

Racing Queensland Limited

CODE OF RACING POLICY DEVELOPMENT

DATE POLICY WAS MADE

This policy was made on 1 July 2010.

COMMENCEMENT DATE

This policy comes into effect on 1 July 2010.

PURPOSE

Racing Queensland Limited (Racing Queensland) is authorised by law to manage the thoroughbred, harness and greyhound racing codes. Good management is enhanced by policies that provide clear guidance for action, clarify roles and responsibilities, make explicit the basis for decision-making used in managing the codes, and provide a sound framework for the development of rules and procedures made under the codes.

The desired outcome to be achieved is effective and credible policies that maintain public confidence in the Queensland racing industry, ensure integrity of persons involved, and safeguard the welfare of animals. The objective of this policy is to establish a transparent and systematic process for the development of policy by Racing Queensland that provides opportunity for those likely to be affected by the policy to have input into its development.

The purpose of this document is to establish the principles for policy making by Racing Queensland, including consultation that must be undertaken as part of the development of a policy as required by section 81(a) the *Racing Act 2002* (Act).

POLICY STATEMENT

Racing Queensland makes policies in accordance with its legislated responsibilities for the development of policies under the Act and in the interests of good management of the racing codes. Policy is made by the Racing Queensland Board and issued under the authority of the Board.

The development of policy will:

- be directed at achieving the strategic outcomes of maintaining public confidence in the Queensland racing industry, ensuring integrity of persons involved, and safeguarding the welfare of animals, through transparent and consistent decision-making
- be informed by racing practice and developments elsewhere
- provide opportunity for input by those affected by the proposed policy
- incorporate relevant legislative requirements and standards, including natural justice principles
- align with national standards and directions except where these may conflict with legislative provisions under the Act
- be based on a process that is practical and relevant in the industry context
- promote accountability by making explicit the roles and responsibilities for action under the policy, including enforcement of compliance with the policy

- include systematic review and evaluation of the policy and its effects.

Consultation is a core element. A formal consultation stage that provides for industry-wide input on policy content is built into the standard policy development process. This includes a minimum period of 28 days for comment.

Racing Queensland will also seek direct input from Queensland racing industry peak bodies where the policy matter being addressed is relevant to the area of responsibility of that peak body and directly concerns the industry group(s) that it represents. Peak body direct consultation does not preclude a peak body making additional comment or submissions as part of the industry-wide consultation process.

Racing Queensland may also choose to consult directly with particular Queensland racing industry groups other than a peak body as part of the formal consultation process. This is at the discretion of the control body, and may be determined by the nature and scope of the policy matter, the extent to which the peak body(s) represent the range of stakeholders potentially affected by the policy, diversity of interests and positions on the policy matter, timing and resource considerations, or other issues determined by Racing Queensland.

Racing Queensland may also consult with industry peak bodies or representatives and with individuals within or outside the Queensland racing industry at any other time during the development of a policy in order to become informed about issues relevant to the policy matter, policy options, potential impacts of options, or any other matters related to the making of the policy.

If exceptional circumstances require the urgent making of a policy in a timeframe that does not allow adequate time for formal consultation, the policy will be reviewed within three months and will not continue to have effect after six months unless there has been formal consultation on the review of the policy consistent with the formal consultation process applied in the development of a non-urgent policy. Exceptional circumstances relate to the making of policy on matters that require immediate attention, for example, as a result of a court ruling that affects existing policy.

Consultation submissions must be made in writing. Racing Queensland will provide feedback on written submissions made during the formal consultation process, either on an individual or group basis as considered appropriate by Racing Queensland. Confidentiality will be respected where comments have been provided on an in-confidence basis.

Consultation drafts and final policies will be publicly available, either free of charge on the Racing Queensland website or for viewing at Racing Queensland offices, or copies may be purchased at the cost of photocopying and postage. Racing Queensland may waive this charge at its discretion.

Procedures made under this policy may be amended by Racing Queensland without triggering the consultative processes required for new policy development at any time in order to promote the objectives of this policy and where the revised procedures do not constitute a change to the policy statement.

APPLICATION

This policy applies to industry policy made by the Racing Queensland Board. It does not extend to policies that relate to the management and administration of the control body's staff and resources. Because policy made by the Racing Queensland Board addresses management of the thoroughbred, harness and greyhound codes of racing, this policy has the potential to affect all persons involved in the codes of racing.

DEFINITIONS

'Industry policy' refers to policies relevant to the control body's function of managing the thoroughbred, harness and greyhound codes of racing.

'Formal consultation' refers to a process of inviting submissions on a policy proposal or draft policy being developed by Racing Queensland and made publicly available for the purpose of obtaining comment on the policy content from the Queensland racing industry and other relevant stakeholders.

PROCEDURES

The process for developing and endorsing policy by Racing Queensland will generally involve the following stages:

1. problem definition, identifying relevant issues and desired policy outcomes
2. research and assessment of options, including review of practice and policy in other Australian jurisdictions and informal consultation as appropriate
3. preparation of a draft policy on a preferred option, endorsed by the Racing Queensland Board as the basis for formal consultation
4. formal consultation, following publication of a notice of availability of a draft policy or other policy document for industry comment
5. review of consultation input, consideration of amendments to draft policy, and provision of feedback on submissions
6. policy documentation and the Racing Queensland Board endorsement of the policy
7. notification of policy decision, commencement date, and availability of policy to industry; copy of policy to the Executive Director, Office of Racing as required by the Act
8. policy implementation, including amendments to local rules where required and incorporation into Racing Queensland policy manuals, plans and other records as appropriate
9. policy monitoring and review as determined by the Racing Queensland Board

The time period for Queensland racing industry submissions is 28 days from the publication of notice of availability of a draft policy, unless Racing Queensland determines a longer period for receiving comment. The consultation document must be available for viewing on and from the first day of this 28 day period.

