

## Statement of Deborah Louise Toohey

I, **Deborah Louise Toohey, Executive Assistant and Board Secretary**, of Racecourse Road, Deagon, in the State of Queensland, state as follows:

- A. I am currently employed as an Executive Assistant (to the Corporate Counsel) and the Board Secretary of the Queensland All-Codes Racing Industry Board trading as Racing Queensland (**Racing Queensland**). I was appointed to this position on 1 May 2013.
- B. I was employed by Racing Queensland Limited (**RQL**), Racing Queensland's predecessor, in the same capacity for the period 1 July 2010 to 30 April 2013. Until Mrs Shara Reid's (formerly Murray) resignation on 26 March 2012, I was her Executive Assistant while I was employed by RQL.
- C. Prior to the amalgamation of the greyhound, thoroughbred and harness control bodies on 1 July 2010, I was employed by Queensland Racing Limited (**QRL**), the control body for Thoroughbred Racing, as the First-Level Appeals Coordinator and Executive Assistant to the Corporate Counsel/Company Secretary, Mrs Reid and Board Secretary for the period 2006-2010.
- D. I am also currently the Board Secretary for Sunshine Coast Racing Pty Ltd ACN 120 875 363 (**SCR**) ATF Sunshine Coast Racing Unit Trust (**Trust**). I commenced in this position in 2008.

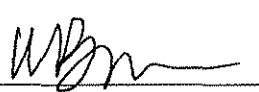
### *Employment during 1 January 2007 to 30 April 2012 (Relevant Period)*

- E. During the Relevant Period, I held the following positions:
- 1) 1 January 2007 to 30 June 2010 - First-Level Appeals Coordinator, Executive Assistant (to the Corporate Counsel/Company Secretary) and Board Secretary - QRL. I assumed the role of Board Secretary in 2009; and
  - 2) 1 July 2010 to 30 April 2012 - Executive Assistant (to the Corporate Counsel/Company Secretary) and Board Secretary - RQL.

### *Key roles and responsibilities during the Relevant Period*

- F. During the Relevant Period, the positions that I held were the First Level Appeals Coordinator, Executive Assistant and Board Secretary.
- G. While undertaking the role of the First Level Appeals Coordinator, I performed the following key tasks:


  
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- 1) providing assistance in the administration and functions associated with the First-Level Appeals process as established under sections 95-100 of the then *Racing Act 2002* (Qld), which included undertaking the following:
  - a) the preparation of First Level Appeal-related forms;
  - b) updating First-Level Appeal related policies (including the Policy for First-Level Appeals created and enforced pursuant to section 81(h) of the *Racing Act 2002* (Qld); and
  - c) registrar-type responsibilities and functions in respect of appeals currently on foot in the appeals process.


H. While undertaking the role of the Executive Assistant to the then Corporate Counsel/Company Secretary, Mrs Reid, I performed the following key tasks:


- 1) assisting in maintaining Company Registers;
- 2) maintaining the secure documents registers for each entity at the relevant time, which also incorporated the contracts register;
- 3) providing executive general assistant services to Mrs Reid as directed;
- 4) assisting with financial administrative matters including facilitating the settling of accounts receivable and attending to visa reconciliations in respect of those matters which fell within Mrs Reid's area of responsibility;
- 5) assisting, as directed, in compliance related activities and specifically assisting in ensuring that QRL and RQL (where relevant) complied with the requirements of the *Racing Act 2002* (Qld). The assistance that I provided in this regard changed over time but broadly can be described in the following terms:
  - a) from approximately 2006-2010, in respect of policies created under section 81 of the *Racing Act 2002* (Qld), I monitored policy expiry dates and updated policies as directed. As part of this role, I followed up managers with responsibility for particular policies to amend the relevant policies in light of a matter that had been identified. For example, if a policy was due to expire, I would advise both Mrs Reid and the relevant manager that the policy required amendment;

  
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- b) from approximately 2010-2012, undertaking a supervisory function in relation to the activities identified in the paragraph immediately above, by supervising Melinda Hodge and Wendy Thomas in the performance of these activities; and
  - c) due to organisational staffing changes, from approximately 2012 onwards my responsibility in respect of the above activities ceased including my supervisory role as detailed in the paragraph immediately above.
- 6) providing administrative assistance as directed to Mrs Reid in connection with her role of maintaining governance related policies.
- 7) preparing replies as directed by Mrs Reid, to correspondence from, among others, the Australian Tax Office, the Australian Securities and Investment Commission, freedom of information requests (in terms of advising that the *Freedom of Information Act 1992* (Qld) did not apply), as well as other legal and general correspondence that was connected to Mrs Reid's role. Any of the correspondence referred to above prepared by me was signed off by Mrs Reid.
- I. I also provided assistance to the Chairman of the Board, Mr Bob Bentley from approximately January 2012 to 30 April 2012 in the form of general administrative support, which most commonly included assistance with travel related matters and visa reconciliations. I was assigned these duties following staff departures.
- J. While undertaking the role of Board Secretary in respect of QRL and RQL (where relevant), I performed the following key tasks:
- 1) I was responsible for the administrative organising of Board meetings;
  - 2) I was responsible for compiling the agenda and the collation and distribution of Board papers to the Board members; and
  - 3) I was responsible for taking and distributing the Board minutes and ensuring they were appropriately filed.
- K. In my role as Board Secretary for QRL and RQL (where relevant), I reported both to Mrs Reid and to Mr Bentley as Chairman.
- L. I expand on my duties in relation to each aspect of the role below.

  
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*Agendas*

- M. I had a role in compiling the issues in the agenda for each Board meeting. Mr Bentley settled the Agenda each month, and I communicated with him in this regard.


*Board papers*

- N. I was responsible for collecting Board papers from the responsible executives and compiling the Board papers for distribution to the Board members.
- O. My practice was to distribute the Board papers and the agenda in hard copy couriered to each Board member unless there was a late paper, in which case it might be supplied electronically.
- P. I supplied a copy of the Board papers to Mr Malcolm Tuttle, the then Chief Executive Officer, and to Mrs Reid as the Company Secretary. For an approximate period of 6-8 months during 2011, I supplied a copy of the Board papers to all managers.

*Minutes*


- Q. I attended the Board meetings, which took place in the Board room at RQL / QRL's Deagon headquarters. My practice was to create a handwritten record of each meeting. I tried to take a virtually verbatim record of the discussion as well as the resolutions reached on particular issues.
- R. There were occasions when for one reason or other, I left the meeting for particular discussions. This occurred commonly because I had to leave the meeting to arrange for one of the executives (who would generally attend only for their particular topic) to be brought into the meeting. On other occasions, (more rare) issues were discussed where it was felt that it was inappropriate for me to remain (for example, a discussion about remuneration of employees).
- S. When this occurred, Mrs Reid would take a note of the discussion and would be responsible for that section of the minutes.
- T. Shortly after the meeting – the same day or the next day – I typed the minutes from my handwritten notes. As far as I can recall, I always did so while I had my recollection of the proceedings of the Board meeting fresh in my mind. I typed the minutes from my handwritten notes supplemented by my memory of what occurred in circumstances where there was a gap in my notes.

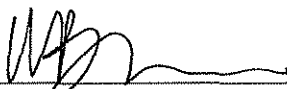
  
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- U. Once I had a typed version I was satisfied with, I gave the minutes to Mrs Reid for her to review. In almost all cases this occurred within 2 - 3 days of the relevant Board meeting. It would have been quite unusual for me to take longer than 2 – 3 days for me to provide the draft to Mrs Reid.
- V. Mrs Reid would then review the minutes and draft any section where, for any reason, I was absent. My recollection is that Mrs Reid did this promptly in most cases.
- W. Once Mrs Reid confirmed to me that she was happy with the minutes, I would then send them to Mr Bentley. I would normally do so by email, although if he was in the office (which was quite common) I might walk them to him in hard copy as well.
- X. My recollection is that Mr Bentley changed the draft almost every time. Mr Bentley commonly had significant input into the draft minutes.
- Y. Generally, Mr Tuttle as the then Chief Executive Officer also looked at the minutes at the same time, and also amended them from time to time.
- Z. When Mrs Reid, Mr Bentley and Mr Tuttle were comfortable with the draft, I would then send them to Mrs Reid, and she would send them electronically to each Board member. From time to time each of the Board members (with the possible exception of Mr Bill Ludwig) made comments on the draft minutes.
- AA. I then tracked the changes from each Board member and showed them to Mr Bentley and Mrs Reid to see whether they agreed with the amendments.
- BB. Mr Bentley, as Chairman, took final responsibility for the minutes. Sometimes he directed me or Mrs Reid to accept changes made by other Board members, and sometimes not. There was no particular pattern as to which amendments (from which Board members) tended to be accepted by him and which were not.
- CC. From there, the minutes were included in the Board papers for the next meeting as drafts. It was a standing item on the agenda of each Board meeting to approve the minutes.
- DD. Once approved by the Board at the meeting, I made any changes which were required by discussion at the meeting (which did happen from time to time). Whenever the minutes were amended at the meeting, I kept a note of that, and it should appear in the minutes of that meeting.

  
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- EE. Once this process had been completed, I gave Mr Bentley a copy to sign as Chairman.
- FF. Once signed by Mr Bentley as the Chairman, I entered the minutes into the Company Register.
- GG. Once the minutes had been signed and registered, my practice was to destroy my notes.
- HH. I am not sure what Mrs Reid did with her own notes.
- II. The only change to my practice since the departure of the previous Board is that I am now keeping my notes until I see whether there is any change of procedure required of me. Otherwise, my practice is largely the same.

*Notice from the Commission*

- JJ. Attachment "DLT-[1]" is a copy of a Requirement to Provide Written Statement Notice dated 16 July 2013 (**Notice**) directed to me from the Queensland Racing Commission of Inquiry (**Commission**) and received under cover of a letter from the Commission dated 16 July 2013 and received on 16 July 2013. This Statement is provided in response to the Notice.

*Access to Records*


- KK. For the purposes of responding to the Notice and preparing this Statement I have, in my position as an Executive Assistant and Board Secretary of Racing Queensland, had access to:
- 1) the business records of Racing Queensland; and
  - 2) other employees of Racing Queensland,
- to obtain information to provide a response to the Notice. Unless otherwise stated, the matters set out in this Statement are based on my own knowledge or the information derived from the above sources.
- LL. I set out below my responses to each of the questions set out in the Notice.


**Question 1. CONTRACT MANAGEMENT AND FINANCIAL ACCOUNTABILITY** (paragraph 3(a) of the Terms of Reference)

1.1 In respect of the procurement, contract management and financial accountability of the **Relevant Entities** during the **Relevant Period** what were the:

- (a) policies
- (b) processes;
- (c) guidelines; and
- (d) measures which were used to ensure contracts which were awarded delivered value for money.

1.2 In respect of the policies, processes, guidelines and measures were they adhered to?

  
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1.3 Events surrounding all contractual arrangements between the **Relevant Entities** and Contour Consulting Engineers Pty Ltd ("**Contour**") including those contracts where Contour was contracted to manage contracts on behalf of the **Relevant Entities**.

1.4 In respect of contracts which were entered into between the **Relevant Entities** and Contour:

- (a) Whether each contract was underpinned by procurement practices;
- (b) Whether, for each contract, payment policies and processes:
  - (i) were implemented; and
  - (ii) were adhered to.

1. In respect of the procurement, contract management and financial accountability of RQL, I am personally aware of the following policies, processes, guidelines and measures which would have been relevant to ensuring contracts which were awarded delivered value for money:

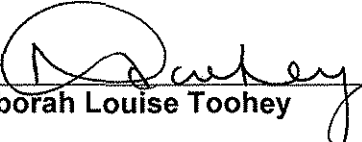
- (a) the Purchasing Policy (as at 1 July 2010 - RQL.109.009.1641);
- (b) the Addendum to the Purchasing Policy (as at 19 March 2012 - RQL.109.011.3830);
- (c) the Record Keeping Policy (as at 1 July 2010 - RQL.101.004.2283).
- (d) the Code of Conduct (as at 1 July 2010 - RQL.004.010.1673); and
- (e) the Gifts and Benefits Policy (as at 16 November 2012 - RQL.101.006.4482).


2. Attachments "**DLT-[2]**" to "**DLT-[6]**" to this Statement are copies of the abovementioned documents. I am personally aware of various versions of these policies being in force from time to time, however, I recollect the versions as specified above. I note, in respect of the Gifts and Benefits Policy, while the version I have attached to this Statement is dated 16 November 2012, I do recall there being earlier versions of this policy up to the date of authorisation for this policy on 1 July 2010.

3. I would note that my awareness of these policies is a personal awareness and as such it is likely that there are additional policies relevant to ensuring that contracts which were awarded delivered value for money.

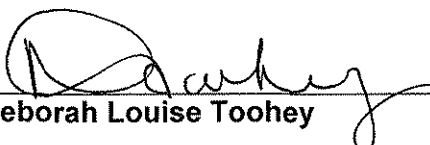
4. Whilst I was personally aware of the existence of the policies outlined above, I was not personally aware of whether these policies were adhered to or complied with, either on an organisational or individual staff member level. Therefore, I cannot provide a response to paragraph 1.2 of the Schedule to the Notice.


5. In respect of the procurement, contract management and financial accountability of QRL, I am personally aware of the following policies, processes, guidelines and measures which would have been relevant to ensuring that contracts which were awarded delivered value for money:

  
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- (a) the Purchasing Policy (as at May 2009 - RQL.109.005.0557);
  - (b) the Record Keeping Policy (as at 1 June 2009 - RQL.109.005.3034); and
  - (c) the Code of Conduct and Ethics (date is unknown - RQL.109.006.0053).
6. Attachments "DLT-[7]" to "DLT-[9]" to this Statement are copies of the abovementioned documents. I am personally aware of various versions of these policies being in force from time to time, however, I recollect the versions as specified above.
7. I would note that my awareness of these policies is a personal awareness and as such it is likely that there are additional policies relevant to ensuring that contracts which were awarded delivered value for money.
8. Whilst I was personally aware of the existence of the policies outlined above, I was not personally aware of whether these policies were adhered to or complied with, either on an organisational or individual staff member level. Therefore, I cannot provide a response to paragraph 1.2 of the Schedule to the Notice.
9. In relation to dealings between RQL / QRL and Contour Consulting Engineers (**Contour**) during the Relevant Period, while I was personally aware that there was contact between these entities for the purposes of specific projects and contracts had been entered into for this purpose, I was and am personally unaware of:
- (a) the nature of the specific projects;
  - (b) what was involved in these projects, including in terms of deliverables, financial costs and expenditures; and
  - (c) the specific roles performed and duties carried out by the relevant RQL and QRL staff involved in these projects.
10. Because part of my role included maintenance of the secure documents registers (including the contracts registers), I was aware of contracts entered into between RQL / QRL and Contour to the extent of entering the details of the contract into the contracts register. This included details such as:
- (a) the names of the parties to the contract;
  - (b) the commencement date and expiry date of the contract;
  - (c) the contract award amount; and

  
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(d) the work area within RQL / QRL that had responsibilities relating to the particular contract.

11. My knowledge of the contracts entered into between RQL / QRL and Contour during the Relevant Period is limited to the details listed above, and I therefore cannot provide any further response to paragraphs 1.3 and 1.4 of the Schedule to the Notice.

**Question 2. MANAGEMENT** (paragraph 3(b) of the Terms of Reference)

2.1 As to the **Relevant Entities** during the **Relevant Period**, the

- (a) management policies
- (b) management processes;
- (c) management guidelines; and
- (d) workplace culture and practices that were in place and whether each one:
  - (a) ensured integrity; and
  - (b) was adhered to.


2.2 The involvement of the boards or members of the boards of the **Relevant Entities** in the exercise of functions of:


- (a) the executive management team; and
- (b) other key management personnel, including the company secretary and those involved in integrity matters.

12. In respect of RQL, I am personally aware of the following management policies, processes and guidelines, and workplace culture and practices that were in place during the Relevant Period:


- (a) the Employee Handbook (as at 1 July 2010 - RQL.124.005.0016);
- (b) the Code of Conduct (as at 1 July 2010 - RQL.004.010.1673);
- (c) my Employment Agreement dated 1 July 2010 (RQL.002.001.0186);
- (d) the Harassment, Discrimination and Bullying Policy (as at 1 July 2010 - RQL.101.004.2445);
- (e) the Grievance Handling Policy (as at 1 July 2010 - RQL.109.008.2512);
- (f) the Induction Policy (as at 1 July 2010 - RQL.109.012.0756);
- (g) the Remuneration Policy (as at 1 July 2010 - RQL.109.012.0325); and
- (h) the Termination of Employment Policy (as at 1 July 2010 - RQL.002.001.0294).


13. Attachments "DLT-[10]" to "DLT-[17]" to this Statement are copies of the abovementioned documents. I am personally aware of various versions of these policies being in force from time to time, however, I recollect the versions as specified above.

  
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14. I would note that my awareness of these policies is a personal awareness and as such it is likely that there are additional policies relevant to the matters set out in paragraph 2.1 of the Schedule to the Notice.
15. Whilst I was personally aware of the existence of the above mentioned policies, I was not personally aware of whether these policies ensured integrity, were adhered to or complied with on an organisational or individual staff member level. Therefore I can provide no response to paragraph 2.1 of the Schedule to the Notice.
16. In respect of QRL, I am personally aware of the following management policies, processes and guidelines, and workplace culture and practices that were in place during the Relevant Period:
- (a) the Employee Handbook (as at 1 July 2009 - RQL.109.006.0835) - this is Attachment "DLT-[18]" to this Statement;
  - (b) the Code of Conduct and Ethics (date is unknown - RQL.109.006.0053) - this is Attachment "DLT-[9]" to this Statement; and
  - (c) my Employment Agreement dated 1 July 2010 (RQL.002.001.0186) - this is Attachment "DLT-[12]" to this Statement.
17. I am personally aware of various versions of these policies being in force from time to time, however, I recollect the versions as specified above.
18. I would note that my awareness of these policies is a personal awareness and as such it is likely that there are additional policies relevant to the matters set out in paragraph 2.1 of the Schedule to the Notice.
19. Whilst I was personally aware of the existence of the above mentioned policies, I was not aware of whether these policies ensured integrity, were adhered to or complied with on an organisational or individual staff member level. Therefore I can provide no response to paragraph 2.1 of the Schedule to the Notice.
20. Generally, I was aware of interaction between the Chairman of the Board, Mr Bentley, with the executive management team and other key management personnel. I would assume that these interactions would be related to Board business and matters relevant to the Board's activities, however, I have no direct personal knowledge of the actual content and nature of the interactions. My observation was that Mr Bentley regularly attended the office and would be involved or at least aware of the day to day operations and workings of RQL and QRL.

  
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21. I was not aware of similar interaction from other Board members on a day to day basis, other than at Board meetings and other Board-related activities.
22. Other than the matters referred to in paragraphs 20 and 21 above of this Statement, I cannot comment further in relation to paragraph 2.2 of the Schedule to the Notice.

**Question 3. CORPORATE GOVERNANCE** (paragraph 3(c) of the Terms of Reference)

3.1 *The corporate governance arrangements of Racing Queensland Limited in the Relevant Period.*

3.2 *Whether Racing Queensland Limited and its Officers operated and acted:*

- (a) *with integrity;*
- (b) *in accordance with the company's constitution;*
- (c) *in the best interests of the company;*
- (d) *in the best interests of the racing industry;*
- (e) *consistently with policies made pursuant to sections 81 and 83(2) of the Racing Act 2000 by the Relevant Entities which were current during the Relevant Period;*
- (f) *consistently with legislation including the Racing Act 2000 and the Corporations Act 2001.*

3.3 *In the Relevant Period were there in place policies, rules and procedures within Racing Queensland Limited to:*

- (a) *identify and manage conflicts of interest; and*
- (b) *minimise the risk of directors and executives improperly using their position and information for personal or financial gain.*


3.4 *Within Racing Queensland Limited during the Relevant Period were there in place terms of employment in contracts restraining former directors and executives from seeking employment with Racing Queensland Limited's contractors and suppliers.*


23. With respect to paragraph 3.1 and 3.2(a)-(d) of the Schedule to the Notice, my personal knowledge of corporate governance arrangements of RQL in the Relevant Period is limited to a personal awareness of:

- (a) the Company Constitution and the governance related policies due to the roles and responsibilities I had in occupying the position of Executive Assistant and Board Secretary; and
- (b) general associated matters as a result of the assistance I provided to Mrs Reid in maintaining the policies, including governance policies, and as a result of preparing correspondence for Mrs Reid as directed to entities such as the Australian Securities and Investment Commission.

24. I am not able to comment further on the actions of RQL's officers in this respect.


25. With respect to paragraph 3.2(e) of the Notice, I am personally aware that there are a range of policies made by RQL pursuant to section 81 and 83(2) of the *Racing Act 2002* (Qld) and policies relevant to governance arrangements by virtue of my role as detailed at paragraph H of


  
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this Statement. These policies would have been varied and amended from time to time, and differing versions would have applied across the Relevant Period.

26. Whilst I was personally aware of the existence of the policies referred to in the paragraph immediately above, I was not personally aware of whether RQL officers operated and acted consistently with these policies. Therefore I cannot provide a further response to paragraph 3.2(e) of the Schedule to the Notice.
27. With respect to paragraph 3.2(f) of the Schedule to the Notice, I am personally aware of the need to act and operate consistently with the *Racing Act 2002* (Qld) and the *Corporations Act 2001* (Cth), however, I cannot provide any further comment in relation to whether the RQL officers acted and operated consistently with this legislation.
28. With respect to paragraph 3.3(a) of the Schedule to the Notice, I am personally aware of the Conflict of Interest Disclosure Policy for RQL (RQL.101.005.2308). Attachment "**DLT-[19]**" is a copy of the policy. I am also personally aware of the Confidentiality and Intellectual Property Policy for RQL (as at 1 July 2010 - RQL.109.008.3641). Attachment "**DLT-[20]**" is a copy of the policy.
29. With respect to paragraph 3.3(b) of the Schedule to the Notice, I am also personally aware, by virtue of my position as Board Secretary, of the use by directors of forms for Declarations of Conflicts of Interest in order to satisfy their obligations under the *Corporations Act 2001* (Cth) in relation to disclosing any material personal interest in a matter relating to the affairs of RQL. These forms were used to disclose personal interests before commencement of Board meetings.
30. While I was personally aware of the existence of the policies and processes outlined at paragraphs 28 and 29 of this Statement, I was not personally aware of whether these policies and processes were applied for the purposes detailed in paragraph 3.3 of the Schedule to the Notice.
31. With respect to paragraph 3.4 of the Schedule to the Notice, whilst I was responsible for maintaining the secure documents register (which included the contracts register), this register did not contain personnel files of employees, including directors or executives. I did not have access to personnel files and so I cannot comment in relation to paragraph 3.4 of the Schedule to the Notice.

  
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**Question 4. EMPLOYMENT CONTRACTS: TUTTLE, ORCHARD, BRENNAN, REID** (paragraph 3(c) of the Terms of Reference)

4.1 The events surrounding the renegotiation of employment contracts in 2011, for the following senior executives of Racing Queensland Limited:

- (a) Malcolm Tuttle;
- (b) Jamie Orchard;
- (c) Paul Brennan; and
- (d) Shara Reid (formerly Murray).

4.2 The events surrounding the payouts made under the abovementioned contracts on the voluntary termination in March 2012 of the employment of:

- (a) Malcolm Tuttle;
- (b) Jamie Orchard;
- (c) Paul Brennan; and
- (d) Shara Reid (formerly Murray).

4.3 The actions of the directors and senior executives of Racing Queensland Limited referred to in paragraph 5.1 and 5.2 hereof and

- (a) the responsibilities;
- (b) duties; and
- (c) legal obligations of those persons.

32. I can only provide comment on the matters set out in paragraphs 4.1 and 4.2 of the Schedule to the Notice, by virtue of my position as Board Secretary. In this capacity, I was present at Board meetings, during which these matters were discussed, and I was responsible for the recording of minutes for these meetings.

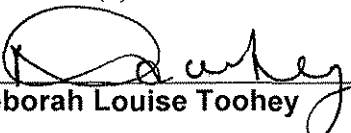
33. Whilst I did not attend sections of the meeting where a matter relevant to my employment was discussed, I did see the minutes at a later time. I therefore became aware of these discussions. Against this background, I would make the following observations:


(a) Item 3.2 of the minutes of the meeting of 6 May 2011 (Attachment "DLT-[21]" to this Statement are the minutes for 6 May 2011 - RQL.004.011.0081) deals with a resolution to extend certain executive employment agreements and to offer employment agreements to staff members including to me;

(b) Although this matter affected me, my recollection is that I may have been present for the discussion in relation to this item. I do not have a clear recollection;

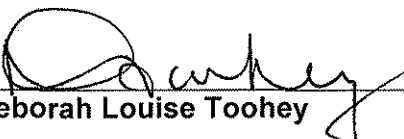
(c) I can recall that I had seen an earlier list of employees to be offered a fixed term contract, and I was not on the list. I recall discussing this with Mrs Murray, and making the point to her that in my role as Board Secretary, I thought I was as vulnerable as anybody else in the organisation to losing my job if there was a change in government;


(d) I was then included on the list of employees to receive an employment contract;

  
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- (e) This discussion occurred in the context that, before the 2012 State Election, there was enormous speculation within the organisation about what might happen if there was a change of government;
- (f) I do not recall any suggestion by any executive (including specifically Mrs Murray, Mr Jamie Orchard, Mr Paul Brennan or Mr Tuttle) that they were considering leaving RQL prior to the State Election. However I do recall a lot of public speculation at the time as to the possibility that a new board would be appointed immediately after the State Election and as a consequence they may leave;
- (g) I do recall around this time that generally there were a number of discussions around the office, and meetings occurring between those people mentioned in paragraph 32(f) above. I do not have direct knowledge of the substance of these discussions or meetings, but my observation was that the day to day work was somewhat interrupted and disturbed, particularly amongst the executive staff. I found it difficult to progress work at that time;
- (h) The issue of contracts was then discussed at the meeting on 20 July 2011. The minutes of the 20 July 2011 meeting are Attachment "DLT-[22]" to this Statement (RQL.104.004.0023);
- (i) I recall that the meeting on 20 July 2011 occurred in Mr Bentley's office, not in the Board room, and the minutes incorrectly record the venue of that meeting;
- (j) The issue was also discussed and the subject of resolution at the Board meeting on Friday, 5 August 2011. A copy of the minutes of that meeting are Attachment "DLT-[23]" to this Statement (RQL.004.001.0080);
- (k) As the Board minutes of the meeting of 5 August 2011 record in item 2.5 of the Board minutes, the previous resolution outlined in paragraph 32(a) regarding the offer of employment contracts was rescinded;
- (l) I do not recall being conscious of the specific benefits offered to the four executives by resolution of that meeting. I was not involved in that process at all;
- (m) I followed the same practice in relation to the minutes of the 20 July Board meeting and the 5 August Board meeting as I did when dealing for all other Board minutes, as set out in paragraphs Q to II to this Statement;

  
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(n) I note that I was on extended leave for a period of approximately 5 weeks commencing from 29 August 2011 and returning in the first week of October 2011; and

(o) To my recollection, I was present for the Board meeting of 28 March 2012 (Attachment "DLT-[24]" are the minutes for 28 March 2012 - RQL.004.011.0092) however, this was a short meeting and in my role as Board Secretary, my presence during the meeting was purely for administrative purposes and therefore I am unable to provide any further comments in respect of the matters identified in paragraph 4.2 of the Schedule to the Notice to this Statement.

34. Other than the matters stated above at paragraphs 32 and 33 of this Statement, I am unable to comment on the actions of the directors and senior executives or RQL and their responsibilities, duties and legal obligations in terms of paragraph 4.3 of the Schedule to the Notice.

**Question 5. ANY OTHER RELEVANT MATTER**


*5.1 Any other matter relevant to the Commission's Terms of Reference.*

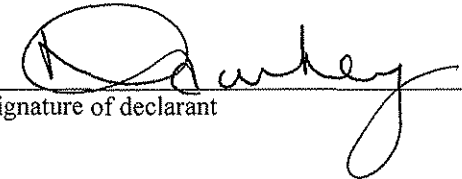
35. I have no other comments to make.

36. I make this statement conscientiously believing the same to be true, and by virtue of the provisions of the *Oaths Act 1867* (Qld).

**Dated 2 August 2013**


Signed and declared by Deborah Louise Toohey  
at Brisbane in the State of Queensland  
this 2nd day of August 2013  
Before me:

  
\_\_\_\_\_  
Signature of person before whom the declaration is made

  
\_\_\_\_\_  
Signature of declarant

MADISON VICTORIA BONE, SOLICITOR OF THE SUPREME COURT OF QUEENSLAND.  
Full name and qualification of person before whom the declaration is made

  
\_\_\_\_\_  
Deborah Louise Toohey

  
\_\_\_\_\_  
Witness

"DLT-1"

Queensland Racing  
Commission of Inquiry

2233983 - R1

16 July 2013

Ms Debbie Toohey  
C/- Clayton Utz  
GPO Box 55  
BRISBANE QLD 4001

Dear Ms Toohey


**REQUIREMENT TO PROVIDE WRITTEN STATEMENT TO RACING  
COMMISSION OF INQUIRY**

Please find enclosed a notice requiring you to give written information in a statement to the Queensland Racing Commission of Inquiry established by the *Commissions of Inquiry Order (No. 1) 2013*.

The statement is to be provided to the Commission on or before 2 August 2013, at the place and in the manner specified in the notice.

If you require further information, clarification or assistance, please contact (at first instance) the Commission's Secretary, Joanne Bugden, on 1300 763 087.

Yours sincerely

  
\_\_\_\_\_  
**Commissioner**  
The Hon. Margaret White AO



**QUEENSLAND RACING COMMISSION OF INQUIRY**

*Commissions of Inquiry Act 1950*  
Section 5(1)(d)

**REQUIREMENT TO GIVE INFORMATION IN A WRITTEN STATEMENT**

**To:** Ms Debbie Toohey  
**Of:** C/- Clayton Utz, GPO Box 55, BRISBANE QLD 4001

I, **THE HONOURABLE MARGARET WHITE AO**, Commissioner appointed pursuant to *Commissions of Inquiry Order (No. 1) 2013* to inquire into certain matters pertaining to racing in Queensland ("the Commission") require you to give a written statement to the Commission pursuant to section 5(1)(d) of the *Commissions of Inquiry Act 1950* in regard to your knowledge of the matters set out in the Schedule annexed hereto.

**YOU MUST COMPLY WITH THIS REQUIREMENT BY:**

Giving a written statement prepared either in affidavit form or verified as a statutory declaration under the *Oaths Act 1867* and in accordance with the Practice Guideline (which is published on the Commission website at [www.racinginquiry.qld.gov.au](http://www.racinginquiry.qld.gov.au)) to the Commission on or before 2 August 2013, by delivering it to the Commission at Level 1, 50 Ann Street, BRISBANE, or to the Commission's secretary at PO Box 12369, George Street, BRISBANE, or electronically to [info@racinginquiry.qld.gov.au](mailto:info@racinginquiry.qld.gov.au).

If you believe that you have a reasonable excuse for not complying with this notice, for the purposes of section 5(2)(b) of the *Commissions of Inquiry Act 1950* you will need to provide evidence to the Commission in that regard by the due date specified above.

DATED this *sixteenth* day of *July* 2013

A handwritten signature in cursive script, appearing to read 'Margaret White AO'.

\_\_\_\_\_  
The Hon. Margaret White AO  
Commissioner  
Queensland Racing Commission of Inquiry

**SCHEDULE**

*Commission of Inquiry Act 1950*

1. **CONTRACT MANAGEMENT AND FINANCIAL ACCOUNTABILITY** (paragraph 3(a) of the Terms of Reference)
  - 1.1 In respect of the procurement, contract management and financial accountability of the *Relevant Entities (defined below)* during the *Relevant Period (defined below)* what were the:
    - (a) policies;
    - (b) processes;
    - (c) guidelines; and
    - (d) measures which were used to ensure contracts which were awarded delivered value for money.
  - 1.2 In respect of the policies, processes, guidelines and measures were they adhered to?
  - 1.3 Events surrounding all contractual arrangements between the *Relevant Entities* and Contour Consulting Engineers Pty Ltd ("*Contour*") including those contracts where Contour was contracted to manage contracts on behalf of the *Relevant Entities*.
  - 1.4 In respect of contracts which were entered into between the *Relevant Entities* and *Contour*:
    - (a) Whether each contract was underpinned by procurement practices;



- (b) Whether, for each contract, payment policies and processes:
  - (i) were implemented; and
  - (ii) were adhered to.

**2. MANAGEMENT** (paragraph 3(b) of the Terms of Reference)

2.1 As to the *Relevant Entities* during the *Relevant Period*, the

- (a) management policies;
- (b) management processes;
- (c) management guidelines; and
- (d) workplace culture and practices

that were in place and whether each one:

- (a) ensured integrity; and
- (b) was adhered to.

2.2 The involvement of the boards or members of the boards of the *Relevant Entities* in the exercise of functions of:

- (a) the executive management team; and
- (b) other key management personnel, including the company secretary and those involved in integrity matters.

**3. CORPORATE GOVERNANCE** (paragraph 3(c) of the Terms of Reference)

3.1 The corporate governance arrangements of Racing Queensland Limited in the *Relevant Period*.

3.2 Whether Racing Queensland Limited and its **Officers** operated and acted:

- (a) with integrity;
- (b) in accordance with the company's constitution;
- (c) in the best interests of the company;
- (d) in the best interests of the racing industry;
- (e) consistently with policies made pursuant to sections 81 and 83(2) of the *Racing Act 2000* by the Relevant Entities which were current during the Relevant Period; and
- (f) consistently with legislation including the *Racing Act 2000* and the *Corporations Act 2001*.

3.3 In the **Relevant Period** were there in place policies, rules and procedures within Racing Queensland Limited to:

- (a) identify and manage conflicts of interest; and
- (b) minimise the risk of directors and executives improperly using their position and information for personal or financial gain.

3.4 Within Racing Queensland Limited during the **Relevant Period** were there in place terms of employment in contracts restraining former directors and executives from seeking employment with Racing Queensland Limited's contractors and suppliers.

4. **EMPLOYMENT CONTRACTS: TUTTLE, ORCHARD, BRENNAN, REID**  
(paragraph 3(c) of the Terms of Reference)



- 4.1 The events surrounding the renegotiation of employment contracts in 2011, for the following senior executives of Racing Queensland Limited:
- (a) Malcolm Tuttle;
  - (b) Jamie Orchard;
  - (c) Paul Brennan; and
  - (d) Shara Reid (formerly Murray).
- 4.2 The events surrounding the payouts made under the abovementioned contracts on the voluntary termination in March 2012 of the employment of:
- (a) Mr Tuttle;
  - (b) Mr Orchard;
  - (c) Mr Brennan; and
  - (d) Ms Reid.
- 4.3 The actions of the directors and senior executives of Racing Queensland Limited referred to in paragraph 5.1 and 5.2 hereof and:
- (a) the responsibilities;
  - (b) duties; and
  - (c) legal obligations of
- those persons.

**5. ANY OTHER RELEVANT MATTER**

5.1 Any other matter relevant to the Commission's Terms of Reference.

**GLOSSARY**

*Officers* - means:

- the directors of Racing Queensland Limited;
- the executive management team of Racing Queensland Limited;
- other key management personnel of Racing Queensland Limited;
- the company secretary of Racing Queensland Limited.

*Relevant Entities* – means:

- Racing Queensland Limited
  - before July 2010: Queensland Racing Limited, Greyhounds Queensland Limited and Queensland Harness Racing Limited;
  - before July 2008: Greyhound Racing Authority and Queensland Harness Racing Board;
- entities controlled by Racing Queensland Limited or the other entities mentioned above, including Queensland Race Product Co Limited.

*Relevant Period* means 1 January 2007 to 30 April 2012.

*Terms of Reference:* the terms of reference for the Commission are contained in *Commissions of Inquiry Order (No. 1) 2013* which is available on the Commission's website at [www.racinginquiry.qld.gov.au/](http://www.racinginquiry.qld.gov.au/).

**INFORMATION TO ADDRESSEE**

**YOU MUST COMPLY WITH THIS SUMMONS OR NOTICE**

Pursuant to sections 5 and 7 of the *Commissions of Inquiry Act 1950* ("the Act"), a failure without reasonable excuse to comply with this summons or notice, and (if summonsed to give evidence) a failure to continue to attend as required by the Commissioner until excused from further attendance, constitutes an offence which carries a maximum penalty of 200 penalty units or 1 year's imprisonment. Non-compliance with this summons or notice may result in a warrant being issued for your arrest.

**LEGAL REPRESENTATION**

You may be legally represented at a Commission hearing, if you first obtain leave from the Commissioner. The procedure for seeking such leave is set out in the Initial Practice Guidelines available on the Commission's website at [www.racinginquiry.qld.gov.au](http://www.racinginquiry.qld.gov.au).

**IF THIS NOTICE REQUIRES YOU TO GIVE A STATEMENT OR ANSWER QUESTIONS**

Pursuant to section 14 of the Act, a person attending before the Commission is not entitled to remain silent upon being required to give evidence, refuse or fail to answer any question they are required by the Commissioner to answer, or refuse or fail to produce any thing that the person has been summonsed or required to produce, on the ground that to do otherwise would or might tend to incriminate the person.

Pursuant to section 14A of the Act, a statement or disclosure made by any witness in answer to any question put to the witness by the Commission or the Commissioner shall not be admissible in evidence against the witness in any civil or criminal proceedings save for any proceedings for contempt or in relation to the offences specified in section 22 of the Act.

**IF THIS NOTICE REQUIRES YOU TO PRODUCE A DOCUMENT OR THING**

You must **bring** the stated document or thing to the Commission, if the stated document or thing is in your possession, custody or control. You must **produce** the document or thing to the Commission, unless you have a reasonable excuse. A claim of privilege, other than legal professional privilege, is not a reasonable excuse. However, legal professional privilege is not a reasonable excuse if the privilege is waived by any person (including you) who has authority to waive it.

**PROTECTIONS AND ALLOWANCES FOR A WITNESS**

Every witness attending before the Commission has the same protection and the same liability as a witness would in any action or trial in the Supreme Court of Queensland.

Pursuant to section 23 of the Act, penalties apply to any employer who dismisses an employee from employment, or prejudices him or her in their employment because the employee appeared as a witness before the Commission.

Pursuant to section 24 of the Act, a person attending a Commission hearing under summons is entitled to be paid the allowances and expenses as allowed by regulation or by the Commissioner.



## **PURCHASING POLICY**

### **Owner**

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Chief Financial Officer

### **Stakeholders**

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Corporate Wide

### **Revision History**

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<i>Version</i>	<i>Date</i>	<i>Description of Change</i>
1.01	May 2010	First draft (Murray Dyke)/Reviewed Adam Carter
1.02	12 May 2010	Provided to Tracey Harris and Abhendra Kumar for Feedback
1.03	22 June 2010	Reviewed AC
1.04	1 July 2010	RQL Board Changes (FINAL)





## PURCHASING POLICY:

### RACING QUEENSLAND LIMITED

#### Introduction

This policy has been prepared to provide guidelines and procedures to be followed by officers of Racing Queensland Limited when undertaking and managing purchasing activities to meet the organisation's operational requirements and also meet the objectives of the policy.

Racing Queensland Limited is the Control Body established by, and obtaining its objects and functions from, the *Racing Act 2002* and its Constitution. Racing Queensland Limited is required to conduct its financial activities with probity and accountability, in accordance with the *Corporations Act 2001*, Australian Accounting Standards and Australian Equivalent to International Financial Reporting Standards A-IFRS and Australian Securities and Investment Commission- ASIC.

#### Key Principles

In conducting its purchasing activities it is the policy of Racing Queensland Limited to adhere, at all times, to the key principles of:

1. Value for money;
2. Quality of product, service, and support;
3. Open and fair competition;
4. Accountability of outcomes;
5. Use of Queensland product where price competitive, and where quality standards are met; and
6. Suppliers are compliant with all taxation requirements.

#### Policy

These principles have been applied in developing policy for the following key purchasing activities:

- Capital works projects;
- Consulting services;
- Sponsorship contracts;
- Information technology;
- Other capital expenditure; and
- Day to day purchasing of services and supplies.
- Credit Facilities

There is also a focus on using preferred suppliers as explained in this report in further detail. The procurement system should result in the following benefits:

- Reduce operating costs;
- Reduce risk;
- Increase control; and
- Improve cash flow visibility

### **Capital Works Projects**

Racing Queensland Limited plays a major role in the implementation of industry capital works projects each year. Racing Queensland Limited establishes an annual program of capital works, within a specified budget, following consideration of proposals from race clubs and advice from relevant officers within the organisation.

The policy of Racing Queensland Limited, in relation to the implementation of approved projects, is briefly addressed below:

- Once projects are given preliminary approval through the annual capital budgeting process, race clubs will be required to provide detailed design and costing information, and a project plan, prepared by a suitably qualified and experienced independent consultant. Racing Queensland Limited may, at its discretion, instigate an assessment of this documentation by its own consulting engineers. Any variation to the estimate used in applying for inclusion in the capital works program must be disclosed and explained. Variations of greater than 10% from the preliminary estimate are to be referred back to the Board of Racing Queensland Limited;
- Assuming the project cost following detailed design is contained within 10% of the preliminary estimate, and Racing Queensland Limited is satisfied with the standard of documentation provided, final approval will be given for the project to proceed (Chief Executive Officer or Chief Financial Officer);
- After final approval has been given, race clubs will be instructed that they can establish formal contractual arrangements for the construction works, in accordance with the approved budget. In establishing these contracts the club must pay regard to the key purchasing principles contained within this policy. Following establishment of the works contracts, Racing Queensland Limited will make payment of a grant to the club, equivalent to the agreed industry contribution. This grant will represent payment for a taxable supply, and will have GST added; and
- Following completion of the project, the club will provide Racing Queensland Limited with a report, which addresses the outcomes of the project, including cost to budget, quality of product, and timeliness.

### **Consulting Services**

Racing Queensland Limited uses consulting services in a number of aspects of its operations including legal, information technology, human resource management, financial management, business development, and marketing.

These consultancies vary from short-term "one-off" contracts, to longer-term arrangements, which may encompass a series of different activities (e.g. marketing and promotional work).

For short-term "one-off" contracts the following policy guidelines are to apply:

- The six key purchasing principles outlined above are to be applied at all times;
- For contracts under \$10,000 in value, preferred supplier arrangements\* can be used. That is, where a purchasing officer is satisfied that a consultant that has provided a high quality service in the past, has the necessary expertise to undertake the work, and is available in an appropriate timeframe, that consultant can be appointed without a formal competitive process being undertaken. If such a person is not available, three quotes from prospective consultants should be obtained and evaluated;

(\* Please note that where preferred supplier arrangements are referred to later in this document for other categories of purchasing, similar procedures to those above will apply)

- For contracts between \$10,000 and \$100,000, tenders should be called from at least three “preferred” contractors. The selection of these three preferred suppliers, and subsequent evaluation of their proposals, should take into account the six key purchasing principles. The evaluation of the proposals should be undertaken by two accountable officers, and be approved by a delegated officer (Chief Executive Officer or Chief Financial Officer);
- For contracts over \$100,000, will be subject to Board discretion as to the waiver of an open tender, including appropriate advertising of the consultancy. Tenders are to be evaluated, in accordance with the six key purchasing principles, by a panel of no less than two accountable officers, and be approved by a delegated officer.

For longer-term consultancy arrangements (e.g. the ongoing purchase of external legal services that cannot be delivered in-house), which may involve the use of a preferred supplier or suppliers for a range of individual tasks over an extended period of time, the following guidelines are to be followed:

- The purchasing officer may select a consultant for a range of tasks from a panel of preferred suppliers for the type of work involved;
- Prior to such a selection, a competitive process, adhering to the six key purchasing principles of Racing Queensland Limited, to appoint the panel of preferred suppliers must have been undertaken, be appropriately documented, and be signed-off by a delegated officer;
- In selecting the preferred supplier from the panel, the purchasing officer must clearly document the reasons for the selection, and be accountable for that selection. The selection must be approved by a delegated officer; and
- Individual consultancy contracts over \$100,000 in value are not to be entered into under these preferred supplier arrangements. For such consultancies, will be subject to Board discretion as to the waiver of an open tender, as described above, must be followed.

### **Sponsorship Contracts**

Racing Queensland Limited may enter into sponsorship contracts of a cash and exchange-of-goods and/or services (“contra”) nature.

In establishing these contracts, officers must adhere to Racing Queensland Limited’s key purchasing principles, particularly those of “accountability of outcomes”, and “compliance with all taxation requirements”. With these principles in mind, a Sponsorship Agreement pro-forma (refer to Appendix A) is to be prepared for all sponsorship arrangements, regardless of whether they involve a cash payment, or are solely contra in nature.

The sponsorship agreement is to clearly specify the goods and/or services that are to be delivered by both Racing Queensland Limited and the sponsor, and identify the value of these supplies so that GST obligations, including Tax Invoicing, can be satisfied.

All sponsorship agreements are to be authorised by an officer of Racing Queensland Limited with appropriate delegation, and a copy is to be provided to the Finance Section so that Tax Invoices can be prepared, and GST liabilities and credits accounted for.

### **Information Technology**

The acquisition of information technology hardware and software represents a substantial investment of capital by Racing Queensland Limited each year.

Given the advancing nature of IT and the need to upgrade hardware and systems applications on an ongoing basis, it is the policy of Racing Queensland Limited to acquire such items through leasing arrangements. In this regard the following is to apply:

- A tender process, through a preferred supplier arrangement, is to be undertaken for the establishment of a medium to long-term lease contract for the supply of computer equipment, and other general office equipment where appropriate;
- This contract is to be reviewed on an annual basis to ensure the key principles of “value for money” and “quality of service and support” are being satisfied;
- Where a requirement to add items to the schedule covered by the lease has been identified, the purchasing officer must ensure the purchasing principles are adhered to. For items under \$10,000, preferred supplier arrangements can be used. For items \$10,000 or over, three quotes must be obtained. Appropriate documentation to support the purchasing decisions must be maintained at all times; and

The IT Section is also required to develop and maintain an *IT asset replacement strategy*, incorporating a list of all hardware and software under lease (or purchased), and information on the condition and expected useful life of individual items.

### **Other Capital Expenditure**

#### **Motor Vehicles**

Racing Queensland Limited maintains a fleet of vehicles provided for both work and private use. These vehicles are to be leased through the appropriate lease provider under the following arrangements:

- the leasing of a new vehicle must be approved by the Chief Executive Officer or Chief Financial Officer or Finance and Business Manager; and
- The type and model of the vehicle, and any optional extras, must be commensurate with the status and nature of the role performed by the officer for which the car is being acquired, and be in accordance with the entitlements the officer has under his/her contract of employment;
- All vehicles are to be replaced after three years, or having travelled 60,000 kims, whichever comes first, unless the Chief Executive Officer or Chief Financial Officer or Finance Business Manager agrees to an extension of the leasing term.

Vehicles are to be leased in line with the Racing Queensland Limited’s Motor Vehicle Policy, for further details email [ap@racingqueensland.com.au](mailto:ap@racingqueensland.com.au)

On disposal of company-owned vehicles, three trade-in quotes must be obtained, where possible, with the highest trade-in valuation the key consideration in selecting the successful dealer. Racing Queensland Limited staff may be given the option to purchase the vehicle that is being traded, at no less than \$1 more than the best trade-in valuation. The Chief Executive Officer or Chief Financial Officer or Finance and Business Manager will determine the successful staff bidder in the event of two or more staff bidding for the same vehicle being traded.

#### **Other capital purchases**

All other capital purchases (e.g. office machines) made by Racing Queensland Limited are to adhere to the following guidelines:

- The six key purchasing principles outlines above are to be applied at all times;
- For items under \$10,000 in value, preferred supplier arrangements can be used;
- For capital items between \$10,000 and \$100,000, quotes should be called from at least three “preferred” suppliers. The selection of these three preferred suppliers, and subsequent evaluation of their proposals, should take into account the six key purchasing principles;
- For capital items over \$100,000, will be subject to Board discretion as to the waiver of an open tender. Tenders are to be evaluated, in accordance with the six key purchasing principles, by a panel of no less than two accountable officers; and
- For all capital purchases of \$10,000 or more, a lease versus buy analysis is to be undertaken.



***Day to day Purchasing of Services and Supplies.***

Policy in relation to the day to day purchasing of services and supplies is as follows:

- For items supplied on a continuous basis (e.g. stationery, consumables, printing) preferred supplier arrangements may be used. Purchasing officers must ensure that the key purchasing principles are adhered to, especially “value for money” and “quality of service”;
- In this regard, officers are required to conduct a competitive process for the selection of a panel of preferred suppliers, for continuous supplies, on an annual basis. Documentation must be prepared and maintained in respect of preferred supplier selection, and the subsequent selection of a supplier from the panel for particular purchases;
- However, for any individual supply or service, which would normally form part of a continuous supply by an individual, that is to cost the organisation \$100,000 or more, an open competitive process must be undertaken. That is, any individual supply which is to cost \$100,000 or more, cannot form part of a continuous purchasing contract made under preferred supplier arrangements;
- For non-continuous supplies and services (e.g. “one-off” printing jobs) preferred supplier arrangements can be used for purchases under \$10,000, on the basis that Racing Queensland Limited’s key principles are satisfied. At least three competitive quotes must be obtained for any purchase of \$10,000 or more.

## Preferred Suppliers

As much as possible, Racing Queensland Limited should consolidate its suppliers and utilise preferred suppliers for either off-the-shelf goods/services where there are several sources of supply and the purchase is low risk or where there is an established relationship with a proven record of success. The advantages of using preferred suppliers are that it streamlines and simplifies purchasing, reduces administrative costs and promotes cost savings through volume discounts and exclusivity arrangements. Other benefits are that it minimises costs and risk for suppliers through not being required to regularly prepare and submit quotations.

### 1.1. Selection of Preferred Suppliers

The selection of preferred suppliers should be based on selection criteria that could include:

- Technical capability and experience
- Financial capacity and viability
- System and management responsibility incorporating product and service compliance with agreed industry standards
- People
- Business/organisation factors
- Favourable referee reports (a successful track record to deliver)
- Racing Queensland Limited's 6 key principles:
  1. Value for money;
  2. Quality of product, service, and support;
  3. Open and fair competition;
  4. Accountability of outcomes;
  5. Use of Queensland product where price competitive, and where quality standards are met; and
  6. Suppliers are compliant with all taxation requirements.

### 1.2 Preferred Suppliers Listing.

The current preferred suppliers list can be obtained from the Finance and Business Manager or accounts payable ap@racingqueensland.com.au or can be located at the following link:

<Insert Link to Preferred Supplier Listing which is currently under construction>

ITEM	POSITION						
	Regional Senior Stewards	Admin Authorities	Managers, Chief Steward	Company Secretary, Director of Integrity Operations, Finance and Business Manager, Accountant Corporate Services	Chief Financial Officer, Director Product Development	Chief Executive Officer	Board of Directors
Overall Delegation	<\$500	<\$2,000	<\$5,000	<\$20,000	<\$50,000	<\$150,000 in line with budget	Unlimited
Standard Purchase Orders	IPOS	IPOS	IPOS	IPOS	IPOS	IPOS	IPOS
Emergency Purchase Orders	IPOS	IPOS	IPOS	IPOS	IPOS	IPOS	IPOS
Requisition - Miscellaneous Purchases (Credit Cards) (Refer to Expense reimbursement policy for conditions)	x	x	x	<\$20,000 and to budget	To Budget	To Budget	Same as above
Petty Cash	<\$100	<\$100	<\$100	<\$100	<\$300	<\$300	<\$300
Capital Expenditure Purchase Orders and Request Forms	x	x	x	x	Forecast projects if <\$50,000 or if satisfied CEO has previously approved the project	Any single project <\$150,000 where included in approved annual budget	Any single project above \$150,000
Domestic (Interstate) travel	x	x	x	To budget	To budget	To budget	If outside of aggregate annual budget
International Travel	x	x	x	x	x	To Budget	If outside of aggregate annual budget
Official Hospitality	<\$100	<\$100	<\$100 <\$300 Senior Management Team	<\$300	<\$300 or other functions as approved by CEO	To Budget	Yes
Employment of new staff	x	x	x	Negotiation only if resignation and within same salary range and approval from CEO	Employment letters and contracts assuming CEO approval	Yes	Yes

Contractual Agreements (All contracts to be reviewed by Corporate Counsel/Company Secretary for updating of Contracts register and asses if any legal advice required)	x	x	x	<\$20,000 total value (not lease or licence) assuming that authorised to sign in ordinary operations	Yes with CEO assuming CEO previously approved and legally authorised to sign where <\$100,000	Yes where value <\$150,000	Yes – subject to Board Agreement
Execution of Contractual Agreements (All contracts to be reviewed by Senior Corporate Counsel/Company Secretary for updating of Contracts register and asses if any legal advice required)	<b>To be executed by 2 Directors of the Company or a Director and a Company Secretary of the Company (S127 (1) – Corporations Act 2001).</b>						

The same delegations above apply to the payment of invoices with one exception:

- An invoice can be approved by a person with a lesser delegation provided the original purchase order was approved appropriately and the invoice does not exceed an amount that exceeds 10% of the original purchase order.

It should be noted that as a business rule, staff are not allowed to circumvent their delegation by raising multiple orders to purchase a good or service for an amount that exceeds their delegation limit.

### **Delegations**

All expenditures for goods and services are to be authorised by a duly delegated officer and are to be in line with budget. These delegations are as follows:

#### *Unlimited*

- Board of Directors

#### *Up to \$150,000*

- Chief Executive Officer

#### *Up to \$50,000*

- Chief Financial Officer
- Director of Product Development

#### *Up to \$20,000*

- Director of Integrity Operations
- Finance and Business Manager
- Senior Corporate Counsel/Company Secretary
- Accountant – Corporate Services

#### *Up to \$10,000*

- Facility Maintenance and Development Manager
- Racing Managers – Dividing Races

#### *Up to \$5,000*

- Information Technology and Communications Manager
- Licensing and Training Manager
- Race Course Facility Managers
- Chief Steward

#### *Up to \$2,000*

- Administrative Authorities – Executive Assistants including Track Supervisors
- Racing Managers - Procurement
- Racecourse Supervisor

Up to \$500

- Regional Senior Stewards (Northern Region – Townsville, Senior Steward Capricornia Rockhampton and Steward in Charge Downs - Toowoomba)

### **Capitalisation of expenditure**

Expenditure on discreetly identifiable plant and equipment items of **\$2,000** and above will be capitalised where the future benefit of that expenditure exceeds one year at the time of purchase. All land purchases must be capitalised.

The Chief Executive Officer or Chief Financial Officer or Finance and Business Manager may approve the capitalisation of services expenditures of \$2,000 and above where those services have a future benefit exceeding one year. All assets which are <\$2,000 must be expensed in the year of purchase and recorded in the portable and attractive items register. All other service expenditures shall be written off in the financial year the expenditure was incurred.

### **Compliance with Commonwealth Government GST & Australian Business Number legislation**

The Commonwealth Government implementation of GST and Australian Business Number legislation, has given rise to some additional obligations in respect of purchasing. These are as follows:

- Organisations are required to withhold 46.5% of any payment to a supplier of goods or services that does not provide an ABN. In response to this, it is the policy of Racing Queensland Limited that no supplies be purchased from entities that are unable to quote an ABN;
- All suppliers to Racing Queensland Limited are to be advised that they must be able to provide a "Tax Invoice" in the form specified by the GST legislation, to enable Racing Queensland Limited to claim input credits. Under law, the supplier must supply Racing Queensland Limited with a Tax Invoice within 28 days of request. Racing Queensland Limited staff should not enter into contractual arrangements with suppliers unless satisfied that the supplier will be able to provide a suitable Tax Invoice; and
- When obtaining quotes or prices from potential suppliers, purchasing officers must satisfy themselves that the prices quoted are GST inclusive.

### **Documentation and the Role of the Finance Department**

The Finance Department plays the lead role in ensuring Racing Queensland Limited meets its obligations under the *Corporations Act 2001*, Australian Accounting Standards and Australian Equivalent to International Financial Reporting Standards A-IFRS and Australian Securities and Investment Commission- ASIC through the development and implementation of appropriate accounting policies and controls.

While the Department will work to ensure operational areas within the organisation are meeting their obligations under the purchasing guidelines, senior managers also have a role to play in monitoring the purchasing activities of their staff.

