



BILLE NA SUIMITHEOIRÍ (LEASÚ) 2005
TOTALISATOR (AMENDMENT) BILL 2005

EXPLANATORY MEMORANDUM

Introduction

Betting on the Tote is governed by the Totalisator Act 1929. This Bill inserts a new section 3A into the 1929 Act and also makes some additional amendments.

Purpose of the Bill

The purpose of this Bill is to address an anomaly in the present law. At present, children are not permitted to place a bet in a book-makers, nor are they permitted to buy a lottery ticket. Despite this, they are permitted to place a bet with the Tote on a race course.

This anomaly has been highlighted in a Report submitted to the Minister for Justice, Equality and Law Reform and published in June 2000. The Report, entitled “Review of the Gaming and Lotteries Acts 1956-86” was prepared by an Inter-Departmental Group established for this purpose. The Report notes that the Totalisator Act 1929 places no age restriction at all on those entitled to place a bet.

Provisions of the Bill

Section 1 defines the term “Principal Act”.

Section 2 is the substantive section. It inserts a new section 3A into the Totalisator Act 1929. The purpose of subsection (1) of the new section 3A is to prevent the Tote from accepting bets with people who are under 18 years of age. Subsection (2) makes it an offence to breach subsection (1) and the offence is punishable by a fine of up to €3,000. In accord with subsection (3), it is a defence for a person charged to show that he or she believed that the child was in fact over eighteen.

Section 3 increases the penalties for an unlicensed Tote (in section 2(2) of the Act of 1929) and also the general penalties section (section 7 of the Act of 1929).

Section 4 sets out the short title of the Bill which is the Totalisator (Amendment) Bill 2005.

An Seanadóir Muiris Ó Cuimín,
Feabhra, 2005.