

THE NORTHERN TERRITORY OF AUSTRALIA

No. 44 of 1980

AN ACT

To amend the Lottery and Gaming Act

[Assented to 30 May 1980]

BE 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 Lottery and Gaming Act 1980.

2. PRINCIPAL ACT

The Lottery and Gaming Act is in this Act referred to as the Principal Act.

3. COMMENCEMENT

(1) Subject to sub-section (2), this Act shall come into operation on 1 July 1980.

(2) Section 4 shall come into operation on a date to be fixed by the Administrator by notice in the Gazette.

4. NEW SECTION

The Principal Act is amended by inserting in Part VI after section 74 the following section:

"74A. CONTROL OF DOG RACES

"(1) The Commission may make rules subject to which dog racing may be conducted.

"(2) Without limiting the generality of sub-section (1), the rules may make provision for or with respect to -

- (a) the appointment of stewards and confer and impose upon such stewards, powers (including discretionary powers) and duties with respect to the conduct of dog-racing meetings and dog racing;

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- (b) the conduct of inquiries by the Commission with respect to any matter or thing relating to the sport of dog racing and the conduct of dog-racing meetings and dog racing;
- (c) the licensing, permitting or registration by the Commission of activities relating to dog racing;
- (d) the grant or renewal of, with or without conditions, and the cancellation or suspension of licences, permits or registration by the Commission;
- (e) fees in respect of any application for the grant or renewal of a licence, permit or registration by the Commission or the provision of any service by the Commission;
- (f) monetary penalties (not exceeding \$100) in respect of the contravention of, or non-compliance with, any rule under this section or any direction lawfully given in pursuance of any such rule;
- (g) the circumstances under which moneys paid to the Commission by any person or club will be held by the Commission on deposit in trust for that person or club;
- (h) the times, dates and programmes of dog-racing meetings; and
- (j) appeals against decisions of the Commission, officers of the Commission, registered dog-racing clubs, officers of such clubs and stewards."

5. TOTALIZATOR RULES

Section 81 of the Principal Act is amended by omitting sub-section (8) and substituting the following sub-section:

"(8) Sections 57 and 63 of the Interpretation Act do not apply to or in relation to rules under this section."

6. APPLICATION OF REVENUE FROM TOTALIZATOR

Section 83 of the Principal Act is amended by omitting sub-section (1) and substituting the following sub-section:

"(1) A club using a totalizator shall deduct from the moneys paid into the totalizator in respect of a race an amount of money equal to 12.5 per cent of the moneys so paid to defray the cost of -

- (a) the establishment of the totalizator;
- (b) the construction of the necessary buildings to be used in relation thereto;
- (c) the maintenance and operation of the totalizator;
- (d) the administration of the club;

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- (e) the maintenance of the licensed race-course or the licensed dog-racing ground on which the totalizator is established; and
- (f) providing prizes for horse racing, trotting racing, pony racing and dog racing."

7. MONEYS PAYABLE BY COMMISSION

Section 94KD(a) of the Principal Act is amended by omitting "40 per cent" and substituting "55 per cent".

8. TURNOVER TAX

Section 94BB of the Principal Act is amended -

- (a) by omitting from sub-section (1) "calculated at the following rates on the following amounts" and substituting "calculated at the rate of 2 per cent on the amounts"; and
- (b) by omitting from sub-section (1) the word "Saturday:" and paragraphs (a), (b), (c) and (d) and substituting "Saturday."

9. SCHEDULE

Each section of the Act specified in Column 1 of the Schedule is amended by omitting the words set out opposite thereto in Column 2 of the Schedule and substituting the words set out opposite thereto in Column 3 of the Schedule.

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SCHEDULE

Section 9

Column 1	Column 2	Column 3
Section	Words omitted	Words substituted
19(2)	Administrator	Minister
73(1)	Minister	Commission
73(3)	Minister	Commission
74	Minister	Commission
81(5)	Legislative Council (wherever occurring)	Legislative Assembly
81(6)	Legislative Council (wherever occurring)	Legislative Assembly
84(2)	to the Commonwealth	into the Northern Territory Government Account
	from the Commonwealth	from the Territory
94M(2)(a)(i)	<u>Licensing Ordinance</u> except premises in respect of which a storekeeper's licence is held;	<u>Liquor Act</u> except premises at which liquor may be sold but not consumed;
94PA(2)(b)(i)	<u>Licensing Ordinance</u> except premises in respect of which a storekeeper's licence is held;	<u>Liquor Act</u> except premises at which liquor may be sold but not consumed;
94T(b)	<u>Licensing Ordinance</u> ;	<u>Liquor Act</u> ;