

NZTR LICENSING POLICY

Approved by: New Zealand Thoroughbred Racing

Issued By: Chief Executive, New Zealand Thoroughbred Racing

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1. Application

This policy applies to all trainers, stable foremen, riders, stablehands (riding and non-riding), trackwork riders, rider agents and authorised syndicators and valuers.

NOTE: This policy does not apply to persons who:

- (a) are responsible for conducting or supervising race meetings; or
- (b) are employed by NZTR or a Club to act as officials at thoroughbred racing and training events, while they are acting in that capacity; or
- (c) are employed by, or authorised by NZTR in an industry training capacity while they are engaged in the authorised training and assessment of people.

2. Statement of Purpose

The licensing policy provides a robust system for assessing Applicants seeking to participate in thoroughbred racing in New Zealand and a system for ensuring the ongoing suitability of Licenceholders to remain licensed.

Additionally, the licensing policy aims to ensure:

- (a) the integrity of racing activities;
- (b) the safety of persons involved in racing or training horses; and
- (c) the welfare of registered horses while involved in racing or training, or activities associated with racing or training.

3. Philosophy and Objectives of the Policy

NZTR's policy is that persons will be eligible to be licensed to participate in thoroughbred race meetings and trials governed by NZTR and training activities involving thoroughbred horses if, in addition to meeting the relevant criteria for the particular Licence as set out in the Rules of Racing, they:

- (a) satisfy set competency levels for the role they are performing as specified from time to time;
- (b) where required for the particular category of Licence, provide relevant information ensuring they are financially secure; and
- (c) demonstrate an understanding of, commitment to, and compliance with NZTR's policies and Rules relevant to that person's occupation or function.

4. Definitions

In this policy, unless the context otherwise requires:

"Applicant" means the applicant for a Licence pursuant to this policy.

“Code of Practice” means the Bloodstock Syndication Code of Practice relating to syndication as authorised by the Securities Act (Bloodstock) Exemption notice 2002.

“CSS” means the person appointed by the Racing Integrity Unit (RIU) to the position of Chief Stipendiary Steward, or nominee for the purposes of this policy.

“Integrity Committee” means the NZTR Board’s Integrity Committee.

“Rules” means New Zealand Thoroughbred’s current Rules of Racing pursuant to sections 29-32 of The Racing Act 2003.

“Training and Development Committee” means an NZTR Board appointed Committee that oversees all industry training.

Every term used in this policy which is defined in the Rules of Racing shall have that definition.

5. Suitability of Licenceholders

All Licenceholders and Applicants for Licences must meet and continue to meet suitability requirements. These requirements address whether or not a Licenceholder is suitable to be licensed.

The following factors will be considered when establishing an Applicant’s suitability:

- (a) the Applicant’s knowledge of the Rules; and
- (b) the Applicant’s financial stability (this relates to applicants seeking a Class A, B or C Trainer’s Licence); and
- (c) the ability to make decisions in relation to behaviour by demonstrating a continuing commitment to good behaviour and good character; and
- (d) disciplinary history; and
- (e) behaviour towards officials and staff of NZTR and other industry participants; and
- (f) whether any improper conduct is likely to impact on both the person’s reputation and more broadly on the reputation of other Licenceholders and the thoroughbred racing industry; and
- (g) demonstrated ability to consistently operate within the Rules and policies of NZTR and any other laws and regulations applicable to the conduct of the industry and its participants including gaming laws; and
- (h) evidence of bad behaviour and misconduct including police records, court records and letters of complaint regarding the Licenceholder; and
- (i) whether the Licenceholder or Applicant for a Licence has been convicted of a criminal offence in New Zealand or in any other country that is relevant to racing or the integrity of racing; and
- (j) whether the Applicant has a reasonable understanding of and ability to communicate in the English language.

6. Power to Access Information

NZTR shall:

- (a) have the power to conduct and authorise investigations into any matter within its authority; and
- (b) be entitled to have access to all relevant information held by NZTR or other organisations deemed relevant.

