

## RACING APPEALS TRIBUNAL (AMENDMENT) BILL 1989

NEW SOUTH WALES



### EXPLANATORY NOTE

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

The Harness Racing Authority (Amendment) Bill 1989 is cognate with this Bill.

The object of this Bill is to amend the Racing Appeals Tribunal Act 1983—

- (a) to enable a retired judge of any court to be appointed as the Racing Appeals Tribunal; and
- (b) to remove the restriction that prevents a person who is of or above the age of 70 years from being eligible to be appointed as, or from continuing to hold office as, the Tribunal or an assessor.

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**Clause 1** specifies the short title of the proposed Act.

**Clause 2** provides for the proposed Act to commence on assent.

**Clause 3** is a formal provision that gives effect to the Schedule of amendments to the Racing Appeals Tribunal Act 1983.

### SCHEDULE 1—AMENDMENTS

#### Retired judges

Schedule 1 (1) amends the definition of “qualified person” in section 4 (definitions) of the Principal Act to provide that a retired judge of any court (whether or not in New South Wales) may be appointed as the Tribunal or to act as the Tribunal. The definition, as amended, will read as follows:

“qualified person” means a judge of any court in New South Wales, a retired judge of any court (whether or not in New South Wales) or a person qualified to be appointed as a Judge of the District Court;

*Racing Appeals Tribunal (Amendment) 1989*

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**Age restrictions**

Schedule 1 (2) repeals section 9 (age of Tribunal or assessors) of the Principal Act to remove the restriction that a person who is of or above the age of 70 years is not eligible to be appointed as, or to act as, the Tribunal or to be appointed as an assessor (that is a person who is appointed to assist and advise the Tribunal).

Schedule 1 (3) (b) repeals section 13 (2) (f) of the Principal Act which provides that a person holding office as the Tribunal or as an assessor vacates office on reaching the age of 70 years.

Schedule 1 (3) (a) is a minor consequential amendment.

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# RACING APPEALS TRIBUNAL (AMENDMENT) BILL 1989

NEW SOUTH WALES



## TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Racing Appeals Tribunal Act 1983 No. 199

SCHEDULE 1—AMENDMENTS

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**HARNESS RACING AUTHORITY (AMENDMENT) BILL  
1989**

NEW SOUTH WALES



**EXPLANATORY NOTE**

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

This Bill is cognate with the Racing Appeals Tribunal (Amendment) Bill 1989.

The object of this Bill is to amend the Harness Racing Authority Act 1977—

- (a) to enable a retired judge of any court to be appointed as the Harness Racing Appeals Tribunal; and
- (b) to remove the restriction that prevents a person who is of or above the age of 70 years from being eligible to be appointed as, or from continuing to hold office as, the Tribunal or an assessor.

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**Clause 1** specifies the short title of the proposed Act.

**Clause 2** provides for the proposed Act to commence on assent.

**Clause 3** is a formal provision that gives effect to the Schedule of amendments to the Harness Racing Authority Act 1977.

**SCHEDULE 1—AMENDMENTS**

**Retired judges**

Schedule 1 (1) amends the definition of “qualified person” in section 17A (provisions relating to the Tribunal) of the Principal Act to provide that a retired judge of any court (whether or not in New South Wales) may be appointed as the Tribunal or to act as the Tribunal. The definition, as amended, will read as follows:

“qualified person” means a judge of any court in New South Wales, a retired judge of any court (whether or not in New South Wales) or a person qualified to be appointed as a Judge of the District Court.

*Harness Racing Authority (Amendment) 1989*

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**Age restrictions**

Schedule 1 (2) (a) repeals clause 1 (age of Tribunal or assessors) of Schedule 4 to the Principal Act to remove the restriction that a person who is of or above the age of 70 years is not eligible to be appointed as, or to act as, the Tribunal or to be appointed as an assessor (that is a person who is appointed to assist and advise the Tribunal).

Schedule 1 (2) (c) repeals clause 5 (2) (f) of Schedule 4 to the Principal Act which provides that a person holding office as the Tribunal or as an assessor vacates office on reaching the age of 70 years.

Schedule 1 (2) (b) is a minor consequential amendment.

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# HARNESS RACING AUTHORITY (AMENDMENT) BILL 1989

NEW SOUTH WALES



## TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Harness Racing Authority Act 1977 No. 57

SCHEDULE 1—AMENDMENTS

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**HARNESS RACING AUTHORITY (AMENDMENT) BILL  
1989**

NEW SOUTH WALES



No. , 1989

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**A BILL FOR**

An Act to amend the Harness Racing Authority Act 1977 with respect to the appointment of qualified persons as the Harness Racing Appeals Tribunal or as assessors.

