

*These notes refer to the Horse Racing (Amendment) Act (Northern Ireland) 2022 (c.2) which received Royal Assent on 2 February 2022*

# Horse Racing (Amendment) Act (Northern Ireland) 2022

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### *Amendment of the Horse Racing (Northern Ireland) Order 1990*

##### *Section 1 – Horse racecourse operators*

This section amends Article 2 of the 1990 Order, by omitting definitions of “the Company” and “the Corporation”. The section inserts a definition “horse racecourse operator”, which includes Downpatrick Race Club and Down Royal Park Racecourse Limited. These are the current operators of the racecourses at Down Royal and Downpatrick. Section 1 also amends Article 2 to provide that the definition of “horse racecourse operator” can be amended by regulations, but only with the approval by resolution of the Assembly.

##### *Section 2 – Horse Racing Fund*

This section amends Article 3 of the 1990 Order to take account of the amendment made by section 1, which inserted the definition of a horse racecourse operator to ensure that Fund will be used for assisting the operation and development of horse racecourses in the vicinity of the Maze and Downpatrick, in the County of Down. The effect of the amendments contained in this section is to require the horse racecourse operators to submit a statement of their proposed budget and expenditure plans for the following year to the Department on or before 31st October of each year. A new paragraph (4A) is inserted which allows each racecourse operator to submit their statement either on its own or together with any other horse racecourse operator. Finally, this section omits paragraph (6), which concerns an organisation that no longer exists.

##### *Section 3 – Minor and consequential amendments*

This section amends Article 2(2) of the 1990 Order (Interpretation), to omit the definition of ‘modify’ as the term is only used in Article 11 of the Order, which is omitted by the Act. This section also makes amendments to the 1990 Order to replace references to “the Corporation” and “the Company” with appropriate references to a “horse racecourse operator”. Finally, this section omits Article

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11 of and paragraphs 5 and 6 of Schedule 1 to the 1990 Order, which concerned rules and bye-laws of the Corporation and are no longer required.

***Section 5 – Transitional and supplementary provision***

This section requires the operators at Down Royal to submit a statement of expenditure for 2021. This section also requires horse racecourse operators to submit a statement containing (a) expenditure for the period beginning 1 January 2022 and ending on the day the horse racecourse operator submits the statement, and (b) the budget and expenditure plans for the period beginning the day after the statement is submitted and ending on 31 December 2022, if they have not submitted a statement under Article 3(4) of the 1990 Order for 2022. Each of these statements must be submitted in the two weeks following Royal Assent. Finally, this section makes a series of consequential modifications to the 1990 Order, including modifications providing that the deadline for horse racecourse operators and the Department to prepare audited accounts relating to the year ending December 2021 shall be June 2022.