7. Duties and Responsibilities

In the context of the Licensing policy, NZTR is to:

- (a) assess all applications for Licences with NZTR with a view to either granting or denying a Licence, including exempting an applicant from any requirement of that licence or imposing such conditions as it sees fit in respect of that Licence;
- (b) review and impose conditions on any Licence, or cancel or withdraw or suspend any Licence in accordance with the Rules of Racing;
- (c) consider and determine whether to accept a Licenceholder's application to relinquish a Licence;
- (d) oversee the application of NZTR's Licensing policy;
- (e) investigate issues that may impact on a person's ability to hold or continue to hold a Licence with NZTR;
- (f) make recommendations for disciplinary action against Licenceholders; and
- (g) review licensing policies to ensure that they continue to be appropriate to all stakeholders.

8. Licence Applications

NZTR will maintain appropriate application forms and require Applicants to fully complete all details and correctly sign the applicable form as required. Applications can be sourced from the offices of NZTR and from the NZTR website at www.nzracing.co.nz

Applicants for a Licence may be required to provide evidence of criminal convictions (if any) or a lack of criminal convictions by applying for a copy of any criminal convictions from the Criminal Records Unit at the Ministry of Justice and providing NZTR with a copy of the response received. Applicants applying for the renewal of a Licence may also be requested to request such information and provide the response received to NZTR as part of their application for renewal.

9. Decisions

9.1 Meetings

NZTR will review applications at least once a fortnight or more frequently as it decides, from time to time.

9.2 Special Conditions of a Licence

Where NZTR chooses to attach conditions to a Licence, the NZTR Integrity Committee shall determine the wording of the conditions to be recorded in the minutes and on the Licence.

9.3 Show Causes Notices

Subject to NZTR's right to cancel, withdraw, suspend or add conditions to, or accept or refuse to accept an application to relinquish, a Licence at any time under Rule 322 of the Rules and clause 18 of the Licensing Policy, NZTR may issue, in writing, a show cause notice upon a Licenceholder relating to the proposed suspension, withdrawal or cancellation of, or addition of conditions to, or refusal to accept an application to relinquish, their Licence.

The show cause hearing is to be conducted in person, and will be heard by the Chief Stipendiary Steward for the RIU in conjunction with a NZTR Board member (who shall not be a member of the Integrity Committee). The licensed person will be provided with reasonable notice of the hearing. After the hearing, the Chief Stipendiary Steward and Board member will make a recommendation to the Integrity Committee in relation to whether NZTR should cancel, suspend or withdraw the Licenceholder's Licence, or place a condition on that Licenceholder's Licence, or take no such action, or to accept or refuse to accept the Licenceholder's application to relinquish their Licence.

If a Licenceholder fails to attend a show cause hearing as directed, the matter may be heard in their absence. The decision of the Integrity Committee will stand and will not be subject to appeal.

If the Licenceholder's Licence is cancelled, suspended, withdrawn, or conditions are imposed on their Licence, or their application to relinquish their Licence is refused, by NZTR, they will be supplied with a written notice which will convey reasons for the decision. This notice will be provided to the Licenceholder within five working days of the decision.

10. How NZTR will deal with an Application

Applications will be dealt with in a timely manner determined by the category or type of Licence and the level of assessment required to make a decision.

11. Further Representations

Applicants may be required to make representations in person, in writing or electronically to assist with their applications. The categories of Licence for which further representations may be required include but are not limited to:

- (a) Trainers (all classes);
- (b) Riders (all classes);
- (c) Stablehands;
- (d) Trackwork Riders;
- (e) Rider Agents;
- (f) Stable Foreman
- (g) Authorised syndicators; and
- (h) Authorised valuers.

12. Notification

Applicants will be notified in writing of the outcome of their application. Such notification will be sent within five working days of the application being approved or declined.

13. Licensing Register

NZTR will maintain a register of all Licenceholders, their details, history and records of activity in thoroughbred racing.

14. Changes to Particulars of a Licenceholder

Licenceholders must promptly notify NZTR of:

- (a) any change of address and/or contact number(s);
- (b) if the Licenceholder is a Trainer, any change to the stabling location of horses in training or a change to Trainer's training premises; and
- (c) all other notification requirements set out in the Rules.