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*Harness Racing Authority (Amendment) 1989***The Legislature of New South Wales enacts:****Short title**

1. This Act may be cited as the Harness Racing Authority (Amendment) Act 1989.

**5 Commencement**

2. This Act commences on the date of assent.

**Amendment of Harness Racing Authority Act 1977 No. 57**

3. The Harness Racing Authority Act 1977 is amended as set out in Schedule 1.

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**SCHEDULE 1—AMENDMENTS**

(Sec. 3)

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**(1) Section 17A (Provisions relating to Tribunal)—**

Section 17A (1), definition of “qualified person”—

After “any court”, insert “in New South Wales, a retired judge of any court (whether or not in New South Wales)”.

**(2) Schedule 4 (Provisions relating to the Tribunal)—****(a) Clause 1 (Age of Tribunal or assessors)—**

Omit the clause.

**(b) Clause 5 (2) (e)—**

After “Minister;”, insert “or”.

**(c) Clause 5 (2) (f)—**

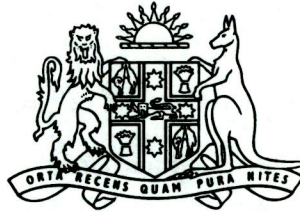
Omit the paragraph.





# RACING APPEALS TRIBUNAL (AMENDMENT) BILL 1989

NEW SOUTH WALES



No. , 1989

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## A BILL FOR

An Act to amend the Racing Appeals Tribunal Act 1983 with respect to the appointment of qualified persons as the Racing Appeals Tribunal or as assessors.

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See also Harness Racing Authority (Amendment) Bill 1989.

*Racing Appeals Tribunal (Amendment) 1989*

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**The Legislature of New South Wales enacts:**

**Short title**

1. This Act may be cited as the Racing Appeals Tribunal (Amendment) Act 1989.

**5 Commencement**

2. This Act commences on the date of assent.

**Amendment of Racing Appeals Tribunal Act 1983 No. 199**

3. The Racing Appeals Tribunal Act 1983 is amended as set out in Schedule 1.

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**SCHEDULE 1—AMENDMENTS**

(Sec. 3)

(1) Section 4 (**Definitions**)—

Section 4 (1), definition of “qualified person”—

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After “any court”, insert “in New South Wales, a retired judge of any court (whether or not in New South Wales)”.

(2) Section 9 (**Age of Tribunal or assessors**)—

Omit the section.

(3) Section 13 (**Vacation of office**)—

(a) Section 13 (2) (e)—

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After “Minister;”, insert “or”.

(b) Section 13 (2) (f)—

Omit the paragraph.

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**RACING APPEALS TRIBUNAL (AMENDMENT) ACT 1989**  
**No. 59**

NEW SOUTH WALES



**TABLE OF PROVISIONS**

1. Short title
2. Commencement
3. Amendment of Racing Appeals Tribunal Act 1983 No. 199

**SCHEDULE 1—AMENDMENTS**

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**RACING APPEALS TRIBUNAL (AMENDMENT) ACT 1989 No. 59**

NEW SOUTH WALES



**Act No. 59, 1989**

An Act to amend the Racing Appeals Tribunal Act 1983 with respect to the appointment of qualified persons as the Racing Appeals Tribunal or as assessors. [Assented to 22 May 1989]

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See also Harness Racing Authority (Amendment) Act 1989.

*Racing Appeals Tribunal (Amendment) 1989*

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**The Legislature of New South Wales enacts:**

**Short title**

1. This Act may be cited as the Racing Appeals Tribunal (Amendment) Act 1989.

**Commencement**

2. This Act commences on the date of assent.

**Amendment of Racing Appeals Tribunal Act 1983 No. 199**

3. The Racing Appeals Tribunal Act 1983 is amended as set out in Schedule 1.

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**SCHEDULE 1—AMENDMENTS**

(Sec. 3)

(1) Section 4 (**Definitions**)—

Section 4 (1), definition of “qualified person”—

After “any court”, insert “in New South Wales, a retired judge of any court (whether or not in New South Wales)”.

(2) Section 9 (**Age of Tribunal or assessors**)—

Omit the section.

(3) Section 13 (**Vacation of office**)—

(a) Section 13 (2) (e)—

After “Minister;”, insert “or”.

(b) Section 13 (2) (f)—

Omit the paragraph.

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[*Minister's second reading speech made in—  
Legislative Council on 3 May 1989  
Legislative Assembly on 10 May 1989*]