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# NORTHERN TERRITORY RACING AND WAGERING COMMISSION

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## Code of Conduct

### 1. Preamble

This Code of Conduct sets out the principles, values, and standards of behaviour expected of all members of the Northern Territory Racing and Wagering Commission. It reflects our statutory duty to act with integrity, impartiality and professionalism in regulating the Northern Territory's racing industry and licensed wagering operators.

This Code provides the ethical framework within which we operate – guiding the exercise of our powers, the management of conflicts of interest (in addition to the requirements of s28 of the Act), and our interactions with stakeholders. It does not seek to prescribe every circumstance but sets out the standards and values that must inform sound judgement, consistency and responsible conduct.

By upholding this Code, we affirm our commitment to integrity, respect and excellence in administration of the law and in service to the public.

### 2. Legislative and Governance Framework

This Code operates within the legislative and policy framework that governs the Commission. It should be read in conjunction with:

#### Legislation that applies to Commission Members

The following legislation applies directly to Commission members:

- *Racing and Wagering Act 2024 (Act)* – establishes the Commission, its powers and duties, including requirements for impartiality and independence.
- *Independent Commissioner Against Corruption Act 2017* – applies to public officers, including statutory office holders, prohibiting improper conduct, misuse of position and corrupt behaviour.
- *Information Act 2002* – imposes obligations regarding the handling of confidential and personal information.
- *Financial Management Act 1995* – governs the proper use and accountability of public resources.

#### Legislation and Standards Used for Guidance

While not legally binding on Commission members, the following, as amended from time to time, are adopted for guidance as representing better practice in governance and ethical conduct:

- Northern Territory Government Boards Handbook 2025
- Accepting Gifts, Benefits and Hospitality: Policy Framework for the Northern Territory Public Sector 2016 (Ombudsman for the Northern Territory)
- *Public Sector Employment and Management Act 1993*, in particular:
  - Code of Conduct for the Northern Territory Public Sector 2024

### 3. Core Values and Principles

- **Integrity:** Act honestly and ethically in all dealings.
- **Impartiality:** Make decisions objectively, free from bias or influence.
- **Accountability:** Be answerable for decisions, actions and advice.
- **Transparency:** Conduct the business of the Commission in an open and fair manner.
- **Respect:** Treat colleagues, stakeholders and the public with professionalism and courtesy.

## 4. Conflicts of Interest

### Definition:

As set out in section 28 of the Act, a member of the Commission must disclose any personal interest in any matter being considered, or about to be considered by the Commission. A conflict of interest arises when a Commission member has a direct, indirect or other financial interest in a matter, or where the Commission member has a personal, professional, commercial or other relationship that could, or could be perceived to, influence the performance of their duties. Conflicts can be:

- **Actual:** A real conflict between personal interest and Commission duties.
- **Potential:** A situation where a personal interest may in the future conflict with Commission duties.
- **Perceived:** A circumstance where it may appear to an observer that a personal interest could improperly influence decision-making, even if it does not.
- **Indirect:** Meaning conflicts arising from the interests of close family members and business relationships (such as spouse or partner, children, siblings, parents, grandparents and grandchildren or business partners).

Conflicts of interest can change over time – meaning that an interest that did not initially represent a conflict may become one.

### Disclosure:

- In addition to the requirements set out in section 28 of the Act, all conflicts (whether in respect of a matter being considered, or about to be considered by the Commission or otherwise) must be disclosed immediately upon becoming aware of them.
- Conflicts must be recorded in the Register of Interests maintained by the Commission.
- Disclosures should include sufficient detail to allow proper assessment of the nature and impact of the conflict.
- All disclosures must be reviewed regularly, including at least annually by the Commission, and updated whenever circumstances change.
- Disclosure applies to all meetings, decision-making processes, projects, and interactions where the conflict may be relevant.

### Management:

- Conflicts of interest must be managed proactively to protect the integrity of the Commission.
- Options for managing conflicts include, but are not limited to:
  - **Recusal:** The Commission member refrains from participating in discussions, decisions, and votes where the conflict exists.
  - **Delegation:** Responsibility for the relevant matter is delegated to another Commission member without a conflict.
  - **Mitigation measures:** Other measures approved by the Chair, such as requiring additional oversight, independent advice, disclosure to relevant stakeholders, or a Commission member divesting themselves of the interest that gives rise to the conflict of interest.
- The Chair is responsible for assessing the disclosed conflict and determining the appropriate management approach (or in the case of the Chair, the Deputy Chair is responsible).

### Additional Guidance:

- Commission members must exercise care and good judgement to avoid situations or acquiring interests where conflicts could arise.

- Even if a conflict is minor or perceived as trivial, it should still be disclosed.

## 5. Stakeholder Engagement

It is an important part of the Commission's regulatory work to develop contacts and build good working relationships with a range of stakeholders, for example industry peak bodies and individual licence holders. All engagement with stakeholders must uphold the Commission's independence, integrity and impartiality, and all interactions must be transparent, equitable, and conducted solely for legitimate regulatory or compliance purposes.

### Definition:

- Stakeholder engagement refers to any formal or informal interaction between the Commission (including individual Commission members) and external parties such as (but not limited to) licensees and their representatives, industry associations, race control bodies and race clubs, government agencies, gambling research providers or community organisations, for the purpose of carrying out the Commission's statutory and regulatory functions; and includes conferences such as seminars, forums, workshops or similar gatherings.

### Disclosure:

- Any offer of hospitality or sponsorship by a stakeholder must be disclosed to the Chair (and in the case of the Chair, disclosed to the Deputy Chair).

