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A New Management Framework for the Queensland Racing Industry: The Racing Bill 2002 (Qld)

The Racing Bill 2002 (Qld) will repeal the Racing and Betting Act 1980 (Qld) to provide a modern legislative framework for the management and regulation of the Queensland racing industry by the control bodies for the various codes of racing. The new legislation intends to maintain public confidence in the industry by ensuring the integrity of all persons involved in it and the welfare of the animals involved. In particular, persons associated with the management and ownership of the control bodies must undergo probity and criminal history checks.

This Brief focuses upon some of those measures in the Bill aimed at ensuring the probity and integrity of racing, particularly those provisions concerning the licensing of control bodies; the control bodies' regulatory responsibilities regarding the licensing of clubs, participants, animals and venues; and those which seek to raise the standard of accountability of the control bodies' decision making processes.

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1 INTRODUCTION

The [Racing Bill 2002 \(Qld\)](#) represents a major overhaul of the legislation covering the racing industry in Queensland. The *Racing and Betting Act 1980* (Qld) will be substantially repealed but some provisions within that Act are to be incorporated into the new Bill. The Bill seeks to –

- maintain public confidence in the racing of animals in Queensland for which betting is lawful (and will not apply to racing where no betting is involved);
- ensure the integrity of all persons involved with racing or betting;
- safeguard the welfare of all animals involved in racing; and
- meet National Competition Policy obligations by removing legislative restrictions on competition that cannot be justified in the public interest (eg advertising restrictions on bookmakers).

The National Competition Policy Review of the *Racing and Betting Act 1980* resulted in the following key recommendations:

- the repeal of the *Racing and Betting Act 1980*;
- the continuance of a regulatory regime for ensuring and enhancing the integrity and public confidence in the racing industry; and
- allow proprietary racing¹ and bookmaker advertising.²

Ministerial Governance Reviews of the three codes of racing were undertaken during 2001, resulting in the following proposals:

- that control bodies of racing should be structured as companies under the *Corporations Act 2001* with the directors being answerable to the Australian Securities and Investment Commission;
- that the restructuring of thoroughbred racing be implemented in a two-stage process. The first stage would be the establishment of the Queensland Thoroughbred Racing Board to be headed by five independent non-executive

¹ Proprietary racing existed in Queensland until a prohibition was placed on it with the passing of the *Racing and Betting Act 1954*.(s32)

² Queensland. Department of Tourism, Racing and Fair Trading, *Overview of the Racing Bill 2002*, <http://www.dtr.qld.gov.au/racing/racing.asp#partners>. Downloaded 11 October 2002, p 1; ‘National Competition Policy Review of the *Racing and Betting Act 1980*’, *Report*, November 2000.

directors. The second stage would include the creation of a company model to be considered by government by no later than October 2003; and

- that both the Queensland Harness Racing Board and the Greyhound Racing Authority be restructured in a similar manner.³

When introducing the Bill, on 17 September 2002, the Minister for Tourism and Racing and Minister for Fair Trading, the Hon Merri Rose MP, said:

*This Bill provides a legislative framework which eliminates the dead hand of bureaucracy which has held back innovation and flexibility in the industry...*⁴

The Bill addresses the issues arising from the Reviews outlined above while ensuring that the Government maintains a role of protecting the interests of the public and racing industry participants through the measures that are proposed in the new provisions.

2 QUEENSLAND RACING INDUSTRY

A recent report of an independent panel reviewing jump racing in Victoria described the environment confronting thoroughbred racing in that State as indicative of the plight of the industry right across Australia:

*There are many challenges facing the thoroughbred racing industry. Close scrutiny from government and the general community, competition from gaming and other forms of leisure and entertainment together with declining attendances.*⁵

The horse racing industry was once the mainstay of the gambling industry within Queensland. Racing is Queensland's fourth largest industry, providing employment for approximately 24,000 people but it is viewed as being far less successful than the racing industry in other States such as Victoria and New South Wales, where more income is generated and larger prize money is offered.⁶

In terms of turnover, horse racing has gradually surrendered its position to other forms of gambling. By its very nature, the industry offers a form of gambling for some whilst

³ *Overview of the Racing Bill 2002*; see also Queensland Department of Tourism, Racing and Fair Trading, Ministerial Review of the Governance Structure of the Thoroughbred Racing Code in Queensland; *Discussion Paper*, 2001.

⁴ Hon M Rose MP, Minister for Tourism and Racing and Minister for Fair Trading, Racing Bill 2002 (Qld), *Queensland Parliamentary Debates*, 17 September 2002, pp 3525-3526, p 3526.

⁵ Victoria. *Report of the Independent Panel Appointed by Racing Victoria Limited to Review Jump Racing in the State of Victoria*. August 2002, p 1.

⁶ Matthew Franklin, 'Racing Industry Badly Handicapped', *Courier Mail*, 29 September 2002, p 3.

representing employment for others. The availability of off-course betting in its various forms has made it much harder to attract patrons, though it is the turnstiles at race meetings that are essential to the fortunes of the industry. This comment is equally relevant to each of the three codes of racing in Queensland – thoroughbred racing, harness racing and greyhound racing.

The existing racing control bodies are the Queensland Thoroughbred Racing Board (known as Queensland Racing from 17 October 2002); the Queensland Harness Racing Board; and the Greyhound Racing Association, each responsible for regulating and managing their particular codes of racing (eg licensing of racing clubs, participants, animals, and venues).

The industry has to contend with the operation of essential facilities that cater to the interests of the diverse stakeholders – punters, owners, trainers, jockeys, drivers and bookmakers. Racing clubs also need to make available facilities for the televising of race meetings for both public broadcasting and internal adjudicating purposes, as well as radio broadcasting. These facilities require an ongoing commitment to maintenance year after year from the respective racing clubs.



Doomben Racecourse



Ipswich Turf Club



Sunshine Coast Turf Club

Source: <http://www.qldwinterracing.com.au/photogallery/photogallery.shtml>

Whilst the provision of facilities for broadcasting is costly for clubs, such a service is simply necessary. The federal House of Representatives Standing Committee on Communications, Transport and the Arts accepted, for the purpose of its Inquiry, that between 12% and 20% of the regional population was interested in racing.⁷

Thoroughbred race meetings are said to have (in 1999) an attendance rate of 11.8%, second only to Australian Rules at 16.8% but more than motor sports at 10.6%, Rugby League at 10.1%, Cricket at 6.3%, Soccer at 4.2%, Harness Racing at 3.6%, Basketball at 3.5%, Rugby Union at 3% and Tennis at 3%.⁸

⁷ Australia. House of Representatives Standing Committee on Communications, Transport and the Arts, *Regional Radio Racing Services*, June 2000, p 13, [2.17]. At <http://www.aph.gov.au/house/committee/cita/radioracing/contents.htm>

⁸ House of Representatives Standing Committee on Communications, Transport and the Arts, *Regional Radio Racing Services*, p 13, citing Australian Bureau of Statistics, *Sport Attendance Australia*, April 1999, Cat No 4174.0.

