



NOTICE OF APPEAL TO THE NSW RACING APPEALS TRIBUNAL

This form **must be** completed and lodged with the Appeals Secretary within 7 days of the Appellant being notified of the decision being appealed against.

Pursuant to the provisions of Section 15B and Part 4(7) of the *Racing Appeals Tribunal Act 1983*, I hereby appeal to the NSW Racing Appeals Tribunal against the decision specified hereunder on the grounds set out in this Notice of Appeal:

Name of Appellant: _____

Address of Appellant: _____

Telephone No: _____ Mobile: _____

Decision appealed against:

Decision of the Steward to suspend/disqualify/fine _____
[Name of licensed person]

for breach of _____ of the Rules of Harness Racing
[insert Rule]

on _____ for a period of _____
[insert date] [insert time]

OR for an amount of \$ _____
[insert amount]

The Tribunal may grant leave for you to be represented by a member of the legal profession. Are you being represented at your Appeal?

YES/NO (Please circle one)

If "Yes", please provide the following details:

Name of Practitioner and law firm/Chambers of Barrister:

Phone No: _____

Fax No: _____

Is your appeal against **conviction/guilt**?

YES/NO (Please circle one)

Is your appeal against the **penalty** imposed?

YES/NO (Please circle one)

You must answer the following questions before lodging this Notice with the Appeals Secretary:

1. Do you wish to produce additional evidence to what was presented to the Stewards' Inquiry?

YES/NO (Please circle one)

2. If you answered "Yes" to Question 1, you **must provide notice** of what evidence you will rely upon at the Appeal Hearing. Such notice **must be in writing** to the Appeals Secretary and must attach copies of any documents you intend to rely upon, including any witness statement. If you intend to rely upon oral evidence, you **must notify** the Appeals Secretary in writing of the persons you will call and provide an outline of the evidence of those witnesses. You **must ensure** that all documents and any outline are lodged with the Appeals Secretary **not less than 7 days** of the day scheduled for your Appeal. Failure to lodge the required information/documents in time may result in an application to have that evidence excluded at the hearing.
3. Do you require any Steward of Harness Racing NSW who participated in the decision appealed against for cross-examination at the Appeal hearing?

YES/NO (Please circle one)

If you answered "Yes" to Question 3, please advise which Steward/s you require in writing to the Appeals Secretary **not less than 7 days** prior to the day scheduled for the hearing of your Appeal.

4. Do you wish to apply for a **Stay of Proceedings**?

YES/NO *(Please circle one)*

If you answered "Yes" to Question 4, please complete and attach an Application for Stay Form with this Notice of Appeal.

Please note that, **within 7 days of receiving the transcript** of evidence of the Stewards Inquiry, **you must lodge** with the Appeals Secretary a written notice of your **Grounds of Appeal**. These are different to your Notice of Appeal. The appeal is limited to the grounds set out by you in your Grounds of Appeal, except by leave of the Tribunal. Your Grounds of Appeal **must set out**:

- (1) why, in your opinion, the decision of the Stewards is incorrect;
- (2) the basis on which you say that the decision of the Stewards should be altered/set aside;
- (3) what action you would like the Tribunal to take in the circumstances.

DECLARATION:

I, the undersigned, declare that all information provided by me is true and correct. I understand that an appeal fee of \$250 must accompany this Notice of Appeal and that this may be forfeited at the complete discretion of the Tribunal.

Signature of Applicant:..... Date: .../.../.....

Received By:..... Date: .../.../.....



APPLICATION FOR A STAY OF PENALTY TO THE NSW RACING APPEALS TRIBUNAL

(Note: This form **must be accompanied** by a **Notice of Appeal** form. You must ensure that you lodge both documents together with the Appeals Secretary).

Name of Appellant: _____

Address of Appellant: _____

Telephone No: _____ Fax No: _____ Mobile: _____

I hereby apply to the NSW Racing Appeals Tribunal for a Stay of the Penalty imposed by Stewards referred to in my Notice of Appeal which is lodged herein.

Outline in as much details as possible (attaching any further documentation/information where necessary) any reason/s as to why, in your submission, a refusal by the Tribunal to grant the stay sought by you would cause you to suffer substantial injustice [please attach addition pages if you require further room].

Signature of Applicant:..... Date:...../...../.....

The Tribunal will contact you when a determination has been made on your application for a Stay and/or if it requires any further information from you.