



Racing Amendment Act 2000

Public Act 2000 No 79
Date of assent 14 November 2000
Commencement see section 2

Contents

1	Title	7	Membership of Board
2	Commencement	8	Amendments to principal Act reflecting changes of name and title
3	Interpretation	9	Consequential repeals
4	New sections 28 and 29 substituted		
	28 Conferences		
	29 Restriction on use of certain names		
5	Rules of racing and harness racing		
6	Section 36 repealed		

Schedule
**Amendments to principal Act reflecting
changes of name and title**

The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the Racing Amendment Act 2000.
- (2) In this Act, the Racing Act 1971 is called “the principal Act”.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Interpretation

- (1) Section 2(1) of the principal Act is amended by repealing the definitions of **Greyhound Racing Association**, **Harness Racing New Zealand**, **Racing Conference**, and **Recognised industry organisation**, and inserting, in their appropriate alphabetical order, the following definitions:

“**executive**,—

- “(a) in relation to the galloping conference, means the body that, immediately before the commencement of the Racing Amendment Act 2000—

- “(i) was known as the Board of New Zealand Thoroughbred Racing (Incorporated); but
 - “(ii) was referred to in this Act as the Executive Committee of the New Zealand Racing Conference:
- “(b) in relation to the greyhound conference, means the body that, immediately before the commencement of the Racing Amendment Act 2000, was known as the Executive Committee of the New Zealand Greyhound Racing Association (Incorporated):
- “(c) in relation to the harness conference, means the body that, immediately before the commencement of the Racing Amendment Act 2000, was known as the Executive of Harness Racing New Zealand
- “**galloping conference** means the body that, immediately before the commencement of the Racing Amendment Act 2000,—
- “(a) was known as New Zealand Thoroughbred Racing (Incorporated); but
 - “(b) was referred to in this Act as the New Zealand Racing Conference
- “**greyhound conference** means the conference of the body that, immediately before the commencement of the Racing Amendment Act 2000, was known as the New Zealand Greyhound Racing Association (Incorporated)
- “**harness conference** means the conference of the body that, immediately before the commencement of the Racing Amendment Act 2000, was known as Harness Racing New Zealand
- “**President**,—
- “(a) in relation to the galloping conference, means the person who for the time being holds the position that, immediately before the commencement of the Racing Amendment Act 2000, was known as the Chairman of New Zealand Thoroughbred Racing (Incorporated):
 - “(b) in relation to the greyhound conference, means the person who for the time being holds the position that, immediately before the commencement of the Racing Amendment Act 2000, was known as President of the New Zealand Greyhound Racing Association (Incorporated):

“(c) in relation to the harness conference, means the person who for the time being holds the position that, immediately before the commencement of the Racing Amendment Act 2000, was known as President of Harness Racing New Zealand

“**racing conference** means the galloping conference, the greyhound conference, or the harness conference; and **racing conferences** means the galloping conference, the greyhound conference, and the harness conference

“**recognised industry organisation**,—

“(a) in relation to galloping races, means—

“(i) the galloping conference; and

“(ii) the New Zealand Racehorse Owners Federation (Incorporated); and

“(iii) the New Zealand Thoroughbred Breeders Association (Incorporated); and

“(iv) the New Zealand Trainers Association; and

“(v) the New Zealand Jockeys Association; and

“(vi) every racing club registered with the galloping conference for the time being holding a totalisator licence or a restricted totalisator licence:

“(b) in relation to harness races, means—

“(i) the harness conference; and

“(ii) the New Zealand Trotting Owners Association (Incorporated); and

“(iii) the New Zealand Standardbred Breeders Association (Incorporated); and

“(iv) the New Zealand Trotting Horsemen’s and Trainers’ Association; and

“(v) every racing club registered with the harness conference for the time being holding a totalisator licence or a restricted totalisator licence:

“(c) in relation to greyhound races, means—

“(i) the greyhound conference; and

“(ii) every racing club registered with the greyhound conference”.

