



Queensland

Racing Regulation 2013

Subordinate Legislation 2013 No. 160

made under the

Racing Act 2002

Contents

		Page
Part 1	Preliminary	
1	Short title	3
2	Commencement	3
Part 2	Use of Queensland race information	
3	Application for race information authority	3
4	Matters to be taken into account in deciding race information application	3
5	Matters not to be taken into account in deciding race information application	4
6	Conditions that may be imposed	5
7	Matters not to be taken into account in imposing conditions	5
8	Grounds for cancelling race information authority	6
Part 3	Integrity control	
9	Publication by integrity board of analytical procedures	7
10	Qualifications for an accredited analyst—Act, s 129	8
Part 4	Payment and settlement of bets	
11	Approved place for paying and settling particular bets	8
Part 5	State laws about racing or betting	
12	Prescribed laws about racing or betting	8
Part 6	Fees and expenses	
13	Due date for yearly fee payable by control body	8

Contents

14	Witness fees and expenses for accepted appeals	9
15	Fees	10
Part 7	Repeal	
16	Repeal	10
Schedule 1	Prescribed laws about racing or betting	11
Schedule 2	Fees	15

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Racing Regulation 2013*.

2 Commencement

This regulation commences on 1 September 2013.

Part 2 Use of Queensland race information

3 Application for race information authority

- (1) For section 113AE(2)(a) of the Act, the application must be in a control body form.
- (2) For section 113AE(2)(b)(ii) of the Act, the documents are the documents identified in the control body form.

4 Matters to be taken into account in deciding race information application

- (1) This section applies to an applicant for a race information authority for a code of racing if the applicant is a licensed wagering operator who holds a licence or authority—
 - (a) under a law of a foreign country, other than New Zealand, authorising the wagering operator to conduct a wagering business; or
 - (b) issued by a principal racing authority of a foreign country, other than New Zealand, authorising the wagering operator to conduct a wagering business.
- (2) Each of the following is a type of matter for section 113AE(5)(a) of the Act—

[s 5]

- (a) whether the applicant is suitable to hold a race information authority, having regard to each of the following—
 - (i) the applicant’s character or business reputation;
 - (ii) the applicant’s current financial position and financial background;
 - (iii) if the applicant has a business association with another entity—
 - (A) the other entity’s character or business reputation; and
 - (B) the other entity’s current financial position and financial background;
 - (iv) if the applicant is a corporation—
 - (A) the character or business reputation of the corporation’s executive officers; and
 - (B) the current financial position and financial background of the corporation’s executive officers;
- (b) whether issuing a race information authority to the applicant will undermine the integrity of the conduct of the code of racing in Queensland.

5 Matters not to be taken into account in deciding race information application

Each of the following is a type of matter for section 113AE(5)(b) of the Act—

- (a) for an applicant who is an individual whose principal place of residence is in another State—that the applicant’s principal place of residence is in another State;
- (b) for an applicant who is an individual who conducts a wagering business in another State—that the applicant conducts a wagering business in another State;

- (c) for an applicant that is a corporation that has its registered office under the Corporations Act, or principal place of business, in another State—that the applicant has its registered office under the Corporations Act, or principal place of business, in another State;
- (d) for an applicant that is a licensed wagering operator that holds a licence or other authority under a law of another State authorising it to conduct a wagering business—that the licence or other authority is held under the law of another State;
- (e) for an applicant that is a licensed wagering operator that holds a licence or other authority issued by a principal racing authority of another State authorising it to conduct a wagering business—that the licence or other authority is issued by a principal racing authority of another State.

6 Conditions that may be imposed

For section 113AF(3)(b) of the Act, the types of conditions are the following—

- (a) conditions about the duration of the authority;
- (b) conditions about the holder of the authority giving the control body information the control body requires to calculate any fees payable by the holder of the authority under section 113AF(3)(a) of the Act;
- (c) conditions about when the holder of the authority must pay any fees payable by the holder of the authority under section 113AF(3)(a) of the Act.

7 Matters not to be taken into account in imposing conditions

Each of the following is a type of matter for section 113AF(4) of the Act—

- (a) for an applicant who is an individual whose principal place of residence is in another State—that the

[s 8]

applicant's principal place of residence is in another State;

- (b) for an applicant who is an individual who conducts a wagering business in another State—that the applicant conducts a wagering business in another State;
- (c) for an applicant that is a corporation that has its registered office under the Corporations Act, or principal place of business, in another State—that the applicant has its registered office under the Corporations Act, or principal place of business, in another State;
- (d) for an applicant that is a licensed wagering operator that holds a licence or other authority under a law of another State authorising it to conduct a wagering business—that the licence or other authority is held under the law of another State;
- (e) for an applicant that is a licensed wagering operator that holds a licence or other authority issued by a principal racing authority of another State authorising it to conduct a wagering business—that the licence or other authority is issued by a principal racing authority of another State.

