



Queensland

*Racing Act 2002*

# Racing Regulation 2003

Current as at 1 August 2012

**NOTE—This is the last reprint before repeal.  
Repealed on 1 September 2013 by 2013 SL  
No. 160 s 16**

# Information about this reprint

This regulation is reprinted as at 1 August 2012. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

## Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

## Dates shown on reprints

**Reprints dated at last amendment** All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

**Replacement reprint date** If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



## Queensland

# Racing Regulation 2003

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# Racing Regulation 2003

[as amended by all amendments that commenced on or before 1 August 2012]

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Racing Regulation 2003*.

### 2 Commencement

This regulation commences on 1 July 2003.

## Part 2 Use of Queensland race information

### 3 Application for race information authority—Act, s 113D(2)

- (1) For the Act, section 113D(2)(a), the application must be in a control body form.
- (2) For the Act, section 113D(2)(b)(ii), the application must be accompanied by the documents identified in the control body form.

### 4 Matters to be taken into account in deciding application—Act, s 113D(5)(a)

- (1) This section applies to an applicant for a race information authority who is a licensed wagering operator who holds a licence or authority—

[s 4]

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- (a) under a law of a foreign country, other than New Zealand, authorising the wagering operator to conduct a wagering business; or
  - (b) issued by a principal racing authority of a foreign country, other than New Zealand, authorising the wagering operator to conduct a wagering business.
- (2) For the Act, section 113D(5)(a), the control body for a code of racing must take into account the following matters—
- (a) whether the applicant is suitable to hold a race information authority, having regard to all of the following—
    - (i) the applicant’s character or business reputation;
    - (ii) the applicant’s current financial position and financial background;
    - (iii) if the applicant has a business association with another entity—
      - (A) the other entity’s character or business reputation; and
      - (B) the other entity’s current financial position and financial background;
    - (iv) if the applicant is a corporation—
      - (A) the character or business reputation of the corporation’s executive officers; and
      - (B) the current financial position and financial background of the corporation’s executive officers;
  - (b) whether issuing a race information authority to the applicant will undermine the integrity of the conduct of the code of racing in Queensland.

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**5 Matters not to be taken into account in deciding application—Act, s 113D(5)(b)**

For the Act, section 113D(5)(b), the control body must not take into account the following matters—

- (a) for an applicant who is an individual whose principal place of residence is in another State—that the applicant’s principal place of residence is in another State;
- (b) for an applicant who is an individual who conducts a wagering business in another State—that the applicant conducts a wagering business in another State;
- (c) for an applicant that is a corporation that has its registered office under the Corporations Act, or principal place of business, in another State—that the applicant has its registered office under the Corporations Act, or principal place of business, in another State;
- (d) for an applicant that is a licensed wagering operator that holds a licence or other authority under a law of another State authorising it to conduct a wagering business—that the licence or other authority is held under the law of another State;
- (e) for an applicant that is a licensed wagering operator that holds a licence or other authority issued by a principal racing authority of another State authorising it to conduct a wagering business—that the licence or other authority is issued by a principal racing authority of another State.

**6 Conditions that may be imposed—Act, s 113E(3)(b)**

For the Act, section 113E(3)(b), the types of conditions are the following—

- (a) conditions about the duration of the authority;
- (b) conditions about the holder of the authority giving the control body information the control body requires to

[s 6A]

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calculate any fees payable by the holder of the authority under section 113E(3)(a) of the Act;

- (c) conditions about when the holder of the authority must pay any fees payable by the holder of the authority under section 113E(3)(a) of the Act.

