

WESTERN AUSTRALIA

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# BETTING CONTROL AMENDMENT ACT

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No. 6 of 1987

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

[Assented to 29 May 1987]

**BE** 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

1. This Act may be cited as the *Betting Control Amendment Act 1987*.

## Commencement

2. The provisions of this Act shall come into operation on such day as is, or days as are respectively, fixed by proclamation.

## Principal Act

3. In this Act the *Betting Control Act 1954\** is referred to as the principal Act.

[\*Reprint approved 1 June 1979 and amended by Act Nos. 29 and 34 of 1985.]

## Section 4 amended

4. Section 4 of the principal Act is amended—

- (a) by inserting after the section designation “4.” the subsection designation “(1)”; and
- (b) by inserting the following subsection—

“ (2) A reference in sections 5, 12, 14, 15, 16 (2), 19, 21, 22, 24 and 25 to a bookmaker includes a reference to a person acting as the licensed agent of the bookmaker under this Act. ”.

## Section 6 amended

5. Section 6 of the principal Act is amended—

- (a) in subsection (2)—

- (i) by deleting “two *ex officio* members, namely”;

- (ii) by deleting paragraphs (a) and (b) and substituting the following—

- “ (a) the Permanent Head; ”;

- (iii) by deleting “three” and substituting the following—

- “ 5 ”;

(iv) by inserting after “of whom—” the following paragraph—

“ (b) one shall be a person who is not a member of any organization referred to in paragraphs (c) to (f); ”;

(v) by deleting “and” after paragraph (d);

(vi) by deleting “Greyhound Racing Control Board” in paragraph (e) and substituting the following—

“ Western Australian Greyhound Racing Association ”; and

(vii) by deleting the full stop after paragraph (e) and substituting the following—

“ ; and

(f) one shall be a person nominated for appointment by the W.A. Bookmakers' Association Inc. ”;

(b) by inserting after subsection (2) the following subsection—

“ (2a) The Minister may appoint the Permanent Head or the member appointed under subsection (2) (b) to be chairman of the Board. ”; and

(c) in subsection (4)—

(i) by deleting paragraph (a) and substituting the following paragraphs—

“ (a) appoint an officer of the Department of the Public Service of the State principally assisting the Minister in the administration of this Act to be deputy of the member referred to in subsection 2 (a);

(aa) appoint a person who is not a member of any organization referred to in subsection (2) (c) to (f) to be deputy to the member referred to in subsection (2) (b); ;

(ii) by deleting “and” after paragraph (c);

- (iii) by deleting “Greyhound Racing Control Board” and substituting the following—

“ Western Australian Greyhound Racing Association ”; and

- (iv) by deleting the comma after paragraph (d) and substituting the following—

“ ; and

- (e) appoint a person nominated by the W.A. Bookmakers' Association Inc. to be the deputy of the member referred to in subsection (2) (f), ”.

### Section 6A amended

6. Section 6A of the principal Act is amended in subsection (1)—

- (a) by inserting before “the body” in paragraph (c) the following—

“ in the case of a member appointed under section (2) (c), (d), (e) or (f), ”; and

- (b) by deleting “another person nominated for appointment by the appropriate body” and substituting the following—

“ an eligible person ”.

### Section 6C amended

7. Section 6C of the principal Act is amended by deleting “a Secretary of the Board” and substituting the following—

“ an officer or employee appointed under the *Public Service Act 1978* and assisting in the administration of this Act, ”.

### Sections 7 and 8 repealed and section 7 substituted

8. Sections 7 and 8 of the principal Act are repealed and the following section is substituted—

#### Administration

“ 7. There shall be appointed under and subject to the *Public Service Act 1978* such officers and other employees as are necessary for the purpose of assisting in the administration of this Act ”.

**Section 11 amended**

9. Section 11 of the principal Act is amended—

- (a) in subsection (4), by inserting after “in person” where occurring in paragraphs (a) and (c) the following—

“ and, subject to the regulations, by his licensed agent ”; and

- (b) by inserting the following subsections—

“ (9) The Board shall not grant an agent’s licence to a person who is—

(a) a licensed bookmaker; or

(b) the licensed agent or employee of any other bookmaker.

(10) A bookmaker shall not appoint more than one person to act as his agent at one and the same time.

(11) A person who is licensed to act as an agent of a bookmaker shall not—

(a) act as agent of any other bookmaker; or

(b) carry on business as a bookmaker on his own account.

(12) A person shall not act as an agent of a bookmaker unless he is licensed to do so under this Act. ”.

**Section 16 amended**

10. Section 16 of the principal Act is amended in subsection (1) by deleting “or his employee” and substituting the following—

“ his agent or employee ”.

**Section 17 amended**

11. Section 17 of the principal Act is amended by inserting after “or his” the following—

“ agent or ”.

**Section 18 amended**

12. Section 18 of the principal Act is amended by deleting “his employee” and substituting the following—

“ his agent or employee ”.

**Section 20 amended**

13. Section 20 of the principal Act is amended—

(a) in subsection (1), by inserting after “his” in paragraph (a) the following—

“ agent or ”; and

(b) in subsection (2)—

(i) by deleting “Greyhound Racing Control Board” and substituting the following—

“ Western Australian Greyhound Racing Association ”; and

(ii) by inserting after “bookmaker” in paragraph (a) the following—

“ or his agent ”.

**Section 31 amended**

14. Section 31 of the principal Act is amended—

(a) in subsection (1)—

(i) by inserting after “Where an” the following—

“ agent or ”; and

(ii) by inserting before “and the employee” the following—

“ , the agent ”; and

(b) in subsection (2), by inserting before “employee” where occurring in paragraphs (a) and (b) the following—

“ agent or ”.

**Section 33 amended**

15. Section 33 of the principal Act is amended—

- (a) by inserting after subparagraph (i) of paragraph (b) the following—

“ (ia) licensing of agents of bookmakers; ”;

- (b) by inserting after “bookmakers” in subparagraph (viii) the following—

“ , their agents ”;

- (c) by inserting after “their” in subparagraph (ix) the following—

“ agents and ”; and

- (d) by inserting after “bookmakers” in subparagraph (x) the following—

“ and their agents ”.

**Section 36 inserted**

16. After section 35 of the principal Act the following section is inserted—

Review of this Act

“ 36. (1) The Minister shall as soon as is practicable after 1 January 1991 and every fifth anniversary of that date carry out a review of the operation of this Act and in the course of such review the Minister shall consider and have regard to—

- (a) the attainment of the purposes of this Act;
- (b) the administration of this Act;
- (c) the effectiveness of the operation of the Board and the Department principally assisting the Minister in the administration of this Act in relation to this Act;
- (d) the need for the continuation of the Board; and
- (e) such other matters as appear to him to be relevant.

(2) The Minister shall prepare a report based on the review made under subsection (1) and shall as soon as is practicable after its preparation, cause the report to be laid before each House of Parliament. ”.

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