

House of Representatives

Supplementary Order Paper

Wednesday, 19 June 2019

Racing Reform Bill

Proposed amendments

Rt Hon Winston Peters, in Committee, to move the following amendments:

Clause 14

Before *clause 14(1)* (page 9, after line 1), insert:

(1AA) In section 24(1), replace “the Board” with “the Agency”.

Schedule 1: new Schedule 1AA

In *Schedule 1, new Schedule 1AA, clause 4*, after “read” (page 25, line 4), insert “immediately”.

In *Schedule 1, new Schedule 1AA, clause 5*, after “read” (page 25, line 8), insert “immediately”.

In *Schedule 1, new Schedule 1AA*, after *clause 6* (page 25, after line 22), insert:

- 7 Other agreements authorising use of New Zealand racing and sporting information**
- (1) This clause applies to an existing agreement between the Board and an entity other than an offshore betting operator—
- (a) that is in force immediately before the commencement date; and
- (b) that confers rights on that entity (or a sub-licensee of that entity) to use New Zealand racing and sporting information.
- (2) **Part 6AA** (as inserted by **section 21** of the Racing Reform Act **2019**) does not affect the existing agreement and the agreement continues in force, on and after the commencement date, according to its tenor as if it were entered into by the Agency and the entity.

- 8 Betting information use agreements entered into by Agency before regulations under section 65AX come into force**
- (1) This clause applies to a betting information use agreement—
- (a) that was being negotiated by the Board and an offshore betting operator before the commencement date; and
 - (b) that is entered into by the Agency and the offshore betting operator after the commencement date but before regulations made under **section 65AX** come into force; and
 - (c) that confers rights on that offshore betting operator or a sublicensee of that operator to use New Zealand racing and sporting information in the conduct of its betting operations in respect of racing and sporting events held in New Zealand.
- (2) **Part 6AA** (as inserted by **section 21** of the Racing Reform Act **2019**) does not affect the betting information use agreement and the agreement continues in force according to its tenor.

Schedule 3

In *Schedule 3, Part 1*, after the item relating to the Gambling Act 2003 (page 30, after line 20), insert:

In section 4(1), definition of **bookmaking**, paragraph (b)(i), replace “New Zealand Racing Board” with “Racing Industry Transition Agency”.

In section 12(3)(b), replace “New Zealand Racing Board” with “Racing Industry Transition Agency”.

In *Schedule 3, Part 1*, after last item relating to the Gambling Act 2003 (page 31, after line 8), insert:

In section 320(3)(b)(i) and (d)(i), replace “Department” with “Department, the Racing Industry Transition Agency (or its successor organisation)”.

In *Schedule 3, Part 2*, item relating to the Gambling (Problem Gambling Levy) Regulations 2016 (page 32, line 22), replace “**Gambling (Problem Gambling Levy) Regulations 2016 (LI 2016/120)**” with “**Gambling (Problem Gambling Levy) Regulations 2019 (LI 2019/134)**”.

Explanatory note

This Supplementary Order Paper (**SOP**) amends *Part 1* of the Racing Reform Bill (the **Bill**), which proposes amendments to the Racing Act 2003 (the **Act**), as follows:

Clause 14, which amends section 24(1) of the Act, is amended to update the reference to the New Zealand Racing Board (the **Board**) with a reference to the Racing Industry Transition Agency (the **Agency**).

Schedule 1: new Schedule 1AA, which contains transitional and savings provisions, is amended to—

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- make drafting clarifications in *clauses 4 and 5*:
 - add 2 further transitional provisions (*new clauses 7 and 8*). *New clause 7* deals with agreements entered into by the Board with entities other than betting operators before the commencement date on 1 July 2019 that authorise the use of New Zealand racing and sporting information. *New clause 8* deals with betting information use agreements that are currently being negotiated by the Board with offshore betting operators and that will be concluded by the Agency after 1 July 2019 but before regulations made under *new section 65AX* come into force. Both *new clauses 7 and 8* provide that *new Part 6AA* (as inserted by *clause 21* of the Bill) does not apply to those agreements and the agreements continue in force according to their tenor.

Schedule 3, which contains consequential amendments to other enactments, is amended to—

- update the references to the Board in the definition of bookmaking in section 4(1) of the Gambling Act 2003 and in section 12(3)(b) of that Act with references to the Agency:
- make further technical amendments to section 320(3)(b)(i) and (d)(i) of the Gambling Act 2003, which relates to the calculation of the problem gambling levy under that Act. The amendments ensure that the calculation of the levy takes into account the latest and most reliable player expenditure information from the Agency:
- update the amendment to the Gambling (Problem Gambling Levy) Regulations 2016 (the **2016 regulations**) to reflect the making of the Gambling (Problem Gambling Levy) Regulations 2019, which revoke and replace the 2016 regulations on 1 July 2019 so that the amendments are made to the 2019 regulations.