



Lease of a Racehorse

(For up to 20 Lessees)

400 Epsom Road Flemington VIC 3031

Telephone: 1800 870 799 deputyregistrar@racingaustralia.horse

What is a Racing Lease?

A racing lease is a contractual agreement between a lessor(s) and the lessee(s), whereby the lessee pays the lessor a rental fee for the use of a racehorse. Given that a racing lease is a legally binding contract, it is strongly advised that parties seek independent legal advice when entering into a lease.

For simplicity within this 'Lease of a Racehorse' form, the lessor will be referred to as the owner.

Are there different types of Racing Leases?

Yes, there is an Option A Lease and an Option B Lease.

1. OPTION A LEASE

An Option A Lease is one in which the lessee pays the owner a rental percentage. Furthermore, *Racing Victoria will distribute all prizemoney won by the horse to the managing lessee only, regardless of whether a lessee includes his or her bank account details within this application.* It is then the responsibility of the managing lessee to distribute the owner's rental percentage to the owner, and prizemoney to the members of the lessee group.

2. OPTION B LEASE

An Option <u>B</u> Lease is one in which an owner is included as a member of the lessee group in order to enable that owner to receive his or her rental percentage directly from Racing Victoria. Furthermore, *each lessee will receive his or her portion of prizemoney directly from Racing Victoria*. There can only be a maximum of twenty (20) lessees within the lessee group, including any owners that elect to be lessees for prizemoney purposes. Generally, an owner who places themselves within the lessee group for prizemoney purposes will *not* be the *managing* lessee.

Please note: If a lessees fails to provide his or her bank account details for prizemoney purposes, this application form will be considered incomplete. In this instance, the application form will be returned to lessee for completion.

Ensuring an Option B Lease is legally binding without the declaration of a rental percentage?

Should the parties elect to enter into an Option \underline{B} lease, a **nominal rental fee** (otherwise known as a small or insignificant fee) of one dollar (\$1.00) per annum will automatically apply. This nominal rental fee represents the consideration payable by the lessee to the owner. In the event that the parties agree to enter into a lease that provides for another form of consideration, the parties may request that the nominal rental fee not automatically apply. Given that consideration is required for a lease to be considered legally binding, parties should seek independent legal advice as to the terms of any lease to be entered into.

What if a Dispute arises?

A lease is a private agreement between owner(s) and lessee(s) which creates proprietary interests between the parties to the lease. Racing Victoria is not a party to the lease, its only role is to manage its ownership registration system, ensure compliance with the Rules of Racing and determine the eligibility of horses to race.

In the event of a dispute, Racing Victoria is able to offer a mediation service in order to assist the parties to resolve any dispute. However, Racing Victoria does not have the jurisdiction to determine the private rights of parties in a lease dispute. Accordingly, if any dispute arises concerning a lease it is a matter for the parties and it is advisable that the parties seek independent legal advice in the case of a dispute.

Review Process

If any information requested within this document is not submitted, this application may be considered incomplete. In this instance, *incomplete application forms will be returned via email or post to the managing lessee*. Please allow ten (10) working days for this application to be reviewed.

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Horse Name:							
Location of Horse at time of application:							
Lease commencement date (below):	Lease expiry	date (below):		Today's d	late (below):		
Declare any special clauses agreed by (For example, "the owner to retain all trophies		d lessee (below):				
	•						
Sele	ect the type of le	ease you wish to	establish (tick o	ne box only			
OPTION <u>A</u> LEASE	(Tick here)	OR	ОРТ	ION <u>B</u> L	.EASE	(Tick here)	
(If selecting the Option <u>A</u> Lease, declare re	ental below)		(If selecting the		1		
Owner's rental percentage: (Declar			Owner's rei	:	of \$1.00	a nominal rat pa (Ex GST).	
(This is the percentage of prizemoney that will from the managing lessee to the ow			(This is the		as outlined on p ation form)	lage one of this	
(Once rental has been declared, progress	s to GST sectio	n)					
Is the owner GST registered for racing purposes?		YES	(Tick YES here)		NO	(Tick NO h	ere)
If the owner of this horse is GST registered for the owner in addition to the owner's rental p distribute GST to the owner in addition to the owner and lessee: Example 1 (10% rental & owner is registered for Horse wins prizemoney of \$10,000; Owner's portion is a total of \$1,100 (\$1,000 ren	ercentage declar owner's percentage for GST):	ed above. In the ige interest. The fol	Instance of an Op lowing are examp Example Horse wi	tion <u>B</u> Lease, les of how prize <u>2</u> (10% rental ns prizemone	Racing Victorizemoney should a womer is not y of \$10,000;	ia is required by	Law to between
(0	nce GST has b	een declared, pro	ogress to payme	ent section)			
Payment - \$66.00 (Alternatively	, enclose a Chec	que or Money Orde	er payable to Rac	ing Victoria)			
Credit Card Type (Please circle):	Credit Card Numb	er:					
MASTERCARD / VISA / AMEX / DINERS							
Cardholder's Name (Please print):		Credit Card Expir	y Date (MM/YY):	Credit	: Card Verification (CVV)		
				Amer	ican		
Cardholder's Signature:				Express		Date (DD/MM/YY):	

