

RACING PENALTIES APPEAL TRIBUNAL DETERMINATION

APPELLANTS:

MR MICHAEL SANTICH

APPLICATION NO:

DMS06859/2026

PANEL:

**MR ROBERT NASH
(CHAIRPERSON)**

DATE OF DETERMINATION:

28 JULY 2026

IN THE MATTER OF an application under section 18(2) of the Racing Penalties (Appeals) Act 1990 by MICHAEL SANTICH to withdraw his appeal against a disqualification of his training licence made by the Racing and Wagering Western Australia (RWWA) Stewards of Thoroughbred Racing for a period of five months pursuant to rule AR231(1)(a) of the Rules of Thoroughbred Racing.

1. By email dated 24 July 2026, the Appellant's solicitors gave notice that the Appellant intended to seek leave to withdraw the appeal, being Appeal No 894, and by further email dated 27 July 2026 an application was made seeking leave to withdraw the appeal.
2. I am satisfied that pursuant to section 18(2) of the *Racing Penalties (Appeals) Act 1990*, leave ought to be granted to the Appellant to withdraw his appeal.
3. I have considered the submission made on behalf of the Stewards that the grant of leave should be subject to a condition that the Appellant pay \$500.00 towards the costs of the Stewards, given the lateness of the application. Although I have some sympathy for the argument put forward by the Stewards, I have determined not to impose such a condition.
4. In this case, the Appellant engaged solicitors to advise and act for him in the matter. It is not apparent that his grounds of appeal were entirely lacking in substance despite my view, when determining the Appellant's stay application on 17 June 2026, that the appeal did not have good prospects of success.
5. In my view, parties should not be discouraged from withdrawing appeals, even at a late stage, by the Tribunal imposing costs conditions on the grant of leave unless there are exceptional circumstances or there has been a clear abuse of process.

6. Accordingly, unconditional leave to withdraw Appeal 894 is granted to the Appellant, and the appeal stands withdrawn.



ROBERT NASH, CHAIRPERSON

