
CHAPTER 386**RACECOURSE BETTING****ARRANGEMENT OF SECTIONS****SECTION**

1. Short title.
2. Interpretation.
3. Appointment of Racing Commission.
4. Duties and powers of Commission.
5. Minister's power to make rules.
6. Power to impose and recover penalties.
7. Commission to make annual reports.
8. Unlicensed person not to operate racecourse.
9. Commission may forward application.
10. Licensee may operate totalisator.
11. Applicant may apply before completing racecourse.
12. Race meets to be held between 1st January and 15th April only.
13. Licence may be cancelled in certain cases.
14. Commission may cancel licence for cause.
15. Payments to Consolidated Fund.
16. Licensee to collect admission tax.
17. Audit.
18. Occupation permits required.
19. Offences.
20. Penalties.
21. Saving of licences.

CHAPTER 386

RACECOURSE BETTING

An Act to provide for the appointment of a Racing Commission, to license racecourses within The Bahamas, to regulate the use of totalisators on racecourses, and to provide for all matters connected with the conduct of racing and betting at racecourses.

[Commencement 11th August, 1952]

48 of 1952
31 of 1953
33 of 1955
36 of 1957
26 of 1961
55 of 1963
72 of 1965
8 of 1969
27 of 1970
E.L.A.O., 1974
26 of 1976
5 of 1987
25 of 1995

1. This Act may be cited as the Racecourse Betting Act.

Short title.

2. In this Act, unless the context otherwise requires —

Interpretation.

“Commission” means the Racing Commission appointed under this Act;

“licensee” means a person duly licensed under this Act to set up, keep and operate a racecourse and to set up, keep and operate a totalisator in connection therewith;

“Minister” means the Minister responsible for Relations with the Racing Commission;

E.L.A.O., 1974.

“rules” means the rules made under this Act;

“totalisator” means the contrivance for betting known as the totalisator or pari-mutuel, or any other machine or instrument for betting of a like nature whether mechanically operated or not.

3. (1) It shall be lawful for the Governor-General to appoint a Racing Commission.

Appointment of Racing Commission.

(2) The Commission shall consist of five members, appointed for a period not exceeding three years by the Governor-General by notice in the *Gazette*, who shall hold office at the Governor-General’s pleasure and where a person is appointed to fill a casual vacancy, he shall hold office for the remainder of the period for which the previous member was appointed.

E.L.A.O., 1974;
55 of 1963, s. 3.
25 of 1995, s. 2
and Sch.

(3) The Governor-General shall from time to time appoint one of the members of the Commission to be Chairman.

(4) A quorum at all meetings of the Commission shall be three members.

(5) The Commission may make standing orders governing their procedure and the manner in which they shall carry out their duties under this Act.

Duties and
powers of
Commission.

*31 of 1953, s. 2;
E.L.A.O., 1974.*

4. The Commission shall have the following duties and powers —

- (a) to advise the Minister from time to time or when so required on all matters connected with racing and betting on racecourses within The Bahamas;
- (b) to supervise and control the operation of racecourses within The Bahamas;
- (c) to supervise and control the operation of all totalisators, the making of pari-mutuel pools, and the distribution of such pari-mutuel pools to the winners thereof at all racecourses within The Bahamas;
- (d) to determine to what amount distributions of pari-mutuel pools shall be made, and to determine further in what manner such moneys as may be authorised to be eliminated in calculating the amounts to be distributed shall be disposed of;
- (e) to appoint and pay officers and employees for any of the purposes of this Act;
- (f) to require the licensee of any racecourse to install a mechanically operated totalisator thereat;
- (g) to require any application to and any statement of facts furnished to the Commission to be verified by oath;
- (h) to prescribe the books, records and accounts to be kept by each licensee showing all contributions to the pari-mutuel and all payments for admission to the racecourse and to provide for the annual audit of all such books, records and accounts by an auditor to be approved of by the Commission.

Minister's power
to make rules.

55 of 1963, s. 5.

5. After consultation with the Commission, the Minister may make rules —

- (a) for the control and supervision of racing and the holding of race meets within The Bahamas:

Provided that all such rules shall be uniform in their application and affect throughout The Bahamas;

- (b) to require any licensee of any racecourse to furnish a bond with or without sureties in such amount as may be prescribed for the due performance of all the terms and conditions contained in his licence and the due observance of the requirements of this Act;
- (c) to prescribe the terms and conditions on which the Commission may renew or approve the transfer of any licence;
- (d) to prescribe maximum penalties for the breach of any rules and the manner in which the Commission shall adjudicate upon breaches of the rules;

Provided that in no case shall the Minister prescribe a penalty exceeding four hundred dollars for any act or omission in breach of any rule made hereunder;

5 of 1987, s. 2.

- (e) generally to provide for the better carrying out of the objects and purposes of this Act.

6. (1) The Commission shall have power to decide what penalty shall be imposed on any person adjudged by the Commission to have committed a breach of any rule in force under this Act, subject always to the maximum penalty prescribed for the breach thereof. All such penalties shall accrue to the Commission.

Power to impose and recover penalties.
55 of 1963, s. 6.

(2) If moneys are due by a licensee from any purse within the meaning of the rules to a person upon whom the Commission have imposed a penalty, such licensee shall pay to the Commission, on demand, the amount of such penalty out of such moneys:

Provided that if such moneys are less than the amount of the penalty, the person upon whom the penalty has been imposed shall remain liable to the Commission for the payment of the difference between the amount of such moneys and the amount of the penalty.

(3) A penalty imposed for a breach of the rules or the balance of any such penalty, as the case may be, shall be recoverable by the Commission in civil proceedings in a magistrate's court as a debt due to the Commission.