

NORTHERN TERRITORY OF AUSTRALIA

TOTALIZATOR ADMINISTRATION AND BETTING ACT

As in force at 18 June 1999

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 18 June 1999

TOTALIZATOR ADMINISTRATION AND BETTING ACT

**An Act to make provision for betting by means of a totalizator system,
and for related purposes**

Part I Preliminary

1 Short title

This Act may be cited as the *Totalizator Administration and Betting Act*.

2 Commencement

The several sections of this Act shall come into operation on such dates as are respectively fixed by the Administrator by notice in the *Gazette*.

3 Application

Notwithstanding anything contained elsewhere in this Act, nothing in this Act shall apply to or in relation to, or affect the operation of:

- (a) a totalizator within the meaning of the *Racing and Betting Act* used in accordance with that Act; or
- (b) a provision of the *Racing and Betting Act* which relates to the use of a totalizator referred to in paragraph (a).

4 Definitions

In this Act, unless the contrary intention appears:

accounting period means an accounting period determined under section 30(1).

agency means an agency, established under section 23, of the Commission and includes:

- (a) the premises on which the agency is established; and

- (b) premises made available under section 24 to the Commission for the establishment of such an agency.

betting includes the negotiation and acceptance and distribution of moneys in connection with bets and the settling of bets.

club means a club, association, society or other body of persons, whether incorporated or not.

Commission means the Racing Commission established by the *Racing and Betting Act*.

credit account means a credit account established under section 39(1) with the Commission.

Dividend Equalization Account means the account established under section 42(1) and called the Dividend Equalization Account.

licensed premises has the same meaning as it has in the *Liquor Act*.

identity card, in relation to a totalizator inspector, means the identity card issued under section 120(2) of the *Racing and Betting Act* to him in respect of his appointment as a totalizator inspector.

Industry Assistance Fund means the Industry Assistance Fund within the meaning of the *Racing and Betting Act*.

liquor means liquor within the meaning of the *Liquor Act*.

lawful lottery means lawful lottery within the meaning of the *Gaming Control Act*.

office means an office, established under section 23, of the Commission and includes:

- (a) the premises on which the office is established; and
- (b) premises made available under section 24 to the Commission for the establishment of such an office.

premises includes land.

race means a horse race, dog race, pony race or trotting race, and includes, in relation to a bet, with one stake, on the results of 2 or more races, all of the races in relation to which the bet is made.

race club means a club formed or carried on for the purpose of conducting or controlling races in the Territory.

race meeting means a meeting for the purpose of conducting races.

racecourse means land, whether within or outside the Territory, that is used for races and to which admission is obtainable by payment of money, by ticket or otherwise.

Racecourse Development Fund means the Racecourse Development Fund within the meaning of the *Racing and Betting Act*.

Rules means Rules made under section 63.

this Act includes the Rules and Regulations made under this Act.

totalizator means a scheme or system by means of which bets are accepted and aggregated and dividends are calculated, declared and paid on a proportional basis dependent upon the result of:

- (a) a race or series of races; or
- (b) an event or contingency approved under section 43(1) by the Minister,

in accordance with prescribed formulae, and includes a device, instrument, machine, computer or other thing used to effect the aggregation and distribution of bets.

totalizator betting means betting, on a racecourse or elsewhere than on a racecourse, by placing bets on a totalizator.

totalizator inspector means a totalizator inspector within the meaning of the *Racing and Betting Act*.

totalizator ticket includes a ticket, card, token or thing:

- (a) entitling, or purporting to entitle, a person to an interest in a division or distribution of money by means of or in connection with or as a result of the operations of a totalizator; or
- (b) issued by the Commission acknowledging that a bet has been made through or with the Commission.

Part II Functions and powers of Commission

19 Functions of Commission

- (1) The functions of the Commission under this Act are:
 - (a) to conduct or provide, in accordance with this Act, totalizator betting facilities in relation to races held within or outside the Territory:
 - (i) by operating its own totalizator; or
 - (ii) by means of agreements entered into under section 22, including such an agreement entered into for the purposes of section 43;
 - (b) to act as an agent of the person conducting a lawful lottery for the sale of tickets, or shares in tickets, in the lottery;
 - (c) to act as an agent of a person by whom a betting game or competition is lawfully being conducted for the receipt of entry forms for, and subscriptions in respect of, the game or competition; and
 - (d) to carry out activities specified in Part IV.

