

Queensland



*Racing and Betting Act 1980*

# **RACING AND BETTING REGULATION 2000**

**Reprinted as in force on 6 July 2000  
(regulation not amended up to this date)**

**Reprint No. 1**

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# **Information about this reprint**

This regulation is reprinted as at 6 July 2000.

**See endnotes for information about when provisions commenced.**

# Queensland



## RACING AND BETTING REGULATION 2000

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# **RACING AND BETTING REGULATION 2000**

[reprinted as in force on 6 July 2000]

## **PART 1—PRELIMINARY**

### **Short title**

1. This regulation may be cited as the *Racing and Betting Regulation 2000*.

### **Commencement**

2. This regulation commences on 1 July 2000.

## **PART 2—RACING ASSOCIATIONS**

### **Composition of the South-East Queensland Racing Association**

3. The South-East Queensland Racing Association is comprised of the following members—

- (a) 2 members nominated by the Queensland Turf Club;
- (b) 2 members nominated by the Brisbane Turf Club;
- (c) 1 member nominated by the Gold Coast Turf Club;
- (d) 1 member nominated by the Sunshine Coast Turf Club;
- (e) 1 member nominated by the Ipswich Turf Club;
- (f) 1 member nominated by the Tattersall's Racing Club;
- (g) 1 member nominated jointly by the clubs mentioned in schedule 1;
- (h) 1 member nominated by licensed trainers;

- (i) 1 member nominated by racing bookmakers;
- (j) 1 member nominated by licensed jockeys.

### **Composition of the Downs and South-West Queensland Racing Association**

**4.** The Downs and South-West Queensland Racing Association is comprised of the following members—

- (a) 1 member nominated by the Central Warrego Race Club Inc.;
- (b) 1 member nominated by the Dalby and Northern Downs Jockey Club Inc.;
- (c) 1 member nominated by the Roma Turf Club Inc.;
- (d) 3 members nominated by the Toowoomba Turf Club Inc.;
- (e) 1 member nominated by the Warwick Turf Club Inc.;
- (f) 2 members nominated jointly by the clubs mentioned in schedule 2;
- (g) 1 member nominated by licensed trainers;
- (h) 1 member nominated by racing bookmakers;
- (i) 1 member nominated by licensed jockeys.

### **Composition of the North Queensland Racing Association**

**5.** The North Queensland Racing Association is comprised of the following members—

- (a) 1 member nominated by the Cairns Jockey Club Inc.;
- (b) 1 member nominated by the Mackay Turf Club Inc.;
- (c) 1 member nominated by the Mt Isa Race Club;
- (d) 2 members nominated by the Townsville Turf Club;
- (e) 3 members nominated jointly by the clubs mentioned in schedule 3;
- (f) 1 member nominated by licensed trainers;

- (g) 1 member nominated by racing bookmakers;
- (h) 1 member nominated by licensed jockeys.

### **Composition of the Capricornia Racing Association**

6. The Capricornia Racing Association is comprised of the following members—

- (a) 1 member nominated by the Emerald Jockey Club Inc.;
- (b) 1 member nominated by the Gladstone Jockey Club Inc.;
- (c) 3 members nominated by the Rockhampton Jockey Club Inc.;
- (d) 1 member nominated by the Thangool Race Club Inc.;
- (e) 1 member nominated by the Yeppoon Turf Club Inc.;
- (f) 1 member nominated jointly by the clubs mentioned in schedule 4;
- (g) 1 member nominated by licensed trainers;
- (h) 1 member nominated by racing bookmakers;
- (i) 1 member nominated by licensed jockeys.

### **Composition of the Central-Western Queensland Racing Association**

7. The Central-Western Queensland Racing Association is comprised of the following members—

- (a) 1 member nominated by the Barcaldine Racing Club;
- (b) 1 member nominated by the Barcoo Amateur Racing Club;
- (c) 1 member nominated by the Clermont Race Club;
- (d) 1 member nominated by the Longreach Jockey Club;
- (e) 1 member nominated by the Moranbah Race Club;
- (f) 1 member nominated jointly by the clubs mentioned in schedule 5;
- (g) 1 member nominated by licensed trainers;

- (h) 1 member nominated by racing bookmakers;
- (i) 1 member nominated by licensed jockeys.

