



RACING AND WAGERING WESTERN AUSTRALIA
ABN 21 347 055 603

Licensing & Registrations
14 Hasler Road, OSBORNE PARK WA 6017
Telephone (08) 9445 5558
Facsimile (08) 6314 4792
Email: licreginfo@rwwa.com.au

HARNESS DRIVER'S AGENT - NEW LICENCE APPLICATION

FEE - \$294.00 (FROM 01.04.18 TO 31.03.20)

FEE - \$147.00 (FROM 01.04.19 TO 31.03.20)

2 YEAR LICENCE

PLEASE ATTACH PAYMENT WITH THIS APPLICATION

THESE DETAILS MUST BE COMPLETED BY THE APPLICANT				
MR/MRS/MISS/MS				
Surname :		Given Names:		
Postal Address:				
Residential Address:				
Contact Telephone Numbers	Publication	Residential	Business	Mobile
Email Address:				
Date of Birth: (Day) _____ (Month) _____ (Year) _____				

APPLICANT MUST ANSWER ALL THESE QUESTIONS

1.	Have you previously been licensed in any capacity by RWVA, or any Thoroughbred, Harness or Greyhound Racing Controlling Body? If YES show details here or attach separate report:	YES/NO
2.	Have you been convicted for any criminal offence punishable by fine or imprisonment or have you ever been or are you now subject to a bond or recognizance? If YES provide details including copies of Court Rulings.	YES/NO
3.	Are you under any disqualification, suspension or any other disability with any other Racing Body? If YES show details here or attach separate report:	YES/NO
4.	Have you been found guilty of an offence under the Rules of Harness Racing? If YES show details here or attach separate report:	YES/NO
5.	Which drivers will you be acting on behalf of?	
6.	What experience do you have within the Racing Industry?	
7.	Do you have a valid contract or agreement with the above mentioned driver/s?	YES/NO
8.	I have included in this application a signed letter from each of the above drivers, giving me authority to act on his behalf in the organisation and/or the obtaining of driving engagements	YES/NO

Privacy - The information collected on this form will be used for the purposes of transacting Racing & Wagering Western Australia (RWVA) business.

PLEASE COMPLETE AND RETURN TO RWVA WITH PAYMENT & REQUIRED ATTACHMENTS LISTED IN "IMPORTANT INFORMATION"

Conditions of Licence

A Racing Wagering Western Australia Driver's Agent Licence shall only be granted subject to the following terms and conditions:

- 1. A Driver's Agent shall represent only persons in respect of whom he has obtained specific approval of RWWA.
2. When applying initially for a Driver's Agent licence, a person shall submit evidence of any contract or agreement with the driver or drivers in respect of whom he seeks to be licensed, and subsequently shall make further similar application for the variation of his licence to include any potential additional clients.
3. A licensed Driver's Agent shall within 7 days notify in writing to the Stewards of RWWA in the event of the termination of his contract or agreement with a driver.
4. In the event of any contract or agreement between a Driver's Agent and his client being in dispute, the parties to such contract or agreement shall seek their remedy in the normal course of contract law.
5. No licensed Driver's Agent shall without the express permission of the Steward's communicate in any way with his nominated driver while such driver is in any restricted area during any race meeting.
6. No licensed Diver's Agent shall be a party to any other person soliciting for driving engagements for his clients in any restricted area on a race course during the currency of a race meeting.

APPLICANT'S DECLARATION

1. I hereby authorise Racing and Wagering Western Australia (RWWA) to check any details of information given in this statement, including but not limited to, criminal convictions, financial commitments, etc. as the Authority in its absolute discretion deems necessary. 2. I acknowledge, if I am applying for a trainer's licence/permit that (a) I will take out Workers Compensation insurance when I employ workers ("Workers" as defined in the Act) to assist me in my training activities (b) The training of all horses in my care will be under my personal supervision (c) I will notify RWWA immediately whenever a horse leaves my control or comes under my control where it is my intention to prepare the horse to participate in trials or races and (d) I will permit the Stewards or Officials of RWWA to enter at any time and inspect my property and to exercise their powers under the Rules. 3. If I am applying for a trainer's licence/permit, I acknowledge my application will be rejected if I do not have public liability insurance. 4. If I am charged with an offence punishable by fine or imprisonment I undertake to contact the Stewards immediately upon being charged. 5. If I have been convicted of an offence punishable by fine or imprisonment in the previous 12-months, I undertake to contact the Stewards (08 9277 0777) immediately and attach to this application a copy of my current Police Clearance Certificate and details of the Court ruling in relation to the offence. 6. I shall at all times conduct and present myself in a professional and proper manner and comply with the RWWA Rules of Harness Racing, Official's instructions and the powers afforded to them and that failure to do so can place my current and future involvement in the industry in jeopardy. 7. I acknowledge having read and understood the said Rules and further undertake to read the Official RWWA publications so as to keep myself informed of any amendments to the said Rules or any other Regulations, Conditions and Directions made by RWWA. 8. I agree to be bound at all times by the said Rules in force from time to time and any other lawful Rules, Regulations, Conditions and Directions as may from time to time be formed, made or given by Stewards or Officials of RWWA. 9. I acknowledge that in the event of becoming disqualified, my current licence is forfeited and upon expiration of the disqualification I must re-apply for a Licence. I recognize in these circumstances such application may be refused or made subject to special conditions. 10. I will provide the Licensing & Registrations Department with written advice of any changes to the details I have advised in this application within 48-hours of the change. 11. I hereby declare that all particulars stated on this application are true and correct, that I have read all the conditions appearing in this Application and acknowledge and agree to abide by all such conditions. 12. I acknowledge that the Stewards are empowered to punish any person who makes any false or misleading statement or declaration in respect of any matter in connection with the administration or control of Harness Racing. 13. I agree that RWWA may record telephone conversations with you when you contact RWWA or are contacted by RWWA by telephone line in relation to any licence or racing related matter.