20 Powers of Commission

- (1) Subject to this Act, the Commission has power to do all things that are necessary or convenient to be done for or in connection with or incidental to the exercise of its powers and the performance of its functions under this Act.
- (2) Without limiting the generality of subsection (1), the Commission may, in the exercise of its powers and the performance of its functions under this Act, including powers and functions conferred or imposed on it elsewhere in this or any other Act:
 - (a) establish offices and agencies and provide facilities for the conduct of totalizator betting;
 - (b) appoint agents;
 - (c) enter into contracts, including agency contracts, for the purposes of exercising its powers and performing its functions under this Act;
 - (d) acquire, hold, deal with and dispose of real or personal property;

- (e) erect premises and equip, fit and furnish premises for the purposes of totalizator betting;
 - (f) promote its business in such manner as it thinks fit, including, for that purpose, the preparation and sale of form guides for races; and
 - (g) do anything incidental to any of its powers.
- (3) Where it is necessary or convenient to be done for or in connection with or incidental to the exercise of its powers and the performance of its functions under this Act, the Commission or a subsidiary of the Commission may, with the approval of the Minister and subject to such conditions, if any, as the Minister thinks fit:
- (a) participate with another person in the formation of an incorporated company;
 - (b) take, or otherwise acquire, and hold shares or stock in the capital of an incorporated company;
 - (c) enter into a partnership; or
 - (d) enter into an agreement for the sharing of receipts.

22 Power to enter into agreements with totalizator bodies in State or another Territory

- (1) In this section, **body** means a board or other body having powers and functions similar to those of the Commission.
- (2) The Commission may enter into an agreement in accordance with this section with a body in a State or another Territory of the Commonwealth that is authorized by a law of that State or other Territory to conduct or provide totalizator betting.
- (3) An agreement entered into under subsection (2) may provide that:
 - (a) the body in a State or other Territory will place bets transmitted to it by the Commission on a totalizator conducted in that State or other Territory by the body and return to the Commission such dividends in respect of winning bets so transmitted to it as are declared by the totalizator on which the bets were placed;
 - (b) that body will return to the Commission such amount as Commission out of the amount of the bets received by that body from the Commission as is agreed upon between that body and the Commission;

- (c) the Commission will place bets transmitted to it by that body on a totalizator conducted by the Commission and return to that body the dividends payable in respect of the winning bets placed, in accordance with this paragraph, with the Commission; and
- (d) the Commission will return to that body such amount as Commission out of the amount of the bets received by the Commission from that body as is agreed upon between that body and the Commission.

23 Setting up of offices and agencies

- (1) The Commission may, as it thinks fit, establish offices and agencies for the exercise of its powers and the performance of its functions and may discontinue an office or agency so established.
- (2) Without limiting the generality of subsection (1), the Commission may establish an agency on licensed premises and may, for the purposes of this Act, nominate the whole or a particular part of the licensed premises as premises of the agency.
- (3) Where the Commission nominates under subsection (2) a part only of licensed premises as premises of an agency, it shall, by signs or such other means as it thinks fit, cause that part of the licensed premises to be clearly identified as the premises of the agency.

24 Premises on racecourses

A race club controlling races at a racecourse in the Territory may, if the Commission has not established an office or agency at the racecourse, make available to the Commission such premises at the racecourse as are necessary to enable the Commission to conduct totalizator betting facilities at the racecourse.

25 Operation of offices, &c.

Subject to this Act, the Commission may determine the manner of operation of its offices and agencies, including the hours of business of those offices and agencies.

Division 5 Finance

27 Commission

The Commission shall, out of the amount of each bet received by it and placed by it on the totalizator operated by it, retain as Commission such amount as the Commission, with the approval of the Minister, determines to be so retained for the class of bets in

which the bet is included.

30 Accounting periods

- (1) Subject to subsection (2), the Commission shall, before the commencement of a financial year, determine 13 accounting periods into which that year shall be divided for the purposes of this Act.
- (2) The Commission shall not determine under subsection (1) an accounting period that is less than 21 days or more than 35 days.

31 Payments to Racecourse Development Fund

The Commission shall, at the beginning of an accounting period, or as soon as practicable thereafter, pay into the Racecourse Development Fund an amount equal to:

- (a) where the period occurs before 1 July 1988 – 1.5%; and
- (b) where the period occurs after 30 June 1988 – 1%,

of net bets accepted by the Commission during the immediately preceding accounting period.

32 Ordinary application of revenue of Commission

The moneys of the Commission remaining in an accounting period after making the payment required by section 31 for the period shall be applied by it in:

- (a) paying the costs, charges, obligations, liabilities and expenses incurred or undertaken by it in the exercise of its powers and the performance of its functions under this Act, including for that purpose, repaying a loan made to it; and
- (c) making such payments as are, from time to time, necessary to balance the Dividend Equalization Account.

33 Payments to Consolidated Revenue Account and Industry Assistance Fund

- (1) The Commission shall, at such times as the Minister directs, in respect of its moneys not required for the purposes of making a payment under section 31 or 32, pay those moneys, in equal proportions, into, respectively:
 - (a) the Consolidated Revenue Account; and
 - (b) the Industry Assistance Fund.

34 Commission subject to tax, &c.

- (1) Subject to subsection (2), nothing in this or any other Act relieves the Commission from the liability to pay Territory taxes, rates and duties in respect of its business and activities that it would have if it were a company incorporated or taken to be incorporated under the Corporations Law.
- (2) Notwithstanding subsection (1), the Regulations may prescribe a Territory tax, rate or duty as a tax, rate or duty which the Commission is not liable to pay and, where such a tax, rate or duty is so prescribed, the Commission is not liable accordingly.

Part III Totalizator betting**35 Lawful betting elsewhere than on racecourse**

A bet on a race that could lawfully be made in the Territory at a racecourse during a race meeting may, notwithstanding any other law to the contrary, be made through the Commission at an office or agency as provided by this Act, whether or not a race meeting is being conducted at a racecourse in the Territory on the day the bet is made.

36 Acceptance of bets

- (1) The Commission shall not accept a bet except at an office or agency and in accordance with this Act.
- (2) The Commission shall not accept a bet from a person unless:
 - (a) the amount of the bet is deposited in cash at an office or agency at the time of making the bet;
 - (b) the amount of the bet is received at an office or agency with a letter from the person setting out the bet;
 - (c) the bet is made by telegram from the person received at an office or agency and payment of the amount of the bet is arranged by that telegram; or
 - (d) the bet is made by letter, telegram or telephone message to, or personally at, an office or agency by the person and payment of the amount of the bet is authorized to be made from a credit account that:
 - (i) was established by that person before the commencement of the race meeting at which the race on which the bet is made is run; and

- (ii) shows sufficient credit at the time of making the bet to pay the amount of the bet.
- (3) The Commission shall not accept a bet except in an amount prescribed by the Rules or such greater amount as the Commission determines or a multiple of the amount so prescribed or determined.
- (4) No dividend shall be payable, nor shall any action, claim or demand be allowed for or in respect of a bet placed, or purporting to have been placed, in contravention of this section.

37 Placing of bets

The Commission shall place a bet accepted under this Act by it:

- (a) in respect of a race on which it operates its own totalizator – on that totalizator; and
- (b) in respect of a race on which it does not operate its own totalizator – on the totalizator in a State or another Territory of the Commonwealth, being the totalizator in respect of which a body conducting totalizator betting in that State or other Territory is, in pursuance of an agreement under section 22 with that body, the agent of the Commission.

38 Conditions relating to betting through Commission

Subject to this Act, the Commission may determine:

- (a) the arrangements for distributing amounts as dividends on bets made by letter or telegram;
- (b) the closing times and other conditions for the acceptance of bets at offices and agencies;
- (c) the method of identification of persons offering to make bets;
- (d) the manner of acknowledging bets;
- (e) the manner of recording bets made; and
- (f) the period for which its records or other documentation relating to bets shall be retained and the form in which those records or other documentation shall be so retained.

