

Act No. 60 of 1989

HARNESS RACING AUTHORITY (AMENDMENT) BILL 1989

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Racing Appeals Tribunal (Amendment) Bill 1989.

The object of this Bill is to amend the Harness Racing Authority Act 1977—

- (a) to enable a retired judge of any court to be appointed as the Harness Racing Appeals Tribunal; and
- (b) to remove the restriction that prevents a person who is of or above the age of 70 years from being eligible to be appointed as, or from continuing to hold office as, the Tribunal or an assessor.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides for the proposed Act to commence on assent.

Clause 3 is a formal provision that gives effect to the Schedule of amendments to the Harness Racing Authority Act 1977.

SCHEDULE 1—AMENDMENTS

Retired judges

Schedule 1 (1) amends the definition of "qualified person" in section 17A (provisions relating to the Tribunal) of the Principal Act to provide that a retired judge of any court (whether or not in New South Wales) may be appointed as the Tribunal or to act as the Tribunal. The definition, as amended, will read as follows:

"qualified person" means a judge of any court in New South Wales, a retired judge of any court (whether or not in New South Wales) or a person qualified to be appointed as a Judge of the District Court.

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Age restrictions

Schedule 1 (2) (a) repeals clause 1 (age of Tribunal or assessors) of Schedule 4 to the Principal Act to remove the restriction that a person who is of or above the age of 70 years is not eligible to be appointed as, or to act as, the Tribunal or to be appointed as an assessor (that is a person who is appointed to assist and advise the Tribunal).

Schedule 1 (2) (c) repeals clause 5 (2) (f) of Schedule 4 to the Principal Act which provides that a person holding office as the Tribunal or as an assessor vacates office on reaching the age of 70 years.

Schedule 1 (2) (b) is a minor consequential amendment.
