

Harness Racing New South Wales Agency Information Guide

Adoption and review

This Information Guide has been prepared and reviewed in accordance with Section 20 of the Government Information (Public Access) Act 2009 and is reviewed annually.

The purpose of the document is to provide members of the community, HRNSW staff, Industry participants and the public with information concerning:

The structure and functions of HRNSW;

The way in which the functions of HRNSW affect members of the public;

The avenues available to the public to participate in policy development and the exercise of HRNSW's functions;

The type of information available from HRNSW and how this information is made available.

The Information Guide was adopted on 31 July 2018 and will be reviewed annually

| Revision | Date |
|---------------------------|--------------|
| Initial Adoption by HRNSW | 31 July 2018 |

Introduction

Under the [Government Information \(Public Access\) Act 2009 \(GIPA ACT\)](#), each NSW Government department and agency is required to publish an agency information guide. The information set out below describes the structure and functions of Harness Racing New South Wales, how these functions affect the public and how the public can participate in the agency's policy formulation. Additionally, the agency information guide requires the inclusion of the agency's categories of information and how these can be accessed by members of the public together with any access charges that may be applicable.

Structure and Function

Harness Racing New South Wales (HRNSW) operates under the *Harness Racing Act 2009*. It is headed by a Board of Directors which consists of 5 members appointed by the minister in accordance with the Act. Additionally there is an executive committee headed by the Chief Executive. The structure of Harness Racing New South Wales (HRNSW) executive is determined by the Chief Executive, to whom the executive reports.

The Key Business Units within the agency include the following:

- Board
- Executive
- Regulatory
- Industry & Analysis
- Workers Compensation
- Financial & IT
- Stakes Payment
- Marketing
- Stewards
- Racing Office
- Integrity
- Licencing & Registration

Functions

Harness Racing New South Wales (HRNSW) conducts the commercial and regulatory functions of the harness racing industry in NSW. Operating under the *Harness Racing Act 2009*, HRNSW is chartered to operate autonomously of government in managing the strategic and commercial development of harness racing in NSW as a not-for-profit corporate body

1. HRNSW has the functions conferred or imposed on it by or under this or any other Act or law.
2. Without limiting subsection (1), the functions of HRNSW include the following:
 - a. to control, supervise and regulate harness racing in the State,
 - b. to register harness racing clubs, harness racing horses, owners, trainers and drivers of harness racing horses, bookmakers for harness racing and other persons associated with harness racing,
 - c. to initiate develop and implement policies considered conducive to the promotion, strategic development and welfare of the harness racing industry in the State,
 - d. to distribute money received as a result of commercial arrangements required by the *Totalizator Act 1997*,
 - e. to allocate to harness racing clubs the dates on which they may conduct harness racing meetings.
3. HRNSW may affiliate with such organisations, whether in or out of New South Wales, as HRNSW considers appropriate.
4. The functions of HRNSW are not limited by the rules and are to be exercised independently of Harness Racing Australia or any successor.

Effect on functions on members of the public

The functions of HRNSW have an effect on members of the public through its control, supervision and regulation of the harness racing industry in NSW. The operation of these functions by HRNSW provides the framework in which the public participates in the harness racing industry.

These functions include providing financial and administrative oversight of all aspects of the industry and exercising powers conferred on it by *Harness Racing Act 2009*. This includes but is not limited to the registration of harness racing clubs, strategic planning, insurances and scheduling of race meetings, distribution of funds, negotiation of commercial agreements, development of breeding and handicapping policy, management of capital works and the regulatory control of the industry.

HRNSW will take all reasonable steps necessary for or incidental to the exercise of its functions including:

- Promoting the ongoing development and growth of the harness racing industry in NSW
- Ensuring the welfare of horses involved in the harness racing industry in NSW
- Ensuring the integrity of the harness racing industry in NSW for the benefit of all participants

HRNSW is committed to providing and maintaining responsive and meaningful customer service to all stakeholders in the harness racing community, including race goers, participants, staff and the public.

Public participation in policy development.

HRNSW regularly consults with a wide range of community members and industry participants on specific and general issues for the purpose of policy development. Such consultation is designed to obtain the public's input as to the functions performed by HRNSW and its future direction. As an example,

More specifically, public participation, consultation and engagement is achieved by:

- Holding industry forums for an open discussion of industry issues where the relevant attendees are invited to express their opinions in the forum, the most recent of which was in relation to the Strategic Plan;
- Stakeholder engagement and communication; and
- Trots TV (including a weekly blog by the chief executive) is available on the website providing the latest news and podcasts which are used for as a communication channel to participants. All participants are invited to contact the HRNSW media centre with thoughts, ideas and any issues they would like to be addressed by HRNSW
- A contact us and complaints form is available on the website for any individual who wishes to make representation to the agency

Description of information held by HRNSW.

HRNSW holds the following categories of information.

- Regulatory
- Industry and analytical
- Workforce Development & Training
- Workers Compensation and Insurance
- Finance
- Integrity
- Legal
- IT

Broadly, the types of information available within each of the abovementioned categories might include financial reports, policies, guides, minutes, board reports, consultation papers and forms

Access may be gained by the public to documents relating to each of the below categories. However, certain material may be deleted from documents if it would be a substantial adverse effect on the effective performance by HRNSW of its functions.

Access to Information

The right to access information held by HRNSW is governed by *Government Information (Public Access) Act 2009*. The GIPA Act commenced on 1 July 2010, replacing the Freedom of Information Act 1989.

The GIPA Act creates new rights to information that are designed to meet the community's expectations of more open and transparent government. This means that information will generally be released unless there is an overriding public interest against disclosure

The GIPA Act provides four ways you can access information from HRNSW and other NSW government agencies.

