

Racing (Amendment) Bill

EXPLANATORY MEMORANDUM

OUTLINE

The purposes of this Bill are:

- (a) to alter the provisions dealing with the making of greyhound registration rules and to provide for the regulation of the breeding of greyhounds;
- (b) to enable the Governor in Council to determine payment of remuneration and allowances to members of statutory bodies established under the Act;
- (c) to make further provision for appeals to the Racing Appeals Tribunal;
- (d) to make other minor and consequential amendments to the Act.

NOTES ON CLAUSES

Clause 1 sets out the purposes of the Act.

Clause 2 sets out the commencement provisions and specifically provides that:

- Part 1 and sections 12, 13, 14 and 15 come into operation on the day on which the Act receives the Royal Assent;
- the remaining provisions come into operation on a day or days to be proclaimed;
- all provisions unproclaimed by the 12 month anniversary of the day the Act receives the Royal Assent, will come into operation on that anniversary day.

Clause 3 provides that the **Racing Act 1958** is the Principal Act.

Clause 4 amends section 51 to include definitions of “breeding greyhound”, “stud greyhound” and “syndicate”.

Clause 5 amends section 75 to add the new function to the Greyhound Racing Control Board of regulating the registration and breeding of greyhounds for greyhound racing.

Clause 6 amends section 77 (1) to enable the Greyhound Racing Control Board to register syndicates.

Clause 7 amends section 77A to empower members of the Greyhound Racing Control Board or any person authorised by the Board to enter premises used for kennelling or breeding greyhounds for the purposes of inspecting the premises and any greyhounds kept at the premises and to inspect and copy any documents kept at the premises. Entrance into residence on the premises can only be permitted if its occupier issues written consent.

Clause 8 amends section 78 to recognise the National Coursing Association of Victoria Inc’s role of registering greyhounds in accordance with the Greyhound Racing Control Board’s Rules and enables the Association to impose and amend conditions of registration consistent with the Act and the Board’s Rules.

Clause 9 amends section 82 to specify the Greyhound Racing Control Board's power to make rules in respect to—

- the registration of greyhounds as racing greyhounds, stud greyhounds or breeding greyhounds;
- the recognition of registration of greyhounds in a State or Territory other than Victoria, or outside Australia;
- the approval of registered greyhounds for racing;
- the breeding and kennelling of greyhounds, including the registration of services by stud greyhounds, results of matings and greyhound puppies in litters;
- the collection of body samples from greyhounds to verify lineage for the purposes of registration;
- fees to be paid for registration, recognition of registration, approval for racing and the collection and testing of body samples.

Clause 10 repeals section 83 (1) (a) which previously allowed for the Governor in Council to make regulations in respect to the registration of greyhounds by the National Coursing Association of Victoria Inc and the fees to be paid for registration.

Clause 11 amends sections 39 (4), 45AA (2) (c), 74, 83o (1) (e) and 85 (3) to allow the Governor in Council to determine remuneration, travelling and other allowances payable to members of the Harness Racing Board, Harness Racing Board Panel of Assessors, Greyhound Racing Control Board, Racing Appeals Tribunal and Bookmakers & Bookmakers' Clerks Registration Committee.

Clause 12 amends section 83k to impose a time limit of 14 days on the lodging of appeals with the Racing Appeals Tribunal. The clause also provides the Tribunal with a discretion to grant leave for appeals to be lodged after the 14 day period if, in the opinion of the Tribunal, the appellant has an adequate explanation for failing to institute the appeal in time.

Clause 13 introduces a new section 83MB providing contempt offences to protect the processes of the Racing Appeals Tribunal.

Clause 14 is a statute law revision of minor errors in sections 86 (4) (a), 87 (3) (a), 87A (3) (a), 88 and 119 (f).

Clause 15 is a transitional provisional clarifying that the 14 day time limit on the lodging of appeals with the Racing Appeals Tribunal being introduced by clause 12 applies to any appeal against a penalty imposed, or a decision or order made, on or after the day on which clause 12 comes into operation.