Deputy Registrar of Racehorses

TRANSFER OF OWNERSHIP
INFORMATION AND INSTRUCTIONS

Principal Racing Authorities

General

What is a Principal Racing Authority (PRA)?
A PRA is the body, statutory or otherwise, that has the control and general supervision of racing within a State or Territory, and means in the State of New South Wales, Racing NSW; in the State of Victoria, Racing Victoria Limited; in the State of Queensland, Racing Queensland; in the State of South Australia, Thoroughbred Racing SA Limited; in the State of Western Australia, Racing and Wagering Western Australia; in the State of Tasmania, Tasracing; in the Northern Territory, Thoroughbred Racing NT; and in the Australian Capital Territory, the Committee of the Canberra Racing Club Inc.

When should a Transfer of Ownership form be completed?
Any change of ownership of a named racehorse throughout its racing life must be immediately advised on a Transfer of Ownership form. Changes of ownership related to unnamed horses, horses that will not race, and horses that are used for pleasure or other purposes are not required to be reported.

Where do I lodge the form?
Notification of any change in ownership must be lodged with the relevant Principal Racing Authority (PRA) in whose state the horse is being trained or is most likely to be trained as soon as practicable before the horse is nominated for a race or trial. Where a horse is trained in ACT, the form should be lodged with Racing NSW.

Why must I lodge a Transfer of Ownership?
The Rules of Racing make it compulsory for all transfers of ownership to be recorded in respect of registered racehorses throughout their racing life.

If a change in ownership of a horse has not been reported and accepted by the PRA before a horse is nominated for a race or trial, Stewards may elect not to accept the nomination or issue a penalty.

The new owners are responsible for lodging the form.

Who is required to sign the form?
All owners relinquishing their interest as well as all new and remaining owners must sign the form. The manager may sign the form on behalf of all remaining owners (being those owners who are neither relinquishing nor acquiring a share in the horse), provided there are no changes to the share percentage of each remaining owner. The manager must notify all remaining owners of the transfer of ownership in advance. By signing this form, each new owner consents to any future changes to the ownership composition and structure of the horse, provided there are no changes to the share percentage of each remaining owner.
By signing this Transfer of Ownership form: (a) each owner agrees that RA, or any Principal Racing Authority, to the maximum extent permitted by law, is not liable to make any payment for any claim, loss or liability that may arise from the manager signing a Transfer of Ownership or Change of Share % form on behalf of that owner; and (b) the manager indemnifies RA, and any Principal Racing Authority, against any claim, loss or liability that arises from that manager signing a Transfer of Ownership or Change of Share % form on behalf of another person.

What if I cannot obtain the signature of an outgoing owner?
All reasonable attempts must be made to gain the signatures of the relinquishing owners. If the signature of any owner cannot be obtained then the transfer of ownership will not be recognised and the horse not permitted to race except at the discretion of a PRA.

Horses Purchased From Approved Auctioneers

Each PRA has an approved list of auctioneers who have the authority to sign the Transfer of Ownership form on behalf of the Outgoing Owners. In these instances the form must be stamped with the official auctioneer company name and details. Please contact your local PRA for their approved list of auctioneers.

Appointment of Manager (Owner 1)

The manager of a horse is the first named person recorded on the Transfer of Ownership form. If the first named owner is a registered syndicate, the Syndicate Manager is deemed to be the Manager of the horse.
The manager acts for and represents the other joint owners as described in the Australian Rules of Racing. A copy of the rules can be found at www.racingaustralia.horse.
As mentioned above, this means that the manager may sign this Transfer of Ownership form on behalf of all remaining owners, and any future Transfer of Ownership or Change of Share % forms provided there are no changes to the share percentage of each remaining owner.

Following registration, the manager can only be changed by the joint owners representing a majority interest in the horse signing and lodging with RA a Change of Manager form (available for download at www.racingaustralia.horse/RoR/Forms.aspx). If the manager plans to relinquish his or her interest or the new manager was not previously an owner (and there is no change to the share percentage of each remaining owner), the following procedure must be followed: (a) the joint owners representing a majority interest in the horse must complete and sign a Change of Manager form; (b) the new manager must notify all remaining members of the change to the ownership composition and structure; (c) a Transfer of Ownership form must be completed and signed in accordance with the usual procedures; and (d) the completed Change of Manager and Transfer of Ownership forms must be lodged, together, with RA or the relevant PRA.

