



APPLICATION TO BE PLACED ON LEAD REGULATOR'S "REGISTER OF PROMOTERS" AS AN AUSTRALIAN FINANCIAL SERVICES LICENSEE.

Racing NSW Fee: New \$410 | With Industry Pass \$725. Renewal \$210 | With Industry Pass \$525

This application form is to be completed by all Promoters, who have an Australian Financial Services Licence (AFSL). Once you have applied to a Lead Regulator to be placed on their Register, there is reciprocity available. You will have to complete the application form and submit it (minus the supporting information and the application fee) to the relevant Lead Regulator who will independently consider your application and decide on the application requirements thereafter.

Section 1: Details of the Responsible Officer or Entity making this application			
Registered Name of Entity:			
Trading Name of Entity (If differs from above):			
Australian Financial Services Licence Number:			
Entity (Head Office) Street Address:			Post code:
Entity Postal Address (If differs from above):			Post code:
Entity Web Address:			
Entity Directors (If more than 4, attach separate form):			
1.			3.
2.			4.
Full Name of Responsible Manager of AFSL:			
Mobile Number:			
Email Address:			
Entity Key Employees (If more than 4, attach separate form):			
1.			3.
2.			4.
Is the licence-holder listed on another Lead Regulator's Register of Promoters?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

¹A **Key Employee**, 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 racehorses by the applicant; or (b) authorised to make decisions, involving the exercise of his or her discretion, that regulate the operations of the applicant in relation to the conduct of the promotion of thoroughbred racehorses or other services offered by the applicant.

Section 2: Supporting Information

In support of this application to be placed on the Register of Promoters, have you attached the following supporting information? Please note that if you are currently registered on another lead regulator's Register of Promoters, the supporting information does not need to be provided. (Please tick):

a.	ASIC Certificate confirming the AFS Licence number	Yes <input type="checkbox"/>	No <input type="checkbox"/>
b.	ASIC Company Extract (outlining each Director and Shareholder – and the shares held)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
c.	Business plan	Yes <input type="checkbox"/>	No <input type="checkbox"/>
d.	Statement of the entities assets and liabilities	Yes <input type="checkbox"/>	No <input type="checkbox"/>
e.	Statement of your current occupation, expertise and experience to undertake the role of a Promoter and if applicable how your current occupation will run in tandem with the role of Promoter	Yes <input type="checkbox"/>	No <input type="checkbox"/>
f.	Two (2) x racing industry character references (referring to the entity or the principal of the entity)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
g.	A Credit Report from an accredited reporting agency (from each Director and Shareholder)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
h.	A statutory declaration from a CPA or CA (Attached to this Application Form)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
i.	Evidence of Professional Indemnity Insurance or Investments Managers Insurance (relating to the entity)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
j.	National Police Record Certificate (for all Shareholders/Directors of the business)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
k.	Application fee of \$410, or \$725 with Industry Pass (include a Cheque or provide Credit Card details below)	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Credit Card Type (E.g. VISA/MasterCard/Diners/Amex):

Credit Card Number:

Credit Card Expiry Date:

CVV:

Cardholder's Full Name:

Section 3: Questionnaire

1	Have you read and understood, the requirements of the ASIC Corporations (Horse Schemes) Instrument 2016/790 and Regulatory Guide 91 – horse breeding schemes and horse racing syndicates?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2	Are you familiar with the requirements of the Personal Property Securities Act 2009?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3	Do you understand the requirements of the Product Disclosure Statement (PDS)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4	Are you aware that you must declare a manager for each scheme within a PDS?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
5	Are you aware that a separate bank account must be established for each scheme?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
6	Are you aware that any advertising or material for publishing in any format including by social media must be approved by the Lead Regulator before publishing?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
7	Do you intend to enter into a purchase agreement with breeders and auction houses (e.g. credit terms)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8	Do you intend to purchase horses through lease finance?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
9	If yes, are you aware that the lease finance agreement must be disclosed within the PDS to the potential investors?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
10	Do you intend to retain shares in horses that you promote and if Yes, are you aware of the requirements of your ownership % regarding initial share allocation and upkeep costs thereafter?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
11	Will the horses (or the scheme) be insured?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
12	How will you communicate information about the horse to the syndicate members? How regularly will you communicate this information?		
13	Who will oversee the business in your absence?		
14	How do you intend to manage the distribution of prizemoney? (E.g. will a dividend be distributed monthly or immediately upon receiving monies from the Principal Racing Authority)?		
15	Are there any additional benefits for syndicate members (E.g. promotions, hospitality, gifts upon entry)?		
16	Who will train your horses?		
17	Who will train your horses?		

