

# Notice regarding the number of members in a Syndicate and New Rule in relation to Secret Commissions

## Number of members in a Syndicate

Racing Australia previously made an amendment to AR.69(c) to correlate with ASIC's decision to increase the maximum number of members in a registered syndicate from 20 to 50 (for the purposes of obtaining exemption from a number of the provisions of the Corporations Act in respect of managed investment schemes).

Syndicates containing from 20 to 50 members are restricted to those entitled to exemption under ASIC Corporations (Horse Schemes) Instrument 2016/790 (or any instrument, regulation or class order that replaces or supersedes that Instrument.)

Further amendments are therefore required to Rules AR.69 and AR.69A(b), to properly reflect the decision of ASIC.

Also, the wording "Subject to AR.69F" at the beginning of AR.69 is redundant as AR.69F was rescinded in December 1998.

The following rules will therefore be amended accordingly as follows;

### 1. Amend AR.69 as follows:

"**AR.69.** A horse shall not be entered or raced except by;

- (a) A natural person, or a combination of not more than twenty natural persons.
- (b) A syndicate.
- (c) A combination of one or more registered syndicates and/or natural persons totalling in all not more than twenty.

Provided the syndicate has been registered in accordance with the Rules of Racing and complies with the Regulations."

### 2. Amend AR.69A(b) as follows:

"**AR.69A.**

...

- "(b) A combination of persons not exceeding twenty (or fifty in the case of a horse racing syndicate entitled to exemption under ASIC Corporations (Horse Schemes) Instrument 2016/790 (or any instrument, regulation or class order that replaces or supersedes that Instrument))."

Any queries in regard to the number of members permitted in a Syndicate should be directed to the RWWA Licensing and Registration Department.

### **New Rule AR.28 in relation to Secret Commissions**

This rule deals with the issue of Secret Commissions in racing.

This new rule applies to all those involved in the selling and trading of Thoroughbreds. Any such person must not receive, solicit or offer any payment or benefit that has not been fully disclosed and consented by all parties involved in the ownership, sale and purchase of that horse.

Please refer to the RWWA Rules of Racing that appear in the Industry - Integrity section of the RWWA website for details of the wording of AR.28.

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