

P

2017/18



Racing NSW
Level 7, 51 DrUITT Street
Sydney NSW 2000
Ph: (02) 9551 7500
Fax: (02) 9551 7587
ABN: 86 281 604 417

APPLICATION - TO BE PLACED ON THE REGISTER OF APPROVED PROMOTERS

(From 1 August 2017 to 31 July 2018)

Fee: New \$410
With Industry Pass \$725

Fee: Renewal \$210
With Industry Pass \$525

- Please follow the below instructions and return to Racing NSW:
o Complete section 1 to 10,
o Acknowledge and Sign section 11.

Form with 11 numbered sections: SURNAME, GIVEN NAMES, ASIC AFSL NO, COMPANY BUSINESS NAME, TRADING NAME, DIRECTOR 1, DIRECTOR 2*, POSTAL ADDRESS, SUBURB, STATE, POSTCODE, OFFICE PHONE NO, HOME PHONE NO, FAX NO, MOBILE NO, EMAIL ADDRESS.

* If more than 2 Directors please detail on separate page

This Application must be accompanied with (not required for renewal):

- a) The Applicants Business Plan: Yes/No
b) The Applicants statement of assets and liabilities Yes/No
c) Two (2) written references from persons within the racing industry Yes/No
d) ASIC HISTORICAL COMPANY EXTRACT (dated within seven days of this application), the CONSTITUTION and CERTIFICATE OF INCORPORATION of the Company and any Companies that are have a direct or indirect shareholding in the Company.

Note: if approved by Racing NSW, the applicant must obtain/hold an Australian Financial Services Licence from the ASIC before any offer of shares is made (AR 69P)

NB: ANY CHANGES OF THESE DETAILS MUST BE NOTIFIED TO RACING NSW IMMEDIATELY.

Please pay by Cheque, Money order, Credit Card or by direct deposit to Racing NSW (BSB 062000 Acc No 1442 1777). If paying by direct deposit please attach a receipt to your application as evidence of payment. This tax invoice becomes a remittance advice upon payment

Payment form with fields for card details, expiry date, cardholder's name, and amount.

OFFICE USE ONLY

Table with 6 columns: Rec. No, Date Received, Amount Paid, Data Entry, HORSES.

Complete section 2 to 10 below:

2	Key Employees (see definitions below, does not include ASIC Authorised Representatives)			
	Name	Date of Birth	Address	Telephone
3	Name of any ASIC Registered Authorised Representatives listed under the Applicants Authority			
	Name	Address		

		If you answer Yes to any questions from 4 to 9 please provide details
4	Are you, any Director, Responsible Officer or Key Employee currently or have been registered licensed by any Racing, Harness Racing, Greyhound Racing or other sporting or tribunals?	No <input type="checkbox"/> Yes <input type="checkbox"/>
5	Are you, any Director, Responsible Officer or Key Employee currently under any ban/restriction imposed by any Racing Authority?	No <input type="checkbox"/> Yes <input type="checkbox"/>
6	Do you, any Director, Responsible Officer or Key Employee have any charges pending against them, or open or unfinished inquiries, investigations or matters before any Racing Authority?	No <input type="checkbox"/> Yes <input type="checkbox"/>
7	Have you, any Director, Responsible Officer or Key Employee ever had a licence disqualified, revoked, suspended, withdrawn, refused by any Racing Authority, or had any other application refused by any Racing Authority?	No <input type="checkbox"/> Yes <input type="checkbox"/>
8	Have you, any Director, Responsible Officer or Key Employee ever been proceeded against for Bankruptcy and/or have you/they taken advantage of the laws of Bankruptcy or Insolvency in force for the time?	No <input type="checkbox"/> Yes <input type="checkbox"/>
9	Have you, any Director, Responsible Officer or Key Employee ever been convicted of any indictable offence or banned as a director by the Australian Securities and Investments Commission (ASIC)?	No <input type="checkbox"/> Yes <input type="checkbox"/>
10	Have you, any Director, Responsible Officer or Key Employee in the last 10 Years been charged with or convicted of a criminal offence, forfeited bail or are there any charges or civil proceedings pending against you? (You may be required to provide a National Police Certificate)	No <input type="checkbox"/> Yes <input type="checkbox"/>

***Note: A Key Employee**, in relation to an applicant for or holder of an approval, means a person (whether or not appointed under a contract of service) who is: (a) employed in a managerial or supervisory capacity in relation to the conduct of the promotion of thoroughbred racehorse by the approval applicant or holder, or (b) authorized to make decisions, involving the exercise of his or her discretion, that regulate the operations of the approval applicant or holder in relation to the conduct of the promotion of thoroughbred racehorses or other services offered by the applicant.

