



QUEENSLAND RACING
INTEGRITY COMMISSION



**Standard for suitability of persons to apply
or hold Racing Bookmaker's Licences
under the *Racing Integrity Act 2016***

Contents

Date standard made	3
Effective date of standard	3
Purpose of standard	3
Who is affected by the Standard.....	3
Suitability of persons to hold a Racing Bookmaker’s Licence	3
Approval.....	5
Revision History	6
Schedule 1 – Definitions	6
Schedule 2 – Schedule of Fees.....	7

Date standard made

1 July 2016

Effective date of standard

1 July 2016

Purpose of standard

Chapter 4 Part 1 and Part 2 (sections 70 to 115 of the Racing Integrity Act) provide for the licensing of racing bookmakers by the Commission.

Section 81 and 82 of the Racing Integrity Act provide guidance as to what matters the Commission may have regard to in determining whether an applicant is suitable to hold a bookmaker's licence.

Section 83 of the Racing Integrity Act also states that the Commission is not limited by section 81 and 82 in determining the suitability of a person to be provided a racing bookmaker's licence.

Under section 58 of the Racing Integrity Act, the Commission is able to make a Standard, if the Commission believes that it is good management to have the Standard.

The Commission is of the view that it is for the good management of the codes of racing to have the Standard to provide guidance to bookmakers on the requirements in the assessment of "character or business reputation" and other matters relevant to the suitability of a person to continue to be licensed.

Who is affected by the Standard

The Standard applies to all persons who wish to apply for, or hold, a racing bookmaker's licence under the Racing Integrity Act.

Suitability of persons to hold a Racing Bookmaker's Licence

Chapter 4 of the Racing Integrity Act provides for matters relating to racing bookmaker's licences.

More specifically, sections 101 to 108 of the Racing Integrity Act deal with matters relating to disciplinary action taken by the Commission against a racing bookmaker's licence in certain circumstances.

Section 101 of the Racing Integrity Act states that a ground for cancelling a racing bookmaker's licence. An example of matters listed in section 101 of the Racing Integrity Act, include where a racing bookmaker:

- Is not a suitable person to hold a racing bookmaker's licence;
- Is convicted for an offence against the Racing Integrity Act or Racing Act;
- Is convicted of an indictable offence against any other Act or law;
- contravenes a provision of the Racing Integrity Act, whether or not a penalty is provided for in the provision;
- is affected by bankruptcy action.

For further information about the disciplinary action processes, including processes relating to the issuing of show cause notices and submissions in response to a show cause notice, please refer to the Racing Integrity Act.

To provide racing bookmakers with further clarity about matters that will be considered as grounds for cancelling a racing bookmaker's licence, the Commission has prepared this Standard.

The Commission may consider a person not suitable to be granted, or continue to hold, a racing bookmaker's licence, where the racing bookmaker fails to comply with the requirements contained in the Racing Integrity Act, any Standard issued by the Commission, the Racing Act and the Rules of Racing.

The Commission may also view a person as not suitable to grant, or continue to hold, a racing bookmaker's licence, where the person fails to:

- be a fit and proper person;
- comply with any requirement or condition imposed on the racing bookmaker by the Commission;
- pay any relevant fees, including any fees listed in Schedule 2 of this Standard, to the Commission;
- notify the Commission, within fourteen (14) days, if the licence holder is charged with any criminal offence, is made bankrupt or becomes the subject of a court judgment requiring payment to a Queensland racing industry participant or provider; must be able satisfy the Commission that it is capable of meeting all of its debts and liabilities, if any when they fall due;
- appear at an interview or inquiry, if requested;
- allow the Commission's officials access to staff employed in connection with the licence;
- provide any financial information requested by the Commission to allow it to satisfy itself of the financial position of the racing bookmaker;
- provide the Commission with proof of a bond being held on their behalf by their association or by a Financial Institution;
- comply with the Rules of Racing;
- comply with any directions given by the Commission;
- comply with the requirement to not make any public statement or comment concerning any matter currently the subject of investigation or inquiry before the Commission;
- make and keep, in respect of each race meeting at which the bookmaker company operates, a true record of all bets and to retain a legible copy of the same for a period of six (6) months from the date of the meeting to which the same relates, and provide a copy to the stewards at the completion of such race meeting or such earlier time as the stewards may direct;
- maintain and keep a wages book, or other record, in which is set out the gross amount earned and net amount paid (with details of all deductions and holiday pay) each week to each member of staff for the term of the licence.

