



**QUEENSLAND RACING  
LIMITED**

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**QUEENSLAND  
RACING**

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**QUEENSLAND RACING LIMITED**

**CODE OF CONDUCT**

And

**ETHICS**

## **MESSAGE FROM THE CHAIRMAN**

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Queensland Racing Limited plays a crucial role in the thoroughbred racing industry in Queensland. Queensland Racing Limited is committed to the efficient administration of the industry and acknowledges that its decision making impacts on all participants in the industry.

Public confidence in thoroughbred racing depends upon Queensland Racing Limited managing the industry in a fair and transparent manner according to the highest standards of probity and integrity.

This Code of Conduct applies to all Queensland Racing Limited officials, including Board members, in the performance of their functions and duties. Queensland Racing Limited officials are expected to maintain the highest standards in professional and business ethics and, through their work, performance and behaviour, ensure that confidence in the integrity of Queensland Racing Limited is justified and maintained. Queensland Racing Limited is committed to fostering a working environment that relies on personal integrity, quality management and a high level of service. To this end, Queensland Racing Limited has produced this Code of Conduct which details the expected levels of behaviour required of all Queensland Racing Limited officials. The Board of Queensland Racing Limited is committed to ensuring compliance with the provisions of this Code at all times.

RG Bentley  
Chairman

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## **OBJECTIVES**

Queensland Racing Limited:

- will work to inspire the utmost faith, confidence and support of all participants and stakeholders in the thoroughbred code of racing in Queensland;
- is committed to fairness, impartiality and transparency in its decision making;
- will act in the best interests of the thoroughbred code of racing in Queensland; and
- will comply with this Code of Conduct and Ethics to ensure integrity in its operations.

## **PART 1 INTRODUCTION**

This is the Code of Conduct and Ethics for Queensland Racing Limited ("The Code").

Every Queensland Racing Limited official must:

- act in accordance with this Code, their employment contract, Queensland Racing Limited policies and statutory obligations imposed on Queensland Racing Limited and
- act with the highest standards of professionalism, probity, diligence and integrity.

### **1.1 TO WHOM DOES THE CODE OF CONDUCT AND ETHICS APPLY?**

This Code applies to all Queensland Racing Limited officials.

Former Queensland Racing Limited officials must continue to respect the provisions of this Code, particularly in relation to the confidentiality of information and ownership of intellectual property to which the former Queensland Racing Limited official had access in the course of work with Queensland Racing Limited.

### **1.2 WHY HAVE A CODE OF CONDUCT AND ETHICS?**

- To define accepted/acceptable behaviours;
- To promote high standards of practice;
- To provide a benchmark for Queensland Racing Limited employees to use for self evaluation;
- To establish a framework for professional behaviour and responsibilities; and
- As a vehicle for organisational identity.

## **PART 2 RESPONSIBILITIES**

### **2.1 EMPLOYEE RESPONSIBILITIES**

The Code of Conduct and Ethics is part of your employment agreement or contract with Queensland Racing Limited. You are responsible for your actions or your failure to take appropriate actions.

You must:

- Clearly understand and abide by the requirements set out in this Code, and if necessary seek assistance or clarification from your manager or supervisor.

- Ensure that you comply with relevant legislation, policies, procedures, standards and business instructions.
- Ensure that you are familiar with all documents that impact on your work.
- Comply with lawful and safe work instructions and directions when performing your duties, including position descriptions and agreed performance plans.
- Understand the requirements of your position and seek clarification and assistance where necessary.
- Carry out your duties in an alert, safe, diligent, honest and competent manner.
- Use your authority in a fair and unbiased way and not take improper advantage of your position.
- Not make decisions that exceed your level of authority or delegation.
- Treat other employees, licensees, stakeholders and members of the public with courtesy and respect.
- Avoid behaviours, situations and conflicts of interest that may reflect in a negative way upon Queensland Racing Limited.
- Not engage in behaviour that would constitute unlawful discrimination, harassment (whether sexual or otherwise), bullying or workplace violence.

