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c 342 Racing Commission Act

Ontario

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CHAPTER 342

The Racing Commission Act

1. In this Act,

- (a) "Commission" means the Ontario Racing Commission;
- (b) "Minister" means the member of the Executive Council to whom the administration of this Act is assigned by the Lieutenant Governor in Council. R.S.O. 1950, c. 329, s. 1.

Interpre-
tation

2. The body corporate known as the Ontario Racing Commission, established under *The Racing Commission Act, 1950*, is continued and shall be composed of not fewer than three and not more than seven members appointed by the Lieutenant Governor in Council. R.S.O. 1950, c. 329, s. 2, amended.

Commission
continued
1950, c. 67

3. The object of the Commission is to govern, direct control and regulate horse racing in Ontario in any or all of its forms. R.S.O. 1950, c. 329, s. 3.

Object

4. The members of the Commission shall hold office during the pleasure of the Lieutenant Governor in Council. R.S.O. 1950, c. 329, s. 4.

Term of
office

5.—(1) The Lieutenant Governor in Council shall name one of the members to be the chairman and one of the members to be the vice-chairman.

Chairman
and vice-
chairman

(2) When the office of chairman is vacant or in the absence of the chairman, the vice-chairman shall act in his place and stead. R.S.O. 1950, c. 329, s. 5.

Absence of
chairman

6.—(1) At any meeting of the Commission a majority of the members constitutes a quorum, and a majority vote of the members present at any meeting of the Commission determines any question.

Quorum

(2) The chairman has a casting vote in addition to his ordinary vote. R.S.O. 1950, c. 329, s. 6.

Casting
vote

7. The Lieutenant Governor in Council may fill any vacancy that occurs in the membership of the Commission. R.S.O. 1950, c. 329, s. 7.

Vacancies

Salaries
of members
and staff

8. The Lieutenant Governor in Council shall fix the salaries of the chairman, the vice-chairman and the other members of the Commission, and may appoint such officers, clerks or other employees as are necessary for the purposes of the Commission, and shall fix their salaries, wages or other remuneration. R.S.O. 1950, c. 329, s. 8.

Chairman
and staff
to be civil
servants
R.S.O. 1960,
c. 331

9.—(1) The chairman of the Commission and all officers, clerks and other employees thereof are subject to *The Public Service Act* and are civil servants within the meaning of that Act.

Members
may be
made civil
servants

(2) The Lieutenant Governor in Council may provide that the members of the Commission, other than the chairman, or any of them, are subject to *The Public Service Act* and are civil servants within the meaning of that Act. R.S.O. 1950, c. 329, s. 9.

Expenses
payable out
of vote

10. The salaries and expenses of the members of the Commission and of the officers, clerks and other employees thereof, and generally all costs, charges and expenses incurred and payable in respect of the carrying out of this Act, shall be paid out of the moneys appropriated therefor by the Legislature. R.S.O. 1950, c. 329, s. 10.

Powers of
Commission

11. The Commission has power,

- (a) to govern, direct, control and regulate horse racing in Ontario in any or all of its forms;
- (b) to govern, control and regulate the operation of race tracks in Ontario at which any form of horse racing is carried on;
- (c) to hold hearings relating to the carrying out of its objects or powers, and to summon any person by subpoena signed by the chairman or by any other member of the Commission, and to require such person to give evidence on oath and to produce such documents and things as the Commission deems requisite in any such hearing;
- (d) to enforce the carrying out and observance of all regulations, rules and conditions established under this Act, by a fine or other penalty or otherwise;
- (e) to make by-laws for the conduct of its business and for the control and direction of its work;
- (f) to license persons to operate race tracks at which horse racing in any of its forms is carried on;

- (g) to license owners, trainers, drivers, jockeys, apprentice jockeys, grooms, jockeys' agents, jockeys' valets, exercise boys, tradesmen and such other persons in or about race tracks at which horse racing in any of its forms is carried on, as the Commission deems expedient;
- (h) to fix and collect fees or other charges for licences, prescribe the form thereof and the conditions under which they may be issued;
- (i) to refuse to grant any licence or to suspend or revoke any licence for conduct that the Commission considers to be contrary to the public interest;
- (j) to require registration with the Commission of, and to register colours, assumed names, partnerships and contracts and such other matters and things as the Commission deems expedient;
- (k) to fix and collect fees or other charges for registration under clause *j* and to prescribe the form thereof and the conditions under which registration may be made;
- (l) to make and promulgate rules for the conduct of horse racing in any of its forms;
- (m) to employ stewards, veterinarians, analysts and such other persons as the Commission deems expedient to attend at race meetings on behalf of the Commission;
- (n) to require approval by the Commission of the appointment of race track officials and employees whose duties relate to the actual running of horse races and to compel the discharge for cause of any such official or employee;
- (o) to fix, impose and collect fines and other penalties for a contravention of any requirement of the Commission under this Act;
- (p) to require persons licensed to operate race tracks to keep books of account in a manner satisfactory to the Commission, and to inspect such books at any time;
- (q) to do such things relating to horse racing in any or all of its forms, or to the operation of race tracks at which horse racing is carried on, as are authorized or directed by the Lieutenant Governor in Council. R.S.O. 1950, c. 329, s. 11; 1951, c. 76, s. 1; 1959, c. 86, s. 1.

Audit

12. The accounts of the Commission shall be audited by the Provincial Auditor or by such other auditor as the Lieutenant Governor in Council appoints. R.S.O. 1950, c. 329, s. 12.

Annual report

13. The Commission shall make a report annually to the Minister, containing such information as the Minister requires. R.S.O. 1950, c. 329, s. 13.

Regulations

14. The Lieutenant Governor in Council may make regulations with respect to any and all matters or things as deemed necessary for the carrying out of this Act. R.S.O. 1950, c. 329, s. 14; 1951, c. 76, s. 2.

Racing rules, etc., to be administrative

15. Rules for the conduct of horse racing may be promulgated by the Commission under this Act and any order or ruling issued or made by the Commission under this Act shall be deemed to be of an administrative and not of a legislative nature. 1951, c. 76, s. 3.