Types of Ownership

A horse can be registered in the names of up to 20 owner entities.
An entity can be a:

- Natural person
- Registered Syndicate
- Company
- Firm
- Stud

Please Note: A horse cannot be raced in a Company, Firm or Stud name unless it is a registered syndicate. A horse can only be nominated for a race in the names of a natural person/s and/or registered syndicate/s.

Fitness and Propriety of Applicants

All individuals, including registered syndicate members, who hold a share or interest in the ownership of a racehorse are required to notify the PRA if they:

a) Have been convicted of or have a pending charge against them for any offence involving violence against a person or dishonest or criminal activity in the past 10 years:

and/or

b) Have ever been convicted under the Australian Rules of Racing or the rules of any other Racing Authority.

Details of the offence must be submitted in writing prior to an application being lodged. This information will be provided to the relevant PRA for a final determination on the suitability of the applicant becoming a registered owner. If an individual neglects or fails to truthfully respond to these questions, this application and any other application concerning the individual may be refused or cancelled or other penalties incurred.

Rules of Racing

As a condition of acceptance of a Transfer of Ownership, all owners noted on the form must familiarise themselves with and agree to be bound by the Rules of Racing, both local and Australian as amended from time to time. The Australian Rules of Racing can be viewed at www.racingaustralia.horse. For Local Rules of Racing please contact
the relevant PRA.

Assignment and Licence

Due to the essential role that RA plays in administering, promoting and reporting on thoroughbred horse racing, as well as providing racing materials, RA must be able freely to use all intellectual property rights (including but not limited to copyright) that may subsist in the name, image, jockey silks and other indicia associated with this horse.

In order to allow RA to use these intellectual property rights without impediment, as a condition of the horse's registration, you agree that RA owns all right, title or interest (including but not limited to copyright, goodwill and reputation) in the name, image, jockey silks or other indicia associated with that horse, whether existing before or after you sign this form. To the extent that you own any such intellectual property rights by force of law, you must assign them to RA. You must also undertake to RA that you will not apply to register as a trade mark any such indicia or do anything that will or may adversely affect or otherwise limit the ability of RA, the principal racing authorities or race clubs to administer, promote or report on thoroughbred racing (or authorise any other person to do so). You may request permission from RA to register a trade mark associated with the horse, and RA may accept or reject your request in its absolute discretion and subject to any conditions it deems necessary or desirable.

In exchange for the agreement, assignment and undertakings, upon registration of the

horse RA will grant to you a non-exclusive, royalty-free and non-transferable licence to (a) use the name, image, jockey silks and other indicia associated with the horse where RA owns the intellectual property in such indicia for any purpose related to racing, training, promoting and otherwise dealing with the horse, including merchandising; and (b) sub-license the same to any other person.

Privacy and Personal Information

Your Personal Information
The personal information collected on this form which is required to complete your application includes your name, birth date, address, contact details, email, mobile GST status, and bank account details. This information is required to:

- identify you
- assess your eligibility as an owner
- facilitate the administration of racing
- communicate with you
- enable payment of prize money

Where information is not provided your application may be refused or delayed until the required information is provided.

How your personal information is used
The information collected about you will be shared with the PRA in each state and territory of Australia in order to:

- enable PRAs to fulfill their regulatory responsibilities
- promote and protect the integrity of the sport to ensure compliance with the Rules of Racing
- communicate with you

Personal information may be disclosed to third parties such as government enforcement agencies, appeal bodies, race clubs, the Australian Stud Book, wagering service providers, international racing bodies, industry associations such as Breeders, Trainers and Owners Associations or other authorities as required, but only for one or more of the purposes described above or if RA believes that the disclosure is reasonably necessary for law enforcement either by or on behalf of an enforcement body or the disclosure is authorised or required by law.

Names of horse owners are publicly available on certain websites and may also appear in race field lists, race books, form guides and similar publications where appropriate.

