

Appeal decision

Date: 2 December 2013

Code of racing: Harness

Appeal panel: Judge W Carter (chair), Mr B Miller and Mr P James.

Appearances: Trainer Wayne Waltisbuhl appeared on his own behalf.
Mr D Farquharson, chief steward, appeared on behalf of the stewards.

Decision being appealed: Six months disqualification – AR190(1) and (2).

Appeal result: Appeal dismissed.

Extract of proceedings – in the matter of a swab sample taken from Blissful Leader in Race 3 at Redcliffe on 5 November 2013. Trainer: Wayne Waltisbuhl

THE CHAIRMAN: My colleagues and I have considered this matter. We are quite familiar with the content of the transcript. The case is one where you were charged with a breach of Rule 190 which creates an offence if a horse is presented for a race where it was found to have contained a prohibited substance, and the substance in this particular case was a prohibited substance.

It seems to us it is a clear case and we are of the view that a disqualification of six months, which is consistent with other penalties, is the appropriate penalty and we dismiss the appeal.

Further right of appeal information: The appellant and the stewards may appeal to the Queensland Civil and Administrative Tribunal (QCAT) within **14 days of the date of this decision**. Information in relation to appeals to QCAT may be obtained by telephone on (07) 3247 3302 or via the Internet at www.qcat.qld.gov.au