

TASMANIA

RACING REGULATION AMENDMENT (RACE FIELDS) BILL 2014

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RACING REGULATION AMENDMENT (RACE FIELDS) BILL 2014

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

P. R. ALCOCK, *Clerk of the House*
14 October 2014

*(Brought in by the Minister for Racing, the Honourable
Jeremy Page Rockliff)*

A BILL FOR

**An Act to amend the *Racing Regulation Act 2004* and to
remove certain spent provisions and subordinate
legislation**

Be it enacted by His Excellency the Governor of Tasmania, by
and with the advice and consent of the Legislative Council and
House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Racing Regulation
Amendment (Race Fields) Act 2014*.

2. Commencement

This Act commences on 1 July 2015.

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3. Principal Act

In this Act, the *Racing Regulation Act 2004** is referred to as the Principal Act.

4. Section 3 amended (Interpretation)

Section 3 of the Principal Act is amended as follows:

- (a) by omitting the definition of *approval application*;
- (b) by omitting the definition of *approval period* and substituting the following definition:

approval period means the period determined from time to time by Tasracing in accordance with section 54AB;

5. Sections 22DB and 22DC repealed

Sections 22DB and 22DC of the Principal Act are repealed.

6. Section 34A repealed

Section 34A of the Principal Act is repealed.

*No. 62 of 2004

7. Section 54AB inserted

After section 54A of the Principal Act, the following section is inserted in Part 6A:

54AB. Determination relating to publication of race field information

- (1) Tasracing is to make a determination in relation to the publication of race field information.
- (2) A determination under subsection (1) –
 - (a) must specify –
 - (i) the fee or series of fees payable in respect of a race field information publication approval; and
 - (ii) the period for which those fees or that series of fees are payable in respect of a race (or class of races) covered by the race field information publication approval; and
 - (b) is of no effect unless the Minister approves, before the determination takes effect, the fees or series of fees specified in the determination.
- (3) A fee or series of fees specified in a determination under subsection (1) may

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be expressed by reference to a rate, percentage, average or other calculation.

- (4) Before making a determination under subsection (1), Tasracing is to conduct a review of the fee or series of fees payable in respect of a race field information publication approval, in consultation with the relevant racing clubs for each code of racing.
- (5) After the Minister has approved the fees or series of fees specified in a determination under subsection (1), Tasracing is to –
 - (a) publish the following information on a website operated by, or on behalf of, Tasracing:
 - (i) the fees or series of fees so approved by the Minister;
 - (ii) the period specified in the determination as the period for which those fees or that series of fees are payable; and
 - (b) ensure that the information specified in paragraph (a) –
 - (i) is published in accordance with that paragraph at least 14 days before the

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determination is to take effect; and

- (ii) remains so published while the determination has effect.

8. Section 54B amended (Tasracing may grant race field information publication approvals)

Section 54B of the Principal Act is amended as follows:

- (a) by inserting in subsection (2)(a) “from time to time” after “determined”;
- (b) by omitting from subsection (2)(b)(i) “a fee or series of fees as determined or varied by Tasracing by notice under this section; and” and substituting “the fee or series of fees determined by Tasracing under section 54AB for the approval period; and”;
- (c) by omitting from subsection (2)(b)(ii) “determine.” and substituting “determine; and”;
- (d) by inserting the following paragraph after paragraph (b) in subsection (2):
 - (c) is to provide the approval holder with a written copy of –
 - (i) the integrity conditions referred to in paragraph (a); and

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- (ii) the conditions imposed under paragraph (b) in respect of the approval; and
 - (iii) if a requirement to pay a fee or series of fees is imposed under paragraph (b)(i) –
 - (A) the fee or series of fees so payable; and
 - (B) the approval period that relates to the race (or class of races) covered by the approval.
- (e) by omitting subsections (2A), (2B), (2C), (2D), (2E), (2EA), (2F), (3), (4), (5) and (6) and substituting the following subsection:
 - (3) In addition to the requirements of subsection (2)(c), Tasracing is to publish a copy of the integrity conditions referred to in subsection (2)(a) on the website operated by, or on behalf of, Tasracing.
- (f) by omitting subparagraph (i) from subsection (8)(b).

9. Section 54D repealed

Section 54D of the Principal Act is repealed.

10. Legislation repealed

The legislation specified in Schedule 1 is repealed.

11. Legislation rescinded

The legislation specified in Schedule 2 is rescinded.

12. Legislation revoked

The legislation specified in Schedule 3 is revoked.

13. Repeal of Act

This Act is repealed on the three hundred and sixty fifth day from the day on which this Act commences.

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SCHEDULE 1 – LEGISLATION REPEALED

Section 10

Racing Regulation Amendment (Race Fields) Act 2008 (No. 32
of 2008)

Racing Regulation Amendment (Race Fields) Amendment Act
2009 (No. 27 of 2009)

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SCHEDULE 2 – LEGISLATION RESCINDED

Section 11

Racing (Race Fields) Amendment Regulations 2009 (No. 139
of 2009)

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SCHEDULE 3 – LEGISLATION REVOKED

Section 12

Race Field Information Publication Fee Notice 2011 (No. 28
of 2011)

Race Field Information Publication Fee Variation Notice 2013
(No. 11 of 2013)

Race Field Information Publication Fee Variation Notice 2014
(No. 43 of 2014)