### Management:

- The Chair must approve attendance at any stakeholder event in advance (and in the case of the Chair, the Deputy Chair must approve attendance).
- Details of all stakeholder engagements must be documented and entered in the Stakeholder Engagement Register maintained by the Commission, which is to be reviewed annually by the Commission.
- Costs of attendance at any approved event is to be met from the Racing and Wagering Fund or the Department of Tourism and Hospitality, and not by licensees or industry bodies.
- Complimentary conference or seminar registrations (including meals and drinks where incorporated) for Commission members invited as a speaker or panellist at the conference or seminar may be accepted, where attendance has been approved in advance by the Chair, or in the case of the Chair, the Deputy Chair.

## 6. Gifts, Benefits and Hospitality

Commission members must avoid situations where accepting gifts, benefits, or hospitality could influence, or appear to influence, their decisions. The value, source, timing and context of any gift, benefit or hospitality must be considered when determining whether it should be accepted.

### Definition:

- **Gifts:** Items of any value offered or given, including money, vouchers, tickets or goods and promises of future gifts.
- **Benefits:** Non-tangible advantages, favours, preferential treatment, privileged access, access to discounts and loyalty programs, and promises of future employment opportunities.
- **Hospitality:** Meals, travel, entertainment, or other social events offered.

### Disclosure:

- Any offer of a gift, benefit, or hospitality above the threshold of \$20 must be disclosed and recorded in the Gifts and Benefits Register maintained by the Commission, including:
  - Description of the item or service

- Name of the provider
  - Estimated value
  - Date received
  - Intended action (accept, decline, or return).
- Any gift, benefit, or hospitality offered that is intended to influence a Commission member's decision or actions must be **reported immediately** to the Chair, or in the case of the Chair, reported to the Deputy Chair.

**Management:**

- **Declining or returning gifts:** Gifts or benefits that could influence decisions or create a perception of bias should generally be declined or returned.
- **Acceptance with approval:** In some circumstances, acceptance may be permitted if transparent, reasonable, and approved by the Chair, (and in the case of the Chair, the Deputy Chair).
- **Hospitality:** Acceptance should be limited to events related to the Commission's official role and must be proportionate and reasonable.
- **Recording and monitoring:** All accepted gifts, benefits, and hospitality must be recorded.

**Additional Guidance:**

- **No personal gain:** Gifts, benefits or hospitality must never be solicited or requested.
- **Transparency:** Any potential perception of influence must be treated seriously; when in doubt, disclose.

**7. Personal Wagering**

To maintain impartiality and public confidence in the integrity of the Commission's regulatory functions, all Commission members are restricted from opening, maintaining, or using an active wagering account with any licensee regulated by the Commission, including on-course bookmakers; and wagering on any event or race for which the Commission is the race control body.

**8. Attendance at Sporting Events**

Attendance at sporting events, particularly where access, tickets or hospitality are offered by external parties such as (but not limited to) licensees and their representatives, industry associations, race control bodies and race clubs, government agencies or community organisations, may give rise to actual, potential or perceived conflicts of interest in connection with the performance of the Commission's statutory and regulatory functions.

**Definition:**

- **Sporting event** means any organised sporting, racing or competitive activity conducted by a body or club that may be subject to or associated with racing and wagering operations regulated by the Commission. This includes, but is not limited to:
  - Thoroughbred racing and greyhound racing;
  - Professional or amateur sporting competitions;
  - Industry awards, launches, or hospitality functions connected to such events.

This definition applies regardless of whether the event is ticketed, sponsored or otherwise commercially supported by a race control body, a race club, a licensed wagering operator or related entity.

**Disclosure:**

- Any offer of invitations, tickets or hospitality to attend sporting events by external parties such as (but not limited to) licensees and their representatives, industry associations, race control bodies and race clubs, government agencies or community organisations, must be disclosed and recorded in the Stakeholder Engagement Register maintained by the Commission and reviewed annually by the Commission.

**Management:**

- Attendance at any sporting event in an official capacity for the Commission must be approved in advance by the Chair (and in the case of the Chair, the Deputy Chair must approve attendance).
- Details of all sporting event attendances in an official capacity must be documented and entered in the Stakeholder Engagement Register maintained by the Commission, which is to be reviewed annually by the Commission.
- Costs of attendance at any approved event is to be met from the Racing and Wagering Fund or the Department of Tourism and Hospitality, and not by licensees or industry bodies.

**Additional Guidance:**

- **Personal Attendance:** Commission members may attend sporting events in a personal capacity without approval, provided that:
  - Attendance is entirely at personal expense (tickets, travel, hospitality etc).
  - No part of the attendance is subsidised, arranged or facilitated by a regulated entity, licensee or related person.
  - There is no engagement in an official capacity or discussion of Commission business.
  - The attendance would not create a reasonable perception of bias or preferential treatment.

Where any uncertainty exists about perception or propriety, Commission members should seek guidance from the Chair, and in case of the Chair, the Deputy Chair.

## 9. Participation in Competitions or Promotions

Participation in any promotion, competition, or event operated or sponsored by a licensee regulated by the Commission may create an actual or perceived bias. Good governance practices and the exercise of sound judgement require avoiding any activity that could imply preferential treatment.

## 10. Policy Review

This policy will be reviewed annually or following significant legislative or operational changes.

**Effective Date:** 17 December 2025  
**Approved By:** NTRW Commission  
**Review Date:** 17 December 2026