

**PRA**

*Edition 1-1: 5 May 2001  
Approved for use under the Racing (Proprietary Business Licensing) Act 2000*



**Application for the Grant of a Proprietary  
Racing Business Licence pursuant to  
section 18 of the Racing (Proprietary  
Business Licensing) Act 2000**

**Gaming Supervisory Authority  
South Australia**



## Application for the Grant of a Proprietary Racing Business Licence pursuant to section 18 of the Racing (Proprietary Business Licensing) Act 2000

[insert name and ACN/ARBN or other identifying number]

(**“the Applicant”**)

a body corporate, hereby makes application to the Gaming Supervisory Authority (**“the Authority”**) for the grant of a proprietary racing business licence pursuant to section 18 of the *Racing (Proprietary Business Licensing) Act 2000* (**“the Act”**).

### ACKNOWLEDGMENT

The Applicant acknowledges and agrees:

- (a) that pursuant to section 19 of the Act that the Authority must not recommend the grant of the licence unless satisfied that the applicant is a suitable person to carry on the licensed business and that in assessing a person's suitability the Authority must carry out the investigations it considers necessary to enable it to make an appropriate recommendation or decision;
- (b) that the Authority may require such further information as is necessary to fulfil the requirements of the Act in respect of an assessment of Applicants;
- (c) that the Authority may determine to require an Applicant to make specified payments towards the costs of any suitability assessment both before the investigation begins and during the course of the investigation, that such determination will be at the sole discretion of the Authority and that, if such payment is not made, the Authority may suspend or discontinue the investigation;
- (d) that the grant of a proprietary racing business licence (other than an interim licence) is contingent on the Applicant entering into an approved licensing agreement with the Minister responsible for the Act, and that the consent of the Authority is a pre-condition to the operation of such an agreement;
- (e) that the decision to grant of proprietary racing business licence is a discretionary government decision—which discretion may be withheld even in circumstances where the Authority recommends that a licence be granted.

### INFORMATION IN SUPPORT OF APPLICATION

In support of this application the Applicant provides:

- (a) responses to the matters set out in Titles 1–4 of this form



- (b) completed Company History Disclosure forms for each body corporate listed as a close associate of the Applicant;
- (c) completed Personal History Disclosure forms for each individual person listed as a close associate of the Applicant.

## EXECUTION BY THE APPLICANT

Dated:

*Customary sealing or signing clause of the Applicant  
[print name and address of each individual signing (as director,  
attorney, witness, etc)]*

}

## NOTES FOR COMPLETION

1. Type answers, or write them legibly and indelibly, on the form. If there is insufficient space, use an attachment page.
2. The person completing the form must sign or initial each page of the form and must complete the statutory declaration on page .
3. If in doubt, err on the side of provision of more information than necessary. (You may consult with the office of the Authority on answers to be provided.)
4. All individuals who are close associates will be required to be fingerprinted as part of the assessment process.
5. CHDs for body corporate close associate **must** accompany this form.
6. Applicants may elect to have individuals who are close associates submit their PHD forms directly to the Authority. However, this application will not be complete until a PHD form has been received in respect of each listed close associate.



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## Title 1. Description of proposed proprietary racing business

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1A At what location or locations will the Applicant conduct its proprietary racing business?

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1B What are the rules of racing the Applicant will use? *(NB: Use of rules is subject to detailed approval by the Liquor and Gaming Commissioner.)*

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1C What are the forms of racing the Applicant will conduct *(eg: flat racing, jumps racing, harness racing, etc)?*

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1D Which animals will be used and how will their identity be verified?

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[illegible]



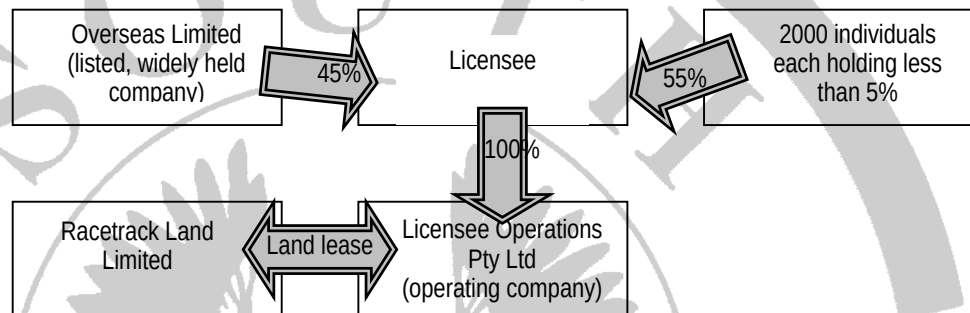
1H Briefly explain the Applicant's business model and business plan?



