



## ANALYSIS

Title  
1. Short Title

2. No licences in respect of certain days  
3. Allocation of licences  
4. Transitional provisions

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1989, No. 62

**An Act to amend the Racing Act 1971**

[17 August 1989]

BE IT ENACTED by the Parliament of New Zealand as follows:

**1. Short Title**—This Act may be cited as the Racing Amendment Act 1989, and shall be read together with and deemed part of the Racing Act 1971 (hereinafter referred to as the principal Act).

**2. No licences in respect of certain days**—(1) The principal Act is hereby amended by repealing section 35, and substituting the following section:

“35. (1) No totalisator licence or equalisator licence shall be granted in respect of races held on a Sunday, Christmas Day, Good Friday, or before 1 p.m. on Anzac Day.

“(2) No restricted totalisator licence shall be granted in respect of races held on Easter Sunday, Christmas Day, Good Friday, or before 1 p.m. on Anzac Day.

“(3) The maximum number of restricted totalisator licences which may be granted in respect of races held on Sundays in any racing year shall be fixed from time to time by the Governor-General by Order in Council on the advice of the Minister given after consultation with the Authority.”

(2) Section 7 of the Racing Amendment Act 1983 is hereby consequentially repealed.

**3. Allocation of licences**—(1) Section 37 of the principal Act (as substituted by section 9 (1) of the Racing Amendment

Act 1988) is hereby amended by repealing subsections (3) and (4), and substituting the following subsections:

“(3) Of the combined number of the licences which may be granted in any racing year under subsections (1) and (2) of this section, the Authority shall decide—

“(a) How many are to be totalisator licences and how many are to be restricted totalisator licences; and

“(b) Subject to section 35 (3) of this Act, how many restricted totalisator licences are to be granted in respect of races held on a Sunday.

“(4) Not later than the last day of February in every year, the Authority, in respect of the next succeeding racing year, shall notify the Executive Committee of the Racing Conference, the Executive of the Trotting Conference, the Executive of the Greyhound Racing Association, and the Secretary of—

“(a) The number of totalisator licences and the number of restricted totalisator licences fixed under subsection (3) of this section:

“(b) The number of each of those types of licences which may be granted in respect of races held otherwise than on a Sunday to galloping clubs, hunt clubs, trotting clubs, and greyhound racing clubs:

“(c) The number of restricted totalisator licences which may be granted in respect of races held on a Sunday to galloping clubs, hunt clubs, trotting clubs, and greyhound racing clubs:

“(d) Those licences (if any) to which should be attached conditions relating to the type or class of racing programme and to the stake levels of races to be run at the race meetings to which the licences apply.”

(2) The said section 37 (as so substituted) is hereby amended by inserting, after subsection (15A), the following subsection:

“(15B) Every restricted totalisator licence granted in respect of races to be held on a Sunday shall also be subject to the following conditions:

“(a) That the race meeting shall not commence before 1 p.m.; and

“(b) That the total duration of the race meeting shall not exceed 4½ hours.”

**4. Transitional provisions—**(1) This section shall apply only in respect of the racing year commencing on the 1st day of August 1989.

(2) As soon as practicable after the coming into force of the first Order in Council made under section 35 (3) of the principal

Act (as enacted by section 2 (1) of this Act), the Authority shall determine how many of the total number of restricted totalisator licences which it has determined may be granted in respect of the racing year commencing on the 1st day of August 1989 may be granted in respect of races held on a Sunday to galloping clubs, hunt clubs, trotting clubs, and greyhound racing clubs, and give notification of that determination to—

- (a) The Executive Committee of the Racing Conference;
- (b) The Executive of the Trotting Conference;
- (c) The Executive of the Greyhound Racing Association; and
- (d) The Secretary.

(3) As soon as practicable after receiving notification under subsection (2) of this section, the Executive Committee of the Racing Conference, the Executive of the Trotting Conference, and the Executive of the Greyhound Racing Association shall, in accordance with that notification, provisionally allocate licences to individual racing clubs under their jurisdiction and notify the Authority of—

- (a) The individual racing clubs to which it is proposed to allocate licences and the number to be allocated to each club;
- (b) The proposed date on which each licence will operate;
- (c) If known, the date on which each licence was to have operated; and
- (d) The name of the racecourse in respect of which each licence will apply.

(4) As soon as practicable the Authority shall consider each notification given to it under subsection (3) of this section and may—

- (a) Approve the matters set out in the notification unconditionally; or
- (b) After consultation with the Executive Committee or Executive concerned, approve those matters subject to such amendments as the Authority considers necessary or desirable.

(5) As soon as practicable after making a decision under subsection (4) of this section the Authority shall notify the Executive Committee or Executive concerned of that decision.

(6) Subject to the provisions of this section, section 37 of the principal Act, with the necessary modifications, shall apply in respect of the allocation of restricted totalisator licences under this section.