With regard to documentation, all acquisitions need to be supported by evidence that appropriate purchasing principles and guidelines have been followed. In this regard:

- All purchases for non-continuous supplies that are not completed through petty cash or credit cards must be completed in IPOS. **Where IPOS is not available a manual purchase order must be raised and authorized with the pink and green copies sent to accounts payable.** Additionally, copies of sponsorship agreement pro-formas must be provided to the Finance and Business Manager on a timely basis; and
- The delegated officer must be satisfied that Racing Queensland Limited's purchasing policy has been adhered to, and that appropriate documentation that supports the six key principles (value for money, open and fair competition etc) has been gathered, and is available for audit scrutiny if required. The managers of organisational areas have responsibility for ensuring supporting documentation is maintained and is accessible.

Enquiries regarding these purchasing principles should be directed to the Chief Executive Officer or Chief Financial Officer or Finance and Business Manager.

**IPOS**

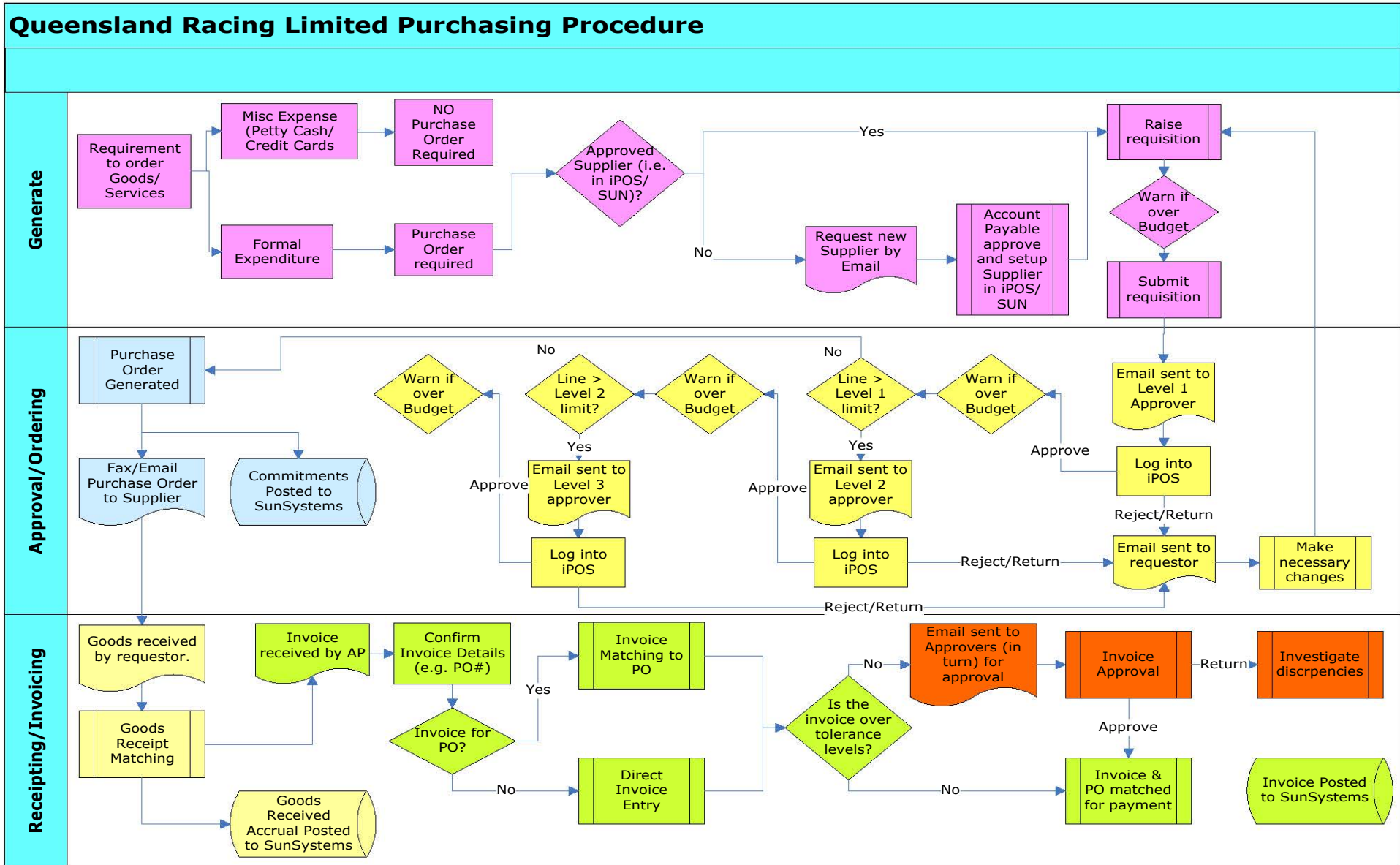
IPOS is an online web enable electronic procurement system. It has been custom built to meet Racing Queensland Limited and industry needs and greatly enhances Racing Queensland Limited's ability to operate in today's modern information driven environment.

**Where IPOS is not available a manual purchase order must be raised and authorized with the pink and green copies sent to accounts payable.**

The main objectives of IPOS are:

- To provide the underlying systems to enable the business to obtain tighter budgetary controls, including the recording of committed expenditure,
- To provide managers with the appropriate tools to focus on their individual budgets,
- Implementation of systemic controls over the procure to pay process,
- Improved reporting to the whole business,
- To bring Racing Queensland Limited in line with best practice procurement through taking advantage of e-commerce, electronic purchase ordering and scanning.
- Provide more real time reporting with less reliance on accounts payable,
- Introduction of process efficiencies for accounts payable, removing the many manual processes currently in use, such as manual purchase order generation and invoice approvals.
- Ability to interface with supplier ordering systems resulting in less manual entry.

The process map for Racing Queensland Limited's procurement process is featured below.



The major advantage of IPOS is that it enforces Racing Queensland Limited's purchasing policy in an electronic procurement system. All management delegations are enforced at requisition and invoice stage. Separation of duties ensures that only requisitioners can create purchase orders and only management can authorise.

From 1 July 2010 where applicable all invoices will only be paid if an IPOS purchase order number is quoted on the invoice. Instances where invoices do not require IPOS purchase orders are Energy, phones, rates and other standard monthly charges.

IPOS Procedures are linked below:

<http://starcraft:8080/finance/Shared%20Documents/Forms/AllItems.aspx>

## **Payment Methods**

### **1. Direct Debit**

#### **1.1 Business Condition**

Purchases that occur at set times throughout the year for set dollar amounts.

#### **1.2 Business Rule**

Invoices for goods or services that fall under this category include:

1. Rentals
2. Leases
3. Superannuation

Payments will be made via direct debit at the time dictated by the invoice.

#### **1.3 Dependencies**

Payments must be fixed frequency and price.

### **2. Cheque**

#### **2.1 Business Condition**

One-off purchases that can not be paid through any other alternative option.

### **3. Electronic Funds Transfer (EFT)**

All other purchases will be paid by Electronic Funds Transfer (EFT) unless previously authorised by Finance and Business Manager



**Payment Summary**

A summary of the different methods for paying invoices is provided below:

<b>Payment Types</b>	<b>Business Condition</b>
EFT	Used for standard purchasing from preferred suppliers  Used for emergency purchases from preferred supplier in response to an emergency situation
Direct Debit	Used for purchases that occur at set times throughout the year for set dollar amounts
Cheque	Used for miscellaneous purchases on a "case-by-case" basis only. To be used only in exceptional circumstances.
Credit Cards	Used for purchases made with non-preferred suppliers for dollar amounts up to delegated authority.
Petty Cash	Used for miscellaneous purchasing of items with a value of less than \$100 unless authorised by Finance and Business Manager

## Summary of Key Controls

As a high level summary, the key controls associated with the procurement system are:

- Only deal with suppliers who have a valid ABN
- Three quotes required for amounts >\$10,000 where a preferred supplier is not used
- Tax invoices to be obtained at all times
- Required signatures for goods received
- Vendor creation, deletion or addition must be performed by the Accounts Payable Officer and the bank account details are required in accordance to the Sun Security matrix to be entered by an Accounts Receivable Officer who does not have the ability to raise purchase orders or make payments in SUN. The change of details form is located G:\Finance\FORMS\Accounts Payable\Change of Details form.xls
- Invoices are only paid after the prior approval of a purchase order (excluding credit card statement payments and direct debits) and after goods have been received
- Established delegation limits with a 10% tolerance level up to a limit of \$100
- Credit card holders can make transactions greater than their delegation limit provided a purchase requisition with appropriate approval has been obtained first.

In addition to the above, Racing Queensland Limited should perform an annual supplier analysis to review expenditure to determine that value for money is being achieved.

## Credit Facilities

A credit facility is any system of credit established to allow purchase of goods or services without the use of an official purchase order or the exchange of cash between the purchaser and supplier at the time of the transaction.

The credit facilities generally used by the Company are:

- Corporate credit cards
- Fuel cards
- Taxi vouchers
- Toll cards.

The establishment of any credit facility requires the recommendation of the Chief Financial Officer and approval from the Company. The Chief Financial Officer is responsible for the establishment, implementation, management and control of credit facilities used by the Company.

All credit facilities must be subject to the agreed terms and conditions between the credit provider and the Company.

Users of credit facilities must comply with the agreed terms and conditions, and properly discharge responsibilities regarding the use and reconciliation of credit accounts. Users are responsible for utilising the facilities in a proper and appropriate manner, and are accountable for all transactions associated with their use.

Users are also responsible for the security of the card/vouchers. Misuse of credit facilities will, at the discretion of the Board, result in the user's access to the facility being revoked and appropriate disciplinary action being taken.

## Corporate Credit Cards

**Principles.** The policies and procedures pertaining to corporate credit cards are contained in the following policy: RQL\_Expense Reimbursement Policy.doc

**Issue.** Corporate credit cards will be issued to relevant officers on the basis of the card providing a necessary and convenient facility for meeting commitments incurred in the course of official business. The issue of corporate credit cards is to be recorded in a register that is maintained by an appropriate officer, e.g. Accounts Payable Officer. Corporate card use should be restricted to a specific transaction limit in any one month.

**Documentation.**

The following conditions governing the use of credit cards prevail:

A register of cards must be established and maintained to exercise control over the issue and use of cards.

- Only authorised charges may be made against the credit organisation;
- Cards must be secured at all times against unauthorised use;
- Internal control measures must be sufficient to ensure cards are used for official purposes only and that any misuse is detected promptly and reported to the Chief Financial Officer.
- Officers using a credit card must obtain particulars of transactions including supporting invoices and dockets duly signed. A Credit Card Usage Form must be completed with the invoices attached. Supporting documentation can include the vendor's invoice/account, copy of prior approval to travel/entertain (where applicable), and purchase order. Where supporting invoices or dockets are not available, a signed certificate stating that the transactions are valid and were for official purposes must be attached. Details of all hospitality/entertainment expenses must be fully documented with the purpose of the expense, guest name(s), date, refreshments, time and the like.

**Reconciliation.**

- The documentation must be forwarded promptly to an accounting officer for attachment to the credit card transaction record for the purposes of sustaining the official use of the card and settlement of the amount within the required period;
- An accounting officer must match the dockets to the statements received from the credit card organisation;
- The dockets and the summary of these dockets showing the charges incurred by the use of credit cards must be properly authorised by a duly authorised officer; and
- The use of credit cards for the purchase of goods and services must be in strict accordance with the expense reimbursement policy of Racing Queensland Limited.
- Failure to provide receipts and the reconciliation in a timely manner will result in the card being cancelled and the employee will have to be reimbursed expenditure through the expense reimbursement policy

**Fuel Cards**

**Issue.** The issue of fuel cards is to be recorded in a register maintained by the Finance area.

**Responsibilities.** Users of the fuel card credit facility are responsible for utilising the facility in a proper and appropriate manner. Users are also responsible for the security of the card while it is in their possession, and are accountable for all transactions associated with its use during that period.

**Use.** Fuel cards are to be used only in accordance with the agreement between the credit provider and the Company. This includes locations where the card may be used, vehicle for which the card may be used and the types of purchases that are permitted (e.g. fuel only, fuel and oil).

**Documentation.** Fuel card transactions are to be supported by documentary evidence of the purchase (e.g. the fuel card docket provided by the fuel supplier). This documentation is to be forwarded to the Finance Area and will be used when reconciling the credit provider's account and making payment.

**Taxi Vouchers**

**Issue.** Bulk stocks and the issue of taxi vouchers are to be maintained by the Finance area. The Accounts Payable Officer is responsible for the issue of taxi vouchers within their area of responsibility. This officer should ensure that taxi vouchers are issued for appropriate use.

**Use.** The use of taxi vouchers is strictly limited to taxi travel for the purpose of conducting official business within or outside business hours when neither an official vehicle is available, nor is public transport an acceptable option.

**E Tolls**

**Issue.** The Finance and Business Manager is responsible for approving the issue of E toll within their area of responsibility. Officers may purchase pre-paid tolls only by credit card.

**Use.** The use of tolls is limited to conditions as specified under the motor vehicle policy.

# SPONSORSHIP AGREEMENT

**BETWEEN:**

**(The Sponsor)**

**AND RACING QUEENSLAND LIMITED**, a control body established under the *Racing Act 2002* and *Corporations Act 2001*

**(The Sponsored)**

**WHEREAS** The Sponsor has agreed to provide sponsorship in accordance with this agreement.

**AND** The Sponsored has agreed to provide services in return for the sponsorship.

**This Agreement provides:**

1. The Sponsor will provide the following sponsorship to the Sponsored:  
 Details of Sponsorship [If insufficient space annex details]
  - Money (here detail the sum of any monies to be paid to the Sponsored)
  - Support (here detail all support services including the value thereof to be supplied to the Sponsored)
2. The Sponsored will provide the following services to the Sponsor: [If insufficient space annex details]
  - Services (here detail all services including their value to be supplied by the Sponsored in return for the sponsorship)
3. It is hereby acknowledged that:
  - (a) The Sponsored will issue a recipient created tax invoice to the Sponsor to meet Goods and Services Tax obligations in relation to the supply of money and for support;
  - (b) The Sponsor will issue a recipient created tax invoice to the Sponsored to meet Good and Services Tax obligations in relation to the supply of services.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

**SIGNED AS AN AGREEMENT**

**SPONSOR** .....

Full name of authorised officer .....

Signature of authorised officer .....

Signed in the presence of .....

**SPONSORED**

**RACING QUEENSLAND LIMITED**

Full name of authorised officer .....

Signature of authorised officer .....

Signed in the presence of .....



## **ADDENDUM TO PURCHASING POLICY**

### **Owner**

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Chief Financial Officer

### **Stakeholders**

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Corporate Wide

### **Revision History**

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<i>Version</i>	<i>Date</i>	<i>Description of Change</i>
1.01	25 Nov 2011	Draft Addendum to RQL Purchasing Policy
1.02	19 Dec 2011	Board Approved
1.03	19 Mar 2012	Adjustment to CEO Delegation



## PURCHASING POLICY: INFRASTRUCTURE PLAN RACING QUEENSLAND LIMITED

### Introduction

This addendum has been prepared to expand on the RQL General Purchasing Policy which provides guidelines and procedures to be followed by officers of Racing Queensland Limited when undertaking and managing purchasing activities to meet the organisation's operational requirements and also meet the objectives of the policy.

The Racing Queensland Infrastructure Plan has been designed to improve and further develop racing industry infrastructure by way of a \$110 million redirection of wagering taxes from the QLD government. Projects have been identified and funds allocated to each project.

Given the size and scale of these projects this addendum to the Racing Queensland Purchasing Policy has been developed to ensure the necessary additional steps are taken to ensure all projects funded are completed in an accountable and transparent manner to the highest standards.

The purchasing policy, including this addendum form the basis upon which the Industry Infrastructure Plan Committee is guided in the procurements of goods and services relating to the projects that make up the Industry Infrastructure Plan. (See IIPCG Charter)

Racing Queensland Limited is the Control Body established by, and obtaining its objects and functions from, the *Racing Act 2002* and its Constitution. Racing Queensland Limited is required to conduct its financial activities with probity and accountability, in accordance with the *Corporations Act 2001*, Australian Accounting Standards and Australian Equivalent to International Financial Reporting Standards A-IFRS and Australian Securities and Investment Commission- ASIC.

### Key Principles

In conducting all of its purchasing activities, including infrastructure plan projects, it is the policy of Racing Queensland Limited to adhere, at all times, to the key principles of:

1. Value for money;
2. Quality of product, service, and support;
3. Open and fair competition;
4. Probity and Accountability of outcomes;
5. Use of Queensland product where price competitive, and where quality standards are met; and
6. Suppliers are compliant with all taxation requirements.



## Policy

There is also a focus on using preferred suppliers as explained in this report in further detail. The procurement system should result in the following benefits:

- Reduce operating costs;
- Reduce risk;
- Increase control; and
- Improve cash flow visibility

## Industry Infrastructure Plan

Racing Queensland Limited's Infrastructure Plan procurement policy must adhere to the strictest guidelines of Probity, Accountability and Transparency as the funds for these projects come directly from the QLD Government and as such are expenditure of these funds is expected to stand up to rigorous scrutiny.

Strict adherence to the project funding deeds between the State of Queensland and Racing Queensland Limited must be maintained at all times.

Policy in relation to the approval of supplier payments specifically related to the Industry Infrastructure Plan is as follows;

- Once the Business Case and Project Funding Deeds have been approved and the budget has been approved by the RQL Board
- All invoices must be checked and signed by the Project Director even if outside of delegation limit. The Project Director is to obtain the approval of the CEO if over his delegation limit.
- All delegations are to be in line with the RQL purchasing policy.
- The CEO can sign and approve all items within the project budget and this includes amounts above \$150,000.
- All items outside of the approved budget with a tolerance level of greater than either 1% or \$200K of the project value will require Board approval.

## Suppliers

As much as possible, Racing Queensland Limited should consolidate its suppliers and utilise preferred suppliers for either off-the-shelf goods/services where there are several sources of supply and the purchase is low risk or where there is an established relationship with a proven record of success. The advantages of using preferred suppliers are that it streamlines and simplifies purchasing, reduces administrative costs and promotes cost savings through volume discounts and exclusivity arrangements. Other benefits are that it minimises costs and risk for suppliers through not being required to regularly prepare and submit quotations.

### 1.1. Selection of Preferred Suppliers

The selection of preferred suppliers should be based on selection criteria that could include:

- Technical capability and experience
- Financial capacity and viability
- System and management responsibility incorporating product and service compliance with agreed industry standards
- People
- Business/organisation factors
- Favourable referee reports (a successful track record to deliver)

Racing Queensland Limited's 6 key principles:

1. Value for money;
2. Quality of product, service, and support;
3. Open and fair competition;
4. Probity and Accountability of outcomes;
5. Use of Queensland product where price competitive, and where quality standards are met; and
6. Suppliers are compliant with all taxation requirements.

## 1.2. Preferred Suppliers Listing

Preferred Supplier listings for Infrastructure Plan projects are to be developed by inviting suppliers with experience and expertise in the key areas that make up the projects identified in the RQL Infrastructure Plan to tender for projects thereby forming supplier panels.

These supplier panels could be further refined by way of prequalifying of suppliers lists.

## 1.3. Prequalification of Suppliers

Prequalification is where suppliers of particular goods or services are assessed against pre-determined criteria and then only those suppliers who satisfy the prequalification criteria are invited to tender for projects.

Prequalification provides added confidence that suppliers being invited to offer have the capability to supply the goods and services. Prequalification does not eliminate the risk of contract failure, but, if well managed, is a method of reducing the risk and administrative burden created by repeated approaches to the market.

Suppliers that are successful in meeting the prequalification criteria are generally included on a database maintained by the purchaser. Prequalification of suppliers is a strategy best used when the buyer procures a particular type of good/service on a regular basis and the procurement tends to be complex and/or costly and/or there is a high degree of risk involved in the procurement.

Some goods and services required for the development of racing tracks and facilities would fall under this category. As a general guide only they have been categorised into five broad groups:

1. Technical capability and experience
2. Financial capability
3. Systems and managerial capability
4. People
5. Business/organisation factors

Potential suppliers are assessed against specific criteria established by the purchaser and if successful are placed on a prequalification database. When a specific need by the purchaser arises, the prequalified suppliers are invited to offer. The offers are evaluated by the purchaser according to the specific offer evaluation criteria and the successful offeror is awarded the contract. Performance reporting about suppliers is an integral part of any prequalification system and should be incorporated into the system.

## 1.4. Outsourcing of Supplier Panel Selection

The use of organisations specialising in procurement processes such as preferred supplier lists, prequalifying suppliers and other supplier related contractual arrangements may be an alternative or addition to in-house procurement processes.

Local Buy is one such organisation with experience in procurement processes for local government. Local Buy is the Local Government Association of Queensland (LGAQ) procurement services company. Local Buy develops contractual arrangements for councils and government entities, eliminating the need for government authorities to establish their own supply contracts. <http://www.localbuy.net.au/>

The use of this type of organisation may be beneficial for tendering and contracting arrangements relating to

the infrastructure plan projects, as the suppliers are effectively pre-screened for compliance with government procurement suitability

### 1.5. Applications for Sole Supplier

In some special circumstances the normal practices as outlined above may need to be set aside. For these instances an exemption from normal policy practice may be applied for.

Reasons for such Exemptions include but are not confined to;

- (a) Accessing existing standing offer and/or preferred supplier arrangements
- (b) Pursuing subsequent stages of multi-staged procurement processes
- (c) A sole supply situation exists whereby a high degree of technical expertise is required
- (d) A genuine urgency exists. If this is the case there must at all times be adequate supporting documentation to prove urgency is genuine and not the result of inadequate planning

Unless the above stated exemption criteria is met, or other compelling reason is able to be supported, the current RQL Purchasing Policy with addendum will apply to the procurement of goods and services.

### Consulting Services

Racing Queensland Limited uses consulting services in a number of aspects of its operations including legal, information technology, human resource management, financial management, business development, and marketing.

These consultancies vary from short-term "one-off" contracts, to longer-term arrangements, which may encompass a series of different activities (e.g. marketing and promotional work).

For short-term "one-off" contracts the following policy guidelines are to apply:

- The six key purchasing principles outlined above are to be applied at all times;
- For contracts under \$10,000 in value, preferred supplier arrangements\* can be used. That is, where a purchasing officer is satisfied that a consultant that has provided a high quality service in the past, has the necessary expertise to undertake the work, and is available in an appropriate timeframe, that consultant can be appointed without a formal competitive process being undertaken. If such a person is not available, three quotes from prospective consultants should be obtained and evaluated;

(\* Please note that where preferred supplier arrangements are referred to later in this document for other categories of purchasing, similar procedures to those above will apply)

- For contracts between \$10,000 and \$100,000, tenders should be called from at least three "preferred" contractors. The selection of these three preferred suppliers, and subsequent evaluation of their proposals, should take into account the six key purchasing principles. The evaluation of the proposals should be undertaken by two accountable officers, and be approved by a delegated officer (Chief Executive Officer or Chief Financial Officer);
- For contracts over \$100,000, will be subject to an open tender process unless the RQL Board waive the requirement of an open tender, including appropriate advertising of the consultancy. Advertising may take the form of website notices and/or Courier Mail advertisement. Tenders are to be evaluated, in accordance with the six key purchasing principles, by a panel of no less than two accountable officers, and be approved by a delegated officer.

For longer-term consultancy arrangements (e.g. the ongoing provision of external services that cannot be delivered in-house), which may involve the use of a preferred supplier or suppliers for a range of individual tasks over an extended period of time, the following guidelines are to be followed:

- Individual consultancy contracts over \$100,000 in value are not to be entered into under these preferred supplier arrangements. Such consultancies, will be subject to Board discretion as to the waiver of an open tender, as described above, must be followed.
- The purchasing officer may select a consultant for a range of tasks from a panel of preferred suppliers for the type of work involved;
- A competitive process, adhering to the six key purchasing principles of Racing Queensland Limited, to appoint the panel of preferred suppliers must have been undertaken, be appropriately documented, and be signed-off by a delegated officer;
- In selecting the preferred supplier from the panel, the purchasing officer must clearly document the reasons for the selection, and be accountable for that selection. The selection must be approved by a delegated officer; and

### Intellectual Property Rights

Intellectual property rights relating to plans, designs and concepts for Industry Infrastructure Plan projects are to reside with RQL. For this to be clearly articulated in any contractual arrangements there would need to be included in the document a clause to this effect.

Below is an example of such a clause;

*'The physical ownership of, and ownership of intellectual property in, all plans, drawings, specifications, programs, computer data, samples, models, manuals, documents and all other information relating to the project remains vested at all times in the Company. The invited supplier may use and keep copies of such materials only for the purpose of providing services to the Company.'*

### Confidentiality and Security of information

The integrity of competitive procurement hinges on maintaining appropriate confidentiality that will protect information and give offerors the confidence to do business with Government. Confidentiality has many dimensions and confidentiality of submissions is particularly important prior to the awarding of the contract with information shared only on a 'need to know' basis.

Confidential information may include designated or defined (and as agreed) elements of the supplier's proposal, specific intellectual property and offerors pricing structures. Importantly, much of the information relating to the offer needs to be kept confidential up to the point where a contract is signed with the successful offeror.

A Confidentiality Agreements may include the following elements;

- The Contractor must not, and must ensure that its officers, employees, agents and sub-contractors do not use or disclose any Confidential information without RQL's consent
- The Contractor may disclose Confidential information to its officers, employees, agents and sub-contractors to the extent necessary for the performance of the arrangement, provided that the Contractor:
  - (a) Makes such persons aware that the information is confidential; and
  - (b) If directed by RQL during the contract term, obtains from such persons a confidentiality undertaking in a form acceptable to RQL
- RQL and Contractor must keep all Confidential information in a secure location so that no unauthorised person is able to gain access to it
- Upon receipt of a written request by RQL, either during the arrangement term or upon termination or expiration the arrangement, the Contractor must deliver to RQL any records in the Contractor's power, possession or control

### Conflict of Interest

Conflicts of interest represent one of the potential threats to independence. A conflict of interest means having an interest (whether personal, financial or otherwise) which conflicts with, or may reasonably be perceived as conflicting with, the ability of the probity auditor or advisor to perform his/her obligations fairly and objectively. Perceived or potential conflicts of interest can be as damaging as actual conflicts of interest.

### **Recommended practice**

The issue of independence should be specifically considered and addressed prior to engaging contractors, suppliers or consultants. At this stage, potential threats to independence should be considered as well as any safeguards that might eliminate or reduce the threats to independence. Independence is essential. A third party to the procurement should be able to rely on the fact that any and all potential conflicts of interest have been identified and recorded.

Potential goods and service providers should be required to divulge all potential threats to independence, including conflicts of interest, at the time of offer or as soon as any conflict becomes apparent during the service engagement. The service provider should be required to provide written assurance that he/she has no conflict of interest in the procurement, is able to remain objective and impartial throughout the engagement, and will provide notification of any conflict of interest, or compromise to independence, that arises during the engagement.

A Conflict of Interests document may contain the following elements;

- Contractor warrants that, to the best of its knowledge, as at commencement date neither contractor or any of its officers, employees or sub-contractors have, or are likely to have, a Conflict of Interest in the performance of its obligations under current or subsequent contracts
- If a conflict of Interest, or risk of such, arises during the term of the contract the contractor must immediately give notice of the Conflict of Interest, or risk of such, to RQL
- The Contractor must:
  - (a) Take all reasonable measures to ensure that its officers, employees and sub-contractors do not engage in any activity or obtain any interest which is in conflict with the Contractor's ability to fulfil its obligations to RQL in good faith and objectively, and
  - (b) Immediately give notice to RQL of any Conflict of interest relating to the activities or interests of any of its officers, employees or sub-contractors

Similarly all employees and agents of Racing Queensland Limited involved in any of the projects undertaken as part of the Infrastructure Plan are governed by the Employee Conflict of Interest policy of the company, and as such must immediately, in the event of a potential Conflict of Interest arising, notify their immediate manager of the issue.

### **Delegations**

All expenditures for goods and services are to be authorised by a duly delegated officer and are to be in line with operational and industry infrastructure budget. These delegations are as follows:

#### *Unlimited*

- Board of Directors

#### *In line with Budget*

- Chief Executive Officer

#### *Up to \$50,000*

- Chief Financial Officer
- Director of Product Development
- Project Director

### **Capitalisation of expenditure**

Expenditure on discreetly identifiable plant and equipment items of **\$2,000** and above will be capitalised where the future benefit of that expenditure exceeds one year at the time of purchase. All land purchases must be capitalised.

The Chief Executive Officer or Chief Financial Officer may approve the capitalisation of services expenditures of \$2,000 and above where those services have a future benefit exceeding one year. All assets

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which are under \$2,000 must be expensed in the year of purchase and recorded in the portable and attractive items register. All other service expenditures shall be written off in the financial year the expenditure was incurred.

**Compliance with Commonwealth Government GST & Australian Business Number legislation**

The Commonwealth Government implementation of GST and Australian Business Number legislation, has given rise to some additional obligations in respect of purchasing. These are as follows:

- Organisations are required to withhold 46.5% of any payment to a supplier of goods or services that does not provide an ABN. In response to this, it is the policy of Racing Queensland Limited that no supplies be purchased from entities that are unable to quote an ABN;
- All suppliers to Racing Queensland Limited are to be advised that they must be able to provide a "Tax Invoice" in the form specified by the GST legislation, to enable Racing Queensland Limited to claim input credits. Under law, the supplier must supply Racing Queensland Limited with a Tax Invoice within 28 days of request. Racing Queensland Limited staff should not enter into contractual arrangements with suppliers unless satisfied that the supplier will be able to provide a suitable Tax Invoice; and
- When obtaining quotes or prices from potential suppliers, purchasing officers must satisfy themselves that the prices quoted are GST inclusive.

The same delegations on the following page (8) apply to the payment of invoices with one exception:

- An invoice can be approved by a person with a lesser delegation provided the original purchase order was approved appropriately and the invoice does not exceed an amount that exceeds 10% of the original purchase order.

It should be noted that as a business rule, staff are not permitted to circumvent their delegation by raising multiple orders to purchase a good or service for an amount that exceeds their delegation limit.

**Documentation and the Role of the Finance Department**

See Purchasing Policy and Racing Queensland limited Infrastructure Plan Internal Financial Process document

RACING QUEENSLAND LIMITED

Item	Regional Senior Stewards	Admin Authorities, Racecourse Supervisor, racing Manager – Procurement Track Supervisor	Managers, Chief Steward, Racing and Facilities Supervisor, Track Supervisor	Information Technology and Communications Manager, Licensing and Training Manager, Racing Managers – Dividing Races, Management Accountant, Revenue & Services Accountant	Director of Integrity Operations, Facility & Development Manager, Senior Corporate Counsel/Company Secretary	Chief Financial Officer, Director of Product Development, Project Director	Chief Executive Officer	Board of Directors
Overall Delegation	<\$500	<\$1,000	<\$2,000	<\$5,000	<\$20,000	<\$50,000	<\$150,000 &/Or In line with Budget	Unlimited

Contractual Agreements (all contracts to be reviewed by Senior Corporate Counsel/Company Secretary for updating of Contracts register and assess if any legal advice is required)	x	x	x	x	<\$20,000 total value (not lease or license) assuming that authorised to sign in ordinary operations	Yes with CEO assuming CEO previously approved and legally authorised to sign where <\$100,000	Yes any single project where included in approved annual/infrastructure budget	Yes, subject to Board agreement
Execution of Contractual agreements (All contracts to be reviewed by Senior Corporate Counsel/Company Secretary for updating of contracts register and assess if any legal advice is required)	To be executed by 2 Directors of the Company or a Director and a Company Secretary of the Company (S127 (1) – Corporations Act 2001).							

**Summary of Key Controls**

As a high level summary, the key controls associated with the procurement system are:

- Only deal with suppliers who have a valid ABN.
- Three quotes required for amounts of \$10,000 or more where a preferred supplier is not used.
- Ensure appropriate delegation authorities applied
- Ensure probity and accountability in supplier selection process
- Confirm expenditure falls within approved budgets
- Ensure correct invoice coding to assist with budget review process
- Tax invoices to be obtained at all times.
- Required signatures for goods received.
- To ensure appropriate separation of duties; vendor creation, deletion or addition must be performed by the Accounts Payable Officer and the bank account details are required in accordance to the Sun Security matrix to be entered by an Accounts Receivable Officer who does not have the ability to raise purchase orders or make payments in SUN. The change of details form is located G:\Finance\FORMS\Accounts Payable\Change of Details form.xls.
- Invoices are only paid after the prior approval of a purchase order (excluding credit card statement payments and direct debits) and after goods have been received.

In addition to the above, Racing Queensland Limited should perform a routine supplier analysis to review expenditure to determine that value for money is being achieved, and all probity issues are addressed.

**Reference material (available on QLD Govt website)****QLD State Procurement Policy****QLD Purchasing – Ethics, Probity and Accountability in Procurement****QLD Purchasing – Prequalifying Suppliers****QLD Purchasing – Engaging and Managing Consultants****QLD Govt – Capital Works Management Framework – Procurement Strategy and Contract Selection**



# Racing Queensland Limited

## RECORD KEEPING POLICY

### DATE POLICY WAS MADE

This policy was made on 1 July 2010.

### COMMENCEMENT DATE

This policy comes into effect on 1 July 2010.

### PURPOSE

The *Racing Act 2002* (Act) authorises Racing Queensland Limited (Racing Queensland) to make policies for the sound management of the industry. Section 81(o) of the Act requires Racing Queensland to make a policy on record keeping, including keeping records about decisions.

Proper record keeping is necessary for the fair and efficient administration of the Queensland racing industry and is part of good corporate governance. Poor record keeping can lead to administrative inefficiencies, poor decision making and inconsistent or unfair treatment of staff and licensees.

As the authority responsible for managing thoroughbred, harness and greyhound racing in Queensland, Racing Queensland is required to make and keep full and accurate records of its activities and to provide stakeholders with access to those records in specified circumstances.

It is in the interest of the Queensland racing industry and the public generally that Racing Queensland keeps records of its decisions and complies with its responsibilities under the:

- *Public Records Act 2002*
- Information Standards issued by the Department of Innovation and Information Economy
- *Racing Act 2002*
- *Corporations Act 2001*
- *Financial Administration and Audit Act 1977*
- *Taxation Administration Act 1953*

Racing Queensland has developed policies and procedures to guide its record keeping practices; ensuring record keeping complies with legislation and standards and help ensure its administration is efficient and effective.

The purpose of this policy is to establish a framework for the creation and management of records within Racing Queensland. Racing Queensland is committed to establishing and maintaining recordkeeping practices that meet its business needs, accountability requirements and stakeholder expectations.

## **POLICY STATEMENT**

Racing Queensland's records are its corporate memory, and as such are a vital asset for ongoing operations, providing valuable evidence of business activities and transactions.

Racing Queensland will maintain a record keeping system that supports the professional administration of the Queensland racing industry and fulfils the organisation's legislative responsibilities.

Racing Queensland will keep minutes of its board meetings and a record of resolutions made at board meetings.

Board minutes will record any instance where a member discloses an interest in a matter the board is to consider.

Racing Queensland will make records of the decisions of appeals committees, including reasons for the decisions.

Racing Queensland employees will create records of correspondence, conversations, events, decisions and financial operations in accordance with Racing Queensland's procedure for creating records.

Racing Queensland's employees will file the records they create in accordance with the organisation's procedures for retaining records.

## **APPLICATION**

This policy applies to Racing Queensland's:

- Executives and staff
- Board
- Contractors, and
- Agents.

This policy applies to all aspects of organisational business, all records created during business transaction, and all business applications used to create records including e-mails, database applications and websites.

Licensed race clubs should note that the same standard of record keeping practice as defined in this policy for Racing Queensland will also be applied to race clubs as part of the licensing process.

## **DEFINITIONS**

'Public record' means any form of recorded information that provides evidence of the decisions or actions of a public authority in undertaking its business activities or in the conduct of its affairs.

'Record' is often regarded as documents in paper files or bound volumes, in fact records can exist in any physical or electronic format, such as photographs, videos, sound recordings, emails, web material and electronically stored materials. Records are more than just information; they are evidence of decisions, actions and inactions. Information may be collected in the course of business activity and support such activity, but does not, itself, provide evidence of that activity. Records possess certain characteristics that distinguish

them from other kinds of information. Records are 'fixed', that is, they are the product of particular actions that occur at particular times.

## **PROCEDURES**

Racing Queensland will archive its records in accordance with its procedures for archiving records.

Racing Queensland will make records available to licensees, the media and other interested parties in accordance with Racing Queensland's procedures for stakeholder access to records and the Media Accreditation Policy.

## **Roles and responsibilities**

Racing Queensland's senior managers are responsible for the implementation of this policy and its procedures.

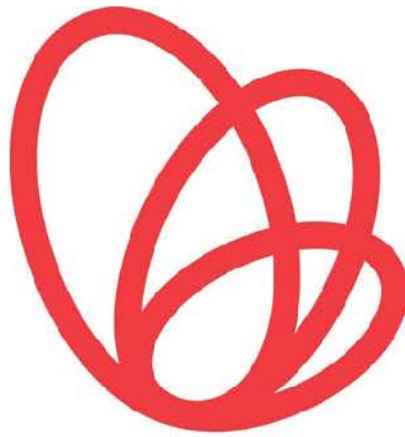
All Racing Queensland officers are responsible for keeping appropriate records of their work, including records of their decisions, copies of emails and records of complaints, in accordance with this policy and its procedures.

Each Racing Queensland's department and regional office is responsible for the creation of files and maintenance of the document retrieval system.

Each Racing Queensland's department and regional office, if necessary is responsible for establishing and maintaining a register of correspondence they receive.

## **Rules of Racing**

Rules of Racing will not be made for this policy.



# RACING QUEENSLAND

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## CODE OF CONDUCT A Guide to Behaviour Expectations

<b>Authorised By:</b>	Remuneration and Nomination Sub-Committee	<b>Date of Authorisation:</b>	1 July 2010
<b>Last Amendment Date:</b>	1 July 2010		
<b>Review Due Date:</b>	30 June 2011		
<b>Policy Owner:</b>	Chief Financial Officer		
<b>Related Documents:</b>	<ul style="list-style-type: none"><li>▪ Harassment, Discrimination and Bullying Policy</li><li>▪ Workplace Health and Safety Policy</li><li>▪ Grievance Handling Policy</li><li>▪ Performance Counselling Policy</li></ul>	<ul style="list-style-type: none"><li>▪ Workplace Health and Safety Act 1995</li><li>▪ Racing Act 2002</li><li>▪ Fair Work Act 2009</li><li>▪</li></ul>	

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*Any person who requires assistance in understanding this document should contact their manager.*

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## MESSAGE FROM THE CHAIRMAN

Racing Queensland Limited (Racing Queensland) plays a crucial role in the racing industry in Queensland. Racing Queensland is committed to the efficient administration of the industry and acknowledges that its decision making impacts on all participants in the industry.

Public confidence in the racing industry depends upon Racing Queensland managing the industry in a fair and transparent manner according to the highest standards of probity and integrity.

This Code of Conduct applies to all Racing Queensland officials, including Board members, in the performance of their functions and duties. Racing Queensland officials are expected to maintain the highest standards in professional and business ethics and, through their work, performance and behaviour, ensure that confidence in the integrity of Racing Queensland is justified and maintained. Racing Queensland is committed to fostering a working environment that relies on personal integrity, quality management and a high level of service. To this end, Racing Queensland has produced this Code of Conduct which details the expected levels of behaviour required of all Racing Queensland officials. The Board of Racing Queensland is committed to ensuring compliance with the provisions of this Code at all times.

RG Bentley  
Chairman  
Racing Queensland Limited

Racing Queensland Limited (Racing Queensland) is committed to delivering the highest standards of corporate practice and business conduct. We aim to be a model corporate citizen; conducting business in an ethical and responsible manner, complying with all applicable legal requirements, promoting a positive and ethical work environment for employees, and making a positive contribution to the community. Racing Queensland:

- Will work to inspire the utmost faith, confidence and support of all participants and stakeholders in racing in Queensland.
- Is committed to fairness, impartiality and transparency in its decision making.
- Will act in the best interests of racing in Queensland.
- Will comply with this Code of Conduct (Code) to ensure integrity in its operations.

## **PART 1 INTRODUCTION**

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To help Racing Queensland meet its objectives, the Code summarises Racing Queensland's standards for conduct, defining the expectations of employees to support behaviour consistent with company values. Every Racing Queensland employee must:

- Act in accordance with the Code, their employment contract, Racing Queensland policies and statutory obligations imposed on Racing Queensland and on Racing Queensland employees.
- Act with the highest standards of professionalism, honest, diligence and integrity.

### **1.1 TO WHOM DOES THE CODE OF CONDUCT APPLY**

The Code applies to all Racing Queensland employees.

Former Racing Queensland employees must also continue to respect the provisions of the Code, particularly in relation to the confidentiality of information and ownership of intellectual property to which the former Racing Queensland employee had access in the course of work with Racing Queensland.

### **1.2 WHY HAVE A CODE OF CONDUCT?**

All employees of Racing Queensland are "public officials" within the meaning of the *Public Sector Ethics Act 1994* and are required to comply with its provisions. Under this Act Racing Queensland is required to have a code of conduct to provide standards of conduct for all Racing Queensland employees.

All employees must ensure that they understand and follow the requirements of the Code and any additional standards, instructions and processes that apply. Failure to adhere to the requirements of the Code is taken very seriously and may result in disciplinary action up to and including summary dismissal.

The Code is a reference to important information however, it cannot address every situation, nor does it serve as a substitute for employees' individual responsibility to exercise good judgement and common sense to ensure that actions never damage Racing Queensland's reputation.

## **PART 2 DEFINITIONS**

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**Conflict of Interest:** a real or perceived conflict between a private interest and an official duty. A real conflict of interest exists when a reasonable person, in possession of the relevant facts, would conclude that the official's private interests interfere, or are likely to interfere, with the proper performance of the official's duties. A perceived conflict of interest exists when it appears that an

official's private interests may interfere with the proper performance of the official's duties although, in reality, this may not be the case.

**Corruption:** criminal behaviour that may involve fraud, theft, the misuse of position or authority or other acts that are unacceptable to Racing Queensland and which may cause loss to Racing Queensland, its stakeholders or the general community. This may also include other elements such as breaches of trust and confidentiality.

**Ethics Principles:** principles identified in the Public Sector Ethics Act 1994 as: respect for the law and system of government, respect for persons, integrity, diligence, and economy and efficiency.

**Fraud:** the intentional use of false representations or deception to avoid an obligation and/or gain an unjust advantage.

**Interest:** used in relation to declaring personal interests or conflicts of interest, the term "interest" means direct or indirect personal interests of Racing Queensland Limited officials. Interests may be pecuniary (that is, financial or economic forms of advantage) or non-pecuniary (that is, non-financial forms of advantage).

**Maladministration:** administrative action that is unlawful, arbitrary, unjust, oppressive, improperly discriminatory or taken for an improper purpose.

**Official Misconduct:** as defined in the Crime and Misconduct Act 2002, means conduct that could, if proved, be a criminal offence or a disciplinary breach providing reasonable grounds for terminating the Racing Queensland official's employment or services.

**Public Interest:** for a Racing Queensland official, acting in the public interest means acting lawfully and/or in accordance with Racing Queensland policy. In the absence of legal or policy frameworks, it means acting for the common good of the community. Racing Queensland has developed a policy on safeguarding the public interest; Racing Queensland officials should refer to this policy for guidance on what constitutes the public interest and Racing Queensland's responsibilities to this end.

**Public Interest Disclosure:** as defined in the Whistleblowers Protection Act 1994, means a disclosure of information about official misconduct, maladministration, negligent or improper management affecting public funds, reprisal, or danger to public health or safety or environment.

**Racing Queensland Limited Official:** includes Board members of the Racing Queensland Board and all other persons employed or remunerated by Racing Queensland, whether full-time, part time, permanent, fixed-term, contract or casual and includes members of any Racing Queensland sub-committee.

**Racing Queensland Limited's Policies:** policies from time to time adopted by Racing Queensland.

**Reprisal:** as defined in the Whistleblowers Protection Act 1994, occurs when a person causes, attempts or conspires to cause, detriment to another person because, or in the belief that, anybody has made, or may make, a public interest disclosure.

**Statutory Obligations:** obligations imposed from time to time by legislation including, where relevant and without limitation, obligations imposed on Racing Queensland and/or Racing Queensland's officials by: *Anti-Discrimination Act 1991*, *Crime and Misconduct Act 2002*, *Corporations Act 2001*, *Public Records Act 2002*, *Public Sector Ethics Act 1994*, *Racing Act 2002*, *Whistleblowers Protection Act 1994* and *Workplace Health and Safety Act 1995* and any relevant regulations made pursuant to statute.

**Whistle Blowing:** when, in the public interest, as provided for in the Whistleblowers Protection Act 1994, a person discloses information about official misconduct, maladministration, negligent or improper management affecting public funds, reprisal, or danger to public health or safety or environment.

### **3.1 ROLE OF RACING QUEENSLAND LIMITED**

Racing Queensland is responsible for the control, supervision and regulation of racing in Queensland. Racing Queensland is:

- The approved control body for racing in Queensland under the *Racing Act 2002*.
- The “principal racing authority” in Queensland under the Australian Rules of Racing.

### **3.2 ROLE OF THE BOARD OF RACING QUEENSLAND LIMITED**

The Board of Racing Queensland is responsible for determining the strategic direction of Racing Queensland and ensuring compliance with the statutory obligations imposed on Racing Queensland.

A Board member shall act independently and not in the interests of any sectional interests. A Board member has an obligation to be impartial in judgement and actions and to take all reasonable steps to be satisfied as to the soundness of all decisions to be taken by the Board.

The *Racing Act 2002* requires every Board member of Racing Queensland to disclose a personal interest, or a direct or indirect financial interest, in an issue being considered, or about to be considered, by the Board where the interest could conflict with the proper performance of the member’s duties about the consideration of the issue. Unless the Board otherwise directs, the member must not be present when the Board considers the issue or take part in a decision of the Board about the issue.

A member of the Board of Racing Queensland shall attend Board meetings. When a member is unable to attend a Board meeting, the member must obtain a leave of absence.

A Board member must ensure the member is fully informed of the activities and affairs of Racing Queensland and racing generally, including statutory obligations imposed on Racing Queensland and on Racing Queensland officials.

#### **3.2.1. Role of the Chair of the Board**

The Chair of the Board of Racing Queensland plays an important leadership role in ensuring Racing Queensland works effectively. These responsibilities include ensuring:

- The Board reviews the method by which the senior management team undertakes day to day management of Racing Queensland.
- All relevant issues are included on the agenda for the Board’s meetings and that Board members receive timely and relevant information on agenda items.
- Members of the Board comply with their statutory obligations and with the provisions of the Code.

#### **3.2.2. Role of the Deputy Chair of the Board**

The Deputy Chair of the Board of Racing Queensland must act as the Chair of the Board during a vacancy in the office of the Chair and during all periods when the Chair is absent from duty or, for another reason, cannot perform the functions of the office.

### **3.3 ROLE OF THE CHIEF EXECUTIVE OFFICER AND DIRECTOR INTEGRITY OPERATIONS**

The Chief Executive Officer and Director Integrity Operations:

- Are responsible for ensuring all Racing Queensland officials within their organisational area comply with the Code.



- Have a duty under the *Crime and Misconduct Act 2002* to report to the Crime and Misconduct Commission any allegation of “official misconduct”.
- Must comply with all statutory obligations imposed on them in their capacities as executive managers in Racing Queensland.

## **PART 4 PRINCIPLES OF THE PUBLIC SECTOR ETHICS ACT 1994**

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The *Public Sector Ethics Act 1994* imposes obligations on Racing Queensland officials as “public officials”; as such Racing Queensland officials must comply with the five Ethics Principles prescribed by the Act.

### **4.1 RESPECT FOR THE LAW AND SYSTEM OF GOVERNMENT**

All Racing Queensland officials must support the implementation of government policy effectively and impartially, and carry out official duties lawfully, observing, where applicable, statutory obligations. The conduct of all Racing Queensland officials is subject to relevant statutory obligations, the requirements and sanctions specified in the Code, their employment contract and Racing Queensland policies.

### **4.2 RESPECT FOR PERSONS**

All Racing Queensland officials must:

- Treat all licensees and participants in the racing industry with courtesy, honesty and fairness and with proper regard for their rights and obligations.
- Respond to reasonable demands of stakeholders and line managers in a timely manner.
- Cooperate and assist co-employees in the performance of their duties when reasonably requested to do so.
- Support their co-employees in a responsible and ethical manner.
- Exercise powers fairly and equitably.

All Racing Queensland officials should deal with all matters in accordance with approved procedures, promptly and without discrimination. There is an obligation on all Racing Queensland officials to treat every issue reasonably and fairly and with a view to meeting the principles of natural justice.

#### **4.2.1 *Discrimination and Workplace Harassment***

All Racing Queensland officials must provide a workplace free from unlawful discrimination, harassment, bullying and intimidation and hostile, offensive or distressing behaviour. They must ensure they understand their responsibilities under Racing Queensland’s HR Policy on Harassment, Discrimination and Bullying. They have a duty to disclose breaches of this policy.

If managers become aware of inappropriate conduct, they do not have to wait for a complaint to be lodged before taking action. As with their other areas of responsibility, if managers become aware of a problem, they are expected to respond to that problem.

Racing Queensland’s HR Policy on Harassment, Discrimination and Bullying applies to all Racing Queensland Board members, officials, other employees, workers and agents, including contractors, consultants, work experience students and other volunteers.

Racing Queensland officials who become aware that another person is being subjected to sexual harassment, bullying or unlawful discrimination should seek advice and assistance from the Harassment and Discrimination Referral Officer, or, if it is not appropriate to approach this officer, the matter should be reported in accordance with the HR Policy on Harassment, Discrimination and Bullying and the associated Grievance Handling Policy.

Any reports of discrimination, victimisation, sexual harassment, vilification and bullying will be treated seriously and dealt with promptly, confidentially and impartially. Disciplinary action will be taken against anyone who discriminates against, victimises, sexually harasses, vilifies or bullies a co-worker. Discipline may involve a warning, transfer, counselling, demotion or dismissal, depending on the circumstances.

#### **4.2.2. Workplace Health and Safety**

In the workplace, all Racing Queensland officials must take all reasonable practical steps to ensure the safety, health and welfare of themselves and others.

All Racing Queensland officials must comply with statutory obligations and Racing Queensland's policy on Workplace Health and Safety.

#### **4.2.3. Whistleblowing**

All Racing Queensland officials must report to their line manager or the CEO or Director Integrity Operations (as appropriate), any suspected or actual instances of official misconduct, maladministration, negligent or improper management affecting public funds, reprisal, or danger to public health, safety or the environment of which they are aware. In doing so, Racing Queensland officials should follow the guidelines in the policy adopted by Racing Queensland on Whistleblowers. The *Whistleblowers Protection Act 1994* protects those who make public interest disclosures.

Failure to report suspicious activities or circumstances may be seen as compounding or assisting official misconduct, maladministration, negligent or improper management affecting public funds, reprisal, or danger to public health or safety or environment and may constitute improper conduct requiring disciplinary action.

If a Racing Queensland official is found to have breached the *Whistleblowers Protection Act 1994*, the breach will be considered a serious breach of this Code and the Racing Queensland official may be subjected to disciplinary action, including, in appropriate cases, instant dismissal.

Under the *Crime and Misconduct Act 2001*, the CEO or Director Integrity Operations (as appropriate) must refer matters of actual or suspected official misconduct to the Crime and Misconduct Commission.

### **4.3 INTEGRITY**

All Racing Queensland officials must:

- ☒ Perform their duties with the highest standards of personal integrity and honesty so as to maintain and enhance public confidence in Racing Queensland and racing in Queensland.
- ☒ Provide a timely and competent service to all members of the public and industry.
- ☒ Not use or allow another person to use their official position of authority improperly.

#### **4.3.1 Conflicts of Interest**

Every Racing Queensland official must:

- ☒ Carry out their duties impartially and regardless of personal preferences.
- ☒ Avoid private, financial or other interests or undertakings that could directly or indirectly compromise or conflict with the performance of their duties.
- ☒ Disclose any interest, which may impact or have the potential to impact on the performance of their duties.
- ☒ Take action to resolve any conflict between personal interests and official duties in the favour of the public interest.

All full-time employees of Racing Queensland must disclose in writing to the CEO or Director Integrity Operations (as appropriate) any secondary paid employment they may have. Failure to

disclose this information may result in a Racing Queensland official being disciplined or, in appropriate cases, instantly dismissed. Secondary employment within the racing industry represents a prima facie conflict of interest and is not permitted without specific authorisation.

All Racing Queensland officials resigning or retiring to take up business appointments should give consideration to possible conflicts of interest that may arise. Where an offer of appointment could give rise to an actual or apparent conflict of interest, a Racing Queensland official should apply to the CEO or Director Integrity Operations (as appropriate) for assent to take up the proposed employment. If a conflict of interest is identified, the CEO or Director Integrity Operations (as appropriate) may obtain an undertaking from the Racing Queensland official regarding the use of information gained in the Racing Queensland official's employment with Racing Queensland.

#### **4.3.2 Gifts or Benefits**

All Racing Queensland officials must comply with Racing Queensland's Gifts and Benefits Policy, which has been adopted by Racing Queensland.

#### **4.3.3 Confidentiality**

All Racing Queensland officials have access to confidential information. Appropriate safeguards and care must be taken to ensure that unauthorised access or distribution is not permitted.

No Racing Queensland official may take, or seek to take, improper advantage of confidential information gained in the course of employment or in their official capacity. No Racing Queensland official may disclose confidential information to any person unless it is required by law or is required by their duties and is consistent with this Code or specifically authorised. If a Racing Queensland official resigns or leaves Racing Queensland, the official must not disclose confidential information acquired when they acted as an official of Racing Queensland.

A member of the Board of Racing Queensland must not disclose confidential information discussed at Board meetings and/or acquired while acting as a Board member.

If a Board member resigns or leaves the Board the member shall have regard to the duty:

- ⌘ Not to disclose confidential information.
- ⌘ To act bona fide in the interests of Racing Queensland.

### **4.4 DILIGENCE**

All Racing Queensland officials must:

- ⌘ Comply with and implement Racing Queensland policies faithfully and impartially.
- ⌘ Comply with all reasonable and lawful instructions.
- ⌘ Exercise all reasonable care, skill and diligence in giving information or advice.
- ⌘ Perform their duties and functions of office to a high standard and with proper diligence, care and attention.
- ⌘ Use their skills and experience to the best advantage of Racing Queensland.
- ⌘ Refrain from frequently using, or using to excess, alcohol, drugs or other substances where that use may have an adverse affect on their work performance or behaviour, or on the integrity of Racing Queensland.

#### **4.4.1 Performing Duties**

All Racing Queensland officials must perform all duties associated with their positions diligently, impartially, conscientiously, with proper care and attention, in a civil manner and to the best of their ability. This includes:

- ⌘ Performing their duties in such a way that Racing Queensland will be held in high regard by the community and the industry;

- ⌘ Following any professional standards of conduct relevant to their office;
- ⌘ Maintaining adequate documentation to support decisions; and
- ⌘ Helping Racing Queensland adhere to its statutory obligations.

#### **4.4.2 Monitoring Performance**

All Racing Queensland officials who manage or supervise others must ensure that:

- ⌘ Their work and that of their staff helps Racing Queensland adhere to its statutory obligations;
- ⌘ Where their staff breach this Code, the official takes appropriate action.

#### **4.4.4 Use of Alcohol and Drugs**

It is a criminal offence to possess or use illegal drugs at any time. All Racing Queensland officials must comply with Racing Queensland's *Workplace Smoking, Drugs and Alcohol Policy*. If a Racing Queensland official is found guilty of possessing or using illegal drugs, it will be considered a serious breach of this Code and the official may be subjected to disciplinary action, including instant dismissal.

### **4.5 ECONOMY AND EFFICIENCY**

All Racing Queensland officials must:

- ⌘ Strive to obtain value for Racing Queensland money spent.
- ⌘ Ensure Racing Queensland resources are safeguarded and not wasted abused or used improperly or extravagantly.
- ⌘ Not misuse the electronic communication systems of Racing Queensland to access, create, store, copy, retrieve or distribute offensive material.

#### **4.5.1 Using Resources for Official Purposes**

All Racing Queensland officials must ensure Racing Queensland resources are:

- ⌘ Used economically.
- ⌘ Used for the purposes for which they were provided.
- ⌘ Treated and maintained with appropriate care.
- ⌘ Secured against theft or misuse.

In serious cases, a Racing Queensland official who misuses resources may be found guilty of misconduct or maladministration.

