

NZTR INDUSTRY POLICY – LICENSING

Approved by: New Zealand Thoroughbred Racing

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1. Application

This policy applies to all trainers, 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 supervised 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 NZTR to the position of Chief Stipendiary Steward, or nominee for the purposes of this policy.

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

“**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. 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 through the use of Form Priv/F1 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.

7. How NZTR will deal with your 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.

8. 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) Authorised syndicators; and
- (g) Authorised valuers.

9. 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.

10. Licensing Register

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

11. 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.

12. 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 CSS or the Integrity Committee.

13. 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 NZTR officials.

14. 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 or provide details of its location and training.

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

- 15.1 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.
- 15.2 Prior to cancelling, suspending or withdrawing a Licence, or imposing conditions on a Licence, NZTR may, at its discretion in accordance with section 17 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.
- 15.3 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.

16. Right of Reconsideration

Applicants who are dissatisfied with the CSS's 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.

17. Show Cause Notice

NZTR may issue a show cause notice to a Licenceholder directing them to attend a hearing and demonstrate why their Licence should not be cancelled, suspended or withdrawn, or have conditions imposed on it, or why their application to relinquish their Licence should be accepted by NZTR. Any hearing will be heard by the CSS and a Board Member of NZTR (who is not a member of the Integrity Committee). After the hearing, the CSS and Board member will jointly submit a recommendation to the NZTR Integrity Committee as to whether the Licence should be cancelled, suspended, withdrawn, or whether it should be maintained in its current form or with the addition of particular conditions, or whether an application for the relinquishment of a Licence should be accepted or refused. Examples of when a show cause notice may be issued include but are not limited to:

- (a) failure to pay debts incurred as a result of participation in the industry as evidenced by a judgement of a court or signed written complaints supported by undisputed evidence of the debt; or
- (b) failure to pay wages and entitlements in whole or part to persons engaged to perform work connected to racing and training of thoroughbred horses; or
- (c) recommendations from an inquiry by Stipendiary Stewards or Racecourse Investigators; or
- (d) failure to meet conditions of the Licence; or
- (e) any reason that may otherwise be grounds for an immediate cancellation, suspension or withdrawal of, or imposition of conditions on, the Licence; or
- (f) involvement in ongoing racing investigations.

18. 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 CSS and/or NZTR Integrity Committee will consider that application. The CSS and/or NZTR Integrity Committee 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.

19. Class A, B and C Trainers' Licence

To be granted a Class A, B or C Trainer's Licence, an Applicant must:

- (a) meet the criteria set out under the applicable Rule (being Rule 303 (Class A), 304 (Class B) or 305 (Class C)) 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 as requested by NZTR (as outlined in a letter sent by NZTR on receipt of the application form and payment); and
- (d) have a reasonable understanding of and ability to communicate in the English language; and

- (e) undergo an interview with a NZTR Field Staff Officer (FSO); and
- (f) have their Licence approved by the CSS or the Integrity Committee.

20. Training Partnerships

- 20.1 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 a NZTR FSO; and
 - (f) have their application to train in partnership approved by the CSS or the Integrity Committee.
- 20.2 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.
- 20.3 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).
- 20.4 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.

- 20.5 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.
- 20.6 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.
- 20.7 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 CSS 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.

21. Class A, B, C, D and E Rider's Licence

To be granted a Class A, B, C, D and E Rider's Licence, an Applicant must:

- (a) meet the criteria set out under the applicable Rule (being 311(1) (Class A), 312(1) (Class B), 312(2) (Class C), 311(2) (Class D) and 313 (Class E) 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) undergo a medical examination and have that examination approved by NZTR's doctor; and
- (e) undergo an interview with an NZTR FSO if required; and
- (f) complete a Rules of Racing test; and
- (g) have a reasonable understanding of and ability to communicate in the English language; and

- (h) have their Licence approved by the CSS or the Integrity Committee; and
- (i) in the case of persons holding a Class B or C Rider's Licence, participate, complete training requirements and meet the costs for that training as directed by NZTR; and
- (j) in relation to Class B and C applicants, be employed by an approved employer who meets the standards and criteria as determined by NZTR.

22. Class A, B or C Miscellaneous Licence

To be granted a Class A, B or C Miscellaneous Licence, an Applicant must:

- (a) meet the criteria set out under the applicable Rule (being 315 (Class A misc.), 316 (Class B misc.), 317 (Class C misc.) 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) have a reasonable understanding of and ability to communicate in the English language; and
- (e) undergo an interview with an NZTR FSO if required; and
- (f) have their Licence approved by the CSS or the Integrity Committee.

23. 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 an NZTR FSO if required; and
- (e) have their Application approved by the CSS or the Integrity Committee.

24. 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 an NZTR FSO if required; and
- (e) have their Application approved by the CCS or the Integrity Committee.

25. 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 an NZTR FSO; and
- (e) have their Licence approved by the CSS or the Integrity Committee.

26. 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 NZTR FSO; and
- (e) have their Licence approved by the CSS or the Integrity Committee.

27. Licence Renewals

27.1 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.

27.2 Application forms to renew Licences will be sent to Licenceholders by post from the offices of NZTR in June each year.

27.3 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.

27.4 On receipt of the application for renewal of a Licence, the CSS 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.

- 27.5 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.