

PART IV.—THE TOTALIZATOR

SECTION 1.—THE HISTORY OF THE TOTALIZATOR IN [NEW ZEALAND

234. Before 1881 the use of the totalizator was not subject to any specific restriction. The Gaming and Lotteries Act of that year first made it the subject of statutory regulation and of legislative policy. It has remained so subject ever since. Under the Act of 1881 power was conferred on the Colonial Secretary, on the application of any racing club, to grant such club a licence to use the totalizator at horse-race meetings held under the control or management of the club. The grant of a licence was made subject to several restrictions. For instance, before any grant could be made, the application had to be referred for his report and recommendation to the senior Resident Magistrate of the principal town of the provincial district in which the racing club was established. A right of revocation was reserved to the Colonial Secretary.

235. Then the use of not more than three totalizators at the one time within the race-grounds was authorized. None could be used outside these grounds. Every totalizator was required to be under the care and management of some competent person appointed by the club and under the direct supervision of the stewards. The use of a totalizator otherwise than pursuant to a licence from the Colonial Secretary was made illegal by declaring the totalizator and "every machine or instrument of a like kind or conducted upon a like principle" to be an instrument for gaming or wagering within the Act and so subject to the prohibition, and penal consequences prescribed with respect to the use of instruments for gaming or wagering in any public place.

236. At that stage there was no limitation on the number of licences which the Colonial Secretary might grant, the number being a matter entirely within his discretion. Apparently, in the view of the Legislature, too many licences were granted, for, by section 6 of the Gaming Amendment Act, 1894, a reduction was enforced. It was declared unlawful by the latter section for the Colonial Secretary to grant in any one year more than two-thirds of the number of licences authorizing the use of the totalizator that were granted in the twelve months commencing on the 1st August, 1892. The section also conferred power upon the Governor in Council to issue regulations for the issue of licences and to fix the conditions upon which licences should issue.

237. The section was prescribed to come into force on the 31st July, 1895. Up to this stage the licences issued were in respect of "meetings," not in respect of days, so that the grant of a licence extended over whatever number of days were occupied by the particular