

TASMANIA

**RACING REGULATION AMENDMENT
(TOTE TASMANIA) BILL 2004**

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**RACING REGULATION AMENDMENT
(TOTE TASMANIA) BILL 2004**

*(Brought in by the Minister for Finance, the Honourable
James Glennister Cox)*

A BILL FOR

An Act to amend the *Racing Regulation Act 1952*

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 Regulation
Amendment (TOTE Tasmania) Act 2004*.

Commencement

2. (1) This Act, other than section 7, commences on the
day on which this Act receives the Royal Assent.

(2) Section 7 is taken to have commenced on
1 July 2003.

Principal Act

3. In this Act, the *Racing Regulation Act 1952** is referred to as the Principal Act.

Section 57FA inserted

4. After section 57F of the Principal Act, the following section is inserted in Division II:

International totalizator betting pools

57FA. (1) TOTE Tasmania may, with the written authority of the Minister and the Treasurer, enter into an agreement in accordance with this section with a person or body that is authorised under the law of an overseas country (or group of countries) to conduct totalizator betting in that overseas country (or group of countries) or internationally.

(2) An agreement entered into under subsection (1) may provide that –

- (a) the international business partner will place bets transmitted to it by TOTE Tasmania on a totalizator conducted by the international business partner and return to TOTE Tasmania such dividends in respect of winning bets so transmitted to it as are declared by the totalizator on which the bets are placed; and
- (b) that the international business partner will, out of the amount of the bets it receives from TOTE Tasmania, return to TOTE Tasmania such amount by way of

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commission as the international business partner and TOTE Tasmania agree; and

- (c) TOTE Tasmania will accept bets transmitted to it by the international business partner on a totalizator conducted by TOTE Tasmania (or by another of TOTE Tasmania's business partners) and return to the international business partner the dividends payable in respect of the winning bets so transmitted to TOTE Tasmania; and
- (d) TOTE Tasmania will, out of the amount of the bets TOTE Tasmania receives from the international business partner, return to the international business partner such amount by way of commission as TOTE Tasmania and the international business partner agree; and
- (e) such other terms and conditions, as are not repugnant to any relevant Act, as TOTE Tasmania and the international business partner agree.

(3) TOTE Tasmania may, from its total receipts for any class of totalizator betting, deduct such amount by way of commission as the Minister responsible for administering the *Gaming Control Act 1993* and the Treasurer from time to time authorise.

(4) Notwithstanding subsection (3), the maximum rate of commission that TOTE Tasmania may be authorised to deduct from its total receipts for any class of totalizator betting pursuant to that

subsection is 25% of those receipts or, if another percentage is prescribed, the prescribed percentage.

(5) In this section –

“business partner” means –

- (a) a body that TOTE Tasmania has an agreement with under section 57F; or
- (b) an international business partner;

“international business partner” means a person or body that TOTE Tasmania has an agreement with under subsection (1);

“receipts” means receipts under an agreement entered into pursuant to subsection (1);

“relevant Act” means –

- (a) this Act; or
- (b) the *TOTE Tasmania Act 2000*; or
- (c) a prescribed Act.

Section 57G amended (Classes of totalizator)

5. Section 57G(1) of the Principal Act is amended as follows:

- (a) by omitting from paragraph (b) “Commonwealth.” and substituting “Commonwealth; and”;
- (b) by inserting the following paragraph after paragraph (b):

- (c) in pursuance of an agreement entered into as provided by section 57FA in relation to a totalizator conducted in an overseas country (or group of countries) or internationally.

Section 57M amended (Deduction of commission and declared payment of dividends)

6. Section 57M(1A) of the Principal Act is amended by inserting “(other than pursuant to an agreement under section 57FA)” after “betting”.

Section 57QA repealed

7. Section 57QA of the Principal Act is repealed.