**6A Matters not to be taken into account in imposing condition—Act, s 113E(4)**

For the Act, section 113E(4), the control body must not take into account the following matters—

- (a) for an applicant who is an individual whose principal place of residence is in another State—that the applicant’s principal place of residence is in another State;
- (b) for an applicant who is an individual who conducts a wagering business in another State—that the applicant conducts a wagering business in another State;
- (c) for an applicant that is a corporation that has its registered office under the Corporations Act, or principal place of business, in another State—that the applicant has its registered office under the Corporations Act, or principal place of business, in another State;
- (d) for an applicant that is a licensed wagering operator that holds a licence or other authority under a law of another State authorising it to conduct a wagering business—that the licence or other authority is held under the law of another State;
- (e) for an applicant that is a licensed wagering operator that holds a licence or other authority issued by a principal racing authority of another State authorising it to conduct a wagering business—that the licence or other authority is issued by a principal racing authority of another State.

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**6B Grounds for cancelling a race information authority—Act, s 113F(1)**

- (1) For the Act, section 113F(1), each of the following is a ground—
- (a) the licensed wagering operator contravenes any condition of the authority;
  - (b) the authority was issued because of a materially false or misleading representation or declaration;
  - (c) if the licensed wagering operator is a relevant wagering operator—the licensed wagering operator is not suitable to hold the authority, having regard to the matters mentioned in section 4(2)(a).
- (2) In this section—

*relevant wagering operator* means a licensed wagering operator who holds a licence or authority—

- (a) under a law of a foreign country, other than New Zealand, authorising the wagering operator to conduct a wagering business; or
- (b) issued by a principal racing authority of a foreign country, other than New Zealand, authorising the wagering operator to conduct a wagering business.

## **Part 5 Miscellaneous**

**19 Due date for the yearly fee payable by a control body—Act, s 29**

For section 29(2)(b) of the Act, the fee relating to each year for which a control body's approval has effect is payable by each anniversary of the approval effect day for the control body.

**20 Publication by integrity board of analytical procedures—Act, s 115**

- (1) For section 115(3)(b) of the Act, the integrity board may publish analytical procedures and amendments of the procedures by—
- (a) making the procedures and amendments available for inspection, free of charge, at its business address during its ordinary office hours and on a website; and
  - (b) giving a copy of the procedures or amendments to a person if the person asks for a copy.

- (2) In this section—

*analytical procedures* means the procedures developed or adopted by the integrity board, under section 115(3)(a) of the Act, about the way things for analysis are to be taken and dealt with.

**21 Qualifications for an accredited analyst—Act, s 129**

For section 129(3)(b) of the Act, the qualifications to be an accredited analyst are a qualification awarded by a tertiary institution in the field of analytical chemistry or a similar field.

**22 Approved place for paying and settling certain bets—Act, s 254**

For section 254(2) of the Act, Tattersall's Club Rooms at 215 Queen Street, Brisbane is approved for the payment and settlement of a bet.

**23 Prescribed laws about racing or betting**

Each law stated in schedule 2 is prescribed as a law about racing or betting.

**24 Fees**

The fees payable under the Act are stated in schedule 3.

## **Schedule 2      Prescribed laws about racing or betting**

section 23

### **Australian Capital Territory**

- *Betting (ACTTAB Limited) Act 1964 (ACT)*
- *Gambling and Racing Control Act 1999 (ACT)*
- *Gambling and Racing Control (Code of Practice) Regulation 2002 (ACT)*
- *Race and Sports Bookmaking Act 2001 (ACT)*
- *Racing Act 1999 (ACT)*
- *Unlawful Gambling Act 2009 (ACT)*

### **New South Wales**

- *Greyhound Racing Act 2009 (NSW)*
- *Harness Racing Act 2009 (NSW)*
- *Thoroughbred Racing Act 1996 (NSW)*
- *Totalizator Act 1997 (NSW)*

### **Northern Territory**

- *Racing and Betting Act (NT)*
- *Racing and Betting Regulations (NT)*
- *Totalisator Licensing and Regulation Act (NT)*
- *Unlawful Betting Act (NT)*

### **South Australia**

- *Racing (Proprietary Business Licensing) Act 2000 (SA)*

**Tasmania**

- *Gaming Control Act 1993 (Tas)*
- *Racing Regulation Act 2004 (Tas)*
- *Racing (Tasracing Pty Ltd) Act 2009 (Tas)*

