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| ***Racing Act 2002* (Section 46(1)(b))** |  |

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| **Form 4: Agreement to pay cost of mediation** | PRIVATE AND CONFIDENTIAL |

**Instructions**

An eligible corporation applying for approval as a control body for a code of racing can execute this deed without a seal if the document is signed by—

* 2 directors of the corporation;
* 1 director and 1 secretary of the corporation;
* for a proprietary company that has a sole director who is also the sole company secretary—that director; or
* for a proprietary company that has a sole director and no company secretary – that director.

A lawfully authorised agent or attorney of a corporation may also execute a deed for the corporation.

**Part 1 Agreement**

This agreement is executed as a deed made this date (DD / MM / YYYY): ........................................

between the State of Queensland acting through the Office of Racing, Department of Education (the department) of Brisbane in the State of Queensland and:

(Name of approval applicant) .............................................................................. of (address):

(Line 1): …………………………………………………………………………

(Line 2): …………………………………………………………………………

(City/Town – State - Postcode): …………………………………………………….

 (the approval applicant)

**Part 2 Recitals**

1. The approval applicant has lodged an application under the *Racing Act 2002* (the Act) to be the

control body for the ............................................................................................ code of racing.

1. It is a requirement of the Act that an approval applicant agrees to pay the cost of any mediation under section 52 of the Act, divided equally among the number of approval applicants who are given a notice about the mediation under that section, by the chief executive of the department.

**Part 3 Agreed covenants**

1. Agreement to pay cost of mediation

The approval applicant agrees that it will pay the amount that is the cost of a mediation divided equally among the number of approval applicants who are given a notice by the chief executive of the department under section 52 of the Act.

2. Agreement to abide by mediator’s rules and conditions

The approval applicant agrees to abide by the rules and conditions set by the mediator appointed by the chief executive of the department.

3. Variations and amendments

The parties may agree to vary any term or provision of this deed. Any amendment or variation must be in writing and signed by the parties in the same manner as this instrument.

4. Applicable law

The laws of the State of Queensland govern this deed and the parties submit to the exclusive jurisdiction of the courts of Queensland.

**Part 4 Executed as a Deed**

Signed for and on behalf of the State of Queensland, acting through the Office of Racing, Department of Education, by:

Name (print or type): .............................................................................................

Signature:...................................................................................................................................................

being a person duly authorised to act in this behalf this (DD / MM / YYYY): ..................................in the presence of:

Name (print or type): .............................................................................................

Signature of witness:..................................................................................................................................

Signed for and on behalf of the approval applicant under s 127 of th*e Corporations Act 2001 by*:

Name of director (print or type): …..........................................................................................

Signature of director :…................................................................................................................................................

Name of director / secretary (print or type): ..................................................................................

Signature of director / secretary:..................................................................................................................................

**Part 5 Lodgement**

Please lodge the completed form to the address below:

Director

Office of Racing

Department of Education

PO Box 15033

CITY EAST QLD 4002

Enquiries can be emailed to OfficeOfRacing@qed.qld.gov.au.