39 Credit accounts

- (1) A person may, as the Commission determines, establish a credit account with the Commission by depositing with the Commission

an amount not less than the amount determined for the purposes of this section by the Commission and may, as the Commission determines, deposit further moneys in, or credit amounts as dividends in respect of bets won by him to, the account.

(2) Where no bets are made through the Commission by a person from his credit account for a period of not less than 6 months, the Commission may, as it thinks fit, pay the amount of money standing to his credit in that account into the Dividend Equalization Account, but where, after that payment, that person directs the Commission to:

(a) re-establish his credit account by paying into that credit account; or

(b) refund to him,

the moneys the subject of that payment, the Commission shall, accordingly, comply with that direction by making the appropriate payment out of the Dividend Equalization Account.

40 Payment of dividends

(1) The Commission shall, as soon as practicable after the conclusion of each race on which totalizator betting facilities are conducted or provided by it, pay in accordance with this section dividends on each bet placed by it in respect of which a dividend is payable.

(2) For the purposes of subsection (1):

(a) a bet is a bet in respect of which a dividend is payable:

(i) in a case where bets are on a totalizator operated by the Commission – if the bet is declared, in accordance with the resolution of the Commission applicable in relation to the class of bets in which the bet is included, to be a bet in respect of which a dividend is payable; and

(ii) in a case where bets are placed by the Commission on a totalizator other than a totalizator operated by it – if the bet is declared by the totalizator on which the bets were made to be a bet in respect of which a dividend is payable;

(b) the amount of a dividend payable is:

(i) in the case of a bet referred to in paragraph (a)(i) – the amount declared, in accordance with the resolution of the Commission that is applicable to the race on which the bets were placed and to the class of bets in which

that bet is included, to be the dividend for that bet; and

- (ii) in the case of a bet referred to in paragraph (a)(ii) – the amount declared by the totalizator on which the bets were placed to be the dividend for that bet; and
 - (c) a reference to a bet in respect of which a dividend is payable shall be read as including a bet in respect of which a refund is payable in accordance with the resolution of the Commission that is applicable to the race on which the bet was placed and the class of bets in which that bet is included or is payable by the totalizator on which the bet was placed, as the case may be.
- (3) The minimum amount to be paid by the Commission as a dividend in respect of a bet placed by the Commission on a race, other than a race in which 2 or more runners were each placed first, second or third, is the amount prescribed by the Rules for the purposes of this subsection or such other greater amount, if any, determined by the Commission to be paid for the purposes of this subsection.
- (4) The Commission is not liable to pay an amount as a dividend in respect of a bet on a race remaining unclaimed after the expiration of 6 months commencing on the first day on which the office or agency at which the bet was made was open for business after the day of the race.

41 Provisions applicable where no winning bets

Where the bets on a race placed by the Commission on its own totalizator do not include a bet on the winner of the race or on a winning combination on the race, the amount that would, if one or more bets had been placed on the winner of the race or on the winning combination on the race, as the case may be, have been available for distribution as dividends in accordance with the resolution of the Commission that is applicable to the race and the class of bets accepted for the race shall, if the resolution so provides, form part of the amount available for distribution as dividends on other bets, whether on the same race or another race, in respect of which dividends are payable or, if the resolution so provides, shall be credited to the Dividend Equalization Account.

42 Dividend Equalization Account

- (1) The Commission shall keep an account, to be called the Dividend Equalization Account, and shall set aside in that account amounts:
- (a) which, in accordance with resolutions of the Commission, are to be credited to that account;

- (b) to be paid under section 39(2) into that account; or
 - (c) as unclaimed dividends that, by reason of section 40(4), the Commission is not liable to distribute.
- (2) There shall be debited against the Dividend Equalization Account any amounts which:
- (a) it is required under section 39(2) to pay out of the account; or
 - (b) in accordance with section 40(3) or in accordance with the appropriate resolution of the Commission, are included in dividends paid by the Commission on bets in respect of which dividends are payable at amounts higher than the amounts at which they would, but for that section or that resolution, have been payable.

