



**TERMS AND CONDITIONS FOR THE PAYMENT OF 2% OF PRIZEMONEY TO LICENSED STABLEHANDS - EFFECTIVE FROM 1 September 2022 (Updated 1 July 2023)**

**NSW Licensed Trainers and Staff** – for Non-NSW, separate Terms and Conditions Apply

1. A licensed Staff members' entitlement will be calculated on a pro-rata basis of hours worked, calculated as a percentage of total licensed Staff hours for that Trainer for the Quarter. With that information, 2% of the total prizemoney earned by the Stable or the Quarter will be divided accordingly. Prizemoney will be distributed to the employees relative to each horse's primary Stable location (by State);
2. Payment is for NSW licensed Stablehands, Riders and Forepersons engaged by Trainers licensed by Racing NSW with a permanent stable in NSW that meet the following criteria:
  - are paid wages at = or > than the relevant Award Rate up to a maximum of \$38.05 per hour (Annual pay \$74,196 gross);
  - are paid wages for a minimum of 4 hours work per week or 50 hours per Quarter;
  - have successfully completed Horse Safe Induction;
  - have successfully completed Stablehand and or Trackwork Rider qualification or appropriate skill set: New licencees will receive 50% of the 2% bonus on enrolment, with the remaining 50% held in trust until the licensee completes the qualification.

Undistributed prizemoney will be credited to a pooled fund to be utilised for financial assistance and welfare payments for Stablehands and Trainers.

3. A Trainer submits details of the hours worked by each licensed Staff member who has been employed by them, electronically via the Racing NSW website [www.racingnsw.com.au](http://www.racingnsw.com.au)
4. Information is to be submitted:
  - Quarterly: For Trainers whose total annual wages exceeds \$7,500, at the end of each Quarter being 30 September, 31 December, 31 March & 30 June.
  - Bi-annually: For Trainers whose total annual wages is less than \$7,500, bi-annually being 31 December & 30 June

The information must be submitted by Trainers by the 21<sup>st</sup> of the following month. Payments will be made within five (5) business days after that date. Any information submitted subsequently to the due date will be processed on an as needs basis.

5. The following information will need to be submitted:
  - Name and address of licensed Staff member (a link to the Trainer's current staff list if available);
  - Number of hours worked;
  - Period which the person was employed (e.g. all of the Quarter or part thereof).
  - Evidence of current licence status of Trainer and Employee if required
6. "Hours worked" is the numbers of hours completing duties related to stable, strapping and riding tasks whilst at work during that Quarter – **See further definition next page**. Periods on Workers compensation are not included in the payment scheme.

7. A Trainer should complete the hours that each eligible Licensed Staff member worked during the Period and if the staff member has left their employ provide a finishing date. The person is entitled to that portion of the payment. If the person starts work with another trainer during the Quarter they are eligible for part payment from that Trainer's stable prizemoney for the second period worked.
8. The payment is intended for Licensed Stable Workers and riders only. If (for example) a Trainer or Jockey also holds a Stablehand or Foreman's licence they are not eligible for the payment.
9. Licensed Staff will only be paid via a bank account which is required to be submitted to Racing NSW. Bank details can be lodged electronically via the Racing NSW website.
10. Racing NSW recommends that you seek advice from your own professional taxation advisor in respect of your particular circumstances. Whilst not providing you with advice, it appears to Racing NSW that the stablehand payment forms part of your assessable income and should be included in your income tax return during the income year it is derived (which ordinarily would be when it is received). Accordingly, it is important that you seek advice on this issue to ensure that you comply with your taxation obligations.
11. Racing NSW may conduct Audits to verify the information submitted by Trainers. This may require the provision of BAS statements, Payroll records, Payslips, Bank Statements and other information and interview. By lodging a return to Racing NSW for stablehand bonus payments, Trainers agree to provide full access to any accounts and records (including financial records and payroll records) as may reasonably be required to enable Racing NSW to review, monitor or verify compliance with the Standard Conditions. In the event that any audit or other investigation identifies that monies have been overpaid then the Trainer is required to repay any such monies and may be subject to further sanction under the Rules of Racing.

**All information provided by Trainers and licencees must be true and correct. It is a serious offence under the Rules of Racing to make a false declaration. See next page Australian Rule of Racing 229(h) and Local Rules 81A and 110. Referral to outside agencies may also occur.**

Trainers are required to keep proper wages/payroll and payment records, (see LR81A). Further, it is an offence to provide false or misleading statement of declaration (see AR229(h) and LR110).

**AR 229 Corruption, dishonesty and misleading behaviour:**

- (1) A person must not:
  - (a) make a false or misleading statement or declaration in relation to a matter in connection with the administration or control of racing;

**LR 81A.** Every trainer must keep wages/payroll and payment records, as approved by Racing NSW in which the name, class of employment and the current earnings of each employee, including persons engaged under contract for service, must be kept. The wages/payment records must be made available for inspection on demand by Racing NSW, the Stewards or an official authorised by Racing NSW.

**LR 110.** Racing NSW may penalise, decline to receive nominations and entries from, or impose conditions on the licence of, any licensed person, owner or other person engaged in or associated with racing who fails or refuses to comply with any order, direction or requirement of Racing NSW, the Stewards or any official, or provides in any format false or misleading information to Racing NSW.

**Condition 6** "Hours worked" – The example below explains duties that should be included when entering number of hours claimed and those that shouldn't.

| <b>Tasks to be included</b>   | <b>Tasks excluded</b>   |
|---|---|
| <ul style="list-style-type: none"> <li>• Stable work, mucking out, feeding, watering</li> </ul>   | <ul style="list-style-type: none"> <li>• Administration work, office, nominating, accepting, booking jockeys</li> </ul>   |
| <ul style="list-style-type: none"> <li>• Preparing horses for trackwork</li> </ul>  | <ul style="list-style-type: none"> <li>• Clocking, speed maps, form review</li> </ul>   |
| <ul style="list-style-type: none"> <li>• Leading horses to the track/pool, walking horses including for afternoon pick</li> </ul>   | <ul style="list-style-type: none"> <li>• Raceday as substitute trainer, collecting saddle and saddling up as Trainer - separate role to horse's strapper</li> </ul> |
| <ul style="list-style-type: none"> <li>• Riding</li> </ul>  | <ul style="list-style-type: none"> <li>• Owner's communication and management including raceday.</li> </ul>   |
| <ul style="list-style-type: none"> <li>• Grooming, washing horse, cleaning gear</li> </ul>  |   |
| <ul style="list-style-type: none"> <li>• Strapping raceday or barrier trials including loading the horse on float, attending the horse during transport, attending the horse in the horse stall area, leading in mounting yard</li> </ul> |   |
| <ul style="list-style-type: none"> <li>• Other trackwork/swim - including Loading the horse on float, attending the horse during transport for beach/river swim or off-site trackwork/exercise</li> </ul>                                 |   |