### **Nomination of member to racing association**

**8.(1)** The nomination of a member to a racing association must be made as soon as practicable after 28 February in each year that nominations are to be made.

**(2)** A member of a racing association is eligible for renomination and reappointment as a member.

**(3)** The Queensland Principal Club must invite nominations and conduct elections for the members of each racing association that are to be nominated by licensed trainers, racing bookmakers or licensed jockeys.

### **Appointment of member to racing association**

**9.** A person nominated under sections 3 to 7 is, on nomination, appointed a member of the racing association for which the person is nominated.

### **Term of office**

**10.** A member of a racing association holds office for 3 years from the day the member is appointed.

### **Vacation of office**

**11.** The office of a member of a racing association becomes vacant if the member—

- (a) dies; or
- (b) becomes incapable of continuing as a member; or
- (c) resigns by signed notice given to the racing association; or
- (d) is absent from 3 consecutive meetings of the racing association and is not excused by it for the absences at any time before the end of the next meeting after the third absence.

**Casual vacancies**

**12.(1)** If a casual vacancy happens in the office of a member (the “**previous member**”), another person is to be nominated and appointed in the same way as the previous member was nominated and appointed.

**(2)** A person appointed to fill a casual vacancy as a member is to be appointed and to hold office—

- (a) for the balance of the previous member’s term of office; or
- (b) until the person sooner vacates office.

**Racing association may regulate its own proceedings**

**13.** A racing association may regulate its proceedings as it considers appropriate.

**PART 3—PROVISIONS ABOUT BETS****Bet stands despite death**

**14.(1)** A bet stands despite the death of either party to the bet.

**(2)** Subsection (1) applies subject to—

- (a) section 16; and
- (b) any conditions imposed by a declaration under section 161(1) of the Act.<sup>1</sup>

**Results of sporting contingencies**

**15.** A control body’s written notice under section 161(3) of the Act about the declaration of a sporting contingency must include the way in which the result of the sporting contingency is to be decided.

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<sup>1</sup> Section 161 (Bookmaking on certain declared sporting contingencies)

**Abandonment etc.**

**16.** If a sporting contingency, other than a horse race, trotting race or greyhound race, is abandoned or no result is declared, all bets are cancelled and the amount bet by bettors must be refunded.

**Approved place for paying and settling certain bets**

**17.** The payment and settlement at Tattersall's Club Rooms, 215 Queen Street, Brisbane of a bet lawfully made by and with a racing bookmaker at any racing venue is approved.

**PART 4—SAMPLING AND ANALYSIS FOR DRUGS****Definitions for pt 4**

**18.** In this part—

**“approved”** means approved by the Racing Codes Advisory Board.

**“declares”** means declares in writing.

**“racing science centre”** means the unit of the department that, under the department's strategic plan, is responsible for analysing samples taken under section 228A(2) of the Act.

**“sample”** means biological or other material taken from or produced by, a horse or greyhound, including blood, faecal material, hair, saliva, sweat, tissue, urine or vomit.

**“sample number”**, for a sample, means—

- (a) if the sample consists of 1 thing that remains intact—a unique number used to mark the thing; or
- (b) if the sample consists of more than 1 thing or it is contained in 1 or more containers—a unique number used to mark each thing or each container.

**“taken”**, in reference to a sample, includes collecting the sample and placing it in 1 or more containers.

**“tamper-evident seal”**, for a container, means a paper seal designed to facilitate the detection of the removal of the cap from the container.

### **Way samples to be taken, marked, sealed and delivered for analysis**

**19.** This part prescribes the way a sample must be taken, marked, sealed and delivered for analysis for section 228A of the Act.

#### **General—applies to all samples**

**20.(1)** A sample must be taken in a way that provides a reasonable safeguard against a contaminant being introduced into the sample by any of the following means while the sample is being taken and sealed—

- (a) a person not involved in taking the sample;
- (b) an accidental act by a person involved in taking the sample;
- (c) another accidental act.

