



Image courtesy Stuart McCormick

Information Guide & Nomination Form



Super VOBIS - Australia's Premier Owners
and Breeders Incentive Scheme
Nominations close 1st February
Late Nominations close 30th June

Conditions of Super VOBIS As at June 2008

Who receives a bonus?

1. Racing Victoria Limited will pay the applicable Super VOBIS Nominators Bonus to the Super VOBIS Nominator of a horse which is placed 1st, 2nd or 3rd in a programmed Nominators Race subject to the satisfactory outcome of any Racing Victoria Limited swab or inquiry procedure.
2. Racing Victoria Limited will pay the applicable Super VOBIS Owners Bonus to the Super VOBIS Owner of a horse which is placed 1st, 2nd or 3rd in a programmed Owners Race, subject to the satisfactory outcome of any Racing Victoria Limited swab or inquiry procedure.

Distribution of Super VOBIS Nominators and Owners Bonuses

3. (1) Subject to Condition 3 (2) the total Super VOBIS Nominators or Owners Bonus for a Super VOBIS Nominators or Owners Race is allocated as follows:-

Place in Race Percentage of Bonus

1st 70%

2nd 20%

3rd 10%

- (2) If there is a dead-heat for 1st, 2nd or 3rd place in a race which carries a Super VOBIS Nominators or Owners Bonus, the applicable Super VOBIS Nominators or Owners Bonus will be the aggregate of the amounts which would have been the applicable Nominators or Owners Bonuses for the Nominators or Owners of the horses which dead-heated had they finished in successive places, divided by the number of horses which dead-heated for that place. If one or more of the horses which dead-heated did not qualify for a Super VOBIS Nominators or Owners bonus the Nominators or Owners Bonus payable in respect of the horse or horses which dead-heated and were so qualified shall be calculated on the basis that each of the horses which dead-heated qualified for payment of a Nominators or Owners Bonus.

CATEGORIES AND FEES

4. (1) A horse within an Eligibility Category described below can be named on a Super VOBIS Form submitted to Racing Victoria Limited.

Eligibility Category A – Progeny of Victorian Stallions:

A foal which was conceived in Victoria and is by a stallion which (while in Australia) stood only in Victoria during the Stud Season in which the foal was conceived is within Eligibility Category A. Nominators Fee is payable by 1 February of the Racing Year in which the horse became a yearling.

Eligibility Category B – Breedback:

A foal which was conceived outside of Victoria and which is out of a dam which was served in Victoria in the Stud Season in which the foal was born by a stallion which (while in Australia) stood only in Victoria in that Stud Season is within Eligibility Category B. Nominators Fee is payable by 1 February of the Racing Year in which the horse became a yearling.

Eligibility Category C – Victorian Breeder:

A foal which was conceived outside of Victoria and which is out of a dam which was beneficially owned at the time of foaling as to at least 50% by one or more persons who were, at that time, Victorian Breeders is within Eligibility Category C if the foal and its dam each resided in Victoria for six continuous months during the period which commenced when that foal was born and expires on 1 February of the Racing Year in which the horse became a yearling. Nominators Fee is payable by 1 February of the Racing Year in which the horse became a yearling.

- (2) The Nominators Fee for a horse within more than one Eligibility Category is the lowest of the applicable Nominators Fees.

- (3) A late fee applies of 100% of the category fee if the nomination is entered and paid for after 1 February of the Racing Year in which the horse became a yearling. Late entries are accepted from 1 February until 30 June in the Year in which the horse became a yearling. All late entries must be accompanied by payment.

The Super VOBIS Nominator

5. The Super VOBIS Nominator of a horse means the person (if any) who:

- (1) is named as Super VOBIS Nominator on a duly completed Super VOBIS Form which relates to that horse, being a horse within an Eligibility Category.
- (2) at the time the Super VOBIS Form referred to in the paragraph (1) was submitted to Racing Victoria Limited, being some time on or after the date the horse was born and on or before 1 February of the Racing Year in which the horse became a yearling:
 - (a) also submitted the evidence reasonably required by Racing Victoria Limited to demonstrate that the horse falls within Eligibility Category A, Eligibility Category B or Eligibility Category C; and
 - (b) was:
 - (i) the lessee of that horse (or if there was more than one lessee, one of the lessees duly authorised in writing by the other lessees to be named as Super VOBIS Nominator); or
 - (ii) the owner of that horse (or if there was more than one owner, one of the owners duly authorised in writing by the other owners to be named as Super VOBIS Nominator); (an Eligible Nominator); and
 - (c) paid the Nominators Fee applicable to the Eligibility Category for which the evidence referred to in sub-paragraph (a) above was provided; and
- (3) is the first Eligible Nominator to submit a Super VOBIS Form in respect of that horse whose Super VOBIS Form is not rejected.