Part IV Other activities of Commission

43 Totalizator betting on events, &c, other than races at race meeting

- (1) The Commission may, with the approval of the Minister and subject to such conditions, if any, as the Minister thinks fit, conduct totalizator betting upon an event or contingency, including a sporting event within the meaning of the *Racing and Betting Act*, scheduled for decision within or outside the Commonwealth otherwise than at a race meeting at a racecourse.
- (2) All bets made with the Commission in respect of an event or contingency referred to in subsection (1) shall be:
- (a) held and accounted for separately from other money coming into the custody or under the control of the Commission;
 - (b) placed in a totalizator conducted in respect of that event or contingency by the Commission; and
 - (c) available for distribution in the manner prescribed by the Regulations or, where the manner of distribution is not prescribed, in accordance with the directions of the Minister.

44 Regulations may prescribe betting other than totalizator betting

- (1) The Regulations may prescribe:
- (a) types of betting other than totalizator betting which the Commission may conduct;

- (b) the events or contingencies upon which types of betting so prescribed may be conducted; and
 - (c) the manner in which bets made with the Commission in respect of a type of betting so prescribed shall be held and accounted for, and available for distribution by, the Commission.
- (2) Subject to regulations made in pursuance of subsection (1), the Commission may make rules for and in relation to the conduct of betting pursuant to this section.

45 Commission may act as agent in certain circumstances

The Commission may, with the approval of the Treasurer, and subject to such conditions, if any, as the Treasurer thinks fit, make arrangements whereby offices and agencies act as agents for the collection of moneys for purposes other than betting.

Part V Offences

46 Offences in relation to conduct of offices and agencies

- (1) A person who, having the management or control of an office or agency, authorizes, permits or suffers the office or agency to be constituted or used, or an act or thing to be done or omitted to be done, on or in relation to the office or agency, in contravention of or failure of compliance with this Act is guilty of an offence.
- (2) A person who, having the management or control of, or employed in or acting in any capacity in connection with, an office or agency, accepts from a person a bet which is prohibited by or does not conform to this Act is guilty of an offence.
- (3) A person who, not being a person:
- (a) having the lawful management or control of; or
 - (b) employed in or acting in any capacity in connection with,
- an office or agency, sells or offers to sell a ticket purporting to be, or being, a totalizator ticket is guilty of an offence.
- (4) A person who purchases a ticket purporting to be, or being, a totalizator ticket from a person not authorized under this Act to sell it is guilty of an offence.

Penalty for an offence against this section – \$500 or imprisonment for 6 months.

47 Penalty for unlawfully acting as totalizator employee, &c.

A person, not being a person:

- (a) having the lawful management or control of; or
- (b) employed in or acting in any capacity in connection with,

an office or agency acting in the course of his duty as such, who, for fee, Commission, reward, share or interest of any kind, or on an understanding or agreement whether expressed or implied for such fee, Commission, reward, share or interest receives from another person money for the purpose of depositing or betting with that money on a totalizator is guilty of an offence.

Penalty: For a first offence – \$500 or imprisonment for 6 months.

For a second or subsequent offence – \$1,000 or imprisonment for 12 months.

48 Offences by totalizator employees, &c.

A person:

- (a) having the management or control of; or
- (b) employed in or acting in any capacity in connection with,

an office or agency, shall not knowingly:

- (c) accept a bet, or permit or suffer a bet to be accepted, at a time other than the time determined by the Commission for the acceptance of the bet;
- (d) accept a bet from, or pay money or deliver a totalizator ticket to, a person who has not attained the age of 18 years;
- (e) accept a bet from, or pay money or deliver a totalizator ticket to, a person apparently under the influence of liquor;
- (f) authorize, or permit or suffer, a payment, otherwise than in accordance with this Act, of a dividend, or of a refund, in respect of a bet made under this Act; or

- (g) permit a person apparently under the influence of liquor to enter or remain on the office or agency while it is open for the lodging and receiving of bets.

Penalty: For a first offence – \$500.

For a second or subsequent offence – \$500 or imprisonment for 6 months.

49 Offences by underage persons

A person who has not attained the age of 18 years shall not:

- (a) make a bet; or
- (b) cause another person to make a bet for him,
at an office or agency.