The notice of availability of a draft policy will normally be by publication on the Racing Queensland website and in the Racing Queensland magazine. If the notice is not published simultaneously in both the magazine and on the website, then the 28 day period commences from the later date. The notice will state, at a minimum, the name of the policy, the matters that the policy will deal with, where copies of the draft can be viewed or obtained (including any charge for providing copies), the format and contact details for submissions on the draft, and the closing date for receipt of comments and that person may comment on the draft policy to Racing Queensland by the closing date for comments. Peak bodies and licensed clubs will also be advised by post or e-mail of the availability of draft policy and invited to submit comments.

The format for submissions is at the discretion of the person or body making comment but must be in writing. E-mail submissions are an accepted format.

Racing Queensland feedback on submissions may be in the form of a verbal or written response directly to the individual or body concerned or through an article published in the Racing Queensland magazine or on the Racing Queensland website providing a general overview of the common comments put forward in industry submissions. Confidentiality must be respected where comments have been provided on an in-confidence basis.

Copies will be available free or on payment of a reasonable price at the place stated in the notice.

Policy will be drafted in the format set out at Attachment A, which accords with s.83 of the Act.

The formal endorsement of a policy must be recorded in the Racing Queensland Board minutes, specifying the name of the policy, the decision that the policy has been made by the Board under the Act, and the date that the policy was made. A copy of the policy must be referred to the Executive Director, Office of Racing within 14 days of the policy being made. Any record of decisions by the Board on policy drafts until the final endorsement of the policy does not constitute the actual making of a policy.

If an urgent policy is made that does not comply with the consultation processes outlined, the Board's minutes must record:

- the reason for the urgency of the making of the policy
- the date at which the policy will be reviewed
- the date the reviewed policy was considered by the Board
- the Board's decision on the matter.

If the policy statement is amended after review, the same notification, documentation, and other processes apply as if the policy is a new policy.

Changes to the procedures section of this policy must be authorised by the Board. Any substantive changes that affect procedures involving industry stakeholders will be published on the Racing Queensland website and the Racing Queensland magazine and/or advised directly to peak bodies and those affected. Amendments to the policy statement section require the making of a new policy.

A copy of each policy must be held in a register maintained for that purpose.

A copy must be published on the Racing Queensland website as soon as practicable after the policy has been made by the Board. Copies must be given to any person who asks for a copy, subject to payment of the price set for the policy.

Withdrawal of a Policy

To withdraw a Racing Queensland policy, the Board of Racing Queensland must resolve that it intends to withdraw the policy in question, which will cease to have effect on and from the date of the Board's resolution or on such later date as is stated in the resolution.

The above 'Withdrawal of a Policy' clause is not applicable to Section 81 policies, as they must be maintained as a requirement of the *Racing Act 2002*.

The formal withdrawal of a policy must be recorded in the Racing Queensland minutes, specifying the name of the policy. A copy of the withdrawal resolution must be referred to the Executive Director of the Office of Racing and Peak Bodies.

Roles and responsibilities

The Racing Queensland Board is responsible for ensuring all industry policies made by the Board on and after its commencement date accord with this policy.

Racing Queensland staff developing policy for consideration by the Board are responsible for drafting policy and managing consultation processes in accordance with this policy and its procedures.

Rules of racing

This document encompasses the policy and procedures for applying the policy in its entirety. Rules of racing will not be made for this policy.

Attachment A: Format of policy document

Review

Review date will be July 2012.

REVISION HISTORY

Version	Date	Description
1.01	July 2010	Board adopted under exceptional circumstances
1.02	September 2010	Board confirmed this policy continued to have effect

ATTACHMENT A: FORMAT FOR POLICY DOCUMENTS

Policy title:

The name of the policy, as recorded in the policy register.

Date of commencement:

The day the policy is made and the date it takes effect, which must not precede the date the policy was made by the Racing Queensland Board.

Purpose:

A succinct statement of why the policy is needed, the desired policy outcome, the specific policy objective making explicit how this particular policy contributes to achieving that outcome, and the purpose of the policy document.

Policy statement:

A clear statement of Racing Queensland's position and intent on the matter, separate from detailed procedures, and including the basis for control body decision-making about matters provided for in the policy.

Application:

Sets out the scope of the policy and who the policy applies to including, as required by the *Racing Act 2002* s. 83(1)(e), who will be affected by it.

Rules of Racing:

Detailed procedures for operationalising the policy, specifying key roles and responsibilities including enforcement responsibility. It includes policy review dates. This section may include cross-reference to the rules of racing where procedures relevant to the policy matter are dealt with under the rules. It must include a statement on whether or not rules of racing are to be made for the policy, as required by the Act s. 83(1)(g).

Attachments:

Used for stand-alone material such as forms, extracts from other sources, etc.