



Australian Capital Territory

Racing (Greyhounds) Amendment Act 2017

A2017-43

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Australian Capital Territory

Racing (Greyhounds) Amendment Act 2017

A2017-43

An Act to amend the *Racing Act 1999*, and for other purposes

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Part 1 Preliminary

1 Name of Act

This Act is the *Racing (Greyhounds) Amendment Act 2017*.

2 Commencement

This Act commences on 30 April 2018.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

3 Legislation amended

This Act amends the *Racing Act 1999*.

Note This Act also amends the following legislation (see sch 1):

- *Race and Sports Bookmaking Act 2001*
- *Race and Sports Bookmaking Regulation 2001*
- *Racing (Race Field Information) Regulation 2010*
- *Totalisator Act 2014*.

Part 2 Racing Act 1999

4 Long title

omit

, harness racing and greyhound racing

substitute

and harness racing

5 Racing club is the controlling body for thoroughbred racing Section 15 (1)

omit

Australian Capital Territory Racing Club Inc.

substitute

Canberra Racing Club Incorporated

6 Controlling body for greyhound racing Division 3.3

omit

7 Definitions—pt 5B Section 61E, definition of *race field information*

omit

or greyhound

8 Section 61E, definition of *relevant controlling body*, paragraph (c)

omit

9 New part 11

insert

**Part 11 Transitional—Racing
(Greyhounds) Amendment
Act 2017**

Note The repeal or amendment of a law does not affect the previous operation of the law or anything done, begun or suffered under the law and does not affect an existing right, privilege or liability acquired, accrued or incurred under the law. An investigation, proceeding or remedy in relation to an existing right, privilege or liability under a repealed law may be started, exercised, continued or completed, and the right, privilege or liability may be enforced and any penalty imposed, as if the repeal had not happened (see [Legislation Act](#), s 84).

110 Transitional regulations

- (1) A regulation may prescribe transitional matters necessary or convenient to be prescribed because of the enactment of the *Racing (Greyhounds) Amendment Act 2017*.
- (2) A regulation may modify this part (including in relation to another territory law) to make provision in relation to anything that, in the Executive's opinion, is not, or is not adequately or appropriately, dealt with in this part.
- (3) A regulation under subsection (2) has effect despite anything elsewhere in this Act or another territory law.

111 Expiry—pt 11

This part expires 2 years after the day it commences.

Note Transitional provisions are kept in the Act for a limited time. A transitional provision is repealed on its expiry but continues to have effect after its repeal (see [Legislation Act](#), s 88).

**10 Tribunal members—appointment
Schedule 1, section 1.1 (3) (b) and (c)**

omit

or dog

11 Schedule 1, new section 1.1 (4)

after the note, insert

- (4) A regulation may prescribe other eligibility requirements for subsection (3).

12 Dictionary, definition of *approved rules*, paragraph (c)

omit

13 Dictionary, definition of *controlling body*, paragraph (c)

omit

14 Dictionary, definition of *greyhound club*

omit

15 Dictionary, definition of *race*, paragraph (c)

omit

16 Dictionary, definition of *racing club*

substitute

racing club means the Canberra Racing Club Incorporated mentioned in section 15.

17 Dictionary, definition of *rules of greyhound racing*

omit

Schedule 1 Consequential amendments

(see s 3)

Part 1.1 Race and Sports Bookmaking Act 2001

[1.1] Dictionary, definition of *controlling body*

omit

[1.2] Dictionary, definition of *race*

substitute

race means—

- (a) any of the following, whether conducted within or outside the ACT:
 - (i) a thoroughbred race;
 - (ii) a harness race; or
- (b) a greyhound race conducted outside the ACT; or
- (c) a race of a kind prescribed by regulation.

Part 1.2 Race and Sports Bookmaking Regulation 2001

[1.3] Section 5 (b)

omit

Part 1.3 Racing (Race Field Information) Regulation 2010

[1.4] Section 1

substitute

1 Name of regulation

This regulation is the *Racing Regulation 2010*.

[1.5] Section 5 (1) (g)

omit everything before subparagraph (i), substitute

- (g) details of any disciplinary action under any legislation, rules of racing or betting (whether in the ACT or elsewhere) or external greyhound racing legislation or rules that has been taken against—

[1.6] New section 6A

insert

6A Suitable person—Act, s 61L (1) (f)

In deciding whether an applicant is a suitable person to hold an approval, the relevant controlling body must have regard to whether a prosecution or disciplinary action is proceeding under external greyhound racing legislation or rules against—

- (a) the applicant; or
(b) an employee of the applicant; or
(c) an entity with which the applicant has a business association.

[1.7] Section 7 (1) (e) (i)

substitute

- (i) is disqualified or suspended from participation in racing under racing, gaming or wagering legislation, a rule of racing or betting (in the ACT or elsewhere) or external greyhound racing legislation or rules; or

[1.8] Section 7 (1) (h) (iii)

omit everything before sub-subparagraph (A), substitute

- (iii) a prosecution or disciplinary action is started under racing, gaming or wagering legislation, a rule of racing or betting (in the ACT or elsewhere) or external greyhound racing legislation or rules against—

[1.9] New section 8

insert

8 Tribunal members eligibility requirement—Act, sch 1, s 1.1 (4)

- (1) A person is not eligible to be a member of the tribunal if the person is registered with, or licensed by, an external greyhound racing body other than as the owner of a dog.
- (2) In this section:

external greyhound racing body means a body in another jurisdiction, within or outside Australia, that performs functions relating to the administration and control of greyhound racing.

[1.10] Dictionary, note 3

insert

- controlling body

[1.11] Dictionary, note 3

omit

- greyhound club
- rules of greyhound racing

[1.12] Dictionary, definition of *defined entity*, paragraph (d)

omit

[1.13] Dictionary, new definition of *external greyhound racing legislation or rules*

insert

external greyhound racing legislation or rules means—

- (a) legislation relating to greyhound racing in another jurisdiction, within or outside Australia; or
- (b) rules of racing or betting relating to greyhound racing in another jurisdiction, within or outside Australia.

[1.14] Dictionary, definition of *rule of racing or betting*

substitute

rule of racing or betting includes a rule from the rules of—

- (a) harness racing; or
- (b) thoroughbred racing.

Part 1.4 **Totalisator Act 2014**

[1.15] Dictionary, definition of *race*

substitute

race means—

- (a) any of the following, whether conducted within or outside the ACT:
 - (i) a thoroughbred race;
 - (ii) a harness race; or
- (b) a greyhound race conducted outside the ACT; or
- (c) a race of a kind prescribed by regulation.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 2 November 2017.

2 Notification

Notified under the [Legislation Act](#) on 5 December 2017.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the Racing (Greyhounds) Amendment Bill 2017, which was passed by the Legislative Assembly on 28 November 2017.

Clerk of the Legislative Assembly

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