

Private and confidential

# Personal Probity Form

*(Section 21 Racing Act 2002)*

**Name of Approval Applicant/Control Body**

**Name of Individual**

## Instructions for completion of the Personal Probity Form

1. Completion of a Personal Probity Form requires the individual to:
  - (a) attach the documents specified in Part 1;
  - (b) provide answers to certain questions contained in Part 2; and
  - (c) sign a statutory declaration stating that the contents of the Personal Probity Form are true and correct in every particular.
2. The Personal Probity Form is to be completed in the English language. Where the Personal Probity Form requires the applicant to attach a document which is in a language other than English a certified English translation must be attached.
3. Type or print in BLOCK LETTERS an answer to every question in the Personal Probity Form.
4. If an electronic version of Part 2 of the Personal Probity Form is being completed, information may be inserted in response to a question, but no alteration is to be made to any of the questions or the order of the questions.
5. If a question does not apply state "N/A".
6. If there is nothing to disclose in reply to a particular question state "nil".
7. If there is insufficient space to answer a question, additional information may be provided on a page attached to the Personal Probity Form. Where additional information is provided on a page to be attached to the Personal Probity Form:
  - (a) precede each answer on the page with the title of the corresponding question; and
  - (b) sign the page in the bottom right hand corner.
8. All dates should be completed in the form: DD / MM / YYYY.
9. The person completing the Personal Probity Form should sign the bottom right hand corner of:
  - (a) each page of the Personal Probity Form; and
  - (b) each page attached to the Personal Probity Form.
10. Any enquiries in relation to the Personal Probity Form should be directed to the Queensland Office of Racing Regulation, telephone (07) 3234 1400 (for calls from outside Australia, the telephone number is +61 7 3234 1400).
11. If the completed "Personal Probity Form" is to be posted, it should be sealed in an envelope marked "Private and Confidential".

## Important

### Warning about false or misleading information or incomplete disclosure

Persons completing this form should be aware that action may be taken should information be supplied that is false, misleading or incomplete in a material particular.

Persons who submit false or misleading information may be prosecuted and fined or imprisoned.

Where an approval is issued and it is subsequently found that full disclosures had not been made in relation to the control body or its associates or that false or misleading information had been provided, show cause action may be taken. That action would determine whether the approval should be cancelled or suspended.

### Instructions to be read

it is critical that the Instructions for Completion contained on pages 2 and 3 are read fully before this form is completed.

### Privacy Statement

Queensland Treasury is collecting information, including personal information, on this form as required by Section 21 of the *Racing Act 2002*. This information will not be disclosed to a third party without your consent unless authorised or required by law.

## Part One

### Personal information to be provided by way of attachments to this Personal Probity Form

The following documents **MUST** be attached to this Personal Probity Form:

1. A certified copy of one of the following as proof of identity:

- (a) birth certificate or extract; or
- (b) current driver's licence; or
- (c) marriage certificate.

2. Are you an Australian citizen?

YES - If you are an Australian citizen, please provide a certified copy of your passport and passport number or equivalent documentation.

Document Type

Details

If you have never held a passport, you should state so when asked in Part 2, Question B of this document.

NO - If you are not an Australian citizen, please provide a certified copy of your passport and any visa issued to you.

3. **For overseas residents only**, a Police Report or Clearance from the appropriate authority in the jurisdiction in which you currently reside. Police Reports or Clearances which are older than six (6) months will not be accepted. If a Police Report or Clearance is not in English, a certified translation must also be attached to the Personal Probity Form.

4. Summary of Work and Business History

A document setting out the following:

(a) Details of all Directorships of corporations (including past and present).

Name of Company

Location of Company

Date of Appointment as Director  /  /

Date of Cessation as Director  /  /

Nature of Business

Signature:

- (b) Details of all businesses conducted by you solely, in partnership or through some other means not detailed in 4(a) above (including past and present):

Name of Entity	<input type="text"/>
Location of Entity	<input type="text"/>
Date of Commencement	<input type="text" value=" / /"/>
Date of Cessation	<input type="text" value=" / /"/>
Nature of Business	<input type="text"/>

- (c) Details of your present and past employment, excluding details which have already been provided:

- Name of Employer
- Address of Employer
- Position Title
- Date of Commencement
- Date of Cessation
- Description of Duties

5. Two written references

These references should include:

- a statement in relation to your character and/or business reputation (one character reference and one business reference must be provided);
- confirmation of the number of years the referee has known you;
- how you are known to the referee;
- a statement that the referee is agreeable to be contacted to further discuss these matters, if it is considered necessary; and
- full name and contact details of the referee.