## **2.2 SUPERVISOR AND MANAGER RESPONSIBILITIES**

In addition to your responsibilities as an employee, supervisors and managers must also:

- Inform employees about this Code and the standards outlined within it.
- Assist employees to understand the Code.
- Lead by example in observing the Code.
- Manage any breaches of the Code in consultation with relevant senior executives.
- Ensure that employees can access current standards, legislation, policies and procedures and are advised of relevant changes.
- Communicate clearly business requirements and expectations to employees.
- Create a climate in the work environment that is conducive to the achievement of the objectives of this policy.

## **2.3 THE BOARD AND CHIEF OPERATIONS MANAGER RESPONSIBILITIES**

The Board and the Chief Operations Manager *must*:

- provide clear direction and ensure that performance is managed to achieve sustainable results.
- Encourage and reward contributions made by others.
- Lead by example in observing this Code.
- Ensure that the high standards conveyed through this Code are evident throughout the organisation, contributing to an integrity-based culture.

## **PART 3 PRINCIPLES**

There are four (4) overarching principles:

- Embracing an Integrity Culture
- Embracing a Culture of Respect
- Embracing a Culture of Safety
- Embracing a Culture of High-Performance

These principles seek to ensure that behaviours and activities are complementary and consistent with the overall culture of the organisation and the observance of this Code.

## **PRINCIPLE 1 EMBRACING AN INTEGRITY CULTURE**

### **3.1.1 Conflicts of Interest**

Conflict of interest occurs where personal interests influence, or appear to influence, the impartial performance of an employee's or official's duties and responsibilities.

If you find yourself faced with a real or possible conflict of interest, advise your supervisor or manager or the Director of Integrity Operations straight away, so that the conflict or perceived conflict can be resolved.

Every Queensland Racing Limited official **must**:

- carry out their duties impartially and regardless of personal preferences;
- avoid private, financial or other interests or undertakings that could directly or indirectly compromise or conflict with the performance of their duties;
- disclose any interest, which may impact or have the potential to impact on the performance of their duties; and
- take action to resolve any conflict between personal interests and official duties in the favour of the public interest.

All full-time employees of Queensland Racing Limited must disclose in writing to the Chief Operations Manager any secondary paid employment they may have. Failure to disclose this information may result in a Queensland Racing Limited official being disciplined or, in appropriate cases, instantly dismissed. Secondary employment within the racing industry represents a prima facie conflict of interest and is not permitted without specific authorisation from the Chief Operations Manager.

#### **Examples of Appropriate Actions**

You are a member of a selection panel and you advise appropriate officials that a family member is an applicant for a position.

You are a sampling collection official and you advise the Chairman of Stewards that in relation to a horse you are drug testing, a family member has some ownership interest in the horse.

### **3.1.2 Inappropriate Personal Gain**

Inappropriate personal gain is when an individual gains a benefit from the misuse of their office, role, organisational situation or information.

Queensland Racing Limited officials **must not**:

- gain personally from access to confidential information.
- Misuse his/her position in a way that results in personal gain.

- Conduct significant personal business on QRL time.
- Take personal advantage of opportunities that are presented or discovered as a result of their position with QRL.

### **Examples of Inappropriate Gains**

A QRL staff member uses their knowledge of weights and race form to wager on Queensland Thoroughbreds for personal gain.

A QRL staff member has a second job and uses QRL telephones and time to contact potential private business customers.

A Board member uses information gained in QRL Board meetings to gain in their private business interests.

#### **3.1.3 Gifts and Benefits**

Public trust and impartiality are key outcomes for Queensland Racing Limited. The receiving and giving of gifts and benefits can impact on the aforementioned outcomes. For these reasons the gifts and benefits policy was formulated and all Queensland Racing Limited officials must comply with it.

#### **3.1.4 Confidentiality**

All Queensland Racing Limited officials have access to confidential information. Appropriate safeguards and care must be taken to ensure that unauthorised access to or distribution of confidential information is not permitted.