**Victoria**

- *Gambling Regulation Act 2003 (Vic)*
- *Racing Act 1958 (Vic)*

**Western Australia**

- *Betting Control Act 1954 (WA)*
- *Betting Control Regulations 1978 (WA)*
- *Racing and Wagering Western Australia Act 2003 (WA)*
- *Racing Restriction Act 2003(WA)*
- *The Western Australian Turf Club Act 1892 (WA)*
- *Western Australian Greyhound Racing Association Act 1981 (WA)*
- *Western Australian Trotting Association Act 1946 (WA)*

## Schedule 3 Fees

section 24

	\$
1 Application for approval as a control body—Act, s 11(1)(a) . . . . .	6 352.00
2 Fee payable for each year a control body’s approval has effect—Act, s 29(2)(a) . . . . .	3 175.00
3 Application for accreditation as an accredited facility—Act, s 129(2) . . . . .	3 175.10
4 Application for variation of accreditation for an accredited facility—Act, s 134(2) . . . . .	127.30
5 Application for an eligibility certificate—Act, s 207(2)(a)—	
(a) if the applicant is an individual . . . . .	2 151.00
(b) if the applicant is a corporation . . . . .	6 182.00

# 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). Accordingly, this reprint includes all amendments that commenced operation on or before 1 August 2012. Future amendments of the Racing Regulation 2003 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	rv	= revised edition
num	= numbered	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 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	1 July 2003	
1A	2004 SL No. 155	13 August 2004	
1B	2005 SL No. 172	1 August 2005	
1C	2005 SL No. 262	4 November 2005	R1C withdrawn, see R2
2	—	4 November 2005	
2A	2007 SL No. 37	23 March 2007	
2B	2007 SL No. 331	14 December 2007	
2C	2009 SL No. 2	30 January 2009	
2D	2009 SL No. 84	1 July 2009	
2E	2009 Act No. 24	1 December 2009	
	2009 SL No. 265		
2F	2010 Act No. 22	1 July 2010	R2F withdrawn, see R3
	2010 SL No. 128		
3	—	1 July 2010	
3A	2011 SL No. 110	1 July 2011	
3B	2012 SL No. 116	1 August 2012	

## 5 List of legislation

### *Regulatory impact statements*

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

### *Explanatory notes*

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

### **Racing Regulation 2003 SL No. 142**

made by the Governor in Council on 26 June 2003

notfd gaz 27 June 2003 pp 749–56

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2003 (see s 2)

exp 1 September 2013 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

**Racing Amendment Regulation (No. 1) 2004 SL No. 155**

notfd gaz 13 August 2004 pp 1165–7  
commenced on date of notification

**Racing Amendment Regulation (No. 1) 2005 SL No. 172**

notfd gaz 29 July 2005 pp 1146–8  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 August 2005 (see s 2)

**Racing Amendment Regulation (No. 2) 2005 SL No. 262**

notfd gaz 4 November 2005 pp 869–70  
commenced on date of notification

**Racing Amendment Regulation (No. 1) 2007 SL No. 37**

notfd gaz 23 March 2007 pp 1366–9  
commenced on date of notification

**Racing Amendment Regulation (No. 2) 2007 SL No. 331**

notfd gaz 14 December 2007 pp 2131–5  
commenced on date of notification

**Racing Amendment Regulation (No. 1) 2009 SL No. 2**

notfd gaz 30 January 2009 pp 449–50  
ss 1–2 commenced on date of notification  
remaining provisions commenced 30 January 2009 (see s 2)

**Gambling and Other Legislation Amendment Regulation (No. 1) 2009 SL No. 84 pts 1, 9**

notfd gaz 12 June 2009 pp 619–21  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2009 (see s 2)

