

# Statutory Review

*Racing and Wagering Act 2024*

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| Acronyms     | Full form                                            |
|--------------|------------------------------------------------------|
| Act          | <i>Racing and Wagering Act 2024</i>                  |
| Commission   | Northern Territory Wagering Commission               |
| Director     | Director of Racing and Wagering                      |
| DTF          | Department of Treasury and Finance                   |
| Minister     | Minister responsible for racing                      |
| NTG          | NT Government                                        |
| NTCAT        | Northern Territory Civil and Administrative Tribunal |
| NT           | Northern Territory                                   |
| RCB          | Race Control Body                                    |
| RAT          | NT Racing Appeals Tribunal                           |
| Regulations  | Racing and Wagering Regulations 2024                 |
| Repealed Act | <i>Racing and Betting Act 1983</i>                   |

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## Minister's Foreword

The statutory review of the *Racing and Wagering Act 2024* provides an important opportunity to assess the operation of the Act since its commencement and determine whether it is achieving its stated objectives.

Racing and wagering plays an important role in the Northern Territory – supporting jobs, regional economies and the unique lifestyle that Territorians value. It is essential that the regulatory framework continues to support a strong, sustainable industry while maintaining appropriate safeguards.

This discussion paper is designed to support meaningful engagement from stakeholders and the broader community by identifying key issues and questions to guide submissions. General comments on the operation and effectiveness of the Act are also encouraged.

The Northern Territory Government is committed to the continuous improvement of the regulatory framework governing the racing and wagering industries. This includes ensuring that the framework remains effective, responsive to industry developments, and supports measures aimed at minimising gambling related harm.

I encourage all interested parties to contribute to this review by making a submission. Your feedback will play an important role in informing future improvements and strengthening the Northern Territory racing and wagering regulatory framework.

Hon Marie-Clare Boothby MLA

## 1. Executive summary

The *Racing and Wagering Act 2024* (Act) commenced on 1 July 2024 and has since been amended. The Act replaced the previous legislative framework governing the Northern Territory's racing and wagering industries, introducing stronger regulatory powers, increased penalties, and enhanced consumer protection and harm minimisation measures.

Under the Act, the Minister is required to undertake a statutory review within three years of commencement. The review must assess whether the Act's policy objectives remain valid and whether its provisions continue to be appropriate and effective in achieving those objectives.

This discussion paper invites feedback on licensing, probity, regulatory and enforcement powers, complaints and review mechanisms, safer wagering, racing integrity, animal welfare, penalties and operational effectiveness.

The review will consider whether the Act remains fit for purpose, is operating as intended, and requires legislative, regulatory or operational changes.

Feedback received through this consultation process will inform advice to the Minister on whether amendments to the Act, Regulations, codes of practice, guidance material or operational arrangements should be considered.

## 2. Background

### 2.1. NT racing and wagering industries

Thoroughbred racing operates in Darwin, Alice Springs, Katherine and Tennant Creek, while greyhound racing operates in Darwin. The NT wagering industry includes on-course bookmakers and online sector comprising of operators licensed and regulated under the Act. Over the last decade, online wagering activity has grown significantly, with a number of major brands holding licenses in the NT. The Act responds to this growth by providing stronger regulatory powers for a larger and more complex industry.

### 2.2. Commencement of *Racing and Wagering Act 2024*

The Act commenced on 1 July 2024, replacing the previous legislative framework that had governed the Northern Territory's racing and wagering industries for approximately 40 years.

It introduced stronger Commission powers, higher penalties, and enhanced consumer protection and harm minimisation measures.

#### **Statutory review of the *Racing and Wagering Act 2024***

Section 304 of the Act requires the Minister to complete a statutory review before 1 July 2027. The review must consider whether the policy objectives of the Act remain valid and whether its provisions remain appropriate for securing those objectives.

This discussion paper seeks feedback from industry participants, stakeholders and the broader community on the operation and effectiveness of the Act in the current racing and wagering environment.