8 Grounds for cancelling race information authority

- (1) For section 113AJ(1) of the Act, each of the following is a ground for cancelling a licenced wagering operator's race information authority—
 - (a) the licensed wagering operator contravenes any condition of the authority;
 - (b) the authority was issued because of a materially false or misleading representation or declaration;
 - (c) if the licensed wagering operator is a relevant wagering operator—the licensed wagering operator is not suitable to hold the authority, having regard to the matters mentioned in section 4(2)(a).
- (2) In this section—

relevant wagering operator means a licensed wagering operator who holds a licence or authority—

- (a) under a law of a foreign country, other than New Zealand, authorising the wagering operator to conduct a wagering business; or
- (b) issued by a principal racing authority of a foreign country, other than New Zealand, authorising the wagering operator to conduct a wagering business.

Part 3 Integrity control

9 Publication by integrity board of analytical procedures

(1) For section 115(3)(b) of the Act, the integrity board may publish analytical procedures and amendments of the procedures by—

- (a) making the procedures and amendments available for inspection, free of charge, at its business address during its ordinary office hours and on its website; and

Editor's note—

At the commencement of this section, the integrity board's website is <<http://www.nprsr.qld.gov.au/racing/welfare-integrity-board.html>>.

- (b) giving a copy of the procedures or amendments to a person if the person asks for a copy.

(2) In this section—

analytical procedures means the procedures developed or adopted by the integrity board under section 115(3)(a) of the Act about the way things for analysis are to be taken and dealt with.

[s 10]

10 Qualifications for an accredited analyst—Act, s 129

For section 129(3)(b) of the Act, the qualifications to be an accredited analyst are a qualification awarded by a tertiary institution in the field of analytical chemistry or a similar field.

Part 4 Payment and settlement of bets

11 Approved place for paying and settling particular bets

Tattersall's Club Rooms at 215 Queen Street, Brisbane is approved for section 254(2) of the Act.

Part 5 State laws about racing or betting

12 Prescribed laws about racing or betting

Each law of another State that is stated in schedule 1 is a law about racing or betting.

Part 6 Fees and expenses

13 Due date for yearly fee payable by control body

For section 29(2)(b) of the Act, the fee relating to each year for which an approved control body's approval has effect is payable by each anniversary of the approval effect day for the control body.

14 Witness fees and expenses for accepted appeals

- (1) For section 149ZN of the Act, the fees and expenses for a witness to appear at a hearing for an accepted appeal are each of the following—
 - (a) an attendance fee;
 - (b) a conduct fee;
 - (c) travelling expenses;
 - (d) if the witness is required to attend for more than 1 day and it is not reasonably practicable for the person to return to the person's place of residence—accommodation expenses.
- (2) For subsection (1)(a), the attendance fee for the witness is—
 - (a) if the witness is under 16 years of age—\$35.50 for each day or part day of attendance; or
 - (b) if the witness is 16 years of age or older—\$71 for each day or part day of attendance.
- (3) For subsection (1)(b), the conduct fee for the witness is the amount sufficient to meet the reasonable expenses of the witness complying with a notice given under section 149ZL of the Act.
- (4) For subsection (1)(c), the travel expenses for the witness are—
 - (a) if it is reasonable for the witness to travel to and from the place for the hearing by air—
 - (i) the cost of economy class air travel by the witness to and from the place for the hearing; and
 - (ii) the amount payable for return fares on public transport between the witness's place of accommodation and the place for the hearing; or
 - (b) otherwise—the amount payable for return fares on public transport between the witness's place of employment or residence (whichever is the furthest

[s 15]

from the place for the hearing) and the place for the hearing.

(5) For subsection (1)(d), the amount of the accommodation expenses for the witness is to be decided by the board chairperson.

(6) In this section—

public transport means any form of passenger transport, other than a taxi, that is available for use by the public on payment of a fare.

15 Fees

The fees payable under the Act are stated in schedule 2.

Part 7 Repeal

16 Repeal

The Racing Regulation 2003, SL No. 142 is repealed.