All Racing Queensland officials who manage or supervise others must ensure that their employees use Racing Queensland resources appropriately.

#### **4.5.2 Private Use**

Limited personal use of Racing Queensland resources for non-official purposes may be acceptable.

In general terms, limited personal use involves:

- ⌘ Minimal additional expense to Racing Queensland.
- ⌘ An expectation that it will be performed during the employee's non work hours.
- ⌘ Does not interfere with the operation of Racing Queensland.
- ⌘ Does not violate this Code, statutory obligations or Racing Queensland policies.

If a Racing Queensland official is unsure as to whether their proposed personal use of Racing Queensland resources is acceptable, the official should seek advice from their line manager.



Where a Racing Queensland official uses Racing Queensland internet, intranet and electronic mail system, the official must comply with the policy on internet and email adopted by Racing Queensland.

#### **4.5.3 Motor Vehicles**

All Racing Queensland officials who use a motor vehicle owned by Racing Queensland must use it only for official purposes, unless the terms of their employment contract otherwise provide or the CEO or Director Integrity Operations (as appropriate) has authorised in writing private use of the motor vehicle by the official.

#### **4.5.4 Expense reimbursement**

All Racing Queensland officials must comply with Racing Queensland's Expense Reimbursement Policy. This policy sets out the requirements of Racing Queensland regarding expenditure while on official duty.

## **PART 5 BREACHES TO THE CODE OF CONDUCT**

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Board members who breach statutory obligations or the provisions of this Code or their employment contract will be dealt with by the Chairperson in a manner determined by a majority of the Board. Any action taken against a Board Member shall be consistent with the provisions of the *Racing Act 2002*.

All Racing Queensland officials who breach statutory obligations or the provisions of this Code or their employment contract may be subject to disciplinary action, including, where appropriate, instant dismissal.

The CEO or Director Integrity Operations or their delegated managers will deal with breaches by an employee of Racing Queensland. Where it is not considered harsh, unjust or unreasonable to do so, the CEO or Director Integrity Operations or their delegated managers may suspend a Racing Queensland official from work, either with or without pay, while an alleged breach is being investigated. Disciplinary action may constitute, but is not restricted to, counselling, warnings or reprimands or suspension or dismissal, as the case requires.

Serious breaches, such as official misconduct, may need to be referred to the Crime and Misconduct Commission. Any action taken will accord with the principles of procedural fairness. In the case of suspected or actual official misconduct or maladministration, procedural fairness does not mean that the person under investigation is to be presented with the allegations prior to an investigation. The relevant investigating authority will determine the appropriate time for advising the person of the allegations and affording the person the opportunity to respond.

## **REVISION HISTORY**

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Revision	Date	Description of Changes	Author
01.00	1/7/2010	New Policy	HRBS



# RACING QUEENSLAND

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## **GIFTS AND BENEFITS** **Policy and Procedures**

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<b>Authorised By:</b>	Remuneration and Nomination Sub-Committee	<b>Date of Authorisation:</b> 1 July 2010
<b>Last Amendment Date:</b>	16 November 2012	
<b>Review Due Date:</b>	31 March 2013	
<b>Policy Owner:</b>	Chief Financial Officer	
<b>Related Documents:</b>	<ul style="list-style-type: none"><li>▪ Code of Conduct Policy</li><li>▪ Workplace Health and Safety Policy</li><li>▪ Payroll Policy</li><li>▪ Grievance Handling Policy</li><li>▪ Performance Counselling Policy</li><li>▪ Overtime Form</li><li>▪ Timesheets</li></ul>	<ul style="list-style-type: none"><li>▪ Workplace Health and Safety Act 1995</li><li>▪ Workplace Health and Safety Regulation 2008</li><li>▪ Fair Work Act 2009</li></ul>

*Any person who requires assistance in understanding this document should contact their manager.*

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## INTRODUCTION

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Being a Racing Queensland Limited (**RQL**) officer involves public trust. This means that duties must be carried out impartially and with integrity. Consequently, it is not appropriate for RQL officers to be offered or to accept or to give gifts and benefits that affect or may be likely to affect the performance of their official duties.

This gifts and benefits policy has been developed so that, if a gift or benefit is offered, there are proper guidelines for acceptance or rejection of the offer and procedures for disclosure in place. This policy should not be seen as encouraging the receipt of gifts and benefits. However, where circumstances require the acceptance of a gift or benefit, it must occur in line with this policy. This policy incorporates guidelines for the giving of gifts and benefits by officers of RQL.

The policy provides relevant principles, definitions, and procedures which should be used to guide ethical decision making when accepting or declining or giving or not giving gifts or benefits.

If a contact wishes to build a good relationship with RQL officers and vice versa, his or her efforts should be directed at providing better service or more competitive products to the agency rather than providing personal benefits. The cumulative effects or patterns of acceptance or giving of a number of offers to the same officer imply obligation by the officer to the donor or the donor to the officer.

If there is no benefit to RQL from giving or accepting a gift or benefit, it should not be given or accepted.

## APPLICATION

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This Gifts and Benefits Policy applies to the giving and receipt of gifts and benefits by all RQL employees and Board members.

## SCOPE

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This policy should be read in conjunction with the principles which concern the giving and receipt of gifts and benefits in other documents, namely:

- the *Public Sector Ethics Act 1994*,
- RQL's Code of Conduct,
- and
- the *Crime and Misconduct Act 2001*.

## DEFINITIONS

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1. The term "Gifts or Benefits" refers to items given and received by RQL officers in the course of official duties.
2. An "Intangible Gift or Benefit" is one with no lasting value.
3. A "Nominal Gift or Benefit" is one with a fair value of less than \$50.
4. A "RQL Officer" is any person employed by RQL and members of the Board of RQL.
5. A "Significant Gift or Benefit" is one with a fair value between \$50 and \$250.



6. A "Reportable Gift or Benefit" is a single gift or benefit with a fair value in excess of \$250 or each significant gift given to or received from the same donor in the course of a financial year where the aggregate value of those gifts is in excess of \$250.
7. "Register of Gifts" means the register established by RQL for the recording of all gifts and benefits..
8. "Industry Function" means an event staged by:
  - an entity licensed by RQL; or
  - a stakeholder of the Queensland thoroughbred, harness or greyhound racing industry.

## **POLICY PRINCIPLES & OBLIGATIONS**

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The following general principles and obligations are to be applied in relation to gifts and benefits:

1. RQL officers must at all times be mindful of their obligation to maintain and enhance public confidence in the integrity of racing and the proper management of the thoroughbred, harness and greyhound codes of racing in Queensland.
2. RQL officers must not ask for or encourage the giving of any form of gift or benefit in connection with the performance of official duties, including admission tickets to the races or club membership without the authority of the Chief Executive Officer.
3. Any gift or benefit, regardless of monetary value, accepted from an individual or organisation or given to an individual or organisation implies a relationship with that individual or organisation which is likely to interfere with objectivity and independence.
4. 'Public perception' is an important consideration and can be defined as 'the perception of a fair-minded person in possession of the facts.'
5. Officers can decline offers of gifts or benefits courteously by explaining that acceptance would be against agency policy and consequently that they have no discretion in the area.
6. An invitation to the races or to an Industry Function can only be accepted if:
  - RQL or the Queensland thoroughbred, harness or greyhound racing industries will benefit from the attendance of a RQL officer at the function;
  - the prior written approval of the Chief Executive Officer has been obtained;
  - RQL pays to the donor the cost of the benefit/gift; and

The attendance is recorded by RQL.

7. Receipt and giving of reportable gifts or benefits must be declared and recorded in the register. The register is to be subject to regular review. The reviewer must be independent and should communicate any results of the review to the Chief Executive Officer or the Audit Finance & Risk Committee. The purpose of such review should include analysis for trends or patterns which may cause concern and need corrective and preventative action.

## **POLICY FOR NON-ACCEPTANCE OR NOT GIVING**

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A gift or benefit may not be accepted or given if any of the following principles apply:

- it is intended—or is likely—to cause the recipient or donor to act in a partial manner in the course of their duties; or



- the donor or reasonable observer would apprehend that the recipient may be under obligation to the donor; or
- it is not offered openly; or
- it is an offer of money or anything readily convertible to money—eg. shares.

## **POLICY**

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Any gift accepted by a RQL Officer is the property of the RQL. The gift may be retained by RQL or RQL may allow the officer to retain the gift in accordance with this policy and procedure.

All gifts of cultural or historical value remain the property of RQL.

Giving and receipt of gifts and benefits must be in accordance with the principles for acceptance and non-acceptance of gifts or benefits contained in this policy and procedure.

If the aggregate value of multiple gifts or benefits received or given by a RQL officer from or to the same donor in any financial year exceeds \$250, each individual gift or benefit becomes a reportable gift or benefit.

An intangible gift or benefit which is also a reportable gift or benefit may be retained by the RQL officer to whom it was given only with the consent of the Chief Executive Officer of RQL.

These principles should be widely published and made generally available, particularly to those individuals or organisations likely to receive or offer gifts and benefits.

Agencies are to communicate the principles to all suppliers and potential suppliers.

## **PROCEDURES FOR ACCEPTANCE, NON-ACCEPTANCE, GIVING AND NOT GIVING GIFTS OR BENEFITS**

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Where a race club provides RQL with free admission tickets and/or membership tickets, the Chief Executive Officer will determine whether it is appropriate for an officer of RQL to accept this benefit.

The Chief Executive Officer will decide if and how the tickets are allocated based on the principle that the function is either part of a RQL officer's duties or that attendance of RQL officers at the function advances RQL's corporate plan.

Benefits negotiated when RQL sponsors a service, product or activity on its own (such as a marquee, or corporate box) do not have to be recorded in the register of gifts.

### **Nominal and Significant Gifts or Benefits**

All principles for acceptance and non-acceptance must be adhered to.

The nature of the gift should be discussed with your line manager. Your line manager will discuss the appropriateness of acceptance of the gift or benefit with the Director of Integrity Operations. A decision is to be reached in line with the principles outlined in this policy, and the decision and reasons for it should be recorded in the register, including the reasons the acceptance or giving is of benefit to RQL and the RQL Industry.

The gifts or benefits may be:

- declined; or
- accepted and retained by the RQL officer upon approval by the Chief Executive Officer; or

- accepted and retained by RQL.

Significant gifts or benefits — including intangible gifts — whether received or given — are to be recorded in the register of gifts.

### **Reportable Gifts or Benefits**

All principles for acceptance and giving and non-acceptance and not giving must be adhered to.

The nature of the gift should be discussed with your line manager. Your line manager will discuss the appropriateness of acceptance of the gift or benefit with the Chief Executive Officer. A decision is to be reached in line with the principles outlined above, and the decision and reasons for it should be recorded in the register, including the reasons why the acceptance is of benefit to the Queensland thoroughbred, harness and greyhound racing industries.

If the aggregate values of significant gifts or benefits received or given by a RQL officer from or to the same donor in any financial year exceed \$250, each gift or benefit becomes a reportable gift or benefit.

Reportable gifts or benefits received by a RQL officer must be dealt with as the property of the RQL. These may be used as RQL property and given as gifts, if appropriate, to persons other than RQL officers.

A reportable gift or benefit given to a RQL officer is the property of RQL. However, at the discretion of the Chief Executive Officer, the RQL officer may purchase the gift or benefit by paying to RQL the difference between the fair value of the reportable gift or benefit and the reportable gift or benefit threshold (currently \$250).

The Executive Assistant of RQL's Chief Executive Officer must keep a register of reportable and significant gifts or benefits made or received by RQL. The register is to include the following information:

- the date the gift or benefit was given or received;
- the persons involved in giving or receiving the gift or benefit;
- a description of the gift or benefit;
- the value of the gift;
- for gifts or benefits received by an officer — the decision about the destination of the gift; and
- the reason accepting or giving the gift is of benefit to the Queensland thoroughbred, harness and greyhound racing industries.

The register is to be available for inspection by members of the Board of RQL as required.

### **Intangible Gifts and Benefits**

All principles of acceptance and non-acceptance, giving and not giving must be adhered to.

All intangible gifts and benefits must be recorded in the register of gifts.

Where an intangible gift or benefit is a reportable gift or benefit and the agency decides it is reasonable for an officer to accept the gift, there is no requirement for that officer to reimburse the agency to the value in excess of \$250.

## **GUIDELINES IN SUPPORT OF THE POLICY AND PROCEDURE**

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The *Public Sector Ethics Act 1994* which each RQL Officer is bound by includes five ethical obligations. One is 'Integrity' which requires that:

- public confidence in the integrity of public administration must be maintained and enhanced;
- the common good of the community must be advanced;
- official powers must not be improperly used;
- any conflict that may arise between the RQL officer's personal interests and official duties is resolved in favour of the public interest ; and
- the RQL officer should disclose fraud and corruption of which he or she becomes aware.

The *Public Service Act 1996* includes amongst its principles of public service management:

- maintaining impartiality and integrity in informing, advising and assisting the Government;
- managing public resources efficiently, responsibly and in a fully accountable way;
- maintaining proper standards in creating, keeping and managing public records.

In this policy and procedure, the term 'Gifts and Benefits' refers to items given and received in the course of official duties and includes (but is not limited to) gifts of money, alcohol, clothes, products, tickets, shares, travel, accommodation or access to a sporting or other venue. It may also include promise of a new job or promotion, preferential treatment such as queue jumping, access to confidential information, use of facilities, hospitality or benefits generally.

There are three levels of gifts and benefits:

- nominal;
- significant; and
- reportable.

Within these levels gifts or benefits may be:

- tangible (of lasting value); or
- intangible (of no lasting value).

The same principles apply to all gifts and benefits; different procedures apply to different levels of gifts and benefits and intangible gifts and benefits

A nominal gift or benefit has a fair value less than \$50. Examples include but are not limited to:

- food and drink received or given as part of a meeting, conference, trade display or other event attended as part of official duties;
- cap, pen, pencil, notepad, a bottle of wine, bunch of flowers, box of chocolates;
- entry tickets to the races.

A significant gift or benefit has a fair value between \$50 and \$250, inclusive of those amounts. Examples include but are not limited to:

- food and drink received or given as part of a meeting, conference, trade display or other event attended as part of official duties;
- discounted products for personal use;

- free use of facilities such as gyms and holiday homes or discounted travel;
- corporate offers of transportation, accommodation, tickets, meals, and functions as part of a major event;
- a book on a relevant topic;
- prize/s won at a conference;
- awards or prizes.

A reportable gift or benefit is a single gift or benefit with a fair value in excess of \$250 or each significant gift given to or received from the same donor in the course of a financial year where the aggregate value of those gifts is in excess of \$250.

An intangible gift or benefit is one which has no lasting value and which cannot be dealt with as property of the agency for accounting purposes. Nevertheless, accepting an intangible gift or benefit has the capacity to give rise to a breach of the principles in relation to the acceptance or giving of gifts or benefits.

Hospitality is likely to be an intangible gift or benefit.

Examples of intangible gifts or benefits include but are not limited to:

- food and drink received or given as part of a meeting, conference, trade display or other event attended as part of official duties;
- tickets to the races, theatre, cultural events, sporting and other events;
- restaurant meals and meals;
- training excursions;
- sports team sponsorship;
- use of facilities such as gyms and holiday homes or discounted travel;
- corporate offers of transportation, accommodation, tickets, meals, and functions;
- conference transportation, accommodation and fees;
- invitations to participate in corporately sponsored groups;
- entertainment;
- official functions and hospitality.

An intangible gift or benefit can be nominal, significant or reportable and must be dealt with in the way which suits its classification, except that, if it is a reportable gift, and it is retained by the officer, there is no requirement to reimburse the agency for the difference between its fair value and \$250.

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## **MATRIX SUMMARISING THE RELATIONSHIP BETWEEN, AND THE PROCEDURES FOR TYPES OF GIFTS AND BENEFITS**

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Procedures	Gifts or Benefits			Intangible Gifts (Hospitality)		
	Less than \$50	\$50-\$250	More than \$50	Less than \$50	\$50-\$250	More than \$250
Principles apply	Yes	Yes	Yes	Yes	Yes	Yes
Decision and information recorded in register	Yes	Yes	Yes	Yes	Yes	Yes
Requirement to purchase	No	No	Yes	No	No	No
Aggregates from same donor noted	No	Yes	Yes	No	Yes	Yes

## REVISION HISTORY

Revision	Date	Description of Changes	Author
	16 November 2012	Alteration of reporting line to CEO	Adam Carter

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# PURCHASING POLICY

## **Owner**

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Finance Department

## **Stakeholders**

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Corporate Wide

## **Revision History**

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<i>Version</i>	<i>Date</i>	<i>Description of Change</i>
1.01	August 2006	First draft (Adam Carter)
1.02	Nov 2006	2nd Draft – QRL changes and delegations
1.03	March 2006	QRL Changes and delegations approved 13 April 2007 Board Meeting (Adam Carter)
1.04	May 2009	Update IPOS (Murray Dyke; reviewed Adam Carter)



## PURCHASING POLICY:

### QUEENSLAND RACING LIMITED

#### Introduction

This policy has been prepared to provide guidelines and procedures to be followed by officers of Queensland Racing Limited when undertaking and managing purchasing activities to meet the organisation's operational requirements and also meet the objectives of the policy.

Queensland Racing Limited is the Control Body established by, and obtaining its objects and functions from, the Racing Act 2002 and its Constitution. Queensland Racing Limited is required to conduct its financial activities with probity and accountability, in accordance with the Corporations Act 2001, Australian Accounting Standards and Australian Equivalent to International Financial Reporting Standards A-IFRS and Australian Securities and Investment Commission- ASIC.

#### Key Principles

In conducting its purchasing activities it is the policy of Queensland Racing Limited to adhere, at all times, to the key principles of:

1. Value for money;
2. Quality of product, service, and support;
3. Open and fair competition;
4. Accountability of outcomes;
5. Use of Queensland product where price competitive, and where quality standards are met; and
6. Suppliers are compliant with all taxation requirements.

#### Policy

These principles have been applied in developing policy for the following key purchasing activities:

- Capital works projects;
- Consulting services;
- Sponsorship contracts;
- Information technology;
- Other capital expenditure; and

- Day to day purchasing of services and supplies.

There is also a focus on using preferred suppliers as explained in this report in further detail. The procurement system should result in the following benefits:

- Reduce operating costs;
- Reduce risk;
- Increase control; and
- Improve cash flow visibility

### **Capital Works Projects**

Queensland Racing Limited plays a major role in the implementation of industry capital works projects each year. Queensland Racing Limited establishes an annual program of capital works, within a specified budget, following consideration of proposals from race clubs and advice from relevant officers within the organisation.

The policy of Queensland Racing Limited, in relation to the implementation of approved projects, is briefly addressed below:

- Once projects are given preliminary approval through the annual capital budgeting process, race clubs will be required to provide detailed design and costing information, and a project plan, prepared by a suitably qualified and experienced independent consultant. Queensland Racing Limited may, at its discretion, instigate an assessment of this documentation by its own consulting engineers. Any variation to the estimate used in applying for inclusion in the capital works program must be disclosed and explained. Variations of greater than 10% from the preliminary estimate are to be referred back to the Board of Queensland Racing Limited;
- Assuming the project cost following detailed design is contained within 10% of the preliminary estimate, and Queensland Racing Limited is satisfied with the standard of documentation provided, final approval will be given for the project to proceed ( Chief Operations Manager or Finance Manager);
- After final approval has been given, race clubs will be instructed that they can establish formal contractual arrangements for the construction works, in accordance with the approved budget. In establishing these contracts the club must pay regard to the key purchasing principles contained within this policy. Following establishment of the works contracts, Queensland Racing Limited will make payment of a grant to the club, equivalent to the agreed industry contribution. This grant will represent payment for a taxable supply, and will have GST added; and
- Following completion of the project, the club will provide Queensland Racing Limited with a report, which addresses the outcomes of the project, including cost to budget, quality of product, and timeliness.

### **Consulting Services**

Queensland Racing Limited uses consulting services in a number of aspects of its operations including legal, information technology, human resource management, financial management, business development, and marketing.

These consultancies vary from short-term "one-off" contracts, to longer-term arrangements, which may encompass a series of different activities (e.g. marketing and promotional work).

For short-term "one-off" contracts the following policy guidelines are to apply:

- The six key purchasing principles outlined above are to be applied at all times;
- For contracts under \$10,000 in value, preferred supplier arrangements\* can be used. That is, where a purchasing officer is satisfied that a consultant that has provided a high quality service in the past, has the necessary expertise to undertake the work, and is available in an appropriate timeframe, that



consultant can be appointed without a formal competitive process being undertaken. If such a person is not available, three quotes from prospective consultants should be obtained and evaluated;

(\* Please note that where preferred supplier arrangements are referred to later in this document for other categories of purchasing, similar procedures to those above will apply)

- For contracts between \$10,000 and \$100,000, tenders should be called from at least three “preferred” contractors. The selection of these three preferred suppliers, and subsequent evaluation of their proposals, should take into account the six key purchasing principles. The evaluation of the proposals should be undertaken by two accountable officers, and be approved by a delegated officer ( Chief Operations Manager or Finance Manager);
- For contracts over \$100,000, which previously required an open tender process will in future be subject to Board discretion as to the waiver of an open tender, including appropriate advertising of the consultancy. Tenders are to be evaluated, in accordance with the six key purchasing principles, by a panel of no less than two accountable officers, and be approved by a delegated officer.

For longer-term consultancy arrangements (e.g. the ongoing purchase of external legal services that cannot be delivered in-house), which may involve the use of a preferred supplier or suppliers for a range of individual tasks over an extended period of time, the following guidelines are to be followed:

- The purchasing officer may select a consultant for a range of tasks from a panel of preferred suppliers for the type of work involved;
- Prior to such a selection, a competitive process, adhering to the six key purchasing principles of Queensland Racing Limited, to appoint the panel of preferred suppliers must have been undertaken, be appropriately documented, and be signed-off by a delegated officer;
- In selecting the preferred supplier from the panel, the purchasing officer must clearly document the reasons for the selection, and be accountable for that selection. The selection must be approved by a delegated officer; and
- Individual consultancy contracts over \$100,000 in value are not to be entered into under these preferred supplier arrangements. For such consultancies, which previously required an open tender process will in future be subject to Board discretion as to the waiver of an open tender, as described above, must be followed.

### **Sponsorship Contracts**

Queensland Racing Limited may enter into sponsorship contracts of a cash and exchange-of-goods and/or services (“contra”) nature.

In establishing these contracts, officers must adhere to Queensland Racing Limited’s key purchasing principles, particularly those of “accountability of outcomes”, and “compliance with all taxation requirements”. With these principles in mind, a Sponsorship Agreement pro-forma (refer to Appendix A) is to be prepared for all sponsorship arrangements, regardless of whether they involve a cash payment, or are solely contra in nature.

The sponsorship agreement is to clearly specify the goods and/or services that are to be delivered by both Queensland Racing Limited and the sponsor, and identify the value of these supplies so that GST obligations, including Tax Invoicing, can be satisfied.

All sponsorship agreements are to be authorised by an officer of Queensland Racing Limited with appropriate delegation, and a copy is to be provided to the Finance Section so that Tax Invoices can be prepared, and GST liabilities and credits accounted for.

### **Information Technology**

The acquisition of information technology hardware and software represents a substantial investment of capital by Queensland Racing Limited each year.

Given the advancing nature of IT and the need to upgrade hardware and systems applications on an ongoing basis, it is the policy of Queensland Racing Limited to acquire such items through leasing arrangements. In this regard the following is to apply:

- A tender process, through a preferred supplier arrangement, is to be undertaken for the establishment of a medium to long-term lease contract for the supply of computer equipment, and other general office equipment where appropriate;
- This contract is to be reviewed on an annual basis to ensure the key principles of “value for money” and “quality of service and support” are being satisfied;
- Where a requirement to add items to the schedule covered by the lease has been identified, the purchasing officer must ensure the purchasing principles are adhered to. For items under \$10,000, preferred supplier arrangements can be used. For items \$10,000 or over, three quotes must be obtained. Appropriate documentation to support the purchasing decisions must be maintained at all times; and

The IT Section is also required to develop and maintain an *IT asset replacement strategy*, incorporating a list of all hardware and software under lease (or purchased), and information on the condition and expected useful life of individual items.

### **Other Capital Expenditure**

#### **Motor Vehicles**

Queensland Racing Limited maintains a fleet of vehicles provided for both work and private use. These vehicles are to be leased through Q-Fleet or SG Fleet appropriate lease provider under the following arrangements:

- the leasing of a new vehicle must be approved by the Chief Operations Manager or Finance Manager; and
- The type and model of the vehicle, and any optional extras, must be commensurate with the status and nature of the role performed by the officer for which the car is being acquired, and be in accordance with the entitlements the officer has under his/her contract of employment;
- All vehicles are to be replaced after two years, or having travelled 40,000 kms, whichever comes first, unless the Chief Operations Manager or Finance Manager agrees to an extension of the leasing term.

On disposal of company-owned vehicles, three trade-in quotes must be obtained, where possible, with the highest trade-in valuation the key consideration in selecting the successful dealer. Queensland Racing Limited staff may be given the option to purchase the vehicle that is being traded, at no less than \$1 more than the best trade-in valuation. The Chief Operations Manager or the Finance Manager will determine the successful staff bidder in the event of two or more staff bidding for the same vehicle being traded.

#### **Other capital purchases**

All other capital purchases (e.g. office machines) made by Queensland Racing Limited are to adhere to the following guidelines:

- The six key purchasing principles outlines above are to be applied at all times;
- For items under \$10,000 in value, preferred supplier arrangements can be used;
- For capital items between \$10,000 and \$100,000, quotes should be called from at least three “preferred” suppliers. The selection of these three preferred suppliers, and subsequent evaluation of their proposals, should take into account the six key purchasing principles;
- For capital items over \$100,000, which previously required an open tender process will in future be subject to Board discretion as to the waiver of an open tender. Tenders are to be evaluated, in accordance with the six key purchasing principles, by a panel of no less than two accountable officers; and

- For all capital purchases of \$10,000 or more, a lease versus buy analysis is to be undertaken.

***Day to day Purchasing of Services and Supplies.***

Policy in relation to the day to day purchasing of services and supplies is as follows:

- For items supplied on a continuous basis (e.g. stationery, consumables, printing) preferred supplier arrangements may be used. Purchasing officers must ensure that the key purchasing principles are adhered to, especially “value for money” and “quality of service”;
- In this regard, officers are required to conduct a competitive process for the selection of a panel of preferred suppliers, for continuous supplies, on an annual basis. Documentation must be prepared and maintained in respect of preferred supplier selection, and the subsequent selection of a supplier from the panel for particular purchases;
- However, for any individual supply or service, which would normally form part of a continuous supply by an individual, that is to cost the organisation \$100,000 or more, an open competitive process must be undertaken. That is, any individual supply which is to cost \$100,000 or more, cannot form part of a continuous purchasing contract made under preferred supplier arrangements;
- For non-continuous supplies and services (e.g. “one-off” printing jobs) preferred supplier arrangements can be used for purchases under \$10,000, on the basis that Queensland Racing Limited’s key principles are satisfied. At least three competitive quotes must be obtained for any purchase of \$10,000 or more.

## Preferred Suppliers

As much as possible, Queensland Racing should consolidate its suppliers and utilise preferred suppliers for either off-the-shelf goods/services where there are several sources of supply and the purchase is low risk or where there is an established relationship with a proven record of success. The advantages of using preferred suppliers are that it streamlines and simplifies purchasing, reduces administrative costs and promotes cost savings through volume discounts and exclusivity arrangements. Other benefits are that it minimises costs and risk for suppliers through not being required to regularly prepare and submit quotations.

### 1.1. Indicative Supplier Listing

An indicative listing of preferred suppliers has been identified and is available from Finance - accounts payable through discussions with management. The list should be considered as a first cut as further work will be required to refine this list to ensure that regular purchases are defined by a supplier.

### 1.2. Selection of Preferred Suppliers

The selection of preferred suppliers should be based on selection criteria that could include:

- Technical capability and experience
- Financial capacity and viability
- System and management responsibility incorporating product and service compliance with agreed industry standards
- People
- Business/organisation factors
- Favourable referee reports (a successful track record to deliver)
- Queensland Racing's 6 key principles:
  1. Value for money;
  2. Quality of product, service, and support;
  3. Open and fair competition;
  4. Accountability of outcomes;
  5. Use of Queensland product where price competitive, and where quality standards are met; and
  6. Suppliers are compliant with all taxation requirements.

### Preferred Suppliers Listing.

G:\Finance\Agreements\Preferred Suppliers Listing.xls

ITEM	POSITION					
	Regional Senior Stewards	Managers, Deputy Chief Steward Supervisors	Director of Integrity Operations, Racing Services Manager, Chief Steward, Accountant	Finance Manager	Chief Operations Manager	Board of Directors
Overall Delegation	<\$500	<\$2,000	<\$10,000	<\$10,000	<\$100,000	>\$100,000
Standard Purchase Orders	IPOS	IPOS	IPOS	IPOS	IPOS	IPOS
Emergency Purchase Orders	IPOS	IPOS	IPOS	IPOS	IPOS	IPOS
Requisition - Miscellaneous Purchases (Credit Cards) ( <i>Refer to Expense reimbursement policy for conditions</i> )	x	x	<\$10,000	To Budget	To Budget	Same as above
Petty Cash	<\$100	<\$100	<\$100	<\$300	<\$300	<\$300
Capital Expenditure Purchase Orders and Request Forms	x	x	x	Forecast projects if <\$10,000 or if satisfied COM has previously approved the project	Any single project <\$100,000 where included in approved annual budget	Any single project above \$100,000
Domestic (Interstate) travel	x	x	To budget and advise COM	To budget and advise COM	To budget	If outside of aggregate annual budget
International Travel	x	x	x	x	To Budget	If outside of aggregate annual budget
Official Hospitality	<\$100	<\$100 <\$300 Senior Management Team	<\$300	<\$300 or other functions as approved by COM	To Budget	Yes
Employment of new staff	x	x	Negotiation only if resignation and within same salary range and approval from COM	Employment letters and contracts assuming COM approval	Yes	Yes
Contractual Agreements (All contracts to be reviewed by Legal Compliance Officer/Company Secretary for updating of Contracts register and asses if any legal advice required)	x	x	<\$10,000 total value (not lease or licence) assuming that authorised to sign in ordinary operations	Yes with COM assuming COM previously approved and legally authorised to sign where <\$100,000	Yes where value <\$100,000	Yes – subject to Board Agreement

<p>Execution of Contractual Agreements (All contracts to be reviewed by Legal Compliance Counsel/Company Secretary for updating of Contracts register and asses if any legal advice required)</p>	<p><b>To be executed by 2 Directors of the Company or a Director and a Company Secretary of the Company (S127 (1) – Corporations Act 2001).</b></p>
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The same delegations above apply to the payment of invoices with one exception:

- An invoice can be approved by a person with a lesser delegation provided the original purchase order was approved appropriately and the invoice does not exceed an amount that exceeds 10% of the original purchase order.

It should be noted that as a business rule, staff are not allowed to circumvent their delegation by raising multiple orders to purchase a good or service for an amount that exceeds their delegation limit.

### **Delegations**

All expenditures for goods and services are to be authorised by a duly delegated officer. These delegations are as follows:

#### *Over \$100,000*

- Board of Directors

#### *Up to \$100,000*

- Chief Operations Manager

#### *Up to \$10,000*

- Director - Integrity Operations
- Finance Manager
- Racing Services Manager
- Chief Steward
- Accountant

#### *Up to \$2,000*

- Business Analyst
- Board Secretary
- IT and Communication Manager
- Training and Licensing Manager
- Deputy Chief Steward - Queensland
- Corporate Counsel/Company Secretary
- Executive Assistant
- Production Camera Operator/Editor

#### *Up to \$500*

- Regional Senior Stewards (Northern Region – Townsville, Senior Steward Capricornia Rockhampton and Steward in Charge Downs - Toowoomba)

### **Capitalisation of expenditure**

Expenditure on discreetly identifiable plant and equipment items of **\$2,000** and above will be capitalised where the future benefit of that expenditure exceeds one year at the time of purchase. All land purchases must be capitalised.

The Chief Operations Manager or Finance Manager may approve the capitalisation of services expenditures of \$2,000 and above where those services have a future benefit exceeding one year. All assets which are <\$2,000 must be expensed in the year of purchase and recorded in the portable and attractive items register. All other service expenditures shall be written off in the financial year the expenditure was incurred.

### **Compliance with Commonwealth Government GST & Australian Business Number legislation**

The Commonwealth Government implementation of GST and Australian Business Number legislation, has given rise to some additional obligations in respect of purchasing. These are as follows:

- Organisations are required to withhold 48.5% of any payment to a supplier of goods or services that does not provide an ABN. In response to this, it is the policy of Queensland Racing Limited that no supplies be purchased from entities that are unable to quote an ABN;
- All suppliers to Queensland Racing Limited are to be advised that they must be able to provide a "Tax Invoice" in the form specified by the GST legislation, to enable Queensland Racing Limited to claim input credits. Under law, the supplier must supply Queensland Racing Limited with a Tax Invoice within 28 days of request. Queensland Racing staff should not enter into contractual arrangements with suppliers unless satisfied that the supplier will be able to provide a suitable Tax Invoice; and
- When obtaining quotes or prices from potential suppliers, purchasing officers must satisfy themselves that the prices quoted are GST inclusive.

### **Documentation and the Role of the Finance Department**

The Finance Department plays the lead role in ensuring Queensland Racing Limited meets its obligations under the Corporations Act 2001, Australian Accounting Standards and Australian Equivalent to International Financial Reporting Standards A-IFRS and Australian Securities and Investment Commission- ASIC through the development and implementation of appropriate accounting policies and controls.

While the Department will work to ensure operational areas within the organisation are meeting their obligations under the purchasing guidelines, senior managers also have a role to play in monitoring the purchasing activities of their staff.

With regard to documentation, all acquisitions need to be supported by evidence that appropriate purchasing principles and guidelines have been followed. In this regard:

- All purchases for non-continuous supplies that are not completed through petty cash or credit cards must be completed in IPOS. Additionally, copies of sponsorship agreement pro-formas must be provided to the Finance Manager on a timely basis; and
- The delegated officer must be satisfied that Queensland Racing Limited's purchasing policy has been adhered to, and that appropriate documentation that supports the six key principles (value for money, open and fair competition etc) has been gathered, and is available for audit scrutiny if required. The managers of organisational areas have responsibility for ensuring supporting documentation is maintained and is accessible.

Enquiries regarding these purchasing principles should be directed to the Chief Operations Manager or Finance Manager.

### **IPOS**

IPOS is an online web enable electronic procurement system. It has been custom built to meet QRL and industry needs and greatly enhances QRL's ability to operate in today's modern information driven environment.

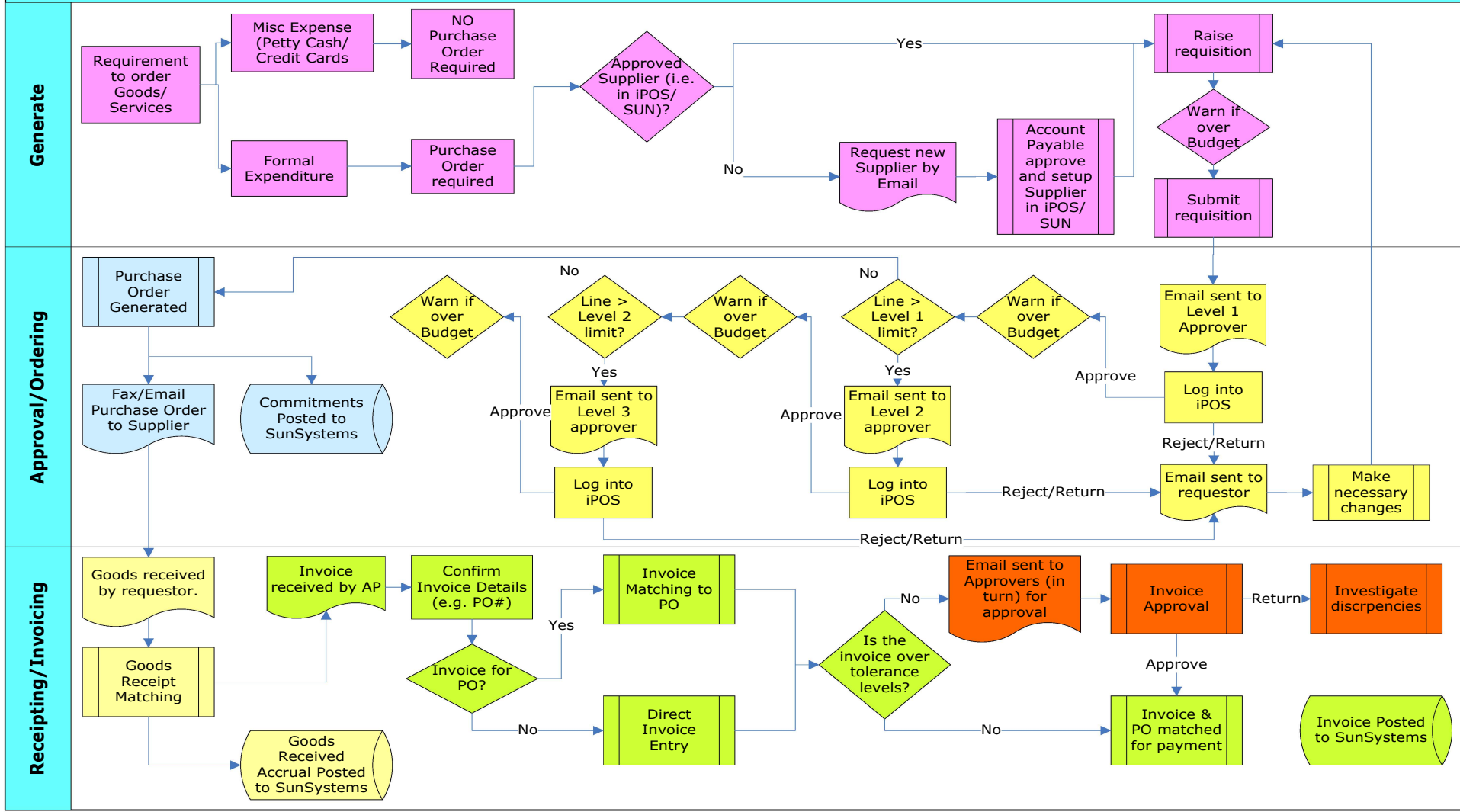
The main objectives of IPOS are:

- To provide the underlying systems to enable the business to obtain tighter budgetary controls, including the recording of committed expenditure,
- To provide managers with the appropriate tools to focus on their individual budgets,
- Implementation of systemic controls over the procure to pay process,
- Improved reporting to the whole business,
- To bring QRL in line with best practice procurement through taking advantage of e-commerce, electronic purchase ordering and scanning.
- Provide more real time reporting with less reliance on accounts payable,
- Introduction of process efficiencies for accounts payable, removing the many manual processes currently in use, such as manual purchase order generation and invoice approvals.
- Ability to interface with supplier ordering systems resulting in less manual entry.

The process map for QRL's procurement process is featured below.



### Queensland Racing Limited Purchasing Procedure





The major advantage of IPOS is that it enforces QRL's purchasing policy in an electronic procurement system. All management delegations are enforced at requisition and invoice stage. Separation of duties ensures that only requisitioners can create purchase orders and only management can authorise. From 1 July 2009 where applicable all invoices will only be paid if an IPOS purchase order number is quoted on the invoice. Instances where invoices do not require IPOS purchase orders are Energy, phones, rates and other standard monthly charges.

IPOS Procedures are linked below:

<http://starcraft:8080/finance/Shared%20Documents/Forms/AllItems.aspx>

## **Payment Methods**

### **Direct Debit**

#### **1.3. Business Condition**

Purchases that occur at set times throughout the year for set dollar amounts.

#### **1.4. Business Rule**

Invoices for goods or services that fall under this category include:

1. Rentals
2. Leases
3. Superannuation

Payments will be made via direct debit at the time dictated by the invoice.

#### **1.5. Dependencies**

Payments must be fixed frequency and price.

### **Cheque**

#### **1.6. Business Condition**

One-off purchases that can not be paid through any other alternative option.

#### **1.7. Electronic Funds Transfer (EFT)**

All other purchases will be paid by Electronic Funds Transfer (EFT) unless previously authorised by Finance Manager

## Payment Summary

A summary of the different methods for paying invoices is provided below:

Payment Types	Business Condition
EFT	Used for standard purchasing from preferred suppliers  Used for emergency purchases from preferred supplier in response to an emergency situation
Direct Debit	Used for purchases that occur at set times throughout the year for set dollar amounts
Cheque	Used for miscellaneous purchases on a "case-by-case" basis only. To be used only in exceptional circumstances.
Credit Cards	Used for purchases made with non-preferred suppliers for dollar amounts up to delegated authority.
Petty Cash	Used for miscellaneous purchasing of items with a value of less than \$100 unless authorised by Finance Manager

### Summary of Key Controls

As a high level summary, the key controls associated with the procurement system are:

- Only deal with suppliers who have a valid ABN
- Three quotes required for amounts >\$10,000 where a preferred supplier is not used
- Tax invoices to be obtained at all times
- Required signatures for goods received
- Vendor creation, deletion or addition must be performed by the Accounts Payable Officer and the bank account details are required in accordance to the Sun Security matrix to be entered by an accounts receivable officer who does not have the ability to raise purchase orders or make payments in SUN. The change of details form is located G:\Finance\FORMS\Accounts Payable\Change of Details form.xls
- Invoices are only paid after the prior approval of a purchase order (excluding credit card statement payments and direct debits) and after goods have been received
- Established delegation limits with a 10% tolerance level up to a limit of \$100
- Credit card holders can make transactions greater than their delegation limit provided a purchase requisition with appropriate approval has been obtained first.

In addition to the above, Queensland Racing should perform an annual supplier analysis to review expenditure to determine that value for money is being achieved.

# SPONSORSHIP AGREEMENT

**BETWEEN:**

**(The Sponsor)**

**AND QUEENSLAND RACING LIMITED**, a control body established under the Racing Act 2002 and Corporations Act 2001

**(The Sponsored)**

**WHEREAS** The Sponsor has agreed to provide sponsorship in accordance with this agreement.

**AND** The Sponsored has agreed to provide services in return for the sponsorship.

**This Agreement provides:**

1. The Sponsor will provide the following sponsorship to the Sponsored:  
Details of Sponsorship [If insufficient space annex details]
  - Money (here detail the sum of any monies to be paid to the Sponsored)
  - Support (here detail all support services including the value thereof to be supplied to the Sponsored)
2. The Sponsored will provide the following services to the Sponsor: [If insufficient space annex details]
  - Services (here detail all services including their value to be supplied by the Sponsored in return for the sponsorship)
3. It is hereby acknowledged that:
  - (a) The Sponsored will issue a recipient created tax invoice to the Sponsor to meet Goods and Services Tax obligations in relation to the supply of money and for support;
  - (b) The Sponsor will issue a recipient created tax invoice to the Sponsored to meet Good and Services Tax obligations in relation to the supply of services.

**DATED** this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

**SIGNED AS AN AGREEMENT**

**SPONSOR** .....

Full name of authorised officer .....

Signature of authorised officer .....

Signed in the presence of .....



**SPONSORED**

**QUEENSLAND RACING LIMITED**

Full name of authorised officer .....

Signature of authorised officer .....

Signed in the presence of .....

## Queensland Racing Limited

### RECORD KEEPING POLICY

#### COMMENCEMENT DATE

This policy comes into effect on 6 August 2004.

#### PURPOSE

The *Racing Act 2002* (Act) authorises Queensland Racing Limited (Queensland Racing) to make policies for the sound management of the industry. Section 81(o) of the Act requires Queensland Racing to make a policy on record keeping, including keeping records about decisions.

Proper record keeping is necessary for the fair and efficient administration of the Queensland Racing industry and is part of good corporate governance. Poor record keeping can lead to administrative inefficiencies, poor decision making and inconsistent or unfair treatment of staff and licensees.

As the authority responsible for managing thoroughbred racing in Queensland, Queensland Racing is required to make and keep full and accurate records of its activities and to provide stakeholders with access to those records in specified circumstances.

It is in the interest of the racing industry and the public generally that Queensland Racing keeps records of its decisions and complies with its responsibilities under the:

- *Public Records Act 2002*
- Information Standards issued by the Department of Innovation and Information Economy
- *Racing Act 2002*
- *Corporations Act 2001*
- *Trade Practices Act 1974*

Queensland Racing has developed policies and procedures to guide its record keeping practices, ensuring record keeping complies with legislation and standards and help ensure its administration is efficient and effective.

The purpose of this policy is to establish a framework for the creation and management of records within Queensland Racing. Queensland Racing is committed to establishing and maintaining recordkeeping practices that meet its business needs, accountability requirements and stakeholder expectations.

## **POLICY STATEMENT**

Queensland Racing's records are its corporate memory, and as such are a vital asset for ongoing operations, providing valuable evidence of business activities and transactions.

Queensland Racing will maintain a record keeping system that supports the professional administration of the racing industry and fulfils the organisation's legislative responsibilities.

Queensland Racing will keep minutes of its board meetings and a record of resolutions made at board meetings.

Board minutes will record any instance where a member discloses an interest in a matter the board is to consider.

Queensland Racing will make records of the decisions of appeals committees, including reasons for the decisions.

Queensland Racing employees will create records of correspondence, conversations, events, decisions and financial operations in accordance with Queensland Racing's procedure for creating records.

Queensland Racing's employees will file the records they create in accordance with the organisation's procedures for retaining records.

Queensland Racing will archive its records in accordance with its procedures for archiving records.

Queensland Racing will make records available to licensees, the media and other interested parties in accordance with Queensland Racing's procedures for stakeholder access to records.

## **APPLICATION**

This policy applies to Queensland Racing's:

- Executives and staff
- Board
- Contractors, and
- Agents.

This policy applies to all aspects of organisational business, all records created during business transaction, and all business applications used to create records including e-mails, database applications and websites.

Licensed Race Clubs should note that the same standard of record keeping practice as defined in this policy for Queensland Racing will also be applied to Race Clubs as part of the licensing process.

## **DEFINITIONS**

**Public record** – any form of recorded information that provides evidence of the decisions or actions of a public authority in undertaking its business activities or in the conduct of its affairs.

**Record** – often regarded as documents in paper files or bound volumes, in fact records can exist in any physical format, such as photographs, videos, sound recordings, emails and web material. Records are more than just information, they are evidence of decisions, actions and inactions. Information may be collected in the course of business activity and support such activity, but does not, itself, provide evidence of that activity. Records possess certain characteristics that distinguish them from other kinds of information. Records are 'fixed', that is, they are the product of particular actions that occur at particular times.

## **PROCEDURES**

### **Roles and responsibilities**

Queensland Racing's senior managers are responsible for the implementation of this policy and its procedures.

All Queensland Racing officers are responsible for keeping appropriate records of their work, including records of their decisions, file notes of conversations, copies of emails and records of complaints, in accordance with this policy and its procedures.

Each Queensland Racing's department and regional office is responsible for the creation of files and maintenance of the document retrieval system.

Each Queensland Racing's department and regional office, if necessary is responsible for establishing and maintaining a register of correspondence they receive.

### **Review**

This policy was reviewed in June 2009.

Next review will be June 2011.



## **Rules of Racing**

Rules of Racing will not be made for this policy.

This policy was made by QRL on 6 August 2004 under s.81(o) of the *Racing Act 2002*. For further information contact Malcolm Tuttle, Chief Operations Manager, by phoning (07) 3869 9730 or emailing [mtuttle@queenslandracing.com.au](mailto:mtuttle@queenslandracing.com.au).



# **QUEENSLAND RACING LIMITED**

## **CODE OF CONDUCT**

And

## **ETHICS**

## **MESSAGE FROM THE CHAIRMAN**

Queensland Racing Limited plays a crucial role in the thoroughbred racing industry in Queensland. Queensland Racing Limited is committed to the efficient administration of the industry and acknowledges that its decision making impacts on all participants in the industry.

Public confidence in thoroughbred racing depends upon Queensland Racing Limited managing the industry in a fair and transparent manner according to the highest standards of probity and integrity.

This Code of Conduct applies to all Queensland Racing Limited officials, including Board members, in the performance of their functions and duties. Queensland Racing Limited officials are expected to maintain the highest standards in professional and business ethics and, through their work, performance and behaviour, ensure that confidence in the integrity of Queensland Racing Limited is justified and maintained. Queensland Racing Limited is committed to fostering a working environment that relies on personal integrity, quality management and a high level of service. To this end, Queensland Racing Limited has produced this Code of Conduct which details the expected levels of behaviour required of all Queensland Racing Limited officials. The Board of Queensland Racing Limited is committed to ensuring compliance with the provisions of this Code at all times.

RG Bentley  
Chairman

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## **OBJECTIVES**

Queensland Racing Limited:

- will work to inspire the utmost faith, confidence and support of all participants and stakeholders in the thoroughbred code of racing in Queensland;
- is committed to fairness, impartiality and transparency in its decision making;
- will act in the best interests of the thoroughbred code of racing in Queensland; and
- will comply with this Code of Conduct and Ethics to ensure integrity in its operations.

## **PART 1 INTRODUCTION**

This is the Code of Conduct and Ethics for Queensland Racing Limited (“The Code”).

Every Queensland Racing Limited official must:

- act in accordance with this Code, their employment contract, Queensland Racing Limited policies and statutory obligations imposed on Queensland Racing Limited and
- act with the highest standards of professionalism, probity, diligence and integrity.

### **1.1 TO WHOM DOES THE CODE OF CONDUCT AND ETHICS APPLY?**

This Code applies to all Queensland Racing Limited officials.

Former Queensland Racing Limited officials must continue to respect the provisions of this Code, particularly in relation to the confidentiality of information and ownership of intellectual property to which the former Queensland Racing Limited official had access in the course of work with Queensland Racing Limited.

### **1.2 WHY HAVE A CODE OF CONDUCT AND ETHICS?**

- To define accepted/acceptable behaviours;
- To promote high standards of practice;
- To provide a benchmark for Queensland Racing Limited employees to use for self evaluation;
- To establish a framework for professional behaviour and responsibilities; and
- As a vehicle for organisational identity.

## **PART 2 RESPONSIBILITIES**

### **2.1 EMPLOYEE RESPONSIBILITIES**

The Code of Conduct and Ethics is part of your employment agreement or contract with Queensland Racing Limited. You are responsible for your actions or your failure to take appropriate actions.

You must:

- Clearly understand and abide by the requirements set out in this Code, and if necessary seek assistance or clarification from your manager or supervisor.

- Ensure that you comply with relevant legislation, policies, procedures, standards and business instructions.
- Ensure that you are familiar with all documents that impact on your work.
- Comply with lawful and safe work instructions and directions when performing your duties, including position descriptions and agreed performance plans.
- Understand the requirements of your position and seek clarification and assistance where necessary.
- Carry out your duties in an alert, safe, diligent, honest and competent manner.
- Use your authority in a fair and unbiased way and not take improper advantage of your position.
- Not make decisions that exceed your level of authority or delegation.
- Treat other employees, licensees, stakeholders and members of the public with courtesy and respect.
- Avoid behaviours, situations and conflicts of interest that may reflect in a negative way upon Queensland Racing Limited.
- Not engage in behaviour that would constitute unlawful discrimination, harassment (whether sexual or otherwise), bullying or workplace violence.

## **2.2 SUPERVISOR AND MANAGER RESPONSIBILITIES**

In addition to your responsibilities as an employee, supervisors and managers must also:

- Inform employees about this Code and the standards outlined within it.
- Assist employees to understand the Code.
- Lead by example in observing the Code.
- Manage any breaches of the Code in consultation with relevant senior executives.
- Ensure that employees can access current standards, legislation, policies and procedures and are advised of relevant changes.
- Communicate clearly business requirements and expectations to employees.
- Create a climate in the work environment that is conducive to the achievement of the objectives of this policy.

## **2.3 THE BOARD AND CHIEF OPERATIONS MANAGER RESPONSIBILITIES**

The Board and the Chief Operations Manager *must*:

- provide clear direction and ensure that performance is managed to achieve sustainable results.
- Encourage and reward contributions made by others.
- Lead by example in observing this Code.
- Ensure that the high standards conveyed through this Code are evident throughout the organisation, contributing to an integrity-based culture.

## **PART 3 PRINCIPLES**

There are four (4) overarching principles:

- Embracing an Integrity Culture
- Embracing a Culture of Respect
- Embracing a Culture of Safety
- Embracing a Culture of High-Performance

These principles seek to ensure that behaviours and activities are complementary and consistent with the overall culture of the organisation and the observance of this Code.

## **PRINCIPLE 1 EMBRACING AN INTEGRITY CULTURE**

### **3.1.1 Conflicts of Interest**

Conflict of interest occurs where personal interests influence, or appear to influence, the impartial performance of an employee's or official's duties and responsibilities.

If you find yourself faced with a real or possible conflict of interest, advise your supervisor or manager or the Director of Integrity Operations straight away, so that the conflict or perceived conflict can be resolved.

Every Queensland Racing Limited official **must**:

- carry out their duties impartially and regardless of personal preferences;
- avoid private, financial or other interests or undertakings that could directly or indirectly compromise or conflict with the performance of their duties;
- disclose any interest, which may impact or have the potential to impact on the performance of their duties; and
- take action to resolve any conflict between personal interests and official duties in the favour of the public interest.

All full-time employees of Queensland Racing Limited must disclose in writing to the Chief Operations Manager any secondary paid employment they may have. Failure to disclose this information may result in a Queensland Racing Limited official being disciplined or, in appropriate cases, instantly dismissed. Secondary employment within the racing industry represents a prima facie conflict of interest and is not permitted without specific authorisation from the Chief Operations Manager.

### **Examples of Appropriate Actions**

You are a member of a selection panel and you advise appropriate officials that a family member is an applicant for a position.

You are a sampling collection official and you advise the Chairman of Stewards that in relation to a horse you are drug testing, a family member has some ownership interest in the horse.

### **3.1.2 Inappropriate Personal Gain**

Inappropriate personal gain is when an individual gains a benefit from the misuse of their office, role, organisational situation or information.

Queensland Racing Limited officials **must not**:

- gain personally from access to confidential information.
- Misuse his/her position in a way that results in personal gain.

- Conduct significant personal business on QRL time.
- Take personal advantage of opportunities that are presented or discovered as a result of their position with QRL.

### **Examples of Inappropriate Gains**

A QRL staff member uses their knowledge of weights and race form to wager on Queensland Thoroughbreds for personal gain.

A QRL staff member has a second job and uses QRL telephones and time to contact potential private business customers.

A Board member uses information gained in QRL Board meetings to gain in their private business interests.

### **3.1.3 Gifts and Benefits**

Public trust and impartiality are key outcomes for Queensland Racing Limited. The receiving and giving of gifts and benefits can impact on the aforementioned outcomes. For these reasons the gifts and benefits policy was formulated and all Queensland Racing Limited officials must comply with it.

### **3.1.4 Confidentiality**

All Queensland Racing Limited officials have access to confidential information. Appropriate safeguards and care must be taken to ensure that unauthorised access to or distribution of confidential information is not permitted.

No Queensland Racing Limited official may take, or seek to take, improper advantage of confidential information gained in the course of employment. No Queensland Racing Limited official may disclose confidential information to any person unless it is required by law or is required by their duties and is consistent with this Code or specifically authorised. If a Queensland Racing Limited official resigns or leaves Queensland Racing Limited, the official must not disclose confidential information acquired when they acted as an official of Queensland Racing Limited.

A member of the Board of Queensland Racing Limited must not disclose confidential information discussed at Board meetings and/or acquired while acting as a Board member.

If a Board member resigns or leaves the Board the member shall have regard to the duty:

- not to disclose confidential information; and
- to act bona fide in the interests of Queensland Racing Limited.

### **Examples of Appropriate Confidentiality**

You are asked by a licensee to disclose the address of a third party, another licensee as monies are owed. You immediately bring to the attention of your line supervisor who checks on whether release of information is appropriate. In these circumstances it would not be appropriate to release confidential address details.



You leave QRL to take up a similar role and while you have intimate knowledge of the QRL tendering process that would be of commercial benefit to your new employer, you do not tell your new employer because the information may provide an unfair advantage.

You are asked by a friend to access our horses systems and obtain details of who is riding particular horses and at what weights. You refuse this request and explain to your friend that it was inappropriate to request such action.