No Queensland Racing Limited official may take, or seek to take, improper advantage of confidential information gained in the course of employment. No Queensland Racing Limited official may disclose confidential information to any person unless it is required by law or is required by their duties and is consistent with this Code or specifically authorised. If a Queensland Racing Limited official resigns or leaves Queensland Racing Limited, the official must not disclose confidential information acquired when they acted as an official of Queensland Racing Limited.

A member of the Board of Queensland Racing Limited must not disclose confidential information discussed at Board meetings and/or acquired while acting as a Board member.

If a Board member resigns or leaves the Board the member shall have regard to the duty:

- not to disclose confidential information; and
- to act bona fide in the interests of Queensland Racing Limited.

### **Examples of Appropriate Confidentiality**

You are asked by a licensee to disclose the address of a third party, another licensee as monies are owed. You immediately bring to the attention of your line supervisor who checks on whether release of information is appropriate. In these circumstances it would not be appropriate to release confidential address details.

You leave QRL to take up a similar role and while you have intimate knowledge of the QRL tendering process that would be of commercial benefit to your new employer, you do not tell your new employer because the information may provide an unfair advantage.

You are asked by a friend to access our horses systems and obtain details of who is riding particular horses and at what weights. You refuse this request and explain to your friend that it was inappropriate to request such action.

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## **PRINCIPLE 2 EMBRACING A CULTURE OF RESPECT**

### **4.1.1 Respect for Persons**

All Queensland Racing Limited officials **must**:

- treat all industry participants with courtesy, honesty and fairness with proper regard for their rights and obligations in accordance with the principles of natural justice;
- respond to the reasonable requests of stakeholders, supervisors and managers in a timely manner;
- co-operate and assist others in the organisation in the performance of their duties when reasonably requested to do so, or when perceived as necessary;
- support their co-employees in a responsible and ethical manner; and
- exercise powers, objectively, fairly and equitably.

### **4.1.2 Respect for the Law and the QRL system of governance**

All Queensland Racing Limited officials **must**:

- comply with all relevant laws;
- comply with all QRL policies;
- comply with all QRL procedures; and
- comply with all lawful requests of management and line supervisors.

Compliance means observing the letter and spirit of the law, policy, procedure or lawful request as well as managing your activities in a manner consistent with QRL as a 'good corporate citizen.'

QRL recognises that in some cases, there may be uncertainty about which laws, policies and procedures may be applicable. In such circumstances employees have access to internal legal compliance counsel or their direct supervisor and should seek such advice.

### **4.1.3 Discrimination and Workplace Harassment**

All Queensland Racing Limited officials must provide a workplace free from discrimination, harassment, bullying and intimidation and hostile, offensive or distressing behaviour. They must ensure they understand their responsibilities under Queensland Racing Limited's Sexual Harassment Policy. They have a duty to disclose breaches of this policy. Additionally, any behaviour's that exhibit harassment and bullying should be brought to the attention of your line supervisor, Harassment and Discrimination Officer or addressed through the complaint management system.



If managers and supervisors become aware of inappropriate conduct, they should not wait for a complaint to be lodged before taking action. As with their other areas of responsibility, if managers or supervisors become aware of a problem, they are expected to respond to that problem.

Queensland Racing Limited's Sexual Harassment policy applies to all Queensland Racing Limited Board members, officials, other employees, consultants, contractors and work experience students.

Those who are the subject of sexual harassment, bullying or unlawful discrimination or become aware that another person is being subjected to these should seek advice and assistance from the Harassment and Discrimination Officer, or, if it is not appropriate to approach this officer, the matter should be reported to your line supervisor or through the complaint management system.

Any reports of discrimination, victimisation, sexual harassment, vilification and bullying will be treated seriously and dealt with promptly, confidentially and impartially in accordance with our complaint management policies. Disciplinary action will be taken against anyone who discriminates against, victimises, sexually harasses, vilifies or bullies a co-worker. Discipline may involve counselling, a warning, transfer, demotion or dismissal, depending on the circumstances.

#### **4.1.4 Whistleblowing**

All Queensland Racing Limited officials must report to their line manager or the Chief Operations Manager or the Director of Integrity Operations or through the complaint management system, any suspected or actual instances of official misconduct, maladministration, reprisal, or danger to public health or safety or environment of which they are aware. In doing so, Queensland Racing Limited officials should follow the guidelines in the Whistleblowers Protection policy adopted by Queensland Racing Limited.

