

Info sheet - Unnamed Horse Transfer of Ownership

When should an Unnamed Horse Transfer of Ownership form be lodged?

Any change of ownership of an unnamed horse born from 2016 onwards must be notified to Racing Australia (RA) on an Unnamed Horse Transfer of Ownership form within 4 weeks of the transfer taking place. Both outgoing and incoming owners have obligations to enable the transfer to proceed.

1. Completed forms can be lodged with RA:
 - Online at www.myhorseracing.horse; or
 - In paper form – by post to The Registrar of Racehorses, Racing Australia, Level 11, 51 Druitt Street, Sydney NSW 2000; or by email to registration@racingaustralia.horse.

Online forms will be processed more promptly than paper forms.

Lodging online forms

Outgoing owners: The outgoing manager should obtain the incoming manager's RA ID number and initiate the transfer process by logging in to www.myhorseracing.horse. Each outgoing owner will receive a notification from RA requiring them to confirm their agreement to transfer out of the ownership of the horse. When all owners have consented to the transfer it may proceed.

Incoming owners: After the outgoing owners have completed the above, the incoming manager must log in to www.myhorseracing.horse to pick up the transfer and nominate the new owners and their respective share percentages. Each incoming owner will receive a notification from RA requiring them to confirm their agreement to transfer into the ownership of the horse. By providing that electronic confirmation, each new owner agrees they have read and agree to the Terms & Conditions – Unnamed Horse Transfer of Ownership

Lodging paper forms

Outgoing owners: All owners relinquishing their interest must sign the form. If the signature of any outgoing owner cannot be obtained then the transfer may not be recognised by RA in its discretion. The manager may sign the form on behalf of all remaining owners (i.e. 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 in advance.

Incoming owners: All new owners must sign the form. By signing the form, each new owner agrees they have read and agree to the Terms & Conditions – Unnamed Horse Transfer of Ownership. This includes consenting to any future changes to the ownership composition and structure of the horse where there are no changes to the owner's share percentage, and allowing the manager sign documents on behalf of the owner.

Please note if any transfer is being signed under a Power of Attorney or Letter of Authority, a copy of such recent authority must be provided when lodging the transfer.

Sale/purchase price

The sale/purchase price of a horse must be disclosed on the Unnamed Horse Transfer of Ownership form in accordance with the Australian Rule of Racing AR 48(7).

Horses purchased from approved auctioneers

RA has a list of approved auctioneers who have the authority to sign the Unnamed Horse Transfer of Ownership form on behalf of the outgoing owners. In these cases, the form must be (officially) stamped with the approved auctioneer company name and details. Please contact RA for its list of approved auctioneers.

Appointment of manager

The incoming manager of a horse is the first named person recorded on the Unnamed Horse 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 co-owners of the horse as described in the Rules of Racing.

Types of ownership

An owner can be a:

- a. Natural person (individual);
- b. Registered syndicate;
- c. Company;
- d. Unincorporated organisation; or
- e. Stud.

Please note horses can only race in the name of an individual or a registered syndicate. As such, if an unnamed horse is owned by a company, unincorporated organisation or a stud, a further Unnamed Horse Transfer of Ownership form will need to be lodged (with the fee) before the horse can be registered for racing.

Fitness and propriety of applicants

All individuals, including registered syndicate members, who are applying to hold a share or interest in the ownership of a horse are required to notify RA if they have been:

- a. Convicted of, or have a pending charge against them for, an indictable criminal offence or a criminal offence involving violence against a person or dishonest activity;
- b. Convicted under the Australian Rules of Racing, the Local Rules of a PRA, or the rules of any other racing authority of any code; or
- c. Convicted of, or have a pending charge against them for, an offence under any animal welfare/prevention of cruelty to animals legislation.

Details of the offence must be submitted in writing prior to an Unnamed Horse Transfer of Ownership form being lodged. Further, an owner must within 14 days notify RA of any of the above charges or convictions if they arise following a transfer. This may result in the owner having to relinquish their interest in any horses they own (partly or wholly).

If an individual fails to truthfully and correctly provide the required information, the transfer and any other application/transfer/registration concerning the individual may be refused or cancelled or other penalties incurred.

