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CRIME AND MISCONDUCT COMMISSION



Our Reference: MI-08-1942 / HIC
Contact Officer: Ms Helen Couper

FAXED
25.8.08

OFFICE OF THE
27 AUG 2008
UNDER TREASURER

25 August 2008

Mr Gerard Bradley
Under Treasurer and Under Secretary
Queensland Treasury
GPO Box 611
BRISBANE QLD 4001

By Facsimile Transmission 3221 1781

Dear Mr Bradley

RE: QUEENSLAND RACING LIMITED

I refer to our telephone conversation, and to your letter to me, both of 23 August 2008 concerning allegations made against the Chair and Directors of Queensland Racing Limited (QRL). I also refer to Mr Chris Turnbull's telephone conversation with Ms Helen Couper, Director Complaints Services this morning and to the further material that he subsequently forwarded to me.

Having considered section 59 of the *Racing Act 2002* and the material provided, I am of the opinion that this matter is not within the jurisdiction of the Crime and Misconduct Commission (CMC). I understand that Mr Turnbull and Ms Couper briefly discussed that this may be the case.

I note that section 59 provides that a control body is a unit of public administration under the *Crime and Misconduct Act 2001* to the extent of the control body's operations for the purposes of performing its function under this Act.

The allegations do not concern QRL's operations for the purposes of performing its function as the thoroughbred control body, but rather issues relating to the voting process to amend the corporation's constitution.

In that regard I note that QRL is an 'eligible corporation' registered under the Corporations Act, which is within the jurisdiction of the Australian Securities and Investment Commission (ASIC). I also note that there are provisions under the *Racing Act* for the chief executive to investigate the suitability of a control body to continue to manage its code of racing.

It seems that ASIC and/or the chief executive may be best placed to deal with the concerns raised.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Robert Needham'.

ROBERT NEEDHAM
Chairperson