



## **SCHEME RULES APPLICABLE TO BREEDER NOMINATIONS**

**Applicable from 1 August 2019**

### **DEFINITIONS**

**'Breeder Nomination Fee'** means for eligible horses turning one year of age on 1 August 2019 - \$715 (including GST).

**'Breeder Nomination Form'** means the form for nomination of an eligible horse, which should be duly completed and signed by the Westspeed breeder and forwarded to RWWA by **4pm** on **Thursday 11 July 2019**, accompanied by the breeder nomination fee.

**'Eligible Horse'** means any yearling which meets one or more of the following criteria:

(a) is the product of a sire standing in Western Australia at the time the dam is served (irrespective of the ownership of the dam).

(b) is by any sire and is

(i) the product of a mare which is at least 50% owned by a WA based breeder at the time the yearling was conceived, as recorded by the Australian Stud Book; or

(ii) the product of a mare which was served by a WA based sire in the season following that in which the yearling in question was conceived.

**'Registered Breeder'** means the entity recorded by the Australian Stud Book as the breeder of a particular horse. This entity must have the first option to breeder nominate the horse for the scheme, but can assign this option to a third party by providing written permission for that entity to participate in Westspeed as the breeder of the horse in question. In doing so, the registered breeder relinquishes any claim to Westspeed breeder bonuses for that horse, but such an assignment applies to Westspeed participation only and in no way impacts upon any of the other 'rights or obligations', inferred upon a registered breeder as per the Australian Stud Book.

**'RWWA'** means Racing & Wagering Western Australia as the Principal Racing Authority for Western Australia under the Australian Rules of Racing.

**'Westspeed Breeder'** means the entity from which RWWA has accepted a 'Westspeed Breeder Nomination' and to whom any future Westspeed breeders bonuses will be paid.

**'Winner'** means the official winner of a given race as declared by the RWWA Stewards. In the event of more than one participating horse being declared the winner of a race by way of a dead heat, then the race bonus shall be shared by the registered breeder of each of those horses in accordance with their level of participation.

### **BREEDER NOMINATIONS**

1. An eligible horse shall be considered Westspeed breeder nominated if,

(a) It is NOT a participant in a yearling sale and a breeder nomination form and fee is lodged with RWWA before 4pm on 11 July 2019.

(b) It is entered in a yearling sale as a Westspeed participant (\*) and,

(i) A **sale is completed**, in which case the sales company will deduct the Westspeed breeder nomination fee from the sale proceeds, where possible, and forward it to RWWA.

(ii) A **sale is NOT completed**, in which case 1 (a) applies.

*(\*) Note: If the vendor or their agent indicate on the sale nomination form that they wish the yearling to be a Westspeed participant, then this shall constitute approval for the horse to be nominated as per (b)(i) without further notice, and will be considered the same as if a breeder nomination form had been completed and lodged with RWWA and shall see such vendor or their agent bound by the terms and conditions of the scheme.*

2. Should a yearling **NOT** be a Westspeed participant upon entering the sale ring or being withdrawn from the sale, then no such horse may be nominated for the scheme by its breeder subsequent to the completion of that sale.

3. In paying the Westspeed breeder nomination fee for a particular horse, the Westspeed breeder provides the entity which subsequently becomes the registered owner of that horse (which may or may not be the same entity as the breeder) with the option of lodging an owner nomination form with RWWA, thus making the horse **fully** Westspeed nominated .

## **BREEDER BONUSES**

The following "Westspeed Breeder Bonus Schedule" applies for the 2018/19 racing season (a GST gross up will be added if applicable) and is subject to change if stakes changes are applicable in subsequent seasons to maintain the 'status quo' of bonuses payable at each race meeting category.

<b>Tier</b>	<b>Advertised Stakes</b>	<b>Breeder Bonus</b>
1	\$50,000 - \$100,000	\$5,500
2	\$19,000 - \$49,999	\$2,750
3	\$14,000 - \$18,999	\$1,400
4	less than \$14,000	\$700

*The race bonus does not constitute any part of the prize money payable under the Australian Rules of Racing for a designated race and it is a condition of any designated race that the race bonus is not considered a prize under AR 1.*

4. A deduction from the above advertised bonus amounts of 6% and 3% will be paid to the Trainer and Jockey respectively.
5. All Westspeed bonuses shall be credited to the bank account recorded by RWWA of the nominated breeder(s).
6. Any Westspeed bonus won does not constitute any part of the prize money payable under the Rules of Racing for a designated race and it is a condition of any designated race that the race bonus is not considered a prize under AR 1.

## **BONUS AVAILABILITY**

7. The Westspeed breeder of a nominated horse will receive a bonus, as described above, for
  - (i) All wins recorded at two years of age in TAB covered events conducted in Western Australia
  - (ii) All wins recorded at three years of age in TAB covered events conducted in Western Australia.
  - (iii) All wins recorded at four years of age in TAB covered events over a distance of 1750 metres or more, conducted in Western Australia (Westspeed Stayers Bonus).
8. The Westspeed Breeder of participating horses will receive one bonus of half the amount detailed in the above table, if they record their first career win at four years of age in a TAB covered race run in WA, which is over a distance of less than 1750 metres (First Win Bonus).
9. All participating horses and their level of participation will be denoted against their name in the official race book.

## **EXCLUSIONS, VARIATIONS & TERMINATION**

10. Notwithstanding any other rule, RWWA may, without reason or cause being shown and without correspondence being entered into, at its absolute and unfettered discretion
  - (i) Refuse to accept lodgment for any nomination forms or fees.
  - (ii) If pursuant to Westspeed Rules, RWWA refuses to accept the lodgment of any forms or fees for an eligible horse, then RWWA shall return to the breeder and/or the owner of that eligible horse as the case may be, any of the fees previously lodged with RWWA for that eligible horse.
  - (iii) Withhold payment of the race bonus until it,
    - (a) Is satisfied that each eligible person is entitled to receive their respective proportions of the race bonus under these Terms and Conditions; or
    - (b) Is satisfied that the qualified horse has tested negative to a swab taken by the Stewards pursuant to the Rules of the Racing.
    - (c) Is satisfied that there has been no breach of the Rules of Racing.
  - (iv) Determine at any time during the period of the Scheme, any amount of money payable to the connections as a race bonus, in such proportions as RWWA may prescribe from time to time by publication in the Thoroughbred Racing Calendar.

## **RWWA NOT LIABLE**

11. RWWA and its Board, Agents, Employees and Officials shall not be liable for any loss or damage of any kind whatsoever, caused by any of their respective acts or omissions, whether negligent or not, in the administration of the Scheme.