



TRAINING TRACK BYLAWS

1. Racing Club Facilities

The land and facilities covered by the constitution and these bylaws (the “Bylaws”) of the Racing Club shall include all roads, walkways, accesses, grounds, racing and training tracks, swimming pool, horse stalls and all buildings used primarily in association with the training of horses, owned by or under the control of the Racing Club being hereinafter collectively referred to as “Racing Club facilities”.

2. Application of Bylaws

These Bylaws shall be binding upon all persons who enter upon or use or attempt to use Racing Club facilities and all such persons:

- a) shall at all times be deemed to have full knowledge of these Bylaws and of their rights, duties, liabilities and obligations hereunder;
- b) agree to be bound by the decisions and acts of the Committee and Hearings Committee authorised by these Bylaws to give decisions; and
- c) shall at all times comply with the New Zealand Rules of Racing and all directives issued by the Board of NZTR pursuant to those Rules.

3. Definitions

- a) **“Committee”** referred to in these Bylaws is the duly elected committee / board of the Racing Club.
- b) **“Course Manager”** means the duly appointed Course Manager of the Racing Club facilities or other person acting for the time being in their absence.
- c) **“Hearings Committee”** referred to in these Bylaws shall be any three persons appointed by the Chairman or in his absence the Deputy Chairman or their Nominee. Such persons need not be a committee member of the Racing Club. The Chairman or in his absence the Deputy Chairman or their nominee shall appoint the Chairperson of the Hearings Committee.
- d) **“Misconduct”** shall have a general meaning and also includes assault, disorderly conduct, abusive, insulting, offensive or threatening language, ill-treatment or cruelty to a horse, failing or refusing to comply with a lawful order or directive from the Course Manager or other person acting in their absence or any other act deemed by the Hearings Committee to be misconduct.
- e) **“NZTR”** means New Zealand Thoroughbred Racing.
- f) **“Permit”** means a permit issued to a person to use the Racing Club facilities.

- g) **“Chairman”** means the Chairman of the Racing Club or other person acting for the time being in their absence.
- h) **“Racing Club”** means the Waikato Racing Club, being a Racing Club as registered under the First Schedule of the New Zealand Rules of Racing.
- i) **“Secretary”** means the duly appointed Secretary / General Manager of the Racing Club or other person acting for the time being in their absence.
- j) **“Deputy Chairman”** means the Deputy Chairman of the Racing Club or other person acting for the time being in their absence.

4. Functions of Hearings Committee

- a) To hear and determine any complaint received by the Secretary in connection with the Racing Club facilities or these Bylaws.
- b) To hear and determine any allegation or complaint referred to it by the Secretary which is made by the Course Manager or acting Course Manager for any breach or non-compliance of these Bylaws.
- c) To hear and determine any other matter touching or concerning the Racing Club facilities and these Bylaws.
- d) All hearings of the Hearings Committee in terms of the Bylaws in this sub-section shall commence as soon as practicable after and not more than five days from the date the Secretary receives a complaint or allegation or a request for a determination.
- e) The Hearings Committee, the complainant and the person or persons against whom the Course Manager has made an allegation or complaint, shall be notified in writing of the time, date and place of the hearing at least 48 hours prior to such a hearing. Such notification shall include a summary of the allegation or complaint to be determined.
- f) Either party at a hearing shall be entitled to be legally represented or to be assisted by an Advocate and to give evidence, cross-examine witnesses and to call witnesses on their behalf.
- g) The conduct of the hearing shall otherwise be carried out in an informal manner
- h) The Hearings Committee shall as soon as practicable after the hearing, provide each party with a written copy of its decision.

The Hearings Committee may do all or any of the following:

- i) Request the Committee or direct the Course Manager to take any or all such actions which the Hearings Committee may deem necessary to satisfy any reasonable complaint.
- ii) Restrict or withdraw horse access to any of the Racing Club facilities.
- iii) Impose a fine (of such amount as the Committee may direct from time to time) for a breach or non-compliance of these Bylaws.
- iv) Suspend the Permit of a permit holder for a breach or non-compliance of these Bylaws for a period not exceeding twelve months from the date of the Hearings Committee’s decision.
- v) Cancel the Permit of a Permit holder without refund of any fees.

- vi) Restrict or prohibit any person from entering upon or using the Racing Club facilities for a breach of these Bylaws for a period not exceeding two years.
- vii) Request the Committee to take any other action the Hearings Committee may deem necessary.
- viii) Where any fine is not paid within 30 days, the sum outstanding may be referred to NZTR, to be placed on the Arrears List.

5. Cancellation of Permit

Where the holder of a Permit becomes a disqualified or suspended person or is placed on the Arrears List pursuant to the New Zealand Rules of Racing such Permit shall *ipso facto* be deemed to be cancelled.

6. Conduct

All persons, whether a permit holder or otherwise, present at the Racing Club facilities shall conduct themselves at all times in an orderly manner. Any such person who Misconducts him or herself in any way may be summarily dismissed from the facilities by the Course Manager for the period up to the hearing by the Hearings Committee as set out in paragraph 4 of these Bylaws.

