

## PART 24

### APPEALS

This rule is in accordance with Sections 76, 77 and 29 of the *Racing Regulation and Integrity Act 2024* which states:

#### 76. Persons may appeal to TRAB about certain matters

- (1) A person may appeal to the TRAB if the person is –
  - (a) aggrieved by the decision of Tasracing or a registered club to issue the person with a warning-off notice, or an exclusion notice, under section 124; or
  - (b) aggrieved by the decision of the stewards to –
    - (i) impose a fine on the person; or
    - (ii) impose a suspension or disqualification on the person or on a horse or greyhound owned, leased, or trained by the person.
- (2) An appeal does not lie to the TRAB under subsection (1)(b)(ii) if the decision alters the result of a horse race or greyhound race and the decision was made before the declaration of "correct weight" or "all clear".
- (3) If a person has a right of appeal under this section against a decision of Tasracing or a registered club, no appeal against that decision lies to Tasracing or that club, as the case may be.
- (4) If a person has a right of appeal under this section against a steward's decision, no appeal against that decision lies to Tasracing or a registered club.
- (5) If a person has a right of appeal under this section against a decision, no appeal against that decision lies to the Commissioner.
- (6) This section has effect notwithstanding anything to the contrary that may be contained in –
  - (a) the *Rules of Racing*; or
  - (b) the constitution, rules or articles of the registered club; or
  - (c) the constitution of Tasracing

#### 77. Other rights of appeal to TRAB

- (1) A person may appeal to the TRAB if the person is aggrieved by a decision of Tasracing to –
  - (a) refuse to grant a licence, or approve a registration, under the *Rules of Racing*, of the person or a horse or greyhound owned, leased or trained by the person; or
  - (b) cancel or suspend a licence or registration under the Rules of Racing of the person or a horse or greyhound owned, lease or trained by the person; or
  - (c) refuse to register the person as a bookmaker or bookmaker's agent; or
  - (d) cancel or suspend the person's registration as a bookmaker or bookmaker's agent; or

- (e) refuse to endorse the person's certificate of registration as a bookmaker with an on-course telephone betting endorsement, an off-course telephone betting endorsement or an off-course function betting endorsement; or
  - (f) cancel or suspend the person's on-course telephone betting endorsement, off-course telephone betting endorsement or off-course function betting endorsement; or
  - (g) refuse under [section 1544\(4\)\(b\)](#) to issue to the person an off-course function approval; or
  - (h) cancel under [section 141\(1\)](#) and [\(2\)](#) or [section 156\(1\)](#) an off-course function approval issued to the person; or
  - (i) refuse to register a club of which the person is a member; or
  - (j) cancel or suspend the registration of a club of which the person is a member; or
  - (k) impose conditions on the person's licence, or registration, granted or approved under the *Rules of Racing*; or
  - (l) impose conditions on the person's registration as a bookmaker or bookmaker's agent; or
  - (m) impose conditions on the person's on-course telephone betting endorsement, off-course telephone betting endorsement or off-course function betting endorsement; or
  - (n) impose conditions on an off-course function approval; or
  - (o) impose conditions on the registration of a club of which the person is a member; or
  - (p) impose a fine on the person.
- (2) A wagering operator may appeal to the TRAB if the wagering operator is aggrieved by a decision of Tasracing to –
- (a) refuse to grant approval to the wagering operator to publish Tasmanian race field information; or
  - (b) impose conditions, other than conditions referred to in [section 128\(4\)\(a\)](#) in respect of a race field information publication approval; or
  - (c) cancel a race field information publication approval; or
  - (d) vary the conditions, other than conditions referred to in [section 128\(4\)\(a\)](#) in respect of a race field information publication approval.
- (3) A person may also appeal to the TRAB if the person is –
- (a) in dispute with a bookmaker regarding the placement, acceptance, payment, non-payment or amount of a bet; or
  - (b) aggrieved, as a registered bookmaker or bookmaker's agent, by the decision of a registered club to withdraw its permission for the person to engage in bookmaking on a racecourse under its control.

- (4) If a person has a right of appeal under this section against a decision of Tasracing or a registered club, no appeal against that decision lies to Tasracing or that club, as the case may be.
- (5) If a person has a right of appeal under subsection (1)(a), (b), (c) or (d) against a decision of Tasracing, no appeal against that decision lies to the Commissioner.
- (6) This section has effect despite anything to the contrary that may be contained in –
  - (a) the *Rules of Racing*; or
  - (b) the constitution, rules or articles of the registered club; or
  - (c) the constitution of Tasracing.

## **78. How and when should persons appeal?**

- (1) An appeal is instituted by lodging a notice of appeal with the secretary to the TRAB.
- (2) The notice of appeal –
  - (a) is to be in a form approved by the TRAB; and
  - (b) must specify –
    - (i) the parties to the appeal, the relevant decision and the grounds of appeal; or
    - (ii) if section 77(3)(a) applies, the parties in dispute and the nature of the dispute.
- (3) The notice of appeal must be lodged with the secretary to the TRAB within –
  - (a) in the case of a minor appeal, 7 days after the making of the relevant decision; or
  - (b) in the case of a major appeal or an appeal under section 77(2) or section 77(3)(b), 14 days after the making of the relevant decision; or
  - (c) if section 76(1)(a) applies, 14 days after the day on which the person is issued with the warning-off notice or exclusion notice, or
  - (d) if section 77(1) applies, 14 days after the making of the relevant decision by Tasracing; or
  - (e) if section 77(3)(a) applies, 60 days after the conclusion of the event to which the disputed bet relates.