

*Mr. Armstrong.*

## GAMING AMENDMENT.

### ANALYSIS.

Title.	11. Betting ticket. Penalty for betting without obtaining betting ticket.
1. Short Title.	12. Unlawful possession of unused betting tickets.
2. Interpretation.	13. Bookmaker's banking account. Bookmaker's account-books. Auditing of bookmaker's accounts.
3. Business of bookmaker.	14. Bookmakers' statements to be delivered to Treasurer.
4. Constitution of Board for the licensing of bookmakers.	15. Percentage payable to racing clubs.
5. Powers of Licensing Board.	16. Disposal of license and permit fees, &c.
6. Business address of bookmaker. Annual license fee.	17. Offence to bet with minor.
7. Revocation of licenses. Expiration of licenses. Renewal of licenses.	18. Totalizator and place odds prohibited.
8. Where bookmaking may be carried on.	19. Summary proceedings in respect of offences.
9. Clerk's permit. Cost of clerk's permit.	20. Regulations.
10. Sale, form, and cost of betting tickets.	

### A BILL INTITLED

AN ACT to authorize, regulate, and control the Business of Bookmaking. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the Gaming Amendment Act, 1932, and shall be read together with and form part of the Gaming Act, 1908. Short Title.

2. In this Act, if not inconsistent with the context,— Interpretation.

10 “ Minister ” means the Minister of Internal Affairs for the time being of the Dominion of New Zealand :

“ Treasurer ” means the Minister of Finance for the time being of the Dominion of New Zealand :

15 “ Conference ” means the New Zealand Racing Conference or the New Zealand Trotting Conference :

“ Licensed bookmaker ” means a bookmaker licensed under this Act :

“ Board ” means the Board constituted under this Act.

20 3. Notwithstanding anything to the contrary contained in section four of the Gaming Amendment Act, 1910, or the Gaming Amendment Act, 1920, or any other Act, the business or occupation of a bookmaker shall be lawful, and may be carried on to the extent and in the manner provided by this Act. Business of bookmaker.

Constitution of Board for the licensing of bookmakers.

4. (1) For the purposes of this Act there shall be established a Board, to be called the "Licensing Board."

(2) The Board shall consist of—

(a) The senior Stipendiary Magistrate for the time being in the City of Wellington, who shall be Chairman of the Board : 5

(b) Two members, one to be appointed by the New Zealand Racing Conference and one by the New Zealand Trotting Conference :

(c) One member, who shall be a racecourse detective, to be appointed by the New Zealand Racing Conference :

(d) Two members, to be appointed by licensed bookmakers. 10

(3) The Board shall meet in Wellington at least once in every quarter.

Powers of Licensing Board.

5. The Board may from time to time, on the application in writing of any person who has been a *bona fide* resident of New Zealand for a period of three years immediately preceding his application, and who is reported upon by the Commissioner of Police as a fit and proper person in that regard, grant a license to such person to carry on business as a bookmaker. 15

Business address of bookmaker.

6. (1) Every such application shall be in writing in the prescribed form, and shall give the address of some premises occupied or to be occupied by the applicant, which shall be registered as his place of business, and such application shall be accompanied by a plan of the premises proposed to be so occupied by the applicant. 20

Annual license fee.

(2) There shall be lodged with every such application the sum of *two hundred* pounds, being the amount of the annual fee which shall be payable for such license. 25

(3) The Board may require any such applicant, before any such license is issued, to lodge with it an approved guarantee or fidelity bond, in any sum not exceeding *one thousand* pounds, to secure payment of all penalties and sums of money which may at any time be imposed upon or become payable by such applicant under this Act, and to reimburse, so far as such moneys will extend, all persons who may suffer pecuniary loss by reason of such bookmaker failing to pay any moneys payable by him to any person or persons in respect of any bet made with such bookmaker, and may require any such guarantee or bond to be from time to time renewed, or another such guarantee or bond to be lodged in lieu thereof. 30 35

(4) Upon compliance with the provisions of this section the Board shall issue to the applicant a license in the prescribed form to carry on business as a bookmaker on the premises mentioned in such license, and shall cause his name to be entered in a register to be kept for that purpose. 40

(5) A licensed bookmaker may change his registered place of business from time to time in such manner and upon such conditions as may be prescribed. 45

Revocation of licenses.

7. (1) The Board may, upon sufficient grounds being shown, revoke any license issued under this Act, and thereupon the same shall become absolutely void.

Expiration of licenses.

(2) All licenses shall expire at the end of one year from date of issue, or of renewal, as the case may be, unless sooner revoked or forfeited. 50

(3) Licenses may be renewed upon the prescribed conditions, but in any case in which a license has been suspended no renewal shall be granted until the period of such suspension has expired, and the renewal of such license shall date from the expiry of such license. Renewal of licenses.

5 8. (1) A license issued under this Act shall entitle the holder to carry on business as a bookmaker, subject to the provisions of this Act,— Where bookmaking may be carried on.

