

WESTERN AUSTRALIAN TROTTING ASSOCIATION (WATA)
TRADING AS GLOUCESTER PARK HARNESS RACING
FREEDOM OF INFORMATION STATEMENT

This Information Statement has been prepared pursuant to Part 5 of the *Freedom of Information Act 1992*, in particular Section 94 of the Act. The Statement provides direction to the public about WATA's operations, the type of documentation available and how the public can access that information.

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1. Mission Statement

To create a vibrant, efficient, innovative and customer-oriented racing organisation, which will take advantage of other non-racing business opportunities in order to achieve WATA's short and long-term objectives.

2. Details of Legislation Administered

The WATA is constituted and incorporated under *The Western Australian Trotting Association Act 1946*.

Effective 1st August 2003 Racing and Wagering WA (RWWA) became the controlling authority for harness racing in WA and is the body responsible for all activities relating to the harness racing code in Western Australia. The principal legislation governing RWWA is the *Racing and Wagering WA Act 2003*, the *Racing and Wagering WA Regulations 2003*, together with the *Betting Control Act 1954* and *Betting Control Regulations 1978*.

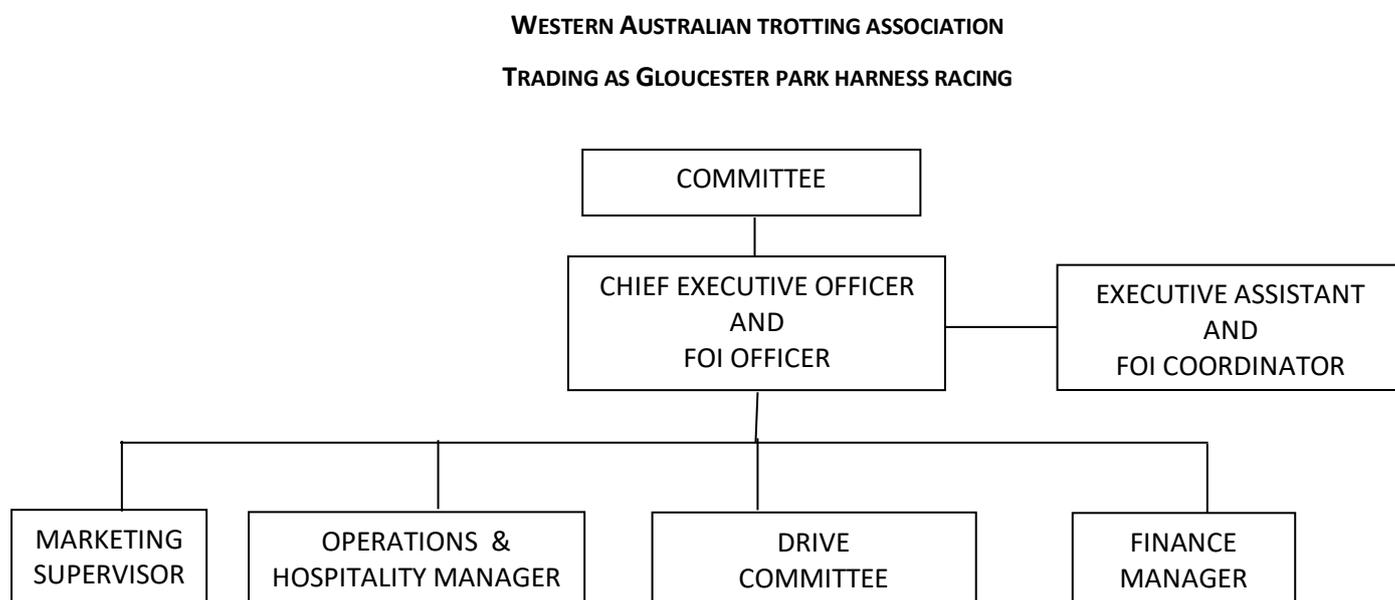
The WATA, trading as Gloucester Park Harness Racing, is subject to the rules and regulations imposed by RWWA as harness racing's controlling authority

Other legislation with which WATA must comply is given below. Although not exhaustive, the list represents the legislation that impacts on the general operation of the WATA.