## **PRINCIPLE 2 EMBRACING A CULTURE OF RESPECT**

### **4.1.1 Respect for Persons**

All Queensland Racing Limited officials **must**:

- treat all industry participants with courtesy, honesty and fairness with proper regard for their rights and obligations in accordance with the principles of natural justice;
- respond to the reasonable requests of stakeholders, supervisors and managers in a timely manner;
- co-operate and assist others in the organisation in the performance of their duties when reasonably requested to do so, or when perceived as necessary;
- support their co-employees in a responsible and ethical manner; and
- exercise powers, objectively, fairly and equitably.

### **4.1.2 Respect for the Law and the QRL system of governance**

All Queensland Racing Limited officials **must**:

- comply with all relevant laws;
- comply with all QRL policies;
- comply with all QRL procedures; and
- comply with all lawful requests of management and line supervisors.

Compliance means observing the letter and spirit of the law, policy, procedure or lawful request as well as managing your activities in a manner consistent with QRL as a 'good corporate citizen.'

QRL recognises that in some cases, there may be uncertainty about which laws, policies and procedures may be applicable. In such circumstances employees have access to internal legal compliance counsel or their direct supervisor and should seek such advice.

### **4.1.3 Discrimination and Workplace Harassment**

All Queensland Racing Limited officials must provide a workplace free from discrimination, harassment, bullying and intimidation and hostile, offensive or distressing behaviour. They must ensure they understand their responsibilities under Queensland Racing Limited's Sexual Harassment Policy. They have a duty to disclose breaches of this policy. Additionally, any behaviour's that exhibit harassment and bullying should be brought to the attention of your line supervisor, Harassment and Discrimination Officer or addressed through the complaint management system.

If managers and supervisors become aware of inappropriate conduct, they should not wait for a complaint to be lodged before taking action. As with their other areas of responsibility, if managers or supervisors become aware of a problem, they are expected to respond to that problem.

Queensland Racing Limited's Sexual Harassment policy applies to all Queensland Racing Limited Board members, officials, other employees, consultants, contractors and work experience students.

Those who are the subject of sexual harassment, bullying or unlawful discrimination or become aware that another person is being subjected to these should seek advice and assistance from the Harassment and Discrimination Officer, or, if it is not appropriate to approach this officer, the matter should be reported to your line supervisor or through the complaint management system.

Any reports of discrimination, victimisation, sexual harassment, vilification and bullying will be treated seriously and dealt with promptly, confidentially and impartially in accordance with our complaint management policies. Disciplinary action will be taken against anyone who discriminates against, victimises, sexually harasses, vilifies or bullies a co-worker. Discipline may involve counselling, a warning, transfer, demotion or dismissal, depending on the circumstances.

#### **4.1.4 Whistleblowing**

All Queensland Racing Limited officials must report to their line manager or the Chief Operations Manager or the Director of Integrity Operations or through the complaint management system, any suspected or actual instances of official misconduct, maladministration, reprisal, or danger to public health or safety or environment of which they are aware. In doing so, Queensland Racing Limited officials should follow the guidelines in the Whistleblowers Protection policy adopted by Queensland Racing Limited.

Failure to report suspicious activities or circumstances may be seen as compounding or assisting official misconduct, maladministration, reprisal, or danger to public health or safety or environment and may constitute improper conduct requiring disciplinary action.

If a Queensland Racing Limited official is found to have breached the *Whistleblowers Protection Act 1994*, the breach will be considered a serious breach of this Code and the Queensland Racing Limited official may be subjected to disciplinary action, including, in appropriate cases, instant dismissal.

Under the *Crime and Misconduct Act 2001*, the Chief Operations Manager must refer matters of actual or suspected official misconduct to the Crime and Misconduct Commission. This legislated requirement has been delegated to the Director of Integrity Operations in consultation with the Chief Operations Manager.

#### **4.1.5 Unacceptable Behaviours in the Workplace**

Unacceptable and inappropriate workplace behaviours can take many forms. Below are some such behaviours which are not intended to be exhaustive but rather an indication of the types of behaviours and actions that are clearly **not** acceptable at QRL.

- Humiliating or ridiculing others about their work.
- Making insulting or offensive comments about others.
- Spreading rumours or gossip
- Shouting and getting abusive with others.
- Being hostile to others
- Threatening violence to others
- Physically attacking others
- Using malicious or insulting language.
- Withholding information deliberately that affects other people's jobs
- Invading personal space and restricting the movements of others.
- Making false allegations against others.
- Engaging in excessive monitoring of the work of others when not authorised to do so.
- Breaching this code.

### **PRINCIPLE 3 EMBRACING A CULTURE OF SAFETY**

#### **5.1.1 Workplace Safety**

You are responsible for the safety and security of your workplace as well as care of the environment in which you work.

Supervisors and Managers have the additional responsibilities of making sure that workplace health and safety policies are in place and followed by all employees.

In the workplace, all Queensland Racing Limited officials must take all reasonable practical steps to ensure the safety, health and welfare of themselves and others.

All Queensland Racing Limited officials must comply with statutory obligations and Queensland Racing Limited's policy on Workplace Health and Safety.

You have a duty to minimise the risks in the workplace, ensuring that incidents, injuries and ill-health is minimised in the workplace.

All Queensland Racing Limited officials should remember:

- To follow all rules, procedures and approved work methods;
- Immediately report incidents, complaints and unsafe or unhealthy work practices;
- Don't engage in or encourage any form of unlawful discrimination, sexual or other forms of harassment, bullying or workplace violence;
- Wear personal protective equipment and use appropriate equipment when necessary.

#### **5.1.2 Alcohol and Drugs**

It is a criminal offence to possess or use illegal drugs at any time. All Queensland Racing Limited officials must comply with Queensland Racing Limited's policy on Use of Alcohol and Drugs. If a Queensland Racing Limited official is found guilty of possessing and using illegal drugs, it will be considered a serious breach of this Code and the official may be subjected to disciplinary action, including, in appropriate cases, instant dismissal.

Alcohol consumption is not allowed in the work environment. Work related functions are the exception to this rule, although consumption should be restricted to appropriate areas and at the appropriate times as approved by the relevant manager.

### **5.1.3 Fitness for Work**

When reporting for work, you must be fit and ready to perform your duties. A supervisor or manager who believes that an employee is unfit, must make sure the person does not start work. This safeguards both the employee and the workplace.

Supervisors and Managers should also be aware of workplace health issues such as heat stress, fatigue, injury, illness and alcohol or drug dependency and take early action to address such issues.

All Queensland Racing Limited officials should:

- Make their immediate supervisor aware if they have taken prescription medication that may cause relevant side-effects, impacting on the abilities to do their job;
- Advise their supervisor or manager if they have a physical, psychological or psychiatric condition that limits ability to work safely and effectively
- Be responsible, by maintaining their own fitness for work and taking necessary steps to address any issues that may impact their ability to fulfil their duties as a QRL official.

## **PRINCIPLE 4 EMBRACING A HIGH PERFORMANCE CULTURE**

### **6.1.1 Performing Duties**

All Queensland Racing Limited officials must perform all duties associated with their positions diligently, impartially, conscientiously, with proper care and attention, in a civil manner and to the best of their ability.

All Queensland Racing Limited officials **must**:

- perform their duties in such a way that QRL will be held in high regard by the community and the industry;
- follow any professional standards of conduct relevant to their office;
- maintain adequate documentation to support decisions; and
- assist QRL to adhere to its statutory obligations.

### **6.1.2 Monitoring Performance**

All Queensland Racing Limited officials who manage or supervise others must ensure that:

- their work and that of their staff helps Queensland Racing Limited adhere to its statutory obligations;
- where their staff breach this Code, appropriate action is taken.

### **6.1.3 Using resources for official purposes**

All Queensland Racing Limited officials must ensure Queensland Racing Limited resources are:

- used economically;
- used for the purposes for which they were provided;
- treated and maintained with appropriate care; and
- secured against theft or misuse.

In serious cases, a Queensland Racing Limited official who misuses resources may be found guilty of misconduct or maladministration.

### **6.1.4 Private Use of Resources**

Limited personal use of Queensland Racing Limited resources for non-official purposes may be acceptable.

In general terms, limited personal use involves:

- minimal additional expense to Queensland Racing Limited;
- an expectation that it will be performed during the employee's non work hours;
- does not interfere with the operation of Queensland Racing Limited; and
- does not violate this Code, statutory obligations or Queensland Racing Limited policies.

If a Queensland Racing Limited official is unsure as to whether their proposed personal use of Queensland Racing Limited resources is acceptable, the official should seek advice from their line manager.

Where a Queensland Racing Limited official uses Queensland Racing Limited Internet, Intranet and electronic mail system, the official must comply with the policy on Internet and Email adopted by Queensland Racing Limited.

### **6.1.5 Use of Official Motor Vehicles**

All Queensland Racing Limited officials who use a motor vehicle owned by Queensland Racing Limited must use it only for official purposes, unless the terms of their Employment Contract otherwise provide or the relevant manager has authorised private use of the motor vehicle by the official.

When authorising private use of official vehicles, managers must ensure that it does not adversely impact on QRL. For example, QRL staff must have adequate transportation to service race meetings that is not adversely affected by the approved private use of a QRL vehicle. It is requested that race day schedules be checked as a component of an approving decision.

### **6.1.6 Expense Reimbursement**

All Queensland Racing Limited officials must comply with Queensland Racing Limited's Expense Reimbursement Policy. This policy sets out the requirements of Queensland Racing Limited regarding expenditure while on official duty.

## **PART 5 BREACHES**

You are accountable for your own actions, so take the time to fully understand what is expected of you under QRL's Code of Conduct and Ethics. The facts and circumstances of each case determine what action is taken against someone who breaches this Code.

Board members who breach statutory obligations or the provisions of this Code or their employment contract will be dealt with in a manner determined by the Board. Any action taken against a Board Member shall be consistent with the provisions of the *Racing Act 2002*.

All Queensland Racing Limited officials who breach statutory obligations or the provisions of this Code or their employment contract may be subject to disciplinary action, including, where appropriate, instant dismissal.

The Chief Operations Manager or Director of Integrity Operations or delegated managers will deal with breaches by an employee of Queensland Racing Limited. Where it is not considered harsh, unjust or unreasonable to do so, the Chief Operations Manager may suspend a Queensland Racing Limited official from work, either with or without pay, while an alleged breach is being investigated. Disciplinary action may constitute, but is not restricted to, counselling, warnings or reprimands or suspension or dismissal, as the case requires.

Serious breaches, such as official misconduct, may need to be referred to the Crime and Misconduct Commission. Any action taken will accord with the principles of procedural fairness. In the case of suspected or actual official misconduct or maladministration, procedural fairness does not necessarily mean that the person under investigation is to be presented with the allegations prior to an investigation. The relevant investigating authority will determine the appropriate time for advising the person of the allegations and affording the person the opportunity to respond.

## **PART 6 ETHICAL DECISION MAKING**

Queensland Racing Limited recognises that ethical problems occur in business and offers below practical advice how to better define and resolve ethical dilemmas.

The 'Ethics Quick Test' offers some assistance in resolving ethical dilemmas as well as guiding ethical conduct:

- Is the action or decision legal?
- Does it comply with our values?
- If you do it, will you feel bad?
- How will it look in the newspaper or media?
- How will it seem to your colleagues?
- If you know it's wrong, don't do it.
- If you're not sure, ask.

## **Appendix A**

### **DEFINING KEY TERMS**

#### **Conflict of interest**

Refers to a real or an apparent conflict between a private interest and official duty. A real (or actual) conflict of interest exists when a reasonable person, in possession of the relevant facts, would conclude that the official's private interests interfere, or are likely to interfere, with the proper performance on the official's duties. An apparent conflict of interest exists when it appears that an official's private interests may interfere with the proper performance of the official's duties although, in reality, this may not be the case.

#### **Discrimination**

Unless a statutory exemption applies, discrimination, whether direct or indirect, may be unlawful when it is on the basis of an attribute described in the *Anti-Discrimination Act 1991* (i.e. sex, sexuality, gender identity, marital status, pregnancy, parental status, breastfeeding, age, race, impairment, religion, political belief or activity, trade union activity, lawful sexual activity; or association with, or relation to, a person identified on the basis of any of the above attributes) in a specified area of activity, for example, work and work related areas. Direct discrimination may occur if a person treats or proposes to treat, a person with an attribute less favourably than another person without the attribute in circumstances that are the same or not materially different. Indirect discrimination may occur if a person imposes, or proposes to impose, a term with which a person with an attribute does not or is not able to comply and that is not reasonable or necessary to apply.

#### **Dishonesty**

Dishonesty is judged by the standards of ordinary decent persons. The test of dishonesty has two limbs; first were the actions dishonest by the standards of ordinary honest people and secondly should that person have realised that their actions were by those standards dishonest.

#### **Fraud**

Fraud is dishonestly obtaining a benefit by deception or other means and includes both tangible and intangible benefits.

#### **Interest**

Interest is used in relation to declaring personal interests or conflicts of interest, the term "interest" meaning direct or indirect personal interests of Queensland Racing Limited officials. Interests may be pecuniary or non-pecuniary.

#### **Maladministration**

Maladministration is an administrative action that is unlawful, arbitrary, unjust, oppressive, improperly discriminatory or taken for an improper purpose.

#### **Official Misconduct**

Official misconduct is incorporated within the *Crime and Misconduct Act 2001*, and means any conduct connected with the performance of a Queensland Racing Limited official's duties, that is dishonest or lacks impartiality, involves a breach of trust or is a misuse of officially obtained information. The conduct must be a criminal offence or serious enough to justify dismissal.



**Public interest**

Public interest means acting for the common good of the community. Queensland Racing Limited has developed a policy on safeguarding the public interest. Queensland Racing Limited officials should refer to this policy for guidance on what constitutes the public interest and Queensland Racing Limited's responsibilities to this end.

**Queensland Racing Limited Official**

Queensland Racing Limited official includes; Board members of the Queensland Racing Limited Board and all other persons employed or remunerated by Queensland Racing Limited, whether full-time, part time, permanent, fixed-term, contract or casual and includes members of any Queensland Racing Limited sub-committee.

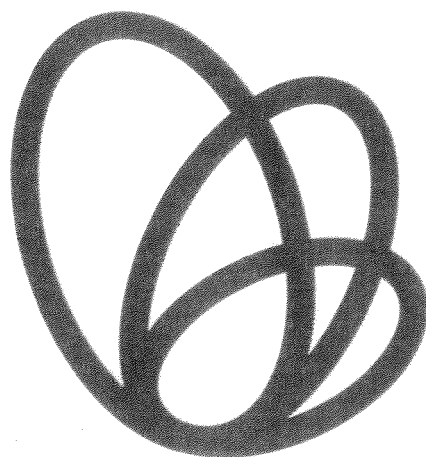
**Statutory obligations**

Statutory obligations are obligations imposed from time to time by legislation including, where relevant and without limitation, obligations imposed on Queensland Racing Limited and/ or Queensland Racing Limited officials by: *Anti-Discrimination Act 1991*, *Crime and Misconduct Act 2001*, *Corporations Act 2001*, *Racing Act 2002*, *Whistleblowers Protection Act 1994* and *Workplace Health and Safety Act 1995* and any relevant regulations made pursuant to statute.

**Whistleblowing**

Whistleblowing is when, in the public interest, as provided for in the *Whistleblowers Protection Act 1994*, a person discloses information about official misconduct, maladministration, reprisal, or danger to public health or safety or environment.





# RACING QUEENSLAND

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## **EMPLOYEE HANDBOOK**

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## WELCOME TO RACING QUEENSLAND LIMITED

It is with pleasure that we welcome you to the Racing Queensland Limited (RQL) team.

Racing occupies a vital place in Queensland's cultural and sporting life. It also makes an important contribution to the state's economy; generating jobs, fostering tourism and creating wealth throughout Queensland. As a RQL employee, you will be part of the ongoing development of an increasingly professional racing industry.

RQL aims to offer its employees interesting, fulfilling and rewarding work in an exciting and dynamic industry. In return, RQL expects the highest standards of professionalism, diligence and integrity.

This handbook has been designed to help you better understand the organisation and to provide a summary of the principles for which RQL stands, information about our values, how we behave and how we work with other people; the benefits to which you are entitled; the policies and procedures affecting your employment; and the undertakings and commitments of RQL and its employees.

This handbook should be read in conjunction with our policies, including human resource policies and procedure manual and your employment agreement or letter of offer.

You should read, understand, and comply with all provisions of the employee handbook. If you do not understand any information contained in the handbook, or if you have any questions concerning the policies or benefits outlined in the handbook, it is important that you speak with your manager.

I look forward to a long and happy association with you as a member of the RQL team.

Yours sincerely

Malcolm Tuttle  
Chief Executive Officer

## INTRODUCTION TO RQL

### Who We Are...

RQL is the control body for racing in Queensland. We coordinate, manage and regulate the industry by:

- ⌘ Administering the Rules of Racing.
- ⌘ Implementing sound policies.
- ⌘ Enforcing standards of safety and integrity.
- ⌘ Licensing industry participants.
- ⌘ Licensing race clubs and monitoring their activities and performance.
- ⌘ Monitoring the condition of racecourses and working with race clubs to ensure courses are developed to a suitable standard.
- ⌘ Commissioning and undertaking research and promotional activities.
- ⌘ Administering industry funding and commercial agreements.
- ⌘ Representing the Queensland racing industry on national bodies.

### What We Stand For...

#### Our Mission

To further enhance the quality and integrity of racing in Queensland.

#### Our Values

RQL recognises that our people make the difference and that we need to attract, develop and retain good people. Five values underpin our work:

- ⌘ **Professional and Ethical** – at all times we are professional and ethical in our dealings with stakeholders and colleagues.
- ⌘ **Results-Orientated** – we ensure that our day-to-day activities are consistent with and contribute to achieving our goals.
- ⌘ **Teamwork** – we work as a team to deliver the best solutions for our stakeholders, recognising and rewarding both team and individual contributions.
- ⌘ **Customer Service Excellence** – we strive to serve our customers with excellence.
- ⌘ **Balance Between Professional and Personal Life** – we recognise that people are our main asset so achieving a balance between professional and personal time is in the best interest of individuals and the organisation.

### Where We Come From; The History of Racing...

Thoroughbred racing has a rich and colourful history in Australia that can be traced back to the earliest days of colonisation by Europeans. Seven horses arrived with the first fleet in 1788, when horses played a vital role in everyday life as a mode of transport, beasts of burden and as a form of recreation.

With horses so important in the colony, it did not take long for the competitive spirit to test the speed of horses and the skill of riders and Australia's first organised horse race is recorded as taking place at Batmans Hill in New South Wales in 1838. Four years later, Australia's first race club, the Australian Jockey Club, was established.

The following year, 1843, saw Queensland's first organised racing meeting held at Coorparoo. However, it was not until 1863 that the Queensland Turf Club was formed and 1865 until the club hosted Queensland's first official race meeting.

Before this, the first trotting race was held in Australia with a sports meeting conducted at Parramatta on 30 April, 1810. Reports suggest that Miss Kitty prevailed on the day in good style. At the time, good carriage horses were able to cover the 15 mile journey from Parramatta to Sydney in less than 60 minutes.

In 1891 the Australian greyhound industry was on the move with the National Coursing Association of NSW established. Two years later the first greyhound meeting was held in Queensland at Allora on the Darling Downs.

With the growth of racing, and the federation of the colonies into the Australian nation, came the need to introduce standardised rules for conducting thoroughbred racing. By 1912 the principal clubs that controlled racing in each state had agreed on the Australian Rules of Racing.

Racing is all about champions and Queensland has produced some truly great horses and the Queensland racing public has witnessed history being made at the track. In 1946, Bernborough, arguably Queensland's greatest horse, won 15 successive events, including the Doomben Double. In 1961, a record crowd farewelled the great Tulloch at the Brisbane Cup; and in 1973, Gunsynd, the Goondiwindi Grey immortalised by Slim Dusty, was farewelled at Doomben.

From a harness racing standpoint, it is doubtful there has been one better than Queensland's Blakes A Fake the winner of a record four (4) Inter Dominion Pacing Championships and \$4.2 million in stakes.

Racing in Queensland has a record of innovation, often placing it at the cutting edge of the development of the sport and industry of racing. In 1878, the world's first totalisator was unveiled at Ipswich, west of Brisbane. In 1901, the year of federation, "electric light racing" commenced at the Gabba in Brisbane's east. In 1962 following Victoria's lead, off-course betting was legalised through the Queensland TAB. Apart from providing a legal form of off-course betting, the TAB provided a source of income for race clubs and revenue for government.

TAB Queensland has grown from humble beginnings to become a billion-dollar operation. Today computers are such a part of mainstream life that it seems incredible that it was not until 1977 that the TAB took its first automated telephone bet and 1980 that it introduced computerised betting. In 1999, the Queensland Government approved privatisation of the TAB. Today the organisation is at the forefront of information technology.

In October 1983, the redeveloped Albion Park was opened with a 'state of the art' 5/8<sup>th</sup> of a mile left handed circuit and a purpose built grandstand that housed the renown 'Silks Restaurant' most famous for its seafood smorgasbord.

The formation of the TAB began a process of liberating racing from the confines of racecourses and taking it to the public wherever they were. In 1986, Sky Channel began broadcasting races live to Queensland hotels and clubs. By 1991, racing had its own radio station, 4TAB, to serve the Queensland public with live race coverage and racing information. Three years later, telephone betting with bookmakers was legalised.

After racing at the Gabba since 1972, the Brisbane Greyhound Club opened its doors at Albion Park in 1993.

For much of its history, women were marginalised or excluded from the racing industry but by the late 1970s this had begun to change. Pam O'Neill successfully lobbied the Queensland Turf Club to license women as strappers and jockeys and in 1979 she won her licence, making her the first woman jockey in Australia. On her first day riding, Pam created a world record for any jockey, male or female, when she rode a treble at Southport. Today women are successful jockeys, stable hands, trainers and veterinarians and occupy key positions in racing industry administration and marketing.

Along with its proud record of leading industry development and producing champions, Queensland also shares the dubious distinction of being the venue for one of racing's most notorious incidents. On 18 August 1984, an open-class sprinter, Bold Personality, was substituted for an ordinary country horse. The Fine Cotton ring-in was uncovered by stewards at the Queensland Turf Club and became another chapter in racing's rich and colourful history.

With the growth of the sport and industry of racing came the need for more professionalism and the highest standards of industry integrity assurance.

The Racing Science Centre was created in 1989 in response to the "caffeine crisis", when errors in drug testing caused a spate of false positive tests to be reported. The Racing Science Centre oversees testing of racing animals for illicit drugs, as well as working with racing administrators and trainers on animal welfare issues.

The Racing Development Fund (RDF), established in 1981, heralded an era of industry expansion. Money for the RDF came from a percentage of TAB turnover, fractions and unclaimed dividends and was used to upgrade racing facilities, fund race series and help the industry develop professionally across all three (3) codes.

By 1990, the Queensland Government believed the State's five thoroughbred principal clubs were no longer able to provide the leadership and management the racing industry needed for it to meet the challenges of an increasingly complex and competitive environment. The Government released its "Green Paper" for restructuring racing administration and, after lengthy industry consultation, the Queensland Principal Club, the forerunner to Queensland Thoroughbred Racing Board, was created in 1992 to unify racing administration in the State.

The industry of racing had grown to become a major part of the Queensland and Australian economy but its actual contribution remained a mystery and a major study of racing's economic impact was commissioned. The landmark 1992 ACIL report found Australian racing generated \$2.4 billion in GDP and the contribution to Queensland's Gross State Product exceeded \$400 million.

The Queensland Principal Club initiated the industry's first strategic plan, Form Guide to the Future, in 1998. Studies conducted by KPMG found Queensland racing (including the thoroughbred, harness and greyhound codes) contributed \$700 million to the State economy and generated full-time, part-time and casual jobs for almost 24,000 Queenslanders. The State Government received almost \$100 million in revenue from the industry.

These contributions were further reviewed by IER in 2009 and it was found that the three (3) racing codes in Queensland were responsible for the employment of 30,000 Queenslanders and contributed \$1.4 billion to the Queensland economy.

With privatisation of the TAB, now known as UNiTAB, in 1999, the racing industry became master of its destiny. The new arrangements meant the industry's revenue was directly tied to its ability to generate betting turnover. The industry would succeed or fail on its merits.

To address the new commercial realities, a skills-based thoroughbred board was appointed to head Queensland Racing in 2002. The board focussed on rationalising Queensland's racing calendar to maximise betting turnover on Queensland races.

In 2003, Queensland Racing relocated to a modern, purpose-built facility at its Deagon training centre. The industry also began reaping the benefits of reform, with increased revenue and lower costs translating into big prize money increases. 2004 saw the first full year of reform, with the financial gains consolidated, record betting turnover and record attendance at Queensland's feature race carnivals.

On 1 July 2010, RQL will commence as the new control body for thoroughbred, harness and greyhound racing:

1. QRL will cease as the control body for thoroughbred racing
2. Queensland Harness Racing Limited will cease as the control body for harness racing, and
3. Greyhounds Queensland Limited will cease as the control body for greyhound racing.

The establishment of one control body for the thoroughbred, harness and greyhound codes of racing is expected to provide a unified commercial focus that will facilitate effective decision making and the development of the Queensland racing industry as a whole.

It is an exciting time for racing in Queensland and we will continue to build on the strong history that precedes us in each of the racing codes.

## ROLE OF RQL AND INDUSTRY STRUCTURE

### Overview

RQL and the Queensland racing industry operate within a complex industry structure that poses its own challenges and requirements. The key elements of the structure are as follows:

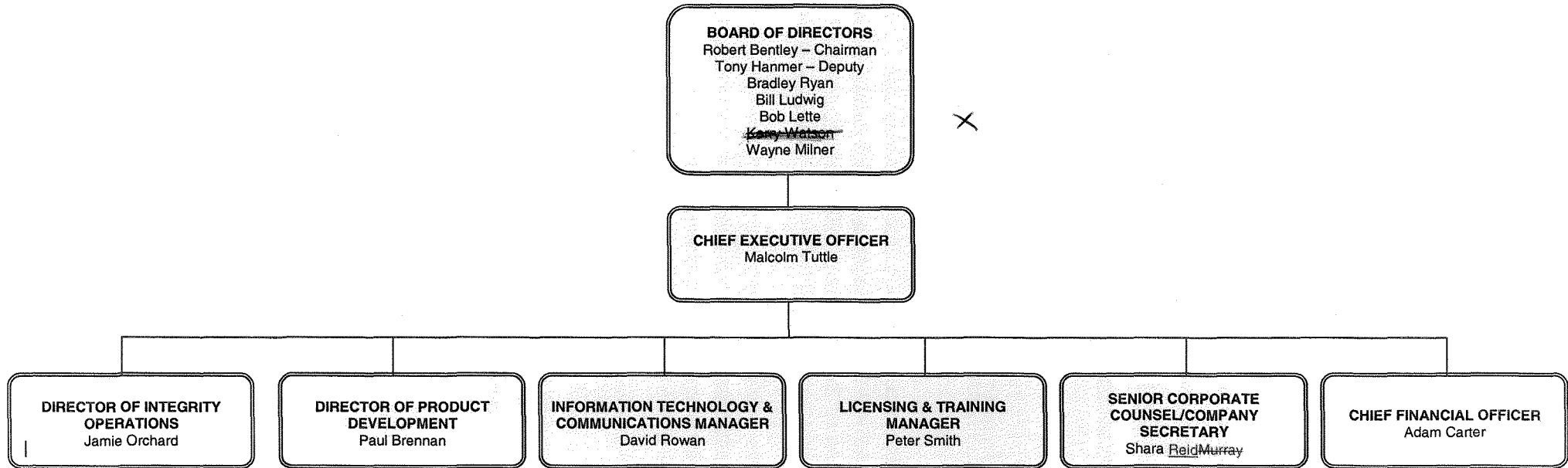
RQL is the licensed control body for the Queensland industry, responsible for establishing and maintaining the policies, funding and licensing arrangements, the product and program and safety and integrity of the industry. RQL is established under the *Racing Act 2002* and is a company limited by guarantee.

- ⌘ RQL interacts with the other Principal Racing Authorities (PRA's) through the National bodies that set the rules of racing and seek to coordinate national initiatives.
- ⌘ Racing Information Services Australia (RISA) which provides a wide range of services to the racing industry and also commercialises the racing product, is owned jointly by the PRA's.
- ⌘ Funding for the industry comes principally through a product and program agreement entered into by the three racing codes with UNiTAB. In addition, revenues are also generated for the Queensland racing industry through charges that are levied against wagering operators for the use of racing information for the purpose of race wagering.

The constitution of RQL is based on best corporate governance principles and has been tailored to suit the Queensland racing industry. The constitution complies with the requirements of the *Racing Act 2002* and *Corporations Act 2001*.



## Our Organisational Structure



## **Our Departments**

### **Chief Executive Officer**

The Chief Executive Officer (CEO) is responsible for the operations of RQL within established policy and in accordance with the delegated authority of the Board of Directors. In addition to leading the Executive team, the CEO is required to provide strategic advice to the RQL Board in relation to the business of racing.

### **Integrity Operations**

The Integrity section ensures the effective delivery of integrity services and operational stewarding throughout the state and is responsible for policy, strategy and performance under these areas, management of the complaints system and investigations as required, and maintaining the interaction with various levels of government. Other responsibilities include the effective delivery of betting analysis and monitoring of all TAB Queensland races. Operational stewarding provides effective delivery of stewarding throughout the state, including management of the regional offices at Toowoomba, Rockhampton and Townsville. It monitors and ensures compliance with the Local and Australian Rules of Racing. This section deals with race day issues requiring resolution as well as issues arising as a result of a proactive investigations section.

### **Product Development**

The Product Development section works with Clubs, the other codes of racing and UNITAB to develop the most effective allocation of race dates, as well as scheduling prizemoney and developing state-wide racing programs and black type races.

Other responsibilities include; asset development planning, the management of breeding schemes, the management of Queensland's Black Type allocation, the interface with the Trainer's Service Centre, the provision of handicapping services to the State, the management of the Deagon complex, and provides support to the Industry on Workplace Health and Safety issues.

### **Finance**

The Finance section provides financial services to the Queensland racing industry and financial, business development and other corporate services to RQL. It administers the centralised prizemoney system and provides accounting and business analyst services to RQL.

### **Information Technology & Communications**

The Information section provides information technology and telecommunications services internally to RQL. While the Communications section provides information to stakeholders in the racing industry and the general public through the monthly magazines, RQL's website and media releases. The Communications section also organises events such as the annual Racing Queensland Industry Awards and works to promote the industry at all levels.

### **Corporate Counsel / Company Secretary**

The Corporate Counsel of RQL ensures compliance with Acts of Parliament and government regulations, and provides company secretary services to the Board. Racing appeals are also managed by this section, as well as providing legal services to the company.

### **Licensing and Training Manager**

The Licensing and Training section provides licensing and training services to licensees and other Queensland racing industry participants, as well as training and development support to RQL. This section administers all license renewals and manages the licensing committee.

## WORKPLACE CONDITIONS AND BENEFITS

### Training and Development

RQL is committed to providing employees with training and development opportunities to ensure that you keep continue to learn and develop within your job and our business. We employ a variety of strategies to create an organisational climate that attracts and retains employees of the highest calibre and optimises their opportunities to contribute to the achievement of our mission and objectives. It is essential to continually maintain and develop our skills to ensure that we provide our stakeholders with the highest standard of service and products, and to ensure that you develop to your full potential.

RQL encourages career development through continuing professional development, formal training, and opportunities for on-the-job experience. An additional component of our employee development strategy is our Study Assistance Scheme which provides assistance to employees participating in authorised education. Everyone is encouraged to, wherever possible, gain well-rounded experience and development within the company.

### Career Opportunities

We value our employees and your career development and believe in promotion from within RQL; before we search outside the company, except where special circumstances exist, we will always look for talented people already working for us. All company vacancies will be advertised internally if the skills required for the position exist within RQL and preference will be given to internal applicants when other aspects are equal.

### Performance Reviews

RQL is committed to creating an environment that encourages high levels of performance. The performance management system is an ongoing communication system between employees and their manager; providing an opportunity to plan, manage, review, recognise and improve performance. It involves establishing clear expectations and understanding about:

- ⌘ The essential function the employee is expected to perform and the desired workplace behaviours.
- ⌘ How job performance will be measured and assessed.
- ⌘ How the employee and manager will work together to sustain, improve or build on existing performance
- ⌘ How the employees' skills and knowledge will be developed to enable the employee to be more effective and efficient
- ⌘ How the successful completion of the function will contribute to the goals of RQL.

Your first performance review will be during your qualifying period. Thereafter, RQL conducts performance reviews on an annual basis with progress reviews conducted every six (6) months to assess performance to date and address any issues that may prevent you from achieving your objectives.

RQL is fully committed to the process including the provision of adequate support and training to equip employees with the skills and experience to grow and develop in the business.

### Remuneration Reviews

RQL's remuneration standards are based on a "pay for performance" philosophy, according to your experience and your position. We will review remuneration levels on an annual basis during July.

RQL will remunerate employee's on the basis of competitive market rates, ensuring equity at all times. Salary packaging is also available for motor vehicles, superannuation, business related equipment and private health insurance.

If you have been with us for less than six (6) months at remuneration review time, you may not be eligible for a salary review due to your short length of time with us.

## Communication

At RQL, effective communication is vital to foster a people focussed work environment defined by recognition, opportunity, respect, courtesy, cooperation, consideration and ongoing feedback. To ensure effective communication we need to consider the best method of communication for each situation. We have established some communication guidelines, which if followed will assist us in being effective communicators both internally and externally.

- ⌘ All communication should comply with our values.
- ⌘ Seek first to understand and then to be understood.
- ⌘ Always respect confidentiality.
- ⌘ As a minimum reply to communication in the method that it was received. To improve communication, go up the communication hierarchy (see below).
- ⌘ Communicate with the receiver in mind, in a method and at a level appropriate to them.

### The Hierarchy of Communication

<b>Face to Face Communication</b>	<p><b>When to Use</b></p> <ul style="list-style-type: none"> <li>⌘ In conflict or potential conflict situations</li> <li>⌘ In sensitive situations or when involving sensitive information</li> <li>⌘ If delivering bad news</li> <li>⌘ If there is a significant issue or occasion</li> <li>⌘ To conduct performance reviews</li> </ul>	<p><b>How to Use</b></p> <ul style="list-style-type: none"> <li>⌘ Be in an appropriate environment</li> <li>⌘ Be in the moment; no interruptions</li> <li>⌘ Be prepared; have all the facts</li> <li>⌘ Use active listening</li> <li>⌘ Use body language; eye contact, shake hands, mirror the other person</li> </ul>
<b>Phone Communication</b>	<p><b>When to Use</b></p> <ul style="list-style-type: none"> <li>⌘ If you cannot meet face to face</li> <li>⌘ If it isn't necessary to meet face to face</li> <li>⌘ To book external appointments</li> <li>⌘ When making a call would improve customer service and relationships</li> </ul>	<p><b>How to Use</b></p> <ul style="list-style-type: none"> <li>⌘ Reception, extensions and mobiles should be answered professionally</li> <li>⌘ Urgent calls should be returned immediately</li> <li>⌘ Return all calls by close of business the following day</li> </ul>
<b>Written Communication</b>	<p><b>When to Use</b></p> <ul style="list-style-type: none"> <li>⌘ If it is important to document the facts or when a permanent record is required</li> <li>⌘ If it is beneficial to the recipient for it to be in writing</li> <li>⌘ To confirm conversations in conflict or potential conflict situations</li> </ul>	<p><b>How to Use</b></p> <ul style="list-style-type: none"> <li>⌘ Personalise every letter</li> <li>⌘ Sign every letter personally</li> <li>⌘ Respond within seven days of receiving correspondence</li> </ul>
<b>Email Communication</b>	<p><b>When to Use</b></p> <ul style="list-style-type: none"> <li>⌘ To ask simple, non-confrontational questions</li> <li>⌘ To transfer information</li> <li>⌘ To set internal or external appointments</li> <li>⌘ If there is no chance for an error in interpretation</li> <li>⌘ If there is no conflict between the parties</li> </ul>	<p><b>How to Use</b></p> <ul style="list-style-type: none"> <li>⌘ Be clear, make emails easy to understand</li> <li>⌘ All external emails should have a signature block</li> <li>⌘ If an email received is marked urgent it should be answered immediately</li> <li>⌘ Return all emails received by close of business the following day</li> </ul>

<b>Text Communication</b>	<b>When to Use</b>	<b>How to Use</b>
	<ul style="list-style-type: none"> <li>⌘ If the communication is with someone internally</li> <li>⌘ When it is the only means of contact</li> </ul>	<ul style="list-style-type: none"> <li>⌘ Check the recipient before sending</li> <li>⌘ Be clear; avoid 'text talk'</li> </ul>

The door is always open at RQL; do not be afraid to approach your manager with your ideas, concerns and feedback. Team meetings are held regularly to discuss any concerns and provide you with the opportunity to suggest improvements. Your feedback is crucial to our success.

### Company Mobile Phones

RQL may provide you with a mobile phone for the purpose of improving business efficiency. If we provide you with a mobile phone please remember its primary purpose is business, not personal, use. Personal calls within reason will be accepted, and form part of your remuneration package. All calls are itemised on monthly statements and any abuse of this entitlement may result in disciplinary action, including the return of your mobile phone.

Please look after your mobile phone, RQL reserves the right to seek reimbursement from you for any damage, loss, theft, or other expenses incurred that are caused by an employee's wilful or negligent act or omission.

### Company Motor Vehicles

RQL employees may elect to have an eligible motor vehicle included in their salary package, subject to approval, by way of Tool of Trade or Novated Lease (see motor vehicle policy for details on Novation).

If you elect to do so please note the following conditions:

- ⌘ Tool of Trade/Company vehicles shall be made available for the authorised use of other employees during working hours and returned to RQL, at our discretion, or if you are absent from work for an extended period.
- ⌘ Excluding the event of an emergency, no person other than an appropriately trained/licensed employee shall operate Tool of Trade/Company vehicles.
- ⌘ RQL shall not accept responsibility for any penalty or fine that may be imposed in relation to the use of the vehicle unless required by law, in which case you shall reimburse RQL for the penalty or fine.
- ⌘ You must ensure that Tool of Trade/Company vehicles are properly maintained and RQL reserves the right to inspect the vehicle upon demand.
- ⌘ RQL reserves the right to seek payment from you for any maintenance, repairs or replacement of the vehicle caused through the wilful or negligent misuse of the vehicle by you.
- ⌘ Any maintenance and/or repairs to the vehicle shall be carried out by a service provider approved by RQL and, subject to the provisions above, at the expense of RQL.
- ⌘ Should the vehicle be involved in an accident or otherwise damaged you must notify your department manager immediately.

During the course of employment, licensed employees may also use a company pool car. In addition to the conditions outlined above, use of pool cars is subject to the employee completing the log book to a satisfactory standard (see motor vehicle policy for details on use of pool cars).

## Company Equipment and Property

All documents, records, papers, manuals, materials of any nature and other property of, or relating to, the business of RQL, whether prepared by you or not, are the property of RQL.

All equipment and company property should be safeguarded and remain on RQL's premises unless permission has been granted for the item to be removed.

## Social Activities

RQL encourages social activities to reward employees for their efforts. Occasionally we may hold social functions or request you to attend stakeholder or social functions, where alcohol is available.

RQL promotes the responsible consumption of alcohol and we expect employees to drink responsibly. All work related social activities are not compulsory and that in the event you choose to consume alcohol at any work related function you should do so in moderation and respect those who do not wish to partake. Please be aware that RQL social functions and events are part of work and the requirements of the RQL Code of Conduct and other policies will apply to your behaviour.

## WorkLife NAB

RQL currently provides all full time permanent employees' membership to WorkLife NAB. This membership is a comprehensive employee benefits program which provides access to significant savings incorporating both lifestyle and financial benefits. Details of the lifestyle and banking benefits are provided on the RQL intranet.

If you are eligible to receive a membership card you can access further detailed information on what is available on the website <http://worklife.nab.com.au/site/index.asp> and we urge you to subscribe to the monthly e-newsletter so you are aware of the latest deals and benefits.

## Gym Facilities

Fitness and conditioning centres for jockeys, apprentices and trainees are situated at RQL's Deagon, Caloundra and Rockhampton locations. As an added benefit for RQL employees, the use of these facilities is made available to staff outside allocated training times.

Cardiac, conditioning and strengthening equipment is available which is of the latest design and is durable and easy to use for all fitness levels.

For access and use of the gym and equipment all users must complete a user agreement, questionnaire and obtain a key. Forms are available from the Training Department. Gym facilities are co-ordinated by RQL's Licensing & Training Manager.

## Employee Records

It is important that up-to-date records are accurately and rigorously maintained regarding your personal details and career history. Please ensure that you update any changes to your personal details such as your address, telephone number or emergency contacts, as well as any additional experience or qualifications gained through the employee service portal of ConnX.

## Reimbursement of Expenses

If you use your own money for work related expenses we will reimburse you, as long as the expense is necessary to your job and:

- ⊗ Your manager gives you the approval beforehand.
- ⊗ You have documentary evidence of the expense satisfactory to your manager.

- You make a claim for reimbursement within a reasonable time of incurring the expense.

On occasions, you may be required to entertain stakeholders and business associates. This entertainment is dependent upon the existence of a business relationship and that the relationship would benefit RQL. When more than one employee is present at a business meal or entertainment event, the most senior employee must pay and claim the expense. All expense claims need to be approved by the appropriate manager prior to reimbursement.

Provided that we are satisfied the expenses incurred are legitimate business expenses, reimbursement will be made within fourteen days.

All expenditures must be reported accurately and in a timely way and an accurate and auditable record of all financial transactions relating to RQL must be maintained in accordance with generally accepted accounting principles. No entry should be made in the company records that distorts or disguises the true nature of any transaction.

Please note that submission of a fraudulent expense report will be regarded as serious misconduct and disciplinary action up to and including summary dismissal may apply.

## POLICIES AND PROCEDURES

The following information is important extracts from our Human Resource Policies and Procedure Manual. As part of your induction you are expected to familiarise yourself with our policies and your responsibilities and obligations. The Human Resource Policies and Procedure Manual can be found on the RQL intranet.

### Code of Conduct

RQL is committed to delivering the highest standards of corporate practice and business conduct. We aim to be a model corporate citizen; conducting business in an ethical and responsible manner, complying with all applicable legal requirements, promoting a positive and ethical work environment for employees, and making a positive contribution to the community. The Code applies to all RQL employees.

### Corporate Governance

- ⌘ RQL is responsible for the control, supervision and regulation of racing in Queensland.
- ⌘ The Board is responsible for determining the strategic direction of RQL and ensuring compliance with the statutory obligations.
- ⌘ The Chair of the Board plays an important leadership role in ensuring RQL works effectively.
- ⌘ The Deputy Chair of the Board acts as the Chair of the Board during all periods when the Chair is absent from duty or, for another reason, cannot perform the functions of the office.
- ⌘ Management is responsible for ensuring all RQL officials within their organisational area comply with the Code.

### Principles of the Public Sector Ethics Act 1994

- ⌘ All officials must support the implementation of government policy effectively and impartially, and carry out official duties lawfully, observing statutory obligations.
- ⌘ All officials must treat all stakeholders and employees with courtesy, honesty and fairness and with proper regard for their rights and obligations.
- ⌘ All officials must perform their duties with the highest standards of personal integrity and honesty.
- ⌘ All officials must comply with all reasonable and lawful instructions, comply with and implement RQL policies faithfully and impartially, and exercise all reasonable care, skill and diligence in giving information or advice.
- ⌘ All officials must ensure RQL resources are safeguarded and not wasted abused or used improperly or extravagantly.

### Code Breaches

- ⌘ If you are aware of, or have genuine suspicions of, any breaches to our code of conduct, policies and procedures manual or any legal violation you must report these issues to your manager.
- ⌘ If you, in good faith, make a complaint or disclosure about an alleged breach of the code you will not be disadvantaged or prejudiced for making a complaint or disclosure.



## Workplace Health and Safety

The health, safety and welfare of our employees, customers and community is very important to RQL. We recognise our responsibility to provide a safe and healthy workplace for all employees, stakeholders, visitors and contractors. To ensure the wellbeing of others, we are committed to:

- ⌘ Identifying and controlling factors within the workplace that may cause injury or health issues.
- ⌘ Providing safe equipment and systems of work.
- ⌘ Ensuring compliance with legislative requirements and industry standards.
- ⌘ Providing information, training and supervision to ensure safety.
- ⌘ Providing a trained Workplace Health and Safety Officer

To assist RQL in providing a healthy and safe workplace you must report any incidents, injuries, or identified hazards to your manager immediately. Workplace health and safety is not a “one-way street”, everyone is responsible for ensuring the highest possible care in all work related activities.

## Workplace Rehabilitation

RQL recognises that there are substantial benefits to be gained from rehabilitation principles and practices and is committed to implementing them in the workplace. RQL is committed to:

- ⌘ Fostering a culture of acceptance for workplace rehabilitation.
- ⌘ Providing a process to support an early safe return to work and maximise independent functioning.
- ⌘ Ensuring that the position of rehabilitation coordinator is adequately resourced.
- ⌘ Ensuring that adequate storage is provided to maintain the confidentiality of rehabilitation files.

## Emergency and Evacuation Procedures

In the interests of both employee and stakeholder safety, you must make sure you are familiar with the procedures for evacuating the workplace and your responsibilities in emergency situations. It is important to know where the first aid kits, hose reels, fire extinguishers and emergency exits are located. Each new employee will be given information on these procedures.

*Please ensure that you are familiar with all workplace health and safety policies and procedures applicable to your role and as detailed in our Workplace Health and Safety and Workplace Rehabilitation Policy.*

## Smoking, Drugs and Alcohol

RQL is committed to providing a smoke free work environment that is also free from the risks of hazards and injury associated with the abuse of alcohol or other drugs.

In accordance with the legislation, smoking is not permitted in any work area including company vehicles. Those employees who do smoke cigarettes should be conscious of the company's corporate image and be discreet when selecting a smoking location outside of the work area. Smoking is allowed only in prescribed rest or meal breaks.

Alcohol and drug use can affect your work performance, posing health and safety risks to employees, stakeholders, and members of the public. As a general rule, for safety and social reasons, you should never arrive at work or be at work while intoxicated or under the influence of illicit drugs or other drugs that impair your ability to perform your duties. Consumption of alcohol at RQL and stakeholder functions may be acceptable provided that alcohol is not consumed in excess.

If we suspect you are intoxicated or under the influence of illegal or non-prescription drugs you may be required to undergo alcohol or drug tests. If the tests indicate intoxication above the legal or acceptable limit and/or you refuse to take a test, you may be subject to disciplinary action.

Repeated poor work performance caused by alcohol or drug use, or significant impairment that makes you unable to perform the duties of your role, create a serious safety risk and is regarded as serious misconduct. In addition, we prohibit the possession, transfer, or use of illegal substances on our premises, if you are found in possession of or under the influence of illegal drugs during working hours you may be subject to disciplinary action, up to and including summary dismissal.

*See the Workplace Smoking, Drugs and Alcohol Policy for a detailed explanation of RQL's approach to these issues.*

## **Personal Presentation**

The image that RQL projects to the community and its stakeholders is paramount to how we are perceived. RQL employees are required to dress in a manner appropriate to their position, work location and duties while at work or any time they are representing the company, to ensure that RQL is represented positively and that our image is maintained. A high level of personal hygiene and appearance should be maintained at all times.

RQL has a corporate uniform and available to all employees. Each full-time employee will receive an initial issue of uniform clothing to the value of \$500, at RQL's expense and additional items of clothing may be purchased at the employee's expense. The uniform is not compulsory, except for the full time RQL receptionist; however employees are required to comply with the minimum dress standards as stipulated in the RQL code of conduct.

*More detail on personal presentation is available in the Personal Presentation Policy.*

## **Working Hours**

Your working hours are set out in your Employment Agreement. Given the nature of our business you need to be flexible and available to work additional hours as required to complete your duties and meet our business and stakeholder needs.

## **Flexible Working Arrangements**

The *Fair Work Act 2009* has introduced a flexible working arrangement for permanent employees who are responsible for the care of a child under school age to request a change to their working arrangements in order to care for the child. RQL will consider all requests. Eligibility rules apply.

## **Leave Entitlements**

### **Annual Leave**

#### **Who is entitled to annual leave?**

All full-time and part-time employees are entitled to paid annual leave.

#### **What is my annual leave entitlement?**

Full-time employees, other than stewards, are entitled to 20 days of annual leave for each completed year of employment, pro-rata for part-time employees.

Full-time employees, engaged as stewards, are entitled to 25 days of annual leave for each completed year of employment, pro-rata for part-time employees.

Unused annual leave carries forward from year to year, and is paid out at the end of your employment with RQL.

#### **When can I take annual leave?**

We encourage employees to take annual leave on a regular basis to ensure that employees have the opportunity to balance their work, social and family life. Annual leave may be taken at a time which is agreed upon with RQL, subject to the operational requirements of the company. Requests for annual leave should be made through the leave application of ConnX. We will not unreasonably

refuse the taking of annual leave, however there are certain times during the year when annual leave will not usually be granted and these times differ in various parts of the business.

To ensure you maintain a healthy work and life balance, we encourage you to take leave each year. We may direct you to take annual leave in accordance with applicable legislation, which currently requires the giving of notice and says that we cannot direct you to take all of your accrued leave.

### **Personal/Carer's Leave**

Personal/Carer's leave includes leave taken because you are ill or injured (personal leave); and leave taken to provide care to a member of your immediate family or household, who needs support because of an illness, injury or an unexpected emergency (carer's leave).

#### **Who is entitled to paid personal/carers leave?**

All full-time and part-time employees are entitled to paid personal/carers leave.

#### **What is my paid sick/carers leave entitlement?**

Full-time employees are entitled to 10 days of paid personal/carers leave for each year of employment, pro rata for part-time employees.

Unused personal/carers leave carries forward from year to year, but any unused personal leave is not paid out at the end of your employment with RQL.

#### **Are there any conditions before I am entitled to personal leave?**

Yes, there are conditions relating to notifying RQL of your absence and providing documentary evidence to the company regarding your absence if requested to do so.

If you are unable to attend work you must advise your manager by telephoning them as soon as possible on the day of your absence, stating the reason for your absence and as far as is practicable the estimated duration of your absence. If your manager is not available, speak to the next most appropriate manager or employee to ensure that your manager is aware of your absence.

Requests for personal/carers leave should be made through the leave application of ConnX.

We may ask you to provide reasonable proof of the reason for your absence if you take personal or carers leave. This will usually be in the form of a medical certificate or statutory declaration, evidencing the illness, injury or unexpected emergency, as soon as reasonably practicable.

#### **Are there any restrictions on taking paid personal leave?**

Yes, unless RQL agrees otherwise in writing, you cannot take more than 13 weeks of personal leave per year (pro-rata for part-time employees). These restrictions apply even if you have accumulated more than the necessary leave required to be taken.

You are also not entitled to paid personal/carers leave for any period during which you are entitled to workers compensation payments.

### **Unpaid Carer's Leave**

#### **Who is entitled to unpaid carer's leave?**

All employees are entitled to unpaid carer's leave.

#### **What is my unpaid carer's leave entitlement?**

You are entitled to a maximum of two (2) days of unpaid carer's leave for each occasion that you are required to care for a member of your immediate family or household because they are ill, injured or there is an unexpected emergency affecting that family or household member.

#### **Are there any restrictions on taking unpaid carer's leave?**

Yes, you are only entitled to take unpaid carer's leave if you have exhausted your paid sick/carers leave entitlements.

Requests for unpaid carer's leave should be made through the leave application of ConnX.

We may ask you to provide reasonable proof of the reason for your absence if you take unpaid carer's leave. This will usually be in the form of a medical certificate or statutory declaration, evidencing the illness, injury or unexpected emergency as soon as reasonably practicable.

### **Compassionate Leave**

#### **Who is entitled to compassionate leave?**

All full-time and part-time employees are entitled to compassionate leave.

#### **What is my compassionate leave entitlement?**

You are entitled to two (2) days of paid compassionate leave on each occasion that a member of your immediate family or household dies or suffers an illness or injury that poses a serious threat to their life.

Additional leave may be granted at RQL's discretion should extended travel be required to attend the funeral or visit the family member.

For the purpose of this entitlement, a member of your immediate family includes: a spouse or de facto partner; or a child, parent, grandparent, grandchild, or sibling of either yourself or your spouse or de facto partner.

#### **Are there any conditions before I am entitled to compassionate leave?**

Yes, we may ask you to provide documentary evidence of the illness, injury or death as soon as practicable.

Requests for compassionate leave should be made through the leave application of ConnX.

### **Long Service Leave**

#### **Who is entitled to long service leave?**

Long service leave is available to full-time and part-time employees who have completed 10 years of continuous employment with RQL, and to casual employees in certain circumstances.

#### **What is my long service leave entitlement?**

You will be entitled to paid long service leave in accordance with the relevant legislation.

#### **Are there any conditions before I am entitled to long service leave?**

Eligibility for taking long service leave and all conditions will be in accordance with the relevant legislation.

Long service leave may be taken at a time which is agreed upon with RQL, subject to the operational requirements of the company. A minimum of four weeks' notice should be provided to allow for any arrangements necessary to provide adequate cover during your absence. We will not unreasonably refuse the taking of long service leave.

Requests for long service leave should be made through the leave application of ConnX.

### **Community Service Leave**

Community service leave includes leave taken to attend to community based requirements such as jury service or the defence forces.

#### **Who is entitled to community service leave?**

Community service leave is available to full-time and part-time employees who are called to attend jury service or attend ADF Reserve service, on a day that they would normally work.

#### **What is my community service leave entitlement?**

Jury service is a paid service and RQL will make up any difference should the payment be less than an employee's usual salary.

You will be entitled to unpaid defence force leave in accordance with the relevant legislation.

### **Are there any conditions before I am entitled to community service leave?**

Yes, we may ask you to provide your jury service orders and all documentation associated with your payment for jury service; or we may ask you to provide reasonable evidence of the necessity for you to attend ADF Reserve service.

Requests for community leave should be made through the leave application of ConnX.

*More detail on leave entitlements is available in the Leave Policy.*

## **Parental Leave**

### **Who is entitled to parental leave?**

Parental leave is available to full-time and part-time employees with at least 12 months continuous employment with RQL, and to casual employees who have been engaged with the company on a regular and systematic basis for at least twelve months.

### **What is my parental leave entitlement?**

You are entitled to 52 weeks of unpaid parental leave upon the birth or adoption of your child.

You may also request an additional period of parental leave of up to 52 weeks. RQL will only refuse requests on reasonable business grounds.

### **Where can you find more information on parental leave?**

We will grant parental leave in accordance with the legislation or industrial instrument applicable to your employment. There are various rules about the time for taking leave and notifying RQL of your intention to take leave.

*For more detailed information on parental leave please refer to the Parental Leave Policy.*

## **Extended Unpaid Leave**

There is no standard entitlement to extended unpaid leave however; RQL may at its discretion approve extended unpaid leave considering the prevailing work requirements. Generally extended unpaid leave will not be granted if you intend to undertake other employment. You must disclose in writing to RQL any other work you plan to do while on extended unpaid leave.

Requests for unpaid leave should be made through the leave application of ConnX.

Unpaid leave of longer than three (3) months, whilst not breaking your period of continuous service, will not count as service for the purpose of calculating leave entitlements.

*For more detailed information on parental leave please refer to the Leave Policy.*

## **Payroll**

You will be paid on a monthly basis (unless otherwise agreed with the payroll department) to the bank account of your choice.

Your pay will be calculated in accordance with your Employment Agreement and/or applicable industrial instrument. After each pay day you will receive a payslip providing details of your pay for that period. Payroll deductions will be made for a range of purposes, including income tax, all deductions will be clearly shown on your payslip.

Payroll should be advised of any changes to your bank account or personal details via a Personal Details Form.

## **Overpayments**

In the event of an overpayment of monies the company may recover the amount of overpayment provided that you are given notification of:

- The intention to recover the monies.

- Ⓐ The amount to be recovered.
- Ⓑ A full explanation of the reasons for the overpayment.

If on separation of employment you have not paid any amount due to RQL, we may deduct these amounts from your final pay, at RQL's discretion.

*More detail on our payroll practices is available in the Payroll Policy.*

## Privacy

RQL will only collect personal information ethically and lawfully. We seek to collect information in a fair manner, and in a way which is not unreasonably intrusive.

### Collecting Personal Information

If you are collecting personal information on the company's behalf, you must inform the person of the purpose for which the information is collected and that, subject to some limitations, they will be able to gain access to the information collected. You must collect information from the individual concerned whenever reasonable or practical to do so. If you collect information about an individual from someone else then you must take reasonable steps to ensure the individual is, or has been, made aware of all of the items listed above.