18	Who is your bloodstock advisor?		
19	Are you, or any Director, Responsible Officer or Key Employee currently under any ban or restriction imposed by any racing authority or other sporting authority in any State or Country? If yes, please provide details:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
.....			
20	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? If yes, please provide details:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
.....			
21			
22	Have you, or any Director, Responsible Officer or Key Employee ever been suspended, disqualified, warned off, penalised or placed on a forfeit list as a defaulter or refused a licence, permit or registration by any racing authority or other sporting authority in any State or Country? If yes, please provide details:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
.....			
23	Have you, or any Director, Responsible Officer or Key Employee in the last 10 years, been: • Found guilty of a criminal offence? • Imprisoned? and/or • Placed on parole? If yes, please provide details:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
.....			
24	Are there any current criminal proceedings (or charges) or civil proceedings pending against you, or any Director, Responsible Officer or Key Employee? If yes, please provide details:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
.....			
25	Personal Bankruptcy and/or Company Insolvency: • Have you, or any Director, Responsible Manager or Key Employee in the last 10 years, been declared bankrupt or insolvent? and/or • Do you, or any Director, Responsible Manager or Key Employee currently have any bankruptcy proceedings or Civil proceedings pending against you? and/or • Has any Company which you, or any other Director and/or Shareholder been an officeholder of, been insolvent (including: Voluntary Administration, Liquidation or Receivership)? If yes, please provide details:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
.....			
26	Have you, or any Director, Responsible Officer or Key Employee been convicted of any indictable offence or banned by ASIC? If yes, please provide details:	Yes <input type="checkbox"/>	No <input type="checkbox"/>
.....			

Section 4: Privacy, acknowledgment and consent

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 each Lead Regulator may in its absolute discretion refuse to grant this application or may grant this application subject to conditions.
- f) That the Approval may be canceled 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 each Lead Regulator'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 a Lead Regulator 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 each Lead Regulator 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 each Lead Regulator 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 each Lead Regulator directions and policies concerning the operation of my promotion business, including but not limited to the list of policies relating to Promoters as displayed on each Lead Regulator's website, as amended.
- o) A Promoter may only trade or operate under a name which is approved by the Lead Regulator, 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.

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.

Applicant

Print name

Signature

Date

Directors of AFS Licensee:

Print name

Signature

Date

Print name

Signature

Date

Print name

Signature

Date

Print name

Signature

Date

Once completed, please sign where applicable and return to PRA for lodgement along with all relevant information as per Section 2 – Supporting Information. PRA does not accept any liability for matters relating to, or arising from, the applicants conduct and activities as an AFS Licensee.

State of <State>

Statutory Declaration on behalf of AFS Licensee
(Reference from a Certified Practicing Accountant or Chartered Accountant)

I, _____
[Full name of Accountant]

of, _____
[Address of Accountant]

_____, do solemnly and sincerely declare that -

[occupation, e.g. CPA or CA]

I have specifically viewed and assessed the following financial documents supplied by

the Applicant _____ [Insert name of AFS Licensee]:

- (a) the Applicant's bank account statements for the preceding six (6) month period;
- (b) documentation relating to outstanding mortgages or loans taken out by the Applicant;
- (c) evidence of assets owned by the Applicant (such as car, property or horse float);
- (d) the Applicant's tax return for the most recent financial year of which the tax return is required by law;
- (e) a statutory declaration made by the Applicant stating that he/she has adequate assets and income to ensure that he/she can settle any debts as and when they fall due.

Having regard to the above financial information supplied by the Applicant, I have formed the assessment that the Applicant has sufficient financial resources and capacity to establish, promote and manage Horse Racing Schemes.

I acknowledge that this declaration is true and correct, and I make it with the understanding and belief that a person who makes a false declaration is liable to the penalties of perjury.

Declared at _____

this _____ day of _____ 20 _____

Signature and business stamp of accountant making this declaration
[to be signed in front of an authorised witness]

Before me,

Signature of Authorised Witness