

TASMANIA

RACING REGULATION AND INTEGRITY (CONSEQUENTIAL AMENDMENTS) BILL 2023

CONTENTS

PART 1 – PRELIMINARY

1. Short title
2. Commencement

PART 2 – ANIMAL WELFARE ACT 1993 AMENDED

3. Principal Act
4. Section 25 amended (Examination of animals)
5. Section 39 amended (Membership of Advisory Committee)

PART 3 – ANNULLED CONVICTIONS ACT 2003 AMENDED

6. Principal Act
7. Schedule 1 amended (Non-exempt applications)

PART 4 – ANZAC DAY OBSERVANCE ACT 1929 AMENDED

8. Principal Act
9. Section 3 amended (Interpretation of Part II)

PART 5 – DOG CONTROL ACT 2000 AMENDED

10. Principal Act
11. Section 18 amended (Effective control of greyhounds)
12. Section 18A amended (Approval of greyhound suitability program)

PART 6 – GAMING CONTROL ACT 1993 AMENDED

- 13. Principal Act
- 14. Section 3 amended (Interpretation)
- 15. Section 76B amended (Offence to conduct gaming business without endorsed Tasmanian gaming licence)
- 16. Section 76XC amended (Additional conditions on Tasmanian gaming licence with totalizator endorsement)
- 17. Section 76ZDM amended (Restrictions on wagering by interested persons)
- 18. Section 76ZED amended (Initial totalizator endorsement)
- 19. Section 76ZEE amended (Second totalizator endorsement)

PART 7 – JUDICIAL REVIEW ACT 2000 AMENDED

- 20. Principal Act
- 21. Schedule 1 amended (Decisions to which Act does not apply)

PART 8 – JUSTICES RULES 2003 AMENDED

- 22. Principal Rules
- 23. Schedule 2 amended (Offences)

PART 9 – RACING (TASRACING PTY LTD) ACT 2009 AMENDED

- 24. Principal Act
- 25. Section 3 amended (Interpretation)
- 26. Section 6 amended (Principal objectives of Company)
- 27. Schedule 1 amended (Provisions to be included in constitution)

PART 10 – WORKERS REHABILITATION AND COMPENSATION ACT 1988 AMENDED

- 28. Principal Act
- 29. Section 4DC amended (Jockeys)

PART 11 – CONCLUDING PROVISION

- 30. Repeal of Act

**RACING REGULATION AND INTEGRITY
(CONSEQUENTIAL AMENDMENTS) BILL 2023**

*(Brought in by the Minister for Racing, the Honourable Felix
Ashton Ellis)*

A BILL FOR

**An Act to amend certain legislation consequent on the
enactment of the *Racing Regulation and Integrity Act 2023***

Be it enacted by Her 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:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Racing Regulation
and Integrity (Consequential Amendments) Act
2023*.

2. Commencement

This Act commences on a day to be proclaimed.

Racing Regulation and Integrity (Consequential Amendments)
Act 2023
Act No. of 2023

s. 3

Part 2 – Animal Welfare Act 1993 Amended

PART 2 – ANIMAL WELFARE ACT 1993 AMENDED

3. Principal Act

In this Part, the *Animal Welfare Act 1993** is referred to as the Principal Act.

4. Section 25 amended (Examination of animals)

Section 25(2) of the Principal Act is amended by omitting “*Racing Regulation Act 2004*” and substituting “*Racing Regulation and Integrity Act 2023*”.

5. Section 39 amended (Membership of Advisory Committee)

Section 39(1)(da) of the Principal Act is amended by omitting “*Racing Regulation Act 2004*” and substituting “*Racing Regulation and Integrity Act 2023*”.

*No. 63 of 1993

Racing Regulation and Integrity (Consequential Amendments) Act
2023
Act No. of 2023

Part 3 – Annulled Convictions Act 2003 Amended

s. 6

**PART 3 – ANNULLED CONVICTIONS ACT 2003
AMENDED**

6. Principal Act

In this Part, the *Annulled Convictions Act 2003** is referred to as the Principal Act.

7. Schedule 1 amended (Non-exempt applications)

Part 5 of Schedule 1 to the Principal Act is amended as follows:

- (a) by omitting from clause 3 “*Racing Regulation Act 2004*” and substituting “*Racing Regulation and Integrity Act 2023*”;
- (b) by omitting from clause 4 “*Racing Regulation Act 2004*” and substituting “*Racing Regulation and Integrity Act 2023*”.

