



ANNO SEPTIMO

## GEORGI VI REGIS.

A.D. 1943.

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### No. 11 of 1943.

#### An Act to amend the Lottery and Gaming Act, 1936-1939.

[Assented to 29th October, 1943.]

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

1. (1) This Act may be cited as the " Lottery and Gaming Act Amendment Act, 1943 ". Short titles.
- (2) The Lottery and Gaming Act, 1936-1939, as amended by this Act, may be cited as the " Lottery and Gaming Act, 1936-1943 ".
- (3) The Lottery and Gaming Act, 1936-1939, is hereinafter called "the principal Act ".
2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act. Incorporation.
3. The following section is enacted and inserted in the principal Act after section 22a thereof :— Enactment of s. 22b of principal Act—
  - 22b. (1) While any law, regulation, or order of the Commonwealth which prescribes the hours during which trotting races may be held or may not be held is in force, the Commissioner of Police may, in any case in which he could under section 21 of this Act issue a licence authorizing the use of the totalizator at a trotting race-meeting held by day or at night, issue such a licence authorizing the use of the totalizator at a trotting race-meeting to be held during any hours, whether of the day Times for holding trotting race meetings.

or night, during which trotting races are permitted to be held by the law, regulation, or order of the Commonwealth.

(2) If the Commissioner of Police is of opinion that by reason of any law, regulation, or order of the Commonwealth, it is inconvenient or inexpedient to hold trotting race-meetings by day or by night as prescribed by section 21 of this Act, he may in any case in which he could under this Act issue a licence authorizing the use of the totalizator at a trotting race-meeting held by day or at night, issue a licence authorizing the use of the totalizator at a trotting race-meeting held during such hours, whether of the day or night, as he deems expedient.

(3) In any case where the Commissioner of Police has power under this section to issue a licence authorizing the use of the totalizator at a trotting race-meeting, the South Australian Trotting League Incorporated shall have power to issue a permit for the holding of that trotting race-meeting during the hours approved by the Commissioner of Police.

Amendment of  
s. 40 of  
principal Act—  
Commission on  
bets.

4. Section 40 of the principal Act is amended by inserting after the words "one pound" in the third line thereof the words "ten shillings".

Amendment of  
s. 41 of  
principal Act—  
Application of  
commission.

5. Subsection (2) of section 41 of the principal Act is repealed and the following subsections are enacted and substituted in lieu thereof :—

(2) The board shall retain such portion of all commission received by it in each financial year, as the board deems necessary to pay the costs of the administration of this Part incurred or to be incurred during that year, to the extent to which those costs have not been or, in the board's opinion, will not be paid out of fees received by the board or other money. The portion of any commission to be so retained shall be calculated at a uniform rate per centum to be fixed by the board for each financial year. The amount of any commission remaining after deducting therefrom the amount so retained by the board, is hereinafter in this section called "net commission".

(2a) The total net commission on bets made in each month shall be applied as follows :—

(a) The net commission on all bets made on races outside the State shall be paid to the Treasurer in aid of the general revenue :

- (b) Thirty-five per centum of the net commission on all bets made in registered premises on horse races held within the State shall be paid to the Treasurer in aid of the general revenue :
- (c) Sixty-five per centum of the net commission on all bets made in registered premises on horse races held within the State shall be divided among the racing clubs in proportion to the amount of the bets made on horse races conducted by each club during the month :
- (d) The net commission on all bets made on any racecourse on horse races held within the State shall be divided among the racing clubs in proportion to the amounts of the bets made on horse races conducted by each club during the month :
- (e) The net commission on all bets made on trotting races shall be divided among the trotting clubs in proportion to the amounts of the bets made on trotting races held by each club during the month :
- (f) The net commission on all bets made on coursing events shall be divided among the coursing clubs in proportion to the amounts of the bets made on coursing events held by each club during the month.

(2b) If in any financial year the total amount retained by the board is greater than is required for paying the costs of administration (other than those paid out of fees received by the board or other money) for that year, the board shall—

- (a) repay the excess or such part thereof as it thinks proper to the Treasurer and the racing, trotting, and coursing clubs in proportion to the amounts to which they are entitled under subsection (2a) of this section : and
- (b) apply any amounts not so repaid towards meeting the administrative costs of the board in any subsequent year.

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

C. M. BARCLAY-HARVEY, Governor.