Schedule 1 Prescribed laws about racing or betting

section 12

Australian Capital Territory

- *Betting (ACTTAB Limited) Act 1964 (ACT)*
- *Casino Control Act 2006 (ACT)*
- *Gambling and Racing Control Act 1999 (ACT)*
- *Gambling and Racing Control (Code of Practice) Regulation 2002 (ACT)*
- *Gaming Machine Act 2004 (ACT)*
- *Interactive Gambling Act 1998 (ACT)*
- *Lotteries Act 1964 (ACT)*
- *Pool Betting Act 1964 (ACT)*
- *Race and Sports Bookmaking Act 2001 (ACT)*
- *Race and Sports Bookmaking Regulation 2001 (ACT)*
- *Racing Act 1999 (ACT)*
- *Racing (Race Field Information) Regulation 2010 (ACT)*
- *Unlawful Gambling Act 2009 (ACT)*

New South Wales

- *Australian Jockey and Sydney Turf Clubs Merger Act 2010 (NSW)*
- *Betting Tax Act 2001 (NSW)*
- *Greyhound Racing Act 2009 (NSW)*
- *Harness Racing Act 2009 (NSW)*
- *Hawkesbury Racecourse Act 1996 (NSW)*

- *Racing Administration Act 1998* (NSW)
- *Racing Appeals Tribunal Act 1983* (NSW)
- *Thoroughbred Racing Act 1996* (NSW)
- *Totalizator Act 1997* (NSW)
- *Totalizator Agency Board Privatisation Act 1997* (NSW)
- *Unlawful Gambling Act 1998* (NSW)
- *Wagga Wagga Racecourse Act 1993* (NSW)

Northern Territory

- *Greyhound Racing Rules* (NT)
- *Racing and Betting Act* (NT)
- *Racing and Betting Regulations* (NT)
- *Totalisator Licensing and Regulation Act* (NT)
- *Totalisator Licensing and Regulation Regulations* (NT)
- *Totalisator Licensing and Regulation (Arbitration) Regulations* (NT)
- *Totalisator Licensing and Regulation (Hearings) Regulations* (NT)
- *Totalisator Licensing and Regulation (Wagering) Rules* (NT)
- *Totalizator Rules* (NT)
- *Unlawful Betting Act* (NT)

South Australia

- *Authorised Betting Operations Act 2000* (SA)
- *Lottery and Gaming Act 1936* (SA)
- *Racing (Proprietary Business Licensing) Act 2000* (SA)

Tasmania

- *Gaming Control Act 1993 (Tas)*
- *Racing (Bookmaker Betting) Regulations 2004 (Tas)*
- *Racing (Miscellaneous) Regulations 2004 (Tas)*
- *Racing (Race Fields) Regulations 2009 (Tas)*
- *Racing Regulation Act 2004 (Tas)*
- *Racing (Tasracing Pty Ltd) Act 2009 (Tas)*

Victoria

- *Gambling Regulation Act 2003 (Vic)*
- *Racing Act 1958 (Vic)*

Western Australia

- *Betting Control Act 1954 (WA)*
- *Betting Control Regulations 1978 (WA)*
- *Bookmakers Betting Levy Act 1954 (WA)*
- *Gaming and Betting (Contracts and Securities) Act 1985 (WA)*
- *Gaming and Wagering Commission Act 1987 (WA)*
- *Gaming and Wagering Commission (Continuing Lotteries Levy) Act 2000 (WA)*
- *Gaming and Wagering Commission (Continuing Lotteries Levy) Regulations 2000 (WA)*
- *Gaming and Wagering Commission Regulations 1988 (WA)*
- *Racing and Wagering Western Australia Act 2003 (WA)*
- *Racing and Wagering Western Australia Tax Act 2003 (WA)*
- *Racing and Wagering Western Australia Regulations 2003 (WA)*

- *Racing Bets Levy Act 2009 (WA)*
- *Racing Bets Levy Regulations 2009 (WA)*
- *Racing Penalties (Appeals) Act 1990 (WA)*
- *Racing Penalties (Appeals) Regulations 1991 (WA)*
- *Racing Restriction Act 2003 (WA)*
- *Rules of Wagering 2005 (WA)*
- *The Western Australian Turf Club Act 1892 (WA)*
- *Western Australian Greyhound Racing Association Act 1981 (WA)*
- *Western Australian Trotting Association Act 1946 (WA)*
- *Western Australian Turf Club (Property) Act 1944 (WA)*

Schedule 2 Fees

section 15

	\$
1 Application fee for approval as an approved control body—Act, s 11(1)(a)	6 352.00
2 Fee for each year an approved control body’s approval has effect—Act, s 29(2)(a)	3 175.00
3 Application fee for accreditation as an accredited facility—Act, s 129(2)	3 175.10
4 Application fee for variation of accreditation for an accredited facility—Act, s 134(2)	127.30
5 Giving a notice of appeal to the registrar—Act, s 149U(1)(a)	250.00
6 Application fee for an eligibility certificate—Act, s 207(2)(a)—	
(a) if the applicant is an individual	2 151.00
(b) if the applicant is a corporation	6 182.00

ENDNOTES

- 1 Made by the Governor in Council on 15 August 2013.
- 2 Notified in the gazette on 16 August 2013.
- 3 Laid before the Legislative Assembly on . . .
- 4 The administering agency is the Department of National Parks, Recreation, Sport and Racing.

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