(a) Upon any racecourse in New Zealand, subject to such conditions as may be imposed by the committee of the club for the time being controlling such racecourse, providing always that such conditions shall not be of such a nature as to unduly harass or hamper a bookmaker when following his calling :

(b) At his registered place of business.

15 (2) The charges for bookmakers' stands on the various racecourses shall be decided from time to time by the Licensing Board, but in no case shall they exceed *twenty* pounds per day on the inside paddock and *ten* pounds per day on the outside paddock. The charges for each clerk shall be *ten* shillings per day inside and *five* shillings per day outside.

20 9. (1) The Board, upon application in the prescribed form by a licensed bookmaker, may issue a clerk's permit to the person to be named in such application. Clerk's permit

(2) Such permit shall be in the prescribed form, and shall entitle the holder to assist such licensed bookmaker in his business in such manner as may be prescribed.

25 (3) No licensed bookmaker shall employ or permit any person not being the holder of a clerk's permit to assist him in his business of a bookmaker. The penalty for a first offence against this section shall be a fine not exceeding *twenty* pounds, and for a second or subsequent offence a fine not exceeding *one hundred* pounds.

30 (4) There shall be payable to the Board in respect of every clerk's permit issued a fee of *two* pounds. Cost of clerk's permit.

10. (1) The Minister shall issue and sell to licensed bookmakers or their duly authorized agents, and to no other persons, betting tickets in such form and upon such conditions as may be prescribed. Sale, form, and cost of betting tickets.

35 (2) Such tickets shall be numbered consecutively in such manner as may be prescribed, and each ticket shall bear an impressed stamp of the value of *sixpence* on the inside enclosure of any racecourse and *threepence* when he is carrying on business on the outside enclosure of any racecourse.

(3) Such tickets shall be sold at the prices above mentioned.

45 11. (1) No licensed bookmaker shall make any wager without, at the time when same is made, issuing and delivering to the person with whom the same is made a betting ticket stamped and numbered as hereinbefore provided. Betting ticket.

(2) Every ticket so issued shall bear in legible characters the name of the horse upon which the bet is made and amounts wagered upon or against such horse respectively.

50 (3) Any licensed bookmaker committing a breach of this section shall be guilty of an offence against this Act. The penalty for the first offence against this section shall be a fine not exceeding *one hundred* pounds, and the bookmaker's license shall be liable to be suspended

for a period not exceeding *six* months, and for a second or subsequent offence a fine not exceeding *two hundred* pounds, and the bookmaker's license shall be liable to be forfeited.

Penalty for betting without obtaining betting ticket.

(4) Any person who makes a bet with a licensed bookmaker without obtaining a betting ticket in respect of such bet as provided by this section shall be guilty of an offence against this Act. The penalty for a first offence against this section shall be a fine not exceeding *five* pounds, and for a second or subsequent offence a fine not exceeding *ten* pounds.

Unlawful possession or unused betting tickets.

12. No person other than a licensed bookmaker, or his agent authorized or prescribed, shall have in his possession any unused betting ticket, or any ticket or document purporting to be such a ticket. For the purpose of this section a ticket shall be deemed to have been used only when a bet has been recorded thereon by a licensed bookmaker as provided by this Act. The penalty for an offence against this section shall be a fine not exceeding *fifty* pounds.

Bookmaker's banking account.

13. (1) Every licensed bookmaker shall—

Bookmaker's account-books.

(a) Keep a separate banking account for, and use the same exclusively in connection with, his business of a bookmaker :

(b) Keep at his registered place of business proper account-books, and enter therein a full, true, and accurate account of all his betting transactions, setting out fully the date and amount of every bet made by him, the name of the horse, and the place and designation of the race in respect of which each bet was made, and the number of the betting ticket issued in respect of each bet :

Auditing of bookmaker's accounts.

(c) Allow the Auditor-General, or any person authorized by him, to inspect all such books and accounts at all reasonable times ; and to make an audit thereof in the manner provided by the Public Revenues Act, 1926, or any Act administered by the Auditor-General, once in every *six* months, at such times as the Auditor-General may direct.

(2) Any licensed bookmaker failing to comply with any of the provisions of this section shall be guilty of an offence against this Act. The penalty for a first offence against this section shall be a fine, not exceeding *one hundred* pounds, and for a second or subsequent offence a fine not exceeding *three hundred* pounds, and his license shall be liable to be forfeited.

Bookmaker's statements to be delivered to Treasurer.

14. (1) Every licensed bookmaker shall not later than Tuesday in each and every week deliver to the Treasurer a separate statement of all business done by him during the preceding week in respect of each race meeting held, or to be held, in New Zealand, and a separate statement of all business done by him during such period in respect of races held, or to be held, elsewhere than in New Zealand.