- (2) Section 2(1) of the principal Act is amended by repealing the definition of **Judicial Committee**, and substituting the following definition:

“Judicial Committee,—

- “(a) means a Judicial Committee established by the appointment of members to it under section 99ZI; and
- “(b) in sections 41, 61E, 87, and 96, includes a judicial committee established under the greyhound conference’s rules of racing”.

4 New sections 28 and 29 substituted

The principal Act is amended by repealing sections 28 and 29, and substituting the following sections:

“28 Conferences

- “(1) The galloping conference has all the powers, functions, and duties for the time being provided for in the rules of racing or any regulations in force under them.
- “(2) The harness conference has all the powers, functions, and duties for the time being provided for in the rules of harness racing or any regulations in force under them.
- “(3) The greyhound conference has all the powers, functions, and duties for the time being provided for in the rules of greyhound racing or any regulations in force under them.

“29 Restriction on use of certain names

- “(1) No body of persons (whether incorporated or not) other than the galloping conference may exercise the functions for which it is formed—
 - “(a) under the name ‘Galloping Conference’, ‘New Zealand Galloping Conference’, ‘New Zealand Racing Conference’, ‘New Zealand Thoroughbred Racing’, or ‘Racing Conference’; or
 - “(b) under any name by which the galloping conference is for the time being known; or
 - “(c) under any name calculated to suggest connection with or endorsement by the galloping conference.
- “(2) No body of persons (whether incorporated or not) other than the greyhound conference may exercise the functions for which it is formed—
 - “(a) under the name ‘Greyhound Conference’, ‘Greyhound Racing Association’, ‘New Zealand Greyhound Racing Association’, or ‘New Zealand Greyhound Racing Conference’; or

- “(b) under any name by which the greyhound conference is for the time being known; or
 - “(c) under any name calculated to suggest connection with or endorsement by the greyhound conference.
- “(3) No body of persons (whether incorporated or not) other than the harness conference may exercise the functions for which it is formed—
- “(a) under the name ‘Harness Conference’, ‘Harness Racing New Zealand’, and ‘New Zealand Harness Conference’; or
 - “(b) under any name by which the harness conference is for the time being known; or
 - “(c) under any name calculated to suggest connection with or endorsement by the harness conference.
- “(4) The registering authority under an enactment providing for the registration of associations of persons may refuse to register an association if satisfied that the use of the name under which it wishes to be registered is prohibited by any of subsections (1) to (3).
- “(5) Subsections (1) to (3) apply, with all necessary modifications, to a person carrying on business under a name or style other than the person’s name.
- “(6) Nothing in this section—
- “(a) prevents any galloping club, greyhound racing club, harness racing club, or hunt club, from using a name containing the word ‘racing’; or
 - “(b) prevents any greyhound racing club from using a name containing the expression ‘greyhound racing’; or
 - “(c) prevents any harness racing club from using a name containing the expression ‘harness racing’.”

5 Rules of racing and harness racing

- (1) Section 30(1) of the principal Act is amended by omitting the words “such rules of racing made by the Racing Conference and such rules of harness racing made by Harness Racing New Zealand which are in force on the passing of this Act, and such”, and substituting the words “the rules of racing made by the galloping conference and the rules of harness racing made by the harness conference in force on the passing of this Act, and any”.

- (2) Section 30 of the principal Act is amended by repealing subsection (2), and substituting the following subsections:
- “(2) The galloping conference may from time to time alter or rescind the rules of racing and make new rules of racing.
- “(3) The harness conference may from time to time alter or rescind the rules of harness racing and make new rules of harness racing.
- “(4) Any alteration or rescission of a rule of racing or rule of harness racing, and any new rule of racing or rule of harness racing, is invalid if it—
- “(a) was made after the passing of this Act; and
- “(b) is in conflict with any provision of this Act.
- “(5) Subsections (2) and (3) are subject to subsection (4).”

6 Section 36 repealed

The following enactments are repealed:

- (a) section 36 of the principal Act;
- (b) section 5 of the Racing Amendment Act 1986.

