

CONSENT ORDER
OF THE
RACING PENALTIES APPEAL TRIBUNAL

APPELLANT: CHRIS WOLFE
APPLICATION NO: A30/08/487
PANEL: MR D MOSSENSON (CHAIRPERSON)
DATE: 7 MARCH 2000

IN THE MATTER OF an appeal by Mr C Wolfe against the determination of the Western Australian Turf Club Stewards on 8 January 2000 imposing a fine of \$500 for breach of Rule 160B(1) of the Australian Rules of Racing.

Mr F J Powrie represented the Western Australian Turf Club Stewards.

Mr T F Percy QC represented the appellant.

The Stewards of the Western Australian Turf Club in a letter dated 18 February 2000 to the Tribunal stated:

"The Stewards of the Western Australian Turf Club are prepared to conceded (sic) that this Appeal would succeed for reasons of lack of jurisdiction in that one Steward acted alone when there was another Steward (Deputy) present.

We are of the opinion, that the Racing Penalties Appeal Tribunal would find it a nullity.

Unless directed otherwise, we see no need for an appearance."

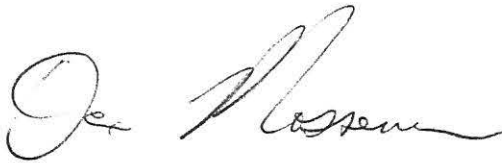
Counsel for the appellant sought the following orders:

1. The Appeal be allowed and the conviction set aside.

2. The fine paid be remitted to the Appellant.
3. The fee paid on lodgement of the Appeal be refunded.

By consent of the parties, I order that:

1. The appellant's conviction under Rule 160B(1) is quashed.
2. The fine paid by the appellant will be remitted.
3. The fee of \$250 paid on lodgement of the appeal will be refunded.



DAN MOSSENSON, CHAIRPERSON

