



ANNO VICESIMO QUARTO

ELIZABETHAE II REGINAE

A.D. 1975

No. 113 of 1975

An Act to amend the Lottery and Gaming Act, 1936-1974.

[Assented to 27th November, 1975]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short titles.

1. (1) This Act may be cited as the "Lottery and Gaming Act Amendment Act, 1975".

(2) The Lottery and Gaming Act, 1936-1974, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Lottery and Gaming Act, 1936-1975".

Amendment of
principal Act,
s. 4—
Interpretation.

2. Section 4 of the principal Act is amended by inserting in the definition of "controlling authority" immediately after the passage "The South Australian Jockey Club Incorporated" the passage "as constituted on and after the first day of July, 1975".

Amendment of
principal Act,
s. 31a—
Interpretation.

3. Section 31a of the principal Act is amended—

(a) by striking out from the definition of "member" in subsection (1) the passage "subsection (10)" and inserting in lieu thereof the passage "subsection (7)";

(b) by striking out from the definition of "the chairman" in subsection (1) the passage "subsection (10)" and inserting in lieu thereof the passage "subsection (8)";

(c) by inserting in subsection (1) immediately after the definition of "the chairman" the following definition:—

"the declared day" means the day declared by proclamation made under subsection (3) of this section to be the declared day: ;

and

(d) by inserting immediately after subsection (2) the following subsection:—

(3) The Governor may by proclamation declare a day specified in the proclamation to be the declared day.

4. Section 31b of the principal Act is amended by striking out subsections (5), (6), (7), (8), (9), (10) and (11) and inserting in lieu thereof the following subsections:—

Amendment of
principal Act,
s. 31b—
Constitution of
the Board.

(5) The persons holding office as members immediately before the declared day shall, on the declared day, vacate their respective offices.

(6) On and after the declared day the Board shall consist of five members appointed by the Governor of whom—

(a) two shall be appointed on the recommendation of the Minister, one of whom shall be appointed to be the chairman;

(b) one shall be appointed on the recommendation of the Minister after consultation with the controlling authority in relation to horse racing (except trotting);

(c) one shall be appointed on the recommendation of the Minister after consultation with the controlling authority in relation to trotting;

and

(d) one shall be appointed on the recommendation of the Minister after consultation with the controlling authority in relation to dog racing.

(7) The Governor may appoint a person on the recommendation of the Minister to be a deputy of a member other than the chairman and that person while acting in the absence of that member shall be deemed to be a member and shall have all the powers, rights and duties of that member.

(8) The Governor may appoint a person, who may be a member, on the recommendation of the Minister to be the deputy of the chairman and that person while acting in the absence of the chairman shall be deemed to be the chairman and shall have all the powers, rights and duties of the chairman.

(9) While any member appointed to be the deputy of the chairman is acting in the absence of the chairman the person appointed to be the deputy of that member may act as the deputy of that member as if that member were absent.

5. Section 31c of the principal Act is amended by striking out subsection (1) and inserting in lieu thereof the following subsection:—

Amendment of
principal Act,
s. 31c—
Tenure of
office.

(1) Subject to this section, a member shall be appointed for a term of office not exceeding four years and upon conditions determined by the Governor.

Amendment of
principal Act,
s. 31d—
Meetings of
the Board.

6. Section 31d of the principal Act is amended by inserting immediately after subsection (3) the following subsection:—

(3a) Notwithstanding the provisions of subsection (3) of this section, on and after the declared day three members shall constitute a quorum at any meeting of the Board for the transaction of business.

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

M. L. OLIPHANT, Governor