15. Temporary/Visiting Licenses

To be granted a temporary Licence, an Applicant must:

- (a) hold a current and applicable Licence in another racing jurisdiction; and
- (b) complete an application form, together with the applicable payment; and
- (c) meet other criteria as set out by NZTR; and

- (d) provide written correspondence/clearance from the governing body of thoroughbred racing in the country in which the Applicant currently holds a Licence; and
- (e) have their Licence approved by the RIU and NZTR.

16. The Licence

Any Licence granted by NZTR will be issued with details of the type and period of the Licence and any special conditions. The Licenceholder will be required to carry the Licence at all times while the Licenceholder is engaged in the training, riding and/or racing of thoroughbreds and be produced at the request of RIU or NZTR officials.

17. Conditions of a Licence

In accordance with Rules 301 and 322, NZTR may impose conditions on a particular Licenceholder's Licence, a category of Licence, a region or location, or in any manner it considers necessary at the time of issuing, or at any time throughout the duration of the Licence. It is also a condition of any Licence that the Licenceholder must:

- (a) make themselves available for any interview or inquiry if requested; and
- (b) allow access and inspection of any stable or property used for training or keeping racehorses; and
- (c) permit access to staff employed in connection with the Licence; and
- (d) permit access to any registered horse and provide details of its location and training.

18. Immediate Imposition of Conditions on, Suspension/Withdrawal or Cancellation of a Licence

18.1 In accordance with the Rules of Racing, NZTR may (following a review of a Licence held by a Licenceholder) immediately suspend, cancel, withdraw, or impose conditions on a Licence issued by it, including (but not limited to) if:

- (a) NZTR is notified that a Licenceholder is or has been an illegal bookmaker or an illegal bookmaker's clerk or agent, or is excluded from entering a Racecourse pursuant to Rules made under section 34 of the Racing Act; or
- (b) an NZTR employee reasonably forms the belief that the safety of persons or animals are in danger as a result of the Licenceholder's behaviour and that belief is supported by the CSS; or
- (c) a Licenceholder appears on the NZTR Arrears List; or
- (d) a Licenceholder has been found guilty of, or pleaded guilty to, criminal acts. NZTR is not required to take into account any punishment applied in a court or tribunal when assessing additional responses under this policy; or

- (e) a condition on a Licence is not being met; or
- (f) in the case of a person holding a Class B or C Rider's Licence, where the Licenceholder does not attend or undertake training and development as directed by NZTR; or
- (g) in the case of person holding a temporary or visiting Licence, NZTR receives notification of past behaviour which impacts on the Licenceholder's eligibility to retain their Licence.

18.2 Prior to cancelling, suspending or withdrawing a Licence, or imposing conditions on a Licence, NZTR may, at its discretion in accordance with section 19 of this policy, direct the Licenceholder of the Licence NZTR is proposing to cancel, suspend, withdraw or impose conditions on to attend a hearing to show cause why NZTR should not cancel, suspend, withdraw, or impose conditions on their Licence.

18.3 Should NZTR cancel, suspend, withdraw or impose conditions on a Licence, NZTR must inform the Licenceholder in writing as soon as possible but within 7 days of the cancellation, suspension or withdrawal of, or imposition of conditions on, the Licence and the reason for it.

19. Right of Reconsideration

Applicants who are dissatisfied with the NZTR decision regarding a Licence application may request the decision to be reconsidered. The reconsideration will be undertaken by the Integrity Committee or such other committee as nominated by the Board of NZTR, or the Board itself. Requests must be in writing and must be received by NZTR within 24 days of the date of the letter of notification, which is sent by NZTR.