### Data Security, Access and Accuracy

RQL will take reasonable steps to protect personal information; to ensure that data is appropriately accurate, complete and current; and stored no longer than necessary.

You must ensure that the confidentiality of personal information contained in our records is strictly maintained. Personal information relating to individuals, including individual employees, should not be provided to other employees unless it is required to perform their jobs.

Information relating to employment records, salaries and addresses cannot be released to external organisations unless required by law, or upon informed consent from the relevant employee.

*See the Privacy Policy for a detailed explanation of our privacy practices.*

## Information Technology

RQL's information systems and the data on them are important components of our business. While employed by RQL you may be provided with an email address, access to our networks and the internet. You are requested to use these facilities in an appropriate, ethical and lawful manner. User names and passwords must be kept secret at all times and are not to be disclosed to any person at any time.

RQL's computer equipment, software and the information on our systems, as well as any company information you may have on personal information systems, are RQL property and may only be used for authorised purposes. You may use our systems for limited personal use however; such use must not constitute unacceptable work practices and should be conducted at times so as not to impact on your work commitments.

### Things You Need to Know about your Email Use

- Ⓐ Email is not private; it belongs to RQL and may be read at any time by our management team.
- Ⓑ Email uses our name and therefore suggests that you are communicating with the authority of RQL.
- Ⓒ Email may be inspected by parties outside of RQL, such as in the event of litigation.

### Guidelines to Ensure the Proper Use of Email

All users are to adopt the following guidelines in ensuring the proper use of electronic resources:

- Ⓐ Don't put anything in email that you would not want repeated to someone else.

- ⓧ Don't put anything in email that you would not put in a hard copy memo.
- ⓧ Tell your manager if inappropriate mail is forwarded to your address; you are responsible for the content of emails received and forwarded from your email address.

### **What Internet and Email Activities are Unacceptable Work Practices?**

- ⓧ Violating the intellectual property rights of others such as, breaching copyright by copying their graphics or text material, or using other license software without proper authorisation.
- ⓧ Introducing malicious programs, (such as viruses, worms, trojan horses) to RQL systems.
- ⓧ Revealing account passwords to others or allowing use of accounts by others.
- ⓧ Using RQL's internet resources for unauthorised commercial or personal advertisements, solicitations, promotions, political material or any other similar use.
- ⓧ Circumventing user authentication or security of any host, network or account or accessing the internet other than through the RQL's security system.
- ⓧ Affecting security breaches or disruptions of network communication, such as accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorised to access.
- ⓧ Without proper authorisation, invading the privacy of individuals or entities that are creators, authors, users, or subjects of information resources; this includes publishing any information, which violates or infringes upon the rights of any person.
- ⓧ Downloading or installing any executable files, this includes movie files, sound files and games.
- ⓧ Sending, receiving, accessing, displaying, printing or otherwise disseminating material that is fraudulent, illegal, discriminatory, embarrassing, sexually explicit, obscene, intimidating, defamatory, or would amount to harassment.
- ⓧ Subscribing to mailing lists, sending unsolicited emails or participating in chain letters.
- ⓧ Accessing any chat sessions (other than for work purposes) or 'blog' sites such as Face Book or My Space.
- ⓧ Sending e-mail using somebody else's email address.
- ⓧ Misrepresenting RQL or transmitting material that might bring RQL into disrepute.
- ⓧ Wasting finite resources or obstructing other employees' work by consuming large amounts of system resources, especially the sending of broadcast messages or any other types of use which would cause congestion of the networks or otherwise interfere with the work of others.
- ⓧ Without proper authorisation, transmitting or making available via the internet RQL information.
- ⓧ Using an account to send anonymous messages, or attempting to obscure the origin of any message or download material under an assumed internet address or otherwise disguise their user identity.

RQL may monitor electronic transmissions at any time, to ensure that they are used appropriately. Inappropriate use of the internet or email may result in disciplinary action, as well as any action taken by an external party. Breaches of the law will be referred to the relevant law enforcement authority and suspected official misconduct will be reported to the Crime and Misconduct Commission.

*See the Information Technology Policy for a detailed explanation of our information technology practices.*

## **Discrimination and Workplace Harassment**

RQL is an equality opportunity employer. We value the diversity of our workforce and respect the differences between employees, recognising that each employee has individual skills and attributes to bring to their job. RQL is committed to treating all employees fairly based on ability,



skills and culture fit and creating an atmosphere that encourages good working relationships and respect between employees.

### **What is Discrimination?**

Discrimination means treating someone less favourably than another in the workplace because of one of the following characteristics. Discrimination can be direct or indirect, intended or unintended.

- ⌘ Gender.
- ⌘ Relationships Status.
- ⌘ Parental Status.
- ⌘ Breastfeeding.
- ⌘ Age.
- ⌘ Race.
- ⌘ Impairment or Disability.
- ⌘ Lawful Sexual Activity.
- ⌘ Carer Status.
- ⌘ Political Beliefs or Activities.
- ⌘ Trade Union Activity.
- ⌘ Pregnancy or Potential Pregnancy.
- ⌘ Gender Identification.
- ⌘ Sexual Orientation.
- ⌘ Family Responsibilities or Status.
- ⌘ Religious Beliefs or Activities.
- ⌘ Irrelevant Criminal Background.
- ⌘ Association with anyone identified on the basis of these attributes.

### **What is Sexual Harassment?**

Sexual harassment is unwelcome behaviour of a sexual nature, which is offensive, humiliating or intimidating; it can be a single incident depending on the circumstances. Humour, friendships and relationships based on mutual consent are not sexual harassment.

### **What is Workplace Harassment?**

Workplace harassment is non-sexual behaviour that is unwelcome, offensive, intimidating, humiliating or threatening; it may be verbal, non-verbal or physical in nature. Workplace harassment does not include management action taken in a reasonable way by RQL in connection with your employment.

### **What is Victimisation?**

Victimisation is conduct that threatens or harms people who have made a complaint about discrimination or harassment; agreement to be a witness in a complaint process about discrimination or harassment; or have had a complaint or discrimination or harassment made against them.

### **What is Vilification?**

Vilification is behaviour that happens in a public place and incites other to hate, to have serious contempt for, or to severely ridicule individuals or groups because of their race, religion, sexuality or gender identity.

### **Your Rights and Obligations**

You have a right to work in an environment free of discrimination and workplace harassment and, if it does occur, you have a right to complain, to be taken seriously and not be disadvantaged from lodging or bearing witness to a complaint. You also have a responsibility to understand discrimination and workplace harassment and to ensure that you do not participate in or condone such activities.

If you have concerns regarding discriminated or workplace harassment please refer to our *Discrimination and Workplace Harassment Policy* and *Grievance Handling Policy* for details on how to manage the situation or lodge a complaint.

Discrimination and workplace harassment will not be tolerated and disciplinary action will be taken against anyone who engages in discriminatory or harassing behaviour, or who victimises or retaliates against a person who reports discrimination.



*See the Discrimination and Workplace Harassment Policy for more detail on our approach to discrimination and workplace harassment.*

## **Grievance Procedure**

RQL aims to create a healthy, safe and enjoyable work environment for employees. If you have a work related problem, a grievance, you should raise it with your manager or an appropriate person to ensure the grievance is resolved as quickly as possible.

Grievances in the workplace are important and may have serious consequences for everyone involved. Anyone involved in a grievance should display good faith at all times and genuinely participate and cooperate in attempts to resolve the matter. If you are involved in a grievance you must maintain complete confidentiality to protect everyone concerned.

RQL will treat any grievance raised seriously and investigate it confidentially and objectively.

*More detail on our grievance practices is available in the Grievance Handling Policy.*

## **Confidentiality and Intellectual Property**

### **Confidential Information**

Confidential information is an asset to RQL. We have some fairly strict policies relating to confidentiality and you are expected to comply with the obligations below.

#### **What Kind of Information is Confidential?**

Confidential information means information regarding RQL's business such as that relating to finance, pricing, stakeholders, suppliers and service, marketing, strategies, employees, technology or software, intellectual property, designs, company systems and procedures, general business, and any other information that should be treated as confidential.

Information that the public is able to access, other than because of your disclosure, is not confidential.

#### **What if I am Uncertain about Whether Information is Confidential?**

If you are not sure if information is confidential you should treat it as if it is confidential unless RQL agrees in writing that it is not confidential.

#### **Your Confidentiality Obligations**

Any information that is not generally available to the public concerning RQL's activities, results or plans must only be used for authorised purposes. During your employment and after your employment ends, you agree that you will keep confidential all confidential information, and not discuss, communicate or transmit confidential information to unauthorised persons or make any copies of confidential information. Serious disciplinary action, which may include termination of employment, may result if you are found to have breached our confidentiality requirements. Your obligations relating to confidential information continue after your employment ends.

Confidentiality provisions don't apply if you are required to disclose the information by law, you obtain your manager's approval, or you are disclosing the information for a proper purpose relating to RQL.

### **Intellectual Property**

Intellectual property belongs to RQL and is an asset to the company. You must protect and treat intellectual property information as confidential.

#### **What is Intellectual Property?**

Intellectual property means ownership of, and rights relating to, confidential information; inventions; trademarks; patents; designs; company databases; business ideas, processes, proposals or strategies; discoveries and copyright material.

## Your Intellectual Property Obligations

Any intellectual property that you create or develop relating to RQL, including any work you do for our stakeholders, belongs to RQL. If required, you must do everything necessary to transfer the intellectual property rights to RQL. Your obligations relating to intellectual property continue after your employment ends.

*See our Confidentiality and Intellectual Property Policy for more detail on confidentiality and intellectual property at RQL.*

## Performance Counselling

RQL is committed to creating a high performance culture and endeavours to provide an effective, prompt, equitable and consistent approach to managing unacceptable performance or behaviour.

### What is the Performance Counselling Process?

Performance counselling may involve, but is not limited to, action such as counselling discussions, training and education, written warnings, demotion or dismissal. All disciplinary processes should be confidential, prompt and procedurally fair.

*More information on RQL's performance counselling practices is available in our Performance Counselling Policy.*

## Termination of Employment

Your employment with RQL can be terminated by either you or RQL by providing notice as specified in your employment agreement or the industrial instrument under which you are employed.

### What if my Employment with RQL is Terminated by the Company?

If you find yourself in a situation where your employment is terminated by RQL you will be entitled to notice, or payment in lieu of notice, as per your employment agreement or applicable industrial instrument.

### Can my Employment be Terminated without Notice?

Yes, despite our performance counselling processes, there are a number of actions that are regarded as so serious that immediate termination without notice may result. Such acts of misconduct may include (depending on the severity), but are not limited to:

- ⊗ Fraud.
- ⊗ Theft from RQL, another employee, contractor or stakeholder.
- ⊗ Violence or fighting.
- ⊗ Workplace harassment.
- ⊗ Sexual harassment.
- ⊗ Wilful disobedience.
- ⊗ Wilful destruction or property belonging to RQL, another employee, contractor or stakeholder.
- ⊗ Insubordination.
- ⊗ Drunkenness or under the influence of illegal drugs.
- ⊗ Use, sale or possession of illegal non-prescription drugs whilst on RQL premises.
- ⊗ Sleeping on the job.
- ⊗ Insulting words/ abusive language/ obscenity.
- ⊗ Failure to observe safety rules.
- ⊗ Insolence.
- ⊗ Concealment of a material fact on engagement.
- ⊗ Dishonesty in the course of the employment.
- ⊗ Conviction or an offence which makes you completely unfit for work.
- ⊗ Harassing or discriminating against an employee, contractor or stakeholder.

### **Return of RQL Property**

On or before your employment ends, you must return to RQL all records of confidential information and intellectual property and any other company property that is in your possession or control.

*See the Termination of Employment Policy for a detailed explanation of RQL's termination of employment practices.*

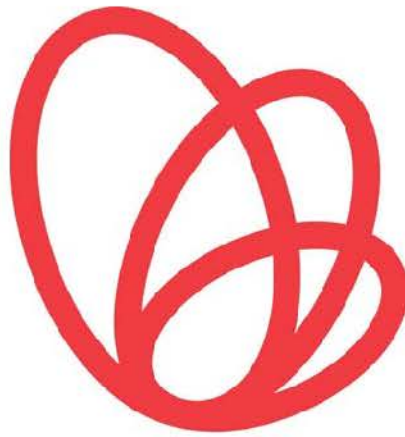
*I trust that having read the Employee handbook you have a better understanding about the organisation and what it stands for. Enjoy your time with RQL and give the organisation what you expect in return.*

## EMPLOYEE DECLARATION

1. I have read and understand the provisions of RQL's Employee Handbook.
2. I agree to observe and comply with the policies and procedures included in this Employee Handbook. I acknowledge that they do not form terms and conditions of my employment contract with RQL unless expressly referred to in my Employment Agreement. If there is any inconsistency between the terms of this Employment Agreement and this Employee Handbook, I acknowledge that the terms of this Employment Agreement will prevail.
3. I shall return this original declaration to RQL and retain the Employee Handbook for my future reference and use.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Employee Name: \_\_\_\_\_



# RACING QUEENSLAND

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## CODE OF CONDUCT A Guide to Behaviour Expectations

<b>Authorised By:</b>	Remuneration and Nomination Sub-Committee	<b>Date of Authorisation:</b>	1 July 2010
<b>Last Amendment Date:</b>	1 July 2010		
<b>Review Due Date:</b>	30 June 2011		
<b>Policy Owner:</b>	Chief Financial Officer		
<b>Related Documents:</b>	<ul style="list-style-type: none"><li>▪ Harassment, Discrimination and Bullying Policy</li><li>▪ Workplace Health and Safety Policy</li><li>▪ Grievance Handling Policy</li><li>▪ Performance Counselling Policy</li></ul>	<ul style="list-style-type: none"><li>▪ Workplace Health and Safety Act 1995</li><li>▪ Racing Act 2002</li><li>▪ Fair Work Act 2009</li><li>▪</li></ul>	

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*Any person who requires assistance in understanding this document should contact their manager.*

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## MESSAGE FROM THE CHAIRMAN

Racing Queensland Limited (Racing Queensland) plays a crucial role in the racing industry in Queensland. Racing Queensland is committed to the efficient administration of the industry and acknowledges that its decision making impacts on all participants in the industry.

Public confidence in the racing industry depends upon Racing Queensland managing the industry in a fair and transparent manner according to the highest standards of probity and integrity.

This Code of Conduct applies to all Racing Queensland officials, including Board members, in the performance of their functions and duties. Racing Queensland officials are expected to maintain the highest standards in professional and business ethics and, through their work, performance and behaviour, ensure that confidence in the integrity of Racing Queensland is justified and maintained. Racing Queensland is committed to fostering a working environment that relies on personal integrity, quality management and a high level of service. To this end, Racing Queensland has produced this Code of Conduct which details the expected levels of behaviour required of all Racing Queensland officials. The Board of Racing Queensland is committed to ensuring compliance with the provisions of this Code at all times.

RG Bentley  
Chairman  
Racing Queensland Limited

Racing Queensland Limited (Racing Queensland) is committed to delivering the highest standards of corporate practice and business conduct. We aim to be a model corporate citizen; conducting business in an ethical and responsible manner, complying with all applicable legal requirements, promoting a positive and ethical work environment for employees, and making a positive contribution to the community. Racing Queensland:

- Will work to inspire the utmost faith, confidence and support of all participants and stakeholders in racing in Queensland.
- Is committed to fairness, impartiality and transparency in its decision making.
- Will act in the best interests of racing in Queensland.
- Will comply with this Code of Conduct (Code) to ensure integrity in its operations.

## **PART 1 INTRODUCTION**

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To help Racing Queensland meet its objectives, the Code summarises Racing Queensland's standards for conduct, defining the expectations of employees to support behaviour consistent with company values. Every Racing Queensland employee must:

- Act in accordance with the Code, their employment contract, Racing Queensland policies and statutory obligations imposed on Racing Queensland and on Racing Queensland employees.
- Act with the highest standards of professionalism, honest, diligence and integrity.

### **1.1 TO WHOM DOES THE CODE OF CONDUCT APPLY**

The Code applies to all Racing Queensland employees.

Former Racing Queensland employees must also continue to respect the provisions of the Code, particularly in relation to the confidentiality of information and ownership of intellectual property to which the former Racing Queensland employee had access in the course of work with Racing Queensland.

### **1.2 WHY HAVE A CODE OF CONDUCT?**

All employees of Racing Queensland are "public officials" within the meaning of the *Public Sector Ethics Act 1994* and are required to comply with its provisions. Under this Act Racing Queensland is required to have a code of conduct to provide standards of conduct for all Racing Queensland employees.

All employees must ensure that they understand and follow the requirements of the Code and any additional standards, instructions and processes that apply. Failure to adhere to the requirements of the Code is taken very seriously and may result in disciplinary action up to and including summary dismissal.

The Code is a reference to important information however, it cannot address every situation, nor does it serve as a substitute for employees' individual responsibility to exercise good judgement and common sense to ensure that actions never damage Racing Queensland's reputation.

## **PART 2 DEFINITIONS**

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**Conflict of Interest:** a real or perceived conflict between a private interest and an official duty. A real conflict of interest exists when a reasonable person, in possession of the relevant facts, would conclude that the official's private interests interfere, or are likely to interfere, with the proper performance of the official's duties. A perceived conflict of interest exists when it appears that an

official's private interests may interfere with the proper performance of the official's duties although, in reality, this may not be the case.

**Corruption:** criminal behaviour that may involve fraud, theft, the misuse of position or authority or other acts that are unacceptable to Racing Queensland and which may cause loss to Racing Queensland, its stakeholders or the general community. This may also include other elements such as breaches of trust and confidentiality.

**Ethics Principles:** principles identified in the Public Sector Ethics Act 1994 as: respect for the law and system of government, respect for persons, integrity, diligence, and economy and efficiency.

**Fraud:** the intentional use of false representations or deception to avoid an obligation and/or gain an unjust advantage.

**Interest:** used in relation to declaring personal interests or conflicts of interest, the term "interest" means direct or indirect personal interests of Racing Queensland Limited officials. Interests may be pecuniary (that is, financial or economic forms of advantage) or non-pecuniary (that is, non-financial forms of advantage).

**Maladministration:** administrative action that is unlawful, arbitrary, unjust, oppressive, improperly discriminatory or taken for an improper purpose.

**Official Misconduct:** as defined in the Crime and Misconduct Act 2002, means conduct that could, if proved, be a criminal offence or a disciplinary breach providing reasonable grounds for terminating the Racing Queensland official's employment or services.

**Public Interest:** for a Racing Queensland official, acting in the public interest means acting lawfully and/or in accordance with Racing Queensland policy. In the absence of legal or policy frameworks, it means acting for the common good of the community. Racing Queensland has developed a policy on safeguarding the public interest; Racing Queensland officials should refer to this policy for guidance on what constitutes the public interest and Racing Queensland's responsibilities to this end.

**Public Interest Disclosure:** as defined in the Whistleblowers Protection Act 1994, means a disclosure of information about official misconduct, maladministration, negligent or improper management affecting public funds, reprisal, or danger to public health or safety or environment.

**Racing Queensland Limited Official:** includes Board members of the Racing Queensland Board and all other persons employed or remunerated by Racing Queensland, whether full-time, part time, permanent, fixed-term, contract or casual and includes members of any Racing Queensland sub-committee.

**Racing Queensland Limited's Policies:** policies from time to time adopted by Racing Queensland.

**Reprisal:** as defined in the Whistleblowers Protection Act 1994, occurs when a person causes, attempts or conspires to cause, detriment to another person because, or in the belief that, anybody has made, or may make, a public interest disclosure.

**Statutory Obligations:** obligations imposed from time to time by legislation including, where relevant and without limitation, obligations imposed on Racing Queensland and/or Racing Queensland's officials by: *Anti-Discrimination Act 1991*, *Crime and Misconduct Act 2002*, *Corporations Act 2001*, *Public Records Act 2002*, *Public Sector Ethics Act 1994*, *Racing Act 2002*, *Whistleblowers Protection Act 1994* and *Workplace Health and Safety Act 1995* and any relevant regulations made pursuant to statute.

**Whistle Blowing:** when, in the public interest, as provided for in the Whistleblowers Protection Act 1994, a person discloses information about official misconduct, maladministration, negligent or improper management affecting public funds, reprisal, or danger to public health or safety or environment.



### **3.1 ROLE OF RACING QUEENSLAND LIMITED**

Racing Queensland is responsible for the control, supervision and regulation of racing in Queensland. Racing Queensland is:

- The approved control body for racing in Queensland under the *Racing Act 2002*.
- The “principal racing authority” in Queensland under the Australian Rules of Racing.

### **3.2 ROLE OF THE BOARD OF RACING QUEENSLAND LIMITED**

The Board of Racing Queensland is responsible for determining the strategic direction of Racing Queensland and ensuring compliance with the statutory obligations imposed on Racing Queensland.

A Board member shall act independently and not in the interests of any sectional interests. A Board member has an obligation to be impartial in judgement and actions and to take all reasonable steps to be satisfied as to the soundness of all decisions to be taken by the Board.

The *Racing Act 2002* requires every Board member of Racing Queensland to disclose a personal interest, or a direct or indirect financial interest, in an issue being considered, or about to be considered, by the Board where the interest could conflict with the proper performance of the member’s duties about the consideration of the issue. Unless the Board otherwise directs, the member must not be present when the Board considers the issue or take part in a decision of the Board about the issue.

A member of the Board of Racing Queensland shall attend Board meetings. When a member is unable to attend a Board meeting, the member must obtain a leave of absence.

A Board member must ensure the member is fully informed of the activities and affairs of Racing Queensland and racing generally, including statutory obligations imposed on Racing Queensland and on Racing Queensland officials.

#### **3.2.1. Role of the Chair of the Board**

The Chair of the Board of Racing Queensland plays an important leadership role in ensuring Racing Queensland works effectively. These responsibilities include ensuring:

- The Board reviews the method by which the senior management team undertakes day to day management of Racing Queensland.
- All relevant issues are included on the agenda for the Board’s meetings and that Board members receive timely and relevant information on agenda items.
- Members of the Board comply with their statutory obligations and with the provisions of the Code.

#### **3.2.2. Role of the Deputy Chair of the Board**

The Deputy Chair of the Board of Racing Queensland must act as the Chair of the Board during a vacancy in the office of the Chair and during all periods when the Chair is absent from duty or, for another reason, cannot perform the functions of the office.

### **3.3 ROLE OF THE CHIEF EXECUTIVE OFFICER AND DIRECTOR INTEGRITY OPERATIONS**

The Chief Executive Officer and Director Integrity Operations:

- Are responsible for ensuring all Racing Queensland officials within their organisational area comply with the Code.

- Have a duty under the *Crime and Misconduct Act 2002* to report to the Crime and Misconduct Commission any allegation of “official misconduct”.
- Must comply with all statutory obligations imposed on them in their capacities as executive managers in Racing Queensland.

## **PART 4 PRINCIPLES OF THE PUBLIC SECTOR ETHICS ACT 1994**

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The *Public Sector Ethics Act 1994* imposes obligations on Racing Queensland officials as “public officials”; as such Racing Queensland officials must comply with the five Ethics Principles prescribed by the Act.

### **4.1 RESPECT FOR THE LAW AND SYSTEM OF GOVERNMENT**

All Racing Queensland officials must support the implementation of government policy effectively and impartially, and carry out official duties lawfully, observing, where applicable, statutory obligations. The conduct of all Racing Queensland officials is subject to relevant statutory obligations, the requirements and sanctions specified in the Code, their employment contract and Racing Queensland policies.

### **4.2 RESPECT FOR PERSONS**

All Racing Queensland officials must:

- Treat all licensees and participants in the racing industry with courtesy, honesty and fairness and with proper regard for their rights and obligations.
- Respond to reasonable demands of stakeholders and line managers in a timely manner.
- Cooperate and assist co-employees in the performance of their duties when reasonably requested to do so.
- Support their co-employees in a responsible and ethical manner.
- Exercise powers fairly and equitably.

All Racing Queensland officials should deal with all matters in accordance with approved procedures, promptly and without discrimination. There is an obligation on all Racing Queensland officials to treat every issue reasonably and fairly and with a view to meeting the principles of natural justice.

#### **4.2.1 *Discrimination and Workplace Harassment***

All Racing Queensland officials must provide a workplace free from unlawful discrimination, harassment, bullying and intimidation and hostile, offensive or distressing behaviour. They must ensure they understand their responsibilities under Racing Queensland’s HR Policy on Harassment, Discrimination and Bullying. They have a duty to disclose breaches of this policy.

If managers become aware of inappropriate conduct, they do not have to wait for a complaint to be lodged before taking action. As with their other areas of responsibility, if managers become aware of a problem, they are expected to respond to that problem.

Racing Queensland’s HR Policy on Harassment, Discrimination and Bullying applies to all Racing Queensland Board members, officials, other employees, workers and agents, including contractors, consultants, work experience students and other volunteers.

Racing Queensland officials who become aware that another person is being subjected to sexual harassment, bullying or unlawful discrimination should seek advice and assistance from the Harassment and Discrimination Referral Officer, or, if it is not appropriate to approach this officer, the matter should be reported in accordance with the HR Policy on Harassment, Discrimination and Bullying and the associated Grievance Handling Policy.

Any reports of discrimination, victimisation, sexual harassment, vilification and bullying will be treated seriously and dealt with promptly, confidentially and impartially. Disciplinary action will be taken against anyone who discriminates against, victimises, sexually harasses, vilifies or bullies a co-worker. Discipline may involve a warning, transfer, counselling, demotion or dismissal, depending on the circumstances.

#### **4.2.2. Workplace Health and Safety**

In the workplace, all Racing Queensland officials must take all reasonable practical steps to ensure the safety, health and welfare of themselves and others.

All Racing Queensland officials must comply with statutory obligations and Racing Queensland's policy on Workplace Health and Safety.

#### **4.2.3. Whistleblowing**

All Racing Queensland officials must report to their line manager or the CEO or Director Integrity Operations (as appropriate), any suspected or actual instances of official misconduct, maladministration, negligent or improper management affecting public funds, reprisal, or danger to public health, safety or the environment of which they are aware. In doing so, Racing Queensland officials should follow the guidelines in the policy adopted by Racing Queensland on Whistleblowers. The *Whistleblowers Protection Act 1994* protects those who make public interest disclosures.

Failure to report suspicious activities or circumstances may be seen as compounding or assisting official misconduct, maladministration, negligent or improper management affecting public funds, reprisal, or danger to public health or safety or environment and may constitute improper conduct requiring disciplinary action.

If a Racing Queensland official is found to have breached the *Whistleblowers Protection Act 1994*, the breach will be considered a serious breach of this Code and the Racing Queensland official may be subjected to disciplinary action, including, in appropriate cases, instant dismissal.

Under the *Crime and Misconduct Act 2001*, the CEO or Director Integrity Operations (as appropriate) must refer matters of actual or suspected official misconduct to the Crime and Misconduct Commission.

### **4.3 INTEGRITY**

All Racing Queensland officials must:

- ☒ Perform their duties with the highest standards of personal integrity and honesty so as to maintain and enhance public confidence in Racing Queensland and racing in Queensland.
- ☒ Provide a timely and competent service to all members of the public and industry.
- ☒ Not use or allow another person to use their official position of authority improperly.

#### **4.3.1 Conflicts of Interest**

Every Racing Queensland official must:

- ☒ Carry out their duties impartially and regardless of personal preferences.
- ☒ Avoid private, financial or other interests or undertakings that could directly or indirectly compromise or conflict with the performance of their duties.
- ☒ Disclose any interest, which may impact or have the potential to impact on the performance of their duties.
- ☒ Take action to resolve any conflict between personal interests and official duties in the favour of the public interest.

All full-time employees of Racing Queensland must disclose in writing to the CEO or Director Integrity Operations (as appropriate) any secondary paid employment they may have. Failure to

disclose this information may result in a Racing Queensland official being disciplined or, in appropriate cases, instantly dismissed. Secondary employment within the racing industry represents a prima facie conflict of interest and is not permitted without specific authorisation.

All Racing Queensland officials resigning or retiring to take up business appointments should give consideration to possible conflicts of interest that may arise. Where an offer of appointment could give rise to an actual or apparent conflict of interest, a Racing Queensland official should apply to the CEO or Director Integrity Operations (as appropriate) for assent to take up the proposed employment. If a conflict of interest is identified, the CEO or Director Integrity Operations (as appropriate) may obtain an undertaking from the Racing Queensland official regarding the use of information gained in the Racing Queensland official's employment with Racing Queensland.

#### **4.3.2 Gifts or Benefits**

All Racing Queensland officials must comply with Racing Queensland's Gifts and Benefits Policy, which has been adopted by Racing Queensland.

#### **4.3.3 Confidentiality**

All Racing Queensland officials have access to confidential information. Appropriate safeguards and care must be taken to ensure that unauthorised access or distribution is not permitted.

No Racing Queensland official may take, or seek to take, improper advantage of confidential information gained in the course of employment or in their official capacity. No Racing Queensland official may disclose confidential information to any person unless it is required by law or is required by their duties and is consistent with this Code or specifically authorised. If a Racing Queensland official resigns or leaves Racing Queensland, the official must not disclose confidential information acquired when they acted as an official of Racing Queensland.

A member of the Board of Racing Queensland must not disclose confidential information discussed at Board meetings and/or acquired while acting as a Board member.

If a Board member resigns or leaves the Board the member shall have regard to the duty:

- ⌘ Not to disclose confidential information.
- ⌘ To act bona fide in the interests of Racing Queensland.

### **4.4 DILIGENCE**

All Racing Queensland officials must:

- ⌘ Comply with and implement Racing Queensland policies faithfully and impartially.
- ⌘ Comply with all reasonable and lawful instructions.
- ⌘ Exercise all reasonable care, skill and diligence in giving information or advice.
- ⌘ Perform their duties and functions of office to a high standard and with proper diligence, care and attention.
- ⌘ Use their skills and experience to the best advantage of Racing Queensland.
- ⌘ Refrain from frequently using, or using to excess, alcohol, drugs or other substances where that use may have an adverse affect on their work performance or behaviour, or on the integrity of Racing Queensland.

#### **4.4.1 Performing Duties**

All Racing Queensland officials must perform all duties associated with their positions diligently, impartially, conscientiously, with proper care and attention, in a civil manner and to the best of their ability. This includes:

- ⌘ Performing their duties in such a way that Racing Queensland will be held in high regard by the community and the industry;

- ⌘ Following any professional standards of conduct relevant to their office;
- ⌘ Maintaining adequate documentation to support decisions; and
- ⌘ Helping Racing Queensland adhere to its statutory obligations.

#### **4.4.2 Monitoring Performance**

All Racing Queensland officials who manage or supervise others must ensure that:

- ⌘ Their work and that of their staff helps Racing Queensland adhere to its statutory obligations;
- ⌘ Where their staff breach this Code, the official takes appropriate action.

#### **4.4.4 Use of Alcohol and Drugs**

It is a criminal offence to possess or use illegal drugs at any time. All Racing Queensland officials must comply with Racing Queensland's *Workplace Smoking, Drugs and Alcohol Policy*. If a Racing Queensland official is found guilty of possessing or using illegal drugs, it will be considered a serious breach of this Code and the official may be subjected to disciplinary action, including instant dismissal.

### **4.5 ECONOMY AND EFFICIENCY**

All Racing Queensland officials must:

- ⌘ Strive to obtain value for Racing Queensland money spent.
- ⌘ Ensure Racing Queensland resources are safeguarded and not wasted abused or used improperly or extravagantly.
- ⌘ Not misuse the electronic communication systems of Racing Queensland to access, create, store, copy, retrieve or distribute offensive material.

#### **4.5.1 Using Resources for Official Purposes**

All Racing Queensland officials must ensure Racing Queensland resources are:

- ⌘ Used economically.
- ⌘ Used for the purposes for which they were provided.
- ⌘ Treated and maintained with appropriate care.
- ⌘ Secured against theft or misuse.

In serious cases, a Racing Queensland official who misuses resources may be found guilty of misconduct or maladministration.

All Racing Queensland officials who manage or supervise others must ensure that their employees use Racing Queensland resources appropriately.

#### **4.5.2 Private Use**

Limited personal use of Racing Queensland resources for non-official purposes may be acceptable.

In general terms, limited personal use involves:

- ⌘ Minimal additional expense to Racing Queensland.
- ⌘ An expectation that it will be performed during the employee's non work hours.
- ⌘ Does not interfere with the operation of Racing Queensland.
- ⌘ Does not violate this Code, statutory obligations or Racing Queensland policies.

If a Racing Queensland official is unsure as to whether their proposed personal use of Racing Queensland resources is acceptable, the official should seek advice from their line manager.



Where a Racing Queensland official uses Racing Queensland internet, intranet and electronic mail system, the official must comply with the policy on internet and email adopted by Racing Queensland.

#### **4.5.3 Motor Vehicles**

All Racing Queensland officials who use a motor vehicle owned by Racing Queensland must use it only for official purposes, unless the terms of their employment contract otherwise provide or the CEO or Director Integrity Operations (as appropriate) has authorised in writing private use of the motor vehicle by the official.

#### **4.5.4 Expense reimbursement**

All Racing Queensland officials must comply with Racing Queensland's Expense Reimbursement Policy. This policy sets out the requirements of Racing Queensland regarding expenditure while on official duty.

## **PART 5 BREACHES TO THE CODE OF CONDUCT**

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Board members who breach statutory obligations or the provisions of this Code or their employment contract will be dealt with by the Chairperson in a manner determined by a majority of the Board. Any action taken against a Board Member shall be consistent with the provisions of the *Racing Act 2002*.

All Racing Queensland officials who breach statutory obligations or the provisions of this Code or their employment contract may be subject to disciplinary action, including, where appropriate, instant dismissal.

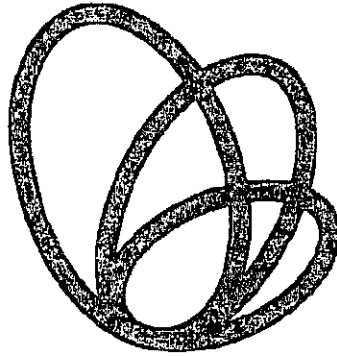
The CEO or Director Integrity Operations or their delegated managers will deal with breaches by an employee of Racing Queensland. Where it is not considered harsh, unjust or unreasonable to do so, the CEO or Director Integrity Operations or their delegated managers may suspend a Racing Queensland official from work, either with or without pay, while an alleged breach is being investigated. Disciplinary action may constitute, but is not restricted to, counselling, warnings or reprimands or suspension or dismissal, as the case requires.

Serious breaches, such as official misconduct, may need to be referred to the Crime and Misconduct Commission. Any action taken will accord with the principles of procedural fairness. In the case of suspected or actual official misconduct or maladministration, procedural fairness does not mean that the person under investigation is to be presented with the allegations prior to an investigation. The relevant investigating authority will determine the appropriate time for advising the person of the allegations and affording the person the opportunity to respond.

## **REVISION HISTORY**

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Revision	Date	Description of Changes	Author
01.00	1/7/2010	New Policy	HRBS



RACING  
QUEENSLAND

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**OFFER OF EMPLOYMENT**

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*CONFIDENTIAL*

This Offer of Employment is made by:

**RACING QUEENSLAND LIMITED (ACN 142 786 874)**

To

**Debbie TOOHEY** (referred to in this document as "You or Your")



This Agreement sets out the terms and conditions of employment being offered by Racing Queensland Limited (RQL).

## 1. ENGAGEMENT

- 1.1. You shall be employed by RQL in Your Position as set out in Schedule 1 to this Agreement and in such other offices or capacities, as may from time to time be assigned to you in accordance with the terms of this Agreement.
- 1.2. The duties that you perform will be in line with the **attached** Role Profile and may vary from time to time in accordance with the terms of this Agreement and business requirements. If your duties do vary, the terms and conditions set out in this Agreement will continue to apply unless otherwise agreed in writing. Because RQL is a new entity created by amalgamating three separate control bodies, it is expected that there will be changes made to that role profile in the future as RQL adapts responsively to future challenges. It is agreed that any changes will not fundamentally alter the nature of your role. RQL will consult you in advance about any changes that are proposed for your position description. In turn, you agree that you will diligently fulfil the responsibilities set out in your position description, as it stands from time to time.

## 2. PLACE OF WORK

- 2.1. Your principal place of work will be the Location(s) set out in Schedule 1 to this agreement. You may be required to perform your duties at other locations as reasonably requested. RQL may move your principal place of work to another location due to business requirements. If you are required to move your principal place of work, RQL will provide you with at least four weeks' notice of the move and will discuss any such change with you as soon as possible.

## 3. HOURS OF WORK

- 3.1. You will be employed on a full-time basis and are expected to work an average of at least 38 hours per week. The days on which you may be asked to work your ordinary hours are the Ordinary Days set out in Schedule 1 to this agreement, or such other days as are agreed with RQL to be your ordinary working days. Your starting and finishing times should be determined in consultation with your manager.
- 3.2. In order to meet the responsibilities of your position, operational or client requirements you may be required to work additional hours as necessary from time to time. Your Salary compensates you for all hours worked and you will not receive additional pay if working hours in excess of 38 hours per week as you acknowledge that your Salary reasonably compensates you for all hours worked.
- 3.3. Some employees will be entitled to time off in lieu of hours worked on particular days. If you have any such entitlement it is set out in Schedule 1 as Time Off in Lieu Entitlements.
- 3.4. Hours of work for some employees are rostered to periodically allow for a rostered day off. Such rostered days off may be taken provided that the employee has worked an average of 38 hours per week over the remaining days of work. If You are entitled to schedule your working hours in this way, details are set out in Schedule 1 as RDO Entitlements.
- 3.5. Punctuality is important in providing a proper service to clients. If you are unable to attend work on any day, or will be late for work, you must personally advise RQL of any absence as soon as possible.
- 3.6. Depending on the nature of your work, you may be entitled to specific Meal Breaks. If so, these are set out in Schedule 1 at Meal Breaks.



#### 4. REMUNERATION AND SUPERANNUATION

- 4.1. Your remuneration is calculated on a total remuneration value (TRV) basis, which is inclusive of all remuneration entitlements and RQL's compulsory superannuation contribution. Details of your TRV, effective from 1 July 2010 are set out in Schedule 1 to this agreement.
- 4.2. That part of your TRV remaining after deduction of superannuation, (including any deemed or notional contributions), any salary sacrifice arrangements implemented by you and any other entitlements we are obliged to provide will be your gross Salary. You authorise RQL to deduct the following, where applicable, from your TRV in order to calculate your actual net salary payments:
- (a) Taxes required by law, including PAYG and FBT;
  - (b) Compulsory superannuation contributions;
  - (c) The cost of any salary sacrifice arrangements implemented by you;
  - (d) Any other deductions which you have authorised RQL to make;
  - (e) An amount equal to your TRV for the period of any unauthorised absences, any unpaid leave or periods when you have failed to provide the required notice of termination of your employment. You agree that your signing of this Agreement amounts to express written consent to deduct an amount in accordance with the *Fair Work Act 2009*;
  - (f) Any contribution that you are required to make to the cost of a motor vehicle as set out in Schedule 1 under Additional Benefits.
- 4.3. Your Salary will be paid to you fortnightly in arrears.
- 4.4. RQL will pay superannuation contributions in accordance with statutory requirements into a nominated complying superannuation fund of your choice. You may elect to contribute additional amounts of your Salary, as agreed, into your superannuation fund.
- 4.5. Your remuneration arrangements will be reviewed annually. There is no guarantee that your TRV will be increased each year. Any review will take into account market movement, your performance and RQL's financial situation.
- 4.6. RQL takes a flexible approach to the structuring of TRV and allows its employees to determine how they will receive their remuneration. You will be permitted to structure your TRV in accordance with the RQL Remuneration Policy and Procedures that are in place from time to time. That policy currently allows for employees to change their salary package options annually.
- 4.7. You will be responsible for all costs associated with salary sacrificing. Any salary sacrifice is subject to Australian Tax Office rulings and, should there be any change to the current treatment of salary sacrificing, the salary sacrifice arrangement will be reviewed to ensure that there are no additional costs to RQL.
- 4.8. You agree that in the event of an overpayment of salary, RQL may recover the amount of the overpayment by way of deduction from your future earnings. If this occurs, RQL will provide you with written notification of the intention to recover the overpayment and the amount to be recovered.
- 4.9. You agree that any monies owing to RQL upon termination of employment may be deducted by RQL from your final termination pay.
- 4.10. You agree that your Salary has been set to include all allowances, penalties and loadings that may be payable to you, regardless of how that entitlement arises. You also agree that, if at any time during your employment, you are entitled to payment for overtime, penalties, loadings and allowances under an award or agreement, your Salary is being paid as a composite payment in satisfaction of both your contractual entitlements and all such award or agreement entitlements. You agree that if your Salary exceeds the amount that you would be entitled to for ordinary hours of work under an award or agreement, then the

excess paid to you may be set off against any award or agreement entitlements and does not increase the rates payable to you under any applicable award or agreement.

- 4.11. Some employees may be entitled to Additional Benefits that reflect agreements made with previous employers. If you are one of these employees, those Additional Benefits are set out in Schedule 1. If there is any inconsistency between those Additional Benefits and the other terms of this agreement then the Additional Benefits will prevail.

## 5. LEAVE

- 5.1. All full time employees are entitled to 4 weeks' paid annual leave per 12 months of continuous service, accrued in accordance with the *Fair Work Act 2009*. Annual leave entitlements accrue throughout the year and accumulate from year to year when accrued leave is not taken. All annual leave will be approved in accordance with organisational requirements and must be approved prior to you taking leave. The RQL Leave Policy contains more details about the taking of annual leave and management of annual leave balances. You agree that it is reasonable for RQL to apply that Leave Policy.
- 5.2. The working patterns of some employees mean that they are entitled to additional annual leave entitlements. If you are one of these employees, details of your Additional Leave Entitlements are set out in Schedule 1 to this agreement.
- 5.3. To ensure you maintain a healthy work and life balance, you will be encouraged to take leave each year. We may direct you to take annual leave in accordance with applicable legislation, which currently requires the giving of notice and says that we cannot direct you to take all of your accrued leave. There are certain times during the year when annual leave will not usually be granted. Those times differ in various parts of the business. For example, employees working in the finance area will not generally be granted leave from May to September.
- 5.4. There is no separate leave loading payable to you as your TRV has been set taking this into account. On termination of employment, any accrued annual leave will be paid at your then current ordinary rate of pay.
- 5.5. Full time employees are entitled to paid personal leave of ten days per year in accordance with the *Fair Work Act 2009*. Personal leave includes sick leave and carer's leave.
- 5.6. Personal leave entitlements will accumulate from year to year but are not paid out upon termination.
- 5.7. The *Fair Work Act 2009* provides for carer's leave to be taken to care for a member of your immediate family or household who requires care or support due to an illness or injury or unexpected emergency affecting them. Your entitlement to take carer's leave is governed by the provisions of the *Fair Work Act 2009*. You may take unpaid carer's leave of up to two days per occasion if you have exhausted your paid personal leave entitlements.
- 5.8. If you are absent due to sick or carer's leave you are required to notify RQL at the commencement of your normal working time or as soon as reasonably practicable and, as far as practicable, state the estimated duration of the absence. You may be required to produce a medical certificate or other proof that RQL considers reasonable proof of the reason for your absence if you take sick or carer's leave. The RQL Leave Policy contains more information about these requirements.
- 5.9. You are entitled to paid compassionate leave in accordance with the *Fair Work Act 2009*. That Act currently provides for a maximum of two days for each occasion when a member of your immediate family or a member of your household contracts or develops an illness that poses a serious threat to their life, or sustains an injury that poses a serious threat to their life, or dies. You may be asked to provide reasonable evidence of the illness, injury or death before you are entitled to take this paid compassionate leave.

- 5.10. You may be entitled to parental leave (maternity, paternity and adoption leave) if applicable in accordance with the *Fair Work Act 2009* and to any Additional Benefits set out in Schedule 1 that relate to parental leave.
- 5.11. Unless provided otherwise in Schedule 1, under Additional Leave Entitlements, you are entitled to long service leave in accordance with legislative requirements and in accordance with the RQL Long Service Leave policy.

## 6. EMPLOYEE OBLIGATIONS

6.1. In accordance with your duties you must:

- a. Perform to the best of your ability and knowledge the duties assigned to you, in a manner consistent with your position, as determined by RQL.
- b. Exhibit professional behaviour and attitude in dealings with managers, employees, clients, and suppliers of RQL, and all others.
- c. Take all reasonable steps to meet performance criteria that RQL establishes from time to time.
- d. Abide by all safety, quality and security procedures applying to RQL's operations and premises.
- e. Refrain from all behaviour that could be perceived as discrimination, harassment or bullying in the workplace under the applicable legislation.
- f. Observe and comply with all policies, procedures, and operational manuals, as amended by RQL from time to time and all reasonable directions given by RQL.
- g. Not engage in remunerated work outside of RQL that may be a conflict of interest or lead to a reasonably perceived conflict of interest, without RQL's prior written consent.
- h. Not claim or accept any fee, gratuity, commission or other benefit from any source other than RQL in payment for any services concerned with RQL's business.
- i. Devote the whole of your time and abilities during normal working hours and at such other times as may be reasonably necessary, to the performance of your duties.
- j. Use your best endeavours to promote, develop and extend RQL's business interests and reputation and not do anything to the detriment of those business interests or reputation.
- k. Comply with, implement and enforce any legislation that applies to the duties or responsibilities of your position.
- l. Immediately notify RQL if you become aware or have reason to believe that another employee of RQL has failed to comply with any legislation applying to their duties or responsibilities.

## 7. CONFLICT OF INTEREST

7.1. You must not engage in any activity that would conflict with RQL's interests or operations. Conflict of interest will be determined in accordance with RQL's Conflict of Interest Policy, which may be amended by RQL from time to time. Examples of situations that might create a conflict of interest are:

- (a) Any interest in property used for stud purpose, agistment, breeding, training or other purposes associated with the racing industry;
- (b) relationships with licensed persons in the racing industry or with any person providing services or facilities to the racing industry;

- (c) any involvement in the ownership, breeding, leasing, claiming, racing or management of horses or greyhounds;
- (d) having a family member who is a licensed person in the racing industry or who provides services or facilities to the racing industry.

7.2. You warrant that, from 1 July 2010, there will be no circumstances which would create a perceived or actual conflict of interest between your personal interests and your obligations to RQL. This offer of employment is made to you on the condition that you complete and sign the Conflict of Interest and Racing Interest Declaration Form prior to commencing with RQL. This form will be required to be completed annually or where there is any change to your circumstances.

7.3. If you have an actual or perceived conflict of interest, you must immediately advise the appropriate person in accordance with RQL's Conflict of Interest Policy and follow any directions given to you. Failure to report an actual or perceived conflict of interest is an extremely serious matter and may be treated by RQL as serious misconduct which is sufficient to justify terminating your employment.

7.4. You must not accept any payment or other benefit from any person as an inducement or reward for any act or forbearance with any matter or operation transacted by RQL or on its behalf. You must report any actual or potential conflict of interest to RQL immediately.

## 8. INFORMATION, POLICIES AND PROCEDURES

8.1. It is a term of your employment contract that you must comply with all lawful orders, instructions, standards, policies and procedures in existence at RQL. While you must observe and comply with these policies and procedures, the contents of those policies and procedures do not form terms and conditions of your employment contract with RQL unless expressly referred to in this Agreement. If there is any inconsistency between the terms of this Agreement and RQL's policies and procedures, the terms of this Agreement will prevail.

8.2. To the extent that RQL's policies and procedures refer to obligations on RQL, you agree that they are guides only and not contractual terms, conditions or representations on which you rely.

8.3. You will not knowingly withhold any information or material within your possession that may affect RQL's performance or reputation.

## 9. CONFIDENTIAL INFORMATION

9.1. You must not at any time during your employment with RQL, or at any time after your employment terminates, disclose to any other person or use or attempt to use any Confidential Information of RQL except:

- (a) With RQL's prior written permission;
- (b) In the proper performance of your duties;
- (c) As expressly allowed under this Agreement; or
- (d) For the purposes of disclosure only where you are legally obliged to disclose by a Court, Commission or Tribunal.

9.2. During your employment with RQL, you must use your best endeavours to prevent the unauthorised disclosure of any Confidential Information or trade secrets by a third party. When Confidential Information is disclosed as permitted by clause 9.1 you must ensure that the person to whom the information is disclosed is made aware of its confidential nature and use your best endeavours to ensure that person does not use or disclose that information.

9.3. The obligations of this clause shall survive the termination of this Agreement. You must not, after termination of employment use Confidential Information for a purpose other than for the benefit of RQL.

## 10. INTELLECTUAL PROPERTY

- 10.1. You acknowledge and agree that all existing and future intellectual property rights in any Confidential Information or in respect of any intellectual property developed, in development, created or conceived wholly or partly by you, alone or together with any other person or body, whether during or outside working hours:
- a. On RQL's premises or using RQL's facilities or resources, facilities or resources which were in the care and control of RQL, or any of RQL's employees, officers, agents, subcontractors or representatives;
  - b. Directly or indirectly as a result of the employee or anybody else's access to confidential information;
  - c. In the course of, as a consequence of or in relation to the performance of the employees duties;
  - d. Relating to RQL's general methods of operation; or
  - e. In respect of or associated with any of RQL's products or services, and any alterations or additions or methods of making, using, marketing, selling or providing those products or services;
- vest in and belong to RQL, and to the extent necessary to vest ownership in RQL, the intellectual property is deemed to be assigned to RQL as its exclusive property.
- 10.2. You agree to execute all documents, including any assignments, and do all acts and things, required by RQL for the purpose of effecting and perfecting the title of RQL or its nominee to the intellectual property rights described in the clause above, in Australia or such other countries as RQL requires. You consent to RQL infringing any Moral Rights that you may have or become entitled to, in any work created, developed, modified or enhanced in the course of their employment.
- 10.3. You must immediately disclose to RQL in writing, any invention or improvement you make or think of during the course of your employment.
- 10.4. Your obligations under this clause will continue, notwithstanding the expiry or termination of this Agreement.

## 11. PRIVACY

- 11.1. You must not remove or copy any information, including client or employee information, from RQL's premises without RQL's consent.
- 11.2. During the course of your employment, You agree that RQL may collect, use, handle and/or disclose your personal information in the proper course of business; such as to facilitate the provision of salary and benefits, and supply required information to external superannuation and insurance providers. This may include your address, date of birth, health information and professional associations.

## 12. RQL PROPERTY AND SECURITY

- 12.1. All documents, records, papers, manuals, materials of any nature and other property of, or relating to, the business of RQL, whether prepared by you or not, are and remain the property of RQL.
- 12.2. You agree to take all reasonable steps to ensure the security of and protect all Confidential Information and Intellectual Property Rights of RQL in your possession, power or control. You agree to comply with, and to the best of your endeavours ensure that other employees or contractors engaged by RQL comply with, all of RQL's security guidelines, procedures, rules and regulations (whether formal or informal).

- 12.3. No materials, tools or equipment of any description may be borrowed or removed from the premises without the prior consent of RQL.
- 12.4. Upon termination of this Agreement, you shall immediately deliver to RQL all documents, records, papers, materials of any nature whatsoever and other property of, or relating to, RQL's affairs or any of RQL's related business entities, which may be in your possession or under your control.
- 12.5. If you are provided with a security access device of any kind, such as a key or computer coded access card, you will:
- ▶ immediately return the device to RQL on termination or your employment or earlier request;
  - ▶ not copy nor permit the copying of the device or any aspect of it which is integral to its function of security;
  - ▶ not give the device to anybody else or permit anybody else to use the device; and
  - ▶ use the device strictly in accordance with any conditions advised by RQL in respect of it.

### 13. TERMINATION OF EMPLOYMENT

- 13.1. Subject to RQL's rights regarding summary dismissal, either you or RQL may terminate your employment by giving one month's notice, or a mutually agreed lesser period, to the other party in writing. RQL may pay you the equivalent of that period or part of the period in lieu of such notice. The notice period required to be given by RQL will be increased by one week if you are over 45 years of age and employed for more than two years of continuous service with RQL.
- 13.2. During any period of notice, RQL may require you:
- ▶ To perform duties that are different from those that you were required to perform during the rest of your employment with RQL, provided that you have the necessary skills, training, education and experience to undertake them; or
  - ▶ To not present yourself for work, do any work or contact any of RQL's clients or personnel for any period up to the date of termination of employment.
- 13.3. During any period of notice you will continue to be employed by RQL and you must not engage or prepare to engage in any business activity that is the same or similar to the duties you were performing for RQL. Up to the termination of your employment you and RQL shall remain bound by the mutual obligations of trust and confidence.
- 13.4. If you do not give the required notice and there is no agreement regarding a shorter notice period, RQL is authorised to withhold or deduct from your final termination payment, the equivalent amount of salary in lieu of the required notice. Some employees are entitled to an additional separation benefit if they resign from their employment. If you are one of these employees, details of the applicable separation benefit are set out in Schedule 1 as part of the Additional Benefits.
- 13.5. RQL may terminate your employment summarily without notice or payment in lieu of notice if you commit any dishonest act, serious misconduct or any other act that justifies summary dismissal. If your employment is summarily terminated by RQL you will not be entitled to any notice payment, or other benefit on termination other than the statutory entitlements accrued up to and including the termination date. Such payment will be in full satisfaction and discharge of all claims and demands by you against RQL in respect of your employment.
- 13.6. Following termination of your employment, upon RQL's request, you agree to provide RQL with reasonable assistance regarding any matter relating directly or indirectly to your employment, or which arises out of events which occurred during the period of your employment, including providing statements or affidavits, attending meetings and attending hearings or inquiries.

- 13.7. If your employment is terminated due to redundancy, you will be provided with redundancy entitlements in line with relevant legislation. The *Fair Work Act 2009* currently provides for the following redundancy entitlements:

Period of continuous service on termination	Redundancy pay period
At least 1 year but less than 2 years	4 weeks
At least 2 years but less than 3 years	6 weeks
At least 3 years but less than 4 years	7 weeks
At least 4 years but less than 5 years	8 weeks
At least 5 years but less than 6 years	10 weeks
At least 6 years but less than 7 years	11 weeks
At least 7 years but less than 8 years	13 weeks
At least 8 years but less than 9 years	14 weeks
At least 9 years but less than 10 years	16 weeks
At least 10 years	12 weeks

If you are entitled to any additional payments on redundancy, these will be set out in Schedule 1 under Additional Benefits.

#### 14. ENTIRE AGREEMENT

- 14.1. This Agreement forms the entire agreement between you and RQL and shall operate to the exclusion of, and wholly replace, all other contracts or agreements that would otherwise apply to your employment. This Agreement supersedes all prior agreements, understandings and negotiations.
- 14.2. This Agreement represents a full record of the contractual terms and conditions with respect to your employment with RQL and supersedes any prior oral or written contract or understanding between you and RQL.
- 14.3. You agree that you will, if requested by RQL in the future, sign additional documents which include words to the effect that this Agreement forms the entire agreement between you and RQL regarding your terms and conditions of employment.
- 14.4. Any award or legislation applicable to your employment does not form a term of your employment contract.

#### 15. VARIATION

- 15.1. The terms and conditions of this Agreement may only be amended by agreement in writing signed by you and RQL.

#### 16. SEVERABILITY

- 16.1. If any provision in this Agreement is unenforceable, illegal or void, then it is severed and the rest of the Agreement remains in force.

#### 17. WORK ELIGIBILITY

- 17.1. Your employment is conditional upon you providing to RQL, prior to your commencement, evidence of your eligibility to work in Australia.

#### 18. WARRANTIES

- 18.1. You warrant that you have the expertise, qualifications, licenses and registration necessary to perform your duties and will perform them in a manner appropriate to a person

having such expertise, qualifications, licenses or registration. You must maintain that expertise, qualifications, licenses and registration throughout your employment.

