



ANNO VICESIMO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1973

No. 18 of 1973

An Act to amend the Lottery and Gaming Act, 1936-1972

[Assented to 13th September, 1973]

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, 1973".

(2) The Lottery and Gaming Act, 1936-1972, as amended by this Act, may be cited as the "Lottery and Gaming Act, 1936-1973".

(3) The Lottery and Gaming Act, 1936-1972, is hereinafter referred to as "the principal Act".

**Commence-
ment.**

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

**Amendment of
principal Act,
s. 15—
Totalizator
licences.**

3. Section 15 of the principal Act is amended by striking out from subsection (1) the passage "Commissioner of Police may, upon application being made to him for the purpose, and subject to the approval of the Chief Secretary," and inserting in lieu thereof the passage "Chief Secretary may, upon application being made to him for the purpose,".

**Amendment of
principal Act,
s. 17—
Restriction on
other licences.**

4. Section 17 of the principal Act is amended by striking out from subsection (1) the passage "of the Commissioner of Police, subject to the approval".

5. Section 18 of the principal Act is amended by striking out the passage "Commissioner of Police" and inserting in lieu thereof the passage "Chief Secretary".

Amendment of
principal Act,
s. 18—
Conditions of
issue of
licence.

6. Section 19 of the principal Act is amended—

(a) by striking out from subsection (2) the passage "Commissioner of Police" and inserting in lieu thereof the passage "Chief Secretary";

Amendment of
principal Act,
s. 19—
Limitation on
use of
totalizator.

(b) by striking out from subsection (3) the word "Governor" and inserting in lieu thereof the passage "Chief Secretary";

and

(c) by striking out subsection (4) and inserting in lieu thereof the following subsection:—

(4) On the application of the racing clubs concerned, the Chief Secretary, if satisfied that reasonable cause exists for doing so, may direct that the number of days in any year on which the use of a totalizator, on any racecourse referred to in subsection (1) of this section, shall be increased on condition that a corresponding reduction is made in the number of days in that year on which the use of a totalizator on any other racecourse referred to in that subsection is so authorized and such direction of the Chief Secretary shall have effect according to the tenor thereof.

7. Section 20 of the principal Act is amended—

(a) by striking out from subsection (1) the passage "Commissioner of Police" and inserting in lieu thereof the passage "Chief Secretary";

Amendment of
principal Act,
s. 20—
Totalizator on
the Flat.

(b) by striking out subsection (1a) and inserting in lieu thereof the following subsection:—

(1a) Notwithstanding anything contained in subsection (1) of this section, the Chief Secretary may grant to any club a licence authorizing the use of the totalizator on a racecourse for a race meeting to be held on any day nominated by the Chief Secretary for the purposes of this subsection, not being a Saturday or public holiday, if he is satisfied that the club provides or will provide facilities for the public to use the totalizator, on payment of fifty cents for each unit of betting, on those portions of the racecourse known as the "Grandstand" and "Flat" or on those portions of the racecourse known as the "Grandstand" and "Derby" and that, where, pursuant to this subsection, the totalizator is to be used on that portion of the

racecourse known as the "Derby", the fee for admission to the "Derby" shall not be greater than the fee ordinarily charged for admission to the "Flat" for a race meeting held by that club on a Saturday: But where the meeting is to be held on the Victoria Park Racecourse and the totalizator is to be used in the "Derby" as well as the "Grandstand", the Chief Secretary must be satisfied that the fee for admission to the "Derby" will not be greater than the fee ordinarily charged for admission to the "Flat" for a race meeting held on the Morphettsville Racecourse on a Saturday.;

- (c) by striking out subsection (1b);
- (d) by striking out from subsection (2) the passage "Commissioner of Police" and inserting in lieu thereof the passage "Chief Secretary";
- and
- (e) by striking out from subsection (2) the word "Commissioner" and inserting in lieu thereof the passage "Chief Secretary".

Amendment of
principal Act,
s. 21—
Use of total-
izator at
trotting races.