The House of Representatives Committee was critical of the decision of the Australian Broadcasting Commission to discontinue its regional radio racing service. In Queensland this service is now provided by radio stations that TAB Queensland (TABQ) provides with cash, equipment and free access to its race broadcasting service. This is in addition to its full ownership of Radio 4IP, which can be received via satellite anywhere in Australia.⁹



Aerial View of the Gold Coast Turf Club

Source: <http://www.goldcoastturf.com.au/index.html>

2.1 CUTBACKS TO RACE MEETINGS

It was recently announced that the number of race meetings to be conducted in Cairns during 2003 would be halved from 28 to 14. This announcement has raised concerns that other clubs in north Queensland will also follow down the same path. In response to such fears, the issue of establishing a combined north Queensland racing association has been raised. The view is that a single association could more efficiently run race meetings than the number of existing local clubs. Greater efficiency in administration would flow through to higher levels of prize money which is seen as essential for the survival of the industry in the north of the State.¹⁰

The Queensland Thoroughbred Racing Board (the control body for thoroughbred racing in Queensland) has announced proposed reforms to the racing industry, including cuts to the number of race meetings across the State, with effect from 2003. The Board's chairman, Bob Bentley, stated that the current number of meetings was unsustainable and that reductions were needed to ensure viability of the industry. Mr Bentley commented that Queensland was falling behind other states as clubs lost money and patrons.¹¹

⁹ House of Representatives Standing Committee on Communications, Transport and the Arts, *Regional Radio Racing Services*, p 20 [2.50-2.51].

¹⁰ 'Combined North Queensland Racing Association mooted', *ABC News Online – Queensland Regional*, 30 September 2002.

¹¹ Rosemary Odgers, 'Track reform a starter next year', *Courier Mail*, 18 October 2002, p 12.

The Queensland Opposition racing spokesman, Mr Howard Hobbs MP, is reported to have said that the industry feared closure of up to a third of Queensland's race clubs, particularly those in country areas. In many cases, those country race clubs provide one of the major social and economic contributors to dozens of rural and regional communities.¹²

2.2 ANNUAL RACE MEETING AT EMERALD

The Emerald 100 race meeting has been held annually since 1965. The 2002 meeting was held on Saturday 12 October. It offered \$37,500 in prize money, spread over six races. It is typical of race meetings that are held throughout the State by country race clubs. It represents more than just a race meeting. It is a major social event for the locals with other activities organised for Emerald around the race meeting itself.¹³ The race card was expected to attract in excess of 3000 patrons with post-race entertainment continuing until 9.30pm.

2.3 PROPOSALS FOR THE MAJOR BRISBANE CLUBS

The Queensland Thoroughbred Racing Board engaged a consultant to outline options for cost efficiencies for the two Brisbane clubs – the Brisbane Turf Club (which operates the Doomben course) and the Queensland Turf Club (which operates the Eagle Farm course). One option identified by the consultant was the sale of both race venues for the development of the valuable land that they occupy and the establishment of a new venue at another location that would cater for the race meetings run by both clubs. Another option mooted was the sale of one venue with the sale proceeds being used to upgrade the facilities at the remaining venue.¹⁴

The initial reaction of the chairman of the Brisbane Turf Club (BTC) was that the Doomben venue should not be sold. He did, however, agree that the racing industry in Queensland was struggling with the level of prize money that was being offered, making racing almost unsustainable for owners and trainers.

The chairman of the Queensland Turf Club (QTC) also stated that its members were opposed to the sale of its venue – Eagle Farm. He further added that an amalgamation of

¹² Rosemary Odgers, 'Track reform a starter next year'.

¹³ Monica Lambley, 'Off and racing in the Emerald 100', *Central Queensland News*, 11 October 2002, p 2.

¹⁴ Matthew Franklin, 'Racing Industry Badly Handicapped'.

both clubs was possible, provided both venues were left operating as in the past.¹⁵ The outcome should be known in early 2003.

3 RECENT REVIEWS OF THE INDUSTRY IN QUEENSLAND

The racing industry has been the subject of a number of different reviews in recent years:

- Green Paper on the Development of the Racing Industry in Queensland (October 1990)
- SP Bookmaking and Other Aspects of Criminal Activity in the Racing Industry (November 1990)
- Discussion Paper on the Review of the *Racing and Betting Act 1980* (October 1993)
- National Competition Policy Review of the *Racing and Betting Act 1980* (Issues Paper, April 2000)
- Ministerial Review of the Governance Structure of the Thoroughbred Racing Code in Queensland (Discussion Paper, June 2001).

3.1 QUEENSLAND RACING (FORMERLY QUEENSLAND THOROUGHBRED RACING BOARD)

As a result of the abovementioned Ministerial Review, the Government announced, in December 2001, that the Queensland Principal Club (QPC) would be replaced by an entity known as the Queensland Thoroughbred Racing Board as the control body for Queensland racing. The Minister for Tourism and Racing stated that the QPC had lost the support of the industry and that she considered that the new Board would be free of conflict of interests.

Legislative amendments were then made to allow for the immediate establishment of an interim Board to be chaired by the Executive Director of the Department of Tourism, Racing and Fair Trading until a full Board of five members could be appointed for an initial term in early 2002.¹⁶

The first full Board (to replace the interim Board) was duly appointed on 5 April 2002 from a list of over 200 applicants. In announcing the appointed members, the Minister said:

The establishment of this skills-based board, which was selected on merit, provides an unprecedented opportunity for the industry to leave behind the

¹⁵ Stefanie Balogh, 'Racetrack sale off the rails', *Australian*, 27 September 2002, p 6.

¹⁶ Hon Merri Rose MP, Minister for Tourism and Racing and Minister for Fair Trading, 'QPC to be Replaced by Interim Race Board' *Ministerial Media Statement*, 4 December 2001.

*conflicts and controversies of the past and to take thoroughbred racing into a new and challenging era.*¹⁷

The Minister advised that an objective of the new Board would be to examine and make recommendations about the establishment and structure of a company to govern thoroughbred racing in Queensland which would eventually take over from the Board.¹⁸ There was also an announcement that the Harness Racing and Greyhound Codes would also be headed by a control body having a company structure.¹⁹

At a media briefing attended by the Minister on 17 October 2002, the Board's chairman announced that the Board would now be renamed '[Queensland Racing](#)' and would be putting in place some initiatives to facilitate change in the industry and to improve its efficiency and effectiveness. Among the proposals were plans to review the racing program for both TABQ and non-TABQ racing, a review of industry management and a review and restructure of the Queensland Thoroughbred Investment Scheme (which began in August) to inject more funds into added stakes each year, designed to improve the quality of racing and breeding stock.²⁰

4 SOME PROVISIONS OF THE RACING BILL 2002

The Bill imparts powers and responsibilities to the chief executive concerning:

- probity checks of directors and executive officers and their associates who apply for control body approval;
- the assessment of applications for control body approval for report and recommendation to the Minister; and
- the appointment of officers to be responsible for monitoring and auditing a control body's compliance with the conditions of its approval and with the legislation.

The substantive provisions of the Racing Bill 2002 are contained within Chapters 2 to 8. Chapters 2 and 3 are concerned with the establishment of control bodies and management of the industry by those control bodies. Chapter 4 provides for the establishment of the Racing Animal Welfare and Integrity Board whilst Chapter 5

¹⁷ Hon Merri Rose MP, Minister for Tourism and Racing and Minister for Fair Trading, 'Thoroughbred Racing Board Named', *Ministerial Media Statement*, 30 March 2002.

¹⁸ 'Thoroughbred Racing Board Named', *Ministerial Media Statement*, 30 March 2002.

¹⁹ Hon Merri Rose MP, Minister for Tourism and Racing and Minister for Fair Trading, 'Harness, Greyhound Codes to take Ownership of the Future', *Ministerial Media Statements*, 27 June 2002.

²⁰ Queensland Racing, 'Queensland Racing outlines platform for change', Media Release, 17 October 2002, <http://www.racingqueensland.com.au> Downloaded 18 October 2002.

establishes the Racing Appeal Tribunal. Chapter 6 concerns the rights and obligations of racing bookmakers. Chapter 7 covers the appointment and the powers of authorised officers under the Bill. Chapter 8 lists the different offences and penalties applicable under the provisions of the Bill.