The review will consider effectiveness, proportionality, fairness, enforceability, regulatory burden, harm minimisation, animal welfare, integrity and public confidence.

The Act and Regulations are available on the Northern Territory legislation website.

## 2.3. Purposes of the Act

Section 3 provides that the purposes of the Act are:

- (a) to promote probity, integrity and fairness in the racing and wagering industries and among its participants;
- (b) to establish a fair and efficient system of governance over the racing and wagering industries that:
  - (i) protects the public interest; and
  - (ii) limits opportunities for crime and dishonesty; and
  - (iii) promotes the efficient development of those industries; and
  - (iv) requires the payment of taxes and levies;
- (c) to protect the welfare of animals in the racing industry;
- (d) to protect the public from adverse impacts of unsafe wagering, through consumer protection and harm minimisation measures; and
- (e) to provide a fair and efficient mechanism for the resolution of complaints arising from racing or wagering.

## 2.4. Scope of the review

To support the statutory review, the following matters are in scope:

- composition, membership criteria and governance arrangements for the Commission;
- licence application and assessment process including probity checks;
- investigative, regulatory, compliance and enforcement powers;
- integrity monitoring mechanisms;
- complaints and dispute resolution process, including review/appeal mechanisms;
- penalty provisions;
- consumer protection and harm minimisation measures;
- animal welfare protections; and
- overall operational effectiveness of the Act.

The following matters are considered out of scope:

- taxation related matters, which are the responsibility of the Department of Treasury and Finance;
- the amount of any levy payable to the Racing and Wagering Fund and the use of those funds; and
- fees prescribed under the Act or Regulations.

## 3. Key regulatory roles

### 3.1. Northern Territory Wagering Commission

The Northern Territory Wagering Commission (Commission) is established under section 14 of the Act and regulates the NT wagering industry, including online wagering licensees and on-course bookmakers.

The Commission's key functions include:

- issuing on-course bookmaker, sports bookmaker and betting exchange operator licences;
- determining complaints and disputes lodged against licensees;
- taking disciplinary action for breaches of the Act; and
- issuing a range of penalties for proven breaches, including monetary fines.

### 3.2. Racing NT

Racing NT may be appointed as the Race Control Body (RCB) for thoroughbred and greyhound racing, with responsibility for controlling, supervising and developing each code.

Its responsibilities include:

- establishing policies for the development and welfare of the industry;
- allocation of race days;
- registering or licensing persons and animals for participation in the industry;
- establishing relevant rules of racing; and
- imposing penalties and sanctions under the rules of racing.

### 3.3. Director of Racing and Wagering

The Director's functions and powers are set out in sections 30 and 30A including supporting the Commission and performing key administrative functions such as:

- investigating and assessing licence applications;
- appointing and supervising inspectors;
- investigating complaints and disputes lodged under the Act; and
- oversight of RCBs.

### 3.4. Minister for Racing

The Minister responsible for racing has a number of functions under the Act including:

- appointing Commission members, the Director and an RCB, and setting RCB board membership criteria;
- approving codes of practice issued under the Act; and
- issuing ministerial directions where authorised by the Act.

## 4. How to make a submission

Submissions are invited from industry participants, stakeholders, community organisations, members of public and other interested parties.

Respondents may answer relevant questions or provide broader comments on the Act.

Submissions may be provided in any written format and should be emailed to:

[DirectorRacingandWagering@nt.gov.au](mailto:DirectorRacingandWagering@nt.gov.au)

Submissions close Friday, 30 October 2026.

General enquiries regarding this discussion paper or the statutory review may also be directed to the above email address.

Submissions received through the consultation process will inform advice to the Minister on whether legislative, regulatory, policy or operational changes should be considered.

Submissions, or parts of submissions, may be published. Respondents should state if they seek confidentiality or anonymity, noting applicable access to information, privacy and record keeping requirements.

## 5. Topics and questions for consideration

The following topics and questions are intended to guide feedback on the operation of the Act.

Each topic includes a brief framework summary and questions. Evidence, examples or case studies are encouraged.

