



PRODUCT DISCLOSURE STATEMENT

Contents Checklist & Promoter Statutory Declaration

This application document represents the minimum criteria required for the lodgement of a Product Disclosure Statement (PDS) to the Lead Regulator for its review. If approved, the PDS will be valid for up to six (6) months from the date of any such approval by the Lead Regulator.

Please allow at least three (3) full business days for this application to be reviewed. Submissions can be emailed to syndicators@racingnsw.com.au

Promoter (Entity Name):	Promoter (Contact Person Full Name):
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ASIC License Details: AFS License Holder	Authorised Representative Permit	Authorised Under (AFSL Holder Entity Name):
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Statutory declaration

Yes No This is a standard PDS format with non-generic details inserted OR

Yes No This is a new PDS format and inclusions and should be reviewed in its entirety

Sire Name:	Dam Name:
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Sex:	Year Foaled:	Name of horse (If Registered):
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No. of shares retained - (by Trainer, Owner, Promoter etc.) <input type="text"/>	No. of shares for sale - (Maximum of 50 including retained shares) <input type="text"/>	Total Promotional Value - (Not to exceed \$500,000 including retained value) <input type="text"/>	Min No. of shares to sell - (To activate racehorse scheme) <input type="text"/>
No. / (%) No. / % available	No. of shares By [x] % per share	Entire syndicated value including GST	Refer ASIC Instrument Subsection 2(e) of Part 2 - No. 5 Horse Racing Syndicates

Acquisition Details From the numbered options below, please tick the acquisition relevant to your promotion and complete additional checkboxes where required.	Purchase Price – Inc. GST (AUD) <input type="text"/>	Finance – Select the option relevant to your purchase <input type="checkbox"/> Unencumbered <input type="checkbox"/> Encumbered
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Valuations

A valuation is to be obtained from a member of the Federation of Bloodstock Agents of Australia (FBAA) when a horse being offered has been passed in at auction, acquired via private treaty or is a home bred.

1. Public Auction:	2. Private Purchase:	3. Home Bred
Fall of Hammer OR * Passed In Lot * I have included one (1) Independent Valuation. * I attach confirmation of the passed in price of \$ _____	I have included one (1) independent Valuation. I have disclosed all details pertaining to the seller/vendor and all relevant conditions of sale within the PDS.	I have included one (1) independent Valuation.

Trainer's Name:

Stable Location (E.g. VIC, NSW, QLD etc.):

Promoter Checklist Please Tick

I have included a signed & dated acknowledgment letter from the Trainer on stable letterhead?

I have included the purchase receipt/invoice or bill of sale for the horse(s) purchased for this promotion?

I have completed the Statutory Declaration relevant to ASIC Horse Schemes Instrument 2016/790?

I have included a copy of the Horse's Pedigree Page (Catalogue-Style) regardless of how the horse was acquired?

If insured, I have included the Insurance Certificate of Currency?
Note: Must show the specific premium cost & expiry date of the insurance cover

I have included a Veterinary Certificate?
Note: Must be dated within 30 days of PDS lodgement and contain the required declarations by the Veterinarian

I have included (or will you include) the Vendor Release Statement which clearly demonstrates passing of clear title?
Note: Promoter is responsible in ensuring vendor will supply a statement as needed by Lead Regulator

I have clearly outlined any (potential or actual) Conflict of Interest/s within the PDS?

I have included a copy of any finalised Advertisements for approval?

Promoter Signature:

Today's Date:

<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>
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PAYMENT DETAILS

Credit Card Number:

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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Cardholder's Name (Please print):

Credit Card Expiry Date (MM/YY):

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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Credit Card Verification (CCV)

<input type="text"/>	<input type="text"/>	<input type="text"/>
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LEAD REGULATOR USE ONLY

Received Date:

Approved / Pending / Declined

Authorising Officer:

Statutory Declaration
OATHS ACT 1900, NSW, NINTH SCHEDULE

Sire Name:

Dam Name:

I, _____
[Full name of Promoter]

of, _____
[Postal Address]

_____, do solemnly and sincerely declare that -
[occupation, e.g. CPA or CA]

I have prepared this Product Disclosure Statement (PDS) in accordance with ASIC Corporations (Horse Schemes) Instrument 2016/790 and Regulatory Guide 91 and the Rules of Racing for the purposes of offering to the public interests in a scheme to race the horse(s) described in the PDS on the terms and conditions described in the PDS.