#### 19. CONFIDENTIALITY OF AGREEMENT

19.1. This Agreement and its contents are confidential and should not be communicated to any other party.

#### 20. DEFINITIONS AND INTERPRETATION

20.1. Confidential Information means the trade secrets and all other information regarding RQL's affairs which become known to you in circumstances where you know, or should know, that the information is to be treated as confidential. This Confidential Information includes without limitation any information that:

- (a) Would be of commercial value to a competitor of RQL.
- (b) Relates to RQL's financial affairs; including financial information, accounts work, financing information, management reports and performance or profitability reports and margins.
- (c) Relates to RQL's operational requirements.
- (d) Relates to any arrangements or transactions between RQL and stakeholders in the racing industry.
- (e) Relates to RQL's customers; including customer details, customer lists, details of customer requirements, details of customer prospects, the identity of any customer, their requirements and their financial affairs.
- (f) Relates to any functions you perform in relation to the regulation, licensing, administering or policing of racing and its integrity
- (g) Relates to or is contained in any of RQL's computer data bases or software.
- (h) Relates to any arrangements or transactions between RQL and its respective suppliers or contractors; including their identity and the price or charges in respect of the supplies or services RQL acquires from them.
- (i) Relates to or is contained in any manuals or handbooks produced by RQL.
- (j) Relates to RQL fees, quotations, prices or charges in respect of services or products.
- (k) Relates to the marketing and selling techniques used by RQL; including marketing plans, sales plans, research and data surveys.
- (l) Relates to trade secrets, technical specifications, know how, plans, design concepts, ideas, design specifications, manufacturing or development processes, research, formulae, processes, applications, unique features or techniques in respect of any of RQL's products, services or operations, whether existing or in development.
- (m) Relates to or is associated with any of RQL's technology or software, or any related products or services, including any source code, programming, plans, concepts, specifications, alterations or additions, content, features, operation opportunities, benefits or market appeal, whether produced by you or otherwise.
- (n) Is prepared by RQL or anybody else based on or incorporating information referred to in paragraphs (a) to (m) above, including all notes and other records, whether written or otherwise, and any copies of the information, notes and other records referred to in paragraphs (a) to (m) above.

But does not include information that:

- (o) Was rightfully in your possession and not subject to an obligation of confidentiality before the negotiations leading to the commencement of your employment with RQL, whether pursuant to this Agreement or otherwise.



(p) Is or, after the commencement of your employment becomes, available in the public domain other than as a result of a breach of this Agreement

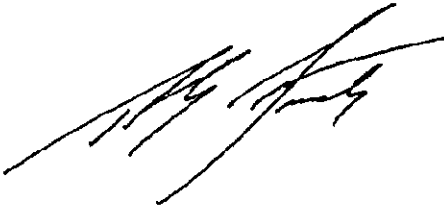
20.2. Intellectual Property Rights means any and all beneficial and legal ownership and intellectual and industrial protection rights throughout the world, both present and future, including rights in respect of or in connection with any confidential information, copyright, including future copyright and rights in the nature of or analogous to copyright), moral rights, inventions (including patents), trade marks, service marks, designs, circuit layout and performance protection (whether or not now existing and whether or not registered or registrable) and includes any right to apply for the registration of such right and all renewals and extensions.

20.3. Moral Rights has the meaning given to that term in the *Copyright Act 1968* (C'th)

20.4. Schedule 1 means the Schedule attached to this agreement. It is agreed that all of the contents of that Schedule are incorporated as terms of this Agreement.

20.5. References to legislation are references to legislation as in force at the relevant time.

Signed on behalf of RQL by:

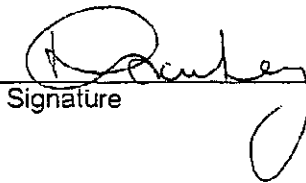


Bob Bentley  
Chairman

I acknowledge that I have read the contents of this Employment Agreement and accept the offer of employment on the terms and conditions set out in this Agreement.

Debbie TOOHEY

Employee Name



Signature

1 July 2010

Date



SCHEDULE 1

<b>Employee Name</b>	Debbie TOOHEY
<b>Your Position</b>	Executive Assistant/Board Secretary
<b>Location(s)</b>	RQL's Head Office at Deagon and such other locations as reasonably requested by RQL.
<b>Ordinary Days</b>	Monday to Friday
<b>Base Salary</b>	\$ 59,633.02
<b>Superannuation</b>	\$ 5,366.97
<b>Total Remuneration Value (TRV)</b>	\$ 65,000.00
<b>Additional Benefits</b>	Nil
<b>Additional Leave Entitlements</b>	You are entitled to accrue long service leave on the basis that you are entitled to 13 weeks long service leave after 10 years continuous service. Once you have completed 10 years service, additional long service leave will then accrue on a pro rata basis.

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# HARASSMENT, DISCRIMINATION AND BULLYING

## Policy and Procedures

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<b>Authorised By:</b>	Remuneration and Nomination Sub-Committee	<b>Date of Authorisation:</b>	1 July 2010
<b>Last Amendment Date:</b>	1 July 2010		
<b>Review Due Date:</b>	30 June 2011		
<b>Policy Owner:</b>	Chief Financial Officer		
<b>Related Documents:</b>	<ul style="list-style-type: none"><li>▪ Code of Conduct</li><li>▪ Grievance Handling Policy</li><li>▪ Performance Counselling Policy</li></ul>	<ul style="list-style-type: none"><li>▪ Racial Discrimination Act 1975</li><li>▪ Sex Discrimination Act 1984</li><li>▪ Human Rights and Equal Opportunity Act 1986</li><li>▪ Disability Discrimination Act 1992</li><li>▪ Age Discrimination Act 2004</li><li>▪ Anti-Discrimination Act 1991</li><li>▪ Workplace Health and Safety Act 1995</li><li>▪ Prevention of Workplace Harassment Advisory Standard 2004</li><li>▪ Fair Work Act 2009</li></ul>	

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*Any person who requires assistance in understanding this document should contact their manager.*

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## PURPOSE

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Racing Queensland Limited (Racing Queensland) is committed to achieving equality of opportunity in employment and affirms the values of social and cultural diversity reflected in the community, recognising that each employee plays a valuable role in the success of Racing Queensland. Racing Queensland aims to providing an atmosphere free of discrimination and workplace harassment that encourages good working relationships and respect between employees.

This policy outlines the position and practice of Racing Queensland with regard to equal employment opportunity, discrimination and workplace harassment.

## SCOPE

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This policy applies to all Racing Queensland Board members, officials, other employees, workers and agents, including consultants, contractors, work experience students and other volunteers.

## UNLAWFUL DISCRIMINATION

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Under Federal and Qld anti-discrimination laws, discrimination against someone on the following grounds is against the law:

- ⌘ Gender.
- ⌘ Relationship Status.
- ⌘ Pregnancy or Potential Pregnancy.
- ⌘ Parental Status.
- ⌘ Breastfeeding.
- ⌘ Age.
- ⌘ Race.
- ⌘ Impairment/Physical or mental disability.
- ⌘ Religious Beliefs or Activities.
- ⌘ National extraction or social origin
- ⌘ Political Opinion or Activities.
- ⌘ Trade Union Activity.
- ⌘ Lawful Sexual Activity.
- ⌘ Gender Identification.
- ⌘ Sexual Preference.
- ⌘ Family or Carer's Responsibilities
- ⌘ Irrelevant Criminal Background.
- ⌘ Association with a person identified on the basis of any of the above attributes.

It is also against the law to discriminate against someone because they are associated with someone who has one or more of these attributes.

### WHAT IS UNLAWFUL DISCRIMINATION?

Unlawful discrimination occurs when someone is treated less favourably because of one of the attributes listed above. There are some very limited cases when exemptions apply (such as, for example, in the case of a religious school who may discriminate when hiring employees who hold the same religious beliefs). Any such exemptions are very narrow and you should not assume that an exemption will apply. Discrimination can be intended or unintended. Discrimination can be direct or indirect.

**Direct Discrimination** occurs when someone directly treats someone less favourably because of one of the attributes listed above.

**Indirect Discrimination** occurs if a person imposes, or proposes to impose, an unreasonable requirement:

- (a) with which a person with an attribute does not or is not able to comply; and  
(b) with which a higher proportion of people without the attribute comply or are able to comply.

Some examples of discrimination are:

- Offensive 'jokes' or comments about another worker's racial or ethnic background, sex, sexual preference, age, disability or physical appearance;
- Display of computer graphics, pictures or posters which are offensive or derogatory;
- Expressing negative stereotypes of particular groups, for example "women with children shouldn't be working";
- Judging someone on their political or religious beliefs rather than their work performance; or
- Using stereotypes or assumptions to guide decision making about a person's career.

Disciplinary action will be taken against anyone who is found to have unlawfully discriminated against a co-worker or against any other person they have come into contact with in the course of employment. This includes not just other employees of Racing Queensland but also participants in the racing industry and members of the public.

It is also unlawful to harass a person in relation to one of the attributes listed above. Harassment includes actions which are intended to humiliate, offend, intimidate or distress. Examples include:

- Physically harassing someone because they have one of the above attributes;
- Verbal abuse, including notes, email or graffiti;
- Threats;
- Intentionally demeaning comments or behaviour;
- Exclusion from work related activities.

In relation to someone who has a disability, harassment may also include some actions which, although not intended to humiliate, offend, intimidate or distress do cause and should reasonably be expected to have caused humiliation, offence, intimidation or distress. Examples include:

- Unnecessarily intrusive personal questions in relation to a person's disability;
- Comments or behaviour because of a person's disability which are based on inaccurate assumptions about the person's capabilities or need for assistance.

### **SEXUAL HARASSMENT AND WORKPLACE BULLYING**

Sexual harassment and workplace bullying are also against the law. Racing Queensland is committed to ensuring a healthy and safe working environment free from hostility, offensiveness, intimidation and harassment. These behaviours will not be tolerated by Racing Queensland.

All people covered by this Policy are responsible for their own behaviour. If you think your behaviour may offend then don't do it.

### **WHAT IS SEXUAL HARASSMENT?**

Sexual Harassment is any unwelcome behaviour of a sexual nature, which is offensive, humiliating or intimidating. Sexual harassment can be a single incident depending on the circumstances.

Sexual harassment can happen if a person:

- (a) Subjects another person to an unsolicited act of physical intimacy; or

- (b) Makes an unsolicited demand or request (whether directly or by implication) for sexual favours from the other person or
- (c) Makes a remark with sexual connotations relating to the other person or
- (d) Engages in any other unwelcome conduct of a sexual nature in relation to the other person and the person engaging in the conduct described in paragraphs (a), (b), (c) or (d) does so:
- (e) With the intention of offending, humiliating or intimidating the other person; or
- (f) In circumstances where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated or intimidated by the conduct.

Sexual harassment can take many different forms and may include physical contact, comments, jokes, propositions, the display of offensive material or other behaviour that creates a sexually hostile working environment. Examples of sexual harassment include:

- ✘ uninvited touching, uninvited kisses or embraces
- ✘ smutty jokes or comments
- ✘ making promises or threats in return for sexual favours
- ✘ displays of sexually graphic material including posters, pinups, cartoons, graffiti or messages left on notice boards, desks or common areas
- ✘ repeated invitations to go out after prior refusal
- ✘ “flashing” or sexual gestures
- ✘ sex-based insults, taunts, teasing or name-calling
- ✘ staring or leering at a person or at parts of their body
- ✘ sexually explicit conversation
- ✘ persistent questions or insinuations about a person’s private life • offensive phone calls, letters, e-mail messages or computer screen savers
- ✘ stalking.

Humour, friendships and relationships based on mutual consent are not sexual harassment. If the interaction is consensual, welcome and reciprocated, it is not sexual harassment.

### **WHAT IS WORKPLACE BULLYING?**

Workplace Bullying is any non-sexual behaviour that is unwelcome, offensive, intimidating, humiliating or threatening. Workplace harassment may be verbal, non-verbal or physical in nature; intentional or unintentional. Some examples of workplace bullying are:

- ✘ Any form of physical violence such as hitting, pushing or spitting.
- ✘ Threats, insults, or verbal abuse.
- ✘ Leaving offensive messages on email or on the telephone.
- ✘ Humiliating or demeaning a person through gestures, sarcasm or ridicule.
- ✘ Deliberately withholding information or giving confusing and contradictory instructions.
- ✘ Maliciously excluding and isolating a person from workplace activities.
- ✘ Spreading gossip or false, malicious rumours about a person with an intent to cause the person harm.

### **ACTIONS THAT ARE NOT WORKPLACE BULLYING**

Unlawful bullying does not include reasonable management action taken in a reasonable way by the person’s employer in connection with the person’s employment.

Legitimate and reasonable management actions and business processes, such as actions taken to transfer, demote, discipline, redeploy or dismiss a worker are not considered to be workplace bullying, provided these actions are conducted in a reasonable way.

It is important to recognise that there may often be some stress involved in the process of giving feedback to employees about their work performance or during a formal performance appraisal. Racing Queensland expects that all managers will manage these processes with sensitivity but does not expect that any managers will avoid their responsibility to provide full and frank feedback.

### VICTIMISATION

Victimisation is any conduct that threatens or harms people who have made a complaint about discrimination or harassment; agreement to be a witness in a complaint process about discrimination or harassment; or have had a complaint or discrimination or harassment made against them. Some examples are:

- ✘ Overlooking a team member for promotion because they are considered to be a 'troublemaker' because they made a complaint of harassment against their supervisor.
- ✘ Refusing a team member permission to attend a training conference because are not liked as they have acted as a witness to support another team member's complaint of discrimination.

Victimisation is unlawful and a complaint of victimisation will be treated in the same way as a complaint of harassment or discrimination.

### STRATEGIES TO ELIMINATE SEXUAL HARASSMENT, WORKPLACE BULLYING AND UNLAWFUL DISCRIMINATION

Racing Queensland will take the following actions to prevent and control exposure to the risk of workplace harassment, bullying and discrimination:

- Provide all workers with awareness training;
- Follow a grievance handling process and tell workers how to make a complaint, the support systems available and options for resolving grievances;
- Regularly review this policy and the grievance handling process.

### Victimisation:

### VILIFICATION

Vilification is different from discrimination. Discrimination involves unfair treatment, but vilification is a public act that incites others to hate, to have serious contempt for, or to severely ridicule individuals or groups because of their race, religion, sexuality or gender identity. Some examples are:

- ✘ Wearing symbols, badges or clothing in the workplace with slogans that incite hatred.
- ✘ Placing a poster or sticker in a workspace that incites others to hate individuals because of their race, religion, sexuality or gender identity.
- ✘ Comments in the workplace that encourage others to hate individuals because of their race, religion, sexuality or gender identity.
- ✘ An employee abusing a person because of their race, religion, sexuality or gender identity in the workplace which encourages others to hate people of that race, religion, sexuality or gender identity

- ⌘ A work colleague making a speech in the workplace cafeteria that incites hatred of people because of their race, religion, sexuality or gender identity.

It is also a criminal offence to incite racial and religious hatred of others by threatening physical harm towards a person or their property.

### **RACING QUEENSLAND'S RESPONSIBILITIES**

Racing Queensland managers have a responsibility, within the scope of their authority, to:

- ⌘ Display appropriate behaviour at all times – be good role models.
- ⌘ Administer equal employment practices within the workplace in accordance with Racing Queensland's policies and make fair, non-discriminatory decisions.
- ⌘ Ensure that employees are aware of this policy and the associated Grievance Handling Policy.
- ⌘ Wherever possible, make sure that neither the work environment nor work processes make it easy for discrimination or workplace harassment to happen.
- ⌘ Monitor the workplace to ensure that acceptable standards of conduct are observed at all times.
- ⌘ Treat discrimination and workplace harassment complaints seriously and confidentially and take immediate, appropriate action to investigate and resolve any matters that arise.
- ⌘ Investigate any behaviour changes that could indicate that discrimination or workplace harassment is happening in the workplace or that someone has a grievance.

### **WORKERS' RESPONSIBILITIES**

Racing Queensland's workers have a responsibility to:

- ⌘ Acknowledge the skills and talents of other employees.
- ⌘ Respect the diversity of colleagues and stakeholders including their views about what they find acceptable in the workplace and what they don't.
- ⌘ Act ethically, fairly and impartially.
- ⌘ Not discriminate against other employees or stakeholders.
- ⌘ Not be involved in, or encourage workplace harassment.
- ⌘ Be careful about anything that could be interpreted as having a sexual meaning or reference.
- ⌘ Report to their manager any unacceptable behaviour that they witness or become aware of.
- ⌘ Comply with this policy.

If someone indicates that they don't like certain behaviour, it is best to stop this behaviour immediately and apologise.

### **WHAT SHOULD A WORKER DO IF CONCERNED ABOUT DISCRIMINATION, HARASSMENT OR BULLYING?**

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If a worker has concerns regarding discrimination, harassment or bullying or believes that this policy has been breached and wishes to make a complaint, they should consult the Grievance Handling Policy for more information about what to do next.



Racing Queensland will treat all concerns and complaints seriously, impartially, sympathetically and confidentially. Each complaint will be dealt with on its own merits and workers will not be disadvantaged as a result of lodging a complaint.

**CONSEQUENCES OF BREACH OF THIS POLICY**

If Racing Queensland determines that a worker has committed unlawful discrimination, sexual harassment or bullying or has victimised someone because they complained about discrimination or workplace harassment, or because they supported someone else’s complaint, they will be subject to disciplinary action.

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The action Racing Queensland takes will depend on the circumstances but may include measures such as:

- Counselling
- Official warning
- A performance improvement plan
- Training
- Attending mediation
- Re-assigning to alternative duties
- Demotion
- Dismissal.

**MALICIOUS OR VEXATIOUS COMPLAINTS**

Just as there are serious consequences for those who discriminate or harass another employee, so to there are serious consequences for people who make malicious, vexatious or frivolous complaints.

The action Racing Queensland takes against malicious, vexatious or frivolous complainants will depend on the circumstances but may include the measures listed above.

**REVISION HISTORY**

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<b>Revision</b>	<b>Date</b>	<b>Description of Changes</b>	<b>Author</b>
01.00	1/7/2010	New Policy	HRBS and Latitude Lawyers



# RACING QUEENSLAND

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## GRIEVANCE HANDLING POLICY Policy and Procedures

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<b>Authorised By:</b>	Remuneration and Nomination Sub-Committee	<b>Date of Authorisation:</b>	1 July 2010
<b>Last Amendment Date:</b>	1 July 2010		
<b>Review Due Date:</b>	30 June 2011		
<b>Policy Owner:</b>	Chief Financial Officer		
<b>Related Documents:</b>	<ul style="list-style-type: none"><li>▪ Code of Conduct Policy</li><li>▪ Discrimination and Workplace Harassment Policy</li><li>▪ Workplace Health and Safety Policy</li><li>▪ Performance Counselling Policy</li></ul>	<ul style="list-style-type: none"><li>▪ Workplace Relations Act 1996</li><li>▪ Fair Work Act 2009</li><li>▪ National Employment Standards 2010</li></ul>	

*Any person who requires assistance in understanding this document should contact their manager.*

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## PURPOSE

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Racing Queensland Limited (RQL) values its employees, and aims to promote a healthy, safe and enjoyable working environment. RQL recognises that employees sometimes experience conflict in the workplace that may need to be addressed and resolved with the assistance of the company.

This policy outlines important information regarding workplace grievance resolution and the processes available to employees to ensure prompt, equitable and effective resolutions at the workplace level.

## SCOPE

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This policy applies to all employees, including permanent, casual and temporary personnel, of RQL, unless otherwise identified by the Chief Executive Officer (CEO).

## DEFINITIONS

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**Company Representatives:** RQL employees who have appropriate prior experience or training to deal with grievances in accordance with the processes outlined in this policy.

**Good Faith:** the principle that only genuine grievances should be raised and parties must genuinely participate and cooperate in attempts to resolve the matter; all parties are expected to be courteous and professional at all times.

**Natural Justice:** the principle that all parties have a right to be treated fairly, including any person against whom a complaint has been made; the outcomes of grievances are not prejudged.

## POLICY PRINCIPLES

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A grievance is an important matter and can have serious consequences for all parties involved, including any person against whom a complaint is made. Matters covered under this policy include any grievance, which includes any type of problem, concern or complaint an employee may have about their work or the work environment.

To make this procedure effective it is important that a grievance is related to a specific issue, incident or decision that has impacted upon an employee, rather than a generalised complaint. Employees should be able to describe the issue, incident or decision or give examples of the behaviour that is the cause of the grievance. They should also state how the grievance impacts upon them.

Any reported grievances will be treated seriously and investigated confidentially and objectively. Each grievance will be dealt with on its own merits when determining appropriate action and employees will not be disadvantaged as a result of lodging a complaint.

Employees are encouraged to promptly raise any grievance either informally or formally. Although employees are encouraged to resolve issues informally, if they feel that the matter is of a very serious nature they may lodge a formal grievance immediately.

Generally, grievances should be lodged no later than six months after the last incident unless there is a valid reason for not lodging the dispute or the dispute is of a serious nature.

### **1.1. CONFIDENTIALITY**

Confidentiality is a key element of the grievance process. Parties involved in this process whether as a witness, employee or management must ensure that details regarding the process, including the content of interviews and any outcomes, are not disclosed to other parties unless required as part of the process. Confidentiality is critical to ensuring that all participants are afforded natural justice and maintaining the integrity of the process.

### **1.2. DOCUMENTATION**

Records should be kept at all stages of the process whether the grievance is informal or formal in nature. Records or notes of the manager, company representative and CEO and copies of relevant communication during the process should be stored on a confidential file, for any formal grievance processes.

### **1.3. SUPPORT PERSON**

All parties are entitled to have a support person to assist them during this process if they wish. The support person may be a company representative, someone else within the company, or someone external. The company representative dealing with the grievance may object to a nominated support person if it would be unreasonable for that person to act in such a capacity. If a company representative is nominated as a support person, they cannot investigate the matter. Company representatives may decline to act as a support person at their discretion.

### **1.4. EXTERNAL MEDIATOR**

In some situations it may become necessary to use an external mediator to resolve the grievance. Anyone involved in a grievance may request that an external mediator be used at any stage in the process. The company representative will decide if an external mediator should be used. If an external mediator is required, RQL will select the mediator.

### **1.5. FRIVOLOUS, MALICIOUS OR FALSE GRIEVANCES**

Where a grievance is considered to be frivolous, malicious or false, the company may take disciplinary action against the employee who made the complaint.

## **PROCEDURE**

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### **1.1. STAGE ONE – RESOLVING THE ISSUE INFORMALLY**

Informal resolution involves raising the grievance by talking directly to the person who can deal with the problem, concern or complaint. This can be achieved in one of two ways:

- ⌘ Where the grievance involves a complaint against another person employees should raise the grievance or problem directly with the person involved, with an approach that shows a willingness to resolve the situation.

The person who is the subject of a grievance should take the opportunity to listen to and acknowledge the other person's concerns. Even if they believe the grievance is about a minor issue, they must recognise that it is an issue of concern to the other person and treat it seriously.

Both parties should consider the best way to resolve the grievance and do so quickly and privately.

- ⌘ Employees, who do not feel comfortable directly approaching the person or if the grievance remains unresolved after discussing it with the person involved, should discuss it with their immediate manager, who will assist them in resolving the matter. If appropriate their manager may request that a HR representative or another senior manager assist in resolving the grievance informally.

## 1.2. STAGE TWO – RAISING THE ISSUE FORMALLY

If the grievance remains unresolved after informal resolution attempts have been made, employees should lodge a formal grievance in writing, with their immediate manager, an alternate manager (level above immediate manager) or the Harassment and Discrimination Contact Officer (details of the current post holder are provided on the Intranet).

The company representative will undertake the resolution process however, other representatives may also become involved if the matter cannot be resolved or if the initial representative is not the most appropriate person to deal with the issues. This may occur in cases relating to discrimination or harassment where specialist expertise may be required. The company representative will discuss the matter with the employee and try to find a way to reach a resolution. If no resolution can be reached, the company representative will take action to resolve the grievance.

At any stage, the company representative may have discussions with the parties separately and also together to arrive at a resolution that is workable for both parties. Where appropriate, the company representative may arrange follow up meetings to ensure the matter is fully resolved.

## 1.3. STAGE THREE – UNRESOLVED AND SERIOUS ISSUES

In the case of more serious grievances, such as where disciplinary action may be an outcome or where a matter remains unresolved, the following formal approach may be required.

- ✘ The person raising the grievance will be interviewed and a written record will be made of the substance of the grievance.
- ✘ The substance of the grievance will be provided to the relevant person (the person who can deal with the grievance or the person who is the subject the complaint) and they will be given the opportunity to provide an explanation or a response to the complaint.
- ✘ Details of the explanation or response to the complaint will be provided to the person who raised the grievance.
- ✘ Witnesses may be interviewed at any stage at the discretion of the company representative.
- ✘ Relevant information will be considered by the company representative when deciding whether the grievance is substantiated.
- ✘ The company representative will write a report about the investigation and may submit their findings to the CEO with a recommendation for resolution of the matter.
- ✘ The CEO may accept the company representative's recommendation or reject it and refer it for further investigation or an alternative course of action.
- ✘ Parties involved in the grievance will be advised of the outcome of the investigation and of any resolution decided by the CEO, and will be required to participate in the process for resolution.

## 1.4. OUTCOMES OF THE FORMAL GRIEVANCE RESOLUTION PROCESS

If the grievance is lodged formally employees will receive written advice of the outcome. The outcome will be in keeping with the seriousness of the incident that formed the basis of the grievance. Possible outcomes of an employee grievance include:

- ✘ The employee gains a better understanding of the situation so that their concerns are addressed.
- ✘ A mutually acceptable resolution is achieved through conciliation or mediation.
- ✘ The employee receives an apology and/or the issue or behaviour that was the basis of the grievance is modified.

- ⌘ In instances where the facts surrounding a grievance cannot be substantiated no further action will be taken.
- ⌘ In cases where the facts are substantiated and the circumstances warrant, the company's formal disciplinary processes will be invoked. This may result in formal warning about inappropriate behaviour and in serious cases the dismissal of the employee concerned.
- ⌘ Where it is found that there has been serious unlawful activity, the police will be notified and the employee concerned may be suspended or dismissed.

### 1.5. OTHER ACTION BY RQL

If a grievance is raised, RQL may decide to carry out a formal investigation, or refer the grievance to external parties, even if this is not the employee's preferred means of resolution. This may occur, if the matter involves concerns about a breach of the law, breach of the company's policy or has implications for other employees.

### 1.6. EXTERNAL RESOLUTION

In the event of an unsatisfactory result from an internal grievance procedure employees may approach one of the following external agencies for assistance:

- ⌘ Federal Human Rights and Equal Opportunity Commission;
- ⌘ Fair Work Australia;
- ⌘ Relevant State Anti-Discrimination Agency.

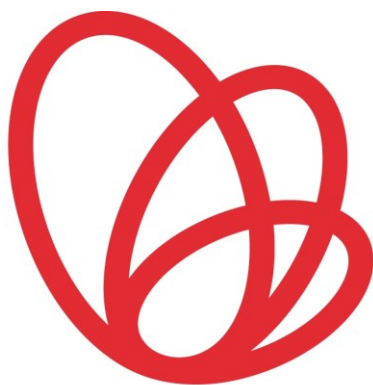
### 1.7. POLICY BREACHES

Failing to adhere to this policy may result in the following actions, at the discretion of RQL:

- ⌘ Counselling.
- ⌘ Written Warning.
- ⌘ Final Written Warning.
- ⌘ Instant Dismissal.
- ⌘ Any other lawful or legitimate action RQL deems fit under the circumstances.

## REVISION HISTORY

Revision	Date	Description of Changes	Author
01.00	1/7/2010	New Policy	HRBS



# RACING QUEENSLAND

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## INDUCTION Policy and Procedures

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**Authorised By:** The Board  
**Last Amendment Date:** 1 July 2010  
**Review Due Date:** 30 June 2011  
**Policy Owner:** Business Services Manager  
**Related Documents:**

**Date of Authorisation:** 1 July 2010

*Any person who requires assistance in understanding this document should contact their manager.*

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## PURPOSE

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Racing Queensland Limited (RQL) will do what it can to ensure that all new staff feel comfortable with their work surroundings and work colleagues as early as possible.

The process of induction aims to give new staff an understanding of RQL's business, its culture and its people.

The process also aims to forge a relationship between the staff member and their supervisor or manager.

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## POLICY PRINCIPLES

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RQL will:-

- 1.1. Ensure that all new employees are welcomed to the business and provided with the support needed to feel comfortable in their working environment.
- 1.2. Provide a structured induction process to equip managers with the information necessary to ensure a smooth integration into the organisation for all new staff members.
- 1.3. Conduct an induction training program to provide an overview of the company to all new employees.

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## PROCEDURE

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### 2.1 RESPONSIBILITY

The primary responsibility for the new staff member's induction lies with their supervisor/manager. The following process should be followed.

**Step 1 - Prior to the first day.**

**Step 2 - The first morning**

**Step 3 - The first week**

**Step 4 - The first month**

**Step 5 - The first three months**

**Step 6 - The first six months**

An induction checklist can be found at Appendix A, and a copy should be given to the new person. The manager is not expected to cover all aspects on the checklist as some areas can be delegated to other staff. It is important that the manager and staff member sign off on the checklist and return the document to the payroll department for inclusion on the employee file.

### 3.1 STEP ONE – PRIOR TO THE FIRST DAY

- & Check that the Computer Agreement User Form is completed and signed.
- & Ensure the work place is made ready – desk, good chair, telephone, computer, tools, stationery (whatever is appropriate to the job).
- & Advise the Receptionist in advance that the person is starting and who will be responsible for their induction.



- ⌘ Consider sending an email notice to all staff advising them of the new person and their background.
- ⌘ Organise an induction-training plan for the new person. The plan should cover computer and office systems as well as operational and safety procedures.
- ⌘ The relevant manager will ensure that all paperwork is ready for the new employee, e.g., Employee Handbook, forms, tax declaration, Fair Work Statement etc.

#### 4.1 STEP TWO –THE FIRST MORNING

- ⌘ Introduce the new staff member to a “buddy” within the team who will look after them in the next month or so.
- ⌘ Welcome the new person and introduce them immediately to the Receptionist.
- ⌘ Explain in general terms what is required of them in their new role and point out the more important information that is relevant to the new person’s position.
- ⌘ Explain any special priorities, constraints or limitations, e.g. approval of expenses, office entry procedures.
- ⌘ Show the employee where to find all HR policies and procedures. Discuss key areas e.g. performance and salary reviews, office hours, and ask them to review these documents over the coming weeks, coming back to them with any issues or questions.
- ⌘ Show the new person the ConnX system and demonstrate use (e.g. applying for leave, changing details etc).
- ⌘ Explain the induction process covering procedures, computer systems, safety matters, etc.
- ⌘ Encourage the new person to ask questions and not to hold back on any question that is in their mind.
- ⌘ Take the new person for a tour of the premises, facilities (including toilets and lunch rooms) and introductions to key people.
- ⌘ Arrange for someone to have lunch with the new staff member.
- ⌘ *Ensure the employee has completed and returned all new employee paperwork and the manager is responsible for providing completed paperwork to Payroll.*

#### 5.1 STEP THREE– THE FIRST WEEK

Care should be taken not to pack too much into the first week, particularly if this involves observing or listening to others – rather than doing work tasks. Aim for the majority of information to be covered in the first month and not necessarily the first week.

**Note:** Often such explanations are best delivered on the move, e.g. on a visit to a customer or as a break from other lessons, e.g. when being trained in administration aspects or computer software.

Towards the end of the first week it is a good idea to touch base with the staff member to get feedback on how the week has gone, including any thoughts on training needs. Alternatively this could be done in the second week.

## 6.1 STEP FOUR – THE FIRST MONTH

During the first month, the relevant manager will arrange for the new employee to be given a general introduction and overview of the organisation and the various departments. This introduction will involve spending some time with the various areas involved in the racing industry.

The manager should meet with the staff member to discuss their views on their progress, answer questions and discuss goals and priorities for the next several months.

## 7.1 STEP FIVE – THE FIRST THREE MONTHS

A HR representative will meet with the new employee to, first obtain the person's perceptions of their own progress. The discussion serves to reinforce performance discussions as being a normal part of RQL's culture.

The meeting can also serve as a check on the effectiveness of the induction process by asking the person how they have settled in, whether their expectations have been met and any problems along the way.

The Manager may sit in these discussions or the HR representative may conduct them independently and provide feedback to the Manager.

As six months is the time period for RQL's final qualifying review, this meeting serves as an interim review.

**Note:** It is important to have progress discussions during the qualifying period.

## 8.1 STEP SIX – THE FIRST SIX MONTHS

The end of qualifying meeting should take place at least 1 – 2 weeks prior to the end of the initial six month qualifying period. The purpose of this meeting is to ensure that the staff member has successfully completed their six month qualifying period and will continue as a permanent employee.

Following the interview,

1. confirm the person's position is now permanent  
or
2. terminate the employment contract prior to the end of the qualifying period by providing the employee with one week's notice as per their employment contract if the employee is not a suitable fit for the position

Prior to Manager making a decision to terminate an employee's employment during the qualifying period, they must first consult with a HR Representative or the Business Services Manager to ensure due process is followed. If the person's contract is to be terminated, it is critical that they be told this before the end of the qualifying period. Even a day later is too late as by industrial relations law, passing the end of the qualifying date will be taken as confirmation that the person's performance has met expectations and their employment is now permanent.

## APPENDIX A: INDUCTION CHECKLIST

*Tick each task after completion:*

<b>FIRST MORNING</b>	<b>COMPLETED</b>	<b>INITIAL</b>	<b>DATE</b>
<input type="checkbox"/> Establish a "buddy" for the new employee			
<input type="checkbox"/> Employee Maintenance Form completed			
<input type="checkbox"/> Tax Declaration and Superannuation Forms			
<input type="checkbox"/> Racing Queensland Limited Employee Information Handbook			
<input type="checkbox"/> Fair Work Information Statement			
<input type="checkbox"/> Discussion of HR policies and procedures, e.g. performance and salary reviews, office hours, etc			
<input type="checkbox"/> Demonstrate ConnX			
<input type="checkbox"/> Discussion of priorities and constraints or limitations			
<input type="checkbox"/> Discussion of training plan and administrative arrangements, e.g. operations, computers, safety, security			
<input type="checkbox"/> Introduction to Customer Liaison Officer at reception			
<input type="checkbox"/> Introduction to work colleague			
<input type="checkbox"/> Introductions to other key people			
<input type="checkbox"/> Tour of premises and amenities			
<input type="checkbox"/> Lunch with manager or colleague			
<input type="checkbox"/> Advice on local facilities, e.g. shops, bank, transport			
<b>FIRST MONTH</b>	<b>COMPLETED</b>	<b>INITIAL</b>	<b>DATE</b>
<input type="checkbox"/> Meeting with manager to review program and to receive a more detailed overview of Racing Queensland Limited.			
<b>FIRST THREE MONTHS</b>	<b>COMPLETED</b>	<b>INITIAL</b>	<b>DATE</b>
<input type="checkbox"/> Undertake a meeting with Remuneration and Nomination Sub-Committee as an interim qualifying review.			
<b>BEFORE SIX MONTHS</b>	<b>COMPLETED</b>	<b>INITIAL</b>	<b>DATE</b>
<input type="checkbox"/> Undertake a final qualifying review with the Remuneration and Nomination Sub-Committee.			

Supervisors Name	Signature	Date

Employees Name	Signature	Date

The recruiting supervisor should tick the induction items that are appropriate to the employee, initial and provide date of when the induction item was completed. When all applicable items have been completed, this checklist should be included on the employee file.

## REVISION HISTORY

Revision	Date	Description of Changes	Author
01.00	1/7/2010	New Policy	HRBS



# RACING QUEENSLAND

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## REMUNERATION Policy and Procedures

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<b>Authorised By:</b>	Remuneration and Nomination Sub-Committee	<b>Date of Authorisation:</b>	1 July 2010
<b>Last Amendment Date:</b>	1 July 2010		
<b>Review Due Date:</b>	30 June 2011		
<b>Policy Owner:</b>	Chief Financial Officer		
<b>Related Documents:</b>	Motor Vehicle Policy Fair Work Act 2009 Performance Agreement and Appraisal Policy	<ul style="list-style-type: none"><li>▪ TRV Election Form</li><li>▪ Fair Work Act 2009</li></ul>	

*Any person who requires assistance in understanding this document should contact their manager.*

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## PURPOSE

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Racing Queensland Limited (RQL) recognises that to attract and retain skilled people, remuneration packages must be competitive and flexible.

This policy details the concept of total remuneration value (TRV). RQL takes a flexible approach to the structuring of TRV and allows employees to determine how they will receive their remuneration. Employees will be permitted to structure their TRV in accordance with this policy.

## SCOPE

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This policy applies to all permanent employees of RQL, unless otherwise identified by the CEO.

## DEFINITIONS

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**Total Remuneration Value (TRV):** the total remuneration package of an employee, which incorporates base salary, superannuation and all salary packaging arrangements.

**Fringe Benefits Tax (FBT):** the tax payable by RQL on some categories of benefits provided to employees.

## POLICY –

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RQL will:

- Remunerate employees on the basis of competitive market rates, ensuring that equity is maintained at all times;
- Adopt the concept of total remuneration value (TRV), which allows employees to determine how they will receive their remuneration, in accordance with the salary package options outlined within this policy;
- Capture the actual total cost to the organisation of any salary packaging (including Fringe Benefits Tax) to form part of the cost to the employee under the TRV concept. Therefore, the employee will be responsible for all costs associated with salary packaging;
- Allow salary packages to be flexibly structured to include the following items:
  - Motor vehicles (must be an eligible vehicle, in accordance with RQL's Motor Vehicle Policy)
  - Superannuation
  - Business-related equipment (laptop computer or electronic diary)
- Ensure that all salary packages comply with Australian Taxation Office (ATO) rulings (which currently enable up to 50% of base salary to be salary sacrificed). Should there be any change to the current treatment of salary packaging, the salary sacrifice arrangement will be reviewed to ensure that there are no additional costs to RQL.
- Encourage employees to seek their own financial advice in relation to how they structure their TRV;
- Undertake a review of the TRV salary package of all employees annually, in accordance with RQL's normal salary review procedures.

- Undertake an independent remuneration review of all salaries and positions within RQL on an as needs basis.
- Employees should refer to the Schedule included with their contract of employment for individual arrangements and speak to their Manager if they have any questions.

## Procedures

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### 1. TRV Arrangements

1.1 The TRV of employees will incorporate:

- Base salary (inclusive of allowances, penalties and loadings), paid in twelve equal monthly instalments.
- Superannuation contributions, in accordance with statutory requirements into a nominated complying superannuation fund of the employees choice. Employees may elect to contribute additional amounts of their base salary, as agreed, into their superannuation fund.
- Other salary package items as elected by the employee, in line with the options outlined within this policy.

1.2 All employees will be advised of the allowable salary package options that may be included as part of the TRV upon commencement of employment with RQL and as any changes are made to this policy.

- If an employee wishes to elect a motor vehicle as one of their salary package items, they must first read the RQL Motor Vehicle Policy and elect a category (A or B) of package.

1.3 All employees are to complete a TRV Election Form (see Appendix 1) advising of their choice of options at the commencement of their employment with RQL.

- RQL will calculate the costs of the selected options in relation to the employee's TRV and return the form to the employee for approval and signature.

1.4 Employees may only change their package options annually at the time of their remuneration review. (In exceptional circumstances, an employee may change their package options outside this time with the approval of the CEO).

- If an employee wishes to change their salary packaging options they must complete the TRV Election Form (see Appendix 1)

### 2 Confidentiality

Remuneration arrangements are confidential information. Just as RQL accepts its obligation to maintain and protect remuneration confidentiality, each employee is expected to maintain confidentiality of remuneration information.

### 3 Annual Remuneration Review

All TRV's will be reviewed annually and will take effect from 1 July of each year. Any review is to take into consideration market movement, the employee's performance, RQL's financial situation and internal relativities across RQL. It will be entirely within the discretion of RQL as to whether or not an employee's TRV is altered as a result of this review.

For employees who have motor vehicles as a component of their salary package, the review will take into consideration changes in the resale market of motor vehicles, changes in the cost of fuel, FBT implications and RQL's situation. It will be entirely within the discretion of RQL whether or not an employee's TRV, including the motor vehicle component, is altered as a result of this review.

Regardless of the outcome of the annual remuneration review, all employees employed as at 1 July will receive written notification of any a change to their existing remuneration.

## 5 Raising a Concern

If an employee has any concerns regarding remuneration they should raise this with their line manager.

## REVISION HISTORY

Revision	Date	Description of Changes	Author
01.00	1/7/2010	New Policy	HRBS
	1/7/2012	Motor vehicle options	Payroll - HR



**Appendix 1**

**TOTAL REMUNERATION VALUE - ELECTION FORM**

This form is to be completed by you at the commencement of your employment with RQL to elect your TRV salary package options. It is also to be used at any time you wish to change your TRV options.

RQL advises you to seek your own financial advice in relation to how you structure your TRV.

I, ....., have read the RQL Remuneration Policy and request that the following options are included as part of my total remuneration value (TRV) salary package.

<b>Salary Package Item</b>	<b>Items Elected</b> (please tick if yes and specify any additional detail required)	<b>Cost to Employee</b> (to be calculated by RQL)
Motor vehicle* (full operating costs including FBT) *Refer to RQL's Motor Vehicle Policy before electing this item.	(See form below for options available and refer to Motor Vehicle Policy for details)	
Laptop computer (one per year)		
Electronic diary (e.g., Palm Pilot)		
Voluntary Superannuation		

This form must be returned to the Chief Financial Officer who will discuss the costs of specific salary sacrifice items with you, complete column 3 of the form and return this form to you for your approval and signature.

Employee's signature: .....

Date: .....

**MOTOR VEHICLE OPTION DETAILS**

**A. Select option 1, 2 or 3 based on eligibility (see motor vehicle policy for details)**

1. Tool of Trade/Company Vehicle
2. Pool Vehicle
3. Novated Lease

If Option 1 or 2. above is selected then complete sections B., C., & D.

If Option 3. above is selected complete section D.

**B. Select eligible Tool of Trade/Company Vehicle options**

Category A. - \$16,000 Allowance value

- Toyota Camry
- Honda Accord VTi (base model)
- Honda SUV (base model)
- Subaru Forrester X (base model)
- Nissan X-Trail ST (base model)
- Toyota RAV4 CW AWD (base model)

Category B. - \$20,000 Allowance value

- Toyota Aurion SX6 (base model)
- Holden Commodore (base model)
- Ford Falcon (base model)
- Nissan X-Trail ST-L
- Subaru Forrester XS
- Toyota RAV4 CV6 (base model)

Category C. – Other (Specify vehicle type required below)

**C. Select additional accessories (as approved by department manager)**

Tow Bar      Cargo Barrier    Driving Lights    Bull/Nudge Bar      Blue Tooth

Other.....

**D. Employee/Department Manager authorisation to be completed**

Employee Name.....

Employee Number.....

Signature:..... Date: \_\_/\_\_/\_\_

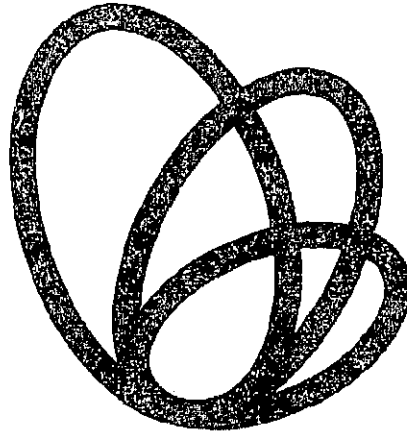
**Department Manager:**

Signature:..... Date: \_\_/\_\_/\_\_

**CEO/CFO Authorisation:**

Signature:..... Date: \_\_/\_\_/\_\_

**\*NB: Forward completed form to [payroll@racingqueensland.com.au](mailto:payroll@racingqueensland.com.au)**



# RACING QUEENSLAND

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## TERMINATION OF EMPLOYMENT Policy and Procedures

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<b>Authorised By:</b>	Remuneration and Nomination Sub-Committee	<b>Date of Authorisation:</b>	1 July 2010
<b>Last Amendment Date:</b>	1 July 2010		
<b>Review Due Date:</b>	30 June 2011		
<b>Policy Owner:</b>	Chief Financial Officer		
<b>Related Documents:</b>	<ul style="list-style-type: none"><li>• Code of Conduct Policy</li><li>• Performance Counselling Policy</li></ul>	<ul style="list-style-type: none"><li>• Fair Work Act 2009</li></ul>	

*Any person who requires assistance in understanding this document should contact their manager.*

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## **PURPOSE**

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Racing Queensland Limited (RQL) recognises that termination of employment occurs for a variety of personal or work-related reasons, initiated by either the employee or RQL. RQL is committed to adhering to its legislative obligations in relation to termination of employment.

This policy aims to ensure that when an employee leaves the organisation, termination of employment is carried out in an effective and efficient manner; the interests of both parties are protected; and that all legal requirements are met. This policy should be read in conjunction with your contract of employment.

## **SCOPE**

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This policy applies to all employees, including permanent, casual and temporary personnel, of RQL, unless otherwise identified by the CEO.

## **POLICY PRINCIPLES**

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### **1.1. RESIGNATION OR RETIREMENT**

Should an employee wish to resign or retire they must notify RQL in writing of their intention, indicating the proposed date of separation.

Employees must provide RQL with the required period of notice in accordance with their contract of employment or applicable industrial instrument. At the company's discretion, a shorter period of notice may be granted.

Unless other arrangements are agreed, employees are required to work out their notice period. If the employee fails to give the required notice, RQL may withhold the salary payment equivalent to the notice period from their final pay or take legal action.

Where previously approved annual leave falls within the notice period, RQL will normally honour this arrangement, subject to overriding operational requirements. Other holidays may only be taken during the notice period with the express authority of the employee's manager.

On, or prior to, the final day the employee must collect and remove any personal possessions they have on RQL's premises.

### **1.2. ABANDONMENT OF EMPLOYMENT**

Should an employee fail to attend work for a continuous period exceeding three working days without receiving authorisation from RQL for the absence or providing a satisfactory explanation for their absence the employee will be considered to have abandoned their employment.

RQL will endeavour to contact the employee either personally or by registered post to determine the reason for their absence and whether they intend to return to work. If no reasonable circumstances can be given, or the employee cannot be contacted within fourteen days, they will be deemed to have resigned and RQL will take steps to terminate their employment.

### **1.3. REDUNDANCY**

Changes that arise in the normal course of business sometimes result in positions becoming redundant. The company does not take such decisions lightly and every reasonable effort will be made to avoid the need to pursue redundancies, bearing in mind the business and people impacts.

If a position becomes redundant, the employee will be provided with notice of retrenchment no less than the termination provisions in their employment agreement. Employees may be required to work some or all of the notice period. RQL may offer payment in lieu of some or all of the notice period.

Where an employee is retrenched, they will receive a redundancy entitlements in line with the legislation or industrial instrument under which they are employed. The National Employment Standards of 1 January 2010 state that an employee with at least one year of continuous service may be entitled to a redundancy or severance payment (to a maximum of 16 weeks pay).

Employee's period of continuous service with the employer on termination	Redundancy pay period
At least 1 year but less than 2 years	4 weeks
At least 2 years but less than 3 years	6 weeks
At least 3 years but less than 4 years	7 weeks
At least 4 years but less than 5 years	8 weeks
At least 5 years but less than 6 years	10 weeks
At least 6 years but less than 7 years	11 weeks
At least 7 years but less than 8 years	13 weeks
At least 8 years but less than 9 years	14 weeks
At least 9 years but less than 10 years	16 weeks
At least 10 years	12 weeks*

\*Consistent with the 2004 Redundancy Case decision made by the AIRC.

#### 1.4. TERMINATION DURING QUALIFYING PERIOD

An employee's employment may be terminated during the six month qualifying period by either the employee or RQL giving one week's notice.

#### 1.5. DISMISSAL

RQL may terminate an employee's employment due to unsatisfactory performance or behaviour. Where employment is terminated for performance or behavioural reasons, RQL will provide notice in accordance with the employee's contract of employment or the applicable industrial instrument.

#### 1.6. SUMMARY DISMISSAL

Summary dismissal will occur if an employee displays inappropriate behaviour or serious misconduct that would make it unreasonable to require RQL to continue their employment during a period of notice and as such warrants immediate dismissal from the company. This behaviour may include a breach of policies or an unlawful act

Summary dismissals are only made for serious misconduct. Acts of misconduct may include, but are not limited to:

- ⊗ Fraud.
- ⊗ Theft.
- ⊗ Violence or fighting.
- ⊗ Workplace harassment.
- ⊗ Sexual harassment.
- ⊗ Wilful disobedience.
- ⊗ Possession of illegal drugs.
- ⊗ Sleeping on the job.
- ⊗ Insulting words/ abusive language/ obscenity.
- ⊗ Failure to observe safety rules.
- ⊗ Insolence.
- ⊗ Concealment of a material fact on

- ⌘ Insubordination.
- ⌘ Drunkenness or under the influence of illegal drugs.
- ⌘ engagement.
- ⌘ Dishonesty in the course of the employment.

Each case will be considered on its merits, as a question of degree will always be involved. The tests to be applied will vary with the nature of the business and the position held by the employee.

### 1.7. RETURN OF COMPANY PROPERTY AND SECURITY

Upon leaving the employment of RQL employees are required to return all company property in good condition. Property belonging to RQL may include, but is not limited to: mobile phones, files, uniforms, protective clothing, access keys, and computer hardware and software.

It is the responsibility of the employee's manager to ensure that all company property is returned on or prior to the cessation date.

## PROCEDURE

### 1.1. INCIDENTS

If an employee has concerns regarding RQL's termination practices or believes that this policy has been breached they should report it immediately to their manager.

### 1.2. POLICY BREACHES

Failing to adhere to this policy may result in the following actions, at the discretion of RQL:

- ⌘ Counselling.
- ⌘ Written Warning.
- ⌘ Final Written Warning.
- ⌘ Instant Dismissal.
- ⌘ Any other lawful or legitimate action RQL deems fit under the circumstances.

## REVISION HISTORY

Revision	Date	Description of Changes	Author
01.00	1/7/2010	New Policy	HRBS



# **EMPLOYEE HANDBOOK**



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## WELCOME TO QUEENSLAND RACING LIMITED

It is with pleasure that we welcome you to the Queensland Racing Limited (QRL) team.

Racing occupies a vital place in Queensland's cultural and sporting life. It also makes an important contribution to the state's economy; generating jobs, fostering tourism and creating wealth throughout Queensland. As a QRL employee, you will be part of the ongoing development of a more professional racing industry.

Queensland Racing Limited aims to offer its employees interesting, fulfilling and rewarding work in an exciting and dynamic industry. In return, QRL expects the highest standards of professionalism, diligence and integrity.

This handbook has been designed to help you better understand the organisation and to provide a summary of the principles for which QRL stands, information about our values, how we behave and how we work with other people; the benefits to which you are entitled; the policies and procedures affecting your employment; and the undertakings and commitments of Queensland Racing Limited and its employees.

This handbook should be read in conjunction with the human resource policies and procedure manual and your employment agreement or letter of offer.

Because no handbook can anticipate every circumstance or question about policies or conditions, QRL may need to change and add to the handbook. Should this be required; any changes will be communicated to you as they happen.

You should read, understand, and comply with all provisions of the employee handbook. If you do not understand any information contained in the handbook, or if you have any questions concerning the policies or benefits outlined in the handbook, it is important that you speak with your manager.

I look forward to a long and happy association with you as a member of the QRL team.

Yours sincerely

Malcolm Tuttle  
Chief Operations Manager

## INTRODUCTION TO QRL

### Who We Are...

Queensland Racing Limited is the control body for thoroughbred racing in Queensland. We coordinate, manage and regulate the industry by:

- ✦ Administering the rules of racing.
- ✦ Implementing sound policies.
- ✦ Enforcing standards of safety and integrity.
- ✦ Licensing industry participants.
- ✦ Licensing race clubs and monitoring their activities and performance.
- ✦ Monitoring the condition of racecourses and working with race clubs to ensure courses are developed to a suitable standard.
- ✦ Commissioning and undertaking research and promotional activities.
- ✦ Administering industry funding and commercial agreements.
- ✦ Representing the Queensland racing industry on the peak national body, the Australian Racing board, and its sub-committees.

### What We Stand For...

#### Our Mission

**To further enhance the quality and integrity of thoroughbred racing in Queensland.**

#### Our Values

QRL recognises that our people make the difference and that we need to attract, develop and retain good people. Five values underpin our work:

- ✦ **Professional and Ethical** – at all times we are professional and ethical in our dealings with stakeholders and colleagues.
- ✦ **Results-Orientated** – we ensure that our day-to-day activities are consistent with and contribute to achieving our goals.
- ✦ **Teamwork** – we work as a team to deliver the best solutions for our stakeholders, recognising and rewarding both team and individual contributions.
- ✦ **Customer Service Excellence** – we strive to serve our customers with excellence.
- ✦ **Balance Between Professional and Personal Life** – we recognise that people are our main asset so achieving a balance between professional and personal time is in the best interest of individuals and the organisation.

### Where We Come From; The History of Racing...

Racing has a rich and colourful history in Australia that can be traced back to the earliest days of colonisation by Europeans. Seven horses arrived with the first fleet in 1788, when horses played a vital role in everyday life as a mode of transport, beasts of burden and as a form of recreation.

With horses so important in the colony, it did not take long for the competitive spirit to test the speed of horses and the skill of riders and Australia's first organised horse race is recorded as taking place at Batmans Hill in New South Wales in 1838. Four years later, Australia's first race club, the Australian Jockey Club, was established.

The following year, 1843, saw Queensland's first organised racing meeting held at Coorparoo. However, it was not until 1863 that the Queensland Turf Club was formed and 1865 until the club

hosted Queensland's first official race meeting. The next year Forrester won the first Brisbane Cup and Queensland's love affair with horses and racing had begun.

With the growth of the sport, and the federation of the colonies into the Australian nation, came the need to introduce standardised rules for conducting racing. By 1912 the principal clubs that controlled racing in each state had agreed on the Australian Rules of Racing.

Racing is all about champions and Queensland has produced some truly great horses and the Queensland racing public has witnessed history being made at the track. In 1946, Bernborough, arguably Queensland's greatest horse, won 15 successive events, including the Doomben Double. In 1961, a record crowd farewelled the great Tulloch at the Brisbane Cup; and in 1973, Gunsynd, the Goondiwindi Grey immortalised by Slim Dusty, was farewelled at Doomben.

Racing in Queensland has a record of innovation, often placing it at the cutting edge of the development of the sport and industry of racing. In 1878, the world's first totalisator was unveiled at Ipswich, west of Brisbane. In 1901, the year of federation, "electric light racing" commenced at the Gabba in Brisbane's east. In 1962 following Victoria's lead off-course betting was legalised through the Queensland TAB. Apart from providing a legal form of off-course betting, the TAB provided a source of income for race clubs and revenue for government.

TAB Queensland has grown from humble beginnings to become a billion-dollar operation. Today computers are such a part of mainstream life that it seems incredible that it was not until 1977 that the TAB took its first automated telephone bet and 1980 that it introduced computerised betting. In 1999, the Queensland Government approved privatisation of the TAB. Today the organisation is at the forefront of information technology.

The formation of the TAB began a process of liberating racing from the confines of racecourses and taking it to the public wherever they were. In 1986, Sky Channel began broadcasting races live to Queensland hotels and clubs. By 1991, racing had its own radio station, 4TAB, to serve the Queensland public with live race coverage and racing information. Three years later, telephone betting with bookmakers was legalised.

For much of its history, women were marginalised or excluded from the racing industry but by the late 1970s this had begun to change. Pam O'Neill successfully lobbied the Queensland Turf Club to license women as strappers and jockeys and in 1979 she won her licence, making her the first woman jockey in Australia. On her first day riding, Pam created a world record for any jockey, male or female, when she rode a treble at Southport. Today women are successful jockeys, stable hands, trainers and veterinarians and occupy key positions in racing industry administration and marketing.

Along with its proud record of leading industry development and producing champions, Queensland also shares the dubious distinction of being the venue for one of racing's most notorious incidents. On 18 August 1984, an open-class sprinter, Bold Personality, was substituted for an ordinary country horse. The Fine Cotton ring-in was uncovered by stewards at the Queensland Turf Club and became another chapter in racing's rich and colourful history.

With the growth of the sport and industry of racing came the need for more professionalism and the highest standards of industry integrity assurance.

The Racing Science Centre was created in 1989 in response to the "caffeine crisis", when errors in drug testing caused a spate of false positive tests to be reported. The Racing Science Centre

oversees testing of racing animals for illicit drugs, as well as working with racing administrators and trainers on animal welfare issues.

The Racing Development Fund (RDF), established in 1981, heralded an era of industry expansion. Money for the RDF came from a percentage of TAB turnover, fractions and unclaimed dividends and was used to upgrade racing facilities, fund race series and help the industry develop professionally.

By 1990, the Queensland Government believed the State's five principal clubs were no longer able to provide the leadership and management the racing industry needed for it to meet the challenges of an increasingly complex and competitive environment. The Government released its "Green Paper" for restructuring racing administration and, after lengthy industry consultation, the Queensland Principal Club, the forerunner to Queensland Thoroughbred Racing Board, was created in 1992 to unify racing administration in the State.

