

Crimes (Match-fixing) Amendment Bill

Government Bill

Explanatory note

General policy statement

International threat assessments warn of the increasing risk of crime syndicates and individuals targeting Australasia for sports match-fixing. There have already been high-profile match-fixing cases in Australia.

Match-fixing would significantly damage the integrity, value and growth of New Zealand sport, which contributed \$5 billion to our economy in 2008/09.

The Bill will help to address match-fixing risks presented by New Zealand's hosting of the Cricket World Cup and the FIFA Under 20 (football) World Cup. These events will occur over February-March and May-June 2015 respectively.

The Bill is not designed to capture every form of match-fixing activity. It is intended to address the most serious match-fixing activity where influencing a betting outcome is intended by improperly manipulating a sporting match or race.

Other types of match-fixing activity are better addressed by code of conduct or disciplinary procedures by relevant governing sports bodies or by other areas of the general law.

Match-fixing is a fast-developing area of law globally. Sport New Zealand will continue to monitor international best practice to cover the non-core activity not dealt with in the Bill.

Departmental disclosure statement

Sport New Zealand is required to prepare a disclosure statement to assist with the scrutiny of this Bill. It provides access to information about the policy development of the Bill and identifies any significant or unusual legislative features of the Bill.

A copy of the statement can be found at <http://legislation.govt.nz/disclosure.aspx?type=bill&subtype=government&year=2014&no=203&>.

Regulatory impact statement

Sport New Zealand produced a regulatory impact statement on 12 February 2014 to help inform the main policy decisions taken by the Government relating to the contents of this Bill.

A copy of this regulatory impact statement can be found at—

- <http://www.sportnz.org.nz/matchfixing>
- <http://www.treasury.govt.nz/publications/informationreleases/ris>

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 provides that the Bill comes into force on 15 December 2014.

Clause 3 provides that the Bill amends the Crimes Act 1961 (the **principal Act**).

Clause 4 inserts into the principal Act a *new section 240A*, which—

- applies to the manipulation, with intent to influence a betting outcome of a sporting competition, game, match, race, or rally involving human participants (or a dog race), of—
 - its overall result; or
 - any incidental event; and
- provides that manipulation of this kind, unless undertaken for tactical or strategic sporting reasons, is deception for the pur-

poses of section 240 of the principal Act (which relates to obtaining by deception or causing loss by deception).

Hon Murray McCully

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Crimes (Match-fixing) Amendment Act **2014**.
- 2 Commencement**
This Act comes into force on 15 December 2014. 5
- 3 Principal Act**
This Act amends the Crimes Act 1961 (the **principal Act**).
- 4 New section 240A inserted (Application of section 240
to match-fixing)**
After section 240, insert: 10

“240A Application of section 240 to match-fixing

- “(1) For the purposes of section 240, **deception** includes any act or omission that is done or omitted with intent to influence a betting outcome of an activity of a kind to which **subsection (2)** applies by manipulating, otherwise than for tactical or strategic sporting reasons,— 5
- “(a) the overall result of the activity; or
 - “(b) any event within the activity.
- “(2) This subsection applies to activities of the following kinds: 10
- “(a) sporting competitions, games, matches, races, and rallies involving human participants (whether or not they also involve equipment, horses, vehicles, or vessels):
 - “(b) dog races.
- “(3) This section does not limit or affect the generality of section 240.” 15
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