

Australian Capital Territory

# Independent Competition and Regulatory Commission (Investigation into the ACT Racing Industry) Terms of Reference Determination 2010 (No 1)

Disallowable Instrument DI2010-269

made under the

***Independent Competition and Regulatory Commission Act 1997, Section 15 (Nature of industry references) and Section 16 (Terms of industry references)***

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## *Reference for Investigation under Section 15*

Pursuant to section 15(1) and 16 of the *Independent Competition and Regulatory Commission Act 1997* (the Act), I refer to the Independent Competition and Regulatory Commission (the Commission) the task of undertaking an investigation of the ACT racing industry.

1. The review will examine and make recommendations on an appropriate system of product payments and an appropriate funding outcome for the ACT racing industry. In making its recommendations the review will:
  - a) examine the economic impact of the racing industry in the ACT, including, but not limited to:
    - i. the benefit the ACT Government receives through ACTTAB's use of race field product from the ACT racing clubs and interstate racing clubs;
    - ii. the contribution of racing in the Canberra community, the revenue streams of racing clubs (including wagering, broadcast, sponsorship and functions), employment impacts, tourism spillovers and any other relevant trends in the industry;
  - b) estimate the current value of racing product created by the ACT racing clubs and provide advice on the capacity for future growth in value of racing product;
  - c) measure the current net value of product payments to the ACT racing clubs;
  - d) compare the current net value of product payments measured at c) with:
    - i. current net value of product payments to racing clubs in other jurisdictions; and

- ii. considered as comparisons of payments per capita, per racing industry full-time employee, per racing patron and per dollar of economic contribution.
2. The review will also examine and make recommendations on an appropriate allocation of ACT budget funding amongst the three racing clubs (Canberra Racing, Canberra Harness Racing Club and the Canberra Greyhound Racing Club). In making recommendations the review will consider relevant issues including, but not limited to:
  - a) any information arising from 1) above;
  - b) the level of interest/involvement in racing product both nationally and locally;
  - c) the relative costs of producing racing product and maintaining racing facilities; and
  - d) other forms of implicit and explicit government support to the racing clubs.
3. The review will also examine the impact, opportunities and challenges of a possible national statutory scheme on the ACT racing clubs and make recommendations on the future structure of the ACT racing industry. In making its recommendations the review will:
  - a) examine the opportunities and risks arising from a national product market to the ACT Government, Canberra community and ACT racing clubs; and
  - b) examine the current structure of the racing industry and identify opportunities for the industry to be more efficient, sustainable and competitive in a national product market.
4. The review will invite public submissions.

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Attorney General  
13 October 2010