(2) Every such statement shall be in the prescribed form and contain the prescribed particulars, and shall be in respect of the week ending at midnight on the Saturday prior to the date thereof, and shall correctly set forth full particulars of all moneys, except as provided by subsection *four* of this section, received by such bookmaker during such period in respect of the races therein specified.

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(3) For the purpose of this section, amounts for which the bookmaker has allowed credit to his customers shall be deemed to be moneys received by him.

5 (4) If in any week any licensed bookmaker has done no business he shall deliver to the Treasurer a statement as aforesaid with the word "nil" marked thereon.

(5) Every wagered bet made away from the racecourse shall be subject to a tax of *five* per centum on the actual net amount won. If a wager results in the bettor winning, the bookmaker shall deduct *five* 10 per centum from the net amount won on each and every wager. If the wager results in the bookmaker's favour, he shall pay the tax.

(6) In any case in which any bookmaker has paid such percentage aforesaid upon the amount received or receivable by him in respect of any bet which under any rules relating to betting regulating such 15 bet has become void, the Treasurer shall refund to such bookmaker the percentage so paid, and the amount payable by the Treasurer to any racing club under section *fifteen* hereof shall be adjusted accordingly in such manner as may be prescribed.

(7) Every such bookmaker who shall fail to comply with any of 20 the provisions of this section, or who shall knowingly make or deliver any such statement as aforesaid which is false in any material particular, shall be guilty of an offence against this Act. The penalty for a first offence shall be a fine not exceeding *one hundred* pounds, and for a second or subsequent offence a fine not exceeding *three hundred* 25 pounds, and his license shall be liable to be suspended for any period not exceeding *nine* months.

(7) Any licensed bookmaker who shall knowingly and wilfully make any such statement as aforesaid which is false in any material particular shall be liable on conviction to a fine not exceeding *five* 30 *hundred* pounds, and his license shall be forfeited.

15. Each racing club in New Zealand shall be entitled to receive out of the percentage paid to the Treasurer, under the provisions of section *fourteen* hereof, a sum equal to *two* pounds *ten* shillings per centum of the amount upon which such percentage was so paid in respect of 35 bets made upon any racecourse of such club, and the Treasurer shall pay to such club accordingly.

Percentage payable to racing clubs.

16. All moneys received for licenses or permit fees, or for the sale of tickets, and all moneys retained by the Treasurer under this Act, shall be paid into the Consolidated Fund.

Disposal of license and permit fees, &c.

40 17. No licensed bookmaker shall make a bet with any person apparently under the age of *twenty-one* years. The penalty for an offence against this section shall be a fine not exceeding *one hundred* pounds. In any proceedings under this section proof that the defendant had reasonable grounds for believing that the person with whom such bet 45 was made was above the age of *twenty-one* years shall be upon the defendant.

Offence to bet with minor.

18. No licensed bookmaker shall bet upon any race held in New Zealand at odds to be determined by the dividend paid upon a totalizator, and he shall wager against a straight-out win only. The 50 penalty for an offence against this section shall be a fine of *five hundred* pounds, and his license shall be forfeited.

Totalizator and place odds prohibited.

Summary  
proceedings in  
respect of offences.

19. All proceedings for offences against this Act shall be taken, heard, determined, and enforced, and all penalties recovered in accordance with the provisions of the Justices of the Peace Act, 1927, before a Stipendiary Magistrate.

Regulations.

20. (1) The Governor-General may by Order in Council from time to time make such regulations as may be required for the purposes of this Act, and, without limiting the generality of the powers conferred, may prescribe—

- (a) The forms of applications, certificates, licenses, permits, tickets, statements, and other documents to be used under this Act : 10
  - (b) The mode of numbering betting tickets, and the conditions upon which the same may be sold :
  - (c) The conditions and requirements to be observed and complied with by licensed bookmakers in relation to banking accounts kept for betting transactions : 15
  - (d) The manner in which and the conditions under which agents may be authorized to purchase betting tickets for licensed bookmakers, or for other purposes :
  - (e) The circumstances in which and the conditions under which a licensed bookmaker may appoint a substitute to bet on his behalf : 20
  - (f) The manner in which and the extent to which a clerk's permit shall empower the holder to assist a licensed bookmaker in his business, the duration of such permit, and the fee payable in respect thereof : 25
  - (g) The circumstances under which and the conditions under which a clerk's permit may be renewed, suspended, or revoked :
  - (h) The manner in which and the conditions upon which a licensed bookmaker may change his registered place of business : 30
  - (i) The time at which and the manner in which amounts payable by the Treasurer to racing clubs shall be ascertained, adjusted, and paid :
  - (j) The requirements and conditions that may be imposed in respect of guarantee and fidelity bonds : 35
  - (k) The condition upon which licenses may be renewed :
  - (l) Any other matter which may be necessary or desirable for carrying out the objects of this Act.
- (2) Such regulations may impose a penalty not exceeding *twenty-five* pounds for any breach thereof. 40