8. Section 21 of the principal Act is amended—

- (a) by striking out from subsection (1) the passage "Commissioner of Police may, upon application being made to him for the purpose, and subject to the approval of the Chief Secretary", and inserting in lieu thereof the passage "Chief Secretary may, upon application being made to him for the purpose,";
- (b) by striking out from subsection (2) the passage "Except as provided in subsection (2a) of this section, the" and inserting in lieu thereof the word "The";
- (c) by striking out from paragraph (a) of subsection (2) the word "thirty-five" and inserting in lieu thereof the word "fifty-three";
- (d) by striking out from paragraph (a) of subsection (2) the passage "or at any meeting other than a night meeting";
- (e) by striking out from paragraph (c) of subsection (2) the word "twenty" and inserting in lieu thereof the word "twenty-six";
- (f) by striking out from paragraph (c2) of subsection (2) the word "sixty" and inserting in lieu thereof the word "seventy";

- (g) by striking out from paragraph (c2) of subsection (2) the passage "or at more than fifty meetings held on days other than Saturdays or public holidays";
 - (h) by striking out from subsection (2) the passage "Commissioner of Police" and inserting in lieu thereof the passage "Chief Secretary";
 - (i) by striking out from subsection (2) the passage "and subject to the approval of the Chief Secretary";
 - (j) by striking out from subsection (2) the passage "two nights" and inserting in lieu thereof the passage "two days or nights";
- and
- (k) by striking out subsection (2a) and inserting in lieu thereof the following subsection:—

(2a) On the application of the trotting clubs concerned, the Chief Secretary, if satisfied that reasonable cause exists for doing so, may direct that the number of meetings held in any one year in the areas referred to in paragraphs (b), (c), (c1) or (c2) of subsection (2) of this section, at which the totalizator is authorized to be used under that subsection, may be increased on condition that a corresponding reduction is made in the number of meetings at which the totalizator is authorized to be used, that may be held in that year in any other area referred to in those paragraphs and such direction of the Chief Secretary shall have effect according to the tenor thereof.

9. Section 22 of the principal Act is amended—

- (a) by striking out from the first sentence in subsection (2) the passage "Commissioner of Police" and inserting in lieu thereof the passage "Chief Secretary";

and

- (b) by striking out the second sentence in subsection (2) and inserting in lieu thereof the following sentence:—

Each permit shall be for either one day or one night.

Amendment of
principal Act,
s. 22—
Permits to
hold trotting
races.

10. Section 23a of the principal Act is amended—

- (a) by striking out from subsection (1) the passage "Commissioner of Police" first occurring and inserting in lieu thereof the passage "Chief Secretary";
- (b) by striking out from subsection (1) the passage "(No. 2), 1939" and inserting in lieu thereof the figures "1973";

Amendment of
principal Act,
s. 23a—
Transfer of
racing day.

- (c) by striking out from subsection (1) the passage "Commissioner of Police, subject to the approval of the Chief Secretary," and inserting in lieu thereof the passage "Chief Secretary";
- (d) by striking out from subsection (2) the passage "Commissioner of Police" and inserting in lieu thereof the passage "Chief Secretary";
- and
- (e) by striking out from subsection (2) the passage "subsections (2) and (2a)" and inserting in lieu thereof the passage "subsection (2)".

Amendment of
principal Act,
s. 25—
Duty of racing
clubs to
prevent illegal
betting.

11. Section 25 of the principal Act is amended—

- (a) by striking out from subsection (2) the passage "Commissioner of Police" and inserting in lieu thereof the passage "Chief Secretary";
- and
- (b) by striking out from subsection (2) the passage ", with the approval of the Chief Secretary".

Amendment of
principal Act,
s. 28—
Mode of dealing
with moneys
paid into total-
izator used by
a club.