7 Membership of Board

- (1) Section 63 of the principal Act is amended by omitting the words “paragraph (b) or paragraph (c) or paragraph (d)” from subsections (2) and (3), and substituting in each case the words “paragraph (c) or paragraph (d) or paragraph (e)”.
- (2) Every appointment to the Board made between the commencement of section 28(1) of the Racing Amendment Act 1995 and the commencement of this Act is as valid and effectual as if subsection (1) of this section had come into force on the commencement of that section.

8 Amendments to principal Act reflecting changes of name and title

The principal Act is amended in the manner indicated in the Schedule.

9 Consequential repeals

Sections 2(2), 2(3), and 11 of the Racing Amendment Act 1995 are repealed.

Schedule

s 8

Amendments to principal Act reflecting changes of name and title**Section 4**

Omit from subsections (1)(a) and (6)(a) the words “Executive Committee of the Racing Conference” and substitute in each case the words “Executive of the galloping conference”.

Omit from subsections (1)(b) and (6)(b) the words “Harness Racing New Zealand” and substitute in each case the words “the harness conference”.

Omit from subsections (1)(c) and (6)(c) the words “Executive Committee of the Greyhound Racing Association” and substitute in each case the words “Executive of the greyhound conference”.

Section 6

Omit from subsection (1A) the words “Executive Committee of the Racing Conference, the Executive of Harness Racing New Zealand, or the Executive Committee of the Greyhound Racing Association” and substitute the words “Executive of the galloping conference, the Executive of the harness conference, or the Executive of the greyhound conference”.

Section 13(5)

Omit the words “Greyhound Racing Association” and substitute the words “greyhound conference”.

Section 13A

Repeal subsection (1) and substitute the following subsections:

- “(1) The Industry Board must take the steps specified in subsection (1A) if—
- “(a) any dispute arises between any of the racing conferences; or
 - “(b) the galloping conference refers any dispute between it and any galloping club or hunt club to the Industry Board for adjudication; or
 - “(c) the harness conference refers any dispute between it and any harness racing club to the Industry Board for adjudication; or
 - “(d) the greyhound conference refers any dispute between it and any greyhound racing club to the Industry Board for adjudication.

Section 13A—continued

“(1A) The steps are—

- “(a) seek, and receive or hear, submissions from the parties to the dispute; and
- “(b) consider the dispute and make a finding on it; and
- “(c) tell the parties its finding.

“(1B) The Industry Board may also tell the Minister its finding.”

Section 14(2)(a)

Omit the words “Racing Conference, Harness Racing New Zealand, the Greyhound Racing Association,” and substitute the words “racing conferences”.

Section 22(1)

Omit the words “Minister, the Racing Conference, Harness Racing New Zealand, and the Greyhound Racing Association” and substitute the words “Minister and the racing conferences”.

Section 26A(1)

Omit the words “Greyhound Racing Association” and substitute the words “greyhound conference”.

Section 31

Omit from subsections (1) and (2) the words “Greyhound Racing Association” and substitute in each case the words “greyhound conference”.

Section 31A

Omit from subsections (1) and (2) the words “Racing Conference, Harness Racing New Zealand, or the Greyhound Racing Association” and substitute in each case the words “galloping conference, the harness conference, or the greyhound conference”.

Section 31B(1)

Omit the words “Executive or Executive Committee of the Racing Conference, Harness Racing New Zealand, or the Greyhound Racing Association” and substitute the words “Executive of the galloping conference, the Executive of the harness conference, or the Executive of the greyhound conference”.

Section 31C

Omit from paragraphs (a) and (b) the words “Racing Conference, Harness Racing New Zealand, or the Greyhound Racing Association” and substitute in each case the words “galloping conference, the harness conference, or the greyhound conference”.

Section 31C—continued

Omit the words “Conference or Association concerned, on all racing clubs comprising the Conference or Association” and substitute the words “conference concerned, on all racing clubs comprising it”.

Section 32

Omit the words “Racing Conference, Harness Racing New Zealand, or the Greyhound Racing Association” and substitute the words “galloping conference, the harness conference, or the greyhound conference”.