I _____ (FULL NAME) make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths, Affidavits and Statutory Declarations Act 2005

Made and subscribed by the above named and declared

on _____ (Day) _____ (Month) _____ (Year) _____ Signature of Applicant

At _____ place

Before me _____ Signature of Witness* _____ Full Name of Witness*

- Witness must be the list of professions from the Oaths, Affidavits and Statutory Declarations Act 2005.

IMPORTANT INFORMATION

- 1. LICENCE IS FOR A PERIOD OF 2 YEARS, ENDING 31ST MARCH 2020, AND EACH AND EVERY 2 YEARS AFTER THAT.
2. PAYMENT MUST BE ATTACHED FOR APPLICATION TO BE PROCESSED.
3. APPLICATION MUST BE ACCOMPANIED BY A CURRENT NATIONAL POLICE CLEARANCE.
4. IN MAKING APPLICATION FOR A DRIVERS AGENT LICENCE I ACKNOWLEDGE THAT ANY LICENCE ISSUED TO ME IS SUBJECT TO THE FOLLOWING CONDITION:

APPLICANT CANNOT HOLD ANY OTHER TYPE OF CURRENT RWWA LICENCE IN THE HARNESS RACING CODE WITH THE EXCEPTION OF A STABLEHANDS LICENCE, SHOULD THIS LICENCE BE APPROVED BY RWWA.

On 1 January 2006 the Parliament of Western Australia proclaimed the ***Oaths, Affidavits and Statutory Declarations Act 2005*** which makes changes to the manner in which oaths, affidavits and statutory declarations are administered and witnessed

Professions that can witness statutory declarations include:

- Academic {post-secondary institution}
- Accountant
- Architect
- Australian Consular Officer
- Australian Diplomatic Officer
- Bailiff
- Bank Manager
- Chartered secretary
- Chemist
- Chiropractor
- Company auditor or liquidator
- Court officer {Judge, magistrate, registrar or clerk}
- Defence Force officer
- Dentist
- Doctor
- Electorate Officer {State – WA only}
- Engineer
- Industrial organisation secretary
- Insurance broker
- Justice of the Peace {any State}
- Lawyer
- Local government CEO or deputy CEO
- Local government councillor
- Loss adjuster
- Marriage Celebrant
- Member of Parliament {State or Commonwealth}
- Minister of religion
- Nurse
- Optometrist
- Patent Attorney
- Physiotherapist
- Podiatrist
- Police officer
- Post Officer manager
- Psychologist
- Public Notary,
- Public Servant {State or Commonwealth}
- Real Estate agent
- Settlement agent
- Sheriff or deputy Sheriff
- Surveyor
- Teacher
- Tribunal officer
- Veterinary surgeon

DISCRIMINATION / SEXUAL HARASSMENT STATEMENT



DISCRIMINATION AND SEXUAL HARASSMENT

RWWA wishes to remind all industry participants of their rights and responsibilities with regard to discrimination and sexual harassment.

Discrimination and sexual harassment are unacceptable and unlawful forms of behaviour.

All people have the right to work in an environment that is free of sexual harassment, victimisation and discrimination.

RWWA, as the regulatory body for racing in Western Australia, provides support services, to promote working environments which are free of sexual harassment and discrimination. These services include the following:

- Contact with Industry Representatives
- Availability of course material for trainees and apprentice jockeys
- Contact with independent bodies, eg. Human Rights and Equal Opportunities Commission, Anti-Discrimination Commission

A range of options exists to ensure all those involved in the industry have at least one channel of complaint with which they feel comfortable.