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Page 2 of 24

3 Confirmation of Owner(s)

Horse Name:	

If you are signing on behalf of another owner, you must also lodge (with this application) an **Authority to Sign** form. This form is available at www.racing.com (Click on 'Owner Link' and 'Resources – Ownership Forms');

Important: Regardless of the type of lease that is selected on page 2 of this application form, **all owners** of the racehorse must complete this page:

Owner 1 (Print Name):	Signature:	
Owner 2 (Print Name):	Signature:	
Owner 3 (Print Name):	Signature:	
Owner 4 (Print Name):	Signature:	
Owner 5 (Print Name):	Signature:	
Owner 6 (Print Name):	Signature:	
Owner 7 (Print Name):	Signature:	
Owner 8 (Print Name):	Signature:	
Owner 9 (Print Name):	Signature:	
Owner 10 (Print Name):	Signature:	
Owner 11 (Print Name):	Signature:	
Owner 12 (Print Name):	Signature:	
Owner 13 (Print Name):	Signature:	
Owner 14 (Print Name):	Signature:	
Owner 15 (Print Name):	Signature:	
Owner 16 (Print Name):	Signature:	
Owner 17 (Print Name):	Signature:	
Owner 18 (Print Name):	Signature:	
Owner 19 (Print Name):	Signature:	
Owner 20 (Print Name):	Signature:	

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Confirmation of Lessee (Manager

Horse Name:			

The total lessee share percentage **must equal 100%** otherwise this form will be considered incomplete;

1st Lessee (Manager):

The following member of the lessees will be deemed to be the Manager. For clarification of the rights and responsibilities of a Manager of a racehorse, please refer to Australian Rule of Racing 57. A copy of the Rules of Racing can be found at the Racing Victoria Website; www.rv.racing.com (Click 'Racing and Integrity');

Syndicate (Only applic	Name cable if you are re	epresenting a r	egistered Sy	ndicate):								
Title:	Manager First Name: Manager Surname:						Date of Birth:					
Manager F	Manager Postal Address: State: Post Code:											
Manager Phone No. (Business Hours): Manager Email Address (Any incomplete forms will be returned via this Email Address):												
	Bank Account Name (For distribution of prizemoney):											
(Mandatory) Account Number below: (Mandatory) BSB Number (6 Digits) below:												
ABN Number: This should only be provided under the following circumstances: (a) If you are the manager of a registered Syndicate and the Syndicate – as an entity – is GST registered for "racing purposes"; or (b) If you – as an individual – are GST registered for "racing purposes":												
(Note; this is	Share Percent s the percentage percentage for th	you individual			ee group, a	nd excludes	any rental perc	entage – there	efore the			%
Signature:		lodge that ver	have road a	and under	etood and	agroo to be b	ound by the D	ulos of Posics	and the Term	as & Condition	SIGN H	
this ap	ning, you acknow pplication form.	neuge illat you	nave Ieau a	and under	Sidou alid a	agree to be b	outiu by life Kl	ales of Racifly	and the relli	is a conditi	uiis ds UU	umicu Willilli

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4	Confirmation of Lessee
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Horse Name:	

By signing this document, you acknowledge that lessee number one (1) is considered to be the Manager of the racehorse. For clarification of the rights and responsibilities of a manager of a racehorse, please refer to Australian Rule of Racing 57. A copy of the Rules of Racing can be found at the Racing Victoria Website; www.rv.racing.com (Click 'Racing and Integrity');