The Super VOBIS Owner

6. For the purposes of the payment of a Super VOBIS Owners Bonus, the Super VOBIS Owner of a horse is the person who is the owner of that horse, as defined in the Racing Victoria Limited Rules of Racing. (If that horse does not have a Super VOBIS Nominator it does not have a Super VOBIS Owner).

Payment of Bonuses

7. (1) **Nominators:** A Super VOBIS Bonus will be paid by single payment and will, in the case of a Super VOBIS Nominators Bonus be drawn in favour of and paid to the person first named as the Super VOBIS Nominator on the Super VOBIS Form. Nominators' bonus payments are not subject to any deductions. Payments will be paid via EFT to the nominated bank account.
- (2) **Owners:** Super VOBIS Owners will be paid by single payment (with race stakes money less any deductions) and will in the case of a Super VOBIS Owners bonus be drawn in favour of and paid to the first named as the Super VOBIS owner advised to Racing Victoria Limited.
8. (1) No interest will be payable by Racing Victoria Limited in relation to the payment of a Super VOBIS Bonus.
- (2) The amount of a Super VOBIS bonus calculated shall be increased by the amount of any GST payable by the Super VOBIS Nominator or Super VOBIS Owner in respect of the amount of the Super VOBIS Bonus, provided that the Super VOBIS Nominator or Super VOBIS Owner has completed and provided Racing Victoria Limited with the Racehorse Nominators ABN/GST declaration.

Forms

9. Each Super VOBIS Form must be signed by the person named as Super VOBIS Nominator on that form or by that person's duly authorised attorney. If a person signing the form is not the person named as Super VOBIS Nominator, the person signing declares to Racing Victoria Limited that he or she is duly authorised to sign the form as the attorney of the person for whom he or she is signing. Attorneys may not list themselves as the nominator unless permitted to do so in writing.
10. Racing Victoria Limited is not obliged to enquire into the right of a person to be named as Super VOBIS Nominator on a Super VOBIS Form or to sign as attorney of the Super VOBIS Nominator.
11. A person named as Super VOBIS Nominator on a Super VOBIS Form and each person who represents himself or herself as attorney of that person fully indemnifies and holds harmless Racing Victoria Limited against all claims, actions, demands, proceedings, liabilities, damages, amounts, costs and expenses (including legal costs and disbursements on a solicitor and client basis) whatsoever and howsoever arising paid suffered or incurred directly or indirectly as a result of or in connection with the person so named as Nominator not being an Eligible Nominator, any horse named on that form not falling within an Eligibility Category, any of the facts or statements inserted or made in any Super VOBIS Form or in any request made in relation to that form being incorrect in any way, or the attorney not being authorised to complete or sign that form or request in the form in which it is provided to Racing Victoria Limited.
12. Each Super VOBIS Nominator named on a Super VOBIS Form with his or her knowledge and each person who signs a Super VOBIS Form represents and warrants to Racing Victoria Limited that each horse named on that form falls within the Eligibility Category specified on that Form. If that representation and warranty is false then whether or not the Super VOBIS Nominator or signatory believed it to be true, the Super VOBIS Nominator and the signatory shall jointly and severally be liable to pay Racing Victoria Limited the sum of \$2,000 (or such smaller sum as determined by Racing Victoria Limited) and to refund all Super VOBIS Bonuses which have been paid in relation to the horse named on that form, and no further Super VOBIS Bonuses shall be paid in relation to that horse.

13. Racing Victoria Limited is entitled to use each Super VOBIS Form and the information contained in it for any purpose and to provide any form or disclose any of the information contained in it to any person.
14. Once signed, the form is a binding agreement between Racing Victoria Limited and the nominator. All nomination fees due are to be paid no later than 1 February of the nominating year with late fees due with nomination no later than 30 June of the nominating year. In the case of sale deductions: where the horse is passed in at sale or withdrawn from sale, all fees are due 14 days from the date of the sale in which the horse was entered.

