

Racing Appeals Tribunal

Ms Anne Cahill Lambert
Chair
ACT Remuneration Tribunal

By email: remtrib@act.gov.au

Dear Ms Cahill Lambert

I refer to the Remuneration Tribunal's request for submissions in relation to the review of remuneration of statutory office holders for the forthcoming financial year. I have consulted with the members of the Racing Appeals Tribunal (the Tribunal) and provide the following submission on behalf of the Tribunal.

The Racing Appeals Tribunal is established under Part 5 of the *Racing Act 1999* (the Act). The Tribunal consists of a President, Deputy President and 4 other members.

The Tribunal is an independent statutory body responsible for hearing and determining appeals from persons aggrieved by a decision of a controlling body, or another organisation conducting a race meeting for the purpose of betting in the Australian Capital Territory (ACT). The Tribunal hears matters arising from thoroughbred, harness and greyhound races and any other race prescribed by the regulations made under the Act.

Appointment of Assessors

During the hearing of an appeal the Tribunal may utilise the services of an 'assessor', appointed in accordance with Schedule 2 of the Act, for the purpose of obtaining expert opinion to assist the Tribunal in reaching a decision. The assessor is an important position which the Tribunal relies upon for specialist advice concerning industry practice and the evidence provided to the Tribunal.

Appropriate Level of Remuneration

The level of remuneration for an assessor is currently set at \$300 per day by the Part-Time Public Office Holders, Determination 12 of 2015.

Given the ACT is a small jurisdiction the Tribunal has, for several years, been unable to identify a suitably qualified person from the ACT who is willing to perform this function at the current rate.

The Registrar of the Tribunal has sought expressions and nominations from numerous entities within the racing industry for over 12 months. The Tribunal has also looked interstate with a view to appointing a Sydney/NSW based assessor, however the feedback received is that the remuneration on offer is not of value for the required task.

In order to attract an appropriately qualified person to the position, the Tribunal therefore seeks to increase the assessor rate to the equivalent rate of a member of the Tribunal, being \$420 per day. This rate is considered appropriate given that the level of work and time undertaken will be comparable between the two roles.

Economic impact

The economic impact of the proposed increase would be negligible. The Tribunal has heard an average of one matter per year over the past five years. Not all matters heard by the Tribunal require the services of an assessor, and accordingly an assessor would only be required to be called upon for a fraction of the matters heard by the Tribunal, ie an assessor would only be required for those matters requiring the expertise offered by an assessor. Accordingly, the economic impact of the proposed increase would be negligible.

Should the Remuneration Tribunal require any further information in relation to this submission, please do not hesitate to contact me.

Yours sincerely



John Kalokerinos
President
Racing Appeals Tribunal
15 June 2016