Syndicate Name (<u>Only</u> applicable if you are represent	ting a registered Syndicate	») :				
Title: First Name:		Surname:				Date of Birth:
Postal Address:					State:	Post Code:
Phone No. (Business Hours):		Email Address:				
(Mandatory, when actioning an Bank Account Name (For distribution of prizemoney):	Option <u>B</u> Lease)					These bank account details will only be applicable
Account Number below:		BSI	B Number (6 D	igits) below:		when activating an Option <u>B</u> Lease. Furthermore, following the selection of an
ABN Number: This should only be provided under to Syndicate — as an entity — is GST re "racing purposes":	the following circumstance gistered for "racing purpos	es: (a) If you are the less"; or (b) If you – a	manager of a reg as an individual –	gistered Syndicate <u>a</u> are GST registered	nd the for	Option <u>B</u> Lease, it is mandatory for each lessee to provide bank account details.
Individual Share Percentage (% (Note; this is the percentage you ind total share percentage for the lessee	, lividually hold within the les		cludes any rental	percentage – theref	ore the	%
Signature: > By signing, you acknowledge the this application form.	hat you have read and und	lerstood and agree	to be bound by th	ne Rules of Racing a	nd the Terr	GN HERE

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Confirmation of Lessee

Horse Name:	

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Syndicate (Only applic	Name able if you are repr	esenting a reg	jistered Syndicate	e):							
Title:	First Name:			Surname:							Date of Birth:
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4	Confirmation of Lesse
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Horse Name:	

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Syndicate (<u>Only</u> applic		ı are repres	enting a	registere	ed Syndi	cate):										
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Horse Name:		

4 Confirmation of Lessee

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Syndicate Name (Only applicable if you are representing a registered Syndicate):												
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Horse Name:			
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4	Confirmation of Lessee
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Horse Name:	

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Syndicate (<u>Only</u> applic		are repres	enting a re	gistered Synd	dicate):							
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Racing Victoria – Lease of a Racehorse Page 12 of 24

Horse Name:			

Confirmation of Lessee

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Syndicate (<u>Only</u> applic		are represe	enting a reg	istered Synd	cate):							
Title:	First Na	ame:			Sur	name:		Date of Birth:				
Postal Add	dress:									State:		Post Code:
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Signature:												GN HERE
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Racing Victoria – Lease of a Racehorse Page 13 of 24

Horse Name:

11th Lessee:

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Syndicate (<u>Only</u> applic	Name able if you are repre	senting a regi	stered Syndicate	e):						
Title:	First Name:			Surr	name:	Date of Birth:				
Postal Add	dress:								State:	Post Code:
Phone No. (Business H				Ema	ail Address					
Bank Acco	y, when actioning ount Name tion of prizemoney):	an Option <u>E</u>	½ Lease)							These bank account details will
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		ge that you ha	eve read and und	derstood	d and agree	to be bound	d by the Ru	les of Racing ar	nd the Ter	GN HERE

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Horse Name:			

12th Lessee:

Confirmation of Lessee

By signing this document, you acknowledge that lessee number one (1) is considered to be the Manager of the racehorse. For clarification of the rights and responsibilities of a manager of a racehorse, please refer to Australian Rule of Racing 57. A copy of the Rules of Racing can be found at the Racing Victoria Website; www.rv.racing.com (Click 'Racing and Integrity');

Syndicate (<u>Only</u> applic	Name cable if you are repre	senting a regi	istered Syndicat	e):						
Title:	e: First Name:				name:					 Date of Birth:
Postal Add	dress:								State:	Post Code:
Phone No (Business H				Ema	ail Address:	:				
Bank Acco	ry, when actioning ount Name ution of prizemoney):	an Option <u>E</u>	3 Lease)							These bank account details will only be applicable
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Confirmation of Less

Horse Name:

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Syndicate Name (Only applicable if you are representing a registered Syndicate):												
Title:	First Na	me:			Suri	name:						Date of Birth:
Postal Address: State:										Post Code:		
Phone No. (Business Hours): Email Address:												
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Signature: SIGN HERE By signing, you acknowledge that you have read and understood and agree to be bound by the Rules of Racing and the Terms & Conditions as outlined within this application form.												