20. Licensing Checklist

When assessing an application, NZTR must (subject to granting any exemption) ensure the following standards have been met:

20.1 Class A, B and C Trainers' Licence

- (a) The Applicant has met the requirements as per the Rules of Racing (Class A – Rule 303, Class B – 304, Class C - 305); and
- (b) the Applicant has provided a full work history, outlining their experience in racing and their ability to train; and
- (c) the Applicant has provided the contact details of two referees; and
- (d) the Applicant has provided a written financial reference from their bank or accountant and a written reference from one of their industry suppliers; and
- (e) the Applicant has fully outlined the details of the property from where they intend training. If the Applicant does not own the property then

they must supply written evidence of the tenure that they have over the property. If the Applicant is sharing the property, then the Applicant must provide a plan that clearly sets out all of the facilities that they have use of; and

- (f) the RIU has tested the Applicant on their knowledge of the Rules of Racing and has provided the result of that test; and
- (g) the Applicant has a reasonable understanding of and ability to communicate in the English language; and
- (h) the Applicant has provided a licence history in relating to any other Racing Authority; and
- (i) the Applicant has declared their criminal history; and
- (j) the Applicant has provided details of their financial history including agreement to undergo a credit worthiness check if requested by NZTR; and
- (k) the RIU has provided a recommendation on the Applicant's knowledge of relevant veterinary matters, animal husbandry, training track procedures and practices; and
- (l) the RIU has provided their recommendation relating to the applicant's experience, knowledge and understanding of raceday procedures; and
- (m) the RIU has provided their recommendation relating to the Applicant's practical knowledge surrounding the saddling and gearing of a horse (particularly if they have not previously held any form of training Licence); and
- (n) the Applicant has completed training and education, including a Health and Safety Induction, in accordance with NZTR requirements.
- (o) If employing a Class B or Class C Rider, the Trainer must be an approved employer, who meets the standards and criteria as determined by NZTR.

20.2. Training Partnerships

20.21 To be permitted to train in partnership, the Applicants proposing to comprise the training partnership must collectively apply to NZTR for permission to train in partnership. Each of the Applicants proposing to comprise the training partnership must:

- (a) hold the same class of Trainer's Licence, being either a Class A, B or C trainer's Licence; and
- (b) complete an application form for permission to train in partnership; and
- (c) prepare documentation as requested by NZTR; and
- (d) be familiar with Rule 310; and
- (e) undergo an interview with an RIU; and
- (f) have their application to train in partnership approved by the RIU and the Integrity Committee.

20.22 NZTR acknowledges that in some circumstances, one of the Applicants will be applying for a Trainer's Licence in a particular class at the same time as applying to train in partnership to ensure that all of the Applicants hold the

same class of Trainer's Licence. NZTR has the right at any time to exempt an Applicant from any requirement for a particular Licence. From time to time, NZTR may waive certain criteria for one of the Applicants proposing to form a training partnership, such as the requirement to be financially sound, but it is under no obligation to do so.

- 20.23 If the Applicants proposing to train in partnership each hold a Class B Trainer's Licence, the Trainers in that training partnership collectively must not train more than six race horses (which includes race horses in which one or more of the Trainers in the training partnership has an ownership interest).
- 20.24 If the Applicants proposing to train in partnership each hold a Class C Trainer's Licence, the Trainers in that training partnership collectively must only train horses which:
- (a) are owned or leased by both of the Trainers in the training partnership and no other persons;
 - (b) each Trainer in the Training Partnership has an ownership interest of at least 10% (e.g. Trainer A has 10%, Trainer B has 10%) with the balance of 80% or less being owned by one or more Near Relatives of the relevant Trainer(s) holding the ownership interest;
 - (c) collectively the Trainers in the training partnership have an ownership interest of at least 50% (with the balance being owned by other persons who are not all Near Relatives), provided that there are no more than two horses within this category that are being trained by those Trainers.
- 20.25 If an application to train in partnership is approved, it may be a condition of the Licence held by one or more of the Trainers comprising the Training Partnership that such Trainer(s) train in partnership with the other Trainer(s) in that Training Partnership. Any condition applied to a Licence will be expressly stated on that Licence, unless it is already deemed pursuant to the Rules of Racing to be a condition of the Licence.
- 20.26 If the Training Partnership dissolves, then the Trainers comprising the Training Partnership have an obligation to immediately notify NZTR. For those Trainers in that Training Partnership who have a Licence conditional on training in partnership with the other Trainer(s) who comprised that Training Partnership, then each Trainer with such a conditional Licence must apply to NZTR to have that condition removed from their Licence. Such an application shall result in NZTR reviewing all the conditional Licences held by any of the Trainers in that Training Partnership in accordance with Rule 322, which may involve the imposition of further conditions on any such Licence, or cancellation or withdrawal or suspension of any such Licence.
- 20.27 Where a horse that was being trained by the Trainers comprising a Training Partnership is entered (at the date of the dissolution of the Training Partnership) in a Race which is to be run within seven days of the date of the

