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# Changes to Adjudication of Horse Racing Appeals

## INFORMATION BULLETIN No. 001 (Effective April 1, 2016)

On December 10, 2015, the Ontario Legislature passed legislation which will transfer the regulatory responsibilities of the Ontario Racing Commission (ORC) to the Alcohol and Gaming Commission of Ontario (AGCO) and change the adjudication process for the appeal of horse racing decisions in Ontario. In particular, the legislation will create a new adjudicative body called the Horse Racing Appeal Panel (HRAP). The HRAP will have responsibility for hearing appeals of decisions made under the Rules of Racing. At the same time, the adjudicative responsibility for matters dealing with proposed refusals, suspensions and revocations of licences pursuant to Notices of Proposed Orders will be transferred to the Licence Appeal Tribunal (LAT).

These **changes come into effect on April 1<sup>st</sup>** and are part of a broader government initiative to integrate horse racing and gaming regulation under a single regulatory body (i.e. the AGCO) together with a new adjudicative model to support independent and effective regulation of horse racing in the province.

### About the Horse Racing Appeal Panel and the Licence Appeal Tribunal

As of April 1, 2016, the ORC will be dissolved and the adjudicative responsibilities that were exercised by it will be transferred to two bodies, depending on the type of appeal.

#### 1. Horse Racing Appeal Panel

The newly-established HRAP will hear appeals of decisions made under the Rules of Racing. The majority of these matters will relate to on-track and conduct violations, positive test cases and related decisions made by Judges and Stewards. The HRAP will conduct these hearings as an entirely independent and impartial body and at arm's-length from the AGCO.

#### 2. Licence Appeal Tribunal

Appeals resulting from proposed refusals, suspensions and revocations of licences pursuant to Notices of Proposed Orders will be heard by the LAT. The LAT is an adjudicative tribunal with a mandate to resolve appeals regarding compensation claims and licensing decisions made by a wide variety of regulators and pursuant to appeal rights set out under a number of statutes, including other statutes administered by the AGCO (the *Liquor Licence Act* and *Gaming Control Act*).

## Filing a Notice of Appeal

Effective April 1, 2016, licensees wishing to appeal a decision or matter related to:

- The **Rules of Racing**: must file a Notice of Appeal to the HRAP. More information on the HRAP and the required appeal forms will be available as of April 1, 2016 at [www.hrappealpanel.ca](http://www.hrappealpanel.ca).
- A **Notice of Proposed Order** (e.g. relating to the issuance, renewal, suspension or revocation of a horse racing licence): must file a Notice of Appeal to the [LAT](#).

In the interim, anyone wishing to file an appeal of a decision before April 1<sup>st</sup> should continue to do so through the ORC. Please visit: <http://www.ontarioracingcommission.ca> for more information.

If you have already filed a Notice of Appeal with the ORC and your hearing has not yet been scheduled to be heard by the ORC before April 1<sup>st</sup>, your matter will be referred to either the HRAP or LAT depending on the circumstances and nature of the file.

## Hearing Locations

Hearings conducted by HRAP will continue to be heard at: 10 Carlson Court, 4<sup>th</sup> Floor, Suite 400, Toronto, ON M9W 6L2.

For information on hearings conducted by the LAT, please visit the [LAT's website](#) at <http://www.sse.gov.on.ca/lat>.

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For more information about the new Horse Racing Appeal Panel or about the merger of regulatory functions between the AGCO and ORC, please visit the AGCO's website or contact Scott Berry, the Manager of Board Relations at the AGCO, at 416 326-8737 or [scott.berry@agco.ca](mailto:scott.berry@agco.ca).