General

15. Racing Victoria Limited in its sole and absolute discretion may waive or modify a requirement of one or more Conditions in a particular instance or instances and may require as a condition of doing so that additional requirements be met.
16. Notwithstanding anything contained in these Conditions, Racing Victoria Limited has power to determine in its sole and absolute discretion entitlement to be named as Super VOBIS Nominator on a Super VOBIS Form and entitlement to any Super VOBIS Bonus.
17. (1) Racing Victoria Limited
 (a) takes no responsibility for determining and has no obligation to inquire into or advise as to whether, and
 (b) is not liable to any person in any way if it incorrectly states that, a horse is or is not within any Eligibility Category.
- (2) Racing Victoria Limited
 (a) has no obligation to notify any person (other than a Super VOBIS Nominator or a Super VOBIS Owner upon request) that a horse has been nominated for Super VOBIS or is Super VOBIS qualified; and
 (b) is not liable to any person (including the Super VOBIS Nominator) in any way for failure to make that notification.
- (3) These Conditions may be amended by Racing Victoria Limited, without notice at any time, including but not limited to reducing the number and size of Super VOBIS Bonuses, altering the Nominators Fees and altering the definitions of the Eligibility Categories. Racing Victoria Limited shall not be liable in any way if these Conditions are amended.
- (4) All persons named as Super VOBIS Nominators agree by submitting a Super VOBIS Form for themselves and on behalf of persons whose claims arise through them to be bound by these Conditions (as amended from time to time) and release Racing Victoria Limited from claims in relation to the matters dealt with by the preceding paragraphs 17(1), 17(2) and 17(3) and Condition 19.
18. Racing Victoria Limited may delegate to a sub-committee, appoint or employ any person to undertake, or assign its role or any aspect of its role in relation to Super VOBIS.
19. Racing Victoria Limited may terminate Super VOBIS at any time. Neither Racing Victoria Limited nor any other person shall be liable to any person in any way if Super VOBIS is terminated.
20. No refund, in full or in part, of a Nominator's Fee is payable except as follows:-
 (1) If Racing Victoria Limited terminates Super VOBIS, Racing Victoria Limited shall determine and refund to those Super VOBIS Nominators determined by it the proportion (if any) of the balance of the fees paid to it in respect of Super VOBIS after deducting expenses incurred in respect of Super VOBIS, liabilities (contingent or otherwise) incurred in respect of Super VOBIS and Super VOBIS Bonuses paid or liable to be paid by it which it in its sole and unfettered discretion thinks is appropriate;
 (2) If any Super VOBIS Form is rejected by Racing Victoria Limited (which it may determine to do in its sole discretion at any time on or before the commencement of the horses 2YO Racing Year without having or giving any reason therefore), any fee paid in respect of a horse nominated on that form shall be refunded in full;
 (3) If the horse dies prior to 1 February in the year in which the horse became a yearling.
21. All references to Racing Victoria Limited in these conditions shall be construed as including references to the Board of Racing Victoria Limited, Racing Victoria Limited officers and agents and every person, committee, board and organisation to whom or which any aspect of Racing Victoria Limited's role has been directly or indirectly delegated or assigned or by whom any aspect of Racing Victoria Limited's role has been undertaken.

Super VOBIS Guarantee

22. Super VOBIS Guarantee - foals born 2004 onward. Horses nominated to Super VOBIS are eligible for a Super VOBIS Guarantee payment of \$2,000, payable for their first race win provided that it is a Victorian TAB race. This does not include Group and Listed races or races carrying any other advertised Super VOBIS bonus. This bonus is only applicable to horses born in the 2004 season and thereafter.



