

**Department of Education
(Office of Racing)**

Legislative Delegations

**Delegation of
Director-General's Powers**

under

Racing Act 2002

(Version 1 – March 2021)

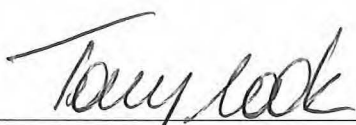
NOTE: The Executive Director, Legal Services must be consulted regarding all proposed amendments to these delegations.

INSTRUMENT OF DELEGATION

Racing Act 2002

I, Tony Cook, Director-General of the Department of Education, under section 168 of the *Racing Act 2002*, HEREBY DELEGATE to the persons who are from time to time the holders of each position specified in Column 4 of Schedule 1, those powers, functions, authorities and duties, conferred or imposed on me under the provisions of the *Racing Act 2002*, which are specified in Column 1 of Schedule 1, subject to the limitations (if any) specified in Column 3 of Schedule 1.

This Instrument of Delegation is comprised of this page, and Schedule 1 comprising 2 pages. No other material forms part of the Instrument.



TONY COOK
DIRECTOR-GENERAL
DEPARTMENT OF EDUCATION

SIGNED AT BRISBANE THIS 4th day of March, 2021.

**SCHEDULE 1 – Table of Delegated Powers of Director-General
Racing Act 2002**

Schedule 1 – Table of Director-General’s Delegated Powers – <i>Racing Act 2002</i>			
Column 1	Column 2	Column 3	Column 4
Reference	Nature of Power	Observations / Limitations	Delegate
Chapter 3 – Control bodies managing their codes of racing			
Part 3 – Rules of racing			
s.112	<p>Process and other matters relating to making rules of racing</p> <p>(1) Before a control body may make rules of racing, the control body must prepare a draft of the rules (the <i>draft rules</i>).</p> <p>(2) The draft rules must be given to the chief executive and the commission with a request for comments about the draft rules by a day stated in the request (the <i>stated day</i>).</p> <p>(3) The stated day must be at least 28 days or more after the day of the request unless—</p> <p style="padding-left: 20px;">(a) the control body is satisfied that, because of exceptional circumstances, it is necessary to make the rules of racing before 28 days after the day of the request; and</p> <p style="padding-left: 20px;">(b) the request states—</p> <p style="padding-left: 40px;">(i) the exceptional circumstances; and</p> <p style="padding-left: 40px;">(ii) a stated day for making comments that is earlier than the 28 days and the earlier day is reasonable given the stated exceptional circumstances.</p> <p>(4) If the chief executive or the commission gives the control body comments about the draft rules, the control body must reach agreement with the chief executive and the commission about the way in which the draft rules are to be changed.</p> <p>(5) The control body may make the rules of racing—</p> <p style="padding-left: 20px;">(a) if there are no comments—after the stated day; or</p> <p style="padding-left: 20px;">(b) otherwise—after agreement is reached as mentioned in subsection (4).</p>		<ul style="list-style-type: none"> • Executive Director, Registration Services (International, Non-State and Home Education) and Office of Racing
Chapter 6 – Miscellaneous provisions			
s.164	<p>Approved forms</p> <p>The chief executive may approve forms for use under this Act.</p>		<ul style="list-style-type: none"> • Executive Director, Registration Services (International, Non-

Schedule 1 – Table of Director-General’s Delegated Powers – *Racing Act 2002*

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Reference	Nature of Power	Observations / Limitations	Delegate
			State and Home Education) and Office of Racing