

1. Scope

The Australian Rules of Racing AR.1.; contains the following definitions:

“**Registrar of Racehorses**” and the “**Registrar**” mean RA or any agent appointed by it.

“**Deputy Registrar of Racehorses**” and “**Deputy Registrar**” mean any person appointed to act as such by a Principal Racing Authority provided that the name of the appointed person is notified as soon as practicable to the Registrar of Racehorses.

This policy applies only to the “**Registrar of Racehorses**” and the “**Registrar**” as defined in AR.1.

This policy does not apply to the “**Deputy Registrar of Racehorses**” and “**Deputy Registrar**” as defined in AR1.1

The Australian Rules of Racing AR.22.; includes the following definition:

AR.22. If a registered horse be transferred to a new owner, the transferee shall apply for registration of the transfer to the Registrar or a Deputy Registrar on the prescribed form. Any such application by a syndicate shall be sufficient if signed by a majority of the trustees or by the registered manager thereof.

The Registrar or Deputy Registrar or the Stewards may, whether or not the transfer has been effected, inquire into the bona-fides of the transaction and the identity of the persons or horses concerned, and whether they or any of them are under any disability under the Rules. If the Registrar, Deputy Registrar or the Stewards is or are not satisfied as to the bona fides of the transaction or the identity of the persons or horses concerned, or determine that they or any of them are subject to a disability under the Rules, the Registrar, Deputy Registrar or the Stewards may reject the application for transfer or, if it is already effected, set aside that transfer. Until such transfer is registered the horse shall not be permitted to start in any race without the leave of the Principal Racing Authority or the Stewards who may impose such conditions as they see fit.

2. Policy

‘The position of Registrar of Racehorses (**RoR**) in relation to disputes is as follows:

1. The RoR’s role is to record on the register of racehorses (**Register**) information regarding the ownership and identity of thoroughbred racehorses for racing in Australia. It is a function critical to the integrity of the racing industry. The RoR’s role and responsibilities in the racing industry are governed by the Australian Rules of Racing.
2. The RoR is not responsible for determining the legal ownership of thoroughbred horses. The RoR simply records the information as to ownership of thoroughbred horses.
3. When the RoR is informed in writing that there is a dispute concerning the ownership of a thoroughbred horse (**Dispute**) which is:
 - (a) recorded on the Register; or
 - (b) the subject of an application to be recorded on the Register,the RoR immediately makes an entry on the Register that there is a Dispute. As a consequence, the RoR will not process any changes to the ownership details entered on the Register and will not process any pending application to be recorded on the Register.
4. It is not necessary to join the RoR in any court proceedings, arbitration, mediation or other dispute resolution process relating to the Dispute. The joinder of the RoR will lead to additional and unnecessary legal costs in respect of which the RoR will seek appropriate costs orders against the parties to the proceedings or the arbitration.
5. The RoR will comply with the terms of any court order, arbitral award, mediation agreement or other settlement agreement relating to the Dispute following service of such order, award, mediation agreement or settlement agreement on the office of the RoR. For the avoidance of doubt, the RoR will make any changes to the Register required by the terms of such order, award, mediation agreement or settlement agreement.
6. Where the RoR is advised in writing of a dispute and the Dispute is not resolved by the Courts the RoR reserves its rights to resolve the Registration of the Horse under the Australian Rules of Racing including but not limited to AR22.
7. Where the RoR has been advised of a Dispute, the RoR will advise all Owners on the Application (or already Registered) of the Dispute and the actions taken by the RoR.