**Queensland Civil and Administrative Tribunal (Jurisdiction Provisions) Amendment Act 2009 No. 24 ss 1–2, ch 5 pt 59**

date of assent 26 June 2009  
ss 1–2 commenced on date of assent  
remaining provisions commenced 1 December 2009 (2009 SL No. 252)

**Queensland Civil and Administrative Tribunal (Jurisdiction Provisions) Amendment Regulation (No. 1) 2009 SL No. 265 pts 1, 21**

notfd gaz 20 November 2009 pp 900–3  
ss 1–2 commenced on date of notification  
s 61(2) commenced 1 December 2009 (see s 2) (amdt could not be given effect to the extent it amends item 7)  
remaining provisions commenced 1 December 2009 (see s 2)

**Racing and Other Legislation Amendment Act 2010 No. 22 pts 1, 3**

date of assent 7 June 2010  
ss 1–2 commenced on date of assent  
remaining provisions commenced 1 July 2010 (see s 2)

**Fair Trading and Other Legislation Amendment Regulation (No. 1) 2010 SL No. 128 pts 1, 22**

notfd gaz 18 June 2010 pp 529–35  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2010 (see s 2)

**Employment, Economic Development and Innovation Legislation Amendment Regulation (No. 1) 2011 SL No. 110 pts 1, 10**

notfd gaz 24 June 2011 pp 534–8  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 July 2011 (see s 2)  
Note—An explanatory note was prepared.

**National Parks, Recreation, Sport and Racing Legislation Amendment Regulation (No. 1) 2012 SL No. 116 pts 1, 8**

notfd gaz 27 July 2012 pp 927–9  
ss 1–2 commenced on date of notification  
remaining provisions commenced 1 August 2012 (see s 2)

