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17 October 2008

The Honourable Andrew Fraser, MP  
Treasurer  
Queensland Government  
GPO Box 611  
BRISBANE QLD 4001

**BY FACSIMILE: (07) 3229 0642**  
**Original by Post**

Dear Minister

The administration of Queensland Racing Limited (QRL) is difficult enough, without statements being made through the Parliamentary process which are false, misleading and damaging to the Queensland Thoroughbred Racing industry.

On Thursday, 9 October 2008, the opposition spokesman for Racing, Mr Mike Horan, the Member for Toowoomba South, made completely irresponsible comments that served no purpose other than to harm the progress of the Queensland Racing industry, an industry which he is supposed to be in essence, supporting.

Mr Horan in his statement to Parliament also made the following claims that are incorrect. It would have been beneficial for Mr Horan to clarify these statements in the first instance, instead of using incorrect statements to cause disruption for political purposes.

In particular, I draw your attention to the following specific statement:

*Mr Horan said "Members of the Queensland Country Racing Committee were not advised that the special general meeting was on, were not advised of its content and were not advised of the change in the proxy arrangements."*

This statement is completely incorrect; it is false and designed to mislead the Queensland Racing industry.

The Queensland Country Racing Committee (QCRC) was provided with full notice of the General Meeting in accordance with the constitution and indeed member representatives of that Committee, Mr Brosnan on one occasion, and Mr Peoples on numerous occasions, had telephone conversations with

Ms Shara Murray, QRL's Legal Compliance Counsel/Company Secretary about the nature of the meeting prior to it occurring.

By way of background:

- Notice of General Meeting of QRL and meetings of Class A Members and Class B Members was faxed, e-mailed and hand-delivered to all QRL shareholders on Friday, 4 July 2008.
- On Monday, 28 July 2008, an e-mail was sent to all Class A Member Representatives from QRL's Company Secretary, Ms Murray, providing notice of a Class A Member Representative Meeting on Wednesday, 6 August 2008 at 10:15am (see attachment 'A').
- On 29 July 2008, Mr Noel Brosnan, a Class A Member Representative of the QCRC telephoned Ms Murray to discuss her e-mail and the voting process concerning the amendment to the Constitution of QRL. Mr Brosnan advised that he understood and that he did not feel there was a need for him to attend the meeting. Mr Brosnan has not telephoned this Office at any other further time in relation to this matter.
- Mr Peoples had numerous telephone conversations with Ms Murray from 29 July 2008 up until 18 August 2008 concerning the procedures involved in relation to the voting process and the amendments to the Constitution of QRL.
- On Wednesday, 30 July 2008 at 5:21pm, Mr Peoples sent an e-mail to Ms Murray advising '*Shara, I wish to attend this meeting, could you please call me. Thanking You, Gary Peoples.*'
- On Thursday, 31 July 2008 at 10:31am, Mr Peoples left an urgent telephone message with QRL's Reception for Ms Murray, which stated '*Please call Gary Peoples ASAP in regards to the A class Meeting being held here at Deagon next Wednesday at 10:15am. Phone number 0427 513252.*'
- On Thursday, 31 July 2008, Ms Murray returned Mr Peoples telephone call. Mr Peoples confirmed that he would like to attend the Class A Member Representative meeting set for Wednesday, 6 August 2008 at 10:15am. Ms Murray acknowledged Mr Peoples rsvp.
- On Wednesday, 6 August 2008, Mr Peoples attended the Class A Member Representative Meeting at 10:30am via telephone conference.
- During the Class A Member Representative Meeting, Mr Peoples was asked by Mr Neville Stewart, '*whether he had anything to add to the meeting.*'