Penalty: For a first offence – \$100.

For a second or subsequent offence – \$500.

50 Certain offences

A person shall not knowingly:

- (a) except with the approval of the Commission or where the agency is established on licensed premises, take liquor into an office or agency;
- (aa) take a noxious substance into an office or agency; or
- (b) make a bet at an office or agency for a person who has not attained the age of 18 years or for a person prohibited under this Act from entering an office or agency.

Penalty: For a first offence – \$500.

For a second or subsequent offence – \$500 or imprisonment for 6 months.

51 Removal of persons from offices and agencies

- (1) The person for the time being in charge of an office or agency may:
- (a) at any time request a person who is on the office or agency and who, in the opinion of the person so in charge, has since entering the office or agency committed, or is committing, an offence against this Act or has failed to comply with, or has acted in contravention of, this Act, or who is under the

influence of liquor or who is behaving in a disorderly manner, to leave the office or agency; and

- (b) use all reasonable and necessary force to eject from the office or agency a person who, having been so requested to leave, neglects or refuses forthwith to do so.
- (2) A member of the Police Force, at the request of the person for the time being in charge of an office or agency, shall eject or assist in ejecting from the office or agency a person who, having been requested by the person so in charge, acting under subsection (1), to leave, neglects or refuses forthwith to do so.
- (3) A person who has left an office or agency pursuant to a request under this section, or who has been removed under this section from the office or agency, shall not, during the day on which he so left or was removed, re-enter the office or agency or be on another office or agency.

Penalty: \$500 or imprisonment for 6 months.

52 Prohibition on conduct of totalizator betting except by Commission, &c.

A person, other than a person:

- (a) having the lawful management or control of; or
- (b) employed in or acting in any capacity in connection with, an office or agency acting in his capacity as such, shall not:
- (c) conduct; or
- (d) authorize, permit or suffer to be conducted, totalizator betting.

Penalty: For a first offence – \$500.

For a second or subsequent offence – \$500 or imprisonment for 6 months.

53 Hindering authorized persons

- (1) For the purposes of this section, **authorized person** means:
 - (a) a totalizator inspector;
 - (b) a person for the time being in charge of an office or agency; or

- (c) a member of the Police Force.
- (2) A person who hinders, or attempts to hinder, an authorized person in the exercise of his powers or the performance of his functions under this Act, or who is required under this Act to give information, books, documents or papers which the authorized person requests but fails or refuses to give that information or those books, documents or papers, is guilty of an offence.

Penalty: \$500.

54 Offences generally

- (1) A person shall not contravene or fail to comply with this Act.
- (2) A person who contravenes or fails to comply with a provision of this Act for which a penalty is not provided by this Act other than this section, is punishable upon being found guilty by a fine of \$500 or imprisonment for 6 months.

55 Institution of proceedings

- (1) Proceedings for an offence against this Act shall:
 - (a) be dealt with summarily; and
 - (b) not be commenced without the consent of the Commission.
- (2) Consent under subsection (1)(b) may be proved by the production of a notice:
 - (a) in the form prescribed by the Rules; and
 - (b) purporting to be signed by the Chairman.
- (3) Notwithstanding any other law in force in the Territory, a proceeding for an offence against this Act may be instituted within 3 years after the act or omission alleged to constitute the offence.

56 Regulatory offences

An offence of contravening or failing to comply with section 46(1), (2), (3), 47, 49, 51(3), 52 or 53 is a regulatory offence.

Part VI Miscellaneous**57 Commissioner of police to make inquiries on behalf of Commission**

The Commission may request the Commissioner, within the meaning of the *Police Administration Act*, to cause to be made such inquiries with respect to an application by a person for appointment as an agent of the Commission as are specified in the request and, where the Commissioner receives such a request, he shall, as soon as practicable after receiving the request, cause those inquiries to be made and submit to the Commission a report on the result of those inquiries.

58 Advertising

The Commission may allow advertising on offices and agencies and on stationery or other matter used by it in connection with its business, on such terms and conditions, including terms and conditions relating to payment for advertising, as it thinks fit.

