



Western Australia

Racing Restriction Act 1917

This Act was repealed by the *Racing and Gambling Legislation Amendment and Repeal Act 2003* s. 69 (No. 35 of 2003) as at 1 Aug 2003 (see s. 2 and *Gazette* 29 Jul 2003 p. 3259).

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Racing Restriction Act 1917

An Act for the Restriction of Horse Racing and Trotting.

Be it enacted —

1. Short title and commencement

This Act may be cited as the *Racing Restriction Act 1917*, and shall come into operation on a day to be fixed by Proclamation.¹

2. No horse race to be held without license of W.A. Turf Club

- (1) No race meeting, and no horse or pony race for any stake or prize, shall be held without the license in writing of The Western Australian Turf Club (hereinafter referred to as “the Club”).
- (2) Where the Club proposes to make any change to the programme of race meetings customarily conducted in the metropolitan area and the proposed change may necessitate a reduction in the number of race meetings customarily conducted outside the metropolitan area or the making of any other change to any programme of race meetings customarily conducted outside the metropolitan area, any dispute arising in relation to the matter may be referred to the Minister who may give the Club such direction as he thinks fit in relation to the matter and effect shall be given to any such direction.
- (2a) A direction given by the Minister for the purposes of subsection (2) of this section may, on the application of the Club, be varied or cancelled by the Minister.

- (2b) The Minister may, at the request of the Club, authorize race meetings to be held on such days, not exceeding 5 in any year, as he may approve from time to time in aid of any public hospital or other charitable or patriotic purpose.
- (3) This section does not apply to trotting racing.
[Section 2 amended by No. 60 of 1984 s.3; No. 57 of 1997 s.101(1).]

3. Restriction on trotting racing

- (1) No trotting race meeting, and no trotting race for any stake or prize shall be held without the license in writing of the Western Australian Trotting Association (hereinafter referred to as “the Association”).
- (2) Where the Association proposes to make any change to the programme of trotting race meetings customarily conducted within the metropolitan area and the proposed change may necessitate a reduction in the number of trotting race meetings customarily conducted outside the metropolitan area or the making of any other change to any programme of trotting race meetings customarily conducted outside the metropolitan area, any dispute arising in relation to the matter may be referred to the Minister who may give the Association such directions as he sees fit in relation to the matter and effect shall be given to any such direction.
- (3) A direction given by the Minister for the purposes of subsection (2) of this section may, on the application of the Association, be varied or cancelled by the Minister.
- (4) The Minister may at the request of the Association authorize trotting race meetings to be held on such days —
 - (a) not exceeding 5 days outside the Fremantle district; and
 - (b) not exceeding 2 days within the Fremantle district,in any year as he may approve from time to time in aid of any public hospital or other charitable or patriotic purpose.

[Section 3 inserted by No. 86 of 1972 s.2; amended by No. 60 of 1984 s.4; No. 57 of 1997 s.101(2).]

4. Penalty

If any race meeting, horse or pony race, trotting race meeting, or trotting race is held in contravention of this Act, the person, and each member of the managing body or committee of any association of persons, whether incorporated or not, by or on whose behalf such race meeting, race, trotting race meeting, or trotting race is held, and any person acting at any such meeting or race as steward, starter, or judge shall be guilty of an offence against this Act.

Penalty: One thousand dollars.

[Section 4 amended by No. 113 of 1965 s.8.]

5. Interpretation

In this Act —

“Fremantle district” means all land within a radius of eight kilometres from the Town Hall in Fremantle;

“metropolitan area ” for the purposes of —

- (a) section 2 of this Act — means and includes all land within a radius of fifty kilometres from the Town Hall in Perth;
- (b) section 3 of this Act — means the land referred to in paragraph (a) of this definition but not including the Fremantle district;

“race meeting” means a meeting of persons for the purpose of horse or pony racing;

“year” means the period of twelve calendar months from the first day of August to the thirty-first day of July next following.

[Section 5 amended by No. 86 of 1972 s.3; No. 94 of 1972 s.4 (as amended by No. No. 19 of 1973); No. 60 of 1984 s.5.]

Notes

¹ This is a compilation of the *Racing Restriction Act 1917* and includes all amendments effected by the other Acts referred to in the following Table.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Racing Restriction Act 1917</i>	11 of 1917	28 Mar 1917	1 Jun 1917 (see <i>Gazette</i> 20 Apr 1917 p.567)
	28 of 1925	16 Dec 1925	16 Dec 1925
	86 of 1972	20 Nov 1972	20 Nov 1972
<i>Metric Conversion Act 1972</i>	94 of 1972 (as amended by No. 19 of 1973)	4 Dec 1972	The relevant provisions included in this reprint effective from 1 Aug 1973 (see <i>Gazette</i> 27 Jul 1973 p.2806)
	60 of 1984	23 Oct 1984	1 Nov 1984 (see <i>Gazette</i> 26 Oct 1984 p.3435)
<i>Statutes (Repeals and Minor Amendments) Act 1997, section 101</i>	57 of 1997	15 Dec 1997	15 Dec 1997 (see section 2)
<i>Racing and Gambling Legislation Amendment and Repeal Act 2003</i> ²	35 of 2003	26 Jun 2003	1 Aug 2003 (see s. 2 and <i>Gazette</i> 29 Jul 2003 p. 3259)

This Act was repealed by the *Racing and Gambling Legislation Amendment and Repeal Act 2003* s. 69 (No. 35 of 2003) as at 1 Aug 2003 (see s. 2 and *Gazette* 29 Jul 2003 p. 3259)

N.B. Affected by Acts Nos. 16 of 1927, 73 of 1960 and 113 of 1965.

² The *Racing and Gambling Legislation Amendment and Repeal Act 2003* Pt. 6 Div. 2 reads as follows:

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Division 2 — Savings provisions

71. Ministerial directions

Any direction given by the Minister under section 2(2) or 3(2) of the *Racing Restriction Act 1917* continues in force as if the direction had been given by the Minister under section 13 or 14 of the *Racing Restriction Act 2003*.

72. Offender may be punished

Despite section 11 of *The Criminal Code*, a person may be punished after the commencement of section 69 of this Act for an offence against repealed section 4 of the *Racing Restriction Act 1917*.

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