Authorised Version

Racing (Integrity and Disciplinary Structures) Regulations 2019
S.R. No. 66/2019

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Authorised Version

STATUTORY RULES 2019

S.R. No. 66/2019

Racing Act 1958

Racing (Integrity and Disciplinary Structures) Regulations 2019

The Governor in Council makes the following Regulations:

Dated: 30 July 2019

Responsible Minister:

MARTIN PAKULA
Minister for Racing

PIETA TAVROU
Clerk of the Executive Council

1 Objectives

The objectives of these Regulations are—

(a) to prescribe forms for the purposes of racing appeals and disciplinary hearings; and

(b) to prescribe details of charges for serious offences to be given to the Victorian Racing Tribunal Registrar; and

(c) to prescribe the form of register to be kept by the Victorian Racing Tribunal Registrar; and

(d) to prescribe particulars of appeals lodged with, and offences heard by, the Victorian Racing Tribunal that are to be recorded in the register.

2 Authorising provisions

These Regulations are made under sections 50ZL and 83OG of the Racing Act 1958.
3 Commencement

These Regulations come into operation on 1 August 2019.

4 Definition

In these Regulations—

the Act means the Racing Act 1958.

5 Appeals to Victorian Racing Tribunal

For the purposes of section 50K(2)(a) of the Act, the prescribed form of appeal is set out in Form 1 of Schedule 1.

6 Appeals in respect of approvals for approved off-course premises

For the purposes of section 50M(2)(a) of the Act, the prescribed form of appeal is set out in Form 2 of Schedule 1.

7 Appeals in respect of Trainer User Agreements

An appeal to the Victorian Racing Tribunal in respect of a Trainer User Agreement must be in the form of Form 3 of Schedule 1.

8 Details in respect of serious offence charges

For the purposes of section 50O(2) of the Act, the following details are prescribed in respect of each charge—

(a) the name of the person who is charged;

(b) whether the charge relates to greyhound racing, harness racing or thoroughbred racing;

(c) the charge number, if there is more than one charge;

(d) the number and details of the rule setting out the serious offence under which the charge is laid;
(e) the particulars of the charge;
(f) the date the person was charged;
(g) the signature, name and authority of the person that charged the person with a serious offence.

9 The register

(1) For the purposes of section 83OF(1)(a) of the Act, the register is in the prescribed form if it is wholly or partly in an electronic form or a documentary form.

(2) For the purposes of section 83OF(1)(a) of the Act, the following particulars are prescribed—

(a) in respect of appeals lodged with the Victorian Racing Tribunal—

(i) the number and year of the hearing of the appeal; and

(ii) the dates of the appeal hearing; and

(iii) whether the appeal relates to greyhound racing, harness racing or thoroughbred racing; and

(iv) the name of the appellant; and

(v) the rules under which the penalty being appealed was imposed; and

(vi) the particulars of the charge for which the penalty was imposed, or the particulars of the decision being appealed; and

(vii) the penalty imposed on the person; and

(viii) the grounds of appeal; and

(ix) the determination made by the Tribunal in respect of the appeal;
(b) in respect of serious offences to be heard by the Victorian Racing Tribunal—

(i) the hearing number and year of hearing; and

(ii) the dates of the hearing; and

(iii) whether the hearing relates to greyhound racing, harness racing or thoroughbred racing; and

(iv) the name of the person charged; and

(v) the rules under which the person was charged with a serious offence; and

(vi) the particulars of the charge; and

(vii) the determination made by the Tribunal.
Schedule 1—Forms

FORM 1

SECTION 50K APPEAL TO THE VICTORIAN RACING TRIBUNAL

Appeals to be lodged with: FAX: PHONE:
Tribunal Registrar EMAIL:
Address:

Appeal notices must be lodged by 5 p.m. on the third day after the day the appellant receives notice of the decision. An appellant may lodge an appeal out of time with the leave of the Victorian Racing Tribunal.

