

Act No. 59 of 1989

RACING APPEALS TRIBUNAL (AMENDMENT) BILL 1989

NEW SOUTH WALES



EXPLANATORY NOTE

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

The Harness Racing Authority (Amendment) Bill 1989 is cognate with this Bill.

The object of this Bill is to amend the Racing Appeals Tribunal Act 1983—

- (a) to enable a retired judge of any court to be appointed as the 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 Racing Appeals Tribunal Act 1983.

SCHEDULE 1—AMENDMENTS

Retired judges

Schedule 1 (1) amends the definition of “qualified person” in section 4 (definitions) 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) repeals section 9 (age of Tribunal or assessors) of 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 (3) (b) repeals section 13 (2) (f) of 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 (3) (a) is a minor consequential amendment.