## 6 List of annotations

### **PART 2—USE OF QUEENSLAND RACE INFORMATION**

**pt hdg** prev pt 2 hdg om 2007 SL No. 37 s 3  
pres pt 2 hdg ins 2009 SL No. 2 s 4

#### **Application for race information authority—Act, s 113D(2)**

**s 3** prev s 3 om 2007 SL No. 37 s 3  
pres s 3 ins 2009 SL No. 2 s 4

#### **Matters to be taken into account in deciding application—Act, s 113D(5)(a)**

**s 4** prev s 4 amd 2004 SL No. 155 s 3  
om 2007 SL No. 37 s 3  
pres s 4 ins 2009 SL No. 2 s 4

#### **Matters not to be taken into account in deciding application—Act, s 113D(5)(b)**

**s 5** prev s 5 om 2007 SL No. 37 s 3  
pres s 5 ins 2009 SL No. 2 s 4

#### **Conditions that may be imposed—Act, s 113E(3)(b)**

**s 6** prev s 6 om 2007 SL No. 37 s 3  
pres s 6 ins 2009 SL No. 2 s 4

#### **Matters not to be taken into account in imposing condition—Act, s 113E(4)**

**s 6A** ins 2009 SL No. 2 s 4

#### **Grounds for cancelling a race information authority—Act, s 113F(1)**

**s 6B** ins 2009 SL No. 2 s 4

### **PART 3—COUNTRY RACING ASSOCIATIONS**

**pt hdg** sub 2005 SL No. 172 s 4  
om 2010 Act No. 22 s 26

**Division 1—Composition of country racing associations**

**div hdg** ins 2005 SL No. 172 s 4  
om 2010 Act No. 22 s 26

**Capricornia Country Racing Association**

**s 7** sub 2005 SL No. 172 s 4  
om 2010 Act No. 22 s 26

**Central West Country Racing Association**

**s 8** sub 2005 SL No. 172 s 4  
om 2010 Act No. 22 s 26

**Downs Country Racing Association**

**s 9** sub 2005 SL No. 172 s 4  
om 2010 Act No. 22 s 26

**Eastern Downs Country Racing Association**

**s 10** sub 2005 SL No. 172 s 4  
om 2010 Act No. 22 s 26

**Far North Country Racing Association**

**s 11** sub 2005 SL No. 172 s 4  
om 2010 Act No. 22 s 26

**Leichardt Country Racing Association**

**s 12** sub 2005 SL No. 172 s 4  
om 2010 Act No. 22 s 26

**North West Country Racing Association**

**s 13** sub 2005 SL No. 172 s 4  
om 2010 Act No. 22 s 26

**South East Country Racing Association**

**s 14** sub 2005 SL No. 172 s 4  
om 2010 Act No. 22 s 26

**Division 2—Nomination and appointment of members of country racing associations**

**div hdg** ins 2005 SL No. 172 s 4  
om 2010 Act No. 22 s 26

**Nomination of certain members**

**s 15** sub 2005 SL No. 172 s 4  
om 2010 Act No. 22 s 26

**Period for nomination of members**

**s 16** sub 2005 SL No. 172 s 4  
om 2010 Act No. 22 s 26

**Appointment of member of country racing association**

**s 16A** ins 2005 SL No. 172 s 4  
om 2010 Act No. 22 s 26

**Term of office**

**s 16B** ins 2005 SL No. 172 s 4  
om 2010 Act No. 22 s 26

**Revocation of nomination by club**

**s 16C** ins 2005 SL No. 172 s 4  
om 2010 Act No. 22 s 26

**Vacation of office**

**s 16D** ins 2005 SL No. 172 s 4  
om 2010 Act No. 22 s 26

**Casual vacancies**

**s 16E** ins 2005 SL No. 172 s 4  
om 2010 Act No. 22 s 26

**PART 4—MATTERS ABOUT THE RACING APPEALS TRIBUNAL**

**pt hdg** om 2009 Act No. 24 s 730

**Appeal deposit—Act, s 168**

**s 17** amd 2007 SL No. 37 s 4  
om 2009 Act No. 24 s 730

**Witness fees and expenses—Act, s 178**

**s 18** amd 2004 SL No. 155 s 3; 2005 SL No. 262 s 3; 2007 SL No. 37 s 5; 2007 SL  
No. 331 s 3; 2009 SL No. 84 s 21  
om 2009 Act No. 24 s 730

**Prescribed laws about racing or betting**

**s 23** amd 2005 SL No. 172 s 5

**Fees**

**s 24** amd 2005 SL No. 172 s 6

**PART 6—TRANSITIONAL PROVISION FOR RACING AMENDMENT  
REGULATION (No. 1) 2005**

**pt 6 (s 25)** ins 2005 SL No. 172 s 7  
om 2010 Act No. 22 s 26

**SCHEDULE 1—CLUBS NOMINATING MEMBERS OF COUNTRY RACING  
ASSOCIATIONS**

sub 2005 SL No. 172 s 8  
om 2010 Act No. 22 s 27

**SCHEDULE 2—PRESCRIBED LAWS ABOUT RACING OR BETTING**

prev sch 2 om 2005 SL No. 172 s 8  
pres sch 2 (prev sch 6) renum 2005 SL No. 172 s 9  
sub 2011 SL No. 110 s 23

**SCHEDULE 3—FEES**

prev sch 3 om 2005 SL No. 172 s 8  
pres sch 3 (prev sch 7) sub 2004 SL No. 155 s 5  
renum 2005 SL No. 172 s 9

sub 2005 SL No. 262 s 4; 2007 SL No. 37 s 6; 2007 SL No. 331 s 4; 2009 SL No. 84 s 22

amd 2009 Act No. 24 s 731; 2009 SL No. 265 s 61 (amdt could not be given effect to the extent it amends item 7)

sub 2010 SL No. 128 s 51; 2011 SL No. 110 s 23; 2012 SL No. 116 s 18

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

om 2005 SL No. 172 s 8

**SCHEDULE 5—CLUBS TO JOINTLY NOMINATE 2 MEMBERS OF THE  
CENTRAL WESTERN QUEENSLAND RACING ASSOCIATION**

om 2005 SL No. 172 s 8

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