12. Section 28 of the principal Act is amended—

- (a) by striking out from paragraph (a) of subsection (1) the passage "where betting on that contingency is conducted by the Totalizator Agency Board as the agent of the club whether at or outside the racecourse where the race meeting is held";
- (b) by striking out from paragraph (aa) of subsection (1) the passage "where betting on that contingency is conducted by the Totalizator Agency Board as the agent of the club whether at or outside the racecourse where the race meeting is held";
- and
- (c) by striking out from subsection (9) the passage "Commissioner of Police" and inserting in lieu thereof the passage "Chief Secretary".

Amendment of
principal Act,
s. 29—
Club to render
account.

13. Section 29 of the principal Act is amended—

- (a) by striking out from subsection (1) the passage "Commissioner of Police" and inserting in lieu thereof the passage "Chief Secretary";
- (b) by striking out from subsection (2) the passage "Commissioner of Police" and inserting in lieu thereof the passage "Chief Secretary";

- (c) by striking out from subsection (3) the passage "Commissioner of Police" and inserting in lieu thereof the passage "Chief Secretary";
 - (d) by striking out from subsection (5) the passage "Commissioner of Police" and inserting in lieu thereof the passage "Chief Secretary (whether that amount of dividend became payable before or after the day of commencement of the Lottery and Gaming Act Amendment Act, 1973)";
- and
- (e) by striking out from subsection (6) the passage "Commissioner of Police" and inserting in lieu thereof the passage "Chief Secretary".

14. Section 30 of the principal Act is amended—

Amendment of
principal Act,
s. 30—
Gazette Notice.

- (a) by striking out from subsection (1) the passage "Commissioner of Police" and inserting in lieu thereof the passage "Chief Secretary";
 - (b) by striking out from subsection (1) the passage "in each year" and inserting in lieu thereof the passage ", 1974 and in the month of January in each succeeding year thereafter,";
- and
- (c) by striking out from subsection (2) the passage "If any licence is granted after the publication of the particulars aforesaid, the Commissioner of Police" and inserting in lieu thereof the passage "Where any licence is granted in the year 1973 and the particulars of it have not been published under this section as in force before the day of commencement of the Lottery and Gaming Act Amendment Act, 1973, or where any licence is granted after that day in any year referred to in subsection (1) of this section and the particulars of it have not been published under that subsection the Chief Secretary".

15. Section 30b of the principal Act is amended—

Amendment of
principal Act,
s. 30b—
Restrictions on
licences in
respect of
dog racing.

- (a) by striking out from subsection (2) the passage "Commissioner of Police" and inserting in lieu thereof the passage "Chief Secretary";
- (b) by striking out from subsection (2) the word "Governor" and inserting in lieu thereof the passage "Chief Secretary";
- (c) by striking out from subsection (3) the passage "one hundred and fifty" and inserting in lieu thereof the passage "two hundred";

(d) by striking out from subsection (3) the word "and" immediately following paragraph (a);

(e) by inserting in subsection (3) the following word and paragraph:—

and

(c) not more than fifty meetings are conducted by The South Eastern Greyhound Racing Club Incorporated on any race course within a radius of ten kilometres from the Post Office at Mount Gambier.;

(f) by striking out from subsection (4) the passage "Commissioner of Police" and inserting in lieu thereof the passage "Chief Secretary";

(g) by striking out from subsection (4) the word "Governor" and inserting in lieu thereof the passage "Chief Secretary";

and

(h) by striking out from subsection (5) the passage "and the recommendation of the Commissioner of Police,".

Amendment of
principal Act,
s. 31—
Detention
rooms for use
of police.

16. Section 31 of the principal Act is amended by striking out from subsection (3) the passage "Commissioner of Police" second occurring and inserting in lieu thereof the passage "Chief Secretary, on the recommendation of the Commissioner of Police,".

Amendment of
Third Schedule
of principal
Act.

17. The Third Schedule to the principal Act is amended by striking out the passage "Esq., Commissioner of Police" and inserting in lieu thereof the passage "the Chief Secretary".

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

W. R. CROCKER, Governor's Deputy