



New South Wales

Greyhound Racing Prohibition Bill 2016

Explanatory note

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

Overview of Bill

The object of this Bill is to close the greyhound racing industry in New South Wales on 1 July 2017 (the *greyhound racing closure date*). For that purpose, the Bill:

- (a) authorises the Minister to appoint a Greyhound Racing Administrator to wind up greyhound racing in New South Wales and the affairs of Greyhound Racing NSW, and
- (b) enables greyhound racing to continue until the greyhound racing closure date, and
- (c) makes provision for the welfare of greyhounds affected by the closure of greyhound racing, and
- (d) provides for the repeal of the *Greyhound Racing Act 2009* and the dissolution of Greyhound Racing NSW on a proclaimed date after the greyhound racing closure date.

Outline of provisions

Part 1 Preliminary

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

Clause 2 provides for the commencement of the proposed Act.

Clause 3 defines certain words and expressions used in the proposed Act.

Part 2 Greyhound Racing Administrator

Clause 4 authorises the Minister to appoint an individual as the Greyhound Racing Administrator (the *Administrator*).

Clause 5 authorises the Administrator to wind up greyhound racing in New South Wales and the affairs of Greyhound Racing NSW.

Clause 6 terminates the appointment of:

- (a) the members of Greyhound Racing NSW, and
- (b) the chief executive officer of Greyhound Racing NSW,

and allows the Administrator to manage the affairs of Greyhound Racing NSW until its dissolution.

Clause 7 provides for the amendment of the *Greyhound Racing Act 2009*, on the appointment of the Administrator, as set out in Schedule 1 to the proposed Act.

Clause 8 enables the Minister to determine the remuneration and other conditions of appointment of the Administrator.

Clause 9 enables the Minister to remove the Administrator from office.

Clause 10 excludes the Administrator from personal liability and attaches that liability instead to Greyhound Racing NSW or (after its dissolution) to the Crown.

Part 3 Transition before closure of greyhound racing

Clause 11 requires the Administrator to facilitate the continued operation of greyhound racing until the greyhound racing closure date.

Clause 12 requires the Administrator to prepare a draft business plan for the winding up of greyhound racing and the affairs of Greyhound Racing NSW and to provide it to the Minister for approval. The Minister may approve the plan with or without modifications and may approve subsequent changes to the plan. The Administrator is to make the approved business plan available to the public.

Clause 13 enables certain provisions of the *Corporations Act 2001* of the Commonwealth to be applied to the winding up of Greyhound Racing NSW.

Part 4 Closure of greyhound racing

Clause 14 prohibits on and after the greyhound racing closure date:

- (a) greyhound racing and training in NSW, and
- (b) betting on greyhound racing in NSW.

Clause 15 terminates greyhound racecourse licences and the registration of greyhound racing clubs and trial tracks on the greyhound racing closure date.

Clause 16 prohibits the keeping of greyhounds for the purposes of greyhound racing (in or outside New South Wales) on and after the greyhound racing closure date. The regulations may make transitional arrangements for the purposes of this clause or clause 14 in relation to greyhounds that are raced outside New South Wales.

Clause 17 prohibits the breeding of greyhounds for greyhound racing on and from a date fixed by proclamation.

Clause 18 allows for the continuation of certain greyhound investigatory and disciplinary provisions after the greyhound racing closure date to deal with greyhound racing that occurred before that date.

Part 5 Welfare of greyhounds

Clause 19 defines certain words used in the proposed Part.

Clause 20 requires Greyhound Racing NSW to be notified of the transfer of a greyhound to another registered greyhound owner or to a person or body responsible for a greyhound adoption program.

Clause 21 makes it an offence for the owner of a registered greyhound to retire, export or transfer to a person not registered as a greyhound owner, or to destroy (or cause to be destroyed) the greyhound without the consent of Greyhound Racing NSW.

Clause 22 provides for the disqualification or prohibition of any person who contravenes the proposed Part from greyhound racing.

Clause 23 repeals the *Greyhound Racing Regulation 2016* which currently makes provision with respect to the above matters.

Part 6 Repeal of Greyhound Racing Act 2009 and dissolution of Greyhound Racing NSW

Clause 24 repeals the *Greyhound Racing Act 2009* on a date (after the greyhound racing closure date) fixed by proclamation.

Clause 25 provides for the dissolution of Greyhound Racing NSW on the repeal of the *Greyhound Racing Act 2009*.

Clause 26 enables the Administrator to make arrangements for the preparation, auditing and publication of financial statements of Greyhound Racing NSW for the period before its dissolution.

Clause 27 authorises the Minister to require the production of, and to make publicly available, any records of Greyhound Racing NSW. The clause provides for the transfer of the records of Greyhound Racing NSW into the custody of the Department of Justice after the dissolution of Greyhound Racing NSW.

Clause 28 provides for the dissolution of the Greyhound Racing Industry Consultation Group on the greyhound racing closure date.

Part 7 Miscellaneous

Clause 29 provides that compensation is not payable by the State as a result of the enactment and operation of the proposed Act and the exercise of functions under the proposed Act.

Clause 30 allows a court to disqualify a person convicted of an offence under the proposed Act or the regulations from greyhound racing.

Clause 31 provides for proceedings for an offence under the proposed Act or the regulations to be dealt with summarily before the Local Court.

Clause 32 authorises a police officer, or an officer prescribed by the regulations, to issue a penalty notice in relation to an alleged offence against the proposed Act or the regulations that is prescribed as a penalty notice offence.

Clause 33 enables the Governor to make regulations (including regulations of a savings or transitional nature) for the purposes of the proposed Act.

Schedule 1 Amendment of Greyhound Racing Act 2009 No 19 on appointment of Administrator

Schedule 1 makes amendments to the *Greyhound Racing Act 2009* on appointment of the Administrator. In particular, it makes amendments to remove provisions relating to appointed members of Greyhound Racing NSW and its chief executive officer.

Schedule 2 Consequential amendment of other Acts and instruments

Schedule 2 makes consequential amendments to other Acts and instruments specified in the Schedule.