For further information about privacy, visit each PRA's website or www.racingaustralia.horse for the RA Privacy Policy.

Access to Information
You can access and request changes to the information held about you by contacting the Registrar of Racehorses or relevant PRA.

Declaring your GST Status

Owners are required to indicate their GST status in relation to their horse racing activity for taxation purposes. If a declaration is not made, a 46.5% withholding tax will be deducted from the total prize money.

When do I supply an ABN?
If an owner's horse racing activities are conducted as an enterprise and the enterprise is registered for goods and services tax the owner can quote the ABN of that enterprise.

If an owner's horse racing activity is conducted as a private recreational pursuit or hobby, an ABN cannot be provided and you must declare yourself as a hobbyist. You can only quote an ABN if the ABN is for an enterprise that is racing horses as part of that enterprise.

Individual members of a registered syndicate must not provide their own ABN. The syndicate must be registered for GST and provide an ABN.

What happens if you quote an ABN for a business that is not involved in horse racing activities?
If you quote an ABN for an enterprise whose activities do not include racing horses, you will be making a false or misleading statement which is an offence under taxation law.

If incorrect ABN information has been provided on a previous application, contact the PRA in your state or territory.

Tax Invoices
Where an owner or entity is GST registered, the following agreement is given:

- The recipient may issue tax invoices in respect of the specified supplies:
- The supplier will not issue tax invoices in respect of those supplies:
- The supplier acknowledges that it is registered when it enters into the agreement and that it will notify the recipient if it ceases to be registered:
- The recipient acknowledges that it is registered when it enters into the agreement and that it will notify the supplier if it ceases to be registered.

Where can I get more information?
For more information about GST in relation to prize money, contact the Stakes Payments Department of the PRA in your state or territory.

For information about whether or not your horse racing activity constitutes an enterprise and should be registered for GST, please seek your own advice by contacting the Australian Taxation Office.

Prize Money

How is Prize Money Paid?
Payment of prize money, and GST where applicable, is administered by the PRA in whose jurisdiction the horse became eligible to receive prize money.

Please note EFT payments can only be made to Australian bank accounts.

Please note bank details must be supplied for every new owner when a Transfer of Ownership is completed regardless of whether bank details have been provided in the past in relation to the same or another horse.

See below for more information about stakes payment options in each state.

NSW, ACT & QLD
When **ALL** owners provide their bank account details on the form, prize money will be paid via EFT directly into each owner's bank account according to their entitlement. If an owner does not supply bank account details, all prize money will be forwarded to the Manager (Owner 1) except where an entity is GST registered for racing purposes. Where an entity indicates on the form that they are GST registered for racing purposes and supply a valid ABN and bank account, they will receive prize money together with the GST component directly into their account.

Please note a $16.50 processing fee (GST included) will be charged for all cheque payments made for NSW and ACT. QLD only pays via EFT - no payment is made by cheque.

VIC & SA
Individual entities who supply a valid bank account on the form will receive prize money directly into their account via EFT provided that the Manager (Owner 1) has also supplied their bank account details on the form. If no bank account details are provided for any given entity, their prize money payment will be forwarded to the Manager. If the Manager has not supplied bank details, payment will be forwarded to them by cheque.

TAS
All prize money is forwarded to the Manager (Owner 1). Where bank details are provided on the form, payment will be made via EFT. If bank details are not provided, a cheque will be forwarded. Individual entities who have elected to have their percentage of prize money paid directly to them and who supply valid bank account details on the form, will recieve prize money directly into their account via EFT.

WA & NT
All prize money is paid to the Manager (Owner 1) via EFT only. Where email addresses are not supplied, an administration fee will be charged (WA only).

TRANSFER OF OWNERSHIP
INFORMATION, INSTRUCTIONS & PAYMENT DETAILS

Fees and Payment Options

See below for fees and payment options in each state. Payments must accompany the Transfer of Ownership Application. **GST is not applicable.

