Western Australia

Racing Penalties (Appeals) Act 1990

Racing Penalties (Appeals) Regulations 1991

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Racing Penalties (Appeals) Regulations 1991

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Western Australia

Racing Penalties (Appeals) Act 1990

Racing Penalties (Appeals) Regulations 1991

1. Citation

These regulations may be cited as the *Racing Penalties (Appeals) Regulations 1991*.

2. Commencement

These regulations shall come into operation on the day on which the *Racing Penalties (Appeals) Act 1990* comes into operation.

3. Notice of appeal

Subject to section 16 of the Act, a notice of appeal is to be in a form determined by the Chairperson.

4. Fees in relation to appeals

(1) The fee payable on the lodgement of an application for leave to appeal is —

(a) for an appeal relating to greyhound racing, $179; and

(b) for all other appeals, $447.

(2) The fee payable on the lodgement of a notice of appeal is —

(a) if the appeal is an appeal as of right under the Act —

(i) for an appeal relating to greyhound racing, $170; and

(ii) for all other appeals, $284;

or

(b) if the appeal is an appeal that can be made only with the leave of the Tribunal, nil,

plus, if a stay of proceedings is sought, an additional fee of $56.

[Regulation 4 inserted: Gazette 11 Sep 1998 p. 4941; amended: Gazette 14 Oct 2005 p. 4567; 14 Nov 2006 p. 4736; 9 Oct 2007 p. 5358; 28 Oct 2008 p. 4734; 30 Oct 2009 p. 4319-20; 19 Nov 2010 p. 5743; 4 Nov 2011 p. 4640; 16 Nov 2012 p. 5657; 8 Nov 2013 p. 4981-2; 14 Nov 2014 p. 4288; 6 Nov 2015 p. 4588; 28 Oct 2016 p. 4916; 10 Nov 2017 p. 5594; 7 Sep 2018 p. 3200; 22 Oct 2019 p. 3729; SL 2022/144 r. 17; SL 2023/156 r. 17; SL 2024/213 r. 18; SL 2025/187 r. 18.]

5. Notice of representation

(1) Where the appellant or any other person entitled to be heard at an appeal intends to be represented at the appeal, the person is to notify the Registrar of that fact in writing as soon as practicable before the hearing of the appeal begins.

(2) The notice is to state the name and address of the proposed representative except where that person is a legal practitioner.

[Regulation 5 amended: SL 2022/119 r. 4.]

6. Hearing of evidence *in camera*

(1) The Tribunal may hear evidence *in camera* where, in the opinion of the Chairperson, this is necessary to ensure a fair hearing of the appeal and the Chairperson makes an order for evidence to be so heard.

(2) An order under subregulation (1) does not serve to exclude a representative of a party to the appeal from attendance at the hearing of the evidence.

7. Fee for transcripts

The fee payable for the supply of a transcript of proceedings before the Tribunal is $4 per page.

[Regulation 7 amended: Gazette 11 Sep 1998 p. 4942; 12 May 2000 p. 2287; 14 Oct 2005 p. 4567; 9 Oct 2007 p. 5359.]

8. Duties of Registrar

The Registrar is to —

(a) record the date on which each notice of appeal is lodged; and

(b) keep all documents relating to each appeal together and separate from other documents; and

(c) number consecutively —

(i) all documents relating to each appeal in order of their receipt; and

(ii) all files in order of their establishment;

and

(d) maintain adequate indexes of all files and documents relating to each appeal to enable convenient reference to the files and documents.

9. Matters in which Chairperson or member alone may act

The matters specified in Schedule 1 are matters that may be dealt with by the Tribunal constituted by the Chairperson, or a member appointed to do so by the Chairperson, sitting alone.

[Regulation 9 inserted: Gazette 16 Aug 1994 p. 4146.]

Schedule 1

[Regulation 9]

1. An appeal to the Tribunal against a determination, or a finding comprised in or related to a determination, of RWWA, of a steward, of a racing club, or of a committee, imposing any suspension or disqualification of a person, for a period of not more than 3 months.

2. An appeal to the Tribunal against a determination, or a finding comprised in or related to a determination, of RWWA, of a steward, of a racing club, or of a committee, imposing a fine of not more than $2 000.

3. An appeal to the Tribunal against a determination, or a finding comprised in or related to a determination, of RWWA, of a steward, of a racing club, or of a committee, imposing any suspension or disqualification of a person, for a period of not more than 3 months and imposing a fine of not more than $2 000.

4. An appeal to the Tribunal against a determination, or a finding comprised in or related to a determination, of RWWA, of a steward, of a racing club, or of a committee, imposing any disqualification of a runner.

[Schedule 1 inserted: Gazette 16 Aug 1994 p. 4147; amended: Gazette 11 Sep 1998 p. 4942; 30 Jan 2004 p. 418.]

Notes

This is a compilation of the *Racing Penalties (Appeals) Regulations 1991* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table. For provisions that have not yet come into operation see the uncommenced provisions table.

Compilation table

Citation	Published	Commencement
Racing Penalties (Appeals) Regulations 1991	12 Apr 1991 p. 1662-3	15 Apr 1991 (see r. 2 and *Gazette* 12 Apr 1991 p. 1597)
Racing Penalties (Appeals) Amendment Regulations 1994	16 Aug 1994 p. 4146-7	16 Aug 1994
Racing Penalties (Appeals) Amendment Regulations 1995	28 Nov 1995 p. 5522	28 Nov 1995
Racing Penalties (Appeals) Amendment Regulations 1998	11 Sep 1998 p. 4941-2	11 Sep 1998
Racing Penalties (Appeals) Amendment Regulations 2000	12 May 2000 p. 2287	1 Jul 2000 (see r. 2)
Reprint 1: The *Racing Penalties (Appeals) Regulations 1991* as at 3 Jan 2003 (includes amendments listed above)		
Racing and Gambling (Miscellaneous) Amendment Regulations 2004 Pt. 8	30 Jan 2004 p. 413-18	30 Jan 2004 (see r. 2)
Racing Penalties (Appeals) Amendment Regulations 2005	14 Oct 2005 p. 4566-7	1 Jan 2006 (see r. 2)
Racing Penalties (Appeals) Amendment Regulations 2006	14 Nov 2006 p. 4735-6	1 Jan 2007 (see r. 2)
Racing Penalties (Appeals) Amendment Regulations 2007	9 Oct 2007 p. 5358-9	r. 1 and 2: 9 Oct 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2008 (see r. 2(b))
Reprint 2: The *Racing Penalties (Appeals) Regulations 1991* as at 14 Mar 2008 (includes amendments listed above)		
Racing Penalties (Appeals) Amendment Regulations 2008	28 Oct 2008 p. 4734	r. 1 and 2: 28 Oct 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2009 (see r. 2(b))
Racing Penalties (Appeals) Amendment Regulations 2009	30 Oct 2009 p. 4319-20	r. 1 and 2: 30 Oct 2009 (see r. 2(a));

Citation	Published	Commencement
		Regulations other than r. 1 and 2: 1 Jan 2010 (see r. 2(b))
Racing Penalties (Appeals) Amendment Regulations 2010	19 Nov 2010 p. 5742-3	r. 1 and 2: 19 Nov 2010 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2011 (see r. 2(b))
Racing Penalties (Appeals) Amendment Regulations 2011	4 Nov 2011 p. 4639-40	r. 1 and 2: 4 Nov 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2012 (see r. 2(b))
Racing Penalties (Appeals) Amendment Regulations 2012	16 Nov 2012 p. 5656-7	r. 1 and 2: 16 Nov 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2013 (see r. 2(b))
Racing Penalties (Appeals) Amendment Regulations 2013	8 Nov 2013 p. 4981-2	r. 1 and 2: 8 Nov 2013 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2014 (see. r. 2(b))
Reprint 3: The *Racing Penalties (Appeals) Regulations 1991* as at 2 May 2014 (includes amendments listed above)		
Racing Penalties (Appeals) Amendment Regulations 2014	14 Nov 2014 p. 4288	r. 1 and 2: 14 Nov 2014 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2015 (see. r. 2(b))
Racing, Gaming and Liquor Regulations Amendment (Fees and Charges) Regulations 2015 Pt. 8	6 Nov 2015 p. 4581-8	1 Jan 2016 (see. r. 2(b))
Racing, Gaming and Liquor Regulations Amendment (Fees and Charges) Regulations 2016 Pt. 8	28 Oct 2016 p. 4910-16	1 Jan 2017 (see r. 2(b))
Racing, Gaming and Liquor Regulations Amendment (Fees and Charges) Regulations 2017 Pt. 8	10 Nov 2017 p. 5579-94	1 Jan 2018 (see r. 2(b))
Racing, Gaming and Liquor Regulations Amendment (Fees and Charges) Regulations 2018 Pt. 8	7 Sep 2018 p. 3192-200	1 Jan 2019 (see r. 2(b))
Racing, Gaming and Liquor Regulations Amendment (Fees and Charges) Regulations 2019 Pt. 8	22 Oct 2019 p. 3720-9	1 Jan 2020 (see r. 2(b))

Citation	Published	Commencement
Racing Penalties (Appeals) Amendment Regulations 2022	SL 2022/119 30 Jun 2022	r. 1 and 2: 30 Jun 2022 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2022 (see r. 2(b) and SL 2022/113 cl. 2)
Racing and Gaming Regulations Amendment (Fees and Charges) Regulations 2022 Pt. 8	SL 2022/144 12 Aug 2022	1 Jan 2023 (see r. 2(b))
Racing and Gaming Regulations Amendment (Fees and Charges) Regulations 2023 Pt. 8	SL 2023/156 18 Oct 2023	1 Jan 2024 (see r. 2(b))
Racing and Gaming Regulations Amendment (Fees and Charges) Regulations 2024 Pt. 8	SL 2024/213 16 Oct 2024	1 Jan 2025 (see r. 2(b))
Racing and Gaming Regulations Amendment (Fees and Charges) Regulations 2025 Pt. 8	SL 2025/187 12 Nov 2025	1 Jan 2026 (see r. 2(b))

Uncommenced provisions table

To view the text of the uncommenced provisions see *Subsidiary legislation as made* on the WA Legislation website.

Citation	Published	Commencement
Racing and Gaming Regulations Amendment (Fees and Charges) Regulations 2026 Pt. 7	SL 2026/233 11 Nov 2026	1 Jan 2027 (see r. 2(b))

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