Conditions of Approval

11

In the event of such Approval being granted, the Applicant, Director/s, Responsible Officer and Key Employees agree to be subject to and be bound by:

- a) The Rules of Racing (including the Local Rules of Racing and Betting) of each Principal Racing Authority as amended or varied by each Principal Racing Authority.
- b) The terms and conditions of the approval as published by each Principal Racing Authority.
- c) Such regulations, guidelines and directions as may from time to time be formed, made or given by each Principal Racing Authority.
- d) The Promoter submits to the exclusive jurisdiction of each Principal Racing Authority, its officials and Stewards in respect of all matters arising in relation to racing in the State or Territory of that Principal Racing Authority.
- e) That Racing NSW may in its absolute discretion refuse to grant this application or may grant this application subject to conditions.
- f) That the Approval may be cancelled at any time by the Principal Racing Authorities without the giving of any reason in accordance with the Rules.
- g) That I/We shall not be exempted from personal liability arising under the Rules for or by any reason whatsoever.
- h) To comply with Racing NSW's directions or requirements in relation to the advertising or the promotion of horse racing schemes or the offering of shares.
- i) To promptly comply with a request from Racing NSW for the production of information, accounts, receipts or other documents relating to the promotion of horse racing schemes or the offering of shares.
- j) Not to make any public statement or comment concerning any matter currently the subject of investigation or hearing by the Principal Racing Authorities, or the Stewards, Committee or Appeals panel or other body authorised by each.
- k) To authorise Racing NSW or its authorised agent, to inspect any documents, records, computer systems or other device in connection with my promotion activities.
- l) To promptly comply with any requests or requirements of Racing NSW exercising its functions as a Principal Racing Authority or as Lead Regulator.
- m) To promptly comply with any requirements of the ASIC.
- n) To adhere to all Racing NSW directions and policies concerning the operation of my promotion business, including but not limited to the list of Racing NSW policies relating to Promoters as displayed on the Racing NSW website www.racingnsw.com.au as amended.
- o) A Promoter may only trade or operate under a name which is approved by Racing NSW, and if necessary registered with the Department of Fair Trading. Such approved name shall be displayed at all times on the Promoters website, forms and any other correspondence during the term of such Approval.

PRIVACY AND THE USE, COLLECTION AND DISCLOSURE OF YOUR PERSONAL INFORMATION

Racing NSW collects information about you when you submit this Application and in the course of related enquiries made of third parties for the purposes of the Thoroughbred Racing Act 1996 (NSW). The Principal Racing Authorities will use that information to assess your application and, if approved, your ongoing status as an Approved Promoter. To do that, the Principal Racing Authorities may disclose your information to third parties such as your employers (past, present or prospective), other racing bodies, appeal bodies, wagering service providers, industry associations and government enforcement agencies if the Principal Racing Authority believes that the disclosure is reasonably necessary for your ongoing status as an Approved Promoter or to enable PRAs to fulfil their regulatory responsibilities and/or promote and protect the integrity of the sport to ensure compliance with the Rules of Racing. You do not have to supply the information requested in this application, but if the information (or any part of it) is not provided your application may be rejected. You can gain access to and request that corrections be made to information held about you by the Principal Racing Authorities. By completing and submitting this application, you authorise the Principal Racing Authority to collect, use and disclose information about you for the purposes described in this notice, including the usual publication of such information in race books, racing calendars and other publications that can include (but are not limited to) websites.

Intellectual property

I agree that the Principal Racing Authorities will own all intellectual property in the information I submit with and in connection with this application for, and the grant and future maintenance of, the Approval, and I hereby assign to the Principal Racing Authorities (and warrant that I am authorised to provide and assign) all such intellectual property and information and acknowledge that the Principal Racing Authorities may use (including by collating, modifying, publishing and distributing) all such intellectual property and information as it sees fit including* Note: for an Approved Promoter this information relates to the usual publication of material in race books, racing calendars, publications and websites etc. Any information outside this standard will not be released by Racing NSW without the written permission of the Approved Promoter.

Criminal History Record Check

All new applicants may be subject to Criminal History Record checks and bankruptcy checks. Existing promoters may also be requested to undergo such checks. The information contained in these records may lead to the application being refused.

Applicant acknowledges and warrants that:

- (a) the information contained in this application is complete, true, correct and not misleading (in either its content or by omission);
- (b) the Applicant has made all reasonable enquiries of the Applicant's Directors, Responsible Officers and Key Employees in connection with matters disclosed in Section 4-9;
- (c) This application for the Promoter's Approval has been appropriately authorised and executed by or on behalf of the Applicant.
- (d) I/We understand that it is a serious offence under the Rules of Racing to make a false declaration and failure to accurately answer these questions may lead to this application being refused.

If the applicant is a company, all directors and responsible officer must sign

Name:	Position:	Signature:	Date:
Name:	Position:	Signature:	Date:
Name:	Position:	Signature:	Date: