

Queensland



Queensland Building Tribunal Act 2000
Racing and Betting Act 1980

**RACING AND BETTING
(RACING APPEALS
AUTHORITY) REGULATION
2002**

**Reprinted as in force on 6 December 2002
(regulation not amended up to this date)**

Reprint No. 1

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- make all necessary consequential amendments (s 7(1)(k)).

Also see endnotes for information about when provisions commenced.

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RACING AND BETTING (RACING APPEALS AUTHORITY) REGULATION 2002

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*Racing and Betting (Racing Appeals Authority)
Regulation 2002*

RACING AND BETTING (RACING APPEALS AUTHORITY) REGULATION 2002

[reprinted as in force on 6 December 2002]

PART 1—PRELIMINARY

1 Short title

This regulation may be cited as the *Racing and Betting (Racing Appeals Authority) Regulation 2002*.

2 Commencement

This regulation commences on 6 December 2002.

3 Definition

In this regulation—

“**authority**” means the Racing Appeals Authority established under section 115B¹ of the Act.

PART 2—PROVISIONS RELATING TO AUTHORITY

4 Witness fees and expenses

(1) For section 115O(5A)(a)² of the Act, the witness fees and expenses are the following—

1 Section 115B (Racing Appeals Authority) of the Act

2 Section 115O (Hearing of appeals) of the Act

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- (a) an attendance allowance of \$49 for each day or part of a day;
- (b) a travelling allowance;
- (c) an accommodation allowance.

(2) If the person travels to and from the authority by air and it is reasonable in the circumstances to travel by air, the travelling allowance is the amount payable for economy class air travel by the person to and from the authority.

(3) If subsection (2) does not apply, the travelling allowance is—

- (a) the amount actually and properly paid for fares for public transport to and from the authority; or
- (b) if there is no public transport available—\$10 for each day or part of a day plus an amount worked out at the rate of 40 cents a kilometre travelled.

(4) If the person is required to attend at the authority for more than 1 day and it is not reasonably practicable for the person to return to the person's place of residence on any day on which the person is required to attend at the authority, the accommodation allowance is \$90 for each overnight stay.

5 Applications or matters for Queensland Building Tribunal Act 2000, s 26C(9)

The applications or matters for the *Queensland Building Tribunal Act 2000*, section 26C(9),³ definition “prescribed application or matter” are stated in schedule 1.

6 Fees

The fees payable under the Act in relation to the authority are stated in schedule 2.

7 Appeal deposit

For section 115L(1)(a)(ii)⁴ of the Act—

3 *Queensland Building Tribunal Act 2000*, section 26C (Presiding case manager's power to deal with particular applications to central tribunals)

4 Section 115L (Institution of appeal) of the Act

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- (a) the appeal deposit is \$200; and
- (b) the circumstances are that the appeal is upheld.

SCHEDULE 1

APPLICATIONS OR MATTERS FOR QUEENSLAND BUILDING TRIBUNAL ACT 2000, SECTION 26C(9)

section 5

1. An application made to, or matter before, the authority to the extent necessary to decide—
 - (a) whether it has jurisdiction, under section 115K(1) or (2)⁵ of the Act, to hear and decide a particular appeal; or
 - (b) whether to extend time under section 115L(3)⁶ of the Act; or
 - (c) whether to extend a period of time under section 115N(2)⁷ of the Act; or
 - (d) under section 115O(3)(a)⁸ of the Act, the place and time for an appeal to be held; or
 - (e) whether to give leave under section 115O(6)(a) or (14) of the Act; or
 - (f) whether to give an approval under section 115O(8) of the Act.
2. An application under any of the following provisions of the Act—
 - section 115L(4)
 - section 115M(1)⁹
 - section 115O(4)(a).

5 Section 115K (Appeals to authority) of the Act

6 Section 115L (Institution of appeal) of the Act

7 Section 115N (Authority to hear appeal) of the Act

8 Section 115O (Hearing of appeals) of the Act

9 Section 115M (Suspension or variation of decision pending determination of appeal) of the Act

SCHEDULE 2

FEES

section 6

\$

1. Administration fee under section 115L(1)(a)(i) of the Act 50.00

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 that day. Future amendments of the Racing and Betting (Racing Appeals Authority) Regulation 2002 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

Key	Explanation	Key	Explanation
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	(retro)	= retrospectively
notfd	= notified	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 List of legislation

Racing and Betting (Racing Appeals Authority) Regulation 2002 SL No. 329
made by the Governor in Council on 5 December 2002
notfd gaz 6 December 2002 pp 1162–6
ss 1–2 commenced on date of notification
remaining provisions commenced 6 December 2002 (see s 2)
exp 1 September 2013 (see SIA s 54)

5 List of annotations

PART 3—AMENDMENT OF RACING AND BETTING REGULATION 2000
pt 3 (ss 8–12) om R1 (see RA ss 7(1)(k) and 40)