

Non-starter Claim Policy



Department	Office of the General Counsel
Responsible Person	Manager Strategic Policy
Developed By	Strategic Policy
Reviewed By	Executive Management Team
Approved By	GRV Board
Effective Date	June 2017
To be Reviewed	June 2018
Changes Approved	

Purpose	The purpose of this Policy is to explain when Greyhound Racing Victoria (GRV) may offer payment to a registered Owner when a nominated and eligible greyhound was prevented from participating in an Event and the process of making a claim.
Scope	This policy applies to all Owners and Trainers of registered greyhounds.
Policy	
	<p>The Rules provide that GRV, Clubs, GRV officers, officials or Steward are not liable to any person for any loss or damage sustained by that person as a result of or arising out of the exercise of any right, privilege, power, duty or discretion conferred or imposed pursuant to the Rules (See Rule 3(3)).</p> <p>Further, it is a condition of nominating a greyhound that the Participant agrees that neither GRV nor the club has any liability for a greyhound not being able to participate in an Event (see Local Rule 27).</p> <p>This rule covers instances where the greyhound would have participated, but for an error - for example, being scratched due to computer error, or not being offered a start despite being next on the list or being scratched due to person error. This policy covers these circumstances.</p> <p>The local rule 27 also covers circumstances where a greyhound is not permitted to race due to disqualification, suspension, actions of trainer or owner or where the Stewards or on track Veterinarian determined, within the Rules, that the dog should not race. This policy does not cover these circumstances and there is no possibility of payment.</p> <p>In some circumstances, and on application, GRV may agree to provide payment the Owner of a registered greyhound where a greyhound would have participated and an Event, but could not participate due to a GRV error. Non-Starter claims may only be made in accordance with this policy.</p>
Limitations	Only the Owner of an eligible greyhound may make a claim for not being permitted to participate in an Event for which the greyhound had a valid nomination.

	<p>Only one claim may be made for any Event.</p> <p>Claims are limited to circumstances in which a greyhound would have participated, but was not permitted to participate due to a GRV systems error, or due to an act or omission of GRV.</p> <p>The default amount for any successful claim is an amount equal to the Trainer’s appearance fee or travel allowance for attending Events (currently \$80). However, payment may exceed that amount in special circumstances, such as high-profile races with large prize pools.</p> <p>Nevertheless, any possible payment is capped at \$250.</p> <p>GRV will not pay any claims related to alleged loss of earnings, speculation of winnings, or loss of enjoyment.</p>
<p>Putting in a Claim</p>	<p>The claim must be made in writing, using the prescribed Claim Form and must provide the Claim Material, which is:</p> <ul style="list-style-type: none"> • the owner’s membership details; • identification details for the greyhound including names and ear brand; • trainer’s membership details; • details of the race in which the greyhound is said to have a valid nomination; • information about why the participant believes the greyhound should have participated in the Event; • information about why the participant believes the greyhound was not permitted to participate in the Event. <p>The written claim should then be forwarded by</p> <ul style="list-style-type: none"> • email to claims@GRV.org.au with a subject line of “New Claim and the owner’s registration number”; <p>or</p> <ul style="list-style-type: none"> • mail to: GRV, Claims, 46-50 Chetwynd Street, West Melbourne, VIC 3003.
<p>Initial assessment</p>	<p>The Owner will receive an acknowledgement from GRV that GRV has received the claim.</p> <p>The Owner is not required to do anything else until they have been contacted again by GRV. If Owners would like an update about the status of a claim they should contact Racing Advisory Services who will take the message.</p> <p>GRV will perform an initial assessment of the claim and will refuse to consider any claim that does not provide all the Claim Material (listed above) or that does not relate to an Event where:</p> <ul style="list-style-type: none"> • the greyhound had a valid nomination,

	<ul style="list-style-type: none"> • the greyhound was eligible to participate, • the greyhound would have been able to participate had an error not occurred. <p>GRV will refuse to consider any claim that relates to an Event for which there has already been a claim, regardless of whether that claim resulted in a payment from GRV or a Club.</p> <p>GRV will contact the Owner if GRV has concluded that, after the initial assessment, it will not consider the claim.</p>
<p>Investigating the Claim</p>	<p>If GRV is willing to consider the claim, GRV will investigate the claim, to establish the most likely reason that the greyhound was not able to participate in the Event.</p> <p>A greyhound will be considered to have a valid nomination if the nomination had been received and accepted by GRV.</p> <p>A greyhound will be considered to be eligible for an event if neither the greyhound, Trainer or Owner are subject to disciplinary action that prevents them from racing, the greyhound meets any eligibility criteria listed for the Event, and the greyhound was fit and able to race on the day.</p> <p>To assess a claim GRV may seek further information from the Owner. GRV may refuse to consider any claim if the Owner fails to fully cooperate with GRV's inquires.</p> <p>Participants must fully cooperate with GRV's investigations to ensure that claims are finalised promptly.</p> <p>GRV may refuse a claim after 30 days from the last date that GRV has requested information from the Owner that is reasonably required for GRV to make an appropriate assessment of the claim and the participant has failed to provide that information.</p> <p>If Owners would like an update about the status of a claim during the investigation, they should contact Racing Advisory Services.</p>
<p>Notification of outcome</p>	<p>The Owner and Trainer will be informed by GRV of the outcome of the claim.</p>
<p>Appealing a decision - GRV Compensation Review Panel (CRP)</p>	<p>If the Owner does not agree with the outcome of the claims assessment, the Owner may appeal, in writing, to GRV claims@grv.org.au or GRV, Claims, 46-50 Chetwynd Street, West Melbourne, VIC 3003.</p> <p>The appeal must be received by GRV within 7 days of the Owner receiving the claim assessment.</p> <p>The Owner must provide details of why they believe the assessment is unreasonable in the circumstances.</p> <p>The GRV Compensation Review Panel (CRP) will review the GRV assessment and consider whether, on balance, the assessment appears to be reasonable.</p>

	<p>The CRP cannot increase the amount paid in relation to the claim beyond \$250.</p> <p>The Owner and Trainer will be informed of the CRP’s decision.</p> <p>Decisions of the GRV CRP in relation to claims appeals are final and no further correspondence will be entered.</p> <p>The GRV CRP will be constituted by at least two General Managers, nominated by the Chief Executive Officer.</p>
Confidentiality of claims	<p>When dealing with a claim GRV may, in certain situations, provide information to a law enforcement agency (such as Victoria Police), an animal welfare organisation (such as the RSCPA), a Veterinarian, a participant, or another person.</p> <p>In all circumstances, GRV will comply with its obligations regarding confidentiality, use and disclosure of personal information.</p>
Contact details	<p>To obtain a copy of the claim form, contact Racing Advisory Services.</p> <p>Submission of Claims</p> <ul style="list-style-type: none">• email to - claims@grv.org.au with a subject line of “New Claim and the greyhound’s name” <p>or</p> <ul style="list-style-type: none">• mail to: GRV, Claims, 46-50 Chetwynd Street, West Melbourne, VIC 3003 <p>Questions about the claims process</p> <ul style="list-style-type: none">• Email to - claims@grv.org.au <p>or</p> <ul style="list-style-type: none">• Call Racing Advisory Services – 8329 1100. <p>Appeals</p> <ul style="list-style-type: none">• Email to GRV claims@grv.org.au <p>or</p> <ul style="list-style-type: none">• Mail to: GRV, Claims, 46-50 Chetwynd Street, West Melbourne, VIC 3003.