

2017

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Attorney-General)

Racing (Greyhounds) Amendment Bill 2017

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J2017-288

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

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Racing (Greyhounds) Amendment Bill 2017

A Bill for

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

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

1 **Part 1 Preliminary**

2 **1 Name of Act**

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

4 **2 Commencement**

5 This Act commences on 30 April 2018.

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

8 **3 Legislation amended**

9 This Act amends the *Racing Act 1999*.

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

- 11 • *Race and Sports Bookmaking Act 2001*
12 • *Race and Sports Bookmaking Regulation 2001*
13 • *Racing (Race Field Information) Regulation 2010*
14 • *Totalisator Act 2014*.

1 **Part 2** **Racing Act 1999**

2 **4 Long title**

3 *omit*

4 , harness racing and greyhound racing

5 *substitute*

6 and harness racing

7 **5 Racing club is the controlling body for thoroughbred racing**
8 **Section 15 (1)**

10 *omit*

11 Australian Capital Territory Racing Club Inc.

12 *substitute*

13 Canberra Racing Club Incorporated

14 **6 Controlling body for greyhound racing**
15 **Division 3.3**

16 *omit*

17 **7 Definitions—pt 5B**
18 **Section 61E, definition of *race field information***

19 *omit*

20 or greyhound

1 **8 Section 61E, definition of *relevant controlling body*,**
2 **paragraph (c)**

3 *omit*

4 **9 New part 11**

5 *insert*

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

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14 repealed law may be started, exercised, continued or completed, and the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

17 **110 Transitional regulations**

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

1 **111 Expiry—pt 11**

2 This part expires 2 years after the day it commences.

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

6 **10 Tribunal members—appointment**
 7 **Schedule 1, section 1.1 (3) (b) and (c)**

8 *omit*

9 or dog

10 **11 Schedule 1, new section 1.1 (4)**

11 *after the note, insert*

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

14 **12 Dictionary, definition of *approved rules*, paragraph (c)**

15 *omit*

16 **13 Dictionary, definition of *controlling body*, paragraph (c)**

17 *omit*

18 **14 Dictionary, definition of *greyhound club***

19 *omit*

20 **15 Dictionary, definition of *race*, paragraph (c)**

21 *omit*

- 1 **16 Dictionary, definition of *racing club***
- 2 *substitute*
- 3 *racing club* means the Canberra Racing Club Incorporated
- 4 mentioned in section 15.
- 5 **17 Dictionary, definition of *rules of greyhound racing***
- 6 *omit*

1 **Schedule 1** **Consequential amendments**

2 (see s 3)

3 **Part 1.1** **Race and Sports Bookmaking**
4 **Act 2001**

5 **[1.1] Dictionary, definition of *controlling body***

6 *omit*

7 **[1.2] Dictionary, definition of *race***

8 *substitute*

9 *race* means—

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

16 **Part 1.2** **Race and Sports Bookmaking**
17 **Regulation 2001**

18 **[1.3] Section 5 (b)**

19 *omit*

1 **Part 1.3 Racing (Race Field Information)**
2 **Regulation 2010**

3 **[1.4] Section 1**

4 *substitute*

5 **1 Name of regulation**

6 This regulation is the *Racing Regulation 2010*.

7 **[1.5] Section 5 (1) (g)**

8 *omit everything before subparagraph (i), substitute*

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

13 **[1.6] New section 6A**

14 *insert*

15 **6A Suitable person—Act, s 61L (1) (f)**

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

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

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

2 *substitute*

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

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

8 *omit everything before sub-subparagraph (A), substitute*

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

13 **[1.9] New section 8**

14 *insert*

15 **8 Tribunal members eligibility requirement—Act, sch 1,**
16 **s 1.1 (4)**

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

- 20 (2) In this section:

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

24 **[1.10] Dictionary, note 3**

25 *insert*

- 26 • controlling body

1 **[1.11] Dictionary, note 3**

2 *omit*

- 3 • greyhound club
4 • rules of greyhound racing

5 **[1.12] Dictionary, definition of *defined entity*, paragraph (d)**

6 *omit*

7 **[1.13] Dictionary, new definition of *external greyhound racing***
8 ***legislation or rules***

9 *insert*

10 *external greyhound racing legislation or rules* means—

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

15 **[1.14] Dictionary, definition of *rule of racing or betting***

16 *substitute*

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

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

1 **Part 1.4** **Totalisator Act 2014**

2 **[1.15] Dictionary, definition of *race***

3 *substitute*

4 *race* means—

5 (a) any of the following, whether conducted within or outside the
6 ACT:

7 (i) a thoroughbred race;

8 (ii) a harness race; or

9 (b) a greyhound race conducted outside the ACT; or

10 (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 2017.

3 Republications of amended laws

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

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