

## 1. Relevant Legislation

The [Racing Act 2002](#) (the Act) provides an opportunity for persons dissatisfied with certain decisions made by Racing Queensland (RQ) to seek review of those decisions.

The review procedure is a two-step process.

First, an application may be made to RQ for an internal review of the decision. Subsequently, if the person remains dissatisfied with the decision, an application for external review may be made to the Queensland Civil and Administrative Tribunal (QCAT).

In order to seek review of a relevant decision, a person must first apply for internal review. That is, a person may not apply directly to QCAT for a review of the decision until the internal review process has been completed.

This procedure sets out how the internal review process is to operate.

## 2. Decisions that can be Internally Reviewed

The Act provides that the following types of decision made by RQ are able to be internally reviewed:

- (a) a decision to refuse to grant or renew a licence;
- (b) a decision to take disciplinary action relating to a licence;
- (c) a decision to take an exclusion action against a person;
- (d) a decision to impose a monetary penalty on a person;
- (e) a decision to impose any other non-monetary penalty on a person;
- (f) a decision to refuse to grant a race information authority for a code of racing; and
- (g) a decision to cancel a race information authority under section 139 of the Act.

## 3. Requests for Internal Review

A person the subject of a decision referred to in section 2 above may apply to RQ for a review of that decision. The application for an internal review must be made in the form approved by RQ, using the [Application for Internal Review Form](#).

An application for internal review must include enough information for RQ to decide the application.

An application for internal review must be made:

- (a) within 14 days after the day the applicant was given an information notice about the decision;  
or
- (b) if the applicant was not given an information notice about the decision, within 14 days after the day the applicant became aware of the decision.

An applicant should email the completed application to [legal@racingqueensland.com.au](mailto:legal@racingqueensland.com.au) or send the application to:

General Counsel  
Racing Queensland  
PO Box 63  
Sandgate QLD 4017

## 4. Stay of Decisions

The lodging of an application for internal review of a decision does not operate as a stay of that decision. However, an applicant who has lodged an application for internal review may apply to QCAT for a stay of the decision pending the outcome of the internal review.

## 5. Deciding an Internal Review Application

### 5.1. Who makes the decision

The decision made on an internal review application will be made by an officer of RQ other than the original decision-maker, and who holds a more senior position than the original decision-maker.

### 5.2. Timeframe for dealing with internal review applications

A decision on an internal review application must be made within 20 business days after RQ receives the application.

### 5.3. Decisions that can be made

The decision-maker on the internal review application may:

- (a) confirm the original decision;
- (b) amend the original decision; or
- (c) substitute another decision for the original decision.

### 5.4. Notification of Decision

RQ will notify the applicant for the internal review decision within 20 business days of receipt of the application. If the internal review decision is not the decision sought by the applicant, that notice will include:

- (a) the decision and the reasons for the decision;
- (b) a statement that the applicant has a right to have the internal review decision reviewed by QCAT;
- (c) how, and the period within which, an applicant may apply for review to QCAT; and
- (d) any right the applicant has to have the operation of the internal review decision stayed.

## 6. References & Related Documents

Document	Relating to
<a href="#">Application for Internal Review Form</a>	Applications for review must be made with this form.

## 7. Version History

Current Version:	2	Date Made:	17 / 05 / 2019	Effective Date:	20 / 05 / 2019
Document Owner:	General Counsel			CEO Approved:	17 / 05 / 2019
Enquiries to:	Senior Legal Counsel			Due for Review:	20 / 05 / 2022

Version	Effective	Document Owner	Changes Made
1	16/01/2017	General Counsel	Procedure created.
2	20/05/2019	General Counsel	Application Form contact details updated.

# Application for Internal Review

This form is used to request an internal review of a decision made by Racing Queensland (RQ).

<b>Name:</b>	
<b>Address:</b>	
<b>Phone Number:</b>	
<b>Email:</b>	

1. I am applying for internal review of:  
**[please mark the relevant box]**

- a decision to refuse to grant or renew a licence
- a decision to take disciplinary action relating to a licence
- a decision to take an exclusion action against me
- a decision to impose a monetary penalty on me
- a decision to impose any other non-monetary penalty on me
- a decision to refuse to grant a race information authority for a code of racing
- a decision to cancel a race information authority under section 139 of the *Racing Act 2002*
- other [please describe]:.....  
.....

2. The decision was made by **[please insert name]**: .....

3. The decision was made on **[please insert date]**: .....

If you received an information notice about the decision, please attach a copy to your application.

4. Please provide details of why the decision should be reviewed. If there is insufficient space below, please attach the details to this application.

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5. Declaration

I confirm that:

- (a) all information provided is complete and correct; and
- (b) I have read the Privacy Notice set out below.

Signature: .....

Date: .....

Return the completed application form to [legal@racingqueensland.com.au](mailto:legal@racingqueensland.com.au) or send the completed application form to:

General Counsel  
Racing Queensland  
PO Box 63  
Sandgate QLD 4017

**Privacy Notice**

- 1. I am aware that RQ collates personal information relating to me as part of the process of assessing my review application and ensuring RQ is able to remain in contact with you regarding the status of your application. I consent to RQ disclosing and requesting my personal information to and from:
  - (a) Authorised employees and agents of RQ;
  - (b) The Queensland Racing Integrity Commission;
  - (c) State and Federal Government departments and agencies.
- 2. I understand that any person that provides information to RQ in compliance with a request made by RQ does so with my consent and is not breaching the Information Privacy Act 2009 (Qld), Privacy Act 1988 (Cth) or any other legislation concerning the protection of information concerning my personal affairs, in complying with the request by RQ.
- 3. I understand that personal information of individuals may be collected or disclosed to third parties by RQ in connection with the performance of RQ's functions and powers as per RQ's Privacy Policy available at <http://www.racingqueensland.com.au/Privacy-Policy>