Failure to report suspicious activities or circumstances may be seen as compounding or assisting official misconduct, maladministration, reprisal, or danger to public health or safety or environment and may constitute improper conduct requiring disciplinary action.

If a Queensland Racing Limited official is found to have breached the *Whistleblowers Protection Act 1994*, the breach will be considered a serious breach of this Code and the Queensland Racing Limited official may be subjected to disciplinary action, including, in appropriate cases, instant dismissal.

Under the *Crime and Misconduct Act 2001*, the Chief Operations Manager must refer matters of actual or suspected official misconduct to the Crime and Misconduct Commission. This legislated requirement has been delegated to the Director of Integrity Operations in consultation with the Chief Operations Manager.

#### **4.1.5 Unacceptable Behaviours in the Workplace**

Unacceptable and inappropriate workplace behaviours can take many forms. Below are some such behaviours which are not intended to be exhaustive but rather an indication of the types of behaviours and actions that are clearly not acceptable at QRL.

- Humiliating or ridiculing others about their work.
- Making insulting or offensive comments about others.
- Spreading rumours or gossip
- Shouting and getting abusive with others.
- Being hostile to others
- Threatening violence to others
- Physically attacking others
- Using malicious or insulting language.
- Withholding information deliberately that affects other people's jobs
- Invading personal space and restricting the movements of others.
- Making false allegations against others.
- Engaging in excessive monitoring of the work of others when not authorised to do so.
- Breaching this code.

### **PRINCIPLE 3 EMBRACING A CULTURE OF SAFETY**

#### **5.1.1 Workplace Safety**

You are responsible for the safety and security of your workplace as well as care of the environment in which you work.

Supervisors and Managers have the additional responsibilities of making sure that workplace health and safety policies are in place and followed by all employees.

In the workplace, all Queensland Racing Limited officials must take all reasonable practical steps to ensure the safety, health and welfare of themselves and others.

All Queensland Racing Limited officials must comply with statutory obligations and Queensland Racing Limited's policy on Workplace Health and Safety.

You have a duty to minimise the risks in the workplace, ensuring that incidents, injuries and ill-health is minimised in the workplace.

All Queensland Racing Limited officials should remember:

- To follow all rules, procedures and approved work methods;
- Immediately report incidents, complaints and unsafe or unhealthy work practices;
- Don't engage in or encourage any form of unlawful discrimination, sexual or other forms of harassment, bullying or workplace violence;
- Wear personal protective equipment and use appropriate equipment when necessary.

#### **5.1.2 Alcohol and Drugs**

It is a criminal offence to possess or use illegal drugs at any time. All Queensland Racing Limited officials must comply with Queensland Racing Limited's policy on Use of Alcohol and Drugs. If a Queensland Racing Limited official is found guilty of possessing and using illegal drugs, it will be considered a serious breach of this Code and the official may be subjected to disciplinary action, including, in appropriate cases, instant dismissal.

Alcohol consumption is not allowed in the work environment. Work related functions are the exception to this rule, although consumption should be restricted to appropriate areas and at the appropriate times as approved by the relevant manager.

### **5.1.3 Fitness for Work**

When reporting for work, you must be fit and ready to perform your duties. A supervisor or manager who believes that an employee is unfit, must make sure the person does not start work. This safeguards both the employee and the workplace.

Supervisors and Managers should also be aware of workplace health issues such as heat stress, fatigue, injury, illness and alcohol or drug dependency and take early action to address such issues.

All Queensland Racing Limited officials should:

- Make their immediate supervisor aware if they have taken prescription medication that may cause relevant side-effects, impacting on the abilities to do their job;
- Advise their supervisor or manager if they have a physical, psychological or psychiatric condition that limits ability to work safely and effectively
- Be responsible, by maintaining their own fitness for work and taking necessary steps to address any issues that may impact their ability to fulfil their duties as a QRL official.