Signature:

## Part Two

Personal information to be provided in writing.

### A. Personal Details

(1) Surname

Given Names

(2) Present residential address:

No.

Street

Suburb

(City/Town)

State

Postcode

(3) If you have resided at your present residential address for less than 6 months, your previous residential address:

No.

Street

Suburb

(City/Town)

State

Postcode

(4) Present business address:

No.

Street

Suburb

(City/Town)

State

Postcode

(5) Present Occupation:

Telephone Nos.

Business

Home

Mobile

Email

(6) Date of birth  /  /  (DD/MM/YYYY) Sex Male  Female

Place of birth     
City/Town State Country

Signature:

(7) Are you an Australian citizen? YES  NO

(a) If a naturalised citizen of Australia, state the date and place of naturalisation and the certificate number:

(b) If a citizen of another country, state that country

(8) Are you enrolled on a State Electoral Roll in Australia? YES  NO

If yes, state the name and address under which enrolled:

Electoral District and Division

(9) If the answer to question (8.) is NO, state the reasons why you are not enrolled:

If enrolled on an electoral roll of another country, please state the type (eg State, County, Province or Federal) and applicable electorates:

(10) Are you the holder of a current Driver's Licence? YES  NO

If yes, state the date and place of issue:

Licence No:

**B. Passport Information**

Have you ever held a passport from any country? YES  NO

If 'Yes' what is your passport number:

Expiry Date  /  /  (DD/MM/YYYY)

Certified Copy provided with this application: YES  NO

If 'No' reason why not provided

Signature:

## C. Arrests, detentions and litigation

Answer the questions below. If you answer “yes” to any of the questions provide full details on an attached document and sign the bottom right hand corner of each page of the document.

Please note that in relation to Question C(1)(a)-(i):

- “law enforcement agency” includes but is not limited to State, Federal and Overseas Agencies such as Police Services, Crime Authorities, Crime Commissions, Commissions against Corruption, Securities and Investment Commissions, Customs Services, Taxation Offices, Competition and Consumer Commissions and Gaming Authorities; and
- In accordance with the definition of “disqualifying conviction” and “spent conviction” contained in Schedule 3 of the *Racing Act 2002*, sections 5 & 6 of the Criminal Law (*Rehabilitation of Offenders*) Act 1986 of Queensland do not apply when disclosing in this application a conviction for an offence under the repealed *Racing and Betting Act 1980*, the *Racing Act 2002* or a law of another state prescribed by the *Racing Regulation 2003* as a law about racing or betting.

(1) Have you ever, in Queensland or elsewhere:

- |   |                              |                             |
|---|------------------------------|-----------------------------|
| (a) been convicted of an offence?   | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| (b) been investigated (to the best of your knowledge) by a law enforcement agency?  | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| (c) been arrested by a law enforcement agency?  | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| (d) been detained by a law enforcement agency?  | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| (e) been charged by a law enforcement agency?   | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| (f) been summoned before a court to answer any offence (other than traffic offences) regardless of the outcome of the action? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| (g) had any charge proved against you without a conviction being recorded?  | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| (h) been the subject of a Violence Order?   | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| (i) been the subject of a cancelled or suspended driver’s licence?  | YES <input type="checkbox"/> | NO <input type="checkbox"/> |

(2) Have you ever in a civil lawsuit, either personally or as a company officer, or are you aware of any such action, in which you are listed as a party, that may be pending? YES  NO

(3) Have you ever had a judgement returned against you in a civil or criminal legal proceeding? YES  NO

(4) Have you been the subject of debt recovery action in the last 6 years? YES  NO

Signature:

## D. Involvement in racing, influences and possible conflicts of interest

The questions in this section involve a declaration of:

- your involvement in the Queensland Racing Industry; and
- the involvement in the Queensland Racing Industry of other persons with whom you may have a close relationship.