- Occupational Safety and Health Act 1984
- Equal Opportunity Act 1984
- Anti-Money Laundering and Counter Terrorism Financing Act 2006
- Unclaimed Money Act 1990
- Freedom of Information Act 1992
- Workers Compensation and Injury Management Act 1981
- Superannuation guarantee (Administration) Act 1992
- Fair Work Act 2009
- Trade Practice Act 1974.

3. Agency Structure and Decision-Making Functions

WATA's organisational structure is shown below.



The Committee is elected by the Members of the WATA. Its role is to set policies and strategies for the future direction of the organisation and to make decisions necessary to meet WATA's objectives and performance targets.

The Chief Executive Officer is appointed by the Committee to manage the day-to-day operations of the WATA and Gloucester Park.

The Drive Committee is responsible for the financial management of the organisation and to set strategies for its future direction.

4. Public Participation in the Formulation of Policy and Performance of Agency Functions

The WATA

- (i) liaises with the harness racing fraternity, when necessary, regarding improvements to the Gloucester Park race track;
- (ii) liaises with its Members, when necessary, regarding all matters relating to Gloucester Park, including, but not limited to, improving its service and facilities;
- (iii) is a member of the Eligible Harness Racing Bodies and holds meetings, whenever necessary, with other industry bodies; and
- (iv) encourages patrons to complete Customer Information Program (CIP) forms with a view to improving its service and facilities.

5. Documents Held by the Agency

The WATA produces an Annual Report, which is available on the Internet. The WATA Bylaws are also freely available on the Internet www.gloucesterpark.com.au.

The WATA maintains standard statutory information and records required for the commercial operation of the business and personnel function. These fall into the following categories and are not freely available to the public.

Accounts & Audits	Administration – General	Advertising
Betting	Committees	Communications
Correspondence	Equipment	Finance – Banks
Grants	Insurance	Land & Buildings
Legal	Marketing	Ministerial
New Initiatives	Projects	RWWA
Reports	Research	Sales
Security	Staff	Strategic Planning
Taxation	Tenders	Totalisators – on-course

Should a member of the public wish to obtain a document(s) that is not freely available (including an application to access documents containing personal information about them or a close relative) they can do so by lodging an application in accordance with the Freedom of Information Act, with the FOI Coordinator (see section 6).

6. The operation of FOI in the Agency

- FOI Operations

The WATA is required to comply with the provisions of the Freedom of Information Act 1992. The Act gives people a general right of access to documents held by an agency, other than exempt documents. The central features of the Act are:

- It confers upon persons a right to apply for access to information held by the WATA;
- It confers upon individuals a right to apply to WATA for amendment to personal information; and
- it places certain obligations on the WATA to make publicly available certain information about its operations.

Consideration of all FOI applications at the WATA is dealt with in accordance with the FOI Act, FOI Policy and Practice Guide and FOI Implementation Guidelines prepared by the Office of Information Commissioner.

Exempt Matter: There are exemptions for some types of documents, including protection of essential public interest, the personal or business affairs of third parties, legal professional privilege, and the deliberative processes of Government or agencies. Access can be granted to part of a document where it contains exempt material and that material can be deleted.

The WATA has appointed a Freedom of Information Coordinator with responsibility for:

- Administering all aspects of the Act;
- Ensuring statutory compliance; and
- Making all initial decisions concerning FOI application.

All applications, together with payment of \$30.00 (where applicable), for the release of documents under the FOI Act are to be addressed as follows:

Freedom of Information Coordinator
 Western Australian Trotting Association
 PO Box 6025
 East Perth WA 6892

Telephone: (08) 9323 3520.

