

GUIDELINE

INTERNAL REVIEW PROCESS

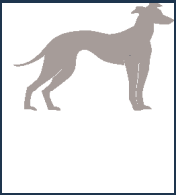
The *Greyhound Racing Act 2017* (NSW) introduced a new avenue for greyhound racing industry participants to have certain decisions reviewed. The Internal Review process is separate from, and does not replace, the existing avenues of appeal to the Racing Appeals Tribunal; it is an additional avenue of review for greyhound racing industry participants.

1. The *Greyhound Racing Act 2017* (NSW) outlines the following in relation to an Internal Review:

- The decisions that are “reviewable decisions”, which include:
 - a decision by the Commission (made by a single Commissioner or a person acting under a delegation given by the Commission) to:
 - refuse to register a person, greyhound or greyhound trial track, or
 - impose a condition on the registration of a person, greyhound or greyhound trial track, or
 - take any disciplinary action under Division 1 of Part 6 of the *Greyhound Racing Act 2017* (NSW), or
 - vary or revoke a condition imposed on the registration of a person, greyhound or greyhound trial track, or
 - a decision of a steward in exercising functions under the greyhound racing rules.
- The person who is aggrieved by a reviewable decision must lodge their application with the Commission within 28 days after the day on which they were given notice of the decision they are seeking to be reviewed.
- The applicant must apply using the Application for Internal Review form (available on the Commission’s website), stating fully the grounds of the application. A copy of the notice of a reviewable decision and any additional attachments or information which supports the application must also be lodged with the form.
- The act of lodging this application does not automatically stay the reviewable decision. If the applicant would like a stay, they must elect this on the form and the Commission will determine whether or not to grant the stay. A ‘stay’ is where the penalty or outcome of the reviewable decision is put on hold pending the outcome of the Internal Review.
- The Internal Review is conducted by one or more reviewers who were not substantially involved in making the original, reviewable decision.
- The applicant will be notified in writing of the Reviewer’s decision. If an applicant is not satisfied with the Reviewer’s decision they may appeal the decision to the Racing Appeals Tribunal within 7 days of being notified of the outcome, provided it is a decision that is eligible for an appeal to be made to the Tribunal in accordance with clause 9 of the *Racing Appeals Tribunal Regulations 2015* (NSW).

2. If upon lodgement of the form the applicant has applied or intends to apply to the Racing Appeals Tribunal for an appeal of the same decision seeking to be reviewed (the timeframe to apply for an appeal to the Racing Appeals Tribunal is 7 days), the Commission will liaise with the applicant before conducting the Internal Review. An appeal to the Racing Appeals Tribunal cannot be determined until an Internal Review is finalised and therefore the applicant may decide to:

- Place their appeal to the Racing Appeals Tribunal on hold whilst the Internal Review is finalised; or
- Withdraw their application for Internal Review and proceed with the appeal to the Racing Appeals Tribunal.



3. The Reviewer will consider all the information and material that was collected and considered as part of the original decision that is being reviewed and the information or evidence lodged or presented by the applicant, including any new evidence. It is the responsibility of the applicant to collect and present any of the relevant evidence they wish the Reviewer to consider.

4. The applicant can elect whether the Internal Review is conducted by the Reviewer as a Desk Review (on written submissions provided by the applicant) or by way of an hearing by telephone or by video link where oral submissions can be made by the applicant. **Note:** The option for an in person or video link review may not be available in all circumstances.

5. The applicant must include enough information and evidence in their application and in the written or oral submissions for the Reviewer to be able to determine whether the original decision should be confirmed, varied or revoked.

If you have any questions regarding the Internal Review process, please contact the Commission on **13 49 42** or email internal.review@gwic.nsw.gov.au