- Mr Peoples' reply was *'his concern in relation to the reduction of race dates for country racing'*. At no time during the meeting did Mr Peoples raise any issues of concerns relating to the additional meetings being held later that day and/or any concerns he had with the voting process.
- The newspaper publicity was extensive leading up to the meetings of 4 August 2008, and Mr Peoples advised industry stakeholders that he had had contact with the Courier Mail journalist, Mr Bart Sinclair.
- To compound the publicity in this matter, I understand that Mr Horan attended a meeting in the office of Mr Tim Ferrier, Partner, Clarke Kann Lawyers on or about Friday, 22 August 2008, where Mr Peoples was present along with Mr Bill Carter, Mr David Dawson and other members of the QCRC, either in person or by teleconferencing. As a result of this informal meeting, a complaint was forwarded to your Office from Mr Carter.
- Mr Horan was advised by Mr Stewart, Chairman of the Toowoomba Turf Club that *'Mr Peoples was aware of the nature of the meeting, as he had attended the Class A Member Representative meeting on Wednesday, 6 August 2008, whereby he (Mr Stewart) was appointed as the new Authorised Representative of Class A Members.'*

From the above, it is inconceivable that the member for Toowoomba South, Mr Horan can realistically and truthfully claim that he was not aware that all parties had been comprehensively informed.

The following corrections to Mr Horan's Parliamentary statement are set out below. However, a reasonable person would question Mr Horan's motives for these comments being aired in Parliament, without any recourse to the facts:

*Mr Horan said "...the special general meeting that QRL had to extend its tenure to 2018 with only one election in the intervening time"*

This is completely incorrect. Neither the purpose nor effect of the constitutional amendment passed at the General Meeting was to extend tenure in that way.

*Mr Horan said "They (Queensland Country Racing Committee) had not made a decision about how they wanted to vote. They had not made a decision about where their proxy vote should go."*

QRL provided full notice to the QCRC, and delegates of the QCRC were provided with ample time to make a decision and request a meeting and seek details as to how to exercise their vote.

*Mr Horan said "...the proxy system is unconstitutional. The constitution says that you can be there in person or by proxy.....There was an edict that went out that everyone had to send in a proxy. Consequently the Chairman of the Townsville Turf Club who was put forward by his Board*



*to there as their person in attendance and to vote was barred at the door from going in and voting."*

This statement is incorrect in that the proxy system is required by the constitution.

The constitution requires that the proxy must be delivered to QRL more than 48 hours before the meeting.

The Townsville Turf Club failed to provide a proxy in the time frame required by the constitution and therefore the Club could not exercise a vote. The Townsville Turf Club were contacted on three occasions in relation to the matter and a follow up telephone call was made half an hour before the deadline and they still failed to comply. As a result of non-compliance, the chairman of the Townsville Turf Club, Mr Allan Parry was denied entry into the meeting in accordance with the constitution.

*Mr Horan said "...a number of the organisations making up the shareholding group that had to vote did not have formal meetings at which to decide which way they would vote and if they were going to have a proxy who they would give it to. It appears individuals took it upon themselves to do that."*

QRL's role was to ensure that those proxies that were received were properly executed.

QRL was not, and cannot be, responsible for policing the internal constitutional requirements of the various shareholders.

*Mr Horan said QRL "...is under investigation at this moment for denying the Queensland Country Racing Committee a vote, for denying them any knowledge of the special general meeting and for denying them the opportunity to decide which way they would vote..."*

This statement is incorrect. ASIC has advised that there is no investigation underway.

The comments made by Mr Horan are irresponsible and damaging to the industry as the statements provided in Parliament are incorrect.

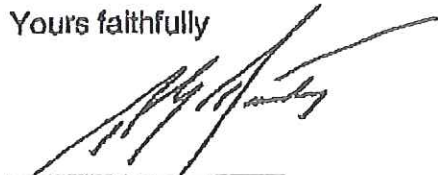
QRL is a public company, limited by guarantee and not a unit of public administration, as stipulated by Mr Horan. QRL is the control body required to manage the Queensland Thoroughbred Racing industry for the well being and livelihoods of many thousands of stakeholders. The industry does not appreciate the mindless politising that the member for Toowoomba South continues to support and sponsor.

QRL notes that the vexatious allegations with little regard for the truth have been costly and damaging to the progress of the Queensland Racing industry,

and as such, QRL requests that the conduct of Mr Horan and Mr Peoples be considered by your Government.

Should you wish to discuss this letter further, please do not hesitate to contact Ms Shara Murray of this Office on (07) 3869 9712.

Yours faithfully



**R G Bentley**  
Chairman

Enc.