For the purposes of Questions D(1) to (4), “associated person” includes your:

- close relations (including a spouse or partner, siblings, children);
- close business associates (such as partners); or
- close personal friends.

(1) Have you or any person associated with you ever:

- been associated with the ownership, administration or management of;
- held any financial interest in; or
- been the employee or consultant to any of the following:

- a licensed club under the *Racing Act 2002* or a race club, harness club or greyhound club under the repealed *Racing and Betting Act 1980* or in another jurisdiction? YES  NO
- a racing association established under the *Racing Act 2002*? YES  NO
- an association formed for the purpose of promoting the interests of one or more participants in the racing industry? YES  NO
- the former Racing Appeals Authority? YES  NO
- the Racing Appeals Tribunal? YES  NO
- a Control Body? YES  NO
- a person or body involved in the racing of animals? YES  NO
- a person or body involved in the breeding of racing animals? YES  NO
- syndicates or companies involved in the racing of animals or breeding of animals for racing? YES  NO
- the provision of services to the racing industry, including but not limited to televising races and race events, construction of racing facilities, catering and maintenance of buildings and racecourses? YES  NO
- a casino or keno or lottery operations? YES  NO
- interactive gambling operations? YES  NO
- race wagering or sports wagering operations (including bookmaking); or YES  NO
- a club, hotel or tavern? YES  NO

*If yes, please provide details on an attached document signed in the bottom right corner.*

Signature:

- (2) Have you or any person associated with you ever been licensed by a Control Body, including, for example, as a racing bookmaker, jockey or trainer? YES  NO   
*If yes, please provide details on an attached document signed in the bottom right corner.*
- (3) Do you have any interest, direct or indirect, financial or otherwise, which may interfere with the proper performance of your duties as an Executive Officer of the Approval Applicant/Control Body. YES  NO   
*If yes, please details on an attached document signed in the bottom right corner.*
- (4) Have you or any person associated with you ever been engaged in wagering operations in any capacity or involved in the racing industry other than as specified in (1) above? YES  NO   
*If yes, please provide details on an attached document signed in the bottom right corner.*
- (5) Have you ever been the subject of exclusion action as defined in schedule 3 of the *Racing Act 2002* (warned off, disqualified or listed on the forfeit list under the rules of racing of a Control Body)? YES  NO
- (6) Have you previously been the subject of probity investigations in this or any other jurisdiction? YES  NO   
*If yes, please provide details on an attached document signed in the bottom right corner.*

Signature:

## E. Membership and employment

- (1) Have you ever been dismissed, discharged or asked to resign from any employment (including from any position you have held as a director or secretary of a company)? YES  NO

*If yes, provide details of the following on an attached document signed in the bottom right corner:*

- the date of dismissal;
- the name and address of the organisation at the time of dismissal or resignation;
- the reason for dismissal, discharge or resignation; and
- any further comments you may wish to add.

- (2) Do you belong to any professional body, association or institute? YES  NO

*If yes, please provide details on an attached document signed in the bottom right corner.*

- (3) Have you ever been investigated or disciplined by a professional body, association or institute? YES  NO

*If yes, please provide details on an attached document signed in the bottom right corner.*

## F. Financial details

- (1) Have you ever been bankrupt, or subject to an arrangement under the *Bankruptcy Act* (ie made some arrangement with your creditors) or an overseas equivalent, or taken, or applied to take, advantage of any law about bankruptcy? YES  NO

*If yes, please provide details of the following on an attached document signed in the bottom right corner.*

- date of bankruptcy/arrangement;
- date of discharge/completion (including a proposed date); and
- details of the circumstances leading to bankruptcy/arrangement proceedings, including details of any pending arrangements.