*No. 46 of 2003

Racing Regulation and Integrity (Consequential Amendments)
Act 2023
Act No. of 2023

s. 8

Part 4 – Anzac Day Observance Act 1929 Amended

**PART 4 – ANZAC DAY OBSERVANCE ACT 1929
AMENDED**

8. Principal Act

In this Part, the *Anzac Day Observance Act 1929** is referred to as the Principal Act.

9. Section 3 amended (Interpretation of Part II)

Section 3 of the Principal Act is amended as follows:

- (a) by omitting “*Racing Regulation Act 2004*” from the definition of *bookmaking* and substituting “*Racing Regulation and Integrity Act 2023*”;
- (b) by omitting “*Racing Regulation Act 2004*” from the definition of *racecourse* and substituting “*Racing Regulation and Integrity Act 2023*”;
- (c) by omitting “*Racing Regulation Act 2004*” from the definition of *race meeting* and substituting “*Racing Regulation and Integrity Act 2023*”.

*No. 70 of 1929

*Racing Regulation and Integrity (Consequential Amendments) Act
2023
Act No. of 2023*

Part 5 – Dog Control Act 2000 Amended

s. 10

PART 5 – DOG CONTROL ACT 2000 AMENDED

10. Principal Act

In this Part, the *Dog Control Act 2000** is referred to as the Principal Act.

11. Section 18 amended (Effective control of greyhounds)

Section 18(5) of the Principal Act is amended by omitting “*Rules of Racing* made under section 11(1)(k) of the *Racing Regulation Act 2004*” from the definition of *greyhound racing* and substituting “Rules of Racing made under section 62 of the *Racing Regulation and Integrity Act 2023*”.

12. Section 18A amended (Approval of greyhound suitability program)

Section 18A of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “The Director of Racing” and substituting “Tasracing”;
- (b) by omitting from subsection (2) “the Director of Racing” and substituting “Tasracing”;

*No. 102 of 2000

Racing Regulation and Integrity (Consequential Amendments)
Act 2023
Act No. of 2023

s. 12

Part 5 – Dog Control Act 2000 Amended

- (c) by omitting from subsection (2)(b) “the Director” and substituting “Tasracing”;
- (d) by omitting from subsection (3) “The Director of Racing” and substituting “Tasracing”;
- (e) by omitting the definition of *Director of Racing* from subsection (4) and substituting the following definition:

Tasracing means Tasracing Pty Ltd formed under section 5 of the *Racing (Tasracing Pty Ltd) Act 2009*.

Racing Regulation and Integrity (Consequential Amendments) Act
2023
Act No. of 2023

Part 6 – Gaming Control Act 1993 Amended

s. 13

PART 6 – GAMING CONTROL ACT 1993 AMENDED

13. Principal Act

In this Part, the *Gaming Control Act 1993** is referred to as the Principal Act.

14. Section 3 amended (Interpretation)

Section 3(1) of the Principal Act is amended as follows:

- (a) by omitting “*Racing Regulation Act 2004*” from the definition of *racing club* and substituting “*Racing Regulation and Integrity Act 2023*”;
- (b) by omitting paragraph (b) from the definition of *regulatory Agency* and substituting the following paragraph:
 - (b) the Tasmanian Racing Integrity Commissioner appointed under section 7 of the *Racing Regulation and Integrity Act 2023*; or

*No. 94 of 1993

Racing Regulation and Integrity (Consequential Amendments)
Act 2023
Act No. of 2023

s. 15

Part 6 – Gaming Control Act 1993 Amended

15. Section 76B amended (Offence to conduct gaming business without endorsed Tasmanian gaming licence)

Section 76B(4)(a)(i) of the Principal Act is amended by omitting “*Racing Regulation Act 2004*” and substituting “*Racing Regulation and Integrity Act 2023*”.

16. Section 76XC amended (Additional conditions on Tasmanian gaming licence with totalizator endorsement)

Section 76XC(b) of the Principal Act is amended by omitting “*Racing Regulation Act 2004*” and substituting “*Racing Regulation and Integrity Act 2023*”.