All racing bookmakers, or applicant to hold a racing bookmaker's licence, must also meet, and continue to meet, the requirements to be "fit and proper" to hold a licence in Queensland. The following criteria for a "fit and proper" person will be applied:

"Fit"

- a person must be fit and able to perform the duties of the relevant licence; and
- fit also requires the person to have the stated skills and knowledge required for a licence. The Commission may require appropriate evidence of skills and knowledge through testing, training and assessment or other means; and
- fit includes the person's mental fitness to make correct decisions in relation to behaviour by demonstrating a continuing moral commitment to good behaviour and good character.

"Proper"

The requirements to be considered "proper" relate to the general level of integrity of the person. It is primarily concerned with general behaviour and conduct inclusive of:

- history;
- reputation;
- integrity;
- honesty;
- character.

Propriety will be assessed on the basis of general behaviour and conduct by an applicant, or an executive officer of an applicant, in particular any evidence of:

- any previous acts of dishonesty by the applicant or an executive officer of the applicant;
- improper behaviour towards an official or employee of the Commission or Racing Queensland and other licensed participants or animals;
- any conduct or statement made by the applicant, or an executive officer of the applicant, that would impact on the applicant's reputation and more broadly on the reputation of other licence holders, the Commission, an official or employee of the Commission or Racing Queensland or the Queensland racing industry as a whole;
- an ability of the applicant, and any executive officers of the applicant, to consistently operate within the requirements of the racing legislation, a standard, policies of Racing Queensland, the Rules of Racing and any other laws and regulations in the State of Queensland, another State or the Commonwealth, including any match-fixing, gambling and gaming legislation;
- bad behaviour and/or misconduct by the applicant, or an executive officer of the applicant, including police records, court records and letters of complaint regarding the licence holder;
- a failure to adequately demonstrate sufficient and acceptable financial means to fulfil the requirements of the licence;
- where a licence holder or applicant for a licence has been convicted of or pleaded guilty to a criminal offence in any state or territory of Australia or in any other country.

The Commission may at any time, including on application, request that a licence holder or applicant provide a current (dated within the last 12 months) National Police Certificate. Where a corporation is the applicant, all executive officers of the corporation may be required to submit such certificates.

Please Note: All convictions, whether against a law of Queensland or another State, stated in a national police certificate, will be considered relevant to the application for a licence.

Crimes of a serious nature committed over 10 years ago may also be considered relevant to the broader assessment of whether an applicant is "fit" and "proper" to be granted a licence.

Where a conviction is recorded, the Commission may request an interview with the applicant to discuss the conviction.

Please note: In addition to not being considered a suitable person to hold a racing bookmaker's licence, a person who is convicted of an offence related to dishonesty, fraud or match-fixing may also be warned off of tracks for life.

Provision for matters about rules of racing

The Standard for Suitability to hold a Racing Bookmaker's Licence may impact on matters relevant to the Rules of Racing for the Thoroughbred, Harness and Greyhound Codes of Racing.

Approval

Ross Barnett

Commissioner

Queensland Racing Integrity Commission

Revision History

Version	Date	Description
1.01	1 July 2016	Commissioner approved

Schedule 1 – Definitions

This Standard adopts the terminology used in Schedule 1 of the *Racing Act 2002* and *Racing Integrity Act 2016*. These Acts may be accessed via the internet at <https://www.legislation.qld.gov.au>, under the tab "R".

Other terminology used in this Standard includes:

"Accountant Reference" means a reference provided by a Chartered Accountant or a Certified Practising Accountant regarding the financial affairs of an applicant.

"Conviction" refers to an offence, means being found guilty of the offence, on a plea of guilty or otherwise, whether or not a conviction is recorded.

"Criminal Record Check" means a National Police Certificate or recognised equivalent.

"Forfeit list" means a list of names of persons who owe a debt to the Commission, Racing Queensland or a licensed club in Queensland which debt has arisen from a person's involvement in thoroughbred, harness or greyhound racing in Australia.

"Racing Act" means the *Racing Act 2002*.

"Racing animal" means thoroughbred horses, harness racing horses and greyhound dogs.

"Racing Integrity Act" means the *Racing Integrity Act 2016*.

"Racing Legislation" means the relevant racing legislation in Queensland, including the:

- *Racing Act 2002*;
- *Racing Integrity Act 2016*,
- Racing Regulation 2013;
- Racing Integrity Regulation 2016; and
- any other relevant legislative instruments including Transitional Regulations relevant to the abovementioned legislation.

"Rules of Racing" means the rules of racing, as in force from time to time, of a control body (i.e. Racing Queensland) for a code of racing, as required under section 91(1) of the *Racing Act 2002*.

"Standard" means a standard made by the Commission under section 58 or 64 of the *Racing Integrity Act 2016*.

Schedule 2 – Schedule of Fees

Single Licence Categories and Registration fees	
Bookmaker Declaration Fee (Annual Review and Certificate of Insurance Assessment)	\$320.00