RWWA will not tolerate sexual harassment and discrimination in the Western Australian racing industry.

Our Stewards will enforce the Rules of Racing and will refer complaints to appropriate authorities which may include the police where appropriate.

WHAT IS DISCRIMINATION?

Discrimination occurs when someone is treated unfairly or badly compared to others, often because they are seen as different. It is against the law to discriminate against people because of:

- Sex (whether male or female)
- Marital or parental status
- Race
- Age
- Impairment (whether physical, intellectual, psychiatric or mental disability, injury or illness, including whether they are HIV+ or use a guide dog, wheelchair or some other remedial device)
- Religion
- Political belief or activity
- Trade union activity
- Lawful sexual activity (whether they are gay, lesbian, heterosexual or bisexual)
- Pregnancy or breastfeeding

It is also against the law to discriminate against a person because they associate with or are related to someone who has any of these attributes or personal characteristics.

Unlike sexual harassment, which is against the law in all circumstances, discrimination is only against the law if it covers one or more of the grounds listed above and it occurs in any of the following areas:

- Employment
- Accommodation
- Education
- Provision of goods and services
- Access to places and vehicles
- Club membership and affairs
- Application forms
- Advertising
- Superannuation and insurance
- Sport

Additionally, the Racial Hatred Act covers public acts which are done because of race, colour, national or ethnic origin of a person and are reasonably likely to offend, insult, humiliate or intimidate that person or group.

WHAT IS SEXUAL HARASSMENT?

Sexual harassment is any unwanted, unwelcome or uninvited behaviour of a sexual nature that makes a person feel humiliated, intimidated or offended.

Sexual harassment can take many different forms and may include physical contact, verbal comments, jokes, propositions, the display of offensive material or other behaviour, which creates a sexually hostile working environment.

Examples of sexual harassment include:

- lewd jokes, comments or innuendo
- sexual comments, advances or propositions
- unzipping or undoing attire
- offensive, obscene language or crude gestures
- persistent questions or insinuations about a person's private life
- display of sexist literature
- nude/pornographic pictures (including screensavers)
- offensive, obscene language or crude gestures
- obscene telephone calls, faxes or emails

Sexual harassment can involve behaviour that would also be an offence under the criminal law. For example, physical assault, indecent exposure, sexual assault, stalking or obscene communication.

Sexual harassment is **not** behaviour that is based on mutual attraction, friendship and respect. If the interaction is consensual, welcome and reciprocated it is not sexual harassment.

COULD DISCRIMINATION OR SEXUAL HARASSMENT AFFECT YOU? YES

Everybody who is engaged in activities related to the Western Australian Racing Industry must be aware of their responsibilities and rights with regard to discrimination, including sexual harassment.

Everybody includes owners; trainers; jockeys; RWWA's employees; contractors; trainees and all other associated persons who are engaged in activities in all areas of the racing industry in Western Australia.

WHAT ARE YOUR RIGHTS?

- Everyone has the right to work in an environment which is free of harassment
- Sexual harassment is against the law
- Sexual harassment is against the Rules of Racing
- Confidential complaint procedures are available

WHAT DOES THE LAW SAY?

Sexual harassment is prohibited in Australia by the Federal *Sex Discrimination Act* and anti-discrimination laws in all States and Territories. The *Sex Discrimination Act* prohibits sexual harassment and other forms of discrimination in areas such as employment, the provision of services, education and accommodation.

Sexual harassment is a legally recognised form of sex discrimination. Sexual harassment can be a breach of an employer's common law duty to take reasonable care for the health and safety of employees. It can also be a breach of occupational health and safety legislation.

WHAT ARE THE RULES OF RACING?

Stewards are empowered to investigate misconduct or allegations of misconduct and to lay charges and impose penalties under certain Rules of Racing.

WHO IS RESPONSIBLE?

Are individual persons responsible? YES.

- Persons, including employers, employees and contract workers are personally liable for their own acts of sexual harassment
- A person is personally liable for any act of victimization or discrimination
- A person is personally liable for causing, instructing, inducing, aiding or permitting another to discriminate (including discrimination involving sexual harassment)

Are employers responsible? YES.