17. Section 76ZDM amended (Restrictions on wagering by interested persons)

Section 76ZDM(7) of the Principal Act is amended by omitting paragraph (a) from the definition of *licensed* and substituting:

- (a) the Rules of Racing within the meaning of the *Racing Regulation and Integrity Act 2023*; or

18. Section 76ZED amended (Initial totalizator endorsement)

Section 76ZED(6) of the Principal Act is amended by omitting “section 86 or Part 7 of the

*Racing Regulation and Integrity (Consequential Amendments) Act
2023
Act No. of 2023*

Part 6 – Gaming Control Act 1993 Amended

s. 19

*Racing Regulation Act 2004” and substituting
“section 167 or Part 9 of the Racing Regulation
and Integrity Act 2023”.*

19. Section 76ZEE amended (Second totalizator endorsement)

Section 76ZEE(5) of the Principal Act is amended by omitting “section 86 or Part 7 of the *Racing Regulation Act 2004*” and substituting “section 167 or Part 9 of the *Racing Regulation and Integrity Act 2023*”.

Racing Regulation and Integrity (Consequential Amendments)
Act 2023
Act No. of 2023

s. 20

Part 7 – Judicial Review Act 2000 Amended

PART 7 – JUDICIAL REVIEW ACT 2000 AMENDED

20. Principal Act

In this Part, the *Judicial Review Act 2000** is referred to as the Principal Act.

21. Schedule 1 amended (Decisions to which Act does not apply)

Clause 3(h) of Schedule 1 to the Principal Act is amended by omitting “*Racing Regulation Act 2004*” and substituting “*Racing Regulation and Integrity Act 2023*”.

*No. 54 of 2000

Racing Regulation and Integrity (Consequential Amendments) Act
2023
Act No. of 2023

Part 8 – Justices Rules 2003 Amended

s. 22

PART 8 – JUSTICES RULES 2003 AMENDED

22. Principal Rules

In this Part, the *Justices Rules 2003** are referred to as the Principal Rules.

23. Schedule 2 amended (Offences)

Schedule 2 to the Principal Rules is amended by omitting “*Racing Regulation Act 2004*” from column 2 of item 22 and substituting “*Racing Regulation and Integrity Act 2023*”.

*S.R. 2003, No. 184

Racing Regulation and Integrity (Consequential Amendments)
Act 2023
Act No. of 2023

s. 24

Part 9 – Racing (Tasracing Pty Ltd) Act 2009 Amended

**PART 9 – RACING (TASRACING PTY LTD) ACT 2009
AMENDED**

24. Principal Act

In this Part, the *Racing (Tasracing Pty Ltd) Act 2009** is referred to as the Principal Act.

25. Section 3 amended (Interpretation)

Section 3(2) of the Principal Act is amended by omitting “*Racing Regulation Act 2004*” and substituting “*Racing Regulation and Integrity Act 2023*”.

26. Section 6 amended (Principal objectives of Company)

Section 6(b) of the Principal Act is amended by omitting “*Racing Regulation Act 2004*” and substituting “*Racing Regulation and Integrity Act 2023*”.

27. Schedule 1 amended (Provisions to be included in constitution)

Clause 2 of Schedule 1 to the Principal Act is amended by omitting “*Racing Regulation Act 2004*” and substituting “*Racing Regulation and Integrity Act 2023*”.

*No. 30 of 2009

*Racing Regulation and Integrity (Consequential Amendments) Act
2023
Act No. of 2023*

Part 10 – Workers Rehabilitation and Compensation Act 1988 Amended

s. 28

**PART 10 – WORKERS REHABILITATION AND
COMPENSATION ACT 1988 AMENDED**

28. Principal Act

In this Part, the *Workers Rehabilitation and Compensation Act 1988** is referred to as the Principal Act.

29. Section 4DC amended (Jockeys)

Section 4DC(4) of the Principal Act is amended as follows:

- (a) by omitting the definition of *Director*;
- (b) by omitting “the Director” from the definition of *licensed* and substituting “Tasracing”;
- (c) by omitting “*Racing Regulation Act 2004*” from the definition of *Rules of Racing* and substituting “*Racing Regulation and Integrity Act 2023*”.

*No. 4 of 1988

Racing Regulation and Integrity (Consequential Amendments)
Act 2023
Act No. of 2023

s. 30

Part 11 – Concluding Provision

PART 11 – CONCLUDING PROVISION

30. Repeal of Act

This Act is repealed on the first anniversary of the day on which it commenced.