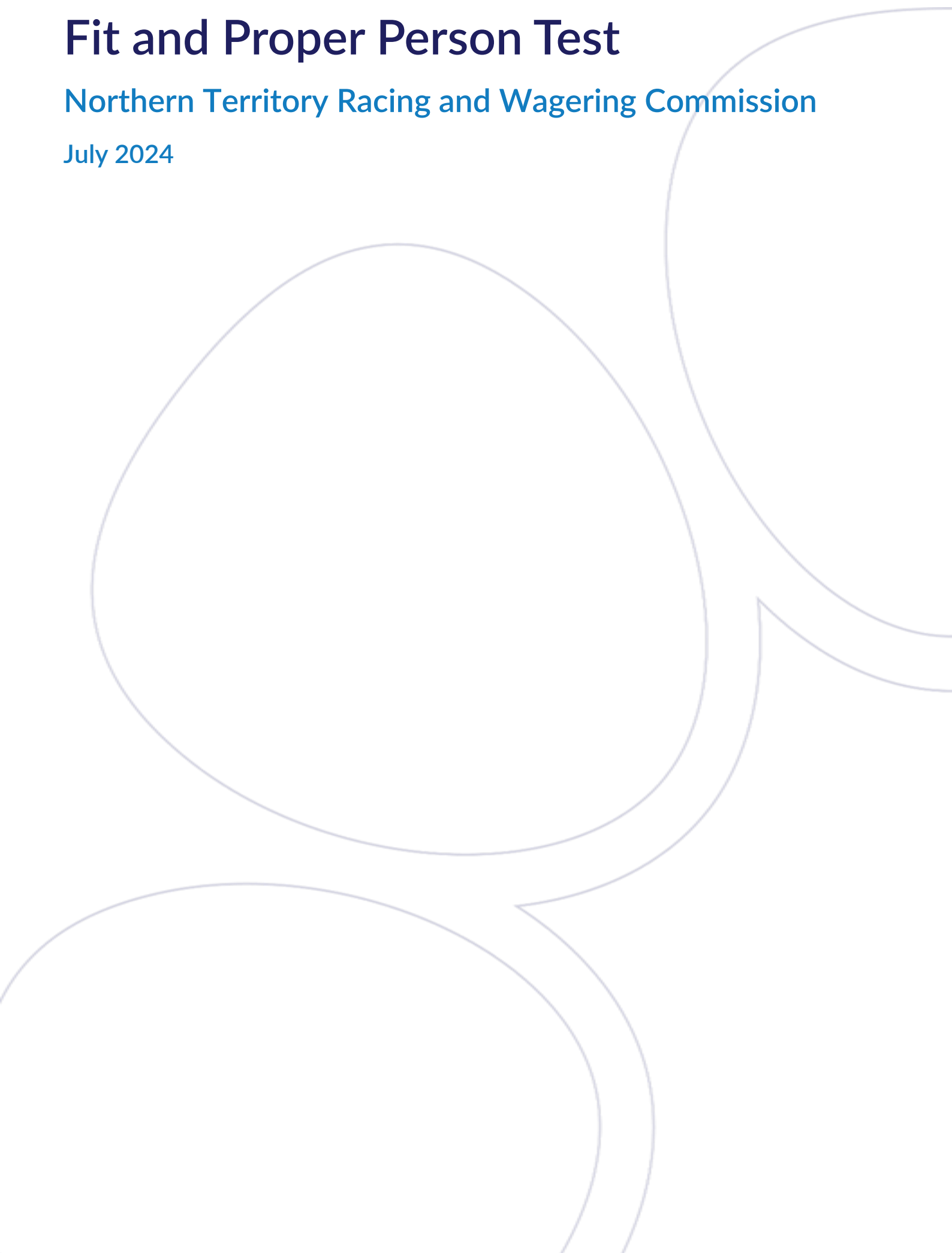


Fit and Proper Person Test

Northern Territory Racing and Wagering Commission

July 2024



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1. Objectives

The objectives of the Northern Territory Racing and Wagering Commission (Commission) Fit and Proper Test Policy (Policy) are to:

- prevent unscrupulous persons from entering or holding a greyhound registration in the Northern Territory
- ensure that any licensed person is of the highest standards possible.

2. Application

This Policy applies to persons applying to hold a licence as a greyhound racing participant in the Northern Territory.

3. Introduction

Specific to the greyhound industry, the Commission is the declared Controlling Body, and as such is responsible for the control, supervision, regulation and development of greyhound racing in the Northern Territory.

Animal welfare and integrity are the overriding priorities for both the Commission and the greyhound racing industry in the Northern Territory, and these changes will assist in driving stronger compliance outcomes to meet community expectations.

