

Notice of Appeal to A First Level Appeal Committee Guide to Completion



This form is to be completed if you wish to appeal from a reviewable decision of a Racing Queensland Steward to:

- Suspend your licence for a period of not more than 3 months;
- Impose a penalty of at least \$100 but not more than \$2,000.

If a right of appeal exists to a First Level Appeal Committee, it must be exhausted before you may commence any right of appeal to the Queensland Civil and Administrative Tribunal (QCAT).

If your licence has been suspended for **more** than 3 months and/or you have received a penalty of more than \$2,000, your right of appeal lies with QCAT, not the First Level Appeal Committee.

This form, together with the first level appeal fee of:

- (a) \$600 in the case of an appeal relating to the thoroughbred racing industry;
- (b) \$400 in the case of an appeal relating to the harness racing industry; and
- (c) \$200 in the case of an appeal relating to the greyhound racing industry.

must be delivered, e-mailed or faxed to:

Appeals Secretary
Racecourse Road, Deagon, Brisbane
PO Box 63, Sandgate Qld 4017
Phone: (07) 3869 9792
Facsimile: (07) 3269 9043
E-mail: mhodge@racingqueensland.com.au

TIME LIMIT: This form and the appeal fee must be received by the Appeals Secretary no later than 4:30pm on the 2nd business day from the date to which the steward made the decision to suspend your licence and/or impose a penalty.

WARNING: Should the Appeals Secretary not receive the appeal form and fee within the above time limit, then the Notice of Appeal is deemed **not** to be lodged (LR.(AC) 1.(5)).

How a first level appeal is conducted

The first level appeals process is an informal method of reviewing decisions of stewards. An Appeal Committee consists of 3 persons who meet at a time and place set by the Appeals Secretary. An appeal to the First Level Appeal Committee must be heard and determined within 7 days of the date on which the appeal was received or such longer time as agreed under LR.(AC) 1.(21). All parties appearing before a First Level Appeal Committee may be represented by a lawyer or in the case of an apprentice jockey or other person under the age of 18, his/her master (another representative) on the condition that the appellant has advised the Appeals Secretary at least 2 business days prior to the scheduled appeal. Please note that no party is entitled to recover costs incurred in appearing before a First Level Appeal Committee. Please advise the Appeals Secretary if you decide to change your plea. This information can be conveyed to the Appeals Secretary by telephone: (07) 3869 9725. If you have appealed from a steward's decision to impose a penalty, you do not have to pay the penalty until the First Level Appeal Committee makes its decision.

Stay of a Steward's decision to suspend a licence

Should a First Level Appeal Committee not determine an appeal within 7 days of the date of lodgement of the notice of appeal, you may apply to the First Level Appeal Committee for a stay of any suspension of your licence, pending the outcome of the appeal. The First Level Appeal Committee Chairperson may in his/her absolute discretion; decide whether to grant a stay of suspension, with or without conditions. However, prior to deciding an application for a stay, the Chairperson of the Committee must provide the Stewards with a reasonable opportunity to make submissions in respect of the application for a stay and must take those submissions into account in considering the application.

**NOTICE OF APPEAL TO
FIRST LEVEL
APPEALS COMMITTEE**



(This form and appeal fee **must** be lodged no later than 4:30pm on the 2nd business day from the date to which the steward made the decision to suspend your licence and/or impose a penalty.)

Details of Applicant

Full Name of Appellant	
Home address	
Address for correspondence	
Telephone Numbers	
Facsimile	
E-mail	
Type of Licence Held (eg. Jockey / Driver)	

Decision Being Reviewed

Steward(s) who made the decision	
Date decision was made	
Date you were notified of the decision	
Penalty imposed by Steward (if any)	
Period of suspension imposed (if any)	
What did you plea in your stewards' inquiry?	

APPLICATION FOR A STAY OF THE SUSPENSION OF YOUR LICENCE

Should a First Level Appeal Committee not determine an appeal within 7 days of the date of lodgement of the notice of appeal, you may apply to the First Level Appeal Committee for a stay of any suspension of your licence, pending the outcome of the appeal. The First Level Appeal Committee Chairperson may in his/her absolute discretion; decide whether to grant a stay of suspension, with or without conditions. However, prior to deciding an application for a stay, the Chairperson of the Committee must provide the Stewards with a reasonable opportunity to make submissions in respect of the application for a stay and must take those submissions into account in considering the application.

Certification by Appellant

I, _____
(name of appellant)

of _____
(address of appellant)

certify that:

1. The information that I have set out in this form is true and correct.
2. I will inform the Appeals Secretary at least two (2) business days prior to my scheduled appeal should I:
 - engage a person to act as my representative in this appeal; or
 - change my plea and appeal only on the grounds of severity of the penalty or sentence imposed.
3. I understand that I cannot recover any legal costs from Racing Queensland Limited associated with this appeal should I elect to engage a legal representative to act on my behalf.
4. I agree to be bound by the procedures of the First Level Appeals Committee during my appeal.
5. I understand that Racing Queensland Limited may use information contained in this form to determine my suitability to hold a licence.
6. I believe that there are grounds that would convince a First Level Appeal Committee to overturn the steward's decision, either on conviction or penalty.

*Please cross out item 7 if you are **not** applying for a stay of the steward's decision to suspend your licence*

7. I understand that if I lodge an appeal merely to obtain a stay of a suspension, I may be subject to further disciplinary action.

Dated this _____ day of _____ 20____

(signature)