59 Totalizator inspectors

(1) A totalizator inspector may inspect:

- (a) offices and agencies;
- (b) totalizators on racecourses from which bets are transmitted by the Commission; and
- (c) totalizators on racecourses from which bets are transmitted to the Commission,

to ensure that they are being conducted in accordance with this Act.

(2) In the performance of his duties under this Act, a totalizator inspector has power to:

- (a) enter at any time an office or agency or a building containing a totalizator;
- (b) examine the machinery, parts and working of a totalizator; and
- (c) demand any information from a person employed by, or as an agent of, the Commission, a person employed by an agent of the Commission or a person having the management or control of a totalizator, or require the production of such books, papers or documents, as the inspector thinks necessary for the purpose of the inspection.

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- (3) A totalizator inspector who examines the machinery, parts or working of a totalizator shall not interfere with the operation of the totalizator during his examination.
 - (4) A totalizator inspector shall not remain in or on any premises if, on request by the occupier or person in charge of the premises, he does not produce his identity card.
 - (5) A totalizator inspector may, at any time during the conduct of a race meeting at a racecourse in the Territory at which a totalizator is used, enter the race course without charge for the purpose of performing his duties under this section.

60 Protection of chairman, &c.

No action or proceeding, civil or criminal, shall lie against:

- (e) a person having the management or control of, or being employed or acting in any capacity in connection with, an office or agency;
- (f) a totalizator inspector; or
- (g) a member of the Police Force,

for or in respect of an act or thing done or omitted to be done under this Act in good faith by him.

61 Delegation by Minister

- (1) The Minister may, by instrument in writing, delegate to a person any of his powers and functions under this Act, other than this power of delegation.
- (2) A power or function delegated under this section, when exercised or performed by the delegate, shall, for the purposes of this Act, be deemed to have been exercised or performed by the Minister.
- (3) A delegation under this section does not prevent the exercise of a power or the performance of a function by the Minister.

62 Determinations and resolutions of board

- (1) A copy of determinations under section 25, 36(3), 38 (other than section 38(f)) or 39 and of a resolution of the Commission referred to in section 40(2), shall be exhibited in every office or agency in a conspicuous place in a part of the office or agency to which members of the public have access.

Part VII Rules and regulations

63 Rules

The Commission may make rules:

- (a) providing for the establishment, maintenance, conduct and operation of offices and agencies and generally regulating and controlling the lodging and receipt of bets to be transmitted to a totalizator and bets with the Commission at offices and agencies and totalizator pools conducted by the Commission and further providing for the establishment of totalizator pools by the Commission and the mode of conducting and operating such pools by the Commission;
- (b) providing for the receiving at offices and agencies of bets in respect of races conducted on racecourses within the Territory and bets in respect of races conducted on racecourses outside the Territory, and the manner in which bets may be made and the times at which and conditions upon or subject to which the bets may be made and received;
- (c) controlling the admission of persons to offices and agencies and excluding from those offices and agencies a person or a specified class of persons, either absolutely or subject to such conditions as are prescribed in the Rules, and providing that a person who commits a breach of the Rules made under this paragraph may be removed under section 51 from an office or agency by a person empowered by that section to so remove him;
- (d) providing for the payment at or from offices and agencies of dividends payable in respect of bets made on a totalizator through the Commission and bets made with the Commission, and the times at which and the manner in which the dividends shall be paid;
- (f) prescribing the duties of its employees and agents;
- (h) for and in relation to the conduct of totalizator betting pursuant to section 43;
- (j) prescribing penalties not exceeding \$500 or imprisonment for 6 months for offences against the Rules; and
- (k) for such other purposes as it thinks necessary or expedient for the operation of this Act or for exercising the powers and performing the functions of the Commission.

64 Regulations

- (1) The Administrator may make regulations, not inconsistent with this Act, prescribing matters:
 - (a) required or permitted by this Act to be prescribed; or
 - (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.
- (2) Without limiting the generality of subsection (1), the Regulations may prescribe penalties not exceeding \$500 or imprisonment for 6 months for offences against the Regulations.

