

PART 24

APPEALS

This rule is in accordance with Sections 28 and 29 of the *Racing Regulation Act 2004* which states:

28. Persons may appeal to TRAB about certain matters

(1) A person may appeal to the TRAB if the person is –

(a) aggrieved by the decision of the TRB or a registered club to issue the person with a warning-off notice under section 54; or

(b) aggrieved by the decision of the stewards to –

(i) impose a fine on the person; or

(ii) impose a suspension or disqualification on the person or on a horse or greyhound owned, leased or trained by the person.

(2) However, an appeal does not lie to the TRAB in respect of a stewards' decision which alters the result of a horse race or greyhound race if the decision was made before the declaration of "correct weight" or "all clear".

(3) If a person has a right of appeal under this section against a decision of a registered club, no appeal against that decision lies to that club.

(4) If a person has a right of appeal under this section against a steward's decision, no appeal against that decision lies to a club.

(5) Subsections (3) and (4) have effect notwithstanding anything to the contrary that may be contained in –

(a) the *Rules of Racing*; or

(b) the constitution, rules or articles of the club.

29. How and when should persons appeal?

(1) An appeal is instituted by lodging a notice of appeal with the secretary.

(2) The notice of appeal –

(a) is to be in a form approved by the TRAB; and

(b) must specify –

(i) the parties to the appeal, the relevant decision and the grounds of appeal; or

(ii) if section 28(1)(a) applies, the parties in dispute and the nature of the dispute.

(3) The notice of appeal must be lodged with the secretary within –

(a) in the case of a minor appeal, 7 days after the taking of the relevant decision; or

(ab) in the case of any other appeal, 14 days after the taking of the relevant decision; or

(b) if section 28(1)(c) applies, 14 days after the day on which the person is issued with the warning-off notice.