## **PRINCIPLE 4 EMBRACING A HIGH PERFORMANCE CULTURE**

### **6.1.1 Performing Duties**

All Queensland Racing Limited officials must perform all duties associated with their positions diligently, impartially, conscientiously, with proper care and attention, in a civil manner and to the best of their ability.

All Queensland Racing Limited officials **must**:

- perform their duties in such a way that QRL will be held in high regard by the community and the industry;
- follow any professional standards of conduct relevant to their office;
- maintain adequate documentation to support decisions; and
- assist QRL to adhere to its statutory obligations.

### **6.1.2 Monitoring Performance**

All Queensland Racing Limited officials who manage or supervise others must ensure that:

- their work and that of their staff helps Queensland Racing Limited adhere to its statutory obligations;
- where their staff breach this Code, appropriate action is taken.

### **6.1.3 Using resources for official purposes**

All Queensland Racing Limited officials must ensure Queensland Racing Limited resources are:

- used economically;
- used for the purposes for which they were provided;
- treated and maintained with appropriate care; and
- secured against theft or misuse.

In serious cases, a Queensland Racing Limited official who misuses resources may be found guilty of misconduct or maladministration.

### **6.1.4 Private Use of Resources**

Limited personal use of Queensland Racing Limited resources for non-official purposes may be acceptable.

In general terms, limited personal use involves:

- minimal additional expense to Queensland Racing Limited;
- an expectation that it will be performed during the employee's non work hours;
- does not interfere with the operation of Queensland Racing Limited; and
- does not violate this Code, statutory obligations or Queensland Racing Limited policies.

If a Queensland Racing Limited official is unsure as to whether their proposed personal use of Queensland Racing Limited resources is acceptable, the official should seek advice from their line manager.

Where a Queensland Racing Limited official uses Queensland Racing Limited Internet, Intranet and electronic mail system, the official must comply with the policy on Internet and Email adopted by Queensland Racing Limited.

### **6.1.5 Use of Official Motor Vehicles**

All Queensland Racing Limited officials who use a motor vehicle owned by Queensland Racing Limited must use it only for official purposes, unless the terms of their Employment Contract otherwise provide or the relevant manager has authorised private use of the motor vehicle by the official.

When authorising private use of official vehicles, managers must ensure that it does not adversely impact on QRL. For example, QRL staff must have adequate transportation to service race meetings that is not adversely affected by the approved private use of a QRL vehicle. It is requested that race day schedules be checked as a component of an approving decision.

### **6.1.6 Expense Reimbursement**

All Queensland Racing Limited officials must comply with Queensland Racing Limited's Expense Reimbursement Policy. This policy sets out the requirements of Queensland Racing Limited regarding expenditure while on official duty.

## **PART 5 BREACHES**

You are accountable for your own actions, so take the time to fully understand what is expected of you under QRL's Code of Conduct and Ethics. The facts and circumstances of each case determine what action is taken against someone who breaches this Code.

Board members who breach statutory obligations or the provisions of this Code or their employment contract will be dealt with in a manner determined by the Board. Any action taken against a Board Member shall be consistent with the provisions of the *Racing Act 2002*.

All Queensland Racing Limited officials who breach statutory obligations or the provisions of this Code or their employment contract may be subject to disciplinary action, including, where appropriate, instant dismissal.

The Chief Operations Manager or Director of Integrity Operations or delegated managers will deal with breaches by an employee of Queensland Racing Limited. Where it is not considered harsh, unjust or unreasonable to do so, the Chief Operations Manager may suspend a Queensland Racing Limited official from work, either with or without pay, while an alleged breach is being investigated. Disciplinary action may constitute, but is not restricted to, counselling, warnings or reprimands or suspension or dismissal, as the case requires.

Serious breaches, such as official misconduct, may need to be referred to the Crime and Misconduct Commission. Any action taken will accord with the principles of procedural fairness. In the case of suspected or actual official misconduct or maladministration, procedural fairness does not necessarily mean that the person under investigation is to be presented with the allegations prior to an investigation. The relevant investigating authority will determine the appropriate time for advising the person of the allegations and affording the person the opportunity to respond.

