

FACT SHEET

RACING REGULATION AMENDMENT (RACE FIELDS) BILL 2011

The rationale for race fields legislation is to require wagering operators to pay a fee for using racing events as a platform for their gambling services from which they profit.

The purpose of this Bill is to incorporate changes recommended by the Solicitor-General (S-G) to address deficiencies identified with the existing race fields legislation, to transfer responsibility of certain powers and functions of the Director of Racing (DOR) to Tasracing in terms of the race fields regime and to require wagering operators to pay race field information publication (RFIP) fees from 1 November 2010.

Since the implementation of the Tasmanian race fields regime on 1 July 2009, the DOR has granted more than 40 approvals authorising wagering operators to publish Tasmanian race field information. While the DOR has imposed integrity conditions on each approval, no RFIP fees have been collected to date.

The Government's decision to defer the imposition of fees was based on the S-G's advice at that time, having regard to interstate court determinations. However, the S-G has reviewed the draft legislation and advised that the amendments to be effected by this Bill, if enacted, are in accordance with the law as currently expressed in recent decisions of the High Court and Full Federal Court of Australia.

Although the amending legislation is not expected to come into effect until 1 April 2011, it will provide for RFIP fees to be imposed from 1 November 2010. This income has always been identified as an additional future funding source for Tasracing, separate to the \$27 million it receives each year in operational funding. The requirement for wagering operators to pay RFIP fees from 1 November 2010 is designed to maximise financial returns to the State's racing industry, with an estimated \$4.9 million a year in RFIP fees going directly into Tasracing's operating budget.

The transfer of responsibility for the RFIP approval process and the administration of the race fields regime from the DOR to Tasracing accords with Tasracing's functions and powers in terms of corporate governance and strategic direction of the Tasmanian Racing Industry. It is also consistent with the approach taken in other racing jurisdictions.