

Agreement to pay cost of mediation

This Deed is made this day of 20

between the State of Queensland acting through the Office of Racing, Queensland Treasury (“the Department”) of Brisbane in the State of Queensland

and
 (“the Approval Applicant”)

of
 (Address)

Recitals

- A. The Approval Applicant has lodged an application under the *Racing Act 2002* (the Act) to be the Control Body for the code of racing.
- B. It is a requirement of the Act that an applicant for a Control Body approval agree to pay the cost of any mediation under section 17 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.

Agreed covenants

1. Interpretation

Unless the contrary intention appears:

- (a) the clauses are for convenient reference only and have no effect in limiting or extending the language of the provisions to which they refer;
- (b) words in the singular number include the plural and vice versa;
- (c) words importing a gender include any other gender;
- (d) a reference to a person includes a partnership and a body whether corporate or otherwise;
- (e) a reference to a clause is a reference to a clause of this Deed; and
- (f) where a word or phrase is given a particular meaning, other parts of speech and grammatical forms of that word or phrase have corresponding meanings.

2. Agreement to pay cost of mediation

The Approval Applicant hereby 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 17 of the Act.

3. Agreement to abide by mediator's rules and conditions

The Approval Applicant hereby agrees to abide by the rules and conditions set by the mediator appointed by the Chief Executive of the Department.

4. Variations and Amendments

No term or provision of this Deed may be amended or varied unless the amendment or variation is reduced to writing and signed by the parties hereto in the same manner as this instrument.

5. Applicable Law

This Deed shall be governed by and construed in all respects in accordance with the law of Queensland and the parties hereby submit to the jurisdiction applicable to the Courts of Queensland and the Commonwealth of Australia in respect of all matters arising hereunder or relating hereto.

Executed as a Deed

Signed sealed and delivered for and on behalf of the **State Of Queensland** acting through Queensland Treasury by

(Print name)

(Signature)

a person duly authorised to act in this behalf this day of 20
in the presence of

(Print Name of Witness)

(Signature of Witness)

Signed sealed and delivered for and on behalf of the **Approval Applicant** by

(Print name)

being duly authorised in this behalf

(Signature)

this day of 20

in the presence of

(Print Name of Witness)

(Signature of Witness)

A Justice of the Peace/Legal Practitioner