

The Tamil Nadu Horse Race (Abolition Of Turf Agencies) Act, 1979

TAMILNADU

India

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Act 55 of 1979

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The Tamil Nadu Horse Race (Abolition Of Turf Agencies) Act, 1979 Act No. 55 of 1979[3rd December, 1979]An Act to provide for the abolition of the system of turf agencies in respect of any horse race in the State of Tamil Nadu.BE it enacted by the Legislature of the State of Tamil Nadu in the Thirtieth Year of the Republic of India, as follows:-

1. Short title and Commencement.—

This Act may be called The Tamil Nadu Horse Race (Abolition Of Turf Agencies) Act, 1979.It shall be deemed to have come into force on the 19th October, 1979.

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, or(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 carries 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.—

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.—

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. Offence by Companies.—

(1)Where an offence under this Act has been committed by a company, every person who, at the time 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 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 had 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,—

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 of 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 make Rules to carry out the purposes of this Act. (2)All Rules made under this Act shall be published in the Tamil Nadu Government Gazette and, unless they are expressed to come in to force on a particular day shall come into force on the day on which they are so published. (3)Every Rule made under this Act shall, as soon as possible, after it is made, be placed on

the table of both Houses of the Legislature and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such Rule or both Houses agree that the Rule should not be made, the Rule shall thereafter have effect only in such modified form or be of no effect, 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, decree, etc.,—

The provisions of this Act shall have effect notwithstanding anything inconsistent there with 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. Repeal and Saving.—

(1)The Tamil Nadu Horse Race (Abolition of Turf Agencies) Ordinance 1979 (Tamil Nadu Ordinance 20 of 1979) is hereby repealed.(2)Notwithstanding such repeal, anything done or any action taken under the said Ordinance including any Rules made shall in so far as they are not inconsistent with this Act, be deemed to have been done or taken under this Act and shall continue in force accordingly, unless and until superseded by anything done or any action taken under this Act.