- **Freedom of Information Applications**

An access application must:

- be lodged in writing;
- provide enough details to enable the requested documents to be identified;
- provide an Australian address to which notices can be sent; and
- be lodged at the agency with any application fee payable.

An individual may apply to have personal information about them amended if it is inaccurate, incomplete, out-of-date or misleading. Such applications should be in writing and provide as much information to show how and why WATA's records are inaccurate, incomplete, out-of-date or misleading. An individual seeking access to personal information will be required to provide photographic proof of identification.

Individuals acting on behalf of the person to which the records relate may apply for amendment of the record. Certain people may make applications on behalf of children and intellectually handicapped persons. Where an affected person to whom the information relates is deceased, a close relative (spouse, children, parents, sibling, grandparent or uncle/aunt in order of closeness) may make an application in their absence.

Individuals may request to see documents containing personal information WATA holds about them through a Freedom of Information application. Minor changes to personal contact details may be done over the phone by contacting the FOI Coordinator on 9323 3520. If WATA determines that it will amend the record it will do so by altering it, striking out, deleting or inserting information or a note in relation to the contents and advise the applicant accordingly.

- **Freedom of Information Charges**

There is no application fee payable for access to personal information. However, for all other requests there is a fee of \$30.00.

The fees and charges that may be levied for an FOI application (excluding personal information) include:

- Application Fee: \$30.00 (must be paid before the application can be considered)
- Photocopies: \$0.25 per page
- Staff time (1): \$30.00 per hour (dealing with the application)
- Staff Time (2): \$30.00 per hour (supervising access to documentation)
- Delivery, packaging and postage: Actual cost.

If the additional charges are likely to exceed \$25.00 WATA will advise the applicant to determine whether they wish to proceed with the application. Alternatively, the applicant can request an estimate of the charges prior to lodging an application.

- **Deposits**

An advance deposit may be required pursuant to section 18(1) of the Act. The applicant will be advised at the time where a deposit will be required.

For financially disadvantaged applicants or those holding valid prescribed pensioner concession cards the charge is discounted by 25%.

- **WATA FOI Decision-making process**

Where an applicant is having difficulty defining what documents they are seeking access to, the WATA FOI Coordinator can assist the applicant with their application. The applicant should use the list of record categories outlined in Section 5 to assist them to determine what documents they want access to. Better clarification of the scope of the application will reduce the time and cost involved in processing.

- **Refusal of access**

WATA may refuse to deal with an application on the basis that it will divert a substantial or unreasonable portion of its resources away from other operations. Nevertheless, WATA will take all reasonable measures to assist the applicant to better define the application and narrow the scope of the application.

Once the scope of the application is determined, the FOI Coordinator will assess the application in accordance with the Act and approve (either in full or an edited version) or refuse the release of the documents requested. In all circumstances the applicant will be given a written Notice of Decision within 45 days of the date of lodgement, including reasons if the applicant is refused or only partial access is given.

Applicants who are dissatisfied with an FOI decision are entitled to seek an internal review by the Agency. Applications for review must be made within 30 days of receiving the Notice of Decision.

Upon receipt of a written application and payment of the determined fee and charge (if required), the FOI Coordinator will assess the application in the first instance and respond to the applicant. Depending on the nature of the application consultation with a third party may occur.

- **Notice of Decision**

Following an internal review a further Notice of Decision will be issued within 15 days as to whether to release or not release the document or part thereof. If the applicant is not satisfied with this decision they may appeal to the Information Commissioner for an External Review within 60 days of receiving the Notice of Decision. Any appeal to the Information Commissioner for External Review must be accompanied by a copy of the Agency's Notice of Decision.

- **Access arrangements**

Where access to documents is granted WATA will let the applicant see the document(s) and if requested provide a photocopy. In some cases another form may be more appropriate, such as listening to a tape recording or watching a video. If for some reason copies of the document cannot be made and sent to the applicant WATA will discuss with them the most appropriate way in which the document can be examined.