### 5.1. Guide to questions

The following guide may assist respondents to identify the questions most relevant to their interests or experience.

| Area of interest                                                  | Relevant questions |
|-------------------------------------------------------------------|--------------------|
| Overall policy objectives of the Act                              | Question 1         |
| Regulatory roles and powers                                       | Questions 2 to 4   |
| Racing integrity, animal welfare and appeals                      | Questions 5 to 7   |
| Wagering licensing, probity and nominees                          | Questions 8 to 11  |
| Licensed operations, technology and business integrity            | Questions 12 to 15 |
| Remedial powers, safer wagering and wagering-related harm         | Question 16        |
| Complaints, investigations, disciplinary action and review rights | Questions 17 to 19 |
| Compliance powers, enforceable undertakings and penalties         | Questions 20 to 21 |
| Other operational issues or matters not otherwise addressed       | Question 22        |

### 5.2. Purposes of the Act

Section 3 sets out the purposes of the Act, including probity, integrity and fairness; public interest protections; limits on crime and dishonesty; animal welfare; harm minimisation; and fair and efficient complaint resolution.

The review will consider whether these purposes remain valid and whether the Act's provisions are effective, proportionate and appropriate for achieving them.

Question 1:

**Do the purposes of the Act remain appropriate and relevant to the regulation of the racing and wagering industries? If not, what changes should be considered?**

### 5.3. Powers of the Commission

Sections 14 to 28 set out the Commission's establishment, composition, eligibility requirements, functions, powers, governance arrangements, records and reporting obligations.

Question 2:

**Are the Commission's composition, membership criteria, governance arrangements and powers appropriate, clear and proportionate for regulating the wagering industry and achieving the purposes of the Act? If not, what changes should be considered?**

## 5.4. Powers of the Director

Sections 30 and 30A set out the Director's functions and powers, including supporting the Commission, supervising inspectors, assessing licence applications, investigating complaints and overseeing RCBs.

Question 3:

**Are the Director's current powers sufficient, clear and proportionate for supporting the Commission and meeting the relevant purposes of the Act? If not, what changes should be considered?**

## 5.5. Powers of a Race Control Body

Sections 46 to 50A set out the appointment, eligibility, functions, powers, charter, directions and validation arrangements for an RCB, including controlling, supervising and developing racing, allocating race meetings, registering or licensing participants and animals, and establishing racing rules.

Question 4:

**Are the appointment, eligibility, charter, powers and accountability arrangements for an RCB sufficient, clear and proportionate for meeting the racing-related purposes of the Act? If not, what changes should be considered?**

## 5.6. Enforcement of racing rules

Section 52 provides for enforcement of racing rules, including grounds for imposing sanctions and available penalties.

Question 5:

**Are the grounds for enforcing racing rules, and the available sanctions and penalties, appropriate and sufficient to maintain racing integrity and protect animal welfare? If not, what changes should be considered?**

## 5.7. Other offences related to racing

Part 3 Division 3 and Division 5 provide for racecourse licensing, race club registration, race meetings and racing-related offences, including the operation of an unlicensed racecourse, carrying out unlawful racing and allowing unlicensed bookmakers to operate on a racecourse.

Question 6:

**Are the racecourse licensing, race club registration, racing-related offence and penalty provisions appropriate, complete and proportionate? If not, what changes should be considered?**

## 5.8. Racing Appeals Tribunal

Part 3 Division 8 establishes the RAT and provides for its composition, functions, powers, appeal processes and decisions that cannot be appealed.

Question 7:

**Are the RAT's powers, appeal processes and limits on appeal appropriate, clear and effective? If not, what changes should be considered?**

## 5.9. Wagering licence eligibility and application assessment

Part 4 provides for wagering licences, eligibility criteria and probity processes intended to support integrity, limit improper influence and maintain public confidence. The Regulations prescribe supporting licensing and operational requirements.

Question 8:

**Does the wagering licensing framework, including eligibility criteria, probity checks and application assessment matters, effectively support probity, integrity and fairness? If not, what changes should be considered?**

Question 9:

**Are the information requirements and processes for lodging and assessing licence applications clear, efficient and proportionate? If not, how could they be improved without compromising regulatory outcomes?**

Question 10:

**Does the wagering licensing framework remain fit for purpose in light of emerging wagering business models and technology? If not, what changes should be considered?**

## 5.10. Nominee

Section 132 requires a wagering operator to have a Commission-approved nominee who resides in the NT.

The review will consider whether the nominee role remains appropriate and whether further responsibilities should be prescribed.

Question 11:

**Is the current nominee framework effective and suitable for online wagering operations? If not, what changes or alternative approaches should be considered?**

## 5.11. Licensed operations

Part 6 Division 1 deals with operations under a wagering licence, including Commission-approved NT premises, customer communication, changes in associates and reportable events prescribed by the Regulations.

Question 12:

**Are the processes for dealing with changes in associates and prohibited conduct under section 159 effective, clear and comprehensive? If not, what changes should be considered?**

Part 6 Division 2 provides for wagering control system requirements and offences for non-compliance. The Regulations prescribe supporting requirements for approval, material changes, directions to change a system and revocation of approval.

Question 13:

**Are the wagering control system provisions and approval processes sufficiently flexible and effective for current and emerging wagering technologies? If not, what changes should be considered?**

Part 6 Division 4 requires Commission approval for certain licensee arrangements or agreements to protect business integrity and limit improper influence.

Question 14:

**Is the framework for approving arrangements or agreements sufficient to maintain business integrity and limit improper influence? If not, what changes should be considered?**

Part 6 Division 8 deals with wagering-related offences, including offences connected to licensee conduct, other prohibited conduct, and unlawful wagers.

Question 15:

**Are the wagering-related offences and penalties sufficient and proportionate to protect the public interest and deter unlawful conduct? If not, what changes should be considered?**

## 5.12. Remedial powers

Part 7 provides remedial powers, including declaring wagers void or valid, directing account closure, prohibiting new accounts, terminating arrangements, court prohibition orders and safer wagering provisions.

Question 16:

**Are the remedial powers in Part 7 effective, clear and appropriate? If not, what changes should be considered?**

## 5.13. Complaints, investigations and disciplinary action

Part 8 provides for the lodging, investigation, and determination of complaints, the disciplinary action available to the Commission, and the review of certain Commission and Director decisions by the NTCAT.

Question 17:

**Are the current complaint lodgement, investigation and determination processes effective, accessible and efficient? If not, what changes should be considered?**

Question 18:

**Are the available actions, grounds for disciplinary action and hearing processes appropriate and effective? If not, what changes should be considered?**

Question 19:

**Is the NTCAT review framework effective, including the decisions that may be reviewed and the grounds of review? If not, what changes should be considered?**

## 5.14. Compliance matters

Part 9 provides for regulatory compliance matters including inspections carried out by inspectors, the powers of inspectors while doing so, seizure powers, including analysis and return of items seized, the suspension of a licence, entering into enforceable undertakings, and offences related to compliance.

Question 20:

**Are the compliance tools in Part 9, including inspector powers and enforceable undertakings, effective, clear and proportionate? If not, what changes should be considered?**

Part 9 Division 6 and Part 10 outline offences and penalties for non-compliance, ranging from failure to comply with a direction and obstruction of an inspector to more serious offences such as disclosing confidential information, impersonating an inspector and offences relating to wagering and children. The Regulations also provide for infringement notice offences.

Question 21:

**Are the compliance offences, penalties and infringement notice arrangements sufficient and proportionate to deter non-compliance and support effective regulation? If not, what changes should be considered?**

## 5.15. Other matters

Parts 11 and 12 provide for matters including criminal responsibility, evidence, protection from liability, limitation periods and transitional matters.

Question 22:

**Are there any other operational issues, unintended effects, uncertainties or matters relevant to the Act that should be considered?**