Section 33(1)

Omit from paragraph (a) the words “Racing Conference” and substitute the words “galloping conference”.

Omit from paragraph (b) the words “Harness Racing New Zealand” and substitute the words “harness conference”.

Omit from paragraph (c) the words “Racing Conference” and substitute the words “galloping conference”.

Omit from paragraph (d) the words “Greyhound Racing Association” and substitute the words “greyhound conference”.

Section 62B

Omit the words “Racing Conference, Harness Racing New Zealand, and the Greyhound Racing Association” and substitute the words “racing conferences”.

Section 63(4)

Repeal paragraphs (b) to (d) and substitute the following paragraph:

- “(b) a member of the Executive of the galloping conference, the harness conference, or the greyhound conference,—”.

Section 65(1A)

Omit the words “Executive Committee of the Racing Conference, Harness Racing New Zealand, or Greyhound Racing Association” and substitute the words “Executive of the galloping conference, the harness conference, or the greyhound conference”.

Section 78(1)

Omit the words “the Racing Conference, Harness Racing New Zealand, and the Greyhound Racing Association” and substitute the words “and each of the racing conferences”.

Section 86

Omit the words “Racing Conference, Harness Racing New Zealand, and the Greyhound Racing Association” and substitute the words “racing conferences”.

Section 90

Omit the words “Racing Conference, Harness Racing New Zealand and the Greyhound Racing Association” and substitute the words “racing conferences”.

Section 91

Omit the words “Racing Conference, Harness Racing New Zealand, and the Greyhound Racing Association” and substitute the words “racing conferences”.

Section 99V(1)(e)

Omit the words “New Zealand Racing Conference and to Harness Racing New Zealand” and substitute the words “galloping conference and the harness conference”.

Section 99W

Omit from subsection (1)(a) the words “New Zealand Racing Conference, Harness Racing New Zealand” and substitute the words “galloping conference, the harness conference”.

Omit from subsection (1)(b) the words “New Zealand Racing Conference” and substitute the words “galloping conference”.

Omit from subsection (1)(c) the words “Harness Racing New Zealand” and substitute the words “harness conference”.

Omit from subsection (3) the words “Committee of the Racing Conference or of the Executive of Harness Racing New Zealand” and substitute the words “of the galloping conference or the harness conference”.

Section 99ZF

Omit the words “New Zealand Racing Conference or Harness Racing New Zealand” and substitute the words “galloping conference or the harness conference”.

Section 99ZL(3)

Omit the words “Racing Conference or Harness Racing New Zealand” and substitute the words “galloping conference or the harness conference”.

Section 101

Repeal subsection (1) and substitute the following subsection:

“(1) A racing conference may from time to time make rules controlling or prohibiting the admission of persons to any race-course used by racing clubs registered with it.”

Omit from subsection (5) the words “Racing Conference or Harness Racing New Zealand or the Greyhound Racing Association (as the

Section 101—continued

case may be)” and substitute the words “racing conference concerned”.

Section 102(3)

Omit the words “Racing Conference or Harness Racing New Zealand or the Greyhound Racing Association (as the case may be)” and substitute the words “racing conference concerned”.

Section 103C

Omit from subsections (7)(a) and (8)(a) the words “Racing Conference, Harness Racing New Zealand, and the Greyhound Racing Association” and substitute in each case the words “racing conferences”.

Second Schedule

Omit from clause 2 the words “Racing Conference and Harness Racing New Zealand” and substitute the words “racing conference and the harness conference”.

Omit from clause 6(b) the words “New Zealand Racing Conference and Harness Racing New Zealand” and substitute the words “racing conference and the harness conference”.

Omit from clause 11 the words “Racing Conference, Harness Racing New Zealand” and substitute in each case the words “racing conference, the harness conference”.

Legislative history

9 November 2000	Divided from the Statutes Amendment Bill (No 7) as reported from the Justice and Electoral Committee (Bill 334–A2), <i>third reading</i>
14 November 2000	Royal assent

This Act is administered in the Department of Internal Affairs.