- An employer is vicariously liable* for any acts of harassment or discrimination committed by employees or agents in connection with their duties unless "all reasonable steps" were taken by the employer to prevent harassment and discrimination occurring
- Lack of awareness that an employee or agent sexually harassed or discriminated against another will not discharge and employer's vicarious liability*

***Vicarious liability** is an employer's legal responsibility for wrongs committed by employees in the course of work.

HOW TO MAKE A COMPLAINT

Seek a complaint channel that you both trust and feel comfortable with. Investigate internal complaint channels. External complaint channels include:

- Human Rights and Equal Opportunities Commission
- State Equal Opportunities Commission
- Sexual Assault Resource Centre



RACING AND WAGERING WESTERN AUSTRALIA

RWWA LICENSING POLICY

The RWWA Integrity Assurance Committee (IAC) did resolve on the 20 August 2007 to adopt the following policy.

RWWA Licensing Policy

In determining whether a person is suitable, appropriate or a “fit and proper person” to hold a licence, or remain licensed with RWWA, the RWWA Board or its delegate may take into account any relevant matter relating to the person and including the following:

- (a) That the person has satisfactorily met and continues to meet, the knowledge, ability and experience requirements relevant to that category of licence as determined from time to time by the licensing body.
- (b) Any conviction of the person of any offence under any Rules of Racing not restricted to these RWWA Rules of Racing; and
- (c) Any conviction of the person of an offence punishable by imprisonment regardless of whether imprisonment was applied;
 - (i) against another law of the Commonwealth; or
 - (ii) against a law of a State or Territory; and
- (d) Whether the person is, or has been, an undischarged bankrupt or is taking advantage of the laws relating to bankruptcy; and
- (e) Whether any false or misleading information or document has been provided in relation to the person at the time of application or renewal of licence;
- (f) Whether the person has previously been refused a licence by any licensing authority;
- (g) Whether or not the person is likely to breach a licence condition;
- (h) Whether the person has omitted to disclose or has not fully disclosed information that is relevant to an application for licence or renewal;
- (i) Whether the person has any association with persons or groups that are undesirable to the reputation of the racing industry; and
- (j) Without limiting any other paragraph, whether the person has failed to pay an amount or such other account for which the person is or was liable for as confirmed by an order of a Court or Magistrate having jurisdiction in such matters.

Any person found at any time to not be a “fit and proper person” may, in accordance with the relevant Rules of Racing, have any licence or registration held by them at time cancelled or have any application for licence or registration refused.

WHO CAN YOU CONTACT?

The RWWA Racing Integrity Division at
70 Grandstand Road
ASCOT WA 6104
Phone: (08) 9445 5333

Greyhound Racing Stewards
Phone: (08) 9445 5237

Thoroughbred Racing Stewards
Phone: (08) 9445 5570

Harness Racing Stewards
Phone: (08) 9445 5157

HUMAN RIGHTS AND EQUAL OPPORTUNITY COMMISSION

Level 3, 175 Pitt Street, Sydney
SYDNEY NSW 2000
Phone: (02) 9284 9600
Facsimile: (02) 9284 9611
General Enquiries: 1300 369 711
Complaints Hotline: 1300 656 419
Email: complaintsinfo@humanrights.gov.au
Web: <http://www.humanrights.gov.au>

EQUAL OPPORTUNITY COMMISSION

Level 2, Westralia Square
141 St Georges Terrace
PERTH WA 6805
Phone: (08) 9216 3900
Facsimile: (08) 9216 3960
Country Callers (FREECALL): 1800 198 149
Email: eoc@equalopportunity.wa.gov.au
Web: <http://www.eoc.wa.gov.au>

SEXUAL ASSAULT RESOURCE CENTRE (SARC)

Phone: (08) 9340 1820
Facsimile: (08) 9381 5426
Crisis Line (24 hours): (08) 9340 1828
Counselling Line (24 hours): (08) 9340 1899
Country Callers (FREECALL): 1800 199 888

CRISIS CARE

Department of Community Development
Counselling Line (24 hours): (08) 9223 1111
Country Callers (FREECALL): 1800 199 008

LIFELINE WA

57 Murray Street
PERTH WA 6000
Counselling Line (24 hours): 131 114
Web: <http://www.lifelinewa.org.au>



RACING AND WAGERING WESTERN AUSTRALIA

ABN 21 347 055 603

Licensing & Registrations Department

14 Hasler Rd Osborne Park 6017

Telephone (08) 9445 5558

Fax (08) 6314 4792

HOW TO PAY

Phone



Please call the telephone number on your document

Or

Credit Card

Accepted Credit Cards:



Please complete the details below then detach the slip and return it with your completed application

Detach and Return with your application



RACING AND WAGERING WESTERN AUSTRALIA

CREDIT CARD AUTHORISATION SLIP

Credit Card Type please tick VISA MASTERCARD

Card No.										Card Expiry Date	/
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Name on Card _____

Amount \$ _____

Card Holders Signature _____

Date _____

I agree to RWAA charging my credit card account for the amount shown above

Account No. _____

Contact Telephone Number. _____

Invoice No/s. _____