Mandatory Proactive Release

Specifies a consistent core of information that agencies must release unless there is an overriding public interest against disclosure

Authorised proactive release

Authorises agencies to make information available unless there is an overriding public interest against disclosure

Formal Application

Provides citizens with an enforceable right to apply for and access information unless there is an overriding public interest against disclosure

Informal Application

Provides that agencies may release information in response to an informal request unless there is an overriding public interest against disclosure

Requesting Information

Search the HRNSW Website (using the search function) to see if the information you are seeking is already available. A lot of information about HRNSW, including its functions and policies can already be found online.

If the information is not available on the HRNSW website, or in another publicly accessible place, an access to information application will need to be lodged with HRNSW. Access to HRNSW information may be obtained through either formal or informal applications

HRNSW will assess all requests for access to documents and information in a timely manner and in accordance with the GIPA Act.

Open Access (Mandatory proactive release)

This covers the significant amount of information that is routinely available on our website. Wherever possible, HRNSW proactively releases information to its participants by uploading documents to its website. All information on the website is able to be obtained free of charge.

The following is a **non-exhaustive** list of information that can be found on the HRNSW website and accessed for free:

- Functions and Powers of HRNSW
- HRNSW Annual Reports
- HRNSW Board Code of Conduct
- Legislation relevant to the functions of HRNSW
- Stewards Reports
- Appeals Decisions
- Harness Racing Announcements
- Handicapping Rules and Regulations
- Industry Forms and Stakes Payments Information
- Rules of Harness Racing
- Investigation Unit Information
- HRNSW Policies
- Work Health and Safety Information
- Calendars/Programs/Meetings
- Harness Racing Club information
- Minimum Standards

Authorised proactive release

In addition to open access information, HRNSW proactively releases as much other information as possible to the public free of charge, where there is no overriding public interest against doing so. This may include reports about particular issues, plans and initiatives of HRNSW

Such information may include information frequently requested or information of public interest that has been released as a result of other requests. All commercially sensitive information must be redacted from documents that are proactively released, plus personal identifying information to ensure HRNSW complies with the Privacy and Personal Information Act 1998.

Informal Applications

In certain circumstances HRNSW will consider releasing information in response to an informal request. For example, documents relating solely to the personal information concerning the applicant.

In such circumstances, there is no requirement to complete a formal access application and there is no application fee. In some situations, charges may be incurred for services such as photocopying.

Formal Applications

Applications for access to information under the provisions of the GIPA Act must be in writing, accompanied by the application fee of \$30.00 and if requesting personal information proof of identity is required. Information which is not readily available in electronic format without searching individual departments within HRNSW is likely to incur additional fees.

Applicants may also be asked to pay a processing charge. Processing information access applications costs \$30 per hour and covers time needed to deal efficiently, compliantly and accurately with the application. Photocopying and printing charges may also be applicable if a hard copy is requested.

The formal access application fee is \$30. Applicants may be entitled to a 50 per cent reduction of processing charges on financial hardship grounds, or may be entitled to a waiver of the fee if the information requested is of special benefit to the public

If help is needed completing the application, please contact the Right to information Officer on (02) 9722 6600, email admin@hrnsw.com.au or visit our website at www.hrnsw.com.au

Formal and informal applications should be directed to:

HRNSW

Attention: Information Officer

Address: 22 Meredith Street Bankstown NSW 2200 or PO Box 1034 Bankstown NSW 1885

Phone: (02) 9722 6600 Fax: (02) 8580 5795

Email: admin@hrnsw.com.au

Website: www.hrnsw.com.au

Disclosure Log

Under section 25 of the Government Information (Public Access) Act 2009 (GIPA Act) we are required to keep a disclosure log which documents the information that we release in response to access applications, and that may be of interest to other members of the public.

Our disclosure log will be updated as we receive access applications

Details concerning decisions made by HRNSW in response to an application that may be of interest to other members of the public may be included on a Disclosure Log.

HRNSW's Disclosure Log provides details of:

- The date the application was decided;
- A description of the information to which access was provided;
- A statement as to whether the information is now available to other members of the public; and
- How the information can be accessed.

Information not available

Applications for access to information will be refused under the GIPA Act where there is a conclusive presumption of overriding public interest against disclosure as outlined in Schedule 1 to the GIPA Act. This information may be made available under other laws, depending on the circumstances.

Inquiries

Inquiries in relation to the administration of the GIPA Act by HRNSW should be referred to:

HRNSW

Attention: Information Officer

Address: 22 Meredith Street Bankstown NSW 2200 or PO Box 1034 Bankstown NSW 1885

Phone: (02) 9722 6600 Fax: (02) 8580 5795

Email: admin@hrnsw.com.au

Website: www.hrnsw.com.au

Office of the Information Commissioner

The Office of the Information Commissioner is independent of government departments and exercises certain oversight functions.

The role of the Information Commissioner is to raise public awareness of the right to information laws and provide assistance, information, support and advice to government departments and the public.

The Information Commissioner has broad investigative powers and may require government departments to provide information and conduct inquiries pertinent to the administration of the GIPA Act.

The Information Commissioner conducts reviews of decisions by Harness Racing NSW where the applicant is aggrieved by that decision.

Further information may be obtained by contacting the Office of the Information Commissioner:

Information and Privacy Commission NSW

Address: Level 17, 201 Elizabeth Street, SYDNEY NSW 2000

Mail: GPO Box 7011 SYDNEY NSW 2000

Free call: 1800 472 679

Email: ipcinfo@ipc.nsw.gov.au

Website: www.ipc.nsw.gov.au

Additional Information: Useful Links

GIPA ACT 2009

www.legislation.nsw.gov.au/acts/2009-52.pdf

Harness Racing Act 2009 - NSW Legislation

www.legislation.nsw.gov.au/acts/2009-20.pdf