

# Racing (Amendment) Bill 1981

## NOTES ON CLAUSES

*Clause 1* is in the usual form and contains provisions relating to the short title and commencement, and cites the *Racing Act 1958* as the Principal Act.

*Clause 2* amends section 19 of the Principal Act by reducing the distance from the G.P.O. a ground must be before a permit may issue for a picnic race-meeting or mixed sports gathering.

*Clause 3*: Sub-clause (a) introduces in section 32 a new sub-section (6A) which provides for the Minister to permit the Harness Racing Board (Trotting Control Board) to conduct thirteen of its meetings outside the metropolitan area. The thirteen meetings cannot be held at Moonee Valley because of the limitation contained in the Town Planning Permit under which the Board conducts its racing at that course.

Sub-clauses (b) and (c) effect consequential amendments to sub-sections (7) and (8) of section 32.

*Clause 4* amends section 52 (2) of the Principal Act by increasing by ten the number of permits which the Minister may issue each year for plump-ton coursing matches.

*Clause 5* inserts a new section 52B which allows the Minister to issue permits for greyhound races at non-licensed grounds outside the metropolitan area.

Sub-clause (b) fixes at 30 the number of permits which may be issued each year on the recommendation of the Greyhound Racing Control Board.

Sub-clause (c) provides that the Minister may attach conditions to these permits.

*Clause 6* amends section 57 of the Principal Act by, in sub-clause (a) including permits issued under sections 52A and 52B, and in sub-clause (b) extending to greyhound racing meeting patrons the privilege of betting on horse race-meetings held at the same time as their meetings.

*Clause 7* amends section 63 (2) by requiring the Minister to consider the recommendations of the Greyhound Racing Control Board before determining the number of days any greyhound racing club may race.

*Clause 8* repeals sub-sections (2) and (3) of section 69 and provides that the Greyhound Racing Control Board shall be re-constituted as detailed in the proposed sub-section (2).

*Clause 9* inserts into section 75 two additional powers of the Greyhound Racing Control Board.

*Clause 10* repeals sub-sections of section 77 which require greyhound racing clubs to pay 3 per cent of gross revenue to the Control Board, and inserts three new sub-sections (3), (4) and (5) which—

in proposed sub-section (3) empowers the Control Board to suspend the committee of a club and appoint an administrator;

in proposed sub-section (4) gives the administrator the powers and duties of club and its chairman and members; and

in proposed sub-section (5) provides for the Board to lift the suspension at any time.

*Clause 11* inserts a new section 77A which empowers the Control Board to inspect and examine the books of any greyhound racing club in its role of controlling greyhound racing.

*Clause 12* provides for a Greyhound Racing Appeals Tribunal to be established.

Proposed sub-section (2) sets out the qualifications of members of the Tribunal.

Proposed sub-section (3) provides a right of appeal against decisions of the Control Board.

Proposed sub-section (4) in paragraph (a) requires that appeals be lodged within one month of a decision and in paragraph (b) provides that the Appeals Tribunal shall re-hear the matter.

Proposed sub-section (7) prohibits legal representation at Appeals Tribunal hearings.

*Clause 13* inserts a new section 80A which provides for the payment of fees and allowances to members of the Appeals Tribunal.

*Clause 14* inserts in section 83 (1) new paragraphs which empower the making of regulations prescribing the grounds on which appeals may be made to the Greyhound Racing Appeals Tribunal, the procedures of the Appeals Tribunal, and the fees and allowances of the members of the Appeals Tribunal.

*Clause 15* amends section 83A by providing that the Greyhound Racing Grounds Development Board shall comprise a Chairman, and that he will have with him as members, the Chairman of the Control Board and two other members of the Control Board who will be seen as representing metropolitan clubs and country clubs.

*Clause 16* repeals a sub-section which will be superfluous if clause 16 is enacted.

*Clause 17* amends section 83D (5) and adds to the existing list of purposes to which the Greyhound Racing Grounds Development Fund may be applied.

*Clause 18* inserts a new section 116GA which makes explicit certain powers of the Totalizator Agency Board.

*Clause 19* amends section 116 (1) by—

in sub-clause (a) by transferring responsibility for framing the scheme for the distribution of the TAB Surplus among greyhound racing clubs from the Greyhound Racing Development Board to the Greyhound Racing Control Board.

in sub-clause (b) by inserting a new sub-section which guarantees that the amount to be distributed among racing trotting and greyhound racing clubs, by the TAB, will be not less than 3.525 per cent of turnover.

*Clause 20* repeals restrictions on the sitting of offices and agencies of the T.A.B., and substitutes proposed sub-section (1) which provides that with the Minister's approval the Board may establish an office or agency in any premises, other than licensed premises, subject to any planning scheme or other legislative control.

*Clause 21* amends section 1160 by—

in sub-clause (1) reducing the amount of commission payable into the Consolidated Fund by one-half of 1 per cent of turnover and providing that half of this amount, i.e. one-quarter of 1 per cent will be paid into a fund which will be used to assist country clubs.

Paragraph (e) of this sub-clause provides that the cost of the Greyhound Racing Appeals Tribunal will be a charge against the income of the TAB and paragraph (f) provides that an extra one-quarter of 1 per cent of TAB turnover will be paid into the TAB Development Reserve.

Sub-clauses (2) and (3) make appropriate amendments to provisions relating to totalizator pools conducted by the TAB.

Sub-clause (4) establishes the Country Racing Harness Racing and Greyhound Racing Clubs Assistance Fund.

*Clause 22* amends section 126 to change the Race-courses Development Fund (Trotting Division) to Race-courses Development Fund (Harness Racing Division) and to make consequential changes.

*Clause 23* amends heading of Part II. to change the Trotting Control Board to Harness Racing Board.

*Clause 24* amends section 3 (1) of the Principal Act by—

- (i) in sub-clauses (a), (b) and (d) altering "trotting" and "Trotting Control" to "harness" and "Harness Racing" respectively, and
- (ii) in sub-clause (c) repealing the restriction on the value of prizes which may be awarded at a mixed sports gathering.

*Clause 25* makes amendments to the Principal Act which are consequential upon the change from "Trotting Control Board" to "Harness Racing Board" and "trotting" to "harness racing".

*Clause 33* amends the *Lotteries, Gaming and Betting Act 1966* to effect the change from "trotting" to "harness racing".

