

**WESTERN AUSTRALIAN GREYHOUND
RACING ASSOCIATION BILL 1998
EXPLANATORY MEMORANDUM**

General Overview

The amendments are designed to overcome some technical difficulties associated with the regulation and control of greyhound racing in Western Australia. The principal elements of the changes are:

- to remove the requirement to obtain ministerial consent to changes to the rules of racing including the adoption of national rules of racing;
- to broaden the framework for the making of these rules and increase the range and scope of penalties that may be applied; and
- to more accurately reflect its role by renaming the Western Australian Greyhound Racing association the Western Australian Greyhound Racing Authority

Clause 1 - Short title

Cites the name of the Act

Clause 2 - Principal Act

Names the Western Australian Greyhound Racing Association Act 1981 as the principal Act

Clause 3 - Commencement

Stipulates that the Act is to come into operation on a date set by proclamation.

**Clause 4 - Section 4
amended**

Redefines "rules" as "rules of racing". Deletes the definitions of "prescribed", "section", "Schedule" and "subsection" as these are already defined in the Interpretation Act 1984.

**Clause 5 - Section 7
amended**

Replaces the term "racing" with "racing, including the keeping and training of greyhounds" in subsection (a).

Inserts new subsections (ba) and (bb) to include in the functions of the Authority (formerly the Association refer clause 16):

- regulation of betting conducted at greyhound race courses; and
- supervision of greyhound racing clubs and their affairs.

**Clause 6 - Sections 7A and
7B inserted**

Section 7A specifies the general powers of the Authority in relation to the control of greyhound racing. These replace the Powers and Duties of the Association presently contained in Part V of the principal Act which is to be repealed (see clause 11).

Section 7B establishes the framework for the rules the Authority may make to assist the performance of its functions and the exercise of its powers and defines those persons officers and organisations who are bound by the rules.

Notice of the rules of racing are to be published in the Government Gazette.

**Clause 7 - Section 8
amended**

Inserts a reference to rules of racing.
Replaces the reference to "officers" with a
reference to "stewards or other officers".

**Clause 8 - Section 15
amended**

Replaces the reference to "officers" with a
reference to "stewards or other officers".

**Clause 9 - Section 9
amended**

Replaces the reference to "officers" with a
reference to "stewards or other officers".

**Clause 10 - Section 17
amended**

Inserts a reference to regulations

**Clause 11 - Part V repealed
and a Part substituted**

Repeals Part V of the principal Act
because new sections 7A and 7B (inserted
by clause 6) establish the powers of the
Authority.

Inserts a new Part V to establish
enforcement provisions which deal with:

- section 21: obstruction of the
implementation of powers and
functions of the Authority;
- section 22: false and misleading
statements; and
- section 23: warning off notices.

**Clause 12 - Section 35
repealed and substituted**

The new section 35 establishes provisions
regarding protection from liability.

**Clause 13 - Section 36
amended**

Replaces the reference to "or any officer"
with a reference to "a steward or any other
officer".

**Clause 14 - Section 38
repealed**

Repeals the section relating to the making of rules and regulations as new rule making powers have been inserted by clause 6 and section 37 of the principal Act provides a general regulation making power.

**Clause 15 - Schedule 1
amended**

Substitutes "regulation" for "prescribed."

**Clause 16 - Various
references to "Association"
amended and saving**

Changes all references to "Association" to "Authority" and specifies the transitional savings provisions.

**Clause 17 - Various
references to "Committee"
amended and saving**

Changes references to "Committee" to "board" and specifies the transitional savings provisions.

**Clause 18 - Validation of
rules**

Validates rules made under sections 24 and 25 of the principal Act which are repealed in this Bill. This means all rules made under these two sections remain valid, despite the fact that the sections under which they were made no longer exist.

**Clause 19 - Transitional
provision regarding rules**

Transitional arrangements regarding previous rules made under sections 24 and 25 of the principal Act so that the rules remain in force.

**Clause 20 - Consequential
amendments**

Consequential amendments are set out in Schedule 1