



QUEENSLAND RACING  
INTEGRITY COMMISSION



## **Powers under the Rules of Racing**

A standard to clarify the powers and functions under the Rules of Racing in accordance with the provisions of the *Racing Act 2002* and *Racing Integrity Act 2016*



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## Part 1 Date of Standard

- 1.1 The date of the Standard is 1 July 2017

## Part 2 Date of Commencement

- 2.1 The Standard will commence on 1 July 2017.  
2.2 The Standard will continue to be effective until it is repealed.

## Part 3 Purpose of the Standard

- 3.1 The Standard – Powers under the Rules of Racing for each code is made under section 58(1)(b) of the *Racing Integrity Act 2016* for the good management of the codes of racing, being the thoroughbred, harness and greyhound codes of racing.
- 3.2 As the *Racing (Transitional) Regulation 2016* has expired, there is no statement in the legislation to clarify the responsibilities of Racing Queensland and the Queensland Racing Integrity Commission (the Commission) under the Rules of Racing for each code.
- 3.3 As such, the Standard seeks to maintain the regulatory platform previously provided by the *Racing (Transitional) Regulation 2016*.
- 3.4 The Standard will ensure that the functions and powers provided to “Principal Racing Authority”, “Controlling Body”, “Control Body” or “Racing Queensland”, under the Rules of Racing are appropriately exercised in accordance with the functions of Racing Queensland under the *Racing Act 2002* or the functions of the Queensland Racing Integrity Commission under the *Racing Integrity Act 2016*.

*Example – Section 10 of the Racing Integrity Act 2016 provides for the licensing of participants to be a function of the Queensland Racing Integrity Commission. As such, any reference in the Rules of Racing to the Principal Racing Authority should be read as a reference to the Commission and not Racing Queensland.*

## Part 4 Application of this Standard

- 4.1 The Standard – Powers under the Rules of Racing for each code will apply to the Thoroughbred, Harness and Greyhound codes of racing to ensure that the functions and powers provided to “Principal Racing Authority”, “Controlling Body”, “Control Body” or “Racing Queensland”, under the Rules of Racing are appropriately exercised in accordance with the functions of Racing Queensland under the *Racing Act 2002* or the functions of the Queensland Racing Integrity Commission under the *Racing Integrity Act 2016*.

## Part 5 Impacts of this Standard on the Rules of Racing

- 5.1 The Standard – Powers under the Rules of Racing for each code directly impacts on the powers given to the Principal Racing Authority, Controlling Body, Control Body or Racing Queensland under the Rules of Racing.
- 5.2 This impact occurs through the Standard providing for the Commission to exercise powers under the Rules of Racing for each code in accordance with its functions and powers under the *Racing Integrity Act 2016*.

## Part 6 How the Rules of Racing are to be interpreted

- 6.1 The Standard will apply to the powers, functions and responsibilities given to the “Principal Racing Authority”, “Controlling Body”, “Control Body” or “Racing Queensland” under the Rules of Racing for each code.
- 6.2 In applying the Rules of Racing for a code of racing, if a rule provides for an entity to perform a function that is a function of the Commission, or take action in a matter relevant to the performance of a function of the Commission, the Commission and not the entity may perform the function or take the action, including—
- appointing stewards; and
  - penalising participants.

*Note — See Section 10 of the Racing Integrity Act 2016.*

*Examples of other matters relevant to the performance of a function of the Commission —issuing warning off notices, licensing bookmakers, prohibiting substances, licensing animals and regulating matters relating to breeding.*

- 6.3 Without limiting subsection 6.2, in applying the rules of racing for a code of racing, a reference to the 'Principal Racing Authority', 'control body', 'controlling body' or 'Racing Queensland' in a rule about a matter relevant to the performance of a function of the Commission is taken to be a reference to the Commission.
- 6.4 The current version of the Rules of Racing for each code, approved by Racing Queensland, will not be invalidated or otherwise by the commencement of this Standard.
- 6.5 The Standard is only to provide for which entity, or officer of an entity, will be responsible for exercising a particular function or power. The Standard should not be interpreted as overriding or displacing any of the Rules of Racing for a code.
- 6.6 Please note the dictionary may contain defined terms relevant to the effect and application of this Standard.

## Part 7 Who will be impacted by the Standard

- 7.1 The Standard relates to the functions and powers of the relevant statutory bodies, Racing Queensland and the Queensland Racing Integrity Commission, as to who will be responsible for exercising functions and powers under the Rules of Racing.
- 7.2 The Standard does not affect the rights and liberties provided to persons under the Rules of Racing.

## Part 8 Decisions made under the Penalties Standard

- 8.1 A decision made by either entity, Racing Queensland or the Queensland Racing Integrity Commission, will be binding where the party exercises a function or power under the Rules of Racing and in accordance with their functions provided under the *Racing Act 2002* or *Racing Integrity Act 2016* respectively.

## Approval

**Ross Barnett APM**  
**Commissioner**  
**Queensland Racing Integrity Commission**

## Revision History

Version	Date	Description
1.00	1 July 2017	Commissioner approved

## Schedule 1 – Dictionary

“**Rules of Racing**” means the Rules of Racing approved by the control body (ie. Racing Queensland) as required by the *Racing Act 2002*.

“**Stewards**” are persons appointed under the Rules of Racing for a code of racing.