subsection (3) “Authority” and substituting “Supervising Agency”.

Section 74J amended (Cancellation and suspension of licences)

10—Section 74J of the Principal Act is amended as follows:—

- (a) by omitting from subsection (1) “Authority” and substituting “Supervising Agency”;
- (b) by omitting from subsection (2) “Authority” (twice occurring) and substituting “Supervising Agency”;
- (c) by omitting from subsection (2) “Authority’s” and substituting “Supervising Agency’s”;
- (d) by omitting from subsection (3) “Authority” and substituting “Supervising Agency”;
- (e) by omitting from subsection (4) “Authority” and substituting “Supervising Agency”;
- (f) by omitting from subsection (7) “Authority” and substituting “Supervising Agency”;
- (g) by omitting from subsection (8) “Authority” (first occurring) and substituting “Supervising Agency”;
- (h) by omitting from subsection (8) “it may” and substituting “the Authority”.

Section 74K amended (Appeals)

11—Section 74K of the Principal Act is amended as follows:—

- (a) by omitting from subsection (1) “Authority” and substituting “Supervising Agency”;

- (b) by omitting from subsection (1) “Authority’s” and substituting “Supervising Agency’s”;
- (c) by omitting from subsection (2) “Authority” (wherever occurring) and substituting “Supervising Agency”;
- (d) by omitting from subsection (3) “Authority” and substituting “Supervising Agency”;
- (e) by omitting from subsection (4) “Authority” and substituting “Supervising Agency”.

Section 74L amended (Payment of commission, &c.)

12—Section 74L of the Principal Act is amended as follows:—

- (a) by inserting the following subsection after subsection (1):—

(1A) Notwithstanding subsection (1), if the bets referred to in that subsection were made by the licensee at an approved off-course venue, the payment referred to in that subsection is to be made to the Commission.

- (b) by omitting subsection (2) and substituting the following subsections:—

(2) If the licensee defaults in the payment of any commission in relation to bets made at an approved on-course venue, the Authority may recover the amount of the unpaid commission as a debt due to the Authority.

(3) If the licensee defaults in the payment of any commission in relation to bets made at an approved off-course venue, the Commission may recover the amount of the unpaid commission as a debt due to the Commission.

Section 74M amended (Sports Development Account)

13—Section 74M of the Principal Act is amended as follows:—

- (a) by omitting from subsection (2) “Authority” and substituting “Supervising Agency”;
- (b) by omitting from subsection (3) “Authority” (twice occurring) and substituting “Supervising Agency”.

Section 74N amended (Unclaimed winnings)

14—Section 74N of the Principal Act is amended as follows:—

- (a) by omitting from subsection (1) (b) “deal” and substituting “if the unclaimed winnings are from business conducted at an approved on-course venue—deal”;
- (b) by omitting from subsection (1) (b) “business.” and substituting “business; and”;
- (c) by inserting in subsection (1) the following paragraph after paragraph (b):—
 - (c) if the unclaimed winnings are from business conducted at an approved off-course venue—pay those unclaimed winnings to the Commission.
- (d) by omitting from subsection (3) “in respect of business conducted under licences” and substituting “paid to the Registrar under this section”.

*[Second reading presentation speech made in:—
House of Assembly on 14 November 1995
Legislative Council on 15 November 1995]*