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4 Confirm	nation of Lessee		
Horse Name:			

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	Syndicate Name (Only applicable if you are representing a registered Syndicate):										
Title:	First Name:			Surr	name:						Date of Birth:
Postal Address: State: Post Code:									Post Code:		
Phone No. (Business Hours): Email Address:											
Bank Acco	(Mandatory, when actioning an Option B Lease) Bank Account Name (For distribution of prizemoney): These bank account details will										
Account N	umber below:				BS	B Number	(6 Digits)	below:			only be applicable when activating an Option B Lease. Furthermore, following the selection of an
This should Syndicate –	ABN Number: This should only be provided under the following circumstances: (a) If you are the manager of a registered Syndicate and the Syndicate – as an entity – is GST registered for "racing purposes"; or (b) If you – as an individual – are GST registered for "racing purposes": ABN Number: Is mandatory for each lessee to provide bank account details.										
Individual Share Percentage (%) (Note; this is the percentage you individually hold within the lessee group, and excludes any rental percentage – therefore the total share percentage for the lessee group must equal 100%):											
Signature: SIGN HERE By signing, you acknowledge that you have read and understood and agree to be bound by the Rules of Racing and the Terms & Conditions as outlined within this application form.											

Racing Victoria – Lease of a Racehorse Page 17 of 24

Horse Name:		

Confirmation of Lessee

By signing this document, you acknowledge that lessee number one (1) is considered to be the Manager of the racehorse. For clarification of the rights and responsibilities of a manager of a racehorse, please refer to Australian Rule of Racing 57. A copy of the Rules of Racing can be found at the Racing Victoria Website; www.rv.racing.com (Click 'Racing and Integrity');

	Syndicate Name (Only applicable if you are representing a registered Syndicate):									
Title:	First Name:			Surname:						Date of Birth:
Postal Add	Postal Address: State: Post Code:									
Phone No. (Business Hours): Email Address:										
Bank Acco	(Mandatory, when actioning an Option B Lease) Bank Account Name (For distribution of prizemoney): These bank account details will									
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Individual Share Percentage (%) (Note; this is the percentage you individually hold within the lessee group, and excludes any rental percentage – therefore the total share percentage for the lessee group must equal 100%):										
Signature: SIGN HERE										
	> By signing, you acknowledge that you have read and understood and agree to be bound by the Rules of Racing and the Terms & Conditions as outlined within this application form.									

Racing Victoria – Lease of a Racehorse Page 18 of 24

4	Confirm	ation of Lessee			
Hors	e Name:				

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Syndicate Name (Only applicable if you are representing a registered Syndicate):											
Title:	First Name:			Surn	name:						Date of Birth:
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Racing Victoria – Lease of a Racehorse Page 19 of 24

Horse Name:		

17th Lessee:

Confirmation of Lessee

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	Syndicate Name (Only applicable if you are representing a registered Syndicate):											
Title:	First Na	me:			Sur	name:						Date of Birth:
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Racing Victoria – Lease of a Racehorse Page 20 of 24

Horse Name:			

18th Lessee:

Confirmation of Lessee

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Syndicate Name (Only applicable if you are representing a registered Syndicate):											
Title:	First Name:			Surn	name:						Date of Birth:
Postal Address: State:									Post Code:		
Phone No. (Business Hours): Email Address:											
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Racing Victoria – Lease of a Racehorse Page 21 of 24

Horse Name:			

Confirmation of Lessee

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Syndicate Name (Only applicable if you are representing a registered Syndicate):											
Title:	First Name:	Surr	name:			Date of Birth:					
Postal Address:				State:							Post Code:
	Phone No. (Business Hours): Email Address:										
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Signature: SIGN HERE SIGN HERE SIGN HERE SIGN HERE SIGN HERE SIGN HERE											

Racing Victoria – Lease of a Racehorse Page 22 of 24

4	Confirm	nation of Lessee			
Hor	se Name:				

By signing this document, you acknowledge that lessee number one (1) is considered to be the Manager of the racehorse. For clarification of the rights and responsibilities of a manager of a racehorse, please refer to Australian Rule of Racing 57. A copy of the Rules of Racing can be found at the Racing Victoria Website; www.rv.racing.com (Click 'Racing and Integrity');

Syndicate Name (Only applicable if you are representing a registered Syndicate):											
Title:	First Name:				name:			Date of Birth:			
Postal Address:				State							Post Code:
	Phone No. (Business Hours): Email Address:										
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Account Number below:					BSB Number (6 Digits) below:						only be applicable when activating an Option B Lease. Furthermore, following the selection of an
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Signature: SIGN HERE By signing, you acknowledge that you have read and understood and agree to be bound by the Rules of Racing and the Terms & Conditions as outlined within this application form.											

