



## NORTHERN TERRITORY OF AUSTRALIA

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No. 42 of 1986

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### AN ACT

to amend the *Totalizator Administration and Betting Act*

[Assented to 19 September 1986]

**B**E it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Totalizator Administration and Betting Amendment Act 1986*.

2. COMMENCEMENT

(1) Sections 1 and 2 shall come into operation on the day on which the Administrator's assent to this Act is declared.

(2) The remaining provisions of this Act shall come into operation on the commencement of the *Racing, Gaming and Liquor Commission Act 1986* (other than sections 1 and 2 of that Act).

3. PRINCIPAL ACT

The *Totalizator Administration and Betting Act* is in this Act referred to as the Principal Act.

4. DEFINITIONS

Section 4 of the Principal Act is amended -

(a) by omitting the definition of "Chairman" and substituting the following:

"'Chairman' means the Chairman appointed under section 15 and includes a person appointed under section 16 to act as the Chairman while he is so acting;"

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- (b) by omitting the definition of "General Manager"; and
- (c) by omitting from the definition of "member" the words "and General Manager".

5. COMPOSITION OF BOARD AND APPOINTMENT OF MEMBERS

Section 6 of the Principal Act is amended -

- (a) by omitting paragraphs (a), (b) and (c) from subsection (1) and substituting the following:

"(a) the Chairman; and

(b) 2 other members.";

- (b) by omitting from subsection (2) -

(i) "Subject to sub-section (3)" and substituting "Subject to section 6A"; and

(ii) "sub-section (1)(c)" and substituting "subsection (1)(b)"; and

- (c) by omitting subsection (3).

6. NEW SECTION

The Principal Act is amended by inserting after section 6 the following:

"6A. CERTAIN PERSONS NOT QUALIFIED FOR APPOINTMENT, ETC.

"(1) For the purposes of subsection (2), words used in that subsection which are defined in the *Racing and Betting Act* shall have the same meaning as in that Act.

(2) A person who is or becomes -

(a) a member of a registered club;

(b) interested or concerned, whether directly or indirectly, in the business carried on by a bookmaker or the holder of a licence under a law of the Territory to operate a casino;

(c) the owner, lessee or trainer of a horse used for horse-racing or trotting or a greyhound used for greyhound-racing; or

(d) a rider or driver of horses, whether professionally or not, in horse-races or trotting,

shall not be appointed the Chairman or a member, or be appointed to act as the Chairman or continue in the office of the Chairman or of a member or to act as the Chairman."

7. MEETINGS OF BOARD

Section 12 of the Principal Act is amended -

- (a) by omitting from subsection (2) all words after "the Board"; and
- (b) by omitting from subsection (3) all words after "the Chairman" and substituting "and one other member constitute a quorum."

8. REPEAL AND SUBSTITUTION

The heading to Division 2 of Part II and sections 15 and 16 of the Principal Act are repealed and the following substituted:

"15. APPOINTMENT OF CHAIRMAN

"(1) Subject to section 6A, the Minister may appoint a person to be the Chairman.

"(2) The Chairman shall be employed on such terms and conditions as are determined by the Administrator.

"(3) The Minister may, at any time, terminate an appointment made under subsection (1).

"16. APPOINTMENT OF ACTING CHAIRMAN

"(1) Where the Chairman is, or is expected to be, absent from duty or from the Territory, the Minister may, subject to section 6A, by instrument in writing, appoint a person to act as the Chairman during that absence.

"(2) The Minister may, at any time, terminate an appointment made under subsection (1).

"(3) A person appointed under subsection (1) to act as the Chairman has all the powers and functions conferred or imposed on the Chairman, whether under this or any other Act.

"(4) The validity of a decision of the Board shall not be questioned in any proceedings on a ground arising from the fact that the occasion for the appointment of a person purporting to be appointed under subsection (1) had not arisen or that an appointment under that subsection had ceased to have effect.

*"Division 2 - Staff of Board".*

9. PAYMENT TO MEMBERS, &c., TO BE FROM MONEYS OF BOARD

Section 18 of the Principal Act is amended -

- (a) by omitting from paragraph (a) "section 6(1)(c)" and substituting "section 6(1)(b)"; and

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(b) by omitting paragraph (c) and substituting the following:

"(c) the Chairman; or".

10. PROTECTION OF CHAIRMAN, &c.

Section 60 of the Principal Act is amended by omitting paragraph (c).

11. TRANSITIONAL

(1) The person who, immediately before the commencement of this Act, was the General Manager within the meaning of the Principal Act as then in force, shall, on that commencement, be the Chairman, and for the purposes of section 15 of the Principal Act as amended by this Act, shall be deemed to have been appointed by the Minister on that commencement on the same terms and conditions on which he was employed by the Board as General Manager.

(2) A reference in subsection (1) to the commencement of this Act is a reference to the commencement of this Act other than sections 1 and 2.

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