

RACING AND GAMING.

No. 52 of 1964.

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

[26 November 1964.]

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:—

1—(1) This Act may be cited as the *Racing and Gaming Act 1964.* Short title, citation, and commencement.

(2) The *Racing and Gaming Act 1952*, as subsequently amended, is in this Act referred to as the Principal Act.

(3) Sections two, three, and four of this Act shall commence on the fourth day of January 1965.

2 After section forty-five of the Principal Act the following Division is inserted in Part III:—

“ Division IV—Provisions relating to the encouragement and promotion of horse-racing and coursing.

“ 45A In this Division, ‘Fund’ means the fund created by the Commission before the commencement of this section, pursuant to subsection (2) of section fifty-two, and known as the Racing Assistance Fund. Interpretation.

“ 45B—(1) Subject to this section, the Commission, during the prescribed period— Payments to clubs to assist horse-racing and coursing.

(a) shall pay to the credit of the Fund, monthly, the sum determined, in relation to each month, by the Commission pursuant to clause (B) of subparagraph (i) of paragraph (a) of subsection (2) of section seventy-one; and

(b) shall, out of the Fund, make from time to time to racing clubs and coursing clubs payments of such amounts as the Commission may think desirable for the purpose of encouraging or promoting, or assisting those clubs to encourage or promote, horse-racing or coursing in this State.

“(2) The total amount paid to the credit of the Fund by the Commission for the purposes of this section in any one financial year shall not exceed twenty thousand pounds.

“(3) A payment made by the Commission pursuant to subsection (1) of this section may be made upon and subject to such conditions (including conditions as to the purposes in

relation to which or for which the payment may or shall be applied) as the Commission may impose or determine, either generally or in a particular case.

“(4) In subsection (1) of this section, the expression ‘the prescribed period’ means the period beginning on the date of the commencement of this section and ending on the thirtieth day of June 1969.”.

Payment of
commission by
bookmakers.

3 Section seventy of the Principal Act is amended by omitting subsection (1) thereof and substituting therefor the following subsection:—

“(1) A bookmaker shall pay to the Registrar, on behalf of the Commission, a sum by way of commission equal to—

- (a) two and one-half per cent of all moneys paid or payable, contingently or otherwise, to the bookmaker in respect of every bet made by him on a racecourse in this State or in relation to any race on a racecourse in this State; and
- (b) two and one-half per cent of all moneys paid or payable, contingently or otherwise, to the bookmaker in respect of all other bets made by him.”.

Application
of commission.

4 Section seventy-one of the Principal Act is amended by omitting sub-paragraph (i) of paragraph (a) of subsection (2) thereof and substituting therefor the following sub-paragraph:—

“(i) monthly, as prescribed, the amount of all commission received by the Registrar or the Commission under paragraph (b) of subsection (1) of section seventy, and all moneys received by the Commission pursuant to section thirty-five, after deducting therefrom—

- (A) such costs incurred by the Commission in the administration of this Act as may be prescribed, but not exceeding, in any case, the sum of twenty thousand pounds in any racing year; and
- (B) such sum (if any) as the Commission, with the approval (either generally or in any particular case) of the Treasurer, determines in relation to each month as the sum that is necessary to enable the Commission to make the payments referred to in section forty-five B; and”.

Certain
games
unlawful.

5 Section one hundred and five of the Principal Act is amended—

- (a) by omitting subsection (9) thereof and substituting therefor the following subsections:—

“(9) No person shall—

(a) use; or

(b) except under and in conformity with the conditions specified in a permit under subsection (9A) of this section, have in his possession,

any instrument or device that is an unlawful instrument.

Penalty: Twenty pounds.

“(9A) On application by or on behalf of the owner of a vessel to which this subsection applies, the Minister may grant to the owner or master of that vessel a permit authorizing the owner or master to have in his possession while the vessel is in a port in this State any unlawful instrument, or any kind or class of unlawful instruments, that is specified or referred to in the permit, upon and subject to—

(a) the condition that, while the vessel is in a port in this State, the instrument shall be kept locked or shall be otherwise dealt with in such a manner as to render it—

(i) incapable of being used by any person; or

(ii) inaccessible to the public; and

(b) such other conditions, if any, as may be specified in the permit.”; and

(b) by adding at the end thereof the following subsection:—

“(13) In subsection (9A) of this section, the expression ‘vessel to which this subsection applies’ means a vessel that is in, or is about to enter, a port in this State in the course of a voyage between places outside Australia, or, in either direction, between a place in Australia and some place outside Australia.”.

WEIGHTS AND MEASURES (No. 2).

No. 53 of 1964.

AN ACT to amend the *Weights and Measures Act 1934.* [26 November 1964.]

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:—