



New South Wales

Racing Appeals Tribunal Amendment (Decisions of Board) Regulation 1998

under the

Racing Appeals Tribunal Act 1983

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Racing Appeals Tribunal Act 1983*.

Bob Martin

Acting Minister for Gaming and Racing

Explanatory note

The objects of this Regulation are:

- (a) to specify the decisions of the NSW Thoroughbred Racing Board from which an appeal lies to the Racing Appeals Tribunal, and
- (b) to update certain references.

This Regulation is made under the *Racing Appeals Tribunal Act 1983*, including sections 15 and 18 (regulations with respect to appeals) and section 23 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Racing Appeals Tribunal Amendment (Decisions of Board) Regulation 1998*.

2 Commencement

This Regulation commences on 17 July 1998.

3 Amendment of Racing Appeals Tribunal Regulation 1994

The *Racing Appeals Tribunal Regulation 1994* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 4

Omit the clause. Insert instead:

4 Definitions

In this Regulation:

Appeal Panel means the Appeal Panel under the *Thoroughbred Racing Board Act 1996*.*Board* means the NSW Thoroughbred Racing Board.*Secretary* means:

- (a) the Chief Executive of the Board, or
- (b) an officer of the Board, or an officer of a Department administered by the Minister, designated by the Minister as Secretary of the Tribunal.

the Act means the *Racing Appeals Tribunal Act 1983*.*the Rules* means the Rules of Racing under the *Thoroughbred Racing Board Act 1996*.**[2] Clause 6 Procedure for initiating and hearing appeals**

Insert "or (c)" after "section 15 (a)" in clause 6 (1) (a).

[3] Clauses 13 and 15

Insert "or the Board" after "Appeal Panel" wherever occurring in clauses 13 (1) and 15 (c).

[4] Clause 14 Appeals from certain decisions

Omit clause 14 (1). Insert instead:

- (1) In the case of an appeal made under section 15 (a) or (b) of the Act, an appeal may be made to the Tribunal only in respect of a decision:
 - (a) to disqualify or warn off a person, or

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- (b) to suspend for a period of 3 months or more any licence, right or privilege granted under the Rules, or
 - (c) to revoke the licence of any person under the Rules, or
 - (d) to impose on any person a fine of \$2,000 or or
 - (e) to disqualify a horse, if the disqualification is made in conjunction with the imposition of a penalty on the appellant or any other person.
- (1A) In the case of an appeal made under section 15 (c) of the Act, an appeal may be made to the Tribunal only in respect of a decision:
- (a) to disqualify or warn off a person, or
 - (b) to suspend any licence, right or privilege granted under the Rules, or
 - (c) to impose on any person a fine of \$100 or more.

[5] Clause 14 (2)

Insert "or (1A)" after "(1)".