Greyhound Australasia Rule 14, states '*A Controlling Body may, without limiting any of the powers set out in the Rules or in a relevant Act..... make decisions in relation to the registration of any person connected to greyhound racing, including as to whether a person is a fit and proper person to hold the relevant registration*'.

In assessing whether an applicant is a fit and proper person to register, the Commission will consider the information provided in the application. The Commission will consider all relevant information, such as the applicant's history in the greyhound racing industry and other racing codes, their honesty, and their ability to perform the role they have applied for.

It is very important that applicants provide full and accurate information in their application. Providing false or misleading information, or failing to provide relevant information, directly reflects on an applicant's fitness to be part of the greyhound racing industry. The Commission may request further information from an applicant, or request an interview.

The Commission may request a National Police Check, which identifies whether a person has a criminal history. The Commission will consider any convictions an applicant may have and its relevance to the position applied for, and registration may be refused if the Commission considers that the circumstances of the offence warrant this.

A conviction will not necessarily result in an application for registration being refused. The Commission will consider the circumstances of the conviction, such as the nature of the offence and the applicant's behaviour since the conviction was recorded.

The Commission may refuse to register a person as a greyhound racing industry participant if it is of the opinion that it would be in the best interests of the greyhound racing industry to do so.

4. Assessment by the Commission

The Commission will consider a range of relevant matters in assessing whether an applicant for registration meets the 'fit and proper person' requirement, including (but not limited to):

- any disciplinary action taken against the applicant by Northern Territory Stewards or other relevant regulatory body
- whether the applicant has provided any false and misleading information in support of an application for registration
- any offences disclosed in the applicant's national police certificate
- whether the applicant has complied with registration conditions, including the applicant's performance in key animal welfare related activities such as rehoming
- any adverse matter disclosed by the applicant, for example, having been convicted or found guilty of an offence involving animal cruelty, violence, fraud or dishonesty
- a failure to disclose an adverse matter described above that later becomes known to the Commission.

5. Framework

The framework below is intended to provide prospective applicants for registration with a better understanding on how the Commission assesses applications based upon the circumstances of each applicant.

Table 1: Guidance to applicants regarding the Commission's application of 'Fit and Proper' person test for registration as a greyhound racing industry participant

Criminal history or background of applicant	Commission's likely position given the history and background of applicant
Applicant has convictions for driving offences.	Application is likely to be approved however, applicant may be requested to provide further details.
Applicant has convictions for minor (summary) offences that were dealt with by a court within the last 3 years prior to lodging a registration application.	Application is likely to be approved however applicant may be requested to provide further details.
Applicant has previous convictions for minor (summary) offences that occurred more than three years ago.	Application is likely to be approved however applicant may be requested to provide further details.
Applicant has charges pending for a minor summary offence.	Applicant will be asked to attend an interview with Stewards and provide character references.
Applicant has charges pending for a serious indictable offence.	Application is likely to be refused.
Applicant has convictions for repeated criminal offences of any nature.	Application is likely to be refused, but may be approved if applicant can demonstrate no further offending over the preceding 5 years.

Criminal history or background of applicant	Commission's likely position given the history and background of applicant
Applicant is serving an Intensive Corrections Order.	Application will be refused. Applicant will be advised to make a new application at the expiry of the Intensive Corrections Order.
Applicant is on parole.	Application will be refused. Applicant will be advised to make a new application at the expiry of the parole period.
Applicant is disqualified in another racing industry.	Application will be refused.
Applicant was previously convicted of a serious offence involving violence, dishonesty, drug offences and sexual offences.	Application may be refused but the decision will take into account whether the convictions occurred more than 5 years ago, and the type of offence/s involved.
Applicant was a participant in the greyhound racing industry previously and in their application state that they have never been subject to disciplinary action however, subsequent investigations find they have previously been suspended or disqualified.	Application will be refused.
Applicant has previously been charged or convicted of any criminal offence but did not disclose this on their application.	Application will be refused.
Applicant has been found to be involved in or associated with organised crime.	Application will be refused.
Applicant was previously convicted of criminal charges for an animal cruelty offence.	Application will be refused.
Industry Interest Consideration.	The Commission may refuse to register a person as a greyhound racing industry participant if it is of the opinion that it would be in the best interests of the greyhound racing industry to do so.
Applicant has a disciplinary history within the greyhound, thoroughbred or harness racing industry.	Applicant may be refused, approved or approved with conditions.

The Commission determines applications for registration on a case-by-case basis, based on the information available and having regard to all relevant factors. Where an application for registration is approved, the Commission may place conditions on the registration of a participant.