Interpretation

23. In these Conditions:-
- (1) "GST" means tax that is payable or imposed as goods and services tax under the GST law as defined in the GST Act.
- (2) The "GST Act" is the Act of Parliament titled A New Tax System (Goods and Services Tax) Act 1999.
- (3) "Group and Listed Races" has the same meaning as it has in the Racing Victoria Limited Rules of Racing.
- (4) "Stakesmoney" means money only (excluding Super VOBIS Bonuses) and does not include cups, trophies or any material gain or benefit capable of being valued in money earned by a horse from whatever source for any person.
- (5) "Director of Racing Operations" means the person who from time to time holds that office and if there is a vacancy in that office the Chief Executive Officer of Racing Victoria Limited or a person nominated by that Chief Executive Officer.
- (6) "Racing Year" means 1 August to 31 July in the next year.
- (7) "Victorian Breeder" is a person:
 (a) who or which breeds thoroughbred horses and in the absolute opinion of Racing Victoria Limited:-
 (i) being an individual, is ordinarily resident in Victoria;
 (ii) being a partnership, comprises individuals ordinarily resident in Victoria and/or companies (as described in sub-paragraph (iv) of this Condition) who or which beneficially own at least a 50% of the capital of the partnership;
 (iii) being a joint venture, comprises individuals ordinarily resident in Victoria and/or companies (as described in sub-paragraph (iv) of this Condition) who or which beneficially own at least a 50% interest in the joint venture;
 (iv) being a company, has members ordinarily resident in Victoria who beneficially own shares in the company carrying the right to:
 (A) exercise at least 50% of the voting power in the company;
 (B) receive at least 50% of any dividends that may be paid by the company; and
 (C) receive at least 50% of any distribution of capital of the company. If more than one category of Victorian Breeder referred to in this Condition owns the beneficial interest in the dam then Victorian residents must in the opinion of Racing Victoria Limited directly or indirectly beneficially own at least 50% of that dam; or
 (b) Although not within sub-paragraph (a), (i), (ii), (iii) or (iv) is in the sole and absolute discretion of Racing Victoria Limited determined by Racing Victoria Limited to be a Victorian breeder of thoroughbred horses (including without limitation a person who has a substantial investment in breeding thoroughbred horses in Victoria).
- (8) "Stud Season" means 1 August to 31 July in the next year.
- (9) "Super VOBIS" means the scheme governed by these Conditions as amended from time to time.
- (10) "Super VOBIS Bonus" includes an applicable Super VOBIS Nominators Bonus and an applicable Super VOBIS Owners Bonus.
- (11) "Super VOBIS Form" means a form approved by Racing Victoria Limited for applying to Racing Victoria Limited to register a horse for the Super VOBIS scheme.
- (12) "TAB races" are races on which the off-course totalisator is authorised to conduct betting.
- (13) Headings are for ease of reference and do not form part of or affect the construction of these Conditions.
- (14) Other parts of speech of defined terms have corresponding meanings.
- (15) The singular includes the plural and vice versa and words importing a gender include other genders.
- 23.2. Racing Victoria Limited may in its sole and absolute discretion determine that for the purpose of qualifying as a Victorian Breeder under Category C in Condition 4(1) a lessee under a lease of a Dam is or was the beneficial owner of that Dam.
- 23.3. These Conditions are subject to the Rules of Racing of Racing Victoria Limited.



Nomination Form

ENTRY CLOSING DATE 1ST OF FEBRUARY
LATE NOMINATIONS CLOSE 30TH OF JUNE

ABN 68 051 361 582

Managing Nominator (Full Name)		Nominator DOB / /	
Nominator's Postal Address		Postcode	
Telephone (Bus. hours)	Telephone (After hours)	Mobile	
Email Address		Facsimile	



ABN 68 051 361 582

TAX INVOICE
Note: This document will be a tax invoice for GST when you make payment. Please retain a copy for tax purposes. For GST purposes the supplier is Racing Victoria Limited.

YEAR OF FOALING

Please cross if Yearling/s are entered in the Yearling Sales

Please refer to Condition 17. No liability is accepted for failure to notify sales company that a horse is Super VOBIS qualified

PLEASE MARK ELIGIBILITY A, B or C
See opposite page for details.

	Sex of Yearling	Sire & Suffix eg. (GB), (NZ), (USA)	Dam & Suffix eg. (GB), (NZ), (USA)	Which Yearling Sale eg. Premier, Easter, etc.	Nomination Fee	ELIGIBILITY
1					\$	
2					\$	
3					\$	
4					\$	
5					\$	
6					\$	
7					\$	
8					\$	
9					\$	
10					\$	

TOTAL AMOUNT
The total price includes GST \$

SEE OVER FOR GST DECLARATION AND PAYMENT

1. SALES DEDUCTION AUTHORITY:

I, being entitled or authorised to do so, hereby irrevocably authorise the sale for which the above marked foals are entered, to deduct the Super VOBIS nomination fee from sales proceeds.

Signature: _____ Date / /

2. NOMINATORS DECLARATION (Must Be Signed):

I/We declare that this/these nomination(s) shall be subject to the Conditions as administered by RVL and to the Rules of Racing of Racing. A Nominator may be required to provide evidence that the Nominator is a Victorian Breeder and has satisfied the dam and foal residency requirement.
PLEASE NOTE: A Nominator who provides incorrect information about eligibility will incur penalties.