**(2)** However, a sample may contain a thing that is part of the process of taking the sample.

*Examples—*

1. A sample of saliva may contain a swab used to take it.
2. A sample of blood may contain an appropriate anti-coagulant.
3. A sample of urine may contain the residue of an appropriate fluid used to rinse a container holding the sample.

**(3)** A responsible person must witness the whole process of taking the sample and sealing the container or containers.

**(4)** A record of the sample must be made that includes the following information—

- (a) the name of the relevant control body;
- (b) the registered name of the animal;
- (c) the type of sample;
- (d) where the sample was taken;
- (e) the date and time the sample was taken;

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- (f) the sample number;
- (g) if the sample was taken in connection with a race that has been run, or is about to be run, at a race meeting—
  - (i) the race club conducting the meeting; and
  - (ii) the race number; and
  - (iii) the placing, if any, of the animal in the race;
- (h) the name of the person who collected the sample;
- (i) the name of the person who placed the sample in 1 or more containers and sealed the container or containers;
- (j) for a blood sample—the sample number on each adhesive sticker on each tube of blood is the same and matches the number on the seal over the cap of the container into which the tube of blood was placed;
- (k) the name of the witness;
- (l) the witness witnessed the whole process of taking the sample and sealing the container or containers.

(5) The witness must verify the information mentioned in subsection (4)(a) to (f) and (j) to (l) by signing the record.

(6) The person who took the sample must verify the information mentioned in subsection (4)(a) to (h) and (j) by signing the record.

(7) The person mentioned in subsection (4)(i) must verify the information mentioned in subsection (4)(a) to (g), (i) and (j) by signing the record.

(8) A copy of the record must be given to—

- (a) an owner or trainer of the animal; or
- (b) a strapper or other person attending the animal.

**Blood samples**

**21.(1)** A blood sample may consist of 1 or more tubes of blood taken at approximately the same time.

(2) The tube of blood, or if there is more than 1 tube each tube, must

have an adhesive sticker on it marked with the same sample number.

(3) A sticker may have the number already written on it, or be prepared without a number.

(4) The tube or tubes of blood must be placed inside 1 or more containers.

(5) A container may hold more than 1 tube of blood.

(6) The container, or if there is more than 1 container each container, must be capped, and a tamper-evident seal must be placed over the cap and part of the container.

(7) Each tamper-evident seal for the sample must be marked with the same sample number as is marked on each sticker on each tube of blood.

### **Other samples**

**22.(1)** A sample other than of blood may consist of 1 or more containers of the sample taken at, or approximately at, the same time.

(2) The container, or if there is more than 1 container each container, must be capped, and a tamper-evident seal must be placed over the cap and part of the container.

(3) Each tamper-evident seal for the sample must be marked with the same sample number.

### **Analysis of samples**

**23.(1)** Each sample taken under section 228A(3) of the Act must be delivered to the racing science centre for analysis by an analyst.

(2) If the chief executive declares that, for any reason, a sample can not be tested at the racing science centre within a reasonable time, the chief executive must deliver the sample to an approved laboratory for analysis by an analyst.

(3) Delivery under subsection (1) or (2) must take place as soon as is reasonably practicable.

**Delivery of samples**

24. For section 228A(6) of the Act, the prescribed ways of delivery of samples for analysis are—

- (a) personally; or
- (b) by dispatching the samples through the post, or through an approved delivery service, in a container sealed under this part and designed to ensure the sample is adequately protected in transit.

**PART 5—FEES****Fees**

25. The fees payable under the Act are set out in schedule 6.

**PART 6—REPEAL AND TRANSITIONAL PROVISIONS****Repeal**

26. The *Racing and Betting Regulation 1981* is repealed.

**Saving of appointments of members of racing associations**

27.(1) This section applies to a person who held office as a member of a racing association immediately before the commencement of this section.

(2) The person is taken to properly hold office as a member of the racing association under this regulation.

(3) Subject to the Act, the term of the person's appointment is the balance of the term for which the person held office immediately before the commencement.

