



# NZTR Industry Policy

## General Trust Fund Policy

**Approved by:** New Zealand Thoroughbred Racing in consultation with the Trustees of the General Trust Fund

**Issued By:** Greg Binning, NZTR

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## 1 Application

This policy applies to all registered licensees of New Zealand Thoroughbred Racing:

- 1.1 Jockeys and Apprentice Jockeys;
- 1.2 All Trainer licence types; and
- 1.3 Stablehands

## 2 Statement of Purpose

The purpose of this policy is to provide financial support to registered licensees when they become injured as a result of an accident while carrying out duties in their capacity as a licensee.

## 3 Philosophy and Objectives of the Policy

The philosophy and objectives of this policy is to provide guidance to the Trustees of the GTF when approving grants and provides guidelines for licensees when making a claim to the GTF.

### 3.1 Claims

Claims can be made for:

- 3.1.1 First week of lost wages that ACC does not provide for
- 3.1.2 Financial hardship suffered as a result of an incident while undertaking duties as a licensee
- 3.1.3 Specific injuries where the licensee becomes permanently injured and can no longer obtain a license with NZTR or death

## **3.2 Funding**

The GTF receives its funding primarily from the following sources:

- 3.2.1 Interest on investments.
- 3.2.2 Funding from NZTR where NZTR has allocated amounts towards the GTF in the Funding Model. This model is approved by both the NZTR and the NZRB Boards.
- 3.2.3 Donations.

## **3.3 Trustee Responsibilities**

- 3.3.1 Overseeing the management of the General Trust Fund including funding, payments and approvals of grants.
- 3.3.2 Ensuring the welfare of all NZTR licensees is considered and managed in good faith.

## **4 Definitions**

- 4.1 GTF – General Trust Fund
- 4.2 NZTR – New Zealand Thoroughbred Racing
- 4.3 NZRB – New Zealand Racing Board
- 4.4 Licensee – Current licence holder with NZTR.
- 4.5 NZTR authorised person – can be any one of:
  - Trustee of the General Trust Fund
  - NZTR Chief Executive
  - NZTR General Manager
  - NZTR Racecourse Inspector or NZTR Stipendiary Steward (from 5 October 2009 referred to as Racecourse Investigator)

## **5 Policy**

### **5.1 Types of Claims**

#### **5.1.1 First Week of lost wages that ACC does not provide for**

Where a licensee has sustained an injury as a result of carrying out duties in their capacity as a licensee and is unable to work for at least one week or five working days, they may make a claim to the GTF for lost wages in for that period.

The licensee is required to complete the form at Appendix 1 which can be obtained from the NZTR website [www.nzracing.co.nz](http://www.nzracing.co.nz) or from NZTR directly.

The claim will be assessed based on the following criteria:

1. Minimum injury period is one week or five working days
2. Gross Earnings are based on:
  - a. Jockeys and Apprentice Jockeys – NZTR earnings only
  - b. Stablehands – Employer earnings and must be substantiated with last pay slip otherwise minimum earnings of less than \$20,000 applied.
3. Jumps riders and their Employers always receive maximum rate per table

4. Where NZTR does not have at least three months earnings for a licensee, the minimum gross earnings of less than \$20,000 will be applied

5. Earnings/Grant table:

Gross Income	Jockey	Apprentice/ Stablehand	Employer
80% of gross income < \$20,000	\$187.50	\$93.75	\$93.75
80% of gross income is between \$20,001 and \$40,000	\$312.50	\$156.25	\$156.25
80% of gross income is over \$40,001	\$500.00	\$250.00	\$250.00
No gross income (ie stablehand or recently started riding)	\$187.50	\$93.75	\$93.75

### 5.1.2 Financial Hardship

Where a licensee has experienced financial hardship as a result of an injury while carrying out duties as a licensee and is unable to work for at least six months, they may make a claim to the GTF for a financial hardship grant.

This grant is in addition to the grant at 4.1.

The licensee is required to complete the form at Appendix 1 which can be obtained from the NZTR website [www.nzracing.co.nz](http://www.nzracing.co.nz) or from NZTR.

