
RACING, GAMING AND LIQUOR

RA401

WESTERN AUSTRALIAN TROTTING ASSOCIATION

By-laws of the Western Australian Trotting Association

NOTICE OF AMENDMENT

Notice is hereby given that at a meeting of the Committee of the Western Australian Trotting Association held at Gloucester Park, East Perth, on the 15th day of September 1998 it was resolved by an absolute majority of the Committee of the Association that the By-laws of the Western Australian Trotting Association made under the Western Australian Trotting Association Act 1946 ("the Act") be amended as follows—

Amend By-law Part I Interpretation—

Present wording—

"**TRAINER** means a person who holds a licence or permit to train issued under "The Rules of **Trotting** of the Western Australian Trotting Association";"

Amended wording—

"**TRAINER** means a person who holds a licence or permit to train issued under "The Rules of **Harness Racing** of the Western Australian Trotting Association";"

Amend By-law 4, fourth paragraph—

Present wording—

"4. A person who is elected to the Committee at any time after the 1st day of July 1990 and at the time of election is an employee of the Association or the holder of a licence or permit issued by the Association or under these By-laws or under the Rules of **Trotting** shall only be eligible to attend meetings of the Committee after he or she shall have ceased employment with the Association or surrendered his or her licence or permit (as the case may be)."

Amended wording—

"4. A person who is elected to the Committee at any time after the 1st day of July 1990 and at the time of election is an employee of the Association or the holder of a licence or permit issued by the Association or under these By-laws or under the Rules of **Harness Racing** shall only be eligible to attend meetings of the Committee after he or she shall have ceased employment with the Association or surrendered his or her licence or permit (as the case may be)."

Amend By-law 27, paragraphs 1 and 2—

Present wording—

"27. If and whenever the Secretary reports to the Committee that a member has been disqualified under the Rules of **Racing** for a period not exceeding twenty-three calendar months, the Committee shall at once suspend such member until the disqualification has ceased to operate: Provided that the Committee may at any time thereafter remove such suspension if satisfied that having regard to all the circumstances, the member is sufficiently punished by the penalties which are attached to disqualification by the Rules of **Racing**.

If the Secretary's report as aforesaid shows that a member has been disqualified under the Rules of **Racing** for life or for a term exceeding twenty-three months, then the membership of such member shall be cancelled, and the Committee shall at once remove his name from the register of members."

Amended wording—

"27. If and whenever the Secretary reports to the Committee that a member has been disqualified under the Rules of **Harness Racing** for a period not exceeding twenty-three calendar months, the Committee shall at once suspend such member until the disqualification has ceased to operate: Provided that the Committee may at any time thereafter remove such suspension if satisfied that having regard to all the circumstances, the member is sufficiently punished by the penalties which are attached to disqualification by the Rules of **Harness Racing**.

If the Secretary's report as aforesaid shows that a member has been disqualified under the Rules of **Harness Racing** for life or for a term exceeding twenty three months, then the membership of such member shall be cancelled, and the Committee shall at once remove his name from the register of members."

Amend By-law 56—

Present wording—

"56. The Stewards shall conduct and carry out all race meetings and trotting events, and see that all Rules of **Racing** are observed. The Stewards shall discharge such other duties as the Committee from time to time directs and/or as may be specified in the by-laws or the Rules of **Racing** for the time being."

Amended wording—

- “56. The Stewards shall conduct and carry out all race meetings and trotting events, and see that all Rules of **Harness Racing** are observed. The Stewards shall discharge such other duties as the Committee from time to time directs and/or as may be specified in the by-laws or the Rules of **Harness Racing** for the time being.”

Amend By-law 59, clause (c)—

Present wording—

- “59. (c) generally determining such Rules of **Racing** applicable before, during and/or after the actual racing as the Committee in its absolute and unfettered discretion thinks fit to lay down or prescribe.”

Amended wording—

- “59. (c) generally determining such Rules of **Harness Racing** applicable before, during and/or after the actual racing as the Committee in its absolute and unfettered discretion thinks fit to lay down or prescribe;”

Amend By-law 59, penultimate paragraph—

Present wording—

59. Every person who nominates, owns, leases, trains, rides, or drives a horse or has any share; interest, or part in the nomination, ownership, lease or training of a horse and every other class of person who purports to be referred to in and dealt with by any **Racing** Rule made under this by-law shall be absolutely bound thereby, whether the same is or is not irregular or is or is not *ultra vires* of the Committee.”

Amended wording—

59. Every person who nominates, owns, leases, trains, rides, or drives a horse or has any share, interest, or part in the nomination, ownership, lease or training of a horse and every other class of person who purports to be referred to in and dealt with by any **Harness Racing** Rule made under this by-law shall be absolutely bound thereby, whether the same is or is not irregular or is or is not *ultra vires* of the Committee.”

Amend By-law 59, final paragraph—

Present wording—

- “59. The provisions of section thirty-six of the Interpretation Act, 1918-1938,* (Now Interpretation Act 1918-1975) shall apply to and in respect of any Rule of **Racing** made after the commencement of this Act and to any alteration or repeal thereof and to and in respect of any alteration or repeal of any existing Rule of **Racing** as if such Rule of **Racing** or such alteration or repeal of a Rule was a new by-law made under this Act.”

Amended wording—

- “59. The provisions of section thirty-six of the Interpretation Act, 1918-1938,* (Now Interpretation Act 1918-1975) shall apply to and in respect of any Rule of **Harness Racing** made after the commencement of this Act and to any alteration or repeal thereof and to and in respect of any alteration or repeal of any existing Rule of **Harness Racing** as if such Rule of **Harness Racing** or such alteration or repeal of a Rule was a new by-law made under this Act.”

Amend By-law 60—

Present wording—

- “60. The existing Rules of **Racing** as made by the Western Australian Trotting Association (Incorporated), unless inconsistent with the by-laws, shall continue in force until amended or repealed by the Committee in accordance with the Act.”

Amended wording—

- “60. The existing Rules of **Harness Racing** as made by the Western Australian Trotting Association (Incorporated), unless inconsistent with the by-laws, shall continue in force until amended or repealed by the Committee in accordance with the Act.”

Amend By-law 83—

Present wording—

- “83. The horse placed first by the Judge shall be deemed to be the winner, unless a protest be lodged in accordance with the provisions of the Rules of **Racing**.”

Amended wording—

- “83. The horse placed first by the Judge shall be deemed to be the winner, unless a protest be lodged in accordance with the provisions of the Rules of **Harness Racing**.”

Amend By-law 87, second paragraph—

Present wording—

“87. Should the owners of the horses running a dead-heat; which under the Rules of **Racing** may be run off, decide to run the same off, the totalisator shall be closed so far as the race is concerned, and may be re-opened on the run off, the money in each case to be paid out on the winner of the race.”

Amended wording—

“87. Should the owners of the horses running a dead-heat, which under the Rules of **Harness Racing** may be run off, decide to run the same off, the totalisator shall be closed so far as the race is concerned, and may be re-opened on the run off, the money in each case to be paid out on the winner of the race.”

Dated: 15/9/98

GARY PAPADOPOULOS, President.