ENDNOTES
1**KEY**

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz = Gazette
hdg = heading
ins = inserted
lt = long title
nc = not commenced

od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

2**LIST OF LEGISLATION*****Totalizator Administration and Betting Act 1985 (Act No. 21, 1985)***

Assent date 24 May 1985
 Commenced 5 June 1985 (*Gaz S24*, 5 June 1985)

Totalizator Administration and Betting Amendment Act 1986 (Act No. 42, 1986)

Assent date 19 September 1986
 Commenced 1 October 1986 (s 2, s 2 *Racing, Gaming and Liquor Commission Act 1986* (Act No. 39, 1986) and *Gaz S70*, 1 October 1986, p 2)

Totalizator Administration and Betting Amendment Act (No. 2) 1986 (Act No. 72, 1986)

Assent date 19 December 1986
 Commenced 24 December 1986 (*Gaz S90*, 24 December 1986)

Totalizator Administration and Betting Amendment Act 1991 (Act No. 19, 1991)

Assent date 3 June 1991
 Commenced 1 July 1991 (s 2)

Totalizator Administration and Betting Amendment Act 1993 (Act No. 41, 1993)

Assent date 14 September 1993
 Commenced 1 November 1993 (s 2, s 2 *Racing and Gaming Authority Act 1993* (Act No. 49, 1993) and *Gaz S87*, 1 November 1993)

Statute Law Revision Act 1994 (Act No. 50, 1994)

Assent date 20 September 1994
 Commenced 20 September 1994

Sentencing (Consequential Amendments) Act 1996 (Act No. 17, 1996)

Assent date 19 April 1996
 Commenced s 7: 19 April 1996 (s 2(1)); rem: 1 July 1996 (s 2(2), s 2 *Sentencing Act 1995* (Act No. 39, 1995) and *Gaz S15*, 13 June 1996)

Statute Law Revision Act 1999 (Act No. 27, 1999)

Assent date	18 June 1999
Commenced	18 June 1999

3 LIST OF AMENDMENTS

It	amd No. 19, 1991, s 4
s 4	amd No. 42, 1986, s 4; No. 72, 1986, s 4; No. 19, 1991, s 5; No. 41, 1993, s 3; No. 50, 1991, s 16
pt II hdg	amd No. 19, 1991, s 6
pt II	
div 1 hdg	amd No. 19, 1991, s 7
s 5	rep No. 19, 1991, s 7
s 6	amd No. 42, 1986, s 5 rep No. 19, 1991, s 7
s 6A	ins No. 42, 1986, s 6 rep No. 19, 1991, s 7
ss 7 – 11	rep No. 19, 1991, s 7
s 12	amd No. 42, 1986, s 7 rep No. 19, 1991, s 7
ss 13 – 14	rep No. 19, 1991, s 7
ss 15 – 16	sub No. 42, 1986, s 8 rep No. 19, 1991, s 7
pt II	
div 2 hdg	amd No. 19, 1991, s 7
s 17	rep No. 19, 1991, s 7
pt II	
div 3 hdg	rep No. 19, 1991, s 7
s 18	amd No. 42, 1986, s 9 rep No. 19, 1991, s 7
pt II	
div 4 hdg	amd No. 19, 1991, s 7
s 19	amd No. 19, 1991, s 7
s 20	amd No 19, 1991, s 7; No. 41, 1993, s 4
s 21	rep No. 19, 1991, s 7
s 22	amd No. 19, 1991, s 7
s 23	ins No. 72, 1986, s 5 amd No. 19, 1991, s 7
ss 24 – 25	amd No. 19, 1991, s 7
s 26	rep No. 19, 1991, s 7
s 27	amd No. 19, 1991, s 7
ss 28 – 29	rep No. 19, 1991, s 7
ss 30 – 32	amd No. 19, 1991, s 7
s 33	amd No. 19, 1991, s 7; No. 27, 1999, s 15
ss 34 – 45	amd No. 19, 1991, s 7
s 48	amd No. 19, 1991, s 7
s 50	amd No. 72, 1986, s 6; No. 19, 1991, s 7
s 54	amd No. 17, 1996, s 6
ss 55 – 59	amd No. 19, 1991, s 7
s 60	amd No. 42, 1986, s 10; No. 19, 1991, s 7
ss 62 – 63	amd No. 19, 1991, s 7