dissolution of the Training Partnership, then the horse may start in that Race provided the RIU is satisfied that (subject to evidence from the Owners requesting otherwise, or the disqualification of that trainer or the suspension, withdrawal or cancellation of their Licence) an agreement has been made between the Trainers who comprised that Training Partnership in relation to the racing of the horse, the split of any stakes to be paid to the trainer of the horse, and that both/all Trainers shall remain to be jointly and severally liable in respect of that horse until such Race in accordance with Rule 310.

20.3 Class A, B , C, D and E Rider’s Licence

- (a) The Applicant has met the requirements as per the Rules of Racing (Class A – Rule 311(1), Class B – 312(1), Class C – 312(2), Class D – 311(2), Class E 313); and
- (b) the RIU has provided a recommendation relating to the ability of the rider and (if applicable) whether they have the competency to commence riding; and
- (c) the Applicant has provided a medical report, which has been approved by NZTR’s doctor; and
- (d) the Applicant has completed the Rules of Racing test; and
- (e) the Applicant has a reasonable understanding of and ability to communicate in the English language; and
- (f) if applying for a Class B or C Rider’s Licence, the Applicant must be employed by an approved employer, who meets the standards and criteria as determined by NZTR; and
- (g) if applying for a Class B or C Rider’s Licence, the Applicant has participated, completed and meet the costs of their training and education in accordance with NZTR requirements; and
- (h) the Applicant has completed a Health and Safety Induction in accordance with NZTR requirement; and
- (i) in the case of a foreign rider, the Applicant must
 - i. present NZTR with proof they hold a visa allowing them to work in New Zealand; and
 - ii. present a clearance from the governing body of thoroughbred racing in the country in which the Applicant holds a Licence, confirming the rider is of sound character; or
 - iii. where a clearance is not provided, the Applicant must present a police clearance confirming the rider has no criminal convictions against their name.

20.4 Class A, B or C Miscellaneous Licence

The Applicant has:

- (a) met the requirements as per Rules of Racing (Class A – Rule 315, Class B – 316, Class C 317) and any other criteria set down by NZTR; and

- (b) a reasonable understanding of and ability to communicate in the English language; and
- (c) if applying for a Class C Miscellaneous Licence, provided the contact details of two referees; and
- (d) completed training and education, including a Health and Safety Induction, in accordance with NZTR requirements.

20.5 Class D (Stable Foreman) Miscellaneous Licence

- (a) The Applicant has met the requirements as per the Rules of Racing (Class D – Rule 317A); and
- (b) the Applicant has provided a full work history, outlining their experience in racing and their ability to be a Stable Foreman; and
- (c) the Applicant has provided a letter of recommendation from the current employer and one from a former employer and/or other Trainer; and
- (d) the Racing Integrity Unit (RIU) has tested the Applicant on their knowledge of the Rules of Racing and has provided the result of that test; and
- (e) is able to demonstrate to NZTR, by actual performance, knowledge of horsemanship; and
- (f) the Applicant has a reasonable understanding of and ability to communicate in the English language; and
- (g) the Applicant has provided a licence history in relating to any other Racing Authority; and
- (h) the Applicant has declared their criminal history; and
- (i) the RIU has provided their recommendation relating to the applicant’s experience, knowledge and understanding of raceday procedures; and
- (j) the RIU has provided their recommendation relating to the Applicant’s practical knowledge surrounding the saddling and gearing of a horse (particularly if they have not previously held any form of training Licence); and
- (k) the Applicant has completed training and education, including a Health and Safety Induction, in accordance with NZTR requirements.

21. Application to relinquish a Licence

A Licenceholder who wishes to relinquish their Licence must apply, in writing, to NZTR for NZTR’s acceptance (in writing) of that application to relinquish. The RIU and/or NZTR will consider that application. The RIU and/or NZTR may accept the application to relinquish the Licence upon such terms (if any) as he/it sees fit to impose, or may refuse to accept that application to relinquish a Licence.

