

Australian Capital Territory

# Racing Appeals Tribunal (Rules of the Tribunal) 2007 (No 1)

Disallowable instrument DI2007—184

made under the

*Racing Act 1999*, s45(1) - Rules of the tribunal

## **EXPLANATORY STATEMENT**

---

The *Racing Act 1999* (the Act) regulates thoroughbred racing, harness racing and greyhound racing conducted for the purpose of betting in the Australian Capital Territory.

Part 5 of the Act establishes the Racing Appeals Tribunal (the tribunal). In particular, section 45 of the Act provides that the tribunal may make rules for the procedure of the tribunal.

Section 53 of the Act provides that the tribunal must not hear an appeal unless the appellant has first lodged with the registrar any bond required under the rules of the tribunal.

This instrument establishes rules of the tribunal pursuant to section 45(1) of the Act.

Section 1 of the Rules relates to the lodgment of a bond with the registrar of the tribunal when an appellant lodges an appeal.

Rule 1.1 of this instrument provides that at the time of lodgment of an appeal with the registrar of the tribunal a bond must also be lodged by the appellant.

Rule 1.2 indicates that the amount of the bond is \$500.00.

Rule 1.3 provides that the bond must not be refunded, in full or in part, unless ordered by the tribunal, in accordance section 53(2) of the Act.

Section 2 deals with the withdrawal of an appeal.

Rule 2.1 provides that an appeal lodged with the tribunal may not be withdrawn except with leave of the tribunal.

Rule 2.2 provides that where the tribunal grants or refuses leave to withdraw an appeal, it may impose such conditions as it thinks fit, including the payment of costs.

Rule 2.3 provides that where the tribunal grants or refuses leave to withdraw an appeal, it must order that the bond be forfeited or refunded, either in full or in part.