

**TROTTING AUTHORITY (CHANGE OF NAMES)
AMENDMENT ACT, 1985, No. 40**

New South Wales



ANNO TRICESIMO QUARTO

ELIZABETHÆ II REGINÆ

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Act No. 40, 1985.

An Act to amend the Trotting Authority Act, 1977, for the purpose of renaming the Trotting Authority of New South Wales as the Harness Racing Authority of New South Wales; and for other purposes.
[Assented to, 26th April, 1985.]

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BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the "Trotting Authority (Change of Names) Amendment Act, 1985".

Commencement.

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Principal Act.

3. The Trotting Authority Act, 1977, is referred to in this Act as the Principal Act.

Amendment of Act No. 57, 1977.

4. (1) The Principal Act is amended by omitting the words "Trotting" and "trotting" wherever occurring and by inserting instead the words "Harness Racing" and "harness racing", respectively.

(2) The Principal Act is further amended in the manner set forth in Schedule 1.

(3) Subsection (1) does not apply in respect of the definition of "trotting", "trotting association" or "trotting club" in section 4 of the Principal Act or section 8 (2) (d) (i) or (iii) or (3) of that Act.

Savings and transitional provisions.

5. (1) The Authority, the Fund, the Assistance Fund, the Benevolent Fund and the Tribunal, within the meaning of the Principal Act, as amended by this Act, are continuations of, and have the same legal identities as, the Trotting Authority of New South Wales, the Trotting Authority Fund, the Trotting Authority Assistance Fund, the Trotting Authority Benevolent Fund and the Trotting Appeals Tribunal, respectively.

(2) Without affecting the generality of subsection (1), a change of name effected by the amendments made by this Act does not affect any person's rights or liabilities, and in particular does not affect any appeal or other proceeding pending at the commencement of this Act.

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(3) In any other Act, in any instrument made under any Act or in any instrument of any kind (enacted, made or executed before the commencement of this Act)—

- (a) a reference to the Trotting Authority Act, 1977, shall be read and construed as a reference to the Harness Racing Authority Act, 1977;
- (b) a reference to the Trotting Authority of New South Wales shall be read and construed as a reference to the Harness Racing Authority of New South Wales;
- (c) a reference to the Trotting Authority Fund shall be read and construed as a reference to the Harness Racing Authority Fund;
- (d) a reference to the Trotting Authority Assistance Fund shall be read and construed as a reference to the Harness Racing Authority Assistance Fund;
- (e) a reference to the Trotting Authority Benevolent Fund shall be read and construed as a reference to the Harness Racing Authority Benevolent Fund; or
- (f) a reference to the Trotting Appeals Tribunal shall be read and construed as a reference to the Harness Racing Appeals Tribunal.

SCHEDULE 1.

(Sec. 4 (2).)

FURTHER AMENDMENTS TO THE PRINCIPAL ACT.

(1) Long title—

Omit “and pacing” wherever occurring.

(2) (a) Section 4, definitions of “harness racing”, “harness racing association”, “harness racing club”—

After the definition of “Fund”, insert:—

“harness racing” means pacing or trotting;

“harness racing association” means an association of harness racing clubs;

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SCHEDULE 1—*continued.*

FURTHER AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

“harness racing club” includes any body or other association of persons, whether incorporated or unincorporated and whether registered or not, promoting, conducting or controlling, or formed for promoting, conducting or controlling, a harness racing meeting or harness racing meetings;

- (b) Section 4, definitions of “trotting”, “trotting association”, “trotting club”—

Omit the definitions.

- (3) (a) Section 8 (2) (d) (i)—

Omit the subparagraph, insert instead:—

- (i) to allocate to harness racing clubs and harness racing associations the dates on which they may conduct harness racing meetings and harness races;

- (b) Section 8 (2) (d) (iii)—

Omit “Australian Trotting Council”, insert instead “Australian Harness Racing Council Incorporated”.

- (c) Section 8 (3)—

Omit the subsection, insert instead:—

- (3) Nothing in this Act confers on the Authority power to conduct harness racing meetings or harness races on its own behalf.
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