The industry of racing had grown to become a major part of the Queensland and Australian economy but its actual contribution remained a mystery and a major study of racing's economic impact was commissioned. The landmark 1992 ACIL report found Australian racing generated \$2.4 billion in GDP and the contribution to Queensland's Gross State Product exceeded \$400 million.

The Queensland Principal Club initiated the industry's first strategic plan, Form Guide to the Future, in 1998. Studies conducted by KPMG found Queensland racing (including the thoroughbred, harness and greyhound codes) contributed \$700 million to the State economy and generated full-time, part-time and casual jobs for almost 24,000 Queenslanders. The State Government received almost \$100 million in revenue from the industry.

With privatisation of the TAB, now known as UNiTAB, in 1999, the racing industry became master of its destiny. The new arrangements meant the industry's revenue was directly tied to its ability to generate betting turnover. The industry would succeed or fail on its merits.

To address the new commercial realities, a skills-based board was appointed to head Queensland Racing in 2002. The board focussed on rationalising Queensland's racing calendar to maximise betting turnover on Queensland races.

In 2003, Queensland Racing relocated to a modern, purpose-built facility at its Deagon training centre. The industry also began reaping the benefits of reform, with increased revenue and lower costs translating into big prize money increases. 2004 saw the first full year of reform, with the financial gains consolidated, record betting turnover and record attendance at Queensland's feature race carnivals.

Racing is being marketed to a new generation of people through flagship events like the Queensland Winter Racing Carnival. Regional racing series like the Matilda Highway series and the Reef 'n' Rainforest series are stimulating interest in racing throughout the state and linking racing with tourism, one of Queensland's largest, fastest growing and most important industries.

Racing is building on its rich history to meet the challenges of the new millennium. Its dynamism means it will continue to be an integral part of Queensland social life and a significant contributor to the Queensland economy.

On the 21 April 2006 the Queensland Parliament passed the Racing Amendment Act whereby on the 1 July 2006 the existing thoroughbred control body, Queensland Thoroughbred Racing Board, ceased to be a statutory body and was established as Queensland Racing Limited. Queensland

Racing Limited is a company limited by guarantee and its constitution, will ensure the income and property of the company must be applied solely towards the promotion of the objects of the company. No portion of Queensland Racing Limited income or property can be paid, or transferred, directly or indirectly to members of the company.

## ROLE OF QRL and INDUSTRY STRUCTURE

### Overview

QRL and the Queensland thoroughbred racing industry operate within a complex industry structure that poses its own challenges and requirements. The key elements of the structure are as follows:

QRL is the licensed control body for the Queensland industry, responsible for establishing and maintaining the policies, funding and licensing arrangements, the product and program and safety and integrity of the industry. QRL is licensed under the *Racing Act 2002* and is a company limited by guarantee.

- ✦ QRL interacts with the other Principal Racing Authorities (PRA's) through the Australian Racing Board which sets the rules of racing and seeks to coordinate the national racing program.
- ✦ Racing Information Services Australia (RISA) which provides a wide range of services to the racing industry and also commercialises the racing product, is owned jointly by the PRA's.
- ✦ Funding for the industry comes principally through a product and program agreement entered into by the three racing codes with UNiTAB. The three codes operate together as members of Queensland Race Product Co Limited. Under race information legislation that has or will be implemented by all States and Territories, each PRA now charges wagering operators for the use of their information for the purpose of race wagering and this charge in most cases gets passed back to relevant PRA's. For example, QRL obtains revenue from UNiTAB under the product and program agreement for UNiTAB's use of racing materials in Australia for wagering purposes, charges each wagering operator for use of the Queensland product (with an exemption for UNiTAB given its product and program agreement) and gets charged by each PRA for UNiTAB use of the product of the other PRA's.

The constitution of QRL is based on best corporate governance principles and has been tailored to suit the Queensland thoroughbred racing industry. The constitution complies with the requirements of the *Racing Act 2002* and the *Corporations Act 2001*.

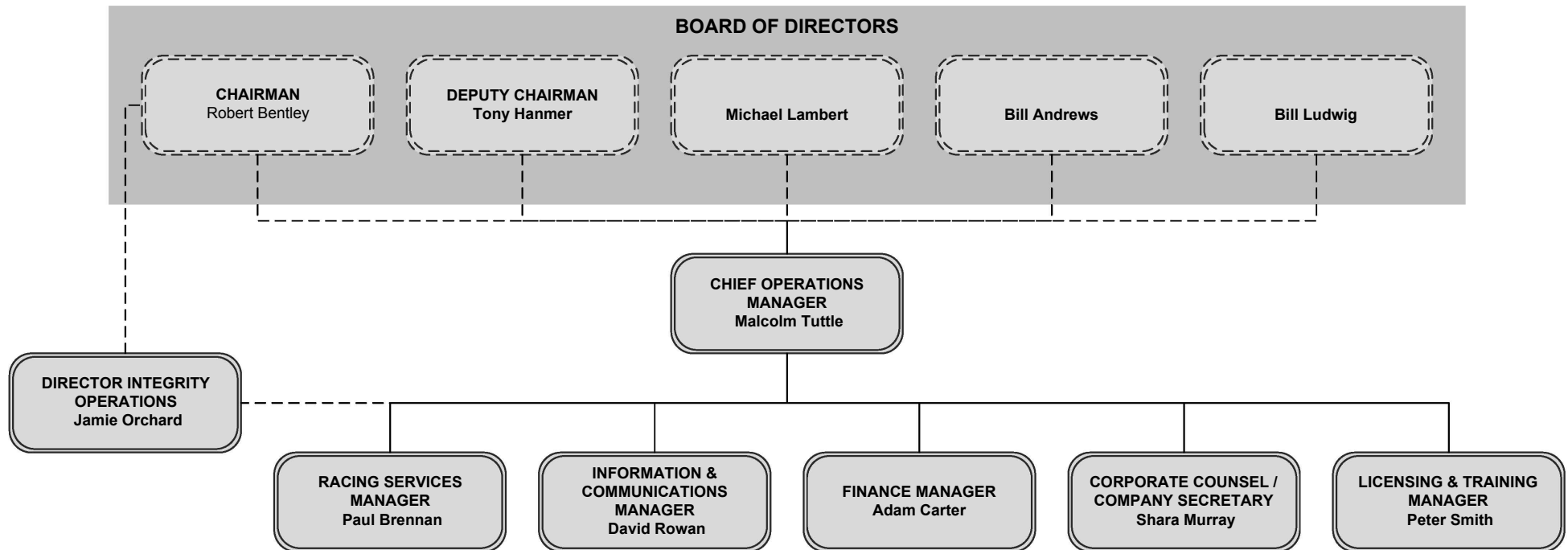
The constitution provides for 2 classes of Members, these being Class A members and Class B members.

Class A members consist of:

- ✦ Metropolitan TAB Clubs
- ✦ Other TAB Clubs
- ✦ The Queensland Country Racing Committee
- ✦ The Australian Trainers Association (Queensland Branch)
- ✦ The Thoroughbred Breeders Association of Queensland
- ✦ The Thoroughbred Racehorse Owners' Association of Queensland
- ✦ The Queensland Jockeys Association Inc
- ✦ The Queensland Bookmakers Association

Class B members consist of the board of QRL being 5 directors.

## Our Organisational Structure





## Our People

### Chief Operations Manager – Malcolm Tuttle



The chief operations manager is responsible for the operations of Queensland Racing within established policy and in accordance with the delegated authority of the Board of Directors. In addition to leading the Executive team, the chief operations manager is required to provide strategic advice to the Queensland Racing Board in relation to the business of thoroughbred horse racing.

### Director Integrity Operations – Jamie Orchard



The Integrity section ensures the effective delivery of integrity services and operational stewarding throughout the state and is responsible for policy, strategy and performance under these areas, management of the complaints system and investigations as required, and maintaining the interaction with various levels of government. Other responsibilities include the effective delivery of betting analysis and monitoring of all TAB Queensland races.

### Racing Services Manager – Paul Brennan



The Racing section works with Clubs, the other codes of racing and UNITAB to develop the most effective allocation of race dates, as well as scheduling prizemoney and developing state-wide racing programs and black type races.

Other responsibilities include; management of the Queensland Thoroughbred Investment Scheme (QTIS), the provision of secretariat support to the owners' and breeders' associations, the management of Queensland's Black Type allocation, the interface with the Trainer's Service Centre, the provision of handicapping services to the State, the management of the Deagon complex, and provides support to the Industry on Workplace Health and Safety issues.

### Finance Manager – Adam Carter



The Finance section provides financial services to the Queensland racing industry and financial, business development and other corporate services to Queensland Racing. It administers the centralised prizemoney system and provides accounting and business analyst services to Queensland Racing.



### Information and Communications Manager – David Rowan



The Information section provides information technology and telecommunications services internally to Queensland Racing. While the Communications section provides information to stakeholders in the racing industry and the general public through the monthly Queensland Racing Magazine, Queensland Racing's website and media releases. The Communications Department also organises events such as the annual Queensland Racing Industry Awards and works to promote the industry at all levels.

### Corporate Counsel / Company Secretary – Shara Murray



The Corporate Counsel of Queensland Racing Limited complies with Acts of Parliament and government regulations, and that decisions of the board of directors are implemented. Racing appeals are also managed by this section as well as providing legal services to Queensland Racing.

### Licensing and Training Manager – Peter Smith



The Training and Development section provides training services to licensees and other Queensland racing industry participants, as well as training, development and other human resource services to Queensland Racing. This section administers all license renewal and policy for Queensland and manages the licensing committee.

### Chief Steward of Queensland – Wade Birch



Operational Stewarding provides effective delivery of stewarding throughout the state, including management of the regional offices at Toowoomba, Rockhampton and Townsville. It monitors and ensures compliance with relevant Queensland Racing policies and procedures as well as ensuring compliance with the Rules of Racing. This section is the driving force behind strategy development and implementation as well as formulating relevant policies and procedures. Other responsibilities include representing Queensland Racing at the National Chairman of Stewards Conference, Emergency Disease Management and other Stakeholder forums.

## WORKPLACE CONDITIONS AND BENEFITS

### Training and Development

QRL is committed to providing employees with training and development opportunities to ensure that you keep learning and developing within your job and our business. We employ a variety of strategies to create an organisational climate that attracts and retains employees of the highest calibre and optimises their opportunities to contribute to the achievement of our mission and objectives. It is essential to continually maintain and develop our skills to ensure that we provide our stakeholders with the highest standard of service and products, and to ensure that you develop to your full potential.

QRL encourages career development through continuing professional development, formal training, and opportunities for on-the-job experience. An additional component of our employee development strategy is our Study Assistance Scheme which provides assistance to employees participating in authorised education. Everyone is encouraged to, wherever possible, gain well-rounded experience and development within the company.

### Career Opportunities

We value our employees and your career development and believe in promotion from within QRL; before we search outside the company, except where special circumstances exist, we will always look for talented people already working for us. All company vacancies will be advertised internally if the skills required for the position exist within QRL and preference will be given to internal applicants when other aspects are equal.

### Performance Reviews

QRL is committed to creating an environment that encourages high levels of performance. The performance management system is an ongoing communication system between employees and their manager; providing an opportunity to plan, manage, review, recognise and improve performance. It involves establishing clear expectations and understanding about:

- The essential function the employee is expected to perform and the desired workplace behaviours.
- How job performance will be measured and assessed.
- How the employee and manager will work together to sustain, improve or build on existing performance
- How the employees' skills and knowledge will be developed to enable the employee to be more effective and efficient
- How the successful completion of the function will contribute to the goals of QRL.

Your first performance review will be during your qualifying period. Thereafter, QRL conducts performance reviews on an annual basis with progress reviews conducted every six (6) months to assess performance to date and address any issues that may prevent you from achieving your objectives.

### Remuneration Reviews

QRL's remuneration standards are based on a "pay for performance" philosophy, according to your experience and your position. We will review remuneration levels on an annual basis.

If you have been with us for less than three (3) months you may not be eligible for a salary review due to your short length of time with us.

## Communication

At QRL, effective communication is vital to foster a people focussed work environment defined by recognition, opportunity, respect, courtesy, cooperation, consideration and ongoing feedback. To ensure effective communication we need to consider the best method of communication for each situation. We have established some communication guidelines, which if followed will assist us in being effective communicators both internally and externally.

- ☒ All communication should comply with our values.
- ☒ Seek first to understand and then to be understood.
- ☒ Always respect confidentiality.
- ☒ As a minimum reply to communication in the method that it was received. To improve communication, go up the communication hierarchy (see below).
- ☒ Communicate with the receiver in mind, in a method and at a level appropriate to them.

### The Hierarchy of Communication

<b>Face to Face Communication</b>	<p><b>When to Use</b></p> <ul style="list-style-type: none"> <li>☒ In conflict or potential conflict situations</li> <li>☒ In sensitive situations or when involving sensitive information</li> <li>☒ If delivering bad news</li> <li>☒ If there is a significant issue or occasion</li> <li>☒ To conduct performance reviews</li> </ul>	<p><b>How to Use</b></p> <ul style="list-style-type: none"> <li>☒ Be in an appropriate environment</li> <li>☒ Be in the moment; no interruptions</li> <li>☒ Be prepared; have all the facts</li> <li>☒ Use active listening</li> <li>☒ Use body language; eye contact, shake hands, mirror the other person</li> </ul>
<b>Phone Communication</b>	<p><b>When to Use</b></p> <ul style="list-style-type: none"> <li>☒ If you cannot meet face to face</li> <li>☒ If it isn't necessary to meet face to face</li> <li>☒ To book external appointments</li> <li>☒ When making a call would improve customer service and relationships</li> </ul>	<p><b>How to Use</b></p> <ul style="list-style-type: none"> <li>☒ Reception, extensions and mobiles should be answered professionally</li> <li>☒ Urgent calls should be returned immediately</li> <li>☒ Return all calls by close of business the following day</li> </ul>
<b>Written Communication</b>	<p><b>When to Use</b></p> <ul style="list-style-type: none"> <li>☒ If it is important to document the facts or when a permanent record is required</li> <li>☒ If it is beneficial to the recipient for it to be in writing</li> <li>☒ To confirm conversations in conflict or potential conflict situations</li> </ul>	<p><b>How to Use</b></p> <ul style="list-style-type: none"> <li>☒ Personalise every letter</li> <li>☒ Sign every letter personally</li> <li>☒ Respond within seven days of receiving correspondence</li> </ul>
<b>Email Communication</b>	<p><b>When to Use</b></p> <ul style="list-style-type: none"> <li>☒ To ask simple, non-confrontational questions</li> <li>☒ To transfer information</li> <li>☒ To set internal or external appointments</li> <li>☒ If there is no chance for an error in interpretation</li> <li>☒ If there is no conflict between the parties</li> </ul>	<p><b>How to Use</b></p> <ul style="list-style-type: none"> <li>☒ Be clear, make emails easy to understand</li> <li>☒ All external emails should have a signature block</li> <li>☒ If an email received is marked urgent it should be answered immediately</li> <li>☒ Return all emails received by close of business the following day</li> </ul>
<b>Text Communication</b>	<p><b>When to Use</b></p> <ul style="list-style-type: none"> <li>☒ If the communication is with someone internally</li> <li>☒ When it is the only means of contact</li> </ul>	<p><b>How to Use</b></p> <ul style="list-style-type: none"> <li>☒ Check the recipient before sending</li> <li>☒ Be clear; avoid 'text talk'</li> </ul>

The door is always open at QRL; do not be afraid to approach your manager with your ideas, concerns and feedback. Team meetings are held regularly to discuss any concerns and provide you with the opportunity to suggest improvements. Your feedback is crucial to our success.

## Company Mobile Phones

QRL may provide you with a mobile phone for the purpose of improving business efficiency. If we provide you with a mobile phone please remember its primary purpose is business, not personal, use. Personal calls within reason will be accepted, and form part of your remuneration package. All calls are itemised on monthly statements and any abuse of this entitlement may result in disciplinary action.

Please look after your mobile phone, QRL reserves the right to seek reimbursement from you for any damage, loss, theft, or other expenses incurred that are caused by an employee's wilful or negligent act or omission.

## Company Motor Vehicles

QRL employees may elect to have an eligible motor vehicle included in their salary package, subject to approval. If you elect to do so please note the following conditions:

- ⓧ The vehicle shall be made available for the authorised use of other employees during working hours and returned to QRL, at our discretion, if you are absent from work for an extended period.
- ⓧ Unless in the event of an emergency, no person other than an appropriately trained employee shall operate the vehicle.
- ⓧ We shall not accept responsibility for any penalty or fine that may be imposed in relation to the use of the vehicle unless required by law, in which case you shall reimburse us for the penalty or fine.
- ⓧ You will ensure that the vehicle is properly maintained and we have the right to inspect the vehicle upon demand.
- ⓧ We reserve the right to seek payment from you for any maintenance, repairs or replacement of the vehicle caused through the wilful or negligent misuse of the vehicle by you.
- ⓧ Any maintenance and/or repairs to the vehicle shall be carried out by a service provider approved by QRL and, subject to the provisions above, at the expense of QRL.
- ⓧ Should the vehicle be involved in an accident or otherwise damaged you must notify us immediately.

During the course of employment, employees may also use a company pool car. In addition to the conditions outlined above, use of pool cars is subject to the employee completing the log book to a satisfactory standard.

## Company Equipment and Property

All documents, records, papers, manuals, materials of any nature and other property of, or relating to, the business of QRL, whether prepared by you or not, are the property of QRL.

All equipment and company property should be safeguarded and remain on QRL's premises unless permission has been granted for the item to be removed.

## Social Activities

QRL encourages social activities to reward employees for their efforts. Occasionally we may hold social functions or request you to attend stakeholder or social functions, where alcohol is available.

QRL promotes the responsible consumption of alcohol and we expect employees to drink responsibly. Work related social activities are not compulsory. All work related social activities are not compulsory and that in the event you choose to consume alcohol at any work related function you should do so in moderation and respect those who do not wish to partake.

## Employee Records

It is important that up-to-date records are accurately and rigorously maintained regarding your personal details and career history. Please ensure that you update any changes to your personal details such as your address, telephone number or emergency contacts, as well as any additional experience or qualifications gained through the employee service portal of ConnX.

## Reimbursement of Expenses

If you use your own money for work related expenses we will reimburse you, as long as the expense is necessary to your job and:

- Your manager gives you the ok beforehand.
- You have documentary evidence of the expense satisfactory to your manager.
- You make a claim for reimbursement within a reasonable time of incurring the expense.

On occasion, you may be required to entertain stakeholders and business associates. This entertainment is dependent upon the existence of a business relationship and that the relationship would benefit QRL. When more than one employee is present at a business meal or entertainment event, the most senior employee must pay and claim the expense. All expense claims need to be approved by the appropriate manager prior to reimbursement.

Provided that we are satisfied the expenses incurred are legitimate business expenses, reimbursement will be made within fourteen days.

All expenditures must be reported accurately and in a timely way and an accurate and auditable record of all financial transactions relating to QRL must be maintained in accordance with generally accepted accounting principles. No entry should be made in the company records that distorts or disguises the true nature of any transaction.

Please note that submission of a fraudulent expense report will be regarded as serious misconduct and disciplinary action up to and including summary dismissal may apply.

## POLICIES AND PROCEDURES

The following information is important extracts from our Human Resource Policies and Procedure Manual. As part of your induction you are expected to familiarise yourself with our policies and your responsibilities and obligations. The Human Resource Policies and Procedure Manual can be found on the QRL intranet.

### Code of Conduct

QRL is committed to delivering the highest standards of corporate practice and business conduct. We aim to be a model corporate citizen; conducting business in an ethical and responsible manner, complying with all applicable legal requirements, promoting a positive and ethical work environment for employees, and making a positive contribution to the community.

### Corporate Governance

- ✎ QRL is responsible for the control, supervision and regulation of the thoroughbred code of racing in Queensland.
- ✎ The Board is responsible for determining the strategic direction of QRL and ensuring compliance with the statutory obligations.
- ✎ The Chair of the Board plays an important leadership role in ensuring QRL works effectively.
- ✎ The Deputy Chair of the Board acts as the Chair of the Board during all periods when the Chair is absent from duty or, for another reason, cannot perform the functions of the office.
- ✎ The Chief Operations Manager and Director Integrity Operations are responsible for ensuring all QRL officials within their organisational area comply with the Code.

### Principles of the Public Sector Ethics Act

- ✎ All officials must support the implementation of government policy effectively and impartially, and carry out official duties lawfully, observing statutory obligations.
- ✎ All officials must treat all stakeholders and employees with courtesy, honesty and fairness and with proper regard for their rights and obligations.
- ✎ All officials must perform their duties with the highest standards of personal integrity and honesty.
- ✎ All officials must comply with all reasonable and lawful instructions, comply with and implement QRL policies faithfully and impartially, and exercise all reasonable care, skill and diligence in giving information or advice.
- ✎ All officials must ensure QRL resources are safeguarded and not wasted abused or used improperly or extravagantly.

### Code Breaches

- ✎ If you are aware of, or have genuine suspicions of, any breaches to our code of conduct, policies and procedures manual or any legal violation you must report these issues to your manager.
- ✎ If you, in good faith, make a complaint or disclosure about an alleged breach of the code you will not be disadvantaged or prejudiced for making a complaint or disclosure.



## Workplace Health and Safety

The health, safety and welfare of our employees, customers and community is very important to QRL. We recognise our responsibility to provide a safe and healthy workplace for all employees, stakeholders, visitors and contractors. To ensure the wellbeing of others, we are committed to:

- ✘ Identifying and controlling factors within the workplace that may cause injury or health issues.
- ✘ Providing safe equipment and systems of work.
- ✘ Ensuring compliance with legislative requirements and industry standards.
- ✘ Providing information, training and supervision to ensure safety.

To assist QRL in providing a healthy and safe workplace you must report any incidents, injuries, or identified hazards to your manager immediately. Workplace health and safety is not a “one-way street”, everyone is responsible for ensuring the highest possible care in all work related activities.

## Workplace Rehabilitation

QRL recognises that there are substantial benefits to be gained from rehabilitation principles and practices and is committed to implementing them in the workplace. QRL is committed to:

- ✘ Fostering a culture of acceptance for workplace rehabilitation.
- ✘ Providing a process to support an early safe return to work and maximise independent functioning.
- ✘ Ensuring that the position of rehabilitation coordinator is adequately resourced.
- ✘ Ensuring that adequate storage is provided to maintain the confidentiality of rehabilitation files.

## Emergency and Evacuation Procedures

In the interests of both employee and stakeholder safety, you must make sure you are familiar with the procedures for evacuating the workplace and your responsibilities in emergency situations. It is important to know where the first aid kits, hose reels, fire extinguishers and emergency exits are located.

*Please ensure that you are familiar with all workplace health and safety policies and procedures applicable to your role and as detailed in our Workplace Health and Safety and Workplace Rehabilitation Policy.*

## Smoking, Drugs and Alcohol

QRL is committed to providing a smoke free work environment that is also free from the risks of hazards and injury associated with the abuse of alcohol or other drugs.

In accordance with the legislation, smoking is not permitted in any work area including company vehicles. Those employees who do smoke cigarettes should be conscious of the company's corporate image and be discreet when selecting a smoking location outside of the work area.

Alcohol and drug use can affect your work performance, posing health and safety risks to employees, stakeholders, and members of the public. As a general rule, for safety and social reasons, you should never arrive at work or be at work while intoxicated or under the influence of illicit drugs or other drugs that impair your ability to perform your duties. Consumption of alcohol at QRL and stakeholder functions may be acceptable provided that alcohol is not consumed in excess.

If we suspect you are intoxicated or under the influence of illegal or non-prescription drugs you may be required to undergo alcohol or drug tests. If the tests indicate intoxication above the legal or acceptable limit and/or you refuse to take a test, you may be subject to disciplinary action.

Repeated poor work performance caused by alcohol or drug use, or significant impairment that makes you unable to perform the duties of your role, create a serious safety risk and is regarded as serious misconduct. In addition, we prohibit the possession, transfer, or use of illegal

substances on our premises, if you are found in possession of or under the influence of illegal drugs during working hours you may be subject to disciplinary action, up to and including summary dismissal.

*See the Workplace Smoking, Drugs and Alcohol Policy for a detailed explanation of QRL's approach to these issues.*

## Personal Presentation

The image that QRL projects to the community and its stakeholders is paramount to how we are perceived. QRL employees are required to dress in a manner appropriate to their position, work location and duties while at work or any time they are representing the company, to ensure that QRL is represented positively and that our image is maintained.

QRL has a corporate uniform and available to all employees, excluding grounds staff. Each full-time employee will receive an initial issue of uniform clothing to the value of \$500, at QRL's expense and additional items of clothing may be purchased at the employee's expense. The uniform is not compulsory, except for the full time QRL receptionist, however employees are required to comply with the minimum dress standards as stipulated in the QRL code of conduct.

*More detail on personal presentation is available in the Personal Presentation Policy.*

## Working Hours

Your working hours are set out in your Employment Agreement. Given the nature of our business you need to be flexible and available to work additional hours as required to complete your duties and meet our business and stakeholder needs.

## Leave Entitlements

### Annual Leave

#### Who is entitled to annual leave?

All full-time and part-time employees are entitled to paid annual leave.

#### What is my annual leave entitlement?

Full-time employees, other than stewards, are entitled to twenty (20) days of annual leave for each completed year of employment, pro-rata for part-time employees.

Full-time employees, engaged as stewards, are entitled to twenty-five (25) days of annual leave for each completed year of employment, pro-rata for part-time employees.

Unused annual leave carries forward from year to year, and is paid out at the end of your employment with QRL.

#### When can I take annual leave?

We encourage employees to take annual leave on a regular basis to ensure that employees have the opportunity to balance their work, social and family life. Annual leave may be taken at a time which is agreed upon with QRL, subject to the operational requirements of the company. Requests for annual leave should be made through the leave application of ConnX. We will not unreasonably refuse the taking of annual leave, however there are certain times during the year when annual leave will not usually be granted and these times differ in various parts of the business.

To ensure you maintain a healthy work and life balance, we encourage you to take leave each year. We may direct you to take annual leave in accordance with applicable legislation, which currently requires the giving of notice and says that we cannot direct you to take all of your accrued leave.



## Sick/Carer's Leave

Sick/Carer's leave includes leave taken because you are ill or injured (sick leave); and leave taken to provide care to a member of your immediate family or household, who needs support because of an illness, injury or an unexpected emergency (carer's leave).

### Who is entitled to paid sick/carers' leave?

All full-time and part-time employees are entitled to paid sick/carers' leave.

### What is my paid sick/carers' leave entitlement?

Full-time employees are entitled to ten (10) days of paid sick/carers' leave for each year of employment, pro rata for part-time employees.

Unused sick/carers' leave carries forward from year to year, but any unused personal leave is not paid out at the end of your employment with QRL.

### Are there any conditions before I am entitled to personal leave?

Yes, there are conditions relating to notifying QRL of your absence and providing documentary evidence to the company regarding your absence if requested to do so.

If you are unable to attend work you must advise your manager by telephoning them as soon as possible on the day of your absence, stating the reason for your absence and as far as is practicable the estimated duration of your absence. If your manager is not available, speak to the next most appropriate manager or employee to ensure that your manager is aware of your absence.

Requests for sick/carers' leave should be made through the leave application of ConnX.

We may ask you to provide reasonable proof of the reason for your absence if you take sick or carer's leave. This will usually be in the form of a medical certificate or statutory declaration, evidencing the illness, injury or unexpected emergency, as soon as reasonably practicable.

### Are there any restrictions on taking paid personal leave?

Yes, unless QRL agrees otherwise in writing, you cannot take more than thirteen (13) weeks of sick leave per year (pro-rata for part-time employees). These restrictions apply even if you have accumulated more than the necessary leave required to be taken.

You are also not entitled to paid sick/carers' leave for any period during which you are entitled to workers compensation payments.

## Unpaid Carer's Leave

### Who is entitled to unpaid carer's leave?

All employees are entitled to unpaid carer's leave.

### What is my unpaid carer's leave entitlement?

You are entitled to a maximum of two (2) days of unpaid carer's leave for each occasion that you are required to care for a member of your immediate family or household because they are ill, injured or there is an unexpected emergency affecting that family or household member.

### Are there any restrictions on taking unpaid carer's leave?

Yes, you are only entitled to take unpaid carer's leave if you have exhausted your paid sick/carers' leave entitlements.

Requests for unpaid carer's leave should be made through the leave application of ConnX.

We may ask you to provide reasonable proof of the reason for your absence if you take unpaid carer's leave. This will usually be in the form of a medical certificate or statutory declaration, evidencing the illness, injury or unexpected emergency as soon as reasonably practicable.

## Compassionate Leave

### **Who is entitled to compassionate leave?**

All full-time and part-time employees are entitled to compassionate leave.

### **What is my compassionate leave entitlement?**

You are entitled to two (2) days of paid compassionate leave on each occasion that a member of your immediate family or household dies or suffers an illness or injury that poses a serious threat to their life.

Additional leave may be granted at QRL's discretion should extended travel be required to attend the funeral or visit the family member.

For the purpose of this entitlement, a member of your immediate family includes: a spouse or de facto partner; or a child, parent, grandparent, grandchild, or sibling of either yourself or your spouse or de facto partner.

### **Are there any conditions before I am entitled to compassionate leave?**

Yes, we may ask you to provide documentary evidence of the illness, injury or death as soon as practicable.

Requests for compassionate leave should be made through the leave application of ConnX.

## **Long Service Leave**

### **Who is entitled to long service leave?**

Long service leave is available to full-time and part-time employees who have completed ten years of continuous employment with QRL, and to casual employees in certain circumstances.

### **What is my long service leave entitlement?**

You will be entitled to paid long service leave in accordance with the relevant legislation.

### **Are there any conditions before I am entitled to long service leave?**

Eligibility for taking long service leave and all conditions will be in accordance with the relevant legislation.

Long service leave may be taken at a time which is agreed upon with QRL, subject to the operational requirements of the company. A minimum of four weeks' notice should be provided to allow for any arrangements necessary to provide adequate cover during your absence. We will not unreasonably refuse the taking of long service leave.

Requests for long service leave should be made through the leave application of ConnX.

## **Community Service Leave**

Community service leave includes leave taken to attend to community based requirements such as jury service or the defence forces.

### **Who is entitled to community service leave?**

Community service leave is available to full-time and part-time employees who are called to attend jury service or attend ADF Reserve service, on a day that they would normally work.

### **What is my community service leave entitlement?**

Jury service is a paid service and QRL will make up any difference should the payment be less than an employee's usual salary.

You will be entitled to unpaid defence force leave in accordance with the relevant legislation.

### **Are there any conditions before I am entitled to community service leave?**

Yes, we may ask you to provide your jury service orders and all documentation associated with your payment for jury service; or we may ask you to provide reasonable evidence of the necessity for you to attend ADF Reserve service.

Requests for community leave should be made through the leave application of ConnX.

*More detail on leave entitlements is available in the Leave Policy.*

## Parental Leave

### Who is entitled to parental leave?

Parental leave is available to full-time and part-time employees with at least twelve (12) months continuous employment with QRL, and to casual employees who have been engaged with the company on a regular and systematic basis for at least twelve months.

### What is my parental leave entitlement?

You are entitled to fifty-two (52) weeks of unpaid parental leave upon the birth or adoption of your child.

You may also request an additional period of parental leave of up to fifty-two (52) weeks. QRL will only refuse requests on reasonable business grounds.

### Where can you find more information on parental leave?

We will grant parental leave in accordance with the legislation or industrial instrument applicable to your employment. There are various rules about the time for taking leave and notifying QRL of your intention to take leave.

*For more detailed information on parental leave please refer to the Parental Leave Policy.*

## Extended Unpaid Leave

There is no standard entitlement to extended unpaid leave however; QRL may at its discretion approve extended unpaid leave considering the prevailing work requirements. Generally extended unpaid leave will not be granted if you intend to undertake other employment. You must disclose in writing to QRL any other work you plan to do while on extended unpaid leave.

Requests for unpaid leave should be made through the leave application of ConnX.

Unpaid leave of longer than three (3) months, whilst not breaking your period of continuous service, will not count as service for the purpose of calculating leave entitlements.

*For more detailed information on parental leave please refer to the Leave Policy.*

## Payroll

You will be paid on a monthly basis to the bank account of your choice. The deposit to your bank will usually be made on the first working day after the 14th day of each month. The pay-run covers the previous two weeks, the week of the pay and a week in advance.

Your pay will be calculated in accordance with your Employment Agreement and/or applicable industrial instrument. After each pay day you will receive a payslip providing details of your pay for that period. Payroll deductions will be made for a range of purposes, including income tax, all deductions will be clearly shown on your payslip.

Payroll should be advised of any changes to your bank account or personal details via a Personal Details Form.

## Overpayments

In the event of an overpayment of monies the company may recover the amount of overpayment provided that you are given notification of:

- The intention to recover the monies.
- The amount to be recovered.
- A full explanation of the reasons for the overpayment.

If on separation of employment you have not paid any amount due to QRL, we may deduct these amounts from your final pay, at QRL's discretion.

*More detail on our payroll practices is available in the Payroll Policy.*

## Privacy

QRL will only collect personal information ethically and lawfully. We seek to collect information in a fair manner, and in a way which is not unreasonably intrusive.

### Collecting Personal Information

If you are collecting personal information on the company's behalf, you must inform the person of the purpose for which the information is collected and that, subject to some limitations, they will be able to gain access to the information collected. You must collect information from the individual concerned whenever reasonable or practical to do so. If you collect information about an individual from someone else then you must take reasonable steps to ensure the individual is, or has been, made aware of all of the items listed above.

### Data Security, Access and Accuracy

QRL will take reasonable steps to protect personal information; to ensure that data is appropriately accurate, complete and current; and stored no longer than necessary.

You must ensure that the confidentiality of personal information contained in our records is strictly maintained. Personal information relating to individuals, including individual employees, should not be provided to other employees unless it is required to perform their jobs.

Information relating to employment records, salaries and addresses cannot be released to external organisations unless required by law, or upon informed consent from the relevant employee.

*See the Privacy Policy for a detailed explanation of our privacy practices.*

## Information Technology

QRL's information systems and the data on them are important components of our business. While employed by QRL you may be provided with an email address, access to our networks and the internet. You are requested to use these facilities in an appropriate, ethical and lawful manner. User names and passwords must be kept secret at all times and are not to be disclosed to any person at any time.

QRL's computer equipment, software and the information on our systems, as well as any company information you may have on personal information systems, are QRL property and may only be used for authorised purposes. You may use our systems for limited personal use however; such use must not constitute unacceptable work practices and should be conducted at times so as not to impact on your work commitments.

### Things You Need to Know about your Email Use

- ✘ Email is not private; it belongs to QRL and may be read at any time by our management team.
- ✘ Email uses our name and therefore suggests that you are communicating with the authority of QRL.
- ✘ Email may be inspected by parties outside of QRL, such as in the event of litigation.

### Guidelines to Ensure the Proper Use of Email

All users are to adopt the following guidelines in ensuring the proper use of electronic resources:

- ✘ Don't put anything in email that you would not want repeated to someone else.
- ✘ Don't put anything in email that you would not put in a hard copy memo.
- ✘ Tell your manager if inappropriate mail is forwarded to your address; you are responsible for the content of emails received and forwarded from your email address.

### What Internet and Email Activities are Unacceptable Work Practices?

- ✘ Violating the intellectual property rights of others such as, breaching copyright by copying their graphics or text material, or using other license software without proper authorisation.
- ✘ Introducing malicious programs, (such as viruses, worms, trojan horses) to QRL systems.
- ✘ Revealing account passwords to others or allowing use of accounts by others.

- ✘ Using QRL's internet resources for unauthorised commercial or personal advertisements, solicitations, promotions, political material or any other similar use.
- ✘ Circumventing user authentication or security of any host, network or account or accessing the internet other than through the QRL's security system.
- ✘ Affecting security breaches or disruptions of network communication, such as accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorised to access.
- ✘ Without proper authorisation, invading the privacy of individuals or entities that are creators, authors, users, or subjects of information resources; this includes publishing any information, which violates or infringes upon the rights of any person.
- ✘ Downloading or installing any executable files, this includes movie files, sound files and games.
- ✘ Sending, receiving, accessing, displaying, printing or otherwise disseminating material that is fraudulent, illegal, discriminatory, embarrassing, sexually explicit, obscene, intimidating, defamatory, or would amount to harassment.
- ✘ Subscribing to mailing lists, sending unsolicited emails or participating in chain letters.
- ✘ Accessing any chat sessions (other than for work purposes) or 'blog' sites such as Face Book or My Space.
- ✘ Sending e-mail using somebody else's email address.
- ✘ Misrepresenting QRL or transmitting material that might bring QRL into disrepute.
- ✘ Wasting finite resources or obstructing other employees' work by consuming large amounts of system resources, especially the sending of broadcast messages or any other types of use which would cause congestion of the networks or otherwise interfere with the work of others.
- ✘ Without proper authorisation, transmitting or making available via the internet QRL information.
- ✘ Using an account to send anonymous messages, or attempting to obscure the origin of any message or download material under an assumed internet address or otherwise disguise their user identity.

QRL may monitor electronic transmissions at any time, to ensure that they are used appropriately. Inappropriate use of the internet or email may result in disciplinary action, as well as any action taken by an external party. Breaches of the law will be referred to the relevant law enforcement authority and suspected official misconduct will be reported to the Crime and Misconduct Commission.

*See the Information Technology Policy for a detailed explanation of our information technology practices.*

## Discrimination and Workplace Harassment

QRL is an equality opportunity employer. We value the diversity of our workforce and respect the differences between employees, recognising that each employee has individual skills and attributes to bring to their job. QRL is committed to treating all employees fairly based on ability, skills and culture fit and creating an atmosphere that encourages good working relationships and respect between employees.

### What is Discrimination?

Discrimination means treating someone less favourably than another in the workplace because of one of the following characteristics. Discrimination can be direct or indirect, intended or unintended.

- |                         |                                     |
|-------------------------|-------------------------------------|
| ✘ Gender.               | ✘ Political Beliefs or Activities.  |
| ✘ Relationships Status. | ✘ Trade Union Activity.             |
| ✘ Parental Status.      | ✘ Pregnancy or Potential Pregnancy. |

- ⌘ Breastfeeding.
- ⌘ Age.
- ⌘ Race.
- ⌘ Impairment or Disability.
- ⌘ Lawful Sexual Activity.
- ⌘ Carer Status.
- ⌘ Gender Identification.
- ⌘ Sexual Orientation.
- ⌘ Family Responsibilities or Status.
- ⌘ Religious Beliefs or Activities.
- ⌘ Irrelevant Criminal Background.
- ⌘ Association with anyone identified on the basis of these attributes.

### **What is Sexual Harassment?**

Sexual harassment is unwelcome behaviour of a sexual nature, which is offensive, humiliating or intimidating; it can be a single incident depending on the circumstances. Humour, friendships and relationships based on mutual consent are not sexual harassment.

### **What is Workplace Harassment?**

Workplace harassment is non-sexual behaviour that is unwelcome, offensive, intimidating, humiliating or threatening; it may be verbal, non-verbal or physical in nature. Workplace harassment does not include management action taken in a reasonable way by QRL in connection with your employment.

### **What is Victimisation?**

Victimisation is conduct that threatens or harms people who have made a complaint about discrimination or harassment; agreement to be a witness in a complaint process about discrimination or harassment; or have had a complaint or discrimination or harassment made against them.

### **What is Vilification?**

Vilification is behaviour that happens in a public place and incites other to hate, to have serious contempt for, or to severely ridicule individuals or groups because of their race, religion, sexuality or gender identity.

### **Your Rights and Obligations**

You have a right to work in an environment free of discrimination and workplace harassment and, if it does occur, you have a right to complain, to be taken seriously and not be disadvantaged from lodging or bearing witness to a complaint. You also have a responsibility to understand discrimination and workplace harassment and to ensure that you do not participate in or condone such activities.

If you have concerns regarding discriminated or workplace harassment please refer to our *Discrimination and Workplace Harassment Policy* and *Grievance Handling Policy* for details on how to manage the situation or lodge a complaint.

Discrimination and workplace harassment will not be tolerated and disciplinary action will be taken against anyone who engages in discriminatory or harassing behaviour, or who victimises or retaliates against a person who reports discrimination.

*See the Discrimination and Workplace Harassment Policy for more detail on our approach to discrimination and workplace harassment.*

## **Grievance Procedure**

QRL aims to create a healthy, safe and enjoyable work environment for employees. If you have a work related problem, a grievance, you should raise it with your manager or an appropriate person to ensure the grievance is resolved as quickly as possible.

Grievances in the workplace are important and may have serious consequences for everyone involved. Anyone involved in a grievance should display good faith at all times and genuinely participate and cooperate in attempts to resolve the matter. If you are involved in a grievance you must maintain complete confidentiality to protect everyone concerned.



QRL will treat any grievance raised seriously and investigate it confidentially and objectively.

*More detail on our grievance practices is available in the Grievance Handling Policy.*

## Confidentiality and Intellectual Property

### Confidential Information

Confidential information is an asset to QRL. We have some fairly strict policies relating to confidentiality and you are expected to comply with the obligations below.

#### What Kind of Information is Confidential?

Confidential information means information regarding QRL's business such as that relating to finance, pricing, stakeholders, suppliers and service, marketing, strategies, employees, technology or software, intellectual property, designs, company systems and procedures, general business, and any other information that should be treated as confidential.

Information that the public is able to access, other than because of your disclosure, is not confidential.

#### What if I am Uncertain about Whether Information is Confidential?

If you are not sure if information is confidential you should treat it as if it is confidential unless QRL agrees in writing that it is not confidential.

#### Your Confidentiality Obligations

Any information that is not generally available to the public concerning QRL's activities, results or plans must only be used for authorised purposes. During your employment and after your employment ends, you agree that you will keep confidential all confidential information, and not discuss, communicate or transmit confidential information to unauthorised persons or make any copies of confidential information. Serious disciplinary action, which may include termination of employment, may result if you are found to have breached our confidentiality requirements. Your obligations relating to confidential information continue after your employment ends.

Confidentiality provisions don't apply if you are required to disclose the information by law, you obtain your manager's approval, or you are disclosing the information for a proper purpose relating to QRL.

### Intellectual Property

Intellectual property belongs to QRL and is an asset to the company. You must protect and treat intellectual property information as confidential.

#### What is Intellectual Property?

Intellectual property means ownership of, and rights relating to, confidential information; inventions; trademarks; patents; designs; company databases; business ideas, processes, proposals or strategies; discoveries and copyright material.

#### Your Intellectual Property Obligations

Any intellectual property that you create or develop relating to QRL, including any work you do for our stakeholders, belongs to QRL. If required, you must do everything necessary to transfer the intellectual property rights to QRL. Your obligations relating to intellectual property continue after your employment ends.

*See our Confidentiality and Intellectual Property Policy for more detail on confidentiality and intellectual property at QRL.*

## Performance Counselling

QRL is committed to creating a high performance culture and endeavours to provide an effective, prompt, equitable and consistent approach to managing unacceptable performance or behaviour.

### What is the Performance Counselling Process?

Performance counselling may involve, but is not limited to, action such as counselling discussions, training and education, written warnings, demotion or dismissal. All disciplinary processes should be confidential, prompt and procedurally fair.

*More information on QRL's performance counselling practices is available in our Performance Counselling Policy.*

## Termination of Employment

Your employment with QRL can be terminated by either you or QRL by providing notice as specified in your employment agreement or the industrial instrument under which you are employed.

### What if my Employment with QRL is Terminated by the Company?

If you find yourself in a situation where your employment is terminated by QRL you will be entitled to notice, or payment in lieu of notice, as per your employment agreement or applicable industrial instrument.

### Can my Employment be Terminated without Notice?

Yes, despite our performance counselling processes, there are a number of actions that are regarded as so serious that immediate termination without notice may result. Such acts of misconduct may include (depending on the severity), but are not limited to:

- ✘ Fraud.
- ✘ Theft from QRL, another employee, contractor or stakeholder.
- ✘ Violence or fighting.
- ✘ Workplace harassment.
- ✘ Sexual harassment.
- ✘ Wilful disobedience.
- ✘ Wilful destruction or property belonging to QRL, another employee, contractor or stakeholder.
- ✘ Insubordination.
- ✘ Drunkenness or under the influence of illegal drugs.
- ✘ Use, sale or possession of illegal non-prescription drugs whilst on QRL premises.
- ✘ Sleeping on the job.
- ✘ Insulting words/ abusive language/ obscenity.
- ✘ Failure to observe safety rules.
- ✘ Insolence.
- ✘ Concealment of a material fact on engagement.
- ✘ Dishonesty in the course of the employment.
- ✘ Conviction or an offence which makes you completely unfit for work.
- ✘ Harassing or discriminating against a employee, contractor or stakeholder.

## Return of QRL Property

On or before your employment ends, you must return to QRL all records of confidential information and intellectual property and any other company property that is in your possession or control.

*See the Termination of Employment Policy for a detailed explanation of QRL's termination of employment practices.*



## EMPLOYEE DECLARATION

1. I have read and understand the provisions of Queensland Racing Limited's Employee Handbook.
2. I agree to observe and comply with the policies and procedures included in this Employee Handbook. I acknowledge that they do not form terms and conditions of my employment contract with QRL unless expressly referred to in my Employment Agreement. If there is any inconsistency between the terms of this Employment Agreement and this Employee Handbook, I acknowledge that the terms of this Employment Agreement will prevail.
3. I shall return this original declaration to Queensland Racing Limited and retain the Employee Handbook for my future reference and use.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Employee Name: \_\_\_\_\_



# RACING QUEENSLAND

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Racing Queensland Limited

Conflict of Interest Disclosure

## Introduction

A conflict of interest occurs when a person's interests influence, or appear to influence the impartial performance of that person's duties and responsibilities. As Racing Queensland Limited (RQL) is the Control Body for racing in Queensland, it is of critical importance that Board Members meet the highest standards of probity and to that end Board Members must:

- carry out their duties impartially and regardless of personal preferences;
- avoid private, financial or other interests or undertakings that could directly or indirectly compromise or conflict with the performance of their duties;
- disclose any interest which may impact or have the potential to impact on the performance of their duties; and
- take action to resolve any conflict between personal interest and official duties in the favour of the public interest.

## Conflict of Interest

Conflicts of interest arise regularly in practice and the fact that a conflict may arise is not in itself a problem. However it will become a problem if it is not properly handled. Accordingly, it is critical that any conflict of interest is identified, reported and properly managed.

The conflict of interest may be:

- an actual conflict of interest in which there is direct conflict between the officials current duties and existing private interest;
- a perceived conflict of interest in which it could be perceived by others that an officials private interests could improperly influence the performance of their official duties; or
- a potential conflict of interest in which an official has private interests which could interfere with official duties in the future.

Regardless of the type of conflict of interest, it is critical that such a conflict be reported immediately to the Director of Integrity Operations and that you follow any further instruction provided to you by the Director of Integrity Operations in respect of that conflict.

One particular type of interest which must be the subject of disclosure by all RQL Board Members is any interest in, or related to, the racing industry. Such an interest includes:

- any interest in property used for stud purposes, agistment, breeding, training or other purposes associated with the racing industry;
- any involvement in the ownership, breeding, leasing, claiming, racing or management of horses or greyhounds;

- any contractual relationships with a licensed person in the racing industry;
- any contractual relationships with any person providing services or facilities to the racing industry; and
- any other significant financial or other interest which could reasonably raise an expectation of a conflict of interest.

The reference to interest in this regard includes not only an interest which the RQL Board Member may have, but also any such interest of a close family member of that Board Member.

Personal or family relationships with industry participants give rise to a prima facie conflict of interest and must therefore be disclosed.

It is important to note again at this point that the fact that an RQL Board Member has an interest of this type does not of itself create a problem. However it does give rise to an obligation of disclosure and the conflict, potential or perceived conflict must be properly managed.

## **Disclosure**

All RQL Board Members are required to make a disclosure by completing the form at Appendix 1 and providing it to the Director of Integrity Operations initially when commencing employment with RQL and subsequently annually. That form must be completed annually even if there are no interests to be disclosed.

In addition, whenever there is any change in an interest which has previously been disclosed (whether by the addition of other interests, a removal of interest or the change in nature of the interest for example by increasing ownership in a company related to racing) a further disclosure must immediately be made by completing the disclosure form and providing it to the Director of Integrity Operations.

## Conflict of Interest and Racing Interest Declaration Form

Full name \_\_\_\_\_

Position \_\_\_\_\_

### Racing Interest

I have the following interests in the racing industry: *(If no interests insert the word 'nil')*

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I have the following interests which may amount to an actual, perceived or potential conflict of interest: *(If no interests insert the word 'nil')*

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I hereby declare that the above details are correct to the best of my knowledge.

I hereby declare that I have received and noted this conflict of interest declaration.

Signature  
(Board Member) \_\_\_\_\_

Signature  
(Director of Integrity  
Operations) \_\_\_\_\_

Date                            /   /

Date                            /   /

### Statement of Conflict of Interest/ Racing Interests Resolution or Management

Action taken or to be taken to resolve or manage conflicts of interest or racing interests:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

The above action has been agreed on to resolve conflict of interest or racing interests declared.

Signature  
(Board Member) \_\_\_\_\_

Signature  
(Director of Integrity  
Operations) \_\_\_\_\_

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# RACING QUEENSLAND

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## CONFIDENTIALITY AND INTELLECTUAL PROPERTY Policy and Procedures

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<b>Authorised By:</b>	Remuneration and Nomination Sub-Committee	<b>Date of Authorisation:</b>	1 July 2010
<b>Last Amendment Date:</b>	1 July 2010		
<b>Review Due Date:</b>	30 June 2011		
<b>Policy Owner:</b>	Chief Financial Officer		
<b>Related Documents:</b>	<ul style="list-style-type: none"><li>▪ Code of Conduct Policy</li><li>▪ Grievance Handling Policy</li><li>▪ Performance Counselling Policy</li></ul>	<ul style="list-style-type: none"><li>▪ Workplace Relations Act 1996</li><li>▪ Fair Work Act 2009</li><li>▪ National Employment Standards 2010</li></ul>	

*Any person who requires assistance in understanding this document should contact their manager.*

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## PURPOSE

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During the course of employment with Racing Queensland Limited (RQL), employees may be given access to confidential information or intellectual property concerning RQL and its clients, licensees or associated entities. RQL has a strict policy relating to confidentiality and intellectual property as these are the company's assets, and the disclosure of confidential information or intellectual property may be highly detrimental or damaging to the company.

This policy outlines the responsibilities of RQL and its employees, when dealing with confidential information and intellectual property.

This policy is not intended to in any way reduce an employee's contractual obligations regarding confidential information and intellectual property.

## SCOPE

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This policy applies to all employees, including permanent, casual and temporary personnel, of RQL, unless otherwise identified by the CEO.

## DEFINITIONS

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**Confidential Information:** all information regarding RQL's affairs including information regarding finances, pricing, clients, suppliers, marketing, strategies, personnel, technology, intellectual property, operations, manuals containing systems and procedures, general business, and any other information that employees know or should know to treat as confidential.

**Intellectual Property:** the ownership of, and rights relating to, confidential information, inventions, trademarks, patents, designs, secret processes or strategies, discoveries and copyright material.

## POLICY PRINCIPLES

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### 1.1. CONFIDENTIAL INFORMATION

During employment and after employment ends, employees must:

- ⌘ Keep confidential all confidential information.
- ⌘ Not discuss, communicate or transmit confidential information to other persons or make any copy of the confidential information.
- ⌘ Use their best endeavours to prevent the unauthorised disclosure of any such confidential information or trade secrets by a third party.

The above provision does not apply if the employee is required by law to disclose the confidential information; the manager's approval to disclose the confidential information is obtained; or the confidential information is disclosed for a proper purpose relating to RQL.

Information which the public is able to access, other than because of an employee's inadvertent disclosure, is not confidential information. If an employee is uncertain as to whether any information is confidential information, that information should be treated as if it were confidential unless RQL agrees in writing that the information is not confidential.

Obligations relating to confidentiality shall survive the termination of employment. Employees must not, after termination of employment use confidential information for a purpose other than for the benefit of RQL.

### 1.2. INTELLECTUAL PROPERTY

This information belongs to RQL and must be protected and treated as confidential.

Any intellectual property that is created, invented or developed during an employee's term of engagement with RQL and which arises out of or is related in any way to the company, including any work for RQL's customers or licensees, vests in and belongs to RQL. Employees must immediately disclose to RQL in writing, any invention or improvement they make or conceive of during the course of performing their duties.

RQL has the right to apply for, or have assigned to the company or its nominee, copyright, patents, trademarks and other intellectual property, and employee shall, if required, do all things necessary to transfer the rights in the intellectual property to RQL or its nominee.

If proprietary information is to be shared with persons external to RQL, prior written approval must be obtained from management and, if appropriate, a *Confidentiality Agreement* must be signed by the external party.

Obligations relating to intellectual property continue after an employee's employment with RQL ends.

### 1.3. THIRD PARTY CONFIDENTIAL INFORMATION OR INTELLECTUAL PROPERTY

Employees should not bring into the workplace or otherwise utilise in whole or in part confidential information and/or intellectual property belonging to any former employer or of any other third party without the consent of such third party.

## PROCEDURE

### 1.1. RETURN OF CONFIDENTIAL INFORMATION OR INTELLECTUAL PROPERTY

At RQL's request at any time or upon the termination of employment, employees must return to RQL all confidential information and intellectual property including but not limited to all records, reports, customer lists in whatever form, belonging to RQL or its clients, licensees or associated entity, which may be in the employee's possession.

### 1.2. POLICY BREACHES

Any reported breaches of this policy will be treated seriously and investigated confidentially and objectively. RQL will treat all complaints seriously, impartially and confidentially. In all cases it is essential that all persons concerned maintain complete confidentiality in order to protect the parties involved.

Failing to adhere to this policy may result in the following actions, at the discretion of RQL:

- ⌘ Counselling;
- ⌘ Written Warning;
- ⌘ Final Written Warning;
- ⌘ Instant Dismissal;
- ⌘ Any other lawful or legitimate action RQL deems fit under the circumstances.

## REVISION HISTORY

Revision	Date	Description of Changes	Author
01.00	1/7/2010	New Policy	HRBS





Friday, 6 May 2011

Board Room, Racing Queensland  
Racecourse Road, Deagon



Meeting Commenced at 9:12am  
Meeting Concluded at 2:20pm

<b>Board Directors Present:</b>	<b>Bob Bentley</b> <b>Tony Hanmer</b> <b>Bob Lette</b> <b>Bill Ludwig</b> <b>Wayne Milner</b> <b>Bradley Ryan</b>	- <i>Chairman</i> - <i>Deputy Chairman</i>
<b>In attendance:</b>	<b>Malcolm Tuttle</b> <b>Adam Carter</b> <b>Jamie Orchard</b> <b>Paul Brennan</b> <b>Damien Raedler</b> <b>David Rowan</b> <b>Peter Smith</b> <b>Ron Mathofer</b> <b>Sharon Drew</b> <b>Blair Odgers</b>	- <i>Chief Executive Officer</i> - <i>Chief Financial Officer</i> - <i>Director, Integrity Operations</i> - <i>Director, Product Development</i> - <i>Harness/Greyhound Manager</i> - <i>IT &amp; Communications Manager</i> - <i>Licensing &amp; Training Manager</i> - <i>Business Analyst</i> - <i>Management Accountant</i> - <i>Marketing Manager</i>
<b>In attendance for Item 3.1:</b>	<b>Mark Snowden</b>	- <i>The Mannix Group Pty Ltd</i>
<b>Minutes:</b>	<b>Debbie Toohey</b>	- <i>Board Secretary</i>

The Chairman opened the Meeting at 9:12am.

**1.1 Apologies**

Nil.

**1.2 Declaration of Conflicts of Interest**

The Board **NOTED** Attachment "A".

**1.3 Confirmation of Minutes of RQL Board meeting of 21 March 2011 & 31 March 2011**

The Board **RESOLVED** that the RQL Board Meeting Minutes of 21 March 2011 and 31 March 2011 be received and confirmed.

**MOVED** by Mr Tony Hanmer **SECONDED** by Mr Bradley Ryan

**Motion carried**

**1.4 Action Sheet**

The Board **NOTED** the action sheet.