Racing Victoria – Lease of a Racehorse Page 23 of 24



Returning the Completed Forms

Once completed, please return this application form to Racing Victoria's Owner Services via the following methods:

Email: deputyregistrar@racingaustralia.horse;

Post: Racing Victoria Owner Services, 400 Epsom Road, Flemington VIC 3031.

Please allow ten (10) working days for the processing of this application. If you have any queries, please contact the Owner Services on 1800 870 799 or alternatively via email deputyregistrar@racingaustralia.horse.



Terms and Conditions

GENERAL INFORMATION:

Racing Victoria registers leases for racing purposes. Racing Victoria is not a party to the leases it registers. Racing Victoria's "Register a Lease" form does not itself create any proprietary rights. A lease is a private agreement between owner and lessee which creates proprietary interests between the parties to the lease.

If any dispute arises concerning a lease it is a matter for the parties to settle themselves either in the courts or through mediation. Racing Victoria does not have the jurisdiction to determine the private rights of parties in a lease dispute. Racing Victoria's only role is to manage its ownership registration system, ensure compliance with the Rules of Racing and determine the eligibility of horses to race. Independent legal advice should be sought in the case of a dispute. Independent legal advice should also be sought relating to the courts jurisdiction with respect to forfeiture before entering a lease. Insurance of the horse is the responsibility of the owner.

PERSONAL INFORMATION:

To assist in making ownership determinations, the Deputy Registrar of Racehorses (Registrar) must assess the fitness and propriety of each applicant. This assessment requires the collection of sensitive information. In order to protect each individual's privacy, certain necessary information has not been requested on the application form; however, all applicants must read the following questions:

- 1. In the past 10 years, have you been convicted of, or is there a pending charge against you, for any offence involving; (a) Violence against a person? or (b) Dishonest or criminal activity?
- 2. Have you ever been convicted under the Australian Rules of Racing or rules of any racing authority?

If any applicant should answer "yes" to any of these questions, the applicant must notify the Registrar in writing prior to the lodgement of this application. Such notification must include full details of the conduct in question. The Registrar will advise in writing within seven (7) days of having received such notification. That advice should be retained by the applicant as evidence that the appropriate notification has been made. You are advised that should it be established that an individual has neglected or failed to truthfully respond to questions 1(a), 1(b) or 2, this application and any other application concerning the individual may be refused or cancelled at any time. If the notification has previously been advised to the Registrar, there is no need to do so again.

The Committee of any Club or the Stewards may punish any person who makes any false or misleading statement or declaration in respect of any matter in connection with the administration or control of racing under AR175(gg). Inaccuracies or omissions may also lead to penalties and refusal or cancellation of the registration of this horse (AR17).

PRIVACY:

The Registrar of Racehorses (Registrar) collects information about you when you submit this application to register a racehorse. The Registrar will use that information to assess your application and if approved, your ongoing status as an owner. To do that, the Registrar may disclose your information to other racing bodies. On occasion, the Registrar may disclose names and contact details to racing organizations including race clubs and owners or breeders associations.

However, this information will only be disclosed when the Registrar is of the opinion that such communication may be of interest or benefit to you. You can gain access to, and request changes to, your personal information held by the Registrar at any time. You do not have to supply the information requested, but if the information is not provided, the Registrar may refuse to accept your application.

OWNER GST / EFT DECLARATION:

If your horse interests are registered under GST Legislation, you are required to provide the applicable ABN so that prize money payments can be grossed up with the GST portion. Each person or entity that is GST registered should nominate the applicable ABN.

In the case of Syndicate members who are GST registered, GST details cannot be specified – the Syndicate must be registered for GST. If the first named owner/entity (manager) provides bank account details, prize money payments can be made direct to the nominated bank account.

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