**SCHEDULE 1****CLUBS TO JOINTLY NOMINATE 1 MEMBER OF  
THE SOUTH-EAST QUEENSLAND RACING  
ASSOCIATION**

section 3

1. Beaudesert Hibernian Race Club
2. Beaudesert Race Club
3. Bundaberg Race Club
4. Burrandowan Picnic Race Club
5. Eidsvold Race Club Inc.
6. Esk Jockey Club
7. Gayndah Jockey Club
8. Gympie Turf Club
9. Kilcoy Race Club Inc.
10. Kumbia Race Club
11. Lockyer Race Club
12. Mount Perry Race Club
13. Nanango Race Club
14. South Burnett Race Club

**SCHEDULE 2****CLUBS TO JOINTLY NOMINATE 2 MEMBERS OF  
THE DOWNS AND SOUTH-WEST QUEENSLAND  
RACING ASSOCIATION**

section 4

1. Augathella Race Club Inc.
2. Bell Race Club Inc.
3. Chinchilla Race Club Inc.
4. Clifton Jockey Club Inc.
5. Cunnamulla and District Diggers Race Club Inc.
6. Dalby Amateur Picnic Race Club Inc.
7. Dawson Jockey Club Inc.
8. Eromanga Amateur Race Club Inc.
9. Flinton Race Club Inc.
10. Goondiwindi Amateur Picnic Race Club
11. Goondiwindi Race Club Inc.
12. Injune Race Club Inc.
13. Jandowae Race Club Inc.
14. Maranoa Diggers Race Club Inc.
15. Miles and District Amateur Picnic Race Club Inc.
16. Moonie Race Club Inc.
17. Morven Race Club Inc.
18. Noccundra Amateur Race Club Inc.
19. Noorama Picnic Race Club Inc.
20. Oakey and District Race Club Inc.

## SCHEDULE 2 (continued)

21. Quilpie Diggers Race Club
22. Roma Picnic Race Club Inc.
23. St. George Jockey Club
24. Stanthorpe Jockey Club Inc.
25. Surat Diggers Race Club Inc.
26. Talwood Race Club Inc.
27. Tara Race Club Inc.
28. Texas Jockey Club Inc.
29. Wandoan Diggers Race Club Inc.
30. Warra Race Club Inc.
31. Warwick Picnic Race Club Inc.
32. Wyandra Race Club Inc.

**SCHEDULE 3****CLUBS TO JOINTLY NOMINATE 3 MEMBERS OF  
THE NORTH QUEENSLAND RACING ASSOCIATION**

section 5

1. Almaden Race Club
2. Atherton Turf Club
3. Boulia Turf Club
4. Bowen River Turf Club
5. Bowen Turf Club
6. Burdekin Race Club
7. Burketown Turf Club
8. Camooweal Jockey Club
9. Charters Towers Amateur Race Club
10. Chillagoe Turf Club
11. Cloncurry Turf Club
12. Coen Amateur Turf Club
13. Collinsville and District Turf Club
14. Cooktown Amateur Turf Club
15. Corfield Amateur Race Club
16. Einasleigh Race Club
17. Ewan Amateur Turf Club
18. Far North Queensland Amateur Turf Club
19. Georgetown Turf Club
20. Gordonvale Turf Club
21. Gregory Downs Jockey Club

## SCHEDULE 3 (continued)

22. Herbert River Jockey Club
23. Hughenden Jockey Club
24. Innisfail Turf Club
25. Julia Creek Turf Club
26. Laura Amateur Turf Club
27. Mackay Amateur Race Club
28. Mackay Diggers Race Club
29. McKinlay Race Club
30. Mareeba Turf Club
31. Maxwellton Race Club
32. Mingela Amateur Race Club
33. Mount Garnet Amateur Turf Club
34. Normanton Race Club
35. North Gregory Turf Club
36. North Queensland Amateur Turf Club
37. Oakley Amateur Picnic Race Club
38. Oak Park Amateur Picnic Race Club
39. Pentland Race Club
40. Prairie Jockey Club
41. Quamby Race Club
42. Richmond Amateur Race Club
43. Richmond Turf Club
44. Sedan Dip Race Club
45. Stamford Race Club
46. Tower Hill Picnic Amateur Race Club