22. Authorised Syndicators

The application process for the authorisation to have Authorised Syndicator Status shall, in general, follow the approvals and review process set out for Licences. To be granted Authorised Syndicator Status, an Applicant must:

- (a) complete an application form, together with payment of the fees which are prescribed by time to time by the Board; and
- (b) meet the criteria set out in the Code of Practice; and
- (c) prepare documentation if requested by NZTR; and
- (d) undergo an interview with the RIU if required; and
- (e) have their Application approved by NZTR.

23. Authorised Valuers

The application process for the authorisation to be a Valuer shall, in general, follow the approvals and review process set out for Licences. To be granted Authorised Valuer status, an Applicant must:

- (a) complete an application form, together with payment of the fees which are prescribed by time to time by the Board; and
- (b) meet the criteria set out in the Code of Practice; and
- (c) prepare documentation if requested by NZTR; and
- (d) undergo an interview with the RIU if required; and
- (e) have their Application approved by NZTR.

24. Licence Upgrades

To have a Licence upgraded, an Applicant must:

- (a) meet the Licence criteria set out under the applicable Rule and any other criteria set down by NZTR; and
- (b) complete an application form, together with payment of the annual Licence fee; and
- (c) prepare documentation if requested by NZTR (as outlined in a letter sent by NZTR on receipt of the application form and payment); and
- (d) undergo an interview with the RIU; and
- (e) have their Licence approved by NZTR.

25. Licence Downgrades

If a Licenceholder is applying for a current Licence to be relinquished and also applying for a new Licence that would (in effect) be a downgrade of their current Licence, then in addition to section 18 of this policy the Licenceholder must:

- (a) meet the Licence criteria set out under the applicable Rule and any other criteria set down by NZTR; and
- (b) complete an application form, together with payment of the annual Licence fee; and
- (c) prepare documentation, if requested by NZTR; and
- (d) if requested by NZTR, undergo an interview with an RIU; and
- (e) have their Licence approved by NZTR.

26. Licence Renewals

- 26.1 A Licence granted under the Rules of Racing is a Licence in relation to the relevant Racing Year in which it is granted. If a Licenceholder wishes to hold a Licence for a subsequent Racing Year then the Licenceholder is required to apply for a renewal of their Licence for that year. Approval of an application for renewal of that Licence shall be approval that the Licence has been granted for that Racing Year.
- 26.2 Application forms to renew Licences will be sent to Licenceholders by post from the offices of NZTR in June each year.
- 26.3 Licenceholders are required to complete the renewal form as directed, including confirming the recorded details held by NZTR and notifying NZTR of any change to such details. Licenceholders are required to return the relevant renewal application form to the offices of NZTR, accompanied by the relevant payment, by no later than 1 July in that year.
- 26.4 On receipt of the application for renewal of a Licence, the RIU or the Integrity Committee will consider the Applicant's ongoing suitability for a Licence on a similar basis as if the Applicant was applying for their first Licence of that type. If the application to renew the Licence is granted, an annual identification card will be sent to the Licenceholder.
- 26.5 NZTR may cancel, suspend or withdraw a Licence at any time, and may determine that a person is not eligible or suitable to hold a Licence of a particular type at any time, including at the time of considering an application to renew.
- 26.6 Class A, B, D, and E Rider's must submit a medical examination form with their renewal application as required every two years.

APPENDIX A

NZTR Licencee Code of Conduct (the 'Code')

Approved By: Chief Executive in consultation with the Board & Integrity Committee of New Zealand Thoroughbred Racing (NZTR)

Date: This Code should supersede all previous policies relating to Code of Conducts and shall take effect from 1 April 2015

Last Updated: April 2015

Next Review: March 2017

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1. Purpose

- a) This Code ensures Licensees of New Zealand Thoroughbred Racing (“NZTR”) conduct themselves in an appropriate manner, particularly in their engagement with:
 - i. the Board, Management and Staff of NZTR,
 - ii. the Racing Integrity Unit,
 - iii. the New Zealand Racing Board,
 - iv. the Judicial Control Authority,
 - v. Race Club staff/officials
 - vi. Other persons licensed with NZTR are not subjected to instances of inappropriate behaviour.
- b) Other obligations are imposed upon Licensees under the Rules of Racing and associated NZTR Policies. This Code complements those Rules and policies. The Rules of Racing at all times prevail.