### **1.5 Media Releases / Correspondence / Matters for Noting**

The Board **NOTED** the following correspondence/matters for noting:

#### ***Letters***

- RQL letter to Glen Prentice – Qld Jockeys' Association 13 April 2011

#### ***Media Releases***

- Jockey Riding Fee Increase confirmed 14 April 2011
- Capalaba Greyhound Club Licence Suspended 28 March 2011
- Bundaberg Race Club Licence Suspended 28 March 2011

The above correspondence was **NOTED** by the Board.

### **1.6 Confirmation of Flying Minute**

The Board **NOTED** the following Flying Minutes:

- Resolution to approve capital expenditure request from the Brisbane Racing Club  
21 December 2010
- Resolution to approve \$1.55M Industry Relief Package to assist with the catastrophic floods  
5 January 2011

#### **BRC Development**

Mr Lette declared a conflict of interest as a Director of Watpac Limited and retired from the meeting at 9:15am

Mr Snowdon joined the meeting at 9:15am.

Mr Snowdon updated the Board in relation to the numerous documents that Mr Kevin Dixon of the BRC provided to RQL concerning their Master Plan Development at the meeting held at the offices of RQL on 3 May 2011.

Mr Snowdon was asked by RQL to review these documents as part of the due diligence of the proposed development so that RQL may prepare a recommendation to the Minister for the Minister's approval and any other further actions that RQL may need to take.

Mr Snowdon indicated that there was a lot of information contained in the previous agreement that is not contained in the new agreement. Mr Snowdon noted that the funding put in place for the tunneling is not in the new agreement. RQL will need to contact BRC concerning this.

Mr Wayne Milner expressed a concern that he considered that there were other documents in writing that had not been disclosed and to this date the documents presented did not detail the feasibility or profitability of the master plan.

Mr Malcolm Tuttle expressed concern that there was no overall feasibility of financial outcomes. Mr Snowdon confirmed that the success fee in the documents presented was fair and reasonable, however, in his opinion still short of detail.

Mr Snowdon informed the Board that no feasibility has been done since 2008. Mr Tuttle suggested to the Board that RQL commission Mr Snowdon to look at the feasibility outcome of the BRC master plan.

Mr Milner was worried that the BRC had not sought approval of the RQL Board. Ms Shara Murray to advise the Board if the BRC is in breach of Policies or the Racing Act at this stage, subject to the meeting that was held on Tuesday, 3 May 2011.

Mr Bill Ludwig expressed concern that the premise on which the plan is based is severely compromised by the lack of continuity of club board members being subject to the changes of support by members.

Mr Bradley Ryan expressed concern following a discussion with Mr Snowdon that the BRC have moved away from the total concept plan and are seeking subdivision of the BRC real estate to exclude parcels of land from the total racecourse holding thus not being captured by the Act. Mr Snowdon said that this may very well be true and would put any dealings with this land by the BRC out of the jurisdiction of the Government and RQL.

The Chairman advised if this course of subdivision action is being taken then this case is similar to the Gold Coast Turf Club who recently put up for sale a block of land that was excluded from the Act as it was surplus to racecourse land and under a separate title.

Mr Snowdon and Mr Tuttle to have carriage of the following actions:

1. RQL to request confirmation from BRC that no other agreements exist between BRC and Watpac or any associated entities.
2. RQL to seek legal advice in relation to the formal termination of any or all previous agreements between BRC and Watpac.
3. RQL to undertake a feasibility of the BRC development based on the development parameters contained in the Preliminary Application lodged with council 1<sup>st</sup> April 2011.
4. RQL to ascertain if Ministers approval should have been sought prior to entering into any development agreement by BRC with Watpac.
5. RQL to ascertain if the approval of the Preliminary Application and associated reconfiguration of the lots (subdivision) removes the non-core land from the control of the Racing Act as it will no longer form part of the land used for racing purposes.

The results and outcomes of these actions to be reported back to the board of RQL via a flying minute.

The above action was **AGREED** by the Board.

Mr Lette returned to the meeting at 9:33am.

### Infrastructure Plan

The Chairman tabled to the Board an amended Industry Infrastructure Plan.

The Chairman discussed the plan with Board Members and advised that he had requested the State Government to extend the wagering tax redirection a further 2 years making a total of 6 years. The amended plan will be submitted within 7 days and any comments from Board Members prior to lodgment will be considered, and if necessary amendments can be made.

In relation to the Finance application to Government, Mr Ryan and Mr Lette to be consulted on how the loan will be expensed in the RQL financial accounts. Mr Ryan suggested that it would be advantageous that a loan from the Government could be structured in a way as the tax redirection repayments could be accounted for as a "forgiveness loan".

The Board **APPROVED** the amended tabled Infrastructure Plan and noted board members had 7 days to discuss any amendments with the Chairman.

### NRL Bid – Albion Park

The Chairman requested that this is to be **strictly confidential**.

Mr Snowdon was asked to give the Board a brief on his talks with a potential new tenant at Albion Park – this being the new NRL football consortium team for Brisbane bidding for the second license.

The initial discussions highlight:

- Direct comparison setup to what the Broncos have presently at Red Hill
- Games would be played at Suncorp
- 99 year lease at \$1 per year
- The grandstand will become a leagues club
- RQL would pay for the construction of the playing fields at approx. \$2.4m, and eventually donating the land to council for the cost of the construction of the playing fields.
- The granting of this franchise and the subsequent tenant is of major advantage to the project that it adds values for buildings that would be demolished and overcomes any perception of lack of green space.
- The consortium is very confident in getting one license

The consortium has informed Mr Snowdon that they would like to make the official announcement on the Channel 9 Footy Show on 16 June 2011 announcing the new team name and the location of the team. The Chairman advised Mr Snowdon that the announcement of this submission should be held as long as possible and any dealings or announcements should make it clear that nothing can be signed or progressed until the court case currently before the Supreme Court is resolved.

Mr Snowdon has requested Board approval for the project to proceed to Heads of Agreement with the NRL consortium, subject to full disclosure to the purchaser and subject to the positive outcome of the Supreme Court action.

- The Board approved that the project proceed to a Heads of Agreement, subject to disclosure as outlined.

- The Board requested that Mr Snowdon compile a report to be sent to Mike Kelly at the Office of Racing outlining the Board discussions.

Mr Lette abstained from voting on this matter.

**MOVED** by Mr Bradley Ryan **SECONDED** by Mr Bill Ludwig

**Motion carried**

Mr Snowdon left the meeting at 10:30am.

## **2.1 Chief Executive Officer Report**

### **Future Product Fee Negotiations**

Mr Malcolm Tuttle said that this item was included in the Agenda for the Board to start to consider the future of the Industry funding as we approach 2014 as it was the utmost importance seeing that the wagering program is far different from the time of negotiating the original Product and Programme Agreement.

The Chairman declared a conflict of interest and advised that he would leave the meeting.

### **Queensland Occupational Health and Safety Issues (Jockey's Association)**

Mr Tuttle tabled correspondence received from Mr Kevin Ring, the Australian Jockey's Association National Occupational, Health and Safety Officer in relation to a survey that was conducted on their website Australia wide on all racing precincts. Mr Tuttle advised that he was due to have a meeting next week with Mr Ring and that RQL has issues with the lack of information and Mr Ring's decision to conduct this survey without first advising RQL.

The Board noted the issues identified and Mr Tuttle undertook to advise Mr Ring that these issues in the first instance should be addressed with the Clubs concerned, not RQL.

### **Country Racing Report**

The Chairman advised that the report tabled "Country Racing – (The Future)" was for Board information and was to remain confidential at this stage. Future discussion papers on country Racing will be provided to the Board prior to December 2011.

The Board needs to be in position to fully understand the cost of country racing and the long term affordability, as the current level of support for this non revenue producing racing, was unsustainable.

This update was **NOTED** by the Board.

## **2.2 Legal & Compliance**

### **Amendment – Local Rules of Racing**

~~LR.3A prescribed RQL authority to set, pay and deduct fees for all person/s and Clubs was not included in the previous amendments.~~

It is recommended that the Board resolve to include the following local rule as LR.71B:

**LR.71B. Financial Systems and Administration**

1. *The Principal Racing Authority may establish a system or systems for the payment of all prizes, rebates, subsidies or similar sums to persons and/or clubs entitled thereto.*
2. *All prizes including prizemoney and breeding incentive bonus schemes, rebates, subsidies or similar sums are set at the discretion of the Principal Racing Authority.*
3. *As part of such system or systems the Principal Racing Authority may deduct from sums payable under (2) all nomination, acceptance and scratching fees, forfeits, fines or other sums that are due and payable to the Principal Racing Authority.*
4. *The terms of credit and amounts due and payable for each person and Club are governed by the Principal Racing Authorities Credit Policy.*
5. *Where the Principal Racing Authority establishes a system or systems in accordance with this Rule all persons and Clubs subject to the Rules of Racing shall comply with such conditions and requirements as specified by the Principal Racing Authority to support such system or systems.*

The Board **RESOLVED** to include the above rule in the Rules of Racing from 1 July 2010.

**External Legal Advice**

**The Chairman's perceived conflict**

The Board expressed concern over the constant and continuing reference to the Chairman's "perceived conflict" for holding positions on RQL and Tatts Group.

Mr Hanmer informed the Board that this had been investigated by ASIC, the CMC, the ACCC and the gaming regulators of 3 states, as well as a barrister's opinion in the early part of the Board's tenure.

Mr Milner suggested that the Board put the matter to rest by obtaining an opinion from a prominent QC instructed by Cooper Grace Ward Lawyers on the Chairman's position and the relevant Sky Channel negotiations.

**MOVED** by Mr Wayne Milner **SECONDED** by Mr Tony Hanmer

**Motion carried**

**Post 2012 Election**

The Chairman expressed the need to have the Boards actual position clarified post the 2012 election should there be a change in Government. This has been the subject constant reference by the oppositions, Mr Ray Stevens that under an LNP government the 3 codes will be returned to operation under separate silos.

The Chairman suggested the Board Members needed to know their legal position and the position of RQL. RQL is a company subject to the Corporations Act 2001(Cth) and it is essential that Directors know their legal obligations.

Board Members agreed, with the Chairman's assessment, that the Chair brief Clayton Utz Solicitors and in particular, Mr Barry Dunphy, previously Crown Law, on the company and the Board Members situation, should a change of Government occur.

**MOVED** by Mr Bob Lette **SECONDED** by Mr Wayne Milner

#### **Motion carried**

The Board **NOTED** all other items in the Legal and Compliance Report.

### **2.3 Finance Report**

Mr Adam Carter updated the Board in relation to the management accounts for the month ended 31 March 2011.

Key highlights for YTD March 2011:

- Revenue down \$9.4M or 8% on budget and down \$6.1M (5%) on prior year.
- Product and Program Fee 3% down on budget YTD.
- Race Information Fees (RIF) are \$4.8M below budget YTD.
- Venue Income – Reduction of stable rent against budget of \$47K. This was a result of reduced or free rent during the floods. Rental income from Albion Park has also decreased by \$73K YTD.
- Expenditure down \$6.3M (6%) on budget and down \$450K (0.4% on prior year.
- Prizemoney is \$6M below budget YTD. This is a result of unexpended prizemoney of \$3.9M on thoroughbred races, \$656K on harness races and \$259K on greyhound races. Unpredictable weather across Queensland has resulted in 52 race meetings being abandoned for the YTD.

The Board **NOTED** the Finance Report for March 2011.

Mr Carter tabled the Draft Budget FY12 for discussion and consideration by the Board and advised that he will be meeting managers next week to discuss their individual unit budgets and the reporting format that will be required. The Chairman advised that the unit Managers need to take ownership and work within the financial constraints within their budgets.

Mr Carter advised the Board that he would present the final budget at 7 June 2011 Board meeting.

### **2.4 Product Development Report**

Mr Paul Brennan and Mr Damian Raedler updated the Board in relation to the Prizemoney Budget. A copy of the 2011/12 Prizemoney Schedules and Budgets were tabled to the Board.

Mr Paul Brennan, Product Development Manager gave the Board the presentation on the Prizemoney Budget for all codes. The presentation included the following:

A draft 2011/12 prizemoney budget was presented for the consideration of the Board.

The Board agreed that it was not positioned to increased minimum prizemoney levels at thoroughbred meetings and that the minimum levels be maintained as per 2010/11, as presented by the Product Development Department. This budget included an increase of \$1,451,500 at TAB and Non-TAB thoroughbred meetings due to an increase from 51 Saturday's in 2010/11 to 53 in 2011/12, and a previously approved increase to minimum Black Type prizemoney levels of \$220,000.

A concern was raised regarding the considerable investment in the QTIS and QTIS 600 schemes with forecast expenditure in 2011/12 budgeted at \$7,886M, some 9.3% of the overall thoroughbred budget. Although it was not possible to alter this funding stream in the 2011/12 budget due to previous commitments, it was agreed that a thorough review should be undertaken of both schemes in the near future to enable any changes to be advertised prior to the 2012 yearling sales. It was suggested that any savings generated through amendments to the QTIS and QTIS 600 scheme could be directed to base prizemoney levels in future budgets.

The Board was advised that due to a misallocation of the drivers fees, the previously advertised base prizemoney levels at Metropolitan meetings from 1 July 2011, were not sustainable within the budget. It was agreed that these would need to be reduced as follows – one race at \$14,000 not \$15,000 and seven races at \$11,000 not \$12,000. It was agreed that the remaining tiers would be maintained at the previously advertised levels of \$6,000, \$5,000, \$4,000, \$3,001 and \$1,501 at Non-TAB meetings. This delivered an increase to base prizemoney distributions in 2011/12 of \$941,198, compared to 2010/11.

The Board agreed that the allocation of funding to QBRED series was significant at 15% of the overall harness budget and agreed to changes to the scheme from 1 September 2011 was necessary. The Board requested that consultation be undertaken with industry representatives and approved a budget of \$1,238,700 for bonuses and restricted races. This figure will reduce to around \$1,180,800 in future years as the existing scheme will be maintained during the months of July and August 2011.

The Board also approved a reduction in the Nursery Series from \$540,000 to \$440,000, achieved through a reduction in both two year old races from \$150,000 to \$100,000.

The Board approved an increase in base greyhound prizemoney from \$7,726,950 in 2010/11 to \$9,733,755 in 2011/12. This increase related to the \$1.5M previous commitment, a one off contribution of \$215,000 to the National Sprint and Distance Championships, not previously advised by the previous GQL Board and the provision of an additional \$225,000 to convert Rockhampton meetings to TAB status with a \$66,000 contribution to feature races.

The Board also approved alterations to the QDOG scheme and an increase in funding to \$242,650 in the 2011/12 financial year due to a 1 January implementation date, with a full year's budget of \$400,000.

In approving the aforementioned budgets, the Board acknowledged that base prizemoney funding had been over allocated and that it was forecast that the following savings would be achieved in base prizemoney throughout the 2011/12 financial year due to abandonments and unallocated prizemoney.

- Thoroughbred – 2.5%
- Harness – 2%
- Greyhound – 2%

The Board also acknowledged the positive outcomes achieved by the GAP program and provided an increase of \$50,000 to the 2011/12 GAP budget

The Board **APPROVED** the Prizemoney budget as presented.

**MOVED** by Mr Wayne Milner **SECONDED** by Mr Tony Hanmer

**Motion carried**



## **2.5 Integrity and Licensing Report**

Mr Jamie Orchard updated the Board in relation to the relevant issues in the Integrity Department.

### **Appointment of Stewards**

Mr Orchard sought the Board's approval to formally appoint Stewards across all panels.

The Board **RESOLVED** that:

*All Stewards currently employed by RQL or who are employed as a Steward in future by RQL are appointed as a Steward in accordance with the Rules of Racing for each code of racing.*

**MOVED** by Mr Tony Hanmer **SECONDED** by Mr Bob Lette

### **Motion carried**

### **Bookmaker Issues**

Mr Orchard advised the Board that a full 3 months audit is currently being undertaken concerning bookmakers compliance with the Rules in relation to whether all bets taken over their recorded telephone were entered into their ledgers. The audit has identified a number of incidences where either recorded bets were not included in the ledger or bets are recorded in the ledger but not on the recorded telephone. This audit is still underway. The Integrity Team is also investigating the use of electronic boards in Queensland. This will mean that the bookmaker will be obliged to take bets and these will be captured exactly at what prices on the board. This will also be advantageous for bookmakers who field and take bets on southern events.

### **Other Issues**

- Victoria Homicide Police have contacted Mr Orchard in relation to assisting them in their investigation of Mr Nolic.
- NSW Police have also contacted Mr Orchard in relation to a raid of a house owned by people they believe involved in Queensland Greyhound Racing where they found \$4-5M. Mr Orchard is assisting in this matter.

### **Licensing Report**

This report was **NOTED** by the Board.

## **3.1 Jockey Rehabilitation & Training Facility Construction Tender**

Mr Mark Snowdon updated the Board in relation to the tender process for the jockey rehabilitation and training facility at Deagon.

The Chairman suggested to the Board that the Jockey Rehabilitation and Training Facility at Deagon should be put on hold as resources are stretched and it would be prudent to wait until after the decision of the court case concerning Albion Park.

Mr Snowdon made the Board aware that RQL has a good relationship with Integral and that the tender price would change from what has been quoted at present, RQL may need to go back to tender.

### **3.2 Remuneration & Nominations Committee Meeting Minutes and Recommendations**

The Board today noted the draft minutes of the April 14, 2011, meeting of the Remuneration & Nomination Committee.

The Chairman advised Board Directors that he and Mr Ludwig had considered the situation and the amount of work that the executive staff will have to do between now and 2014 with the changing wagering landscape and the approach to the end of the exclusivity of the TattsBet license.

RQL will be required to commence negotiations of a Product Fee with TattsBet post 2014 and the Board needs to understand that key staff will be integral to a successful outcome.

They key executive staff need security of tenure as well as their assistants so as to not be distracted by innuendo and rumour about the period between now and 2014. Board members unanimously agreed with the recommendation with the Remuneration and Nominations committee.

In addition, the Board considered a recommendation from the Remuneration & Nomination Committee, which led to the following resolution:

The Board **RESOLVED** that:

(a) the existing employment agreements be extended by 12 months up to and including June 30, 2014, for the following employees:

- Malcolm Tuttle
- Adam Carter
- Jamie Orchard
- Paul Brennan
- Shara Murray
- David Rowan
- Peter Smith
- Col Truscott
- Warren Williams

(b) Wade Birch be offered an employment agreement to expire on June 30, 2014, and

(c) employment agreements be offered to the following employees to expire on June 30, 2013:

- Wendy Thomas
- Kearra Christensen
- Toni Fenwick
- Ali Wade
- Debbie Toohey
- Jaime Knight

(d) The Chairman to approve the terms relevant to the agreements and the extension of the agreements.

(e) Ms Murray to draft Employment Agreements for the Executive Assistants to expire 30 June 2013.

(f) Ms Murray to draft an Employment Agreement for Mr Wade Birch to expire 30 June 2014.

**MOVED** by Mr Wayne Milner **SECONDED** by Mr Bradley Ryan

**Motion carried**

### **3.3 Capalaba & Bundaberg Clubs – Show Cause Update**

#### **Capalaba Greyhound Racing Club Inc.**

Mr Brennan updated the Board in relation to the issue of the Show Cause Notice to the Capalaba Greyhound Racing Club Inc (**Club**).

After a number of subsequent meetings, the Club has requested RQL to take responsibility for managing the race meetings and barrier trials and also assume responsibility for facility maintenance.

Mr Brennan has drafted a proposal outlining the roles and responsibilities at the Club. This draft proposal will be taken to a meeting to be held with the Club and RQL representatives on Saturday, 14 May 2011.

Mr Brennan sought the Board's approval for the following:

1. RQL to take responsibility for the maintenance and management of the Club in accordance with the draft proposal.
2. Expend \$160K in up front capital investment (\$25K from Government).
3. Expend up to \$100K on purchasing the Clubs assets, dependent on the valuation.
4. The five year budget, which includes two full time staff at the Club.

This was **APPROVED** by the Board.

#### **Bundaberg Race Club Inc.**

Mr Brennan updated the board in relation to the issue of the Show Cause Notice to Bundaberg Race Club Inc. (**Club**).

Mr Brennan informed the Board that the Club has provided sufficient documentation to enable RQL to make a determination that the Club is no longer trading whilst insolvent and that a viable business model has been put in place for the remainder of 2010/11 and the full 2011/12 financial year.

Mr Brennan sought the Board's approval to reinstate the Club license and the Club contributing \$5,000 to prizemoney for the Cup meeting in July 2011, and that all future meetings be retained at base prizemoney levels until the Club can demonstrate that they are in a financial position to make increased contributions to prizemoney.

This was **APPROVED** by the Board.

### **3.4 2011/12 Marketing Strategy**

Mr Blair Odgers updated the Board in relation to the Marketing Strategy being put in place to focus on increasing the profile and customer perception of racing in Queensland. This strategy will look at attracting new customers to become involved in racing.

Mr Odgers tabled a copy of the 2011/12 Marketing Strategy document to the Board.

The five main marketing strategies are as follows:

1. Racing brand awareness
2. Regional racing
3. Ownership
4. Industry Sponsorship
5. Industry Communications

Mr Hanmer informed the Board that Sky Racing has agreed to do a documentary around the awards night.

The Board **NOTED** the quality of the Marketing Strategy documentation.

### **3.5 Social Media/Discrimination: Racehorse Community Forum**

This item has been deferred.

### **3.6 Trainer Numbers – Options for licensing changes**

Mr Peter Smith sought the Board's approval to proceed with the development of new categories for trainers through consultation with stakeholders.

The two proposals are as follows:

1. Proposal for upgrade of entry criteria for new trainers to be implemented as soon as practicable, and
2. Proposed new licensing scheme for trainers- for consultation with stakeholders

Mr Milner suggested that mandatory seminars be conducted for the trainers throughout the State on an annual basis.

Mr Smith also to update the Licensing Policy reflecting the approved proposals and to advise the Trainers Association of these changes.

These proposals were **APPROVED** by the Board.

**MOVED** by Mr Bradley Ryan **SECONDED** by Mr Wayne Milner

**Motion carried**

**Confirmed as a true record.**

  
R G Bentley  
Chairman

Dated...10...1...5.../2011

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**Mr Bob Bentley**

Director of Tatts Group  
Director/Chairman of Sunshine Coast Racing Pty Ltd (ACN 120 875 363)  
Director/Chairman of Australian Racing Board

**Mr Tony Hanmer**

Member of the Sunshine Coast Turf Club

**Mr Bob Lette**

Life Member Albion Park Harness Racing Club  
Member of Brisbane Racing Club  
Consultant to Mullins Lawyers  
Non Executive Director Watpac Limited

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**Mr Bill Ludwig**

Secretary of the Australian Workers' Union (including signing of all correspondence and Industrial Instruments)  
Board Member of WorkCover Queensland  
Member of Brisbane Racing Club

**Mr Bradley Ryan**

Member of the Brisbane Racing Club  
Member of Tattersalls Club

**Mr Wayne Milner**

Member of the Brisbane Racing Club  
Member of the Sunshine Coast Turf Club  
Member of the Ipswich Turf Club  
Member of the Victoria Racing Club  
Life Member of QROA  
Member of Queensland Breeders Association  
Holder of Victoria Owners Gold Card

Meeting Commenced at 2:24pm  
Meeting Concluded at 2:46pm

Board Directors Present:	Bob Bentley Tony Hanmer Bob Lette Bill Ludwig Wayne Milner Bradley Ryan	- <i>Chairman</i> - <i>Deputy Chairman</i>
In attendance:	Malcolm Tuttle Shara Murray	- <i>Chief Executive Officer</i> - <i>Senior Corporate Counsel/Company Secretary</i>
Minutes:	Debbie Toohey	- <i>Board Secretary</i>

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The Chairman opened the Meeting at 2:24pm.

#### 1.1 Apologies

There were no apologies.

#### 1.2 Declaration of Conflicts of Interest

Directors are required by the *Corporations Act 2001* (Cth) to disclose any material personal interest in a matter relating to the affairs of the Company.

There were no other additional Declarations of Conflicts of Interest. (See Attachment "A")

#### 2.1 Senior Executive Staff

The board discussed 'in camera' at length the papers that were distributed for consideration.

The Board requested Ms Shara Murray to obtain salary ranges of comparable positions in both Racing NSW and RVL. The Board recognized that only ranges would be available as confidentiality clauses would apply.

The Board noted the advice from Norton Rose and unanimously supported the intent of the advice received, Board members considered it appropriate that Clayton Utz review Norton Roses' advice.

Following the tabling of the advice received from Norton Rose the Board requested Ms Murray to send the advice to Clayton Utz for their review and opinion. Following dispatch of the advice the Chariman advised that he would meet with both Clayton Utz and Norton Rose to resolve the matter.

The Board to resolve this matter of Senior Executive Staff at the next Board meeting of 5 August 2011.

#### 2.2 D & O Insurance

Ms Murray informed the Board that she had been working with AON on the policy review for D & O Insurance.

Ms Murray advised that she had reviewed the D & O Policy and the advice from Clayton Utz and considered after due consideration that the policy offered by ACE underwriters should be recommended. The details of the ACE offer are

1. 7 year 'Run-Off' cover. (This will be a secondary cover to the existing RQL cover)
2. The secondary cover cannot be cancelled.
3. Limit is \$20,000,000 in aggregate for all losses
4. The quote is available is \$76,862.50.
5. Period for decision – 30 days.

Ms Murray be authorized to accept the offer from ACE Insurance and for Clayton Utz to draft new Deeds of Indemnity for each Director.

This was **APPROVED** by the Board

**MOVED** by Mr Bill Ludwig **SECONDED** by Mr Tony Hanmer

**Motion carried**

### **2.3 Infrastructure Plan – way forward for negotiations**

The Board discussed the Infrastructure Plan which was launched today at an industry presentation.

Mr Malcolm Tuttle informed the Board that a committee would be formed, which would report back directly to the Board on the way forward for the infrastructure plan. Mr Tuttle and Mr Mark Snowdon will meet to discuss what resources are needed.

Mr Ludwig suggested that there was a need for justification of priorities. The committee is to present an assessment report monthly to the Board.

The Chairman advised that negotiation will be held with all clubs on their assets and each club will be assessed differently. Mr Tuttle suggested that the Board also look at the ongoing costs that RQL will incur annually for training facilities.

Mr Bob Lette suggested that the Board could adopt a negative control that would cover an equity holding of less than 20%.

### **2.4 Sunshine Coast Development**

Mr Tuttle declared that Mr Tony Havig of the Lascorp Group was a personal friend.

The Board noted Mr Tuttle's potential conflict but resolved to have Mr Tuttle present for the discussion.

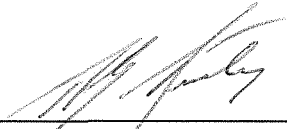
Mr Tuttle informed the Board that he had been approached by Lascorp Group- who are specialist in retail development, primarily with Woolworths and Coles supermarkets with a proposal to RQL for commercial development at Sunshine Coast Turf Club and Deagon.

The Chairman advised Mr Tuttle to organize Lascorp to present to the Board of Sunshine Coast Racing Pty Ltd in the first instance, a proposal that could be brought to the Board of RQL.

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The Chairman will call a Sunshine Coast Racing Pty Ltd Board meeting.

**Confirmed as a true record.**



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**R G Bentley**  
**Chairman**  
**Dated...5.../...8.../2011**



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**Mr Bob Bentley**

Director of Tatts Group  
Director/Chairman of Sunshine Coast Racing Pty Ltd (ACN 120 875 363)  
Director/Chairman of Australian Racing Board

**Mr Tony Hanmer**

Member of the Sunshine Coast Turf Club Inc.

**Mr Bob Lette**

Life Member Albion Park Harness Racing Club Inc.  
Member of Brisbane Racing Club  
Consultant to Mullins Lawyers  
Non Executive Director Watpac Limited

**Mr Bill Ludwig**

Secretary of the Australian Workers' Union (including signing of all correspondence and Industrial Instruments)  
Board Member of WorkCover Queensland  
Member of Brisbane Racing Club

**Mr Bradley Ryan**

Member of the Brisbane Racing Club  
Member of Tattersalls Club

**Mr Wayne Milner**

Member of the Brisbane Racing Club  
Member of the Sunshine Coast Turf Club  
Member of the Ipswich Turf Club  
Member of the Victoria Racing Club  
Life Member of QROA  
Holder of Victoria Owners Gold Card  
Consultant to ME Bank

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Friday, 5 August 2011

Board Room, Racing Queensland  
Racecourse Road, Deagon



Meeting Commenced at 9:00 am  
Meeting Concluded at 2:10 pm

<b>Board Directors Present:</b>	<b>Bob Bentley</b>	- <i>Chairman</i>
	<b>Tony Hanmer</b>	- <i>Deputy Chairman</i>
	<b>Bob Lette</b>	
	<b>Bill Ludwig</b>	
	<b>Wayne Milner</b>	
	<b>Bradley Ryan</b>	
<b>In attendance:</b>	<b>Malcolm Tuttle</b>	- <i>Chief Executive Officer</i>
	<b>Adam Carter</b>	- <i>Chief Financial Officer</i>
	<b>Shara Murray</b>	- <i>Senior Corporate Counsel/Company Secretary</i>
	<b>Jamie Orchard</b>	- <i>Director, Integrity Operations</i>
	<b>Paul Brennan</b>	- <i>Director, Product Development</i>
	<b>Ron Mathofer</b>	- <i>Business Analyst</i>
	<b>David Rowan</b>	- <i>IT &amp; Communications Manager</i>
<b>Item 2.3</b>	<b>Mr Robert McNaulty</b>	
	<b>Mr Satiu Perese</b>	- <i>via telephone</i>
<b>Minutes:</b>	<b>Debbie Toohey</b>	- <i>Board Secretary</i>

The Chairman opened the Meeting at 9:00am.

**1.1 Apologies**

Nil.

**1.2 Declaration of Conflicts of Interest**

Directors are required by the *Corporations Act 2001(Cth)* to disclose any material personal interest in a matter relating to the affairs of the Company.

There were no other additional Declarations of Conflicts of Interest. (See Attachment "A")

**1.3 Confirmation of Minutes of RQL Board meeting of 8 July 2011**

The Board made the following changes:

Page three, second paragraph change the word "copy" to "budget".

2.6 First paragraph to now read "Ms Murray updated the Board in relation....."

The Board **RESOLVED** that the RQL Board Meeting Minutes of 8 July 2011 be received and confirmed.

**MOVED** by Mr Wayne Milner **SECONDED** by Mr Bradley Ryan

**Motion carried**

### **Confirmation of Minutes of RQL Board meeting of 20 July 2011**

The Board **RESOLVED** that the RQL Board Meeting Minutes of 20 July 2011 be received and confirmed.

**MOVED** by Mr Wayne Milner    **SECONDED** by Mr Bradley Ryan

**Motion carried**

#### **1.4    Action Sheet**

The Board **NOTED** the action sheet.

#### **1.5    Media Releases / Correspondence / Matters for Noting**

The Board **NOTED** the following correspondence/matters:

##### ***Media Releases***

- TAB revenue distribution clarified 8 June 2011
- Brisbane City Council backing the wrong horse 20 June 2011
- Capalaba Greyhounds return to racing 28 June 2011
- Toowoomba Turf Club investigation 19 July 2011

##### ***Letters***

- Letter to Mr Malcolm Tuttle from Mr Mike Kelly, Office of Racing  
re: \$700,000 (ex GST) – Minimum Venue and Equipment  
Standards Funding 13 July 2011
- Letter to Mr Malcolm Tuttle from Mr Mike Kelly, Office of Racing  
re: \$200,000 (ex GST) – Non-Strategic Non-TAB Clubs  
impacted by Flood & Cyclone damage - Minimum Venue and  
Equipment Standards Funding 14 July 2011
- Letter to Mr Stephen Ferguson from Mr Malcolm Tuttle  
Re: Sale of Residential Properties 15 July 2011
- Letter to Mr Bob Bentley from Mr Tim Mulherin, MP re: approval  
of Infrastructure Plan and extension of the wagering tax sharing  
arrangements 19 July 2011
- Letter to Mr Malcolm Tuttle from Mr Mike Kelly, Office of Racing  
re: \$1.45M (ex GST) – TAB & Strategic Non-TAB Clubs  
assistance with meeting Flood & Cyclone Yasi Remediation  
Costs 25 July 2011

## 1.6 Confirmation of Flying Minutes

There are **NOTED** the following Flying Minutes:

- RISA Resolution – Proposed amendments to the RISA and TTSC Constitution 11 July 2011
- Resolution to approve the Sale of Investment Land by the BRC 14 July 2011
- Resolution that the time for submissions in response to the notice served upon Mr McAnulty under AR179A on 11 July 2011 be extended from 25 July 2011 to 1 August 2011 14 July 2011

The above Flying Minutes were **CONFIRMED** by the Board.

## 2.1 Draft 2011/12 Business Plan

To be discussed at the next Board Meeting. The Board requested that Mr Malcolm Tuttle develop performance measures for the Company's four (4) key executives, these being:

- (a) Mr Tuttle
- (b) Mr Orchard
- (c) Mr Brennan, and
- (d) Ms Murray.

## 2.2 Rules Amendments

Mr Jamie Orchard sought the Board's approval to adopt the following Local Rules (All Codes) 1 and to seek the confirmation of recent changes to Australian Rules of Racing and the Australian Harness Racing Rules:

### **"Local Rule (All Codes) 1**

- (23) *An appellant appearing before a First Level Appeal Committee may be represented by a legal practitioner or, in exceptional circumstances, by another person whom the First Level Appeal Committee consider to be an appropriate person to represent the appellant. An appellant must advise the appeals secretary at least 2 business days prior to the appeal of any intention to be so represented.*
- (24) *Notwithstanding Sub Rule (23), an apprentice jockey or any other person under the age of 18 years is entitled to be represented by his/her master at an appeal or, with the permission of the First Level Appeal Committee, such other person as a First Level Appeal Committee considers to be an appropriate person to represent the appellant."*

The Local Rules (All Codes) was **APPROVED** by the Board.

The National Rule changes and the Harness Racing Australia Rule were confirmed by the Board.

**MOVED** by Mr Wayne Milner **SECONDED** by Mr Bob Lette

**Motion carried**

### **2.3 New Zealand Judicial Committee – Robert McNulty**

Mr Orchard addressed the Board on procedure: *the Board is to consider whether they are satisfied that there are "exceptional circumstances" in this case to not apply the rule in Queensland.*

Mr Robert McNulty joined the Board meeting at 11:00am with Mr Satiu Simativa Perese, Barrister via telephone.

The Chairman handed the meeting over to Mr Jamie Orchard to conduct the inquiry.

On 29 April 2011 the New Zealand Judicial Committee handed down a decision in the matter of NZTR v Robert McNulty. McNulty was disqualified for a period of 11 months (from 29 April 2011), fined \$6000 and ordered to pay costs totaling \$17500. The penalties were imposed on the basis on a finding that Mr McNulty was guilty of misconduct in using foul, insulting and offensive words directed to Mr Michael Stiassny, Chairman of the New Zealand Racing Board and that he committed a serious racing offence by way of voicemail messages he uttered foul, insulting and offensive words directed towards Chief Stipendiary Steward Cameron George.

The decision was served on each Principal Racing Authority by the New Zealand Racing Integrity Unit. Australian Rule of Racing 179A provides a scheme for the consideration of the application of international penalties. Once one jurisdiction in Australia has either applied the decision in their jurisdiction or otherwise declared the decision will not be applied, the decision of that PRA is immediately applied in every jurisdiction in Australia.

On 1 August 2011, Mr McNulty, through his counsel, made submissions to the effect that the penalty should not be applied in Australia.

Mr McNulty (in person) and Mr Perese (by telephone) both orally presented Mr McNulty's submission to the Board.

Mr McNulty and Mr Perese left the meeting at 11:35am.

The Board confirmed that it was satisfied that there were **no** exceptional circumstances in this case to amend the penalty and therefore, Mr McNulty's penalty should be applied in Australia.

Mr Orchard to formally notify Mr McNulty of the Board's decision.

At the conclusion of this matter, the Chairman asked Mr McNulty if he was satisfied that the Board had given him adequate time for explanation of his issues. Mr McNulty personally thanked the Board for their time, thanked them for the length of time they had spent on this issue and also confirmed his appreciation that the matter had been dealt with fully and to his satisfaction.

### **2.4 QTIS 600 Payment and Refunds**

Mr Brennan sought the Boards approval in relation to the following two queries regarding payments and refunds for the QTIS 600 Scheme.

1. Mr Rob Heathcote is seeking a refund from RQL in relation to Horse – "Outback Prince" – Bashaer yearling) as the horse has been diagnosed with an injury and as a result will "unlikely to become an athlete". This injury was diagnosed 5 days after the QTIS 600 Scheme deadline.

2. Mr Murray Murdoch (Jet Spur – Star of Asia Yearling) – Mr David Chester was advised by Mr Murray Murdoch during the April QTIS 600 sale to deduct proceeds and pay up for the race series. RQL has never received the registration for this horse and has not been included in the QTIS 600 Scheme.

The Board **RESOLVED** not to:

1. Provide a refund of \$3,300 (inc GST) refund to Mr Heathcote for the Outback Prince yearling, and
2. Enable entry into the QTIS 600 scheme for the Jet Spur yearling of Mr Murdoch's.

## **2.5 Employment Agreements/Redundancy Policy**

Further to the Chairman's Report of 20 July 2011, concerning Employment Agreements/Redundancy Policy the Board **RESOLVED**:

### **1. Board Minute of 6 May 2011 to be Rescinded**

The Board to rescind the Board Resolution of 6 May 2011 Board Meeting, which reads:

#### **Remuneration & Nominations Committee Meeting Minutes and Recommendations**

*The Board today noted the draft minutes of the April 14, 2011, meeting of the Remuneration & Nominations Committee.*

*The Chairman advised Board Directors that he and Mr Ludwig had considered the situation and the amount of work that the executive staff will have to do between now and 2014 with the changing wagering landscape and the approach to the end of the exclusivity of the TattsBet license.*

*RQL will be required to commence negotiations of a Product Fee with TattsBet post 2014 and the Board needs to understand that key staff will be integral to a successful outcome.*

*These key executive staff need security of tenure as well as their assistants so as to not be distracted by innuendo and rumour about the period between now and 2014. Board members unanimously agreed with the recommendation with the Remuneration and Nominations committee.*

*In addition, the Board considered a recommendation from the Remuneration & Nominations Committee, which led to the following resolution:*

The Board **RESOLVED** that:

- (a) *The existing employment agreements be extended by 12 months up to and including June 30, 2014, for the following employees:*

- *Malcolm Tuttle*
- *Adam Carter*
- *Jamie Orchard*
- *Paul Brennan*
- *Shara Murray*
- *David Rowan*
- *Peter Smith*
- *Col Truscott, and*
- *Warren Williams.*

- (b) *Wade Birch be offered an employment agreement to expire on June 30, 2014.*
- (c) *Employment agreements be offered to the following employees to expire on June 30, 2013:*
- *Wendy Thomas*
  - *Kearra Christensen*
  - *Toni Fenwick*
  - *Ali Wade*
  - *Debbie Toohey*
  - *Jaime Knight*
- (d) *The Chairman to approve the terms relevant to the agreements and the extension of the agreements.*
- (e) *Ms Murray to draft Employment Agreements for the Executive Assistants to expire 30 June 2013.*
- (f) *Ms Murray to draft an Employment Agreement for Mr Wade Birch to expire 30 June 2014.*

**MOVED** by Mr Wayne Milner **SECONDED** by Mr Bradley Ryan

**Motion carried**

This was unanimously **APPROVED** by the Board.

**MOVED** by Mr Tony Hanmer **SECONDED** by Mr Bradley Ryan

**Motion carried**

## **2. Variation to Employment Contracts**

The Board confirmed that they had received and read the following legal advice:

- (a) Norton Rose – 20 July 2011
- (b) Clayton Utz – 1 August 2011, and
- (c) Norton Rose – 3 August 2011.

Please see **attached** legal advice (see Attachment 'A')

The Board **NOTED** that the only amendments to the employment agreements of the following Company executives were as per 2.1 (i) – (vi) below. The balance of the terms and conditions of the employment agreements remained the same.

2.1 That the employment agreements for the following Company executives:

- (a) Malcolm Tuttle;
- (b) Jamie Orchard;
- (c) Paul Brennan; and
- (d) Shara Murray,

are varied to include:

- i. A 30% increase to each executive's TRV, effective from 1 July 2011;
- ii. The inclusion of a material adverse change clause with a trigger that includes a change in the Queensland State Government, RQL ceasing to be the approved Control Body under the *Racing Act 2002 (Qld)*, a material adverse change in the make-up of the RQL Board of directors, or your reporting lines, or an organisational restructure that materially impacts on the Executives role at RQL in a manner adverse to the Executive;
- iii. A payment of a sum equivalent to the TRV the Executive would have been entitled to receive had they remained employed until the end of the term of their contract, however not exceeding a sum equivalent to 14 months of their TRV;
- iv. A severance payment calculated in accordance with the relevant scale contained in any redundancy policy of RQL;
- v. Any accrued but unpaid entitlements; and
- vi. Retention of the current 3 year term with an obligation on RQL to renegotiate before 31 December 2012.

Mr Bob Lette requested that Mr Tuttle develop performance measures for the above listed four (4) key executives.

2.2 The employment agreements for Adam Carter, David Rowan, Peter Smith, Col Truscott and Warren Williams be styled and formatted in accordance with any recommendations from Clayton Utz on the basis that there is no change to the existing terms and conditions of their current employment agreements.

2.3 Wade Birch to be offered an employment agreement with a term until 30 June 2013 based on his current terms and conditions with the agreement to be styled and formatted in accordance with any recommendations from Clayton Utz.

This was unanimously **APPROVED** by the Board.

**MOVED** by Mr Tony Hanmer **SECONDED** by Mr Bradley Ryan

**Motion carried**

### 3. Introduction of Company Redundancy Policy

That a Redundancy Policy is introduced for all employees of the Company.

This was **APPROVED** by the Board.

**MOVED** by Mr Tony Hanmer **SECONDED** by Mr Bradley Ryan

**Motion carried**

#### 3.1 2010/11 Business Plan

Mr Tuttle presented to the Board the 2010/11 Business Plan.

The Board **NOTED** the 201/11 Business Plan.



### **3.2 Remuneration & Nomination Committee Minutes**

Mr Tuttle distributed the draft Minutes of the Remuneration and Nomination Committee of Wednesday, 3 August 2011.

This was **NOTED** by the Board.

### **3.3 Greyhounds Australasia National Data Repository Development Update**

Mr David Rowan updated the Board in relation to the development of the Greyhounds Australasia National Data Repository System.

This was **NOTED** by the Board.

### **4.1 CEO's Report**

#### **Industry Infrastructure Plan**

The Industry Infrastructure Plan Control Group is currently looking at resources and the delivery of the Plan. A regular monthly report will be presented to the Board.

#### **Single National System – RISA**

RISA has now received approval to proceed with the Single National System Project from all Principal Racing Authorities. RISA is in the process of providing a new Service Level Agreement to each PRA to commence from 1 August 2012.

#### **Trots TV**

Mr Blair Odgers will be reviewing the Trots TV initiative and will report back to the CEO with a summary report.

#### **Queensland Race Information**

Ms Shara Murray updated the Board in relation to the actions and initiatives being undertaken by the Queensland Race Information Committee.

- Mr Jamie Nettleton will be attending RQL to give a half day training session on wagering/race Information in August 2011. Mr Nettleton has confirmed that he holds no Conflict of Interest, and as such, is in a position to respond to the Tabcorp Holdings and Tabcorp Limited on behalf of RQL.
- The Committee will be writing to the top 20+ interstate bookmakers who exceeded the \$5M turnover to request retrospectivity.
- Ms Murray to draft Deeds to send to a number of Corporates in the next 7 -10 days.

The Board **NOTED** the CEO's Report.

### **4.2 Legal & Compliance Report**

#### **First Level Appeals**

There has been one (1) First Level Appeal for the month of July 2011.

#### **Anti- Discrimination Commission matters**

- Bobby Chrystal – this matter has been referred to QCAT. A hearing date has not been set as yet.
- Kerry Watson – this matter has been referred to QCAT. A Directions Hearing will be held on Monday, 8 August 2011. Ms Murray to update the Board after the Directions Hearing.
- Heather Warland – RQL has responded to the allegations. No response has yet been received from ADCQ.

**Australian Human Rights Commission matter**

- Alisha Winfield – A conciliation conference has been scheduled for Wednesday, 14 September 2011.

**Litigation matters**

- Qld Harness Racing Limited v RQL & Anor – other clubs have now joined the action.
- McHarg & Rolfe v RQL – this matter is now closed.
- Gold Coast Greyhound Racing Club Inc. (GCGRC) v Greyhounds Qld Ltd (GQL) & RQL – this matter is now closed, however, RQL received correspondence from GCGRC advising that they believe that RQL is liable to pay the ongoing commitment of \$2,000 per month made to GCGRC by GQL prior to 1 July 2010. GCGRC have been advised that the Deed of Settlement was signed and finalised which included full and final settlement of this matter.

**Other matters**

- Ms Murray met with HRBS concerning RQL taking action against Ms Jeannette Hannah. HRBS informed Ms Murray that RQL cannot prove any fraudulent matters. This matter is now closed.
- Ms Murray is finalising one clause with AON concerning the Director's D & O Insurance. Once finalised, Ms Murray to distribute the policy wording to the Board for their consideration and review.

The Board **NOTED** the Legal & Compliance Report.

**4.3 Finance Report**

Mr Adam Carter updated the Board in relation to the management accounts for the month ended 30 June 2011.

Key highlights for FY2011:

- Revenue down \$7.2M on budget and down \$3.1M (2%) on prior year.
- Product and Program Fee – finished \$2.6M (1%) down on RY0910 result and \$1.7M (2%) down on budget YTD.
- Race Information Fees are \$2.3M (29%) below budget.
- Expenditure down \$4.3M (3%) on budget and down \$548K (0.5%) on prior year.
- Prizemoney is \$5.1M (5%) below budget for FY1011. This is a result of unexpended prizemoney of \$3.2M on thoroughbred races, \$408K on harness races and additional prizemoney expended of \$133K on greyhound races.
- Legal fees are \$978K (188%) above budget.

Mr Carter informed the Board that the Auditors were due on 22 August 2011.

Mr Carter tabled a proposed schedule for FY11/12 for the Audit, Finance and Risk Committee.

The Board **NOTED** the Finance Report.

**4.4 Product Development Report****New QTIS Scheme**

RQL has reached agreement with the Thoroughbred Breeders' Queensland Association after consultation with the Australian Trainers' Association, Queensland Racehorse Owners' Association and the Thoroughbred Breeders' Queensland Association on the new QTIS scheme from 1 August 2012. This new scheme will deliver a saving of \$1m to RQL.

**Flood, Cyclone and WH&S Funding**

Mr Brennan informed the Board that there has been a lack of response from Clubs and only a few have applied for funding from RQL. Mr Brennan to keep the Board updated.

**Deagon Trainers**

Mr Brennan has met with Mr Pat Duff and Mr Jim Murdoch who represent the Deagon Thoroughbred Trainers to discuss the closure of the Deagon facility as a thoroughbred training complex. Discussions are still ongoing with Mr Brennan to draft correspondence to be sent to both Mr Duff and Mr Murdoch concerning alternate stabling and the consideration of the suggestion from the representatives on a 1000m sand training track proposed at Deagon.

**Australian Pattern Committee**

Mr Brennan informed the Board that the Toowoomba Cup had been downgraded due to poor performances over the past three years. However, the BJ McLachlan Plate held at Doomben had been upgraded.

Mr Ron Mathofer updated the Board in relation to the 2010/11 Wagering Report.

The Board **NOTED** the Product Development Report.

**4.5 Integrity Services Report****QCAT matters**

Mr Orchard updated the Board in relation to the matters that have been before QCAT for the month of July 2011.

**Bookmakers Audit**

Inquiries will commence into the breach of rules concerning bookmakers, Bob McHarg, Vince Aspinall and Pat Kynoch next week.

**Odds Fluctuation Monitoring Application**

The development of a real time betting surveillance tool is continuing with the software developer working closely with RQL's IT and Integrity Departments.

**Toowoomba Turf Club**

The investigation by Ms April Freeman is commencing on Friday, 5 August 2011 and should be finalised by the end of next week.

The Board **NOTED** the Integrity Services Report.

**Other Matters****RQL website**

The Board has requested Mr Rowan to update the Board at the September 2011 Board meeting with a budget and timeframe for the development of a new RQL website.

Mr Tuttle to contact Mr Myles Foreman, CEO of RISA on the issue of coordinating stewards reports in a timely manner to be available on the RQL website after a race.

**Queensland Racehorse Owners' Association (QROA)**

Mr Milner updated the Board in relation to the background of the assistance provided to the QROA, which included the provision of an administration resource for two days per week and the use of all RQL equipment, stationary etc. Following the discontinuation of the Owner's Card earlier in the year Mr Milner had previously sort the approval of the Board to revise this agreement and cap the contribution at \$100,000 per annum for administration costs and promotional activities to be undertaken by the QROA. This proposal was conveyed to the Chairman of the QROA in February 2011, at which time he has requested to provide a business plan outlining the manner in which the QROA proposed to expend the \$100,000. Mr Milner confirmed that the business plan has not been forthcoming and that it is not RQL's obligation to chase the QROA if they did not have sufficient appetite to act on this request during the previous six months.

Mr Milner proposed to the Board to terminate the agreement with QROA and relocate the Administration Assistant to the RQL Finance Department.

Mr Milner to inform QROA at his earliest convenience that RQL will be providing a \$25,000 grant to the QROA from 1 October 2011, and that they would be required to provide their own resources from this date.

This was **APPROVED** by the Board

**MOVED** by Mr Tony Hanmer **SECONDED** by Mr Bradley Ryan

**Motion carried**

**Confirmed as a true record.**

  
\_\_\_\_\_  
R G Bentley  
Chairman

Dated...../...../2011

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**Mr Bob Bentley**

Director of Tatts Group  
Director/Chairman of Sunshine Coast Racing Pty Ltd  
Director/Chairman of Australian Racing Board

**Mr Tony Hanmer**

Member of the Sunshine Coast Turf Club Inc.

**Mr Bob Lette**

Life Member Albion Park Harness Racing Club Inc.  
Member of Brisbane Racing Club  
Consultant to Mullins Lawyers  
Non Executive Director Watpac Limited

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**Mr Bill Ludwig**

Secretary of the Australian Workers' Union (including signing of all correspondence and Industrial Instruments)  
Board Member of WorkCover Queensland  
Member of Brisbane Racing Club

**Mr Bradley Ryan**

Member of Brisbane Racing Club  
Member of Tattersalls Club

**Mr Wayne Milner**

Member of the Brisbane Racing Club  
Member of the Sunshine Coast Turf Club  
Member of the Ipswich Turf Club  
Member of the Victoria Racing Club  
Life Member of QROA  
Holder of Victoria Owners Gold Card  
ME Bank Consultant

Wednesday, 28 March 2012

Board Room, Racing Queensland  
Racecourse Road, Deagon

Meeting Commenced at 12:00pm  
Meeting Concluded at 12:25pm

<b>Board Directors Present:</b>	<b>Bob Bentley</b>	- <i>Chairman</i>
	<b>Tony Hanmer</b>	- <i>Deputy Chairman – via telephone</i>
	<b>Bill Ludwig</b>	
	<b>Wayne Milner</b>	
	<b>Bradley Ryan</b>	- <i>via telephone</i>
<b>In attendance:</b>	<b>Adam Carter</b>	- <i>Chief Financial Officer</i>
<b>Minutes:</b>	<b>Debbie Toohey</b>	- <i>Board Secretary</i>

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The Chairman opened the Meeting at 12:00pm.

**1.1 Apologies**

Nil.

**1.2 Declaration of Conflicts of Interest**

Directors are required by the *Corporations Act 2001(Cth)* to disclose any material personal interest in a matter relating to the affairs of the Company.

There were no other additional Declarations of Conflicts of Interest. (See Attachment 'A')

**1.3 Resolution to call a Board Meeting on Short Notice**

The Board gave its consent to hold the Board Meeting despite the fact that shorter notice had been given than as required by the *Corporations Act 2001 (Cth)* and the Company's Constitution.

**MOVED** by Mr Wayne Milner **SECONDED** by Mr Tony Hanmer

**Motion Carried.**

**1.4 Confirmation appointment acting CEO**

The Board confirmed the appointment of Mr Adam Carter as CEO of RQL following the resignation of Mr Malcolm Tuttle.

**MOVED** by Mr Tony Hanmer **SECONDED** by Mr Wayne Milner

**Motion carried**

**1.5 Bob Lette Resignation Letter**

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The Board noted the resignation letter from Board Director, Mr Bob Lette dated 27 March 2012.

Mr Lette tendered his resignation as Director of RQL and Queensland Race Product co.

Mr Lette has been appointed the new President of Tattersall's Club, this appointment puts Mr Lette in conflict with his duties as a Director of RQL, the Racing Act prevents any Directors who have directorships with Race Clubs from being on the Board of RQL.

The Board accepted Mr Lette's resignation and thanks him for his valuable contributions.

#### **1.6 Executive Staff Resignations**

The Board acknowledged the receipt of the resignations from Mr Malcolm Tuttle, Mr Jamie Orchard, Mr Paul Brennan and Ms Shara Reid.

**MOVED** by Mr Bill Ludwig **SECONDED** by Mr Wayne Milner

**Motion carried**

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#### **Executive Staff Letters**

Mr Carter confirmed that he was in receipt of a letter from each of the executive staff who had resigned confirming their willingness to assist RQL in any matters that may arise.

#### **Executive staff payments**

The Chair tabled a letter from BDO Kendalls confirming the calculations produced by Mr Carter and subsequently confirmed by Mr Brad Ryan as being correct in accordance with executive contracts. BDO further confirmed all matters were in order from an audit prospective.

The Board **RESOLVED** to instruct Mr Carter to make payment.

**MOVED** BY Mr Bradley Ryan **SECONDED** by Mr Bill Ludwig

Motion carried

#### **1.7 Media Comments**

The chairman instructed the Board that RQL would be making no further comments to the media and that any inquiries received from the media were to be directed to the Office of Racing in accordance with the Board's resolution to co-operate with the new governments policy.

#### **1.8 Letter received from Mr Jeff Seeney (MP) Deputy Premier and Racing Minister**

The Chairman sought confirmation from all Board members that they had received the letter of 27 March 2012 from the Deputy Premier advising that he would require an audit to be conducted on RQL in due course. All Board members acknowledged receipt of the correspondence.

The chairman advised that he would reply today advising the Deputy Premier that RQL would co-operate fully.

This was **NOTED** by the Board.

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**1.9 D & O run-off Cover**

Mr Carter updated the Board that the D & O run-off cover is in place as of 26 March 2012.

**1.10 Staff remuneration after change**

All Directors confirmed that they had received the succession plan that has been in place by Mr Carter.

Mr Carter advised the Board that Ms Tina Radford from HRBS confirmed RQL has no policy in place for higher duties. Ms Radford advised that there is no policy in place, and as such the market acceptance would be for RQL to offer either 80% of the higher salary or current salary plus 50% depending on the workload and higher responsibility.

Mr Bill Ludwig suggested putting a contract in place with employees filling higher duties.

Mr Carter advised the Board that Mr Wade Birch and Mr Kevin Carr had major concerns about taking on additional responsibilities.

The Board resolved that the HR committee meet following this Board meeting with the acting CEO and formulate a new remuneration structure for those employees with increased or higher duties.

**MOVED** by Mr Wayne Milner **SECONDED** by Mr Bill Ludwig

**Motion carried**

**1.11 Confirm interim changes**

The interim changes were confirmed by the Board.

**Confirmed as a true record.**



**R G Bentley**  
**Chairman**

**Dated** 29/3/2012



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**Attachment 'A'**

**Mr Bob Bentley**

Director of Tatts Group  
Director/Chairman of Sunshine Coast Racing Pty Ltd  
Director/Chairman of Australian Racing Board

**Mr Tony Hanmer**

Member of the Sunshine Coast Turf Club Inc.

**Mr Bill Ludwig**

Secretary of the Australian Workers' Union (including signing of all correspondence and Industrial Instruments)  
Board Member of WorkCover Queensland  
Member of Brisbane Racing Club

**Mr Bradley Ryan**

Member of Brisbane Racing Club  
Member of Tattersalls Club

**Mr Wayne Milner**

Member of the Brisbane Racing Club  
Member of the Sunshine Coast Turf Club  
Member of the Ipswich Turf Club  
Member of the Victoria Racing Club  
Life Member of QROA  
Holder of Victoria Owners Gold Card  
ME Bank Consultant