Name of appellant:
Address:
Address for service:
Telephone: Fax:
Email:

I give notice that I appeal against the decision to impose a penalty under the Rules of:

*Greyhound Racing Victoria  *Harness Racing Victoria
*Racing Victoria Limited

On [date of decision] in Race No. [if applicable]

at [racetrack/meeting]

I [name] was found guilty under rule [rule under which penalty imposed] of a charge of [particulars of charge]

The following penalty was imposed:

*fine of $  *days  *weeks
*suspension/*disqualification of my licence for  *months  *years
*meetings

Commencing [date] and expiring [date]

*warning off

Authorised by the Chief Parliamentary Counsel
The grounds for my appeal are:

*If leave to lodge appeal out of time has been granted, the date on which leave was granted (attach evidence of the grant).

*I do not intend to apply for a stay of the penalty imposed.

*I intend to apply for a stay of the penalty imposed on the following grounds.

Please note: Engagements booked for race meetings after the hearing date of an appeal are made on the understanding that suspensions, disqualifications or warnings off may take effect immediately should the appeal be unsuccessful and the appellant will be unable to fulfil the engagement.

*I will be representing myself at the hearing of the appeal

*I will be represented at the hearing of the appeal by:

Name:
Address: Telephone:
Email: Fax:
Signature of Appellant Date:

*Delete if inapplicable
FORM 2
SECTION 50M APPEAL TO THE VICTORIAN RACING TRIBUNAL

Appeals to be lodged with: FAX: PHONE:
Tribunal Registrar EMAIL:

Address of premises to which decision relates:

Appeal notices must be lodged by 5 p.m. on the third day after the day the appellant receives notice of the decision and a copy of the decision must be submitted with this form. An appellant may lodge an appeal out of time with the leave of the Victorian Racing Tribunal.

Name of appellant:
Licence number of appellant:
Address:
Address for service:
Telephone: Fax:
Email:

I give notice that I appeal against the decision of:

*Greyhound Racing Victoria    *Harness Racing Victoria
*Racing Victoria Limited

*made under section 4C of the Racing Act 1958 to refuse my application for approval of off-course premises

*made under section 4D of the Racing Act 1958 to *cancel/*suspend my approval of off-course premises granted under that section

*made under section 4D of the Racing Act 1958 to *vary/*refuse to vary the conditions of my approval of off-course premises granted under section 4C of that Act

On [date of decision]

The grounds for my appeal are:

*If leave to lodge appeal out of time has been granted, the date on which leave was granted (attach evidence of the grant).

*I will be representing myself at the hearing of the appeal.
*I will be represented at the hearing of the appeal by:

Name: 
Address: 
Telephone: 
Email: 
Fax: 
Signature of Appellant: 
Date: 

*Delete if inapplicable
FORM 3

SECTION 50C(f) APPEAL TO THE VICTORIAN RACING TRIBUNAL

Appeals to be lodged with: FAX: PHONE:
Tribunal Registrar: EMAIL:

Details of parties to Trainer User Agreement to which decision relates (please attach a copy of the agreement):

Date of the Trainer User Agreement:

Address of premises to which decision relates:

Appeal notices must be lodged by 5 p.m. on the third day after the day the appellant receives notice of the decision and a copy of the decision must be submitted with this form. An appellant may lodge an appeal out of time with the leave of the Victorian Racing Tribunal.

Name of appellant:
Licence number of appellant (if known):
Address:
Address for service:
Telephone: Fax:
Email:

I give notice that I appeal against the decision of:

*Greyhound Racing Victoria  *Harness Racing Victoria
*Racing Victoria Limited

On [date of decision]

And the following was imposed:

The grounds for my appeal are:

*If leave to lodge appeal out of time has been granted, the date on which leave was granted (attach evidence of the grant).

*I will be representing myself at the hearing of the appeal.
Racing (Integrity and Disciplinary Structures) Regulations 2019
S.R. No. 66/2019
Schedule 1—Forms

*I will be represented at the hearing of the appeal by:
Name:
Address: Telephone:
Email: Fax:
Signature of Appellant: Date:
*Delete if inapplicable