

**Central Service and Contingency Planning
Group**
Central Management Branch



Your reference: N/A
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Dear Nick

HORSE RACING (AMENDMENT) BILL-BRIEFING FOR AERA COMMITTEE

Officials are scheduled to provide an oral briefing to the AERA Committee on 16 September as part of the Committee's scrutiny of the Horse Racing (Amendment) Bill.

Background

Following a change in operator at Down Royal, payments from the Horse Racing Fund ("the Fund") under the Horse Racing (Northern Ireland) Order 1990 ("the 1990 Order") to Down Royal have ceased. As a further consequence of the change of operator at Down Royal, payments from the Fund to the operator at Downpatrick Race Club are currently suspended.

The Department held a targeted [consultation](#) in 2020 that sought the views of stakeholders on proposals for a narrow amendment to the named beneficiaries to reflect that change in operator at Down Royal. The consultation also sought wider views about the Fund more generally, in recognition that the 1990 Order was over 30 years old.

The [Horse Racing \(Amendment\) Bill](#) ("the Bill") was drafted to allow for the reinstatement of payments to both racecourses as soon as possible within the current Assembly mandate. On the 26 March 2020, Minister Poots wrote to the AERA Chair with a copy of the [Bill and Explanatory and Financial Memorandum](#) which were considered at the meeting on 15 April 2021.

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You will be aware, that the Bill completed its First and Second Stages in the Assembly on the 13 April and 26 April respectively and currently stands referred to the AERA Committee.

At the AERA Committee meeting on the 22 April, DAERA officials briefed the AERA Committee on the key issues raised during [consultation](#), as well as how the Fund operated more [generally](#).

The Department provided a copy of a [Delegated Powers Memorandum](#) to the AERA Committee on 26 April, which was considered at the meeting on the 6 April.

You will be aware that following the AERA Committee's consideration of the [RalSe report on the Bill](#) published on the 16 June, the Department responded to a number of queries on (my letter dated 8 July 2021).

DAERA officials will attend the meeting on 16 September to address any questions arising from Committee's call for evidence on the Bill which closed on 20 August.

Transitional Provision

I wrote to you just prior to the Summer Recess regarding a proposed amendment to the Bill that will insert a transitional provision that seeks to address an issue that arises if the Bill is not enacted before the 31 October 2021 and would mean that Down Royal would not be eligible for payment from the Fund until 2023. The transitional provision will ensure that once the Bill receives Royal Assent, payments from the Fund can be reinstated without further delay. Officials will be happy to address any questions regarding this proposed amendment at the meeting on 16 September and any subsequent briefings.

To assist the Committee with its scrutiny, I have attached a summary of the clauses of the Bill in advance of the meeting, and officials will be happy to seek to answer any questions the AERA Committee may have.

Yours sincerely



Michael Oliver
Departmental Assembly Liaison Officer

Annex A – Clause-by-clause summary of the Horse Racing (Amendment) Bill

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Horse Racing (Amendment) Bill

Clause-by-clause summary for AERA Committee- 16 September 2021

In order to assist the Committee with its scrutiny of the Bill, the following table outlines each clause in the Bill with a summary of the aims of the clause.

Clause	Summary
1 Horse Racecourse Operators	<p>Clause 1 amends Article 2 of the 1990 Order, by omitting definitions of “the Company” and “the Corporation”.</p> <p>The clause then inserts a definition “horse racecourse operator” as being (i) Downpatrick Race Club and (ii) Down Royal Park Racecourse Limited.</p> <p>The clause also provides that the definition of “horse racecourse operator” can be amended by regulations, with the approval by resolution of the Assembly. A Delegated Powers Memorandum has been provided to the Committee.</p>
2 Horse Racing Fund	<p>Clause 2 amends Article 3 of the 1990 Order to take account of the amendment made by Clause 1, by replacing references to the Company” and “the Corporation” with references to horse racecourse operators.</p> <p>Clause 2 also inserts a new paragraph that would allow each racecourse operator to submit the plans either on its own or together with the other horse racecourse operator, whichever is their preference.</p> <p>Finally, this clause omits Article 3(6) of the 1990 Order to remove a reference to an organisation that no longer exists, and is therefore a redundant provision.</p>
3 Minor and Consequential Amendments	<p>This clause makes minor and consequential amendments to the 1990 Order to replace references to “the Corporation” and “the Company”, with appropriate references to “horse racecourse operator”.</p>

	This clause also omits Article 11 and paragraphs 5 and 6 of Schedule 1 to the Order, which concerned rules and by-laws of the Corporation.
4 Interpretation	Clarifies that references to “the 1990 Order” means the Horse Racing (Northern Ireland) Order 1990.
5 Commencement	Provides for when the Bill comes into Operation
6 Short Title	Confirms short title as the Horse Racing (Amendment) Bill.