The Trustees will assess the grant based on the following criteria:

1. Has or will the licensee be unable to work for six months after the incident where the injury occurred took place?
2. If yes, the licensees' previous 12 months earnings will be assessed to determine the level of grant. These earnings will be based on stakes and riding fees earned or capped at \$20,000 if a Stablehand. The grant paid will be limited to 2 x 6 monthly payments, ie 12 months maximum.
3. If no, and the licensee has or will be unable to work for at least three months, pay one off financial hardship grant as determined by the Trustees.

### 5.1.3 Permanent disablement or death

Where a licensee has become permanently disabled or dies as the result of an accident while carrying out duties as a licensee they or their family may they make a claim to the GTF for a one off grant.

If the licensee received a claim for financial hardship, the amount received will be deducted from this grant.

The licensee or their family is required to apply in writing to the Trustees.

Where a grant is approved, prior to payment being made, the licensee or a family member of the licensee must sign a disclaimer acknowledging:

*Any payment made by the Trustees from the General Trust Fund does not represent any admission of liability of the General Trust Fund, NZTR and/or the NZTR member clubs (including any of the agents or employees of NZTR or such clubs). By accepting a payment, the licensee agrees that the payment made by the Trustees on behalf of the General Trust Fund, NZTR and/or the NZTR member clubs (including any of the agents or employees of NZTR or such clubs), is in full and final settlement of any and all of the licensee's rights*

*against the General Trust Fund, NZTR and the NZTR member clubs (including any of the agents or employees of NZTR or such clubs) in relation to the matter in question.*

## 5.2 Application and Certification of Claims

All grants must be applied for within a certain timeframe depending on the type of claim and must be certified as follows:

Grant Type	Timeframe	Supporting documentation
1. Loss of first week of wages	Within one month of incident occurring	Medical certificate
2. Financial Hardship	Within six months of incident occurring	Medical documents and details of hardship suffered
3. Permanent Injury	Within six months of incident occurring	Medical documents
4. Death	Within six months from date of Coroners Report	Coroners Report

All claims will be certified by an NZTR authorised person once the application has been received by NZTR.

## 5.3 NZTR Response Time

NZTR will respond to claims as follows:

Grant Type	Response time	Payment
1. Loss of first week of wages	Within one month of receiving application	Within 1 month of receiving application
2. Financial Hardship	Within one month of receiving application	Within 2 months of receiving application
3. Permanent Injury	Within one month of receiving application	Within 2 months of receiving application
4. Death	Within one month of receiving application	Within 2 months of receiving application

## 5.4 Liability

Any payment made by the Trustees from the General Trust Fund does not represent any admission of liability of the General Trust Fund, NZTR and/or the NZTR member clubs (including any of the agents or employees of NZTR or such clubs). By accepting a payment, the licensee agrees that the payment made by the Trustees on behalf of the General Trust Fund, NZTR and/or the NZTR member clubs (including any of the agents or employees of NZTR or such clubs), is in full and final settlement of any and all of the licensee's rights against the General Trust Fund, NZTR and the NZTR member clubs (including any of the agents or employees of NZTR or such clubs) in relation to the matter in question.

**Appendix One**

**APPLICATION FOR A GRANT FROM THE GENERAL TRUST FUND**

This form should be completed on occasions of work related accidents only by current Licensees of New Zealand Thoroughbred Racing:

- Licensed Jockeys and Apprentice Jockeys; or
- Licensed Trainers; or
- Licensed Stablehands

I, ..... apply to the General Trustees for a grant in respect of :

Loss of earnings during first week of incapacity in connection with the accident which happened to me/my employee (delete where not appropriate)

Financial Hardship grant where I will be incapacitated for a period of more than six months

**Name:**.....

**Place where accident occurred:**.....

**Date of accident:**.....

**Brief details of accident:**.....

.....

.....

**Signed:**.....

**Address:**.....

**Bank Account:**.....

**Date:**.....

**Checklist:**

**NZTR authorised person sign off**.....

**Medical Certificate attached?**

Any payment made by the Trustees from the General Trust Fund does not represent any admission of liability of the General Trust Fund, NZTR and/or the NZTR member clubs (including any of the agents or employees of NZTR or such clubs). By accepting a payment, the licensee agrees that the payment made by the Trustees on behalf of the General Trust Fund, NZTR and/or the NZTR member clubs (including any of the agents or employees of NZTR or such clubs), is in full and final settlement of any and all of the licensee's rights against the General Trust Fund, NZTR and the NZTR member clubs (including any of the agents or employees of NZTR or such clubs) in relation to the matter in question.