

‘Fit and proper person’ registration requirement

This fact sheet explains new registration requirements under the *Greyhound Racing Victoria New Local Racing Rules* which apply to both new registration applications received by Greyhound Racing Victoria (GRV) and to existing registered participants from 1 October 2017.

THE CHANGE

From 1 October 2017, GRV will determine whether an applicant is a ‘fit and proper person’ before considering whether to register them as a participant.

New applications for registration received by GRV on or after 1 October 2017 will be assessed against the new ‘fit and proper person’ requirement. All existing registered participants will also be required to disclose any relevant disciplinary or criminal matters which have occurred on or after 1 October 2017.

WHAT THE CHANGE MEANS

As part of assessing an application for registration, GRV will have to satisfy itself that an applicant is a fit and proper person for registration having regard to matters such as honesty, integrity, and character. The Board must be satisfied that the applicant is "fit and proper" before the Board can approve a person’s application for registration.

Every applicant who is at least 18 years old must provide the Board with a National Police Certificate (NPC) and/or may be required to provide consent for GRV to obtain a NPC on the applicant’s behalf as part of their application for registration. A NPC is a criminal record check. It lists a person’s criminal and traffic court history, as well as any pending charges that are considered suitable to disclose. Applicants will also be required to make declarations regarding all racing related disciplinary action taken against them, regardless of code.

The Board will review the NPC and declarations as a part of the fit and proper person test to determine whether the applicant's criminal history is relevant to registration as a participant in greyhound racing.

Once registered, a person must continue to be a fit and proper person in order to maintain their registration and will have an obligation to proactively disclose any new disciplinary or criminal matters to GRV. This requirement also extends to existing participants who have been the subject of any disciplinary or criminal matters which have taken place on or after 1 October 2017.

How will GRV assess whether an applicant for registration is a fit and proper person?

GRV will consider a range of relevant matters in assessing whether an applicant for registration meets the ‘fit and proper person’ requirement, including (but not limited to):

- any disciplinary action taken against the applicant by GRV or other relevant regulatory body
- whether the applicant has provided any false and misleading information in support of an application for registration
- any offences disclosed in the applicant’s national police certificate

- whether the applicant has complied with registration conditions including the applicant's performance in key animal welfare related activities such as rehoming
- any adverse matter disclosed by the applicant, for example, having been convicted or found guilty of an offence involving animal cruelty, violence, fraud or dishonesty
- a failure to disclose an adverse matter described above that later becomes known to GRV.

What if GRV identifies a matter it considers relevant to an assessment of the applicant's fitness and propriety during the application process?

If GRV identifies a matter it considers relevant to whether the applicant is a fit and proper person, it will contact the applicant advising them of the matter and seek a response from the applicant and/or further information.

When determining whether the applicant is a fit and proper person to be registered, GRV will consider not just the existence of a relevant matter, but all the circumstances relating to that matter, including (but not limited to):

- the nature of the applicant's conduct and its relevance to their fitness to participate in Greyhound Racing
- the attitude of the applicant in relation to the conduct
- any further instances involving the same or similar conduct by the applicant
- how recently or long ago the conduct occurred
- any other relevant or mitigating factors.

In most cases, a single relevant matter will not necessarily indicate that an applicant is not a fit and proper person. On the other hand, a pattern of conduct may demonstrate an attitude towards standards of proper conduct or honesty that indicates an applicant is not a fit and proper person to participate in greyhound racing.

What if GRV considers that a person may not be a fit and proper person?

If, after considering an application for registration, GRV **proposes** to refuse the application on grounds that it is not satisfied the applicant is a fit and proper person, GRV will:

- notify the applicant in writing that it proposes to refuse the application and set out its reasons for the proposed refusal
- give the applicant a reasonable opportunity to respond to GRV's proposed decision and reasons for decision, and invite the applicant to respond to the proposed refusal by expressing their views and/or providing further information to support their application.

What if GRV decides that a person is not a fit and proper person?

If, after considering the applicant's response and any further relevant information, GRV decides to refuse the application on grounds that it is not satisfied the applicant is a fit and proper person, GRV

will notify the applicant in writing that their application has been refused and set out its reasons for the refusal. The notice will include the applicant's review rights.

Want to know more?

Please **submit an enquiry** or call us on (03) 8329 1100.

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