

REPEAL OF REGULATIONS POSTPONEMENT BILL 2014

SECOND READING SPEECH

Madam Speaker/Mr President, I move that the Bill now be read a second time.

The purpose of this Bill is to postpone the automatic repeal of the *Racing (Bookmaker Betting) Regulations 2004* and the *Racing (Miscellaneous) Regulations 2004* until 1 January 2016.

The *Racing (Bookmaker Betting) Regulations* control and regulate betting by and with bookmakers for the purposes of the *Racing Regulation Act 2004*.

The *Racing (Miscellaneous) Regulations* prescribe various matters for the purposes of the *Racing Regulation Act*, including matters relating to bookmakers' registration bonds, bookmaking partnerships, registration of racing clubs, as well as the registration fees and appeal deposits that are payable.

Neither set of regulations have previously been extended.

Madam Speaker/Mr President, the *Subordinate Legislation Act 1992* provides for the systematic repeal of subordinate legislation over a rolling 10-year period. This is intended to ensure that regulations, and other subordinate legislation, are fully examined and either updated or repealed. If the subordinate legislation is to continue to have effect, it must be remade in accordance with the requirements of that Act.

The Racing (Bookmaker Betting) Regulations and the Racing (Miscellaneous) Regulations will be repealed automatically on 29 December 2014, unless legislation is enacted before that date to postpone their repeal.

In some cases, reviews of Acts under which regulations fall mean the remaking of regulations in line with the timetable under the Subordinate Legislation Act is neither practical nor an efficient use of resources.

Madam Speaker/Mr President, at present, there are two reviews of the Racing Regulation Act being progressed.

The Director of Racing is currently reviewing the racing legislation to identify any constraints that might impact on-course bookmaking operations in Tasmania.

This follows on from amendments to the Racing Regulation Act in 2013, which removed the prohibition of on-course bookmakers betting at totalisator odds and the communication of betting odds from or to a racecourse during a race meeting or betting-only meeting. The underlying principle behind these amendments was to enable Tasmanian on-course bookmakers to compete on a level playing field with both on and off-course interstate bookmakers.

It is hoped the Director of Racing's review, to be undertaken in close consultation with both the national and local bookmakers associations, will also identify opportunities that can be maximised by Tasmanian bookmakers to enable them to operate more effectively in a very competitive national wagering market.

Additionally, Madam Speaker/[Mr President](#), an independent panel is undertaking a review of changes made to the Racing Regulation Act in relation to the structure and operations of the Tasmanian Racing Appeal Board, which were implemented in 2010. The overarching principle underpinning the changes was to provide a more effective, efficient and contemporary appeals system in Tasmania.

Some members may recall that during Parliamentary debate on the Amendment Bill in late 2009, a number of concerns were raised. To address these concerns, a "sunset clause" was inserted in the Amendment Act to cause a review of certain amendments three years

from commencement of that Act. The independent panel is responsible for undertaking that review.

Madam Speaker/Mr President, it was originally intended to review and remake these regulations in mid-2014 on completion of the Director of Racing and the independent panel reviews. However, both reviews were disrupted due to the State election and change of Government, as well the recent transition of the former Department of Infrastructure Energy and Resources, the Department of Economic Development and Skills Tasmania to the new Department of State Growth.

I anticipate the independent panel's report, including recommendations, to be provided to Government before the end of the 2014 Parliamentary sitting. The Director of Racing's review and report, including any recommendations, is expected to be submitted to the Government early in 2015.

Postponing the repeal of the Racing (Bookmaker Betting) Regulations and the Racing (Miscellaneous) Regulations will enable the Racing Regulation Act to continue to operate effectively pending finalisation of both reviews.

Once the reviews have been completed, both the Director of Racing and the independent panel will provide separate reports to Government, including any recommended legislative changes to the

existing regulatory arrangements for both on-course bookmakers and the Racing Appeal Board.

The Racing (Bookmaker Betting) Regulations and the Racing (Miscellaneous) Regulations will then be reviewed in the context of any proposed legislative changes, amended as required, and remade.

Madam Speaker/Mr President, although I expect the review and remake of these regulations to be completed by mid-2015, the uncertainty as to the extent of changes which may arise from the Director of Racing and the independent panel's reviews may negatively impact on this timeline. If this were to occur, it may be necessary for me to seek from this House a further extension of the regulations.

Postponing the repeal of the regulations until 1 January 2016 will avoid the need for any further legislation to extend the life of these regulations should the review process take longer than expected.

Madam Speaker/Mr President, the ability to defer the automatic repeal of regulations when necessary is essential for the effective operation of government and administration of legislation.

If the Racing (Bookmaker Betting) Regulations and the Racing (Miscellaneous) Regulations are allowed to expire on

29 December 2014, it will hamper the administration of the provisions of the Racing Regulation Act.

It would be a difficult task for Racing Services Tasmania to undertake a comprehensive review of both regulations until the full details of any amendments stemming from both reviews of the Racing Regulation Act are known.

Therefore, postponing the repeal of Racing (Bookmaker Betting) Regulations and the Racing (Miscellaneous) Regulations until they can be properly remade is an appropriate course of action.

Madam Speaker/[Mr President](#), I commend the Bill to the House.