STATE	FEE	ADDITIONAL HORSE FEE*	Cheques payable to:
NSW/ACT	$110**	$40**	Racing NSW
VIC	$110	$0	Racing Victoria
QLD	$110**	$40**	Racing Queensland
SA	$110	$0	Thoroughbred Racing SA
TAS	$110**	$40**	Racing Services Tasmania
WA	$112**	$41**	Racing and Wagering Western Australia
NT	$110	$40	Thoroughbred Racing NT

*Additional Horse Fee: This applies to registered syndicates who are not first time owners. Where a registered syndicate is remaining as a part owner in a new transfer of ownership for this horse the additional horse fee is not applicable.

Payment Options
Cheques should be made payable to the PRA. VISA and Mastercard are accepted.

Horse Identification Documents
Each registered horse has been issued with a Document of Description or Thoroughbred Identification Card. These documents should remain with the horse at all times. Please note that these are **not** required for Transfer of Ownership applications.

Contact Details

Racing NSW
Level 7, 51 Druitt Street
Sydney NSW 2000
Phone 02 9551 7500
Fax 02 9551 7587
Email transfers@racingnsw.com.au

Racing Victoria Limited
400 Epsom Road
Flemington VIC 3031
Phone 1300 139 412
Fax 03 9258 4326
Email information@racingvictoria.net.au

Racing Queensland
PO Box 63
Sandgate QLD 4017
Phone 07 3869 9777
Fax 07 3269 8929
Email licensing@racingqueensland.com.au

Thoroughbred Racing SA
GPO Box 2646
Adelaide SA 5001
Phone 08 8179 9824
Fax 08 8179 9892
Email transfers@theracessa.com.au

Racing & Wagering WA
14 Hasler Road
Osborne Park WA 6017
Phone 08 9445 5558
Fax 08 9445 5586
Email licreginfo@rwwa.com.au

Thoroughbred Racing NT
GPO Box 589
Darwin NT 0801
Phone 08 8944 7500
Fax 08 8944 7533
Email trnt@trnt.com.au

Racing Services Tasmania
PO Box 1329
Launceston TAS 7250
Phone 03 6777 1900
Fax 03 6336 2484
Email registrar@stategrowth.tas.gov.au

This form has been prepared by the Registrar of Rachorses in consultation with the Deputy Registrars.

Payment Details

Horse Name

Suffix

The fee to transfer the ownership of a horse is: NSW $110, QLD $110, WA $112, TAS $110, VIC $110, SA $110, NT $110
Payment options include cheque, money order, or credit card. Please make cheques and money orders payable to the relevant Principal Racing Authority.

Transfer of Ownership Fee $ | Additional Horse (if applicable) Fee $ | **Total Payment** $ .00

Cardholder's Name

Card Number (VISA or MasterCard only) / / /

Cardholder's Signature

Expiry /

CVN

Please forward payment with the completed Transfer of Ownership form to the PRA where the horse is trained or is most likely to be trained

Office Use Only

Endorsed By | Noted By Deputy Registrar | Registration Number | Endorsed on (Date) / /

TRANSFER OF OWNERSHIP

Horse Name

Suffix

Date of Transfer of Ownership / Date Horse was sold

Sire

Dam

Managing Owner's Declaration

As Managing Owner I,_____, acknowledge the details of the Transfer of Ownership below and attached to be true and correct and confirm I have notified all remaining owners (being those owners who are neither relinquishing nor acquiring a share in the horse), if any, of the transfer(s) stated on those forms.

Signature

_____

Outgoing Owners

Only each owner relinquishing their share, or part thereof, in this horse **must** sign the section below. **The Managing Owner may sign the declaration above on behalf of those remaining owners whose share percentage remains unchanged.** Where an owner is relinquishing part of, or increasing their share, they must also complete the appropriate Transfer of Ownership page following, noting their new share percentage. The Registrar or Deputy Registrar may refuse the Transfer at their discretion if all outgoing Owners have not signed and the reason is not acceptable to the Registrar/Deputy Registrar.

	Print Name	Signature	Witness Name	Signature
Owner				
Owner				
Owner				
Owner				
Owner				
Owner				
Owner				
Owner				
Owner				
Owner				
Owner				
Owner				
Owner				
Owner				
Owner				
Owner				
Owner				
Owner				
Owner				
Owner				
Owner				
Owner				
Owner				

Deputy Registrar of Racehorses

TRANSFER OF OWNERSHIP

New Managing Owner Details

(Only to be completed when the Managing Owner is changing, or where the share percentage of the existing Managing Owner is changing in any way.)