4.1 CONTROL BODIES

Clause 10 provides that ‘eligible corporations’ may make application to the Minister for approval to be the control body for an existing code of racing (eg thoroughbred racing) or a proposed code of racing. **Clause 8** provides that for a corporation to be an **eligible corporation** it must be registered under the *Corporations Act*. The corporation must have a constitution that accords with the requirements of that Act and provides for at least three Directors. Any executive officers employed by the corporation must satisfy the criteria of ‘eligible individuals’. **Clause 9** lists the seven criteria that must be satisfied in order for individuals to be ‘**eligible individuals**’. They must:

- not be bankrupt;
- have not previously been convicted of an offence (whether or not a spent conviction) against the repealed *Racing and Betting Act 1980* or the *Racing Act 2002*, or equivalent Act/s of another State; or been convicted of an indictable offence other than an irrelevant spent conviction (ie one that does not involve dishonesty, fraud, stealing, unlawful betting or unlawful bookmaking);
- have not been subjected to exclusion by a control body under the rules of racing (eg warned off a race track);
- not be licensed by, or an executive officer of, a corporation that is licensed by a control body;
- not be a member of a committee of a licensed club or an employee of a licensed club or any association formed to promote the interests of a participant or participants in the code of racing; and
- not be disqualified from managing a corporation under the *Corporations Act*.

4.2 APPLICATIONS FOR CONTROL BODY STATUS

Corporations who qualify as eligible corporations may apply to the Minister for approval to operate as a control body for one or more codes of racing: **clause 10(2)**.

4.3 PROPOSED INDUSTRY DEVELOPMENT AND OPERATING PLANS

Clause 11(1)(a)-(e) provides for administrative matters relating to the filing of an application for approval to operate as a control body. However, **clause 11(1)(f)** provides that applicants for such approval must submit, with their application, a plan or plans relating to the development, operation, and management of the racing code concerned, and a timetable for implementing those plans. This provision will provide an opportunity for the comparison of proposed futures being put forward by applicants – futures that they will be committed to.

The plan(s) must include the applicant’s proposals for policies for stated matters; and proposals for procedures for certain specified issues.

4.3.1 Proposals for Policies

Clause 11(2) requires applicants to put forward proposed policies on a number of industry issues including:

- the control of lawful betting on racing falling within its control;
- the licensing of animals, clubs, participants and venues;
- the provision of training for persons likely to be engaged in activities requiring a licence from it as the control body or to participate in the code without the requirement of a licence;
- the provision of veterinary services that are to be provided at race meetings under its control; and
- the provision of a first level appeals process, where the control body wishes to have appeals from decisions made by the steward of the control body to an appeals committee.

4.3.2 Proposals for Procedures

Clause 11(3) provides that an applicant must include within its proposed industry plans proposals for procedures relating to the allocation of sufficient resources to ensure:

- the welfare of licensed animals; and
- the prevention and management of any practices that may impact adversely on the integrity of the relevant code of racing.

There must also be proposals for identifying the applicant’s way of separating its commercial operations from its regulatory operations and obligations.

Proposed industry development plans that contain policies and procedures must be sufficiently well developed to be capable of being implemented within 18 months after the Minister's approval of the application: **clause 11(4)**.

4.4 ROLES OF THE MINISTER AND CHIEF EXECUTIVE IN THE APPLICATION PROCESS

Applications for control body status received by the Minister will be referred to the chief executive for assessment in accordance with the authority bestowed on the chief executive by the provisions of the Bill.

4.4.1 Advertising and Objections

Clause 13 authorises the chief executive to require all applicants to advertise the lodgement of their application and to provide information about that application in public advertisements to be published in newspapers and/or other publications. Each advertisement is to inform the general public that written objections to the application will be accepted by the chief executive within a specified time, not less than 28 days from the date of the first appearance of the public notice. Under **clause 15(2)** objectors will not be limited to stating the reasons for their objection; they may include conditions that they feel should be attached to any approval that is granted by the Minister.

4.4.2 Decision Making Process

The chief executive will be required, under **clause 18(2)**, to give the Minister a report relating to the approval application. This is a requirement whether there is only one applicant or more than one applicant.

Where more than one application has been received by the Minister and referred to the chief executive, the chief executive will be required (under **clause 17**) to call all applicants to a meeting for the purpose of obtaining a mediated agreement as to which eligible corporation should be approved as the control body.

When a meeting of all applicants fails to agree upon one single corporation that will be recommended to the Minister, the chief executive must prepare, and provide to the Minister, an assessment report relating to each application, covering the matters set out in **clause 19(3)**. **Clause 19(3)(e)** requires the chief executive to make an assessment about the merits of each application compared to the other applications. Additionally, under **clause 19(3)(f)**, the chief executive will be required to recommend to the Minister

which applicant is best qualified and most suitable to be appointed the control body for the particular code of racing.

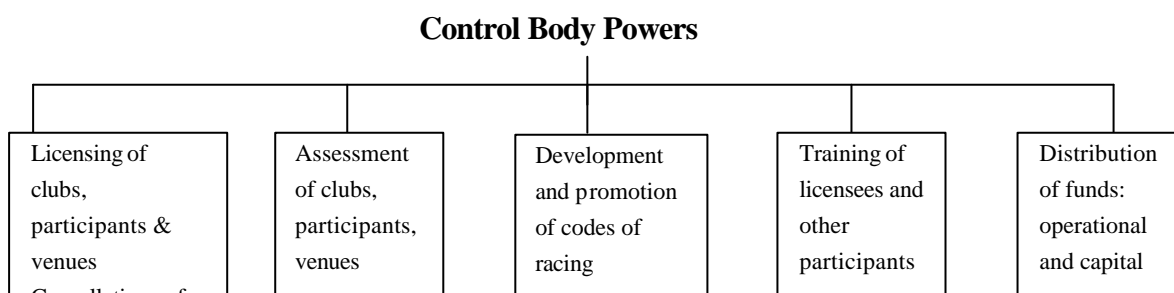
In assessing an application, the chief executive must have regard to matters set out in **clause 20** (eg suitability and reputation). Note that the chief executive has the responsibility for undertaking probity checks of the applicant, and of the applicant’s business and executive associates. These include obtaining fingerprints and criminal histories: **clauses 22-23**.

Clause 24 requires the Minister to consider and decide the applications returned by the chief executive and that are accompanied by an assessment report. The Minister is required by **clause 24(3)** not to grant an application unless the Minister is satisfied that the application has been accompanied by all material under the relevant provisions. **Clause 24 (2)** and **(4)** make it clear that the decision about whether or not an application is granted is to be a decision of the Minister.

An approval granted by the Minister will remain in force for a period of 6 years unless earlier cancelled: **clause 28**.

4.5 POWERS OF CONTROL BODIES FOR CODES OF RACING

The function of a control body is to manage its code of racing: **clause 33**. **Clause 34** lists the powers that a control body will have in relation to its code of racing. These powers can be broadly grouped into the following categories:



These powers are supplemented by the ability of a control body to give a direction to a club (**clause 34(2)**) relating to its operations, and the power to charge reasonable fees for its services (**clause 35**).

4.5.1 Obligations of Control Bodies

A control body will be required to establish internal information systems that will separate its commercial operations for the code of racing from its regulatory operations and to

record its actions under its licensing scheme relating to animals, clubs, participants and venues: **clause 37**.

There will also be an obligation to prepare a racing calendar showing the dates and places at which race meetings are to be held and other pertinent information relating to each race: **clause 38**.