Signature: _____ Date / /
(of Nominator OR Attorney of Nominator)

3. VICTORIAN BREEDER DECLARATION (Only complete if eligibility C)

I/We wish to nominate the above yearling(s) for Super VOBIS and certify that (i) I/We have been authorised to do so by the beneficial owner(s) thereof; (ii) Victorian Breeder Declaration: Each of the above yearlings is out of a dam which was beneficially owned at the time of foaling as to at least 50% by one or more persons who were at that time, "Victorian Breeder" as defined in the Conditions of Super VOBIS printed in this booklet ("the Conditions"); and (iii) Dam and Foal Residency Declaration: Each of the above yearlings and their dams resided in Victoria for six continuous months during the period that commenced when the yearling was born and expires on 1 February.

Yearling and dam resided at: Name of Stud _____

Stud Address _____

From / / To / /

A
ELIGIBILITY
\$660
(incl GST)

Victorian Sired
Open to a foal conceived in Victoria and sired by a stallion which stood in Victoria during the stud season in which the foal was conceived.
Nominator's fee is payable by 1st February.*

B
ELIGIBILITY
\$1320
(incl GST)

Breedback
A foal sired by a non-Victorian based stallion provided that dam is "bredback" to a Victorian based stallion in the breeding season the foal is born.
Nominator's fee is payable by 1st February.*

C
ELIGIBILITY
\$1980
(incl GST)

Victorian Breeder
A foal sired by a non-Victorian based stallion if the dam at time of foaling is owned by a Victorian breeder and if the foal and its dam each resides in Victoria for six continuous months during the period which commenced when the foal was born and expires on 1st February. A minimum of 50% ownership in the dam by a Victorian breeder is required.
Nominator's fee is payable by 1st February.*

For current fees visit our website www.racingvictoria.net.au
(follow the "Breeding" links).

* Fees are payable no later than 1st February in the racing year in which the horse becomes a yearling.
† Late fees due 30th June (See Condition 4(3)).

YEARLING SALES

In order to have a Super VOBIS logo included in yearling sale catalogues, a Super VOBIS nomination must be received by our office prior to the catalogue going to print. We recommend you nominate your yearling to Super VOBIS at the same time that you do your sales entries.
PLEASE NOTE Writing Super VOBIS in the incentive scheme field on the sales entry form DOES NOT nominate your yearling to Super VOBIS, you must nominate through our office.

Bonus Structure

METROPOLITAN BONUSES

\$30,000 BONUS	Nominator	Owner/Trainer/Jockey
Bonus on all two and three year old races in Victoria with prizemoney of \$40,000 or more. (Excludes Group and Listed Races).	1st - \$4,900	\$13,685 / \$1,610 / \$805
	2nd - \$1,400	\$3,910 / \$460 / \$230
	3rd - \$700	\$1,955 / \$230 / \$115
\$10,000 BONUS	Nominator	Owner/Trainer/Jockey
Bonus on all two and three year old races in Victoria with prizemoney of not less than \$22,000 and not more than \$39,999.	1st - \$2,100	\$4,165 / \$490 / \$245
	2nd - \$600	\$1,190 / \$140 / \$70
	3rd - \$300	\$595 / \$70 / \$35
\$10,000 BONUS - GROUP & LISTED	Nominator only	
Bonus on all Group and Listed races throughout Victoria for two and three year olds, for the Nominator only.	1st - \$7,000	
	2nd - \$2,000	
	3rd - \$1,000	

COUNTRY BONUSES

\$9,000 BONUS - TAB RACES	Nominator	Owner/Trainer/Jockey
Bonus on all two and three year old races for all Victorian Country TAB meetings other than Group and Listed Races.	1st \$1890	\$3748.90 / \$441 / \$220.10
	2nd \$540	\$1071 / \$126 / \$63
	3rd \$270	\$535.50 / \$63 / \$31.50
\$10,000 BONUS - SUPER STAYERS	Nominator	Owner/Trainer/Jockey
Bonus on races that construct the Super Stayers Challenges for Super VOBIS qualified horses regardless of age. (The finals will carry a \$30,000 Super VOBIS bonus).	1st - \$2,100	\$4,165 / \$490 / \$245
	2nd - \$600	\$1,190 / \$140 / \$70
	3rd - \$300	\$595 / \$70 / \$35
Super VOBIS Guarantee	Nominator	Owner/Trainer/Jockey
See condition (22)	\$1,000	\$850 / \$100 / \$50



Image courtesy Stuart Mackinnon



Super VOBIS Racing Victoria Centre

400 Epsom Road Flemington VIC 3031
Phone (03) 9258 4694 Fax (03) 9258 4318

Access Super VOBIS through the internet:

Web - www.racingvictoria.net.au (follow the "Breeding" links)

Email - vobis@racingvictoria.net.au

Refer to website for latest information and updates.