## **PART 6 ETHICAL DECISION MAKING**

Queensland Racing Limited recognises that ethical problems occur in business and offers below practical advice how to better define and resolve ethical dilemmas.

The 'Ethics Quick Test' offers some assistance in resolving ethical dilemmas as well as guiding ethical conduct:

- Is the action or decision legal?
- Does it comply with our values?
- If you do it, will you feel bad?
- How will it look in the newspaper or media?
- How will it seem to your colleagues?
- If you know it's wrong, don't do it.
- If you're not sure, ask.

## Appendix A

### DEFINING KEY TERMS

#### Conflict of interest

Refers to a real or an apparent conflict between a private interest and official duty. A real (or actual) conflict of interest exists when a reasonable person, in possession of the relevant facts, would conclude that the official's private interests interfere, or are likely to interfere, with the proper performance on the official's duties. An apparent conflict of interest exists when it appears that an official's private interests may interfere with the proper performance of the official's duties although, in reality, this may not be the case.

#### Discrimination

Unless a statutory exemption applies, discrimination, whether direct or indirect, may be unlawful when it is on the basis of an attribute described in the *Anti-Discrimination Act 1991* (i.e. sex, sexuality, gender identity, marital status, pregnancy, parental status, breastfeeding, age, race, impairment, religion, political belief or activity, trade union activity, lawful sexual activity; or association with, or relation to, a person identified on the basis of any of the above attributes) in a specified area of activity, for example, work and work related areas. Direct discrimination may occur if a person treats or proposes to treat, a person with an attribute less favourably than another person without the attribute in circumstances that are the same or not materially different. Indirect discrimination may occur if a person imposes, or proposes to impose, a term with which a person with an attribute does not or is not able to comply and that is not reasonable or necessary to apply.

#### Dishonesty

Dishonesty is judged by the standards of ordinary decent persons. The test of dishonesty has two limbs; first were the actions dishonest by the standards of ordinary honest people and secondly should that person have realised that their actions were by those standards dishonest.

#### Fraud

Fraud is dishonestly obtaining a benefit by deception or other means and includes both tangible and intangible benefits.

#### Interest

Interest is used in relation to declaring personal interests or conflicts of interest, the term "interest" meaning direct or indirect personal interests of Queensland Racing Limited officials. Interests may be pecuniary or non-pecuniary.

#### Maladministration

Maladministration is an administrative action that is unlawful, arbitrary, unjust, oppressive, improperly discriminatory or taken for an improper purpose.

#### Official Misconduct

Official misconduct is incorporated within the *Crime and Misconduct Act 2001*, and means any conduct connected with the performance of a Queensland Racing Limited official's duties, that is dishonest or lacks impartiality, involves a breach of trust or is a misuse of officially obtained information. The conduct must be a criminal offence or serious enough to justify dismissal.

**Public interest**

Public interest means acting for the common good of the community. Queensland Racing Limited has developed a policy on safeguarding the public interest. Queensland Racing Limited officials should refer to this policy for guidance on what constitutes the public interest and Queensland Racing Limited's responsibilities to this end.

**Queensland Racing Limited Official**

Queensland Racing Limited official includes; Board members of the Queensland Racing Limited Board and all other persons employed or remunerated by Queensland Racing Limited, whether full-time, part time, permanent, fixed-term, contract or casual and includes members of any Queensland Racing Limited sub-committee.

**Statutory obligations**

Statutory obligations are obligations imposed from time to time by legislation including, where relevant and without limitation, obligations imposed on Queensland Racing Limited and/ or Queensland Racing Limited officials by: *Anti-Discrimination Act 1991*, *Crime and Misconduct Act 2001*, *Corporations Act 2001*, *Racing Act 2002*, *Whistleblowers Protection Act 1994* and *Workplace Health and Safety Act 1995* and any relevant regulations made pursuant to statute.

**Whistleblowing**

Whistleblowing is when, in the public interest, as provided for in the *Whistleblowers Protection Act 1994*, a person discloses information about official misconduct, maladministration, reprisal, or danger to public health or safety or environment.

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