RA and/or a relevant Principal Racing Authority (PRA) or Racing Integrity Body (RIB) may also request an individual to provide a National Police Certificate where they suspect the individual has been involved in the commission of a criminal offence.

Rules of Racing

As a condition of the Unnamed Horse Transfer of Ownership being accepted, all owners must familiarise themselves with, and agree to be bound by and comply with, the Australian Rules of Racing and the Local Rules, Regulations, By-Laws and Conditions of the PRAs and RIBs (where applicable).

Privacy and personal information

The personal information collected by RA during the transfer process includes an owner's name, birth date, address, email and mobile. This information is required to (among other things):

- a. Identify owners;
- b. Assess a person's eligibility as an owner;
- c. Communicate with owners; and
- d. Facilitate the administration of racing.

Where information is not provided, a transfer application may be refused or delayed until the required information is provided.

RA/PRA/RIB may also provide an owner's contact details to the manager to enable the manager to contact owners in relation to matters concerning the horse. Similarly, RA/PRA/RIB may provide a manager's contact details to co-owners to enable them to contact the manager in relation to matters concerning the horse.

An owner's personal information may also be used or disclosed by RA in accordance with RA's Privacy Policy (<http://www.racingaustralia.horse/AboutUs/PrivacyPolicy.aspx>). The Privacy Policy also sets out how owners can access and seek correction of their personal information, as well as how to make complaints regarding RA's handling of their personal information.

Fees

The fee to lodge an Unnamed Horse Transfer of Ownership form is \$55.00 (GST is not applicable).

Payment options: VISA, MasterCard, cheque (payable to Racing Australia Limited).

Terms & Conditions – Unnamed Horse Transfer of Ownership

All owners

1. The owner is 18 years old or older.
2. The owner has read and understood the Info Sheet – Unnamed Horse Transfer of Ownership.
3. The owner agrees to be bound by and comply with the Australian Rules of Racing and the Local Rules, Regulations, By-Laws, Policies and Conditions of the Principal Racing Authority (PRA) and the Racing Integrity Body (RIB) (where applicable) in whose State or Territory the owner resides or carries on the breeding of Thoroughbred horses or in which the horse shall be domiciled (as amended from time to time).
4. Without limiting any of the rules and regulations referred to in clause 3 above, the owner agrees to refrain from taking any step, or authorising any person to take any step, which may adversely affect the important role that Racing Australia (RA), PRAs, RIBs and Race Clubs play in the administration, promotion and reporting of Thoroughbred racing and in the provision of racing materials.
5. The owner agrees they have notified RA if they have been, and undertakes to notify RA within 14 days if following lodgment of the Unnamed Horse Transfer of Ownership they are:
 - a. Convicted of, or have a pending charge against them for, an indictable criminal offence or a criminal offence involving violence against a person or dishonest activity;
 - b. Convicted under the Australian Rules of Racing, the Local Rules of a PRA, or the rules of any other racing authority of any code; or
 - c. Convicted of, or have a pending charge against them for, an offence under any animal welfare/prevention of cruelty to animals legislation.
6. The owner agrees they may be required by RA, a PRA or a RIB to relinquish their share or interest in the horse (or any other horse) if convicted of or charged with an offence referred to in clause 5 above.
7. The owner agrees to provide a National Police Certificate to RA, a PRA or a RIB if requested, provided the RA, PRA or RIB has reasonable grounds for suspecting the owner may be, or may have been, involved in the commission of a criminal offence.
8. The owner consents to RA and/or the relevant PRA/RIB providing the owner's contact details to the manager of the horse solely for the purpose of the manager contacting the owner in relation to the horse.
9. The owner consents to any future changes to the ownership composition and structure of the horse if the owner is a remaining owner and there are no changes to the owner's share percentage.
10. If there is a future change to the ownership composition and structure of the horse, the owner consents to the manager signing and/or lodging any Unnamed Horse Transfer of Ownership form and/or Change of Share % form on behalf of the owner if the owner is a remaining owner and there is no change to the owner's share percentage.
11. The owner agrees that RA, any PRA and/or any RIB, to the maximum extent permitted by law, is not liable to make any payment for any claim, loss, damage, liability, cost or expense that may arise from:
 - a. The processing of an Unnamed Horse Transfer of Ownership;
 - b. The manager of the horse dealing with the horse (including in respect of a transfer of ownership or change of share %) on behalf of the owner.
12. The owner agrees that all information provided to RA, PRAs, Stewards, RIBs and Race Clubs is true and correct to the best of the owner's knowledge, and that the owner may be subject to penalty for providing any false or misleading information or failing to disclose any information the owner is required to provide.

