
Pool Betting (Amendment) Ordinance 1981

No. 1 of 1981

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 29 January 1981.

ZELMAN COWEN
Governor-General

By His Excellency's Command,

MICHAEL HODGMAN
Minister of State for the Capital Territory

An Ordinance to amend the *Pool Betting Ordinance 1964*

Short title

1. This Ordinance may be cited as the *Pool Betting (Amendment) Ordinance 1981*.¹

Commencement

2. This Ordinance shall come into operation on such date as is fixed by the Minister of State for the Capital Territory by notice in the *Gazette*.

Principal Ordinance

3. In this Ordinance, "Principal Ordinance" means the *Pool Betting Ordinance 1964*.²

Interpretation

4. Section 3 of the Principal Ordinance is amended by inserting after the definition of "pool betting scheme" the following definitions:

"'promoter', in relation to a pool betting competition, means the person carrying on the pool betting scheme under which that competition is conducted;

'soccer football pool' means a pool betting competition in which rights to winnings or prizes are determined by reference to the results of certain soccer football matches;"

Application

5. Section 4 of the Principal Ordinance is amended by omitting “or under the law of a State or another Territory of the Commonwealth”.

Prohibition of certain pool betting

6. Section 5 of the Principal Ordinance is amended by omitting from sub-section (1) “has been granted” and substituting “is in force”.

Approval of pool betting schemes

7. Section 6 of the Principal Ordinance is amended—

- (a) by omitting from sub-section (2) “The Minister” and substituting “Subject to sub-section (2A), the Minister”;
- (b) by inserting after sub-section (2) the following sub-section:

“(2A) The Minister shall not grant approval under sub-section (2) in respect of a pool betting scheme that is lawfully carried on under a law of a State unless an agreement has been entered into in pursuance of section 13C between the Minister and the appropriate Minister of State of that State in relation to the promoter of the pool betting competitions to be conducted under that scheme.”; and

- (c) by adding at the end thereof the following sub-section:

“(6) Where an agreement referred to in sub-section (2A) is terminated, the approval granted under sub-section (2) for the carrying on of the pool betting scheme in relation to which that agreement was entered into shall, by force of this sub-section, cease to be in force.”.

8. After section 13 of the Principal Ordinance the following sections are inserted:

Levy on interstate pool betting competitions

“13A. Where the promoter of a pool betting competition that is lawfully conducted under a law of a State receives money that was paid in the Territory by or on behalf of a person in connection with the submission in the Territory by the person of an entry in the competition, the promoter is liable to pay to the Commonwealth—

- (a) if the competition is a soccer football pool—an amount equal to; or
 - (b) in any other case—an amount equal to one-half of,
- the amount that is payable by the promoter by way of duty (however described) under the law of that State in respect of the amount of money so received.

Time for payment of levy

“13B. An amount that is payable to the Commonwealth in pursuance of section 13A becomes due 21 days after the expiration of the calendar month in which the amount became payable.

Agreement for payment of levy by State

"13c. (1) The Minister may enter into an agreement with the appropriate Minister of State of a State with respect to the payment by that State to the Commonwealth, at such times as are specified in the agreement, of amounts equal to the amounts from time to time payable in pursuance of section 13A by a specified promoter of pool betting competitions that are lawfully conducted under the law of that State.

"(2) Where an amount is paid by a State to the Commonwealth in pursuance of an agreement referred to in sub-section (1), the liability that, but for this sub-section, the promoter specified in the agreement would have in pursuance of section 13A to pay that amount is discharged.

Payment of levy to Community Development Fund

"13d. Money paid to, or recovered by, the Commonwealth in pursuance of section 13A or in pursuance of an agreement referred to in section 13c shall be paid for the purpose of the Australian Capital Territory Community Development Fund established as a Trust Account under section 62A of the *Audit Act 1901*."

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 5 February 1981.
2. No. 15, 1964 as amended by No. 19, 1966.