



# Licencing Clubs Policy

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## LICENCING CLUBS POLICY

# DATE OF COMMENCEMENT

This policy takes effect on 24 November 2004

# PURPOSE

The *Racing Act 2002* authorises Greyhounds Queensland Limited (GQL) to make policies for the sound management of the greyhound racing industry. Section 81(c) of the Act requires GQL to make a policy on its licensing of a club.

The purpose of the licensing policy is to introduce a probative system for assessing applicants seeking to participate as a club in greyhound racing in Queensland, to ensure:

1. the integrity of greyhound racing activities conducted in Queensland;
2. the safety of persons involved in greyhound racing and/or training licensed greyhounds;
3. the safety and comfort of patrons attending greyhound racing meetings; and
4. the welfare of licensed greyhounds while they are involved in:
  - racing;
  - training;
  - activities associated with racing or training.

# POLICY STATEMENT

It is GQL policy that appropriate persons, or a corporation registered under the *Corporations Act*, which has as part of its objects the promotion of greyhound racing will be permitted to be licensed as a club to hold greyhound racing race meetings supervised by the GQL if they:

- satisfy the need for a club to hold greyhound racing meetings in a particular location;
- meet compliance standards in accordance with GQL Policy On The Formation And Management Of Clubs;
- satisfy relevant competency levels for the role to be performed;
- demonstrate an understanding of, commitment to and compliance with, GQL policies and rules of greyhound racing relevant to category of the licence;



## LICENCING CLUBS POLICY

- demonstrate the ability to carry out duties in a manner that ensures the safety of persons involved in greyhound racing; and
- are able to maintain a high level of integrity while engaging in greyhound racing associated activities.

GQL licensing scheme policy establishes a system by which GQL ensures that persons involved in a greyhound racing meeting, and associated activities, in Queensland, meet and maintain sufficient standards of probity and competency. This is achieved by:

- a new assessment procedure from 1<sup>st</sup> July 2005 for any persons or corporation seeking to hold greyhound racing meetings; and
- the creation of a program for regular monitoring and review of all clubs.

## APPLICATION

This policy applies to

- All greyhound racing clubs
- GQL

### **Type of licence that may be issued**

Licence that may be issued by GQL, with relevant activity limits, are:

- Club – permitting the licence holder to hold a greyhound racing meeting.

When granting a licence, GQL may direct that the licence be provisional or temporary.

## DEFINITIONS

This policy adopts the terminology used in the *Racing Act 2002*. Schedule 3 of the *Racing Act 2002* contains a dictionary of words used in the *Racing Act 2002* and may be accessed via the internet at [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au), under the tab “R”.

Other terminology used in this policy include:

**Eligible individual** – means a person who:

1. is not affected by bankruptcy action
2. is not subject to an exclusion action under GQL rules of greyhound racing
3. is not disqualified from managing corporations under the *Corporations Law*
4. is not subject to a conviction for any of the following, other than a spent conviction-
  - an offence under this Act or the repealed Act;



#### LICENCING CLUBS POLICY

- an indictable offence, or a summary offence that involved dishonesty, fraud, stealing or unlawful betting, under any other Act;
- an offence under a law of another State, that is prescribed under a regulation as a law about racing or betting.

**Executive officer** – means a person who is concerned with or takes part in the management of a club, whether or not the person is a director or the person’s position is given the title of “executive officer”.

“**Registration**” wherever appearing in a policy or GQL rules of greyhound racing “registration” and its derivatives shall, with any necessary amendments, have the same meaning as “licence” and its derivatives in accordance with the *Racing Act 2002*.

## PROCEDURES

Attached to this policy are:

1. an overview of the new licensing process;
2. detailed procedures for each the licence that GQL may issue. The licensing procedure outlines:
  - how to make application for a licence (including the prescribed form);
  - prerequisites (if any) to obtain a licence (including experience and qualifications);
  - any disqualifications from being eligible to obtain a licence;
  - the criteria for each licence
  - how GQL will deal with an application;
  - how further representations to GQL in relation to a licence application may be made;
  - the grant, issue and form of a licence issued by GQL;
  - how an applicant is notified of a licensing decision;
  - the conditions which may attach to a licence;
  - rights of review of GQL decision;
  - how a licence issued by GQL may be surrendered.

GQL will keep, and maintain to an appropriate standard a register of licensed greyhound racing clubs.

### Serving notices

Having regard to all of the circumstances, GQL will ensure that a notice, in either the written or verbal form, required to be served on a licence holder, is served so as to ensure expedience or to comply with any relevant GQL rule of greyhound racing.



## LICENCING CLUBS POLICY

### NATIONAL POLICE CERTIFICATE

#### **Club executive officer**

An application for the licensing of a greyhound racing club must be accompanied by a copy of a national police certificate for each executive officer.

GQL will not issue a licence for a greyhound racing club if an executive officer of the club is not an eligible individual.

#### **Disciplinary Action against a club**

A greyhound racing club failing to comply with any condition of a licence, may be subject to disciplinary action.

GQL may become aware that a club may have breached a condition of a licence in a number of ways, including but not limited to:

1. during the course of a race day:-
  - on these occasions, GQL stewards conduct an inquiry and interview all persons involved in the incident. If a GQL steward becomes concerned that a club may have breached a GQL rule or a condition of its licence, the steward must notify the club of the rule that is alleged to have been breached. The club must be afforded the right to respond to the allegation; or
2. during the course of an audit:-
  - after undertaking preliminary investigations, an employee of GQL becomes concerned that a club may have breached a condition of a licence.

#### **Audit Program**

GQL establishes a program for auditing every club. The audit program is lodged with the Executive Director, Office of Racing Regulation, Department of Local Government, Planning, Sport and Recreation each year.

In establishing the program, GQL, in accordance with the *Racing Act 2002*, considered the number of race meetings allotted to the greyhound racing club, the number of races held at each meeting, and the number of greyhounds in each race.

Program:

- Club – Class 1 track – Annually
- Club – Class 2 track – Annually
- Club – Class 3 track – Annually
- Club – Class 4 track – Biannually
- Club – Class 5 track – Biannually



#### LICENCING CLUBS POLICY

In addition, a GQL audit of a club may be commenced as a result of:

- a random audit ; or
- a written complaint provided by a third party to the GQL regarding a club; or
- information gathered by a GQL officer which evidences that a club may have failed to comply with a condition of a licence.

Should GQL audit a club and determine at the conclusion of the audit that the club is not suitable to be licensed, GQL will take disciplinary action against the club.

#### **Immediate Suspension of a Licence**

GQL may immediately suspend the licence of a club if:

- GQL is notified that a person employed by a club as an executive officer is not an eligible individual; or
- A GQL officer forms the belief during the conduct of an audit of a licence holder that the safety of persons or animals are in danger and that belief is reviewed and adopted by the General Manager or another person authorised by GQL.

Examples of reasons for immediate suspension of a licence include:

- an allegation relating to an inability to provide an environment conducive to animal welfare; or
- an allegation of a club threatening any persons should they inform the GQL of breaches of the GQL policies or rules of greyhound racing; or
- an allegation that a club's financial status is such that it is unable to continue to operate in accordance with any relevant legislation.

Should the GQL immediately suspend a licence, GQL must:

- immediately issue an information notice to the club whose license has been suspended;
- provide to the club a copy of the written report forming the basis of the decision to immediately suspend the licence; and
- within 14 days of the date of suspension, cause a formal inquiry to be commenced into the allegations giving rise to the decision to immediately suspend the licence and provide the club with an opportunity to be heard and to call evidence in defence of the allegations.

#### **Surrender of a Licence**

A club may at any time apply to GQL in the prescribed form, seeking to surrender a licence.

GQL must consider the application within 14 days and provide an Information Notice to the club.

An application to surrender a licence will not terminate any audit commenced by the GQL into the affairs of a club.



## LICENSING CLUBS POLICY

### **Licence Fees**

GQL will, from time to time, establish:

- an application fee payable upon application for a licence; and
- a licence renewal fee.

These fees will be published in the racing calendar (Journal) and on the GQL website at: [www.greyhoundsqueensland.com.au](http://www.greyhoundsqueensland.com.au)

### **Renewal of a licence**

A greyhound racing club may, annually, or in any other period prescribed by GQL make application to renew a licence by;

- lodging with GQL the prescribed application for renewal of licence form; and
- making payment of the licence renewal fee.

In assessing an application for renewal of a licence, GQL shall apply, mutatis mutandis, the same criteria, applicable to the original application.

### ***Review of this policy***

This policy and each procedure that forms part of this policy is to be reviewed after two years of operation.

This Policy was reviewed by GQL Board on 31 January 2007, with the policy to be reviewed within two years of this date or earlier as determined by GQL Board.

### ***GQL rules of greyhound racing***

GQL rules of greyhound racing provide for the application of this policy.

## **LICENSING PROCESS**

LICENCE TYPE – PERMITTED ACTIVITY



## LICENCING CLUBS POLICY

- **Club**– (Registration) – permitting the club to hold a greyhound racing meeting.
- Relevant personal information;
- Relevant business plan information;
- Relevant financial status information;
- Constitution;
- List of members;
- National police certificate of each executive officer;
- Authority provided for GQL to undertake inquiries into personal and professional affairs;
- Undertakings to comply with process, GQL policies rules;
- Payment of application fee.
- Check contents of application form, including national police certificate;
- Undertake inquiries to determine relevant persons' prior history in Queensland and elsewhere.
- Evaluate skills of the applicant against established criteria;
- Evaluation conducted by panel of GQL officers or other persons authorised by GQL.
- In addition to standard conditions on licence, consideration given to particular circumstances of club, and the need for additional conditions to be imposed on the licence.
- A club must advise GQL within 48 hours of any change of:
  - address;
  - a change to the executive officers.
- A GQL authorised officer shall have access to a place of business of a club.

### COMPLETION OF APPLICATION FORM

### PROBITY ANALYSIS

### COMPETENCY ANALYSIS

### SPECIAL LICENCE CONDITIONS

- Proof of satisfactory equipment/premises;
- Proof of licence holder status of relevant employees.

### SATISFACTION OF CONDITIONS PRECEDENT

### LICENCE ISSUED