

2011

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Gaming and Racing)

Race and Sports Bookmaking (Validation of Licences) Amendment Bill 2011

A Bill for

An Act to amend the *Race and Sports Bookmaking Act 2001*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 **1 Name of Act**

2 This Act is the *Race and Sports Bookmaking (Validation of*
3 *Licences) Amendment Act 2011.*

4 **2 Commencement**

5 This Act commences on the day after its notification day.

6 *Note* The naming and commencement provisions automatically commence on
7 the notification day (see Legislation Act, s 75 (1)).

8 **3 Legislation amended**

9 This Act amends the *Race and Sports Bookmaking Act 2001.*

10 **4 New part 20**

11 *insert*

12 **Part 20 Validation of Bookmakers Act**
13 **licences**

14 **200 Definitions—pt 20**

15 In this part:

16 *former part 12* means part 12 (Temporary provisions) as in force on
17 7 September 2001.

18 *former section 99 (3)* means section 99 (3) as in force on
19 7 September 2001.

20 *modifying regulation* means the *Race and Sports Bookmaking*
21 *Regulation 2001*, section 9 (Modification of Act, pt 12—Act,
22 s 100 (3)) as in force on 7 September 2001.

23 *relevant period* means the period beginning on 8 September 2001
24 and ending on 30 June 2011.

1 *repealed Act* means the *Bookmakers Act 1985*.

2 **201 Bookmakers Act licences—validation**

- 3 (1) This section applies to a licence that was—
- 4 (a) in force under the repealed Act immediately before it was
- 5 repealed; and
- 6 (b) taken, under former section 99 (3), to be an equivalent licence
- 7 under this Act.

8 *Note* Former s 99 (3) provided that an equivalent licence under this Act

9 was—

- 10 (a) for a bookmaker’s agent’s licence under the repealed Act—a race
- 11 bookmaker’s agent licence; or
- 12 (b) for a sports betting agent’s licence under the repealed Act—a
- 13 sports bookmaker’s agent licence; or
- 14 (c) for a sports betting licence under the repealed Act—a sports
- 15 bookmaking licence; or
- 16 (d) for a standing licence under the repealed Act—a race bookmaking
- 17 licence.

- 18 (2) Despite the modification of former part 12 by the modifying
- 19 regulation—

- 20 (a) if the licence was a standing licence, bookmaker’s agent’s
- 21 licence or sports betting agent’s licence—the licence is taken
- 22 to have continued in force for all purposes until the earlier of
- 23 the following:
- 24 (i) the day the licence would have ended if the repealed Act
- 25 had not been repealed;
- 26 (ii) the end of 7 March 2007; or
- 27 (b) if the licence was a sports betting licence—the licence
- 28 continues in force for all purposes until the end of
- 29 7 March 2017.

- 1 (3) Without limiting subsection (2), and to remove any doubt—
2 (a) anything done or omitted to be done, or purported to have been
3 done or omitted to be done, by the commission in relation to
4 the licence in the relevant period is taken to be, and always
5 have been, validly done or omitted to be done; and
6 (b) any return, document or information required to have been
7 given, or any fee required to be paid, for or under the licence in
8 the relevant period is taken to be given or paid as required.
- 9 (4) This section does not operate to continue a licence in force beyond
10 the date when it was surrendered or cancelled, or purported to be
11 surrendered or cancelled, under this Act (other than under the
12 modifying regulation).

13 **202 Expiry—pt 20**

14 This part expires on the day it commences.

15 *Note* If a law validates something that is or may otherwise be invalid, the
16 validating effect of the law does not end merely because of the repeal of
17 the law (see Legislation Act, s 88 (1)).

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 6 December 2011.

2 Notification

Notified under the Legislation Act on 2011.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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