All fields in the relevant parts of the form are required to complete your application. Where information is not provided your application may be refused and or delayed. Please complete all relevant details using BLOCK letters and black or blue pen.

Transfer of a Racehorse Named | | Suffix |

If the Certificate of Transfer is not to be forwarded to the Manager, please supply delivery instructions below:

Recipient

Postal Address

Post Code

New Managing Owner

Please tick ☐ Individual Owner ☐ Registered Syndicate ☐ Company or Stud

(When completing this section you are required to provide ALL the information requested below)

Date of Birth / / ☐ Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other If other, please specify

Surname of Owner / Registered Syndicate Name / Company Name / Stud Name

Given Names of Owner / Full Name of Registered Syndicate Manager / Company Representative / Stud Representative

☐ Tick this box if the Registered Syndicate has owned horses previously and you wish to add this horse to the Syndicate for the first time. If you tick this box please include the Additional Horse Fee in your payment.

Postal Address

Post Code

Daytime Phone | Mobile | Email

Is this entity GST registered for racing purposes? ☐ No – I am a hobbyist ☐ Yes If yes, please supply ABN

Bank Account Name

BSB - | Account Number

☐ Tick box if you have previously provided bank details for this horse only and they have not changed

Do you require prize money to be split between owners where bank accounts are supplied? Applicable NSW, ACT, VIC, QLD, SA & TAS only. ☐ Yes ☐ No

COMPLETE DECLARATION BELOW

DECLARATION - IMPORTANT MUST SIGN

By signing this application I agree and declare that:

- as a condition of the Transfer of Ownership of this horse, I will refrain from taking any step or authorising any party to take any step which will interfere with the important role that RA, the principal racing authorities and the race clubs play in the administration of racing and in the provision of racing materials, including without limitation: (a) preventing or restricting any of these entities from using or publishing the name of this horse; (b) taking any step which will or may adversely affect or otherwise limit their administration, promotion and reporting of thoroughbred racing; (c) applying to register as a trade mark the name, image, jockey silks or any other indicia associated with this horse; or (d) asserting or bringing any claim of ownership of any intellectual property rights in the name, image, jockey silks or other indicia associated with this horse.
- as a condition of the Transfer of Ownership of this horse, and in consideration for the Transfer of Ownership of this horse, I hereby agree that Racing Australia Limited (ACN 105 994 330) owns all right, title or interest (including but not limited to copyright, goodwill and reputation) in the name, image, jockey silks and any other indicia associated with this horse, whether existing before or after I sign this form.
- if I own by force of law any right, title or interest (including but not limited to copyright) in the name, image, jockey silks and any other indicia associated with this horse, whether existing before or after I sign this form, I hereby and unconditionally assign all such intellectual property rights to Racing Australia Limited (ACN 105 994 330) in consideration for the Transfer of Ownership of this horse.
- as a condition of the transfer of ownership of this horse, I will comply with and be bound by the Australian Rules of Racing and the Local Rules, Regulations, By-Laws and Conditions of the Principal Racing Authority in whose State or Territory I reside or in which the horse shall race.
- the names on this form fully disclose the true, complete and accurate ownership of the horse.
- I am over the age of 18 years at the time of signing this application.
- I consent to any future changes to the ownership composition and structure, provided there are no changes to the share percentage of each remaining owner.
- if there is a change to the ownership composition and structure, but I am a remaining owner and there is no change to my share percentage, I consent to the owner who is the manager at that time (if it is not me) signing any Transfer of Ownership and Change of Share % forms on my behalf.
- before signing a Transfer of Ownership or Change of Share % form on behalf of any remaining owners in my capacity as manager, I will notify all such owners of the changes to the ownership composition and structure.
- RA, or any Principal Racing Authority, to the maximum extent permitted by law, is not liable to make any payment for any claim, loss or liability that may arise from the manager (whether me or a future manager) signing on behalf of another person.
- I indemnify RA, or any Principal Racing Authority, against any claim, loss, damage, liability, cost or expense that arises from me signing a Transfer of Ownership or Change of Share % form on behalf of another person.
- I have read and understood the sections on pages 1 to 2 entitled 'Fitness and Propriety of Applicants', 'Privacy and Personal Information', 'GST Declaration', 'Appointment of Manager' and 'Assignment and Licence'.

