

**BETTING CONTROL.**

5° Elizabeth II., No. L.

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No. 50 of 1956.

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**AN ACT to amend the Betting Control Act, 1954.**

[Assented to 18th December, 1956.]

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title  
and citation

1. (1) This Act may be cited as the *Betting Control Act Amendment Act, 1956.*

(2) In this Act the Betting Control Act, 1954, Act No. 63 of 1954,

is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Betting Control Act, 1954-1956.

2. Section fourteen of the principal Act is repealed and re-enacted as follows:—

S. 14 repealed  
and re-  
enacted as  
amended.

14. (1) In this section—

“off-course turnover” means the amounts of money paid or promised as the consideration for bets which are made by a bookmaker or his employee on his behalf, and which are referred to in section sixteen of this Act, whether the bets are made by or on behalf of the bookmaker as a party to the bet, or whether the bets are negotiated by or on behalf of the bookmaker as agent for any other person, but does not include any money promised or paid by the bookmaker as the consideration for a bet made by him on his own behalf in the capacity of a backer but not in the capacity of bookmaker:

Provided however, that the Commissioner shall have an absolute discretion to decide what is and what is not a bet made by a bookmaker on his own behalf in the capacity of a backer but not in the capacity of bookmaker;

“on-course turnover” means the amounts of money paid or promised as the consideration for bets which are made by a bookmaker, and which are referred to in section fifteen of this Act, whether the bets are made by the bookmaker as a party to the bet, or whether the bets are negotiated by the bookmaker as agent for another person but does not include any money promised or paid by the bookmaker as the consideration for a bet made by him on his own behalf in the capacity of a backer but not in the capacity of bookmaker:

Provided however, that the Commissioner shall have an absolute discretion to decide what is and what is not a bet made by a bookmaker on his own behalf in the capacity of a backer but not in the capacity of bookmaker;

“proclaimed day” means a day to be fixed by proclamation for the purposes of this section;

“tax” means bookmakers’ betting tax imposed by the taxing Act;

“taxing Act” means the Bookmakers Betting Tax Act, 1954.

Cf. No. 30 of 1918, s. 14.

(2) A bookmaker shall, in accordance with the provisions of this Act—

(a) make true and full returns of his off-course turnover or on-course turnover;

1¼% on all turnover to proclaimed day.

(b) pay tax on the whole of that turnover, whether off-course or on-course, to but excluding the proclaimed day, at the rate imposed by paragraph (a) of section two of the taxing Act;

1¼% on first £50,000 of on-course turnover after proclaimed day.

(c) pay tax on so much of his on-course turnover for the period commencing on the proclaimed day and ending on the thirty-first day of July, one thousand nine hundred and fifty-seven, and for each year commencing on the first day of August thereafter, as does not exceed fifty thousand pounds, at the rate imposed by paragraph (b) of section two of the taxing Act;

1½% on on-course turnover exceeding £50,000 after proclaimed day.

(d) pay tax on so much of his on-course turnover for the period commencing on the proclaimed day and ending on the thirty-first day of July, one thousand nine hundred and fifty-seven, and for each year commencing on the first day

of August thereafter, as exceeds fifty thousand pounds at the rate imposed by paragraph (c) of section two of the taxing Act;

- (e) pay tax on all of his off-course turnover for the period commencing on the proclaimed day and ending on the thirty-first day of July, one thousand nine hundred and fifty-seven, and for each year commencing on the first day of August thereafter, at the rate imposed by paragraph (d) of section two of the taxing Act.

(3) The provisions of this section do not authorise a holder of any license under this Act to act as agent contrary to any condition of his license or to any provision of this Act. Cf. s. 4 ante.  
"to bet."

3. Section fifteen of the principal Act is amended— S. 15 am.

- (a) by adding after the word, "shall" being the first word in paragraph (a) of subsection (5), the passage, ", prior to a day to be fixed by proclamation for the purposes of this section,"; and
- (b) by adding before the word, "apply" in line two of paragraph (a) of subsection (5), the passage, "and after that day shall retain sixty per centum of that sum, and".

4. Section sixteen of the principal Act is amended— S. 16 am.

- (a) by substituting for the passage, "(3) As soon after the thirty-first day of July in each year as is practicable," in lines thirty-six and thirty-seven, the passage, "(3a) As soon as is practicable after the thirty-first day of July in each year to and including the year ending on 31st July, one thousand nine hundred and fifty-six -"

(b) by adding before subsection (4) the following subsection:—

(3b) As soon as practicable after the thirty-first day of July in the year one thousand nine hundred and fifty-six and in each succeeding year—

- (a) the Commissioner shall distribute among racing clubs referred to in paragraph (a) of subsection (3a) of this section, ten per centum of the amount of bookmakers' betting tax received by him during the year on bets made at or in registered premises in respect of races of ridden horses held or to be held within the State, so that each of those clubs receives such part of that percentage as bears to the whole of that percentage the ratio mentioned in paragraph (a) of subsection (3a) of this section;
- (b) the Commissioner shall distribute among racing clubs referred to in paragraph (b) of subsection (3a) of this section, ten per centum of the amount of bookmakers' betting tax received by him during the year on bets made at or in registered premises in respect of races of driven horses held or to be held within the State, so that each of those clubs receives such part of that percentage as bears to the whole of that percentage the ratio mentioned in paragraph (b) of subsection (3a) of this section.