SCHEDULE 3 (continued)

- 47. Towers Jockey Club
- 48. Western Picnic Race Club

**SCHEDULE 4****CLUBS TO JOINTLY NOMINATE 1 MEMBER OF  
THE CAPRICORNIA RACING ASSOCIATION**

section 6

1. Bluff-Blackwater Amateur Race Club Inc.
2. Calliope Jockey Club
3. Central Queensland Amateur Racing Club Inc.
4. Dingo Race Club Inc.
5. Duaringa Race Club Inc.
6. Lions Club of Blackwater Inc. Race Club
7. Mackenzie River Amateur Picnic Race Club Inc.
8. Middlemount Race Club Inc.
9. Monto Race Club Inc.
10. Ridgeland Race Club Inc.
11. Rockhampton St. Patrick's Day Race Club Inc.
12. Springsure Jockey Club Inc.
13. Springsure St. Patrick's Day Race Club Inc.
14. Tattersall's Race Club Rockhampton Inc.
15. Theodore Amateur Race Club Inc.

**SCHEDULE 5****CLUBS TO JOINTLY NOMINATE 1 MEMBER OF  
THE CENTRAL-WESTERN QUEENSLAND RACING  
ASSOCIATION**

section 7

1. Alpha Jockey Club Inc.
2. Aramac Racing Club Inc.
3. Bedourie Amateur Race Club Inc.
4. Betoota Race Club Inc.
5. Birdsville Race Club Inc.
6. Capella Amateur Race Club Inc.
7. Ilfracombe Picnic Race Club Inc.
8. Isisford Race Club Inc.
9. Jericho Picnic Race Club
10. Jundah Race Club Inc.
11. Longreach Amateur Race Club
12. Longreach Diggers Race Club
13. Muttaborra Amateur Turf Club Inc.
14. Peak Downs Amateur Race Club Inc.
15. Stonehenge Amateur Race Club
16. Tambo and District Race Club Inc.
17. Twin Hills Race Club Inc.
18. Windorah Amateur Race Club Inc.
19. Yaraka Amateur Race Club Inc.

**SCHEDULE 6****FEES**

section 25

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|-----------|---|----------|
| <b>1.</b> | For eligibility certificate under section 147(1)(c) of the Act<br>by— |          |
|           | (a) a corporation . . . . .   | 4 600.00 |
|           | (b) an individual . . . . .   | 1 600.00 |
| <b>2.</b> | For lodgment of an appeal under section 115L of the Act               | 250.00   |

## ENDNOTES

### 1 Index to endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before 6 July 2000. Future amendments of the Racing and Betting Regulation 2000 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

### 3 Key

#### Key to abbreviations in list of legislation and annotations

AIA	=	Acts Interpretation Act 1954	(prev)	=	previously
amd	=	amended	proc	=	proclamation
amdt	=	amendment	prov	=	provision
ch	=	chapter	pt	=	part
def	=	definition	pubd	=	published
div	=	division	R[X]	=	Reprint No.[X]
exp	=	expires/expired	RA	=	Reprints Act 1992
gaz	=	gazette	reloc	=	relocated
hdg	=	heading	renum	=	renumbered
ins	=	inserted	rep	=	repealed
lap	=	lapsed	s	=	section
notfd	=	notified	sch	=	schedule
o in c	=	order in council	sdiv	=	subdivision
om	=	omitted	SIA	=	Statutory Instruments Act 1992
orig	=	original	SIR	=	Statutory Instruments Regulation 1992
p	=	page	SL	=	subordinate legislation
para	=	paragraph	sub	=	substituted
prec	=	preceding	unnum	=	unnumbered
pres	=	present			
prev	=	previous			

## **4 List of legislation**

### **Racing and Betting Regulation 2000 SL No. 170**

made by the Governor in Council on 29 June 2000

notfd gaz 30 June 2000 pp 736–48

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2000 (see s 2)

exp 1 September 2010 (see SIA s 54)