## Title 2. Corporate structure

- 2A Either draw below or attach a chart showing each entity or individual with a direct or indirect ownership of 5% or more of the Applicant and each entity in which the applicant has direct or indirect ownership of 5% or more. In addition, show major contractual relationships.

*Example:*









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**Title 4. Close associates**

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**Note** Under the Act, two persons are close associates for the purposes of this Act if—

- (a) one is a spouse, parent, brother, sister or child of the other; or
- (b) they are members of the same household; or
- (c) they are in partnership; or
- (d) they are joint venturers; or
- (e) one is a body corporate and the other is a director or executive officer of the body corporate; or
- (f) one is a body corporate (other than a public company whose shares are listed on a stock exchange) and the other is a shareholder in the body corporate; or
- (g) one is a body corporate whose shares are listed on a stock exchange and the other has a substantial holding in the body corporate; or
- (h) one has a right to participate (otherwise than as a shareholder in a body corporate) in, or is remunerated by reference to, proceeds or profits derived from a business conducted by the other; or
- (i) one is in a position to exercise control or significant influence over the conduct of the other; or
- (j) a chain of relationships can be traced between them under any one or more of the above paragraphs.

Some of the paragraphs relate only to individuals or “natural persons” and some relate only to entities or “bodies corporate” while others relate to both sorts of person.

The purpose of the items in this title is to identify all of the close associates of the Applicant, because in assessing the Applicant, the Authority is required to consider which close associates are relevant to the applicant and whether those close associates are suitable.

A PHD (personal history disclosure) or CHD (company history disclosure) document must accompany this application in respect of each close associate identified in this title.



***Title 4 continued***

- 4A List the directors and executive officers of the Applicant. ("Executive officer" includes, but is not limited to, the chief executive and every person who reports directly to the chief executive.

***Example:***

1. Sir Mark Time, Director (Chairman of Board).
2. Winston Leonard, Director (non-executive).
3. Spencer Churchill, Chief Executive.

**Title 4 continued**

4B List any other individual who is a close associate of the Applicant and the relevant relationships.

*Do not include—*

- (a) individual shareholders who in combination with their own close associates—such as family members—control less than 5% of the Applicant;
- (b) family member close associates of directors or executive officers.

