

EMPLOYEES and ASSOCIATES OF APPROVED PROMOTERS or AUTHORISED REPRESENTATIVES

Agreement to be bound by the rules and requirements of Racing NSW relating to horse racing syndicates as required by ASIC Corporations (Horse Schemes) Instrument 2016/790 – clause 4(2)(f)

Please follow the below instructions and return to Racing NSW:

- Key Employees and Associates to complete **Section 1**
- Approved Promoter or Authorised Representative to complete **Section 2**

Note: Key Employees and Associates of Approved Promoters and Authorised Representatives are required to be subject to and bound by the Rules of Racing. Approved Promoters and Authorised Representatives are responsible for arranging completion of this form by their Key Employees and Associates and lodging it with Racing NSW.

The ASIC Corporations (Horse Schemes) Instrument 2016/790 provides that Racing NSW (as Lead Regulator) must: 4(2)(f) ensure that all employees and associates of a promoter that is registered with the lead regulator have agreed to be bound by the rules and requirements of the lead regulator relating to horse racing syndicates

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

Note: A **Key Employee**, in relation to an Approved Promoter or Authorised Representative, 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 Approved Promoter or Authorised Representative, or (b) authorized to make decisions, involving the exercise of his or her discretion, that regulate the operations of the Approved Promoter or Authorised Representative in relation to the conduct of the promotion of thoroughbred racehorses or other services offered by the Approved Promoter or Authorised Representative. For the avoidance of doubt, this includes the Approved Promoter’s or Authorised Representative’s directors.

Note: An **Associate**, in relation to an Approved Promoter or an Authorised Representative, means a person who: (a) holds or will hold any relevant financial interest, or is or will be entitled to exercise any relevant power (whether in his or her own right or on behalf of any other person), in the business of the Approved Promoter or Authorised Representative, and by virtue of that interest or power is or will be able (in the opinion of the relevant racing control body) to exercise a significant influence over or with respect to the conduct of that business, or (b) holds or will hold any relevant position, whether in his or her own right or on behalf of any other person, in the business of the Approved Promoter or Authorised Representative; **“relevant financial interest”** is defined as: (a) any share in the capital of the business, or (b) any entitlement to receive any income derived from the business, whether the entitlement arises at law or in equity or otherwise.

Name of Promoter/Business:	
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Section 1

The Key Employees and Associates listed below agree to be subject to and be bound by 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.

Name	Date of Birth	Address	Signature

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.

Section 2

The Approved Promoter/Authorised Representative 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); and**
- (b) the Approved Promoter/Authorised Representative has included in this application all of the Approved Promoter's/Authorised Representative's Key Employees and Associates (as defined above).**
- (c) This form has been appropriately authorised and executed by or on behalf of the Approved Promoter/Authorised Representative.**
- (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 penalty.**

Name:	Position:	Signature:	Date:
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