Control bodies will be obliged, under **clause 39**, to establish and implement a program of audit of licensed animals, clubs, participants, and venues as a condition of continuing the licence. This provision also requires the control bodies to furnish a copy of the audit program to the chief executive by 31 December of each year.

The control body will also need to enter into an agreement with an independent, accredited facility for the provision of drug control and scientific services: **clause 40**.

Control bodies will be required, under **clause 41**, to report annually to the chief executive on their plans for managing their particular code of racing for a period of one year starting from the day that **clause 41** commences.

4.6 RELATIONSHIP BETWEEN THE MINISTER AND CONTROL BODIES

Clause 45 authorises the Minister to give a Ministerial Direction to a control body if such a direction is necessary to:

- ensure public confidence in the racing industry; or
- ensure that management is in the interests of the code of racing concerned; or
- ensure the welfare of licensed animals; or
- ensure that the control body is accountable and its decision making processes are transparent; or
- ensure that the control body's rules have sufficient regard to rights and liberties of individuals.

A Ministerial Direction may require a control body to make a new policy or to review an existing policy about a particular matter or matters. It might also direct it to make new rules of racing or review existing rules in accordance with the control body's policies.

Clause 46 obliges the chief executive to prepare and furnish to the Minister a program for auditing the suitability of control bodies to manage the codes of racing. Ministerial approval may be given with or without changes to the program.

Part 4 Division 3 provides for disciplinary action against control bodies. **Clause 52** provides a Ministerial power to take disciplinary action against a control body for its

code of racing on a number of grounds. This must be preceded by a show cause notice which indicates the disciplinary action that the Minister proposes to take, and the grounds for that proposed action. Under **clause 58** the Minister may, depending upon the circumstances, decide to suspend, vary or cancel the approval that was granted to the control body.

Clause 60 authorises the Minister to request that the Auditor-General audit the financial matters of a particular control body. Under this authority the control body concerned is to be taken as having consented to such an audit.

5 CONTINUANCE OF EXISTING RACING ASSOCIATIONS

Clause 61 provides for the continuance of the following racing associations that were established under **s 20** of the *Racing and Betting Act 1980*:

- South-East Queensland Racing Association;
- Downs and South-West Queensland Racing Association;
- North Queensland Racing Association;
- Capricorn Racing Association; and
- Central Western Queensland Racing Association.

The geographical areas covered by the respective Racing Associations are depicted in **Appendix A** to this Research Brief.

Clause 66 provides for the existing Queensland Regional Racing Council (established under **s 34B** of the *Racing and Betting Act 1980*) to be continued. The Council has responsibilities relating to non-TABQ races (ie those where the TABQ does not, or is not likely to, offer wagering), including development of a racing calendar for those races in each region.

The existing power under **s 34C** of the *Racing and Betting Act 1980*, which authorises the Regional Racing Council to develop racing calendars for non-TABQ races, is to be altered. Under **clause 67(1)(c)** the Council will only be able to make recommendations to the thoroughbred control body in relation to racing calendars for non-TABQ races.

The membership of the Regional Racing Council will remain the same with the chairpersons of the respective Racing Associations comprising the Council's membership, except in certain circumstances: **clause 68**.

6 CONTROL BODIES AND THE MANAGEMENT OF CODES OF RACING

6.1 POLICIES OF RACING

Control bodies are to perform their functions by making policies, rules and giving directions. **Clause 79** provides that any such policies and rules made by a control body are to have the force of statutory instruments.

Clause 81 obliges control bodies of codes of racing to establish policies for such issues as:

- safeguarding the public interest in the code;
- its scheme of licensing;
- training of licensees and other participants;
- testing and training of licensed animals;
- lawful betting held on races under the control of the control body;
- decisions that may be made by stewards of the control body;
- first level appeals by licensees against decisions made by stewards of the control body;
- the formation and management of clubs to be licensed by the control body;
- the provision of funding and the allocation of race days to licensed clubs;
- standards required of licensed venues;
- employment of officers by the control body;
- the manner of the holding of races under the code of racing;
- keeping of records about decisions made by the control body;
- welfare of licensed animals; and
- fees that are payable to the control body including those under the licensing scheme.

Clause 84 provides for policies that are made by the respective control bodies to be publicly available for inspection, free of charge. Copies must be made available with or without charge.

6.2 RULES OF RACING

Rules of racing made by the respective control bodies must be consistent with the relevant policies of racing that have been made: **clause 91(4)**. They may only be made by a control body if such rules have been authorised in a policy of racing concerning the matter, unless it is a matter of urgency: **clauses 92-93**.

As with policies, rules of racing are to be made publicly available without fee for inspection, whilst copies must be available with or without fee: **clause 94**.

6.2.1 The Establishment of Appeal Committees

Rules of racing may allow for the establishment of an appeal committee (**clause 96**) to hear appeals against reviewable decisions made by a steward for the control body. Reviewable decisions are those relating to a decision to suspend a licence issued by a control body for a period of not more than three months; or a decision to impose a penalty of at least \$100 but no more than \$2000: **clause 95**. Those are the only decisions that can go to the appeal committee.

Under **clause 97**, only one member of the three members of an appeals committee established by a control body will be required to be a qualified lawyer of at least five years standing. This contrasts with the three members of the existing racing appeals tribunal under the *Racing and Betting Act 1980* who each have to be qualified lawyers with at least five years experience.

If no such committee is established, there is still a right of appeal to the Racing Appeals Tribunal from decisions imposing a penalty of not less than \$250 and the cancellation and suspension of a licence by a control body, as well as a range of other decisions set out in **clause 167**.

7 RACING APPEALS TRIBUNAL

Under **Chapter 5** of the Bill, the Racing Appeals Authority will be renamed the Racing Appeals Tribunal. It will hear appeals from decisions of first level appeal committees (where the control bodies have such in place), control bodies and stewards (see **clause 167**). A range of decisions are excluded from the right of appeal such as racing eligibility of an animal; protest decisions.

Currently, under the *Racing and Betting Act 1980*, there is no specific requirement regarding how the Governor in Council is to choose members of the Racing Appeals Authority. However, **clause 152** now provides that the Minister must publicly advertise,

in a newspaper circulating throughout Queensland, for expressions of interest from persons desirous of being considered for appointment to the three member Tribunal.

Clause 153 provides that a person can be appointed to the Tribunal only if they are a lawyer of at least five years standing. The current prohibition on sitting judges of the District or Supreme Courts from being appointed to the Tribunal under **s 115C** of the *Racing and Betting Act 1980* has not been included.

Under **clause 193**, appeals from the Tribunal to the District Court on questions of law will be allowed - a provision that does not currently exist under the *Racing and Betting Act 1980*.

8 THE RACING ANIMAL WELFARE AND INTEGRITY BOARD

Clause 114 provides for the establishment of the Racing Animal Welfare and Integrity Board (the Board) which will replace the existing Racing Codes Advisory Board. Under **clause 116**, the minimum membership of the Board is three and the maximum is four. All are to be appointed by the Minister for a term not exceeding three years. **Clause 117** provides that membership of the Board will be restricted to persons having qualifications in clinical veterinary practice at a racing venue, or qualifications in analytical chemistry, or in veterinary epidemiology, or in law or judicial process, or biological sciences.

Clause 115 deals with the function of the Board, which is to monitor aspects of the racing industry and to make recommendations to the chief executive about aspects such as:

- the policies of control bodies concerning the welfare of racing animals and other matters affecting the integrity of a code of racing;
- the performance of the functions and the exercise of powers by integrity officers (ie authorised officers who investigate compliance regarding the welfare of animals);
- the quality and range of services for drug control relating to licensed animals; and
- procedures about how specimens and things are taken for analysis.

9 LICENSING OF BOOKMAKERS

The provisions of the *Racing and Betting Act 1980* concerning racing bookmakers are similar to those in the new Bill. However for the first time, **clause 202** provides for the licensing of corporations as bookmakers. Corporations will not be eligible to hold a racing bookmaker's licence unless the executive officer/s of the corporation named in the

licence are also holders of eligibility certificates. The process for obtaining an eligibility certificate also includes probity checks, similar to the process for control body approval.

The cancellation of an eligibility certificate after the issuing of a show cause notice by the gaming executive will also result in that person's bookmaking licence being cancelled: **clause 238(2)**.

Under **clause 251**, a control body will be liable to a maximum fine of \$7,500 if it licences or renews the bookmaking licence of a person or corporation that is not the holder of a policy of insurance or bond indemnifying bettors against default.

10 LEGISLATIVE CHANGES IN VICTORIA

The thoroughbred racing industry in Victoria has, in recent times, undergone legislative changes. The *Racing (Racing Victoria Ltd) Act 2001* established the corporation Racing Victoria Ltd out of the former Victoria Racing Club. It took over the running of the Victorian thoroughbred racing industry from the Victoria Racing Club in August 2001. Racing Victoria Ltd has a joint venture with TABCORP and receives funding from that entity for the management of thoroughbred racing throughout the State.

The Act places emphasis on the appointment of directors who possess a diversity of skills in business, marketing, finance and in the thoroughbred racing industry. The Board of directors not only consists of representatives appointed by five racing clubs (Victoria Racing Club, Victoria Amateur Turf Club, Mooney Valley Racing Club and the Victorian Country Racing Council) but also five directors appointed by an independent panel.

Racing Victoria Ltd acts as the peak representative body for thoroughbred racing in Victoria in its dealings with bodies such as TABCORP and the Australian Racing Board, and is responsible for the national and international marketing of Victorian thoroughbred racing.

The *Racing Acts (Amendment) Act 2002* provides for bookmaking partnerships and for the issuing of bookmaking licences to companies. Partnerships cannot be entered into by bookmakers without the consent of the licensing authority. Companies that are registered under the *Corporations Act* are eligible to apply to the licensing authority for a bookmaking licence.

11 LEGISLATIVE CHANGES IN NEW SOUTH WALES

As in Queensland and Victoria, the respective racing codes in New South Wales are overseen by separate controlling bodies. In the case of the harness and greyhound codes, the Minister has the authority to direct and control the regulatory functions of

Harness Racing NSW and Greyhound Racing Authority (NSW) but this does not extend to commercial decisions or management.

The Thoroughbred Racing Board of NSW is an autonomous body established under the *Thoroughbred Racing Board Act 1996*. Its regulatory and commercial functions include:

- the distribution of TAB funding to racing clubs;
- the licensing of participants and bookmakers; and
- the control of stewarding issues.

Six of the eight Board members are nominated by the industry and the Board has the authority to appoint two additional Board members with relevant expertise on an ‘as needs’ basis.²¹ The Board’s mission is to –

*To provide independent, strong and united leadership in the development and enhancement of the NSW Thoroughbred Racing Industry, which will lead to the maintenance of confidence in the integrity of the industry, improvement in its competitive position and increased financial returns to constituent stakeholders.*²²

As with the other two codes of racing, race meetings are conducted by non-proprietary clubs.

12 CONCLUSION

The racing industry in Queensland finds itself in a more competitive environment in attempting to attract public support. The market of ‘hard core’ punters who regularly attend race meetings has contracted in the face of competition from other forms of readily available gambling.

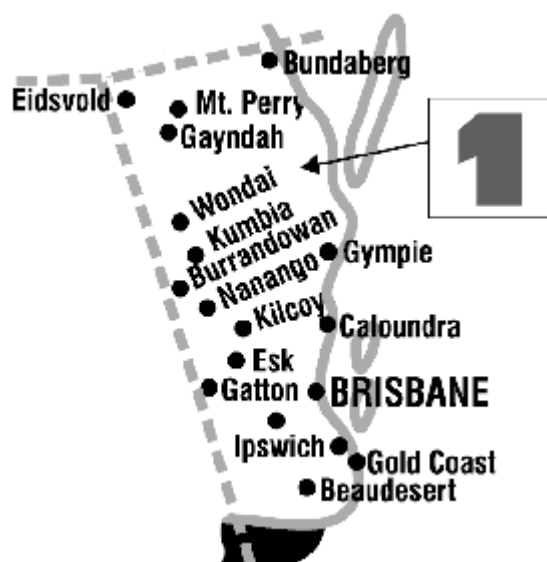
The task of the industry is to devise and act upon innovative ideas and strategies that will attract a greater level of public patronage. This task is as relevant to the codes of harness and greyhound racing as it is to thoroughbred racing.

²¹ New South Wales. Department of Gaming and Racing, ‘Thoroughbred Racing’, <http://www.dgr.nsw.gov.au/HTML/RACING/racing.html> Downloaded 14 October 2002.

²² New South Wales Thoroughbred Racing Board, ‘Mission Statement’, <http://www.racingnsw.com.au/page.asp?parm=trb.main> Downloaded 14 October 2002.

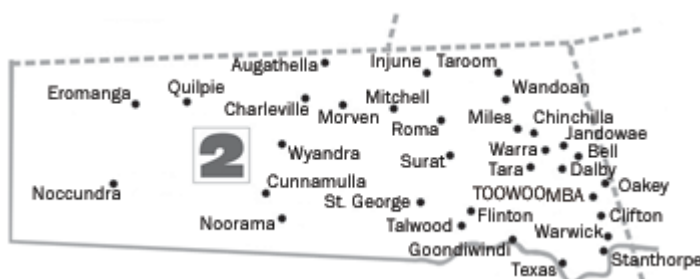
APPENDIX A – GEOGRAPHICAL AREAS OF THE RACING ASSOCIATIONS IN QUEENSLAND DEPICTING THE VARIOUS RACE CLUBS

Race Clubs – South-East Queensland



- [Beaudesert Hibernian Race Club](#)
- [Beaudesert Race Club](#)
- [Brisbane Turf Club](#)
- [Bundaberg Race Club](#)
- [Burrandowan Picnic Race Club](#)
- [Eidsvold Race Club](#)
- [Esk Jockey Club](#)
- [Gayndah Jockey Club](#)
- [Gold Coast Turf Club](#)
- [Gympie Turf Club](#)
- [Ipswich Turf Club](#)
- [Kilcoy Racing Club Inc.](#)
- [Kumbia Race Club](#)
- [Lockyer Race Club](#)
- [Mount Perry Race Club](#)
- [Nanango Race Club](#)
- [Queensland Turf Club Ltd](#)
- [South Burnett Race Club](#)
- [Sunshine Coast Turf Club](#)
- [Tattersall's Racing Club](#)

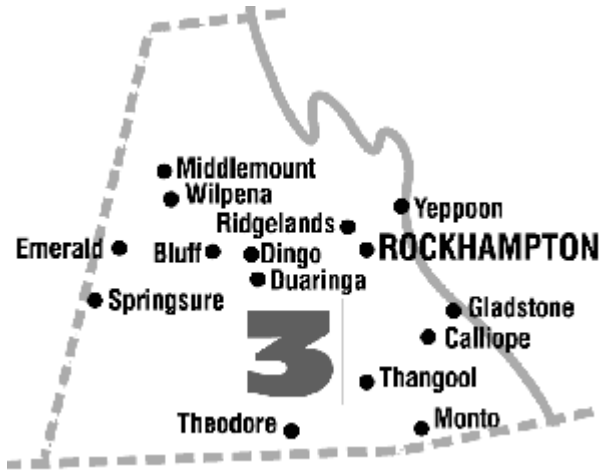
Race Clubs – Downs and South-West Queensland



- [Augathella Race Club](#)
- [Bell Race Club](#)
- [Central Warrego Race Club](#)
- [Chinchilla Race Club](#)
- [Clifton Jockey Club](#)
- [Cunnamulla & District Diggers' Race Club](#)
- [Dalby & Northern Downs Jockey Club](#)
- [Dalby Amateur Picnic Race Club](#)
- [Dawson Jockey Club](#)
- [Eromanga Amateur Race Club](#)
- [Flinton Race Club](#)
- [Maranoa Diggers' Race Club](#)
- [Miles & District Amateur Picnic Race Club](#)

- [Goondiwindi Picnic Race Club](#)
- [Goondiwindi Race Club](#)
- [Injune Race Club](#)
- [Jandowae Race Club](#)
- [Morven Race Club](#)
- [Noccundra Amateur Race Club](#)
- [Noorama Picnic Race Club](#)
- [Oakey & District R.C \(Q\)](#)
- [Quilpie Diggers' Race Club](#)
- [Roma Picnic Race Club](#)
- [Roma Turf Club](#)
- [St George Jockey Club](#)
- [Stanthorpe Jockey Club](#)
- [Surat Diggers' Race Club](#)
- [Talwood Race Club](#)
- [Tara Race Club](#)
- [Texas Jockey Club](#)
- [Toowoomba Turf Club](#)
- [Wandoan Diggers' Race Club](#)
- [Warra Race Club](#)
- [Warwick Picnic Race Club](#)
- [Warwick Turf Club](#)
- [Wyandra Race Club](#)

Race Clubs – Capricornia



- [Bluff-Blackwater Amateur Race Club Inc](#)
- [Calliope Jockey Club](#)
- [Central Queensland Amateur Racing Club](#)
- [Dingo Race Club](#)
- [Duaringa Race Club Inc.](#)
- [Emerald Jockey Club Inc](#)
- [Gladstone Turf Club Inc](#)
- [Lions Club Of Blackwater Race Club](#)
- [Mackenzie River Amateur Picnic Race Club Inc](#)
- [Middlemount Race Club Inc](#)
- [Monto Race Club Inc](#)
- [Ridgelands Race Club Inc](#)
- [Rockhampton Jockey Club Inc](#)
- [Rockhampton St Patrick's Day Race Club](#)
- [Rockhampton Tattersall's Race Club](#)
- [Springsure Jockey Club](#)
- [Springsure St Patrick's Day Race Club](#)
- [Thangool Race Club Inc](#)
- [Theodore Amateur Race Club](#)

Race Clubs – Central-West Queensland



- [Alpha Jockey Club](#)
- [Aramac Racing Club Inc](#)
- [Barcaldine Racing Club Inc](#)
- [Barcoo Amateur Race Club Inc](#)
- [Bedourie Amateur Race Club Inc](#)
- [Betoota Race Club Inc](#)
- [Birdsville Race Club Inc](#)
- [Capella Amateur Race Club Inc](#)
- [Clermont Race Club Inc Ilfracombe Picnic Race Club Inc](#)
- [Isisford Race Club Inc](#)
- [Jericho Picnic Race Club](#)
- [Jundah Race Club Inc](#)
- [Longreach Amateur Race Club](#)
- [Longreach Jockey Club Inc](#)
- [Moranbah Race Club Inc](#)
- [Muttaborra Amateur Turf Club Inc](#)
- [Peak Downs Amateur Race Club Inc](#)
- [Stonehenge Amateur Race Club](#)
- [Tambo & District Race Club Inc](#)
- [Twin Hills Race Club Inc](#)
- [Windorah Amateur Race Club Inc](#)
- [Yaraka Amateur Race Club Inc](#)

Race Clubs – North Queensland



- [Corfield Amateur Race Club](#)
- [Einaseigh Race club](#)
- [Ewan Amateur Turf Club](#)
- [Far North Queensland Amateur Turf Club](#)
- [Georgetown Turf Club](#)
- [Gordonvale Turf Club](#)
- [Gregory Downs Jockey Club](#)
- [Herbert River Jockey Club](#)
- [Hughenden Diggers Race Club](#)
- [Hughenden Jockey Club](#)
- [Innisfail Turf Club](#)
- [Julia Creek Turf Club](#)
- [Laura Amateur Turf Club](#)
- [Mackay Amateur Race Club](#)
- [Mackay Diggers' Race Club](#)
- [Mackay Turf Club](#)
- [Mareeba Turf Club](#)
- [Maxwelton Race Club](#)
- [McKinlay Race Club](#)
- [Mingela Amateur Race Club](#)
- [Mount Isa Race Club](#)
- [Mt Garnet Amateur Turf Club](#)
- [Normanton Race Club](#)
- [North Gregory Turf Club](#)
- [North Queensland Amateur Turf Club](#)
- [Oak Park Amateur Picnic Race Club](#)
- [Oakley Amateur Picnic Race Club](#)
- [Pentland Race Club](#)
- [Prairie Jockey Club](#)
- [Richmond Turf Club](#)
- [Sedan Dip Race Club](#)
- [Stamford Race Club](#)
- [Tower Hill Picnic Amateur Race Club](#)
- [Towers Jockey Club](#)
- [Townsville Turf Club](#)
- [Western Picnic Race Club](#)
- [Atherton Turf Club](#)
- [Boullia Turf Club](#)
- [Bowen River Turf Club](#)
- [Bowen Turf Club](#)
- [Burdekin Race Club](#)
- [Burketown Turf Club](#)
- [Cairns Jockey Club](#)
- [Camooweal Jockey Club](#)
- [Charters Towers Amateur Race Club](#)
- [Chillagoe Turf Club](#)
- [Cloncurry & District Race Club](#)
- [Coen Amateur Turf Club](#)
- [Collinsville & District Turf Club](#)
- [Cooktown Amateur Turf Club](#)

Source: <http://www.qpc.org.au/raceclubs/raceclubs.asp>

APPENDIX B – MINISTERIAL MEDIA STATEMENTS

Hon Merri Rose MP, Minister for Tourism and Racing and Minister for Fair Trading

17 October 2002

Racing Bill 2002

Racing Act Modernises Industry – Second Reading Speech

Mr Speaker,

I move that the Bill be now read a second time.

The purpose of this Bill is to repeal the Racing and Betting Act 1980 and provide a modern legislative framework for the management and regulation of the Queensland racing industry.

The key objective is to maintain public confidence in the racing of animals on which betting is lawful by ensuring the integrity of all persons involved in the racing or betting and the welfare of all animals involved.

The Bill implements the recommendations of the National Competition Policy Review of the Racing and Betting Act 1980 by:

- providing an opportunity for new codes of racing to be approved;
- removes the prohibition of proprietary racing;
- and removes advertising restrictions on racing bookmakers.

Since the privatisation of the TABQ in 1999, government involvement in the management of the industry – at the behest of those in the industry – has devolved to the industry.

This Bill places greater emphasis on government's role to ensure the probity and integrity of racing.

The responsibility for the management of the industry rests in the rightful place - with the industry control bodies.

This Bill regulates the racing of animals upon which betting is permitted.

Any use of animals where no betting is permitted does not come within the ambit of this Bill.

The Bill focuses on a control body's regulatory responsibilities to provide a fair, independent and equitable regulatory environment to optimise commercial activities and outcomes of the Queensland racing industry.