2. Provisions

- a) It is expected Licensees will:
 - i. comply with the Rules of Racing;
 - ii. comply with the law at all times and avoid any situation where they could be in breach of the law (section 9 of The Racing Act specifies restrictions on people with certain criminal convictions);
 - iii. comply with the Human Rights Act 1993 and understand how this legislation should influence behaviour;
 - iv. act honestly and fairly;
 - v. not act in a way that would bring racing into disrepute, in particular, when making public statements or using social media related to racing, licensees are required to:
 - identify themselves
 - ensure they do not knowingly use the identity of another licensed person or an employee of a racing related individual, including variations of a name;
 - not comment on or disclose confidential information (e.g. matters which are the subject of an ongoing Steward’s inquiry or investigation);
 - post informed and factually accurate information and, when offering a personal perspective on a matter, that commentary and opinion does not cause damage to the image of racing and does not breach the Rules of Racing.
- b) The Protected Disclosures Act 2000 provides a safe opportunity for licensees to raise concerns about inappropriate actions.

3. Breaches

The Code provides three grades/stages of behaviour which fall below expected standards. Each grade has an associated process, as follows:

- a) Grade 1 (Minor Breach)
 - i. Where Licensees' conduct breaches a provision of this Code the disciplinary action to be taken shall be determined by the Management of NZTR and may result in a Letter from the Chief Executive of NZTR advising:
 - The behaviour displayed is considered unacceptable and constitutes a breach of the provisions of the Code; and
 - Further instances may result in a review of licence status; and
 - A record will be placed on their judicial and licence files
- b) Grade 2 and Grade 3 Serious and/or Persistent Breach(es)
 - i. Where a breach(es) of a provision(s) of the Code involves:
 - a serious breach of the provisions of the Code;
 - persistent failures by a Licensee to adhere to the provisions of this Code; or
 - public conduct by a Licensee that brings NZTR, the Racing Board or the racing industry into disrepute;

Examples of conduct which could be dealt with under this provision include but are not limited to inappropriate, insulting, abusive or threatening communication or behavior directed at or, to one or more of the following:

- NZTR Board/staff
- RIU
- NZRB
- JCA
- Club staff/officials
- NZTR Licensed Persons

Or through any, including but without limitation, of the following means:

- Phonecall
- Phone text message
- Email
- In person
- Live or recorded broadcast
- Social media – which includes:
 - Social networking sites;
 - Video and photo sharing websites;
 - Micro-blogging sites;
 - Weblogs including corporate or personal blogs or blogs hosted by media publications;

- Forums and discussion boards;
- Online encyclopedias; and
- Any other web sites that allow individuals or companies to use simple publishing tools.
- In writing
- By facsimile

4. **Disciplinary Action**

- a) In determining disciplinary action, NZTR Management shall take into account the following matters:
- i. the seriousness of the breach;
 - ii. the extent to which the Licensee's breach brings Racing into disrepute;
 - iii. the Licensee's role in the events that led to the breach and any mitigating circumstances (if any);
 - iv. whether the offence is part of a persistent course of conduct by the Licensee;
 - v. whether the Licensee has received any other form of sanction for the conduct
- b) NZTR Management may direct one or more the following:
- i. A requirement that the Licensee attend a meeting at NZTR with management;
 - ii. Referral to the Racing Integrity Unit for consideration of laying charges under Rules 340 &/or 801;
 - iii. A Requirement for the Licensee to attend a meeting with the NZTR Licensing Panel /Integrity Committee for review of license status;
 - iv. A record will be placed on the Licensee's judicial and licence file.
 - v. A referral to the Racing Integrity Unit for consideration of laying charges under Rules 340 &/or 801;
 - vi. A requirement for the Licensee attend a Showcause Hearing regarding licence status;
 - vii. Possible referral to NZ Police;

The above list is not exhaustive.