

RACING PENALTIES APPEAL TRIBUNAL DETERMINATION

APPELLANT: MR KEVIN NOLAN

APPLICATION NO: 24/5067

PANEL: MR ROBERT NASH
(CHAIRPERSON)

DATE OF HEARING: N/A

DATE OF DETERMINATION: 24 MARCH 2026

IN THE MATTER OF an appeal by KEVIN NOLAN against determinations made by the Racing and Wagering Western Australia Stewards of Harness Racing (Stewards) on 30 July 2024 imposing penalties for breaches of the Rules of Harness Racing (HRR), namely HRR 190, 190B and 194B.

1. On 30 July 2024, the RWWA Stewards imposed penalties on licensed trainer, Kevin Nolan, for breaches of the Harness Rules of Racing (**HRR**) which penalties included:
 - a. disqualifications respectively of 5 years, 6 months, and 3 months, to be served concurrently for two breaches of HRR 190 and one breach of HRR 194B; and
 - b. a fine of \$750 for one breach of HRR 190B.
2. On 13 August 2024, Mr Nolan appealed to this Tribunal against the above penalties (Appeal).
3. Subsequent to lodging the Appeal with the Tribunal, Mr Nolan died. As a consequence of his untimely death, the disqualifications imposed on the late Mr Nolan were rendered defunct, but the fine of \$750 remains a liability owed by the late Mr Nolan's estate.
4. Accordingly, the estate of the late Mr Nolan retains a legitimate interest in the Appeal and whether it should be progressed to a hearing before the Tribunal.
5. The Tribunal's inquiries revealed that as at 3 February 2026, no person had applied for or received a grant of administration in respect of the estate of the late Mr Nolan in Western

Australia. Therefore, no person has been appointed to administer and represent the interests of the late Mr Nolan's estate.

6. There is no provision in the *Racing Penalties (Appeals) Act 1990 (Act)* that specifically addresses the situation set out above.
7. Accordingly, pursuant to s.11(5) of the Act, I directed the Tribunal Registrar to notify the Stewards and all other parties known to have an interest in the matter, including the late Mr Nolan's widow, that unless within 28 days of the date of the Registrar's letter:
 - a. a step was taken to progress the Appeal; or
 - b. a person formally notified the Tribunal in writing that the person intended to seek a grant of administration in respect of the late Mr Nolan's estate,then the Appeal will be deemed to have been abandoned, and will be dismissed.
8. The Registrar sent a letter dated 20 February 2026 in the above terms to the Stewards, Mrs Wendi Nolan and Ms Marilou Fajardo.
9. As at the date of this determination:
 - a. no further steps have been taken to progress Appeal 880; and
 - b. no notification has been received from anyone advising of their intention to seek a grant of administration with respect to the late Mr Nolan's estate.
10. Accordingly, it is hereby ordered that the Appeal do stand dismissed.



ROBERT NASH

CHAIRPERSON