The industry control bodies will be responsible and accountable for regulating and managing codes of racing, including the licensing of clubs, participants, animals and venues.

An open and transparent system for the licensing of control bodies for codes of racing in Queensland is established by the Bill.

A corporation established under the Corporations Act 2001 and which meets criteria specified in the Bill may apply for approval to be a control body for a code of racing.

The Bill provides that only a corporation established under the Corporations Act can apply for a control body approval. Persons associated with the management and ownership of a control body will be required to undergo stringent probity, criminal history and background checks, similar to those conducted on the persons who were appointed to the QTRB.

To allow adjustment to change, the existing control bodies for thoroughbred, harness and greyhound codes can continue as statutory authorities for up to three years. During this time they may form corporations and then apply for a control body approval.

The aim of this Bill is to raise the standard of accountability and transparency of control bodies' decision making processes.

It requires a control body to make policies and rules publicly available and to undertake consultation, when relevant, with affected stakeholders, serving to encourage integrated decision-making and result in better leadership of the industry.

There has been a painful and traumatic process for the racing industry to adapt to a changing and highly competitive environment in the entertainment and leisure market place.

The process has not been helped by a legislative framework which was based on the social, and cultural and business agendas of the 1940s and 50s.

The Racing and Betting Act 1980 has been amended many times over the past 20 years and is no longer appropriate legislation for the industry, the government or the community.

This Bill provides a legislative framework which eliminates the dead hand of the bureaucracy which has held back innovation and flexibility in the industry and provided a fertile breeding ground for nepotism, blame shifting and a dependency on patronage and favours from political and industry-elected leadership.

The Bill maintains and enhances the proper role of government in protecting the interests of the public and racing industry participants by monitoring the responsibility and accountability for integrity and probity.

It provides an opportunity for those in the community who enjoy organising, promoting and participating in the great sport of racing, and the legal and legitimate betting that is associated with the industry.

However, the accountability for racing to be conducted in a financially viable, safe and responsible manner for the promoters, the participants and the animals is not - and should not be - the responsibility of the government and a cost to taxpayers.

This Bill provides opportunity for potential new codes, for diversified use of industry and community-owned infrastructure, for creative and imaginative development of community racing as a sport and entertainment without having to be top level TAB and pay TV racing.

At the same time, it provides for enhancement of developments at the highly-professional end of the racing industry, which is dominated by significant private investment and involvement of full time business and employment generated by racing in Australia today.

The Bill further implements the outcomes of the Review of Governance of the existing codes of racing.

It is not total deregulation for competition's sake.

For the thoroughbred code, in particular, it maintains the structural arrangements of five regions with the Queensland Regional Racing Council which has a formal role with the QTRB to plan, fund and monitor non-TAB racing. Such racing must still be conducted with integrity and safety and be financially viable.

The Government will, through this legislation, require standards of integrity and safety to be met in the public interest with as little interference in the daily lives of people as possible.

Mr Speaker, this is modern legislation for a modern industry.

Hon Merri Rose MP, Minister for Tourism and Racing and Minister for Fair Trading

17 October 2002

Modern Legislation for Modern Racing

The Queensland Racing Industry would get a new, more flexible legislative framework following the introduction of the Racing Bill 2002 into Queensland Parliament, Racing Minister Merri Rose said today.

Ms Rose said the Bill would replace the Racing and Betting Act 1980 and help modernise the framework under which the Queensland Racing Industry operated.

“This is a modern legislative response to the environment that the industry operates in now and into the future,” Ms Rose said.

“We have modernised the governance of the three racing codes and it makes good sense that the legislation reflect the current environment.”

Ms Rose said the key objective of the Bill was to maintain public confidence in the industry by ensuring the integrity of all persons involved and the welfare of the animals.

“Public confidence is one of the key ingredients for a successful racing industry,” Ms Rose said.

“The Bill makes a control body responsible for regulating and managing its code of racing, including the licensing of clubs, participants, animals, bookmakers and venues for each code.”

“This licensing must be done with the highest levels of probity but also administered in a fair and transparent manner.”

The Bill also provides a mechanism for the licensing of control bodies and codes of racing other than the three current bodies - the Queensland Thoroughbred Racing Board (QTRB), the Queensland Harness Racing Board (QHRB) and the Greyhound Racing Authority (GRA).

“There has been interest in starting other codes of racing, particularly from the quarter horse and Arabian breeds,” Ms Rose said.

“A corporation may apply to the Minister to develop further codes of racing and there will be a stringent licensing process to ensure they meet required levels of probity and integrity.”

Ms Rose said the old Act had been amended more than 40 times since being passed by Parliament in 1980. Following several reviews, including the National Competition Policy review, the Ministerial Review of Governance and the overhaul of bookmakers’ legislation, new legislation was required.

INQUIRIES: Michael Duff 3224 2007 / 0408 723 705 or David Smith 3225 1005 / 0409 496 534

Hon Merri Rose MP, Minister for Tourism and Racing and Minister for Fair Trading

27 June 2002

Harness, Greyhound Codes to take ownership of the future

The harness and greyhound racing codes will have a company structure as the control body similar to the thoroughbred code, Racing Minister Merri Rose announced today.

Ms Rose said Cabinet had discussed the progress of the Governance Review of the Greyhound and Harness Racing Codes and the future ownership of Albion Park Raceway.

“The review had also identified the potential to reduce costs in both codes, which has been flagged by both boards,” Ms Rose said.

“Ideas such as the possible merger of some support functions and a more efficient and effective streamlining of administration and use of assets are under consideration.”

“This will ensure both codes are able to maximise prizemoney payments, which is the lifeblood of the industry.”

Ms Rose said the establishment of a company structure would require detailed consultation with industry stakeholders due to unresolved and complex policy, legal and commercial issues.

“The greyhound and harness boards will therefore finalise a report to me on governance structures of their codes by September, 2003, coinciding with the Queensland Thoroughbred Racing Board’s report due at that time,” she said.

“As with the thoroughbred code, harness and greyhound racing require independent and skilled management to ensure their futures.”

Ms Rose said the Government had approved the transfer of Albion Park Raceway to the greyhound and harness boards.

“Albion Park is the major venue and most significant asset used by both codes and this move would fulfil the Government’s commitment to transferring racing assets back to the industry,” she said.

“Importantly, it will also provide both the greyhound and harness codes ownership of their most significant product-producing asset for the first time in their histories.”

Inquiries: Michael Duff 3224 2007 / 0408 723 705 or David Smith 3225 1005 / 0409 495 534

Hon Merri Rose MP, Minister for Tourism and Racing and Minister for Fair Trading

30 March 2002

Thoroughbred Racing Board Named

Racing Minister Merri Rose today announced the membership of the Queensland Thoroughbred Racing Board (QTRB) and that the legislation establishing the QTRB would become effective on Friday, 5 April 2002.

Ms Rose said the five-member QTRB would replace the Interim Thoroughbred Racing Board as the control body of Queensland racing.

“The establishment of this skills-based board, which was selected on merit, provides an unprecedented opportunity for the industry to leave behind the conflicts and controversies of the past and to take thoroughbred racing into a new and challenging era,” she said.

“The board will be chaired by respected industry identity Robert Bentley, with Stephen Lonie as his deputy. Other board members are Michael Lambert, George Pippas and Tony Hanmer.”

“The members bring a wealth of relevant experience, business acumen, racing knowledge and forward thinking to the industry.”

“These people have proven track records and I am confident they provide the right mix of skills to enable the Queensland racing industry to deal with current and emerging challenges.”