Please note the total combined share percentage of the owners must equal 100%

Signature Owner 1 (Manager) | Share % | Date / /

TRANSFER OF OWNERSHIP

New Owner Details

(One form each to be completed by an incoming Owner, or any Owner already holding an interest in the horse where their share percentage is changing in any way.)

Transfer of a Racehorse Named | | Suffix |

Owner No. | **Please tick** ☐ Individual Owner ☐ Registered Syndicate ☐ Company or Stud

(When completing this section you are required to provide ALL the information requested below)

Date of Birth / / ☐ Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Other If other, please specify

Surname of Owner / Registered Syndicate Name / Company Name / Stud Name

Given Names of Owner / Full Name of Registered Syndicate Manager / Company Representative / Stud Representative

☐ Tick this box if the Registered Syndicate has owned horses previously and you wish to add this horse to the Syndicate for the first time. If you tick this box please include the Additional Horse Fee in your payment.

Postal Address

Post Code

Daytime Phone Mobile Email

Is this entity GST registered for racing purposes? ☐ No – I am a hobbyist ☐ Yes If yes, please supply ABN

Bank Account Name

BSB - Account Number

COMPLETE DECLARATION BELOW

DECLARATION - IMPORTANT MUST SIGN

By signing this application I agree and declare that:

- as a condition of the Transfer of Ownership of this horse, I will refrain from taking any step or authorising any party to take any step which will interfere with the important role that RA, the principal racing authorities and the race clubs play in the administration of racing and in the provision of racing materials, including without limitation: (a) preventing or restricting any of these entities from using or publishing the name of this horse; (b) taking any step which will or may adversely affect or otherwise limit their administration, promotion and reporting of thoroughbred racing; (c) applying to register as a trade mark the name, image, jockey silks or any other indicia associated with this horse; or (d) asserting or bringing any claim of ownership of any intellectual property rights in the name, image, jockey silks or other indicia associated with this horse.
- as a condition of the Transfer of Ownership of this horse, and in consideration for the Transfer of Ownership of this horse, I hereby agree that Racing Australia Limited (ACN 105 994 330) owns all right, title or interest (including but not limited to copyright, goodwill and reputation) in the name, image, jockey silks and any other indicia associated with this horse, whether existing before or after I sign this form.
- if I own by force of law any right, title or interest (including but not limited to copyright) in the name, image, jockey silks and any other indicia associated with this horse, whether existing before or after I sign this form, I hereby and unconditionally assign all such intellectual property rights to Racing Australia Limited (ACN 105 994 330) in consideration for the Transfer of Ownership of this horse.
- as a condition of the transfer of ownership of this horse, I will comply with and be bound by the Australian Rules of Racing and the Local Rules, Regulations, By-Laws and Conditions of the Principal Racing Authority in whose State or Territory I reside or in which the horse shall race.
- the names on this form fully disclose the true, complete and accurate ownership of the horse.
- I am over the age of 18 years at the time of signing this application.
- I consent to any future change to the ownership composition and structure, provided there are no changes to the share percentage of each remaining owner.
- if there is a change to the ownership composition and structure, but I am a remaining owner and there is no change to my share percentage, I authorise the owner who is the manager at that time to sign any Transfer of Ownership and Change of Share % forms on my behalf.
- RA, or any Principal Racing Authority, to the maximum extent permitted by law, is not liable to make any payment for any claim, loss or liability that may arise from the manager (whether me or a future manager) signing on my behalf.
- I indemnify RA, or any Principal Racing Authority, against any claim, loss, damage, liability, cost or expense that arises from me signing a Transfer of Ownership form or Change of Share % on behalf of another person.
- I have read and understood the sections on pages 1 to 2 entitled 'Fitness and Propriety of Applicants', 'Privacy and Personal Information', 'GST Declaration', 'Appointment of Manager' and 'Assignment and Licence'.

Signature Owner | Share % % | Date / /