

THE ANDHRA PRADESH HORSE RACE
(ABOLITION OF TURF AGENCIES) ACT, 1983

ACT No. 17 OF 1983

ARRANGEMENT OF SECTIONS

SECTIONS

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THE ANDHRA PRADESH HORSE RACE
(ABOLITION OF TURF AGENCIES) ACT, 1983.

ACT No. 17 OF 1983

[30th November, 1983]

AN ACT TO PROVIDE FOR THE ABOLITION OF THE SYSTEM OF TURF AGENCIES IN RESPECT OF ANY HORSE RACE IN THE STATE OF ANDHRA PRADESH.

Be it enacted by the Legislature of the State of Andhra Pradesh in the Thirty-fourth Year of the Republic of India as follows:-

1. Short title and commencement- (1) This Act may be called the Andhra Pradesh Horse Race (Abolition of Turf Agencies) Act, 1983.

(2) It shall be deemed to have come into force on the 29th June, 1983.

2. Definitions- In this Act, unless the context otherwise requires,

- (a) 'bet' includes wager;
- (b) 'Government' means the State Government;
- (c) 'horse' means a male horse and includes mare, gelding, filly, pony or any other horse by whatever name called;
- (d) 'horse-race' means any race in which any horse runs or is made to run in competition with any other horse,-
 - (i) for any prize of whatever nature or kind;
 - (ii) for any bet made or to be made, or
 - (iii) for both such prize and bet, in respect of any such horse, or the rider thereof;
- (e) 'turf agency' means any agency which carried on the business of,-
 - (i) receiving bets from the public in general; or
 - (ii) purchasing tickets on behalf of punters; or
 - (iii) making bets on behalf of punters, for commission or remuneration in respect of any horse run in a horse-race or in respect of any rider of such horse;
- (f) 'turf agent' includes any person who, by way of business,-
 - (i) receives bets from the public in general; or
 - (ii) purchases tickets on behalf of punters; or
 - (iii) makes bets on behalf of punters, for commission or remuneration in respect of any horse run in a horse-race or in respect of any rider of such horse.

3. Abolition of the system of turf agencies- Subject to the provisions of section 10, the system of carrying on the business of a turf agency or a turf agent in respect of any horse-race is hereby abolished.

4. Prohibition of the system of turf agencies- Subject to the provisions of section 10, no person shall carry on the business of a turf agency or a turf agent in respect of any horse-race.

5. Penalty- Any person who contravenes or attempts to contravene or abets the contravention of the provisions of section 4 or any rules made under this Act, shall be punishable with rigorous imprisonment for a period which may extend to three years and shall also be liable to fine.

6. Offences by companies- (1) Where an offence under this Act has been committed by a company, every person who at the time of the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation:- For the purposes of this section,

(a) 'company' means anybody corporate, and includes a firm or other association of individuals; and

(b) 'director' in relation to a firm means a partner in the firm.

7. Indemnity- (1) No suit or other proceeding shall lie against the Government for any act done or purporting to be done under this Act, or any rule made thereunder.

(2) No suit, prosecution or other proceeding shall lie against any authority or officer, or servant of the Government for any act done or purporting to be done in good faith under this Act, or any rule made thereunder.

8. Power to make rules- (1) The Government may, by notification in the Andhra Pradesh Gazette, make rules to carry out the purposes of this Act.

(2) Every rule made under this Act shall, immediately after it is made, be laid before each House of the State Legislature if it is in session and if it is not in session, in the session immediately following, for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiration of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or in the annulment of the rule, the rule shall, from the date on which the modification or annulment is notified in the Andhra Pradesh Gazette, have effect only in such modified form or shall stand annulled, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

9. Act to override other laws, decrees, etc- The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force, or any custom, usage or decree or order of a court or other authority.

10. Savings- Nothing in this Act shall apply to the licensed book-makers (or bookies), duly licensed by the Hyderabad Race Club and operating within the premises of the Hyderabad Race Course, as referred to in clause (c) of section 12 of the Andhra Pradesh (Telangana Area) Horse Racing and Betting Tax Regulation, 1358F.-

11. Repeal of Ordinance 9 of 1983- The Andhra Pradesh Horse-Race (Abolition of Turf Agencies) Ordinance, 1983(Regulation XLIX of 1358F), is hereby repealed.