

[Act 1996 No 90]



New South Wales

Harness Racing Legislation Amendment Bill 1996

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Harness Racing Authority Act 1977* as follows:

- (a) to change the name of the Harness Racing Authority to Harness Racing New South Wales (to be referred to in the Act as HRNSW),
 - (b) to increase from 5 to 7 the number of members of HRNSW,
 - (c) to give HRNSW power to appoint, with the approval of the Minister, an administrator to conduct the affairs of a harness racing club,
 - (d) to give HRNSW power to prohibit a person from attending or taking part in a harness racing meeting,
 - (e) to increase from 20 penalty units (\$2,000) to 200 penalty units (\$20,000) the maximum fine that HRNSW can impose under the rules of harness racing,
 - (f) to make it clear that the power of HRNSW to impose charges is not limited to charges for the services provided by its stewards,
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- (g) to repeal redundant provisions,
- (h) to increase from 5 to 20 penalty units the maximum penalty that can be imposed by the regulations under the Act,
- (i) to make minor miscellaneous amendments,
- (j) to make consequential amendments and insert savings and transitional provisions.

The Bill also make consequential amendments to other Acts and instruments.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides that the proposed Act will commence on a day or days to be appointed by proclamation.

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

Clause 4 is a formal provision that gives effect to the Schedule of consequential amendments to Acts and instruments.

Schedule 1 Amendment of Harness Racing Authority Act 1977

Schedule 1 [1] and **[2]** amend the long title of the Act to give effect to the change of name of the Harness Racing Authority to Harness Racing New South Wales (HRNSW) resulting from the amendment made by **Schedule 1 [9]**. **Schedule 1 [3]**, **[6]**, **[8]** and **[34]** make consequential amendments to other provisions.

Schedule 1 [4], **[12]**, **[16]** and **[19]** repeal redundant provisions dealing with the division of the Act, the position of secretary of the Harness Racing Authority, the appointment of executive officers, and the payment of affiliation fees.

Schedule 1 [5], **[18]**, **[20]** and **[21]** change the names of the 3 funds set up under the Act, to give effect to the change of name of HRNSW.

Schedule 1 [7], **[11]**, **[22]**, **[26]** and **[32]** change references throughout the Act from Chairman to Chairperson.

Schedule 1 [10] increases the number of members of HRNSW from 5 to 7.

Schedule 1 [29] increases the quorum at HRNSW meetings from 3 to 4 (to reflect the increase in membership).

Schedule 1 [13] adds to the list of functions of HRNSW to enable it to appoint, with the approval of the Minister, an administrator to conduct the affairs of a harness racing club.

Schedule 1 [14] adds to the list of functions of HRNSW to enable it to prohibit a person from attending or taking part in a harness racing meeting.

Schedule 1 [15] increases from 20 penalty units to 200 penalty units (\$20,000) the maximum penalty that can be imposed by HRNSW under the rules of harness racing.

Schedule 1 [17] amends a provision concerned with the charges payable to HRNSW to make it clear that the power of HRNSW to impose charges extends to any services it provides and is not limited to charges for the use of its stewards.

Schedule 1 [23] changes from 30 September to 31 October the date by which HRNSW's annual report must be prepared (thereby bringing the provision into line with the requirements of the *Annual Reports (Statutory Bodies) Act 1984*).

Schedule 1 [24] increases from 5 penalty units to 20 penalty units (\$2,000) the maximum penalty that can be set for a contravention of the regulations.

Schedule 1 [25] and [33] insert a savings and transitional regulation making power and other savings and transitional provisions.

Schedule 1[27] makes it clear that the power to appoint acting members and an acting Chairperson to act during the illness or absence of a member or the Chairperson can be a standing appointment and need not be made on each occasion of absence or illness.

Schedule 1 [28] makes a statute law revision amendment.

Schedule 1 [30] and [31] require both the Chairperson and acting Chairperson to be absent from a meeting before the members can elect a person to preside at the meeting.

Schedule 2 Consequential amendment of Acts and instruments

Schedule 2 makes amendments to various Acts and instruments to reflect the change of name of the Harness Racing Authority to Harness Racing New South Wales.