I declare that the contents of the PDS are true and correct and that there are no misleading or deceptive statements or omissions. I know of no fact or occurrence which renders any statement contained in the PDS, including the Valuation or Veterinary Certificate, to be materially inaccurate.

I further declare:

- (a) All moneys received by me for the purchase price of shares or interests in the Horse Racing Scheme from investors will be held in a separate bank account by me until the Horse Racing Scheme is fully subscribed in accordance with the PDS.
- (b) I will, within 45 days after:
 - (i) applications for the minimum number of interests in the Horse Racing Scheme are received; or
 - (ii) the minimum amount for the Horse Racing Scheme has been raised, register the Horse Racing Scheme with the Lead Regulator under the Rules of Racing.
- (c) Prior to the registration of the Horse Racing Scheme as a partnership or syndicate with the Lead Regulator, I will ensure that the participants in the Horse Racing Scheme either have unencumbered title to the whole of the Horse Racing Scheme horse(s) or lease the whole of the Horse Racing Scheme horse(s) under a finance lease agreement in a standard form.
- (d) I have included in the PDS a copy of the letter (vendor release statement) from the vendor or auction house confirming that the horse has been devolved to the investors or participants in the Horse Racing Scheme with unencumbered title. or
I confirm that the vendor release statement will be provided to the Lead Regulator before or on registration of the Horse Racing Scheme with the Lead Regulator.
- (e) I have legally enforceable right to possession of the horse. or I will, before or on registration of the Horse Racing Scheme with the Lead Regulator, have a legally enforceable right to possession of the horse.
- (f) I will, before or on registration of the Horse Racing Scheme with the Lead Regulator, ensure that the participants in the Horse Racing Scheme will have unencumbered title to the horse.
- (g) Any personal property security interest registered against the title to the horse has been released or will be released and that I will, before or on registration of the Horse Racing Scheme with the Lead Regulator, confirm to the Lead Regulator that the personal property security interest has been released.
- (h) If the participants in the Horse Racing Scheme lease the whole of the horse under a finance lease agreement in a standard form:
 - (i) a copy of the standard form of finance lease agreement has been included in the PDS; and
 - (ii) I will, before or on registration of the Horse Racing Scheme with the Lead Regulator, ensure that participants in the Horse Racing Scheme lease the horse under a finance lease agreement in that standard form.
- (i) If the Horse Racing Scheme is not fully subscribed within six months after the date on which the PDS is approved by the Lead Regulator or if the Lead Regulator refuses to register the partnership or syndicate formed under the Horse Racing Scheme pursuant to the Rules of Racing, I will repay all moneys received from investors with interest (if any) within 10 business days after expiry of that six month period.
- (j) The PDS contains all information which potential investors and their advisers would require and reasonably expect to find in the PDS for the purpose of making an informed assessment of the financial merits and prospects of an investment in the Horse Racing Scheme.
- (k) Yes/No - this is a largely new format PDS and should be reviewed in its entirety

OR

Yes/No The contents of the PDS/Partnership/Syndicate Agreement are unchanged from standard PDS lodged by the applicant and the template approved by the Lead Regulator [Insert Relevant PRA name] on/...../..... except standard non generic information such as horse and cost details etc which is inserted in highlighted font and

Yes/No : a non-standard variation is applied for in section in red highlighted font;
reason for request: (please provide details)

- (i) The terms of any syndicate agreement comply with the requirements set out in the ASIC Corporations (Horse Scheme) Instrument 2016/790.

Declared at

This

day of

20

Before me,

Signature of person making this declaration
[to be signed in front of an authorised witness]

Signature of Authorised Witness

[signature of declarant] in the presence of an authorised witness, who states:

I, , a ,
[name of authorised witness] *[qualification of authorised witness]*

certify the following matters concerning the making of this statutory declaration by the person who made it: *[* please cross out any text that does not apply]*

1. *I saw the face of the person OR *I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering, and
2. *I have known the person for at least 12 months OR *I have confirmed the person's identity using an identification document and the document I relied on was
.....
[describe identification document relied on]

.....
[signature of authorised witness]

.....
[date]