

# INTERNAL REVIEW PROCEDURE

## 1. Purpose

This procedure is made in accordance with [Chapter 4](#) of the [Racing Act 2002](#) (Qld) (“**the Act**”), which provides for the internal review and appeal of decisions made by Racing Queensland (“**RQ**”).

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 external 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. Request 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.

## 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.

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## 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	Document
<a href="#">Internal Review Application Form</a>	<a href="#">All Racing Queensland Policies</a>
<a href="#">Racing Act 2002</a>	

## 7. Version History

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Version	Effective	Document Owner	Changes Made
1.0	16 January 2017	General Counsel	Procedure created.
2.0	20 May 2019	General Counsel	Application Form contact details updated.
3.0	1 January 2022	EGM Legal & Policy	Procedure & Application Form updated.
2024.02	31 January 2024	EGM Legal, Risk & Compliance	Updated role titles to align with organisational structure and style updates.