*Example:*

1. J. West, Director of holding company (Overseas Limited).
2. L. MacKinnon, Steward.

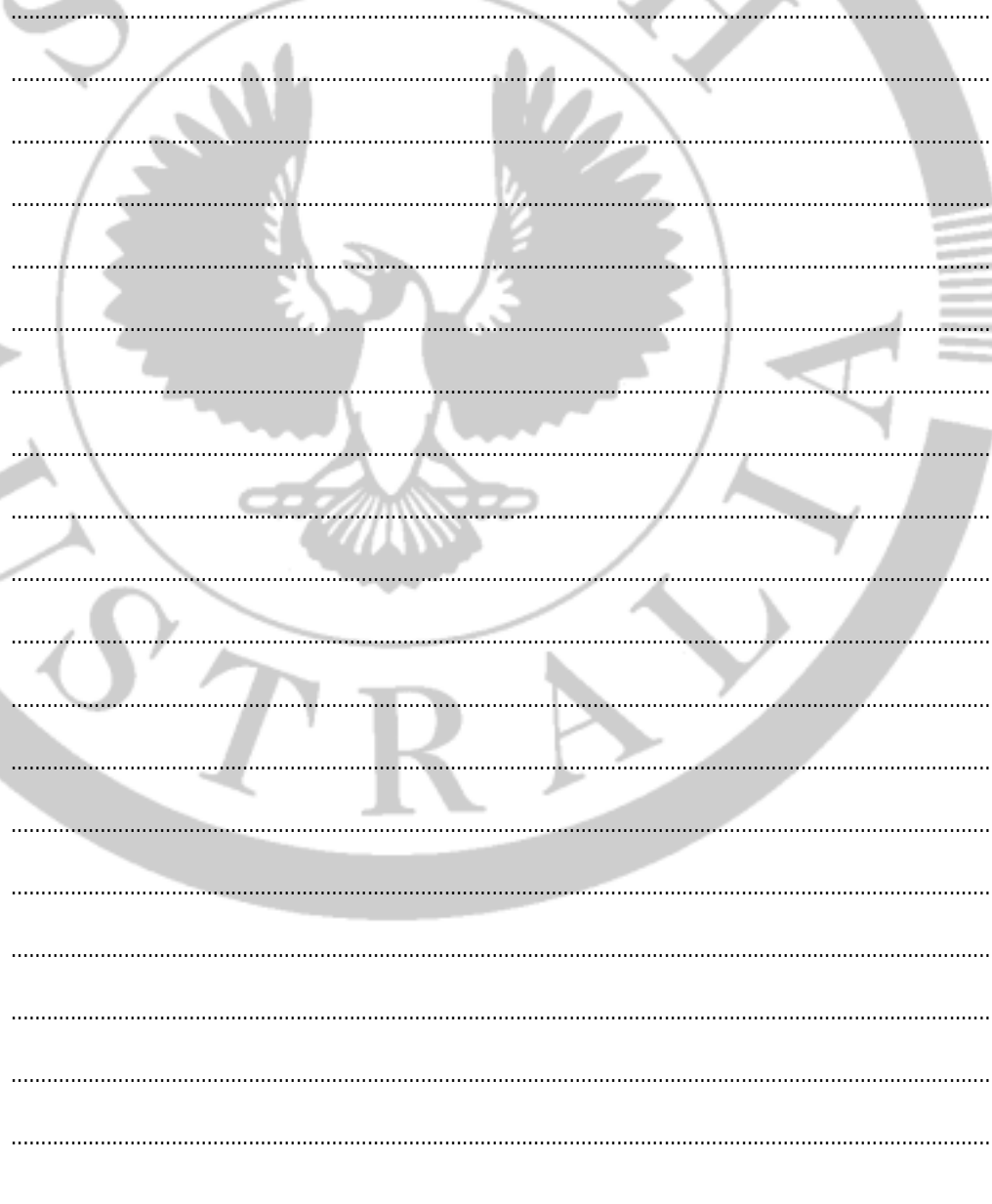


**Title 4 continued**

4C List every entity which is a close associate of the Applicant and the relevant relationship.

*Example:*

1. Overseas Limited, ARBN 345 678 910, 48% shareholder in Applicant.
2. Anonymous Dealing Pty Ltd, ACN 191 101 515, trust of L. MacKinnon Stewardship Trust.
3. Licensee Operations Pty Ltd, ACN 919 010 151, 100% owned operating subsidiary of Applicant.



**STATUTORY DECLARATION**

I, .....  
[full name]

of .....  
[address]

do solemnly and sincerely declare as follows:

- (a) I am the Secretary/Principal Executive Officer\* of the Applicant and am authorised to make this declaration on its behalf.
- (b) I have personally completed this form or have supplied all the information indicated herein.
- (c) I certify that the particulars contained herein in this form are true and correct in every detail and fully disclose the information requested and that the PHD and CHD forms provided with or in connection with this form are those of the Applicant and the persons listed in Title 4.

And I make this solemn declaration consciously believing the same to be true and by virtue of the provisions of the Oaths Act 1936/the law applying in the place this declaration is made\*.

**Declared and subscribed**

at .....  
[place]

on .....  
[date]

**before me:**

.....  
[signed]

Justice of the Peace

Notary Public

Commissioner for taking Affidavits in the Supreme Court of any Australian State or Territory \*

.....  
[Print name and address]

\*Strike out whichever is not applicable.



ATTACHMENT PAGE

*Continuation from Title [    ], Item [    -    ]*

