

BILL NO. 83

(as passed, with amendments)



*2nd Session, 58th General Assembly
Nova Scotia
51 Elizabeth II, 2002*

Government Bill

Maritime Provinces Harness Racing Commission Act (amended)

CHAPTER 35 OF THE ACTS OF 2002

The Honourable Ernest L. Fage
Minister of Agriculture and Fisheries

[First Reading](#): November 8, 2001 ([LINK TO BILL AS INTRODUCED](#))

Second Reading: November 9, 2001

[Third Reading](#): November 28, 2002 (WITH COMMITTEE AMENDMENTS)

Royal Assent: November 28, 2002



**An Act to Amend Chapter 8
of the Acts of 1993,
the Maritime Provinces
Harness Racing Commission Act**

Be it enacted by the Governor and Assembly as follows:

1 Section 2 of Chapter 8 of the Acts of 1993, the *Maritime Provinces Harness Racing Commission Act*, is amended by striking out "and regulate" in the second line and substituting ", regulate and ensure the integrity of".

2 Section 3 of Chapter 8, as amended by Chapter 40 of Acts of 1994, is further amended by adding "(1)" immediately after the Section number and by

(a) relettering clause (a) as (ac);

(b) adding immediately before clause (ac) the following clauses:

(a) "account" means an account under a telephone account betting system or under an on-track account betting system, as the case may be;

(ab) "betting theatre" means an enclosed structure that is used for theatre betting, that is affixed to land and that contains seating for at least seventy-five per cent of the number of persons permitted by the appropriate municipal authority to occupy the structure;

(c) adding immediately after clause (d) the following clauses:

(da) "foreign-race inter-track betting" means pari-mutuel betting at one or more satellite tracks on a foreign race, where the money bet on each pool at each satellite track is combined with the money bet on the corresponding pool that is operated by the organization holding the foreign race to form one pool, from which the payout price is calculated and distributed;

(db) "foreign-race separate-pool betting" means separate-pool betting in Canada on a foreign race;

(d) adding immediately after clause (e) the following clauses:

(ea) "home-market area" means a geographical area that is assigned to an association in respect of a race-course within which the association is authorized to conduct telephone-account betting or theatre betting, as the case may be;

(eb) "inter-track betting" means pari-mutuel betting at one or more satellite tracks or in one or more places in one or more foreign countries on a race that is held at a host track, where the money bet on each pool at each satellite track or place is combined with the money bet on the corresponding pool at the host track to form one pool from which the pay-out price is calculated and distributed;

(e) striking out clause (g) and substituting the following clauses:

(g) "Minister" means the member of the Executive Council charged with the administration of this Act;

(ga) "pari-mutuel betting" means a system of betting in which the winners divide the total amount of the bet, after deducting management expenses, in proportion to the sums individually wagered;

(f) adding immediately after clause (j) the following clauses:

(ja) "separate-pool betting" means pari-mutuel betting at one or more satellite tracks or in one or more places in one or more foreign countries on a race that is held at a host track, where the money bet on each pool at each satellite track is retained at that satellite track or is combined with the money bet on the corresponding pool at another satellite track or tracks or at a place or places to form one pool from which the pay-out price is calculated and distributed;

(jb) "telephone-account betting" means pari-mutuel betting conducted by means of a telephone call by an account holder to an association;

(jc) "theatre betting" means pari-mutuel betting that is conducted in a betting theatre in accordance with the *Pari-Mutuel Betting Supervision Regulations* made pursuant to the *Criminal Code* (Canada);

and

(g) adding the following subsection:

(2) The Governor in Council may, by order, amend any of the definitions in subsection (1) to the extent that it is necessary to make the definition consistent with the *Pari-Mutuel Betting Supervision Regulations* made pursuant to the *Criminal Code* (Canada).

3 Section 10 of Chapter 8, as enacted by Chapter 40 of the Acts of 1994, is amended by

(a) striking out clause (a) and substituting the following clauses:

(a) govern, regulate and supervise harness racing in all of its forms relevant and related to pari-mutuel betting;

(aa) govern and regulate inter-track betting, separate-pool betting, foreign-race inter-track betting and foreign-race separate-pool betting in accordance with the *Pari-Mutuel Betting Supervision Regulations* made pursuant to the *Criminal Code* (Canada);

(ab) govern and regulate the operation of betting theatres authorized by the Governor in Council in accordance with the *Pari-Mutuel Betting Supervision Regulations* made pursuant to the *Criminal Code* (Canada);

(b) striking out ", direct, control " in the first line of clause (b);

(c) striking out clause (c) and substituting the following clauses:

(c) recommend home-market areas to the Canadian Pari-Mutuel Agency for the purpose of telephone-account betting and theatre betting in accordance with the *Pari-Mutuel Betting Supervision Regulations* made pursuant to the *Criminal Code* (Canada);

(ca) establish uniform rules for the conduct of harness racing;

(d) adding immediately after clause (d) the following clause:

(da) license betting theatres in accordance with the *Pari-Mutuel Betting Supervision Regulations* made pursuant to the *Criminal Code* (Canada) and impose such terms and conditions on a licence as the Commission considers appropriate;

(e) adding "recruit, train, evaluate, license and" immediately before "employ" in the first line of clause (k); and

(f) adding immediately after clause (t) the following clause:

(ta) intervene as a facilitator or mediator for the purpose of convening parties to attempt to bring resolution to matters in dispute where it deems it necessary for the governance, regulation and integrity of harness racing and delegate this power to any person;

4 Clause 19(1)(b) of Chapter 8 is amended by adding ", governance and regulation" immediately after "operation" in the second line.

5 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

