

RACING VICTORIA LIMITED
ACN 096 917 930
Owner Services

400 Epsom Road Flemington VIC 3031

Telephone: 1300 139 412 Facsimile: (+61 3) 9258 4366 owner@racingvictoria.net.au

Lease of a Racehorse

(For up to 20 Lessees)

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, <u>regardless</u> 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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1	Lease of a Racehorse Details
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Racing Victoria – Lease of a Racehorse

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:	

Racing Victoria – Lease of a Racehorse Page 3 of 24

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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');

-	te Name blicable if yo	u are rep	resenting a r	egistered S	Syndicate)	:							
Title:	Manag	ger First	Name:			Manager	Surname:					Date of Birth:	
Manager Postal Address: State: Post Code:									code:				
Manage (Business	r Phone N s Hours):	0.					Email Addre		via this Email Ad	dress):			
	count Nan		/):										
(Mandat Account	<i>tory)</i> Number b	elow:							<i>ndatory)</i> 3 Number (6 Di	gits) belo	w:		
ABN Nui This shou registered	ıld <u>only</u> be p	purposes	under the follows"; or (b) If yo	owing circu u – as an i	mstances ndividual	s: (a) If you a	are the manag	per of a register	red Syndicate <u>and</u> es":	d the Synd	icate – as a	n entity –	is GST
(Note; this		entage y				see group, a	and excludes	any rental perc	entage – therefor	e the			%
Signatur											4	SIGN H	
	igning, you application t		edge that you	have read	and unde	erstood and	agree to be b	ound by the Ru	ules of Racing an	the Term	s & Condition	ons as ou	itlined within

Racing Victoria – Lease of a Racehorse Page 4 of 24

4	Confirmation of Lessee
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Horse Name:		
	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 (<u>Only</u> applic		re represe	enting a re	egistere	d Syndicat	e):										
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Racing Victoria – Lease of a Racehorse Page 5 of 24

4	Confirmation of Lessee

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Syndicate Name (Only applicable if you are representing a registered Syndicate):											
Title:	First Name:			Surna	ате:	Date of Birth:					
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Signature:	:				and agree	to be bounc	d by the Rul	les of Racing a	and the Tei		GN HERE

Racing Victoria – Lease of a Racehorse Page 6 of 24

4	Confirmation of Lessee

Horse Name:	

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Syndicate (<u>Only</u> applic		are repres	senting a	registere	ed Syndid	cate):											
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Racing Victoria – Lease of a Racehorse Page 7 of 24

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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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	ning, you acknowle	edge that you ha	ave read and unc	lerstood and	agree	to be bound	d by the Ru	les of Racing	and the Te	rms & Conditi	ons as outlined within

Racing Victoria – Lease of a Racehorse Page 8 of 24

Horse Name:

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Signature: 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 9 of 24

Horse Name:	

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Racing Victoria – Lease of a Racehorse Page 10 of 24

Horse Name:	

4 Confirmation of Lessee

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Racing Victoria – Lease of a Racehorse Page 11 of 24

4	Confirmation of Lessee

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Racing Victoria – Lease of a Racehorse Page 12 of 24

Confirm	lation of Lessee		
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Syndicate Name (Only applicable if you are representing a registered Syndicate):														
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➢ By sig	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 13 of 24

Horse Name:		

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Syndicate Name (Only applicable if you are representing a registered Syndicate):											
Title:	First Name:			Sur	name:						Date of Birth:
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ABN Number: This should <u>only</u> be provided under the following circumstances: (a) If you are the manager of a registered Syndicate <u>and</u> the Syndicate <u>and</u> the single purposes"; or (b) If you as an individual – are GST registered for "racing purposes"; or (b) If you – as an individual – are GST registered for "account details.											Option <u>B</u> Lease, it is mandatory for each lessee to provide bank
(Note; this is	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%):										
	SIGN HERE										

Racing Victoria – Lease of a Racehorse Page 14 of 24

4	Confirm	ation 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 Na	ıme:			Sui	rname:						Date of Birth:	
Postal Add	dress:									State:		Post Code:	
	Phone No. (Business Hours): Email Address:												
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Signature:	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 15 of 24

Horse Name:		

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Conditate Name												
Syndicate Name (<u>Only</u> applicable if you are representing a registered Syndicate):												
Title:	First Name:			Surr	name:						Date of Birth:	
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> 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 16 of 24

4	Confirm	ation of Lessee			
		T			
Hor	se Name:				

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Syndicate (<u>Only</u> applic	Name able if you are repres	senting a regi	istered Syndica	ate):									
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Postal Address: State:											Post Code:		
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➤ By sign	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

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Syndicate (<u>Only</u> applic	Name able if you are repres	senting a regi	stered Syndica	ate):							
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Postal Address: State:											Post Code:
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Racing Victoria – Lease of a Racehorse Page 18 of 24

4 C	onfirma	ation of Lessee			
Horse N	ame:				

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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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		e that you ha	ave read and und	derstood	d and agree	to be bound	d by the Ru	les of Racing ar	nd the Ter		GN HERE ons as outlined within	

Racing Victoria – Lease of a Racehorse Page 19 of 24

Horse Name:			

4 Confirmation of Lessee

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Syndicate (<u>Only</u> applic	Name able if you are repres	senting a regi	stered Syndica	ate):							
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Postal Address: State:											Post Code:
Phone No. (Business H				Ema	ail Address:	:					
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	only be provided und as an entity – is GS										Option <u>B</u> Lease, it is mandatory for <u>each lessee</u> to provide bank account details.
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➤ By sign	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 20 of 24

4	Confirm	nation of Lessee			
Hors	se Name:				

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Title:	First Name:			Surr	name:						Date of Birth:		
Postal Address: State:											Post Code:		
Phone No. (Business H				Ema	ail Address:								
Bank Acco	y, when actioning bunt Name (tion of prizemoney):	an Option <u>E</u>	3 Lease)								These bank account details will		
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	only be provided und as an entity – is GS										Option <u>B</u> Lease, it is mandatory for <u>each lessee</u> to provide bank account details.		
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Racing Victoria – Lease of a Racehorse Page 21 of 24

4	Confirmation of Lessee		

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Title: First Name:	Surname:	Date of Birth:							
Postal Address:		State: Post Code:							
Phone No. (Business Hours): Email Address:									
(Mandatory, when actioning an Option B Lease) Bank Account Name (For distribution of prizemoney): These bank account details will									
Account Number below:	BSB Number (6 Digits) below:	only be applicable when activating an Option <u>B</u> Lease. Furthermore, following the selection of an							
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": **Tacing purposes**: **Seeducht of all Option B Lease, it 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 22 of 24

4	Confirm	nation of Lessee		
Ноі	se Name:			

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Title:	First Name:				Surname:					Date of Birth:
Postal Address:				State:				State:		Post Code:
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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": Option B Lease, it 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 SIGN HERE 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: owner@racingvictoria.net.au;

Facsimile: (+61 3) 9258 4326;

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 Customer First Contact Centre on (+61 3) 9258 5258 or alternatively via email owner@racingvictoria.net.au.



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.

Racing Victoria – Lease of a Racehorse Page 24 of 24