- (2) Are you currently, or have you ever been, a director or officer of a corporation or involved in the management of a corporation:

- (a) placed into liquidation or receivership or under a scheme of arrangement or other formal insolvency administration; YES  NO

- (b) where a mortgagee has entered into possession of the property of the corporation; or YES  NO

Signature:

- (c) where an investigation into the affairs of the corporation has been authorised by the Australian Securities and Investment Commission, its predecessors or an equivalent overseas body? YES  NO

*If yes, please provide the details of the following on an attached document and sign the document in the bottom right hand corner:*

- *the type of proceedings to which each corporation was subject;*
- *the full name of each corporation, including any previous names;*
- *the circumstances leading to the proceedings to which each corporation was subject, including details of any pending financial arrangements; and*
- *the details of any investigations into the affairs of the corporations by ASIC, or its predecessor or by an equivalent overseas body.*

- (3) Have you ever been disqualified from acting as a director of a corporation under any of the provisions of current or previous Australian corporation and securities legislation or overseas equivalents? YES  NO

*If yes, please provide details of the following on an attached document and sign the document in the bottom right hand corner:*

- *date of disqualification; and*
- *the reason for disqualification (including details of any pending arrangements).*

- (4) Has your salary, wage, earnings or other income been subject to a garnishee order, attachment or the like in the last 10 years? YES  NO

*If yes, please provide details on an attached document signed in the bottom right corner.*

- (5) Are you, or have you ever been, disqualified from managing corporations? YES  NO

*If yes, please provide details on an attached document signed in the bottom right corner.*

- (6) Have you had an article repossessed by a finance company or the like in the last 10 years? YES  NO

*If yes, please provide details on an attached document signed in the bottom right corner.*

- (7) Are you overdue in lodging your taxation returns? YES  NO

*If yes, please provide details on an attached document signed in the bottom right corner.*

- (8) Are you, or any corporation of which you are a director, being investigated by any taxation authority in any country? YES  NO

*If yes, please provide details on an attached document signed in the bottom right corner.*

Signature:

- (9) Have you, or any corporation of which you are a director, been investigated by any taxation authority in any country? YES  NO

*If yes, please provide details on an attached document signed in the bottom right corner.*

- (10) Are you involved, as a trustee or shareholder or director of a trustee company, or otherwise, in any family trust or any other form of trust? YES  NO

*If yes, please provide details on an attached document signed in the bottom right corner.*

- (11) Have you ever been associated with a private company? Associated includes having a shareholding and being a director or a spouse/defacto of a director. YES  NO

*If yes, please provide details on an attached document signed in the bottom right corner.*

- (12) Have you, or a corporation with which you are or were associated, ever had a controlling interest in a public company? Associated includes having a shareholding and being a director or a spouse/defacto of a director. YES  NO

*If yes, please provide details on an attached document and sign the document in the bottom right hand corner, of any public company in which you, or a company with which you are or were associated, have had a controlling interest. For the purposes of this probity form, a controlling interest is greater than 15% shareholding or greater than 15% representation on the company Board.*

Signature:

## Checklist

Before signing the statutory declaration, please complete the following checklist. If you intend to submit the Personal Probity Form without satisfying the checklist you should advise when the outstanding matters will be addressed.

For the Personal Probity Form, I have:

- read the Instructions for Completion;
- attached a certified copy of my proof of identity eg drivers licence
- attached a certified copy of my passport/s;
- if I am an overseas resident, attached a Police Report or Clearance;
- attached a summary of work and business history;
- attached two references; completed answers to each question asked; provided attachments where required; and
- signed the bottom right corner of each page of the Personal Probity Form and of each attachment.

The statutory declaration may be taken by:

- a justice, commissioner for declarations or notary public under the law of Queensland, the Commonwealth or another State; or
- a lawyer; or
- a conveyancer, or
- another person authorised to administer an oath, under the law of Queensland, the Commonwealth or another State.

## Statutory declaration of applicant

I,   
(Full name of applicant)

of   
(Address of applicant)

do solemnly and sincerely declare that:

1. all information provided by me in the Personal Probity Form, including:
  - (a) all information provided in the attachments to Part 1 of the Personal Probity Form; and
  - (b) the declaration and all answers to the questions contained in Part 2 of the Personal Probity Form;

are true and correct in every particular;

2. I am aware that Chief Executive of the Department and the Minister responsible for Racing may rely upon the answers I have provided in the Personal Probity Form when considering the applicant's application for a Control Body Approval.
3. I am aware that, if any of the information which I have supplied in my Personal Probity Form is false or misleading, I may be prosecuted for an offence.

and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.

Dated this  day of  20

(Signature)

(Signature of Witness)  
A Justice of the Peace/Legal Practitioner

(Full Name of Witness)