“I ask the industry to put aside internal politics and conflicts which have affected the decision-making process in the past and support their new board so Queensland thoroughbred racing can prosper. We now have a board which will make decisions based on the future needs of the industry rather than on past rivalries.”

Ms Rose said the selection of the QTRB was the unanimous decision of a majority industry-nominated panel, after a leading recruitment and selection agency short-listed candidates from a list of more than 200 applicants.

The QTRB will govern thoroughbred racing in Queensland until a company limited by guarantee takes over. The Board will recommend to the Minister how such a company can be appropriately structured to ensure all stakeholders within the industry are involved in the ownership of their industry.

Inquiries: Michael Duff 0408 723 705 or Mike Kelly 0417 628 482

Hon Merri Rose MP, Minister for Tourism and Racing and Minister for Fair Trading**4 December 2001****QPC to be Replaced by Interim Race Board**

The Queensland Parliament today approved the replacement of the Queensland Principal Club by an interim board until the Queensland Thoroughbred Racing Board (QTRB) is formed.

Racing Minister Merri Rose said the Interim Thoroughbred Racing Board (ITRB) would be in place to provide stability until the QTRB took office next year.

“There needs be a stable body in place to look after the interests of the industry until the five-person independent QTRB is established,” Ms Rose said.

“The ITRB will be given a charter to manage the industry in caretaker mode until the appointment of the QTRB, which is anticipated to be ready to take over in March.”

Ms Rose said the ITRB would be made up of:

- Chair, or nominee, of the South-East Queensland Racing Association;
- Chair, or nominee, of the Downs & South-West Racing Association;
- Chair, or nominee, of the Capricornia Racing Association;
- Chair, or nominee, of the Central Western Racing Association;
- Chair, or nominee, of the North Queensland Racing Association;
- A person appointed by the Minister for Racing to act as ITRB Chair.

“The QPC Committee has lost the support of the industry and there have been widespread calls to make changes,” Ms Rose said.

“I have listened to the industry and acted swiftly and decisively.”

Ms Rose said Parliament also approved the changes to the Racing and Betting Act 1980, which would implement the QTRB.

The QTRB will be a five-person independent Board chosen by a three-member panel made up of a representative of the TAB clubs, the non-TAB clubs and a person chosen by the Minister.

“The QTRB will be able to take a fresh look at the Queensland Racing Industry – free of the shackles of conflict of interests,” Ms Rose said.

“The Queensland Racing Industry needs and deserves strong and positive leadership to back up the hard work put in by the people working in the industry.”

Parliament also approved amendments to outdated provisions of Section 134 of the Racing and Betting Act 1980.

“The amendments will provide some flexibility for the control body to deal with clubs, particularly in relation to breaches of the Act,” Ms Rose said.

“The old provisions meant clubs were mandatorily deregistered for even the most minor or inadvertent breaches of the Act.

“The new provisions will provide a range of actions for the control body to take to remedy any breaches and will provide greater certainty for people who rely on the industry for their livelihoods.”

INQUIRIES: David Smith 3225 1005 or 0409 496 534 / Michael Duff 3224 2007 or 0408 723 705

APPENDIX C – MEDIA RELEASE - QUEENSLAND RACING

17 October 2002

Queensland Racing Outlines Platform for Change

Queensland Thoroughbred Racing Board's (QTRB) Chairman, Mr Bob Bentley outlined the organisation's platform to sustain and grow the industry today.

At a media briefing attended by the Minister for Tourism and Racing, the Hon. Merri Rose, Mr Bentley outlined some of the initiatives put in place by the QTRB to drive change in the industry.

"We need to develop a commercially viable business model to take the industry forward, improve the quality of horses racing in Queensland by increasing prize money and improve the efficiency and effectiveness of management of the industry," Mr Bentley said.

As part of the vision the QTRB will change its name to Queensland Racing from today (17 October) to underpin the Board's focus on enhancing the profile and commercial appeal of racing in Queensland.

"Other key initiatives include the review of the racing program for both TAB and non-TAB racing, the master planning process for metropolitan racing, a review of industry management and the review and reform of the Queensland Thoroughbred Investment Scheme.

"The QTRB expects to have in train all necessary reforms and reviews by June 30, 2003, when we intend presenting to stakeholders and Government a 'State of the Industry' paper."

Mr Bentley said it was a critical time for the industry.

"The current level of racing in Queensland is unsustainable. Clubs throughout the State are losing money and patrons, we have the lowest level of starters per race in the country and we are falling well behind our competitors interstate. "

"The industry has to change if it is to have a future and compete with the growing and aggressively promoted leisure industry which includes AFL, rugby league, rugby union and cricket. "

"We are prepared to do what it takes to rebuild the industry. Our long-term plan is to revitalise the industry for the benefit of Queensland and all racing stakeholders," Mr Bentley said.

"The current process of restructuring our racing program for both TAB and non-TAB venues for example, is imperative to ensure racing in Queensland is more viable and sustainable."

"I encourage all major players to recognise that change is needed and to embrace the reforms required. We need their full cooperation and support for the future of our industry," Mr Bentley said.

"In August this year we started the process with the restructure of the Queensland Thoroughbred Investment Scheme (QTIS). This involves an injection of an additional \$600,000 into added stakes each year and is designed to improve the quality of the State's racing and breeding stock."

For further information contact:

Mr Jeremy Turner, Chief Executive Officer - Queensland Racing

Tel: (07) 3251 9510

Source:

[http://www.racingqueensland.com.au/racingnews/171002PRQueenslandRacingOutlines.
asp](http://www.racingqueensland.com.au/racingnews/171002PRQueenslandRacingOutlines.asp)

APPENDIX D – NEWSPAPER ARTICLE

Title **Track reform a starter next year**

Source **The Courier-Mail**

Date Issue **18 October 2002**

Page **12**

Major reforms to the Queensland racing industry, including cuts in the number of race meetings across the state, will take effect from next year.

Queensland Thoroughbred Racing Board chairman Bob Bentley yesterday confirmed the racing regulator expected to finalise its review of the industry by June, when it would present reform options to stakeholders and the State Government.

Mr Bentley said the current level of racing in Queensland was unsustainable and warned major reforms were needed to ensure the viability of the industry, including reductions in the number of race meetings across the state.

He said the state was falling behind its interstate competitors as clubs lost money and patrons, while it also had the lowest number of starters per race in the country.

Racing Minister Merri Rose yesterday backed his comments and repeated her call for people unwilling to support the reforms to leave the industry.

Ms Rose said racing was no longer the sport of kings and needed to be modernised and run as a business.

"There's a lot of competition out there for the wagering and betting dollar that wasn't around in the days of the sport of kings," she said.

"Unfortunately there's a lot of things in the industry that need changing that aren't going to happen until certain people move on."

The comments came as the QTRB announced it would change its name to Queensland Racing and relocate its offices to Deagon, a move expected to save \$100,000 a year in rental costs.

The board took control of racing earlier this year amid some club bitterness, claims of political interference and a continuing decline in the industry.

It has hired a property consultant, which last month proposed a possible rationalisation of the Eagle Farm and Doomben race tracks, angering most industry players.

Mr Bentley yesterday said he was prepared for a backlash but the industry would not grow without change.

However, the Opposition yesterday said the board should be concentrating on saving country race clubs instead of empire building.

Opposition racing spokesman Howard Hobbs said the industry feared the closure of up to a third of the state's race clubs.

"New names and marketing campaigns aren't going to stop the drain of trainers, horses, jockeys and investment to the Queensland racing industry's interstate competitors," he said. "Nor is the move to save a few thousand dollars here and there by closing down the race clubs that, in many cases, provide one of the major social and economic contributors to dozens of rural and regional communities."

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