

1994

AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY

BOOKMAKERS (AMENDMENT) BILL 1994

EXPLANATORY MEMORANDUM

**Circulated by the authority of David Lamont MLA
Minister for Sport**

Outline

The *Bookmakers (Amendment) Bill 1994* (the Bill) amends certain provisions of the *Bookmakers Act 1985* (the Principal Act).

The Principal Act provides, in part, for the licensing of bookmakers. This includes imposing controls on the taking of bets by bookmakers. It is intended to amend the Principal Act to control on-course telephone betting.

It is intended to control the making of telephone bets by prescribing the equipment to be used and the procedures to be followed by the Bookmaker. Such matters as the information on betting odds to be supplied by the bookmaker during the course of making a bet will be controlled. The minimum amount that can be placed on a bet or the minimum amount that can be won will also be prescribed.

The maintenance of the prescribed equipment will also be undertaken by persons appointed by the Minister. The Minister may from time to time give directions as to the duties such persons shall perform.

Various penalties are proposed where the relevant provisions are contravened.

Financial Implications

The Bill may have some revenue impact, especially if the client base for bookmakers is increased.

CLAUSE NOTES**Clause 1, 2 & 3**

Clauses 1, 2 and 3 are machinery provisions that specify the short title of the Bill, the commencement of the Bill and identify the Act being amended.

Clause 4 – Insertion

Clause 4 inserts sections 41A and 41B in the Principal Act. The new section 41A specifies that a bookmaker shall not accept a bet by telephone unless the bet is:

- (a) greater than or equal to the prescribed amount or where the amount that may be won is greater than or equal to the prescribed amount;
- (b) other than in accordance with the prescribed procedures; and
- (c) recorded on prescribed equipment.

The new section 41B provides that it is an offence for a person, other than a person appointed under section 55A, without reasonable excuse, to tamper or interfere with prescribed equipment.

Clause 5 – Insertion

Clause 5 inserts 55A in the Principal Act. Section 55A provides that the Minister may authorise a person to perform specified duties in relation to the maintenance of prescribed equipment (subclause 1) and may from time to time give directions as to the duties that are to be performed (subclause 2).

The instrument of appointment is a disallowable instrument (subclause 4) and it will be an offence for a person to fail to adhere to the directions (subsection 3).

Clause 6 – Regulations

Clause 6 amends section 56 of the Principal Act. Section 56 provides that regulations can be made for the purposes of the Principal Act. Section 56 is amended by inserting a new paragraph and amending paragraph 56(b).

New paragraph 56(aa) will specify that a regulation can be made which will relate to the information that a bookmaker can supply by telephone.

Paragraph 56(b) is amended by increasing the penalty that can be prescribed for an offence against the regulations from \$500 to \$1,000.