New South Wales

Harness Racing New South Wales Amendment (Rules) Bill 2001

Explanatory note

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

Overview of Bill

The object of this Bill is to put beyond doubt the rule-making functions of Harness Racing New South Wales under section 10A of the *Harness Racing New South Wales Act 1977*. The amendment restores words omitted in the restatement of the existing rule-making functions by the *Harness Racing New South Wales Amendment Act 1998*. The express reference to these words removes an argument (based on section 27 (2) of the Act) that no rules can be made under the Act despite the extensive powers to make rules conferred by the Act.

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 commences on the date of assent.

Clause 3 amends the *Harness Racing New South Wales Act 1977* in the manner described above.

Clause 4 validates certain rules.

First print

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A Bill for

An Act to amend the *Harness Racing New South Wales Act 1977* to put beyond doubt the power of Harness Racing New South Wales to make rules.

The Legislature of New South Wales enacts:

1   Name of Act

This Act is the *Harness Racing New South Wales Amendment (Rules) Act 2001*.

2   Commencement

This Act commences on the date of assent.

3   Amendment of Harness Racing New South Wales Act 1977 No 57

The *Harness Racing New South Wales Act 1977* is amended by inserting "(section 27 (2) excepted)" after "Act" in section 10A (2).

4   Validation of rules

Any rule made under section 10A of the *Harness Racing New South Wales Act 1977* after 1 January 1999 that could validly have been made had the amendment made by this Act been in force when it was made is taken always to have been validly made.