7. Dismissal

Where any such person as referred to in paragraph 6 is dismissed from the Racing Club facilities, the Course Manager shall as soon as practicable report such dismissal to the Secretary who shall in turn arrange for the Chairman to set up a Hearings Committee to determine the allegation or complaint in accordance with these Bylaws.

8. Complaints

Any person, other than the Course Manager, desiring to make a complaint in connection with any matter or matters subject to these Bylaws, shall do so in writing to the Secretary who shall arrange for the Chairman to set up a Hearings Committee to determine the allegation or complaint.

9. Application for Permit to Train at the Racing Club Facilities

Any person who wants to train at the Racing Club facilities shall first apply to the Racing Club for a Permit to train at the Racing Club facilities on the prescribed form. The applicant must hold a Class A, B or C trainer's licence or a Class A (riding) or B miscellaneous licence with NZTR. The Course Manager shall satisfy himself that the applicant is competent to carry out all required functions. A Permit shall not be granted until the applicant has completed a familiarisation tour of the Racing Club facilities with a Racing Club official and has signed the prescribed form confirming that they have possession of and have read a copy of these Bylaws, and agree to abide by them.

10. Visiting Trainers Orientation

All visiting trainers or staff acting in their absence must complete a track familiarisation course with a Racing Club official before going onto any tracks.

11. Rider Orientation

Any person, who desires to ride at the Racing Club facilities, must firstly have completed a familiarisation tour of the facilities with a Racing Club Official and sign the prescribed form

confirming that they have possession of and have read a copy of these Bylaws, and agree to abide by them. Such person must also provide evidence of an appropriate NZTR riding licence, being either a Class A, B, C, D or E rider's licence, or a Class A (riding) or B miscellaneous licence.

12. Control and Supervision

The control and supervision of the Racing Club facilities is the duty of the Course Manager. All persons who enter upon the Racing Club facilities shall obey these Bylaws and all issued directives, instructions, requests and special conditions or restrictions made with regards to the use of the Racing Club facilities. It is the responsibility of the holder of a Permit, any visiting trainer or foreperson of such trainer, to ensure that their employees, jockeys, track riders, clients and any visitors, are conversant with these Bylaws.

13. Requests, Queries, Concerns or Complaints

In the first instance, any requests, queries, concerns or complaints must be directed to the Course Manager. If the problem remains unresolved, then the request, query, concern or complaint is to be directed to the appointed trainers' representative. If the response to or resolution in relation to the request, query, concern or complaint is unsatisfactory then a written statement detailing the problem should be forwarded to the Secretary of the Racing Club.

14. Accounts

All accounts are to be paid by the 20th of the following month. The Racing Club reserves the right to charge interest on overdue accounts. The Racing Club reserves the right to action pursuant to the NZ Rules of Racing (Arrears List) and to seek legal assistance in collecting outstanding debts. The Permit holder will be liable for all costs incurred collecting overdue accounts. The Racing Club reserves the right to withdraw the access of a Permit holder to its Racing Club facilities if an overdue account remains unpaid.

15. Riders and/or Horse Attendants

The Course Manager or other Racing Club track or pool official may refuse any rider or stablehand access to the track or pool if such a rider or stablehand, in the opinion of such official, has displayed a lack of experience and competence in their handling of such horse, so as to create a possible safety hazard, or if in the opinion of such official, such person displays visible signs of being under the influence of alcohol or drugs.

The Course Manager or other Racing Club track or pool official may refuse any rider or stablehand access to any of the Racing Club facilities until such person produces to the Secretary of the Club a medical certificate from a registered medical practitioner certifying that such person is not under the influence of alcohol or drugs or that such person by reasons of a previous injury is medically fit to resume their normal duties.

16. Supervision

For safety reasons, children, must be supervised by a parent, guardian or suitably qualified person at all times.

17. Ill Treatment of a Horse

Any person who ill-treats a horse in any manner on the Racing Club facilities, may be directed to desist from their action by the Course Manager or other Racing Club official. Such Racing Club officials may also refer the ill-treatment by way of complaint or allegation to the Secretary of the Club for determination by the Hearings Committee.

18. Horse Diseases and Infections

The Course Manager or any other Racing Club official may refuse or restrict entry to any of the Racing Club facilities to any horse that is judged to have, or could reasonably be at risk of having, a clinically evident contagious or infectious disease.

19. Bylaws and Changes

A current copy of the Bylaws will be displayed on the Track Notice Board at all times. A copy of the same is available for perusal at the office of the Racing Club during normal office hours. The Racing Club reserves the right to update or change any of these Bylaws whenever they deem it necessary to do so. When a current bylaw is changed or a new one enacted, a copy of such bylaw will be placed on the notice board and a copy kept in the office of the Club and shall be available for perusal during normal office hours. The trainers' representative will also be supplied with a copy of the change/s to the Bylaws.

20. Liability

The Racing Club, including the board or any officer, member or servant of the Racing Club shall have no liability for any direct, indirect, special, economic or consequential loss (including, without limitation, any loss of revenue, profits or opportunities), injuries or damage suffered or incurred by any Permit holder, their employees or other person resulting from the use of the Racing Club facilities, whether caused by the negligence or otherwise arising out of the actions or conduct of any Permit holder, their employees or other person and whether or not the Racing Club, Trainer, Rider, Stablehand or other person was aware or should have been aware of the possibility of such loss, injury or damage.