Where the owner is the manager

13. The owner (manager) agrees the names listed on the Unnamed Horse Transfer of Ownership form fully discloses the true, complete and accurate ownership of the horse.
14. The owner (manager) agrees that before signing and/or lodging an Unnamed Horse Transfer of Ownership form and/or Change of Share % form on behalf of any remaining owners, the owner (manager) will notify all such owners of the changes to the ownership composition and structure of the horse.
15. The owner (manager) indemnifies RA, any PRA and/or any RIB against any claim, loss, damage, liability, cost or expense that arises from the owner (manager) dealing with the horse (including in respect of a transfer of ownership or change of share %) on behalf of another person.
16. The owner (manager) consents to RA and/or the relevant PRA/RIB providing the owner's (manager's) contact details to each co-owner of the horse solely for the purpose of the co-owners contacting the owner (manager) in relation to the horse.

The Transfer may be refused or delayed where all required information is not provided.

Please complete all relevant details using BLOCK letters in black or blue pen.

DAM NAME

FOAL DATE OF BIRTH (dd/mm/yyyy)

DATE OF TRANSFER OF OWNERSHIP(dd/mm/yyyy) SALE PRICE*

***IMPORTANT: Under AR 48(7), you must provide the horse's sale price. This form will not be processed if the sale price is left blank.**

Outgoing Managing Owner's Declaration

As Outgoing Managing Owner I, _____, declare the details in this Unnamed Horse Transfer of Ownership are 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 the forms.

SIGNATURE

DATE (dd/mm/yyyy)

Horses Purchased at an Auction

Please ensure the Auctioneer is on the RA approved list and that this form is stamped with the Auctioneer company Name and detail.

| Auctioneer Name | Company | Auctioneer's 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 'New owner details' section below and note their new share percentage. RA may refuse the transfer in its sole discretion if all outgoing owners have not signed below.

| | Print Name | Signature | Witness Name | Signature |
|-------|------------|-----------|--------------|-----------|
| Owner | | | | |
| Owner | | | | |
| Owner | | | | |
| Owner | | | | |
| Owner | | | | |
| Owner | | | | |
| Owner | | | | |

Please print form, sign and submit to Racing Australia

Payment

The fee to lodge a transfer of ownership for an unnamed horse is **\$55.00**. Please note GST is not applicable.

Payment options include VISA or MasterCard and Cheque.

CARDHOLDER'S NAME

CARD NUMBER (VISA OR MASTERCARD ONLY)

CARDHOLDER'S SIGNATURE

EXPIRY DATE

CVN

TOTAL AMOUNT

\$

DAM NAME

FOAL DATE OF BIRTH (dd/mm/yyyy)

LOCATION OF FOAL AT THE TIME OF THE DECLARATION

Post Code

PURCHASE PRICE*

***IMPORTANT: Under AR 48(7), you must provide the horse's purchase price. This form will not be processed if the purchase price is left blank.**

New Owner Details

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

OWNER No enter number

Natural Person

Registered Syndicate

Company / Stud

Lessee

DATE OF BIRTH (dd/mm/yyyy)

If other, please specify

Mr

Mrs

Miss

Ms

Other

SURNAME OF OWNER

GIVEN NAMES OF OWNER

NAME OF REGISTERED SYNDICATE / FIRM / STUD / LESSEE / PARTNERSHIP/ COMPANY

POSTAL ADDRESS

Post Code

DAYTIME PHONE

MOBILE

EMAIL

DECLARATION

By signing this form, I (the **owner**) declare I have read and agreed to the Terms and Conditions - Unnamed Horse Transfer of Ownership.

SIGNATURE OF OWNER

DATE

SHARE

%

Please print form, sign and submit to Racing Australia