

APPENDIX A

NZTR Licencee Code of Conduct (the 'Code')

Approved By: Chief Executive in consultation with the Board & Integrity Committee of New Zealand Thoroughbred Racing (NZTR)

Date: This Code should supersede all previous policies relating to Code of Conducts and shall take effect from 1 April 2015

Last Updated: April 2015

Next Review: March 2017

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1. Purpose

- a) This Code ensures Licensees of New Zealand Thoroughbred Racing (“NZTR”) conduct themselves in an appropriate manner, particularly in their engagement with:
 - i. the Board, Management and Staff of NZTR,
 - ii. the Racing Integrity Unit,
 - iii. the New Zealand Racing Board,
 - iv. the Judicial Control Authority,
 - v. Race Club staff/officials
 - vi. Other persons licensed with NZTR are not subjected to instances of inappropriate behaviour.
- b) Other obligations are imposed upon Licensees under the Rules of Racing and associated NZTR Policies. This Code complements those Rules and policies. The Rules of Racing at all times prevail.

2. Provisions

- a) It is expected Licensees will:
 - i. comply with the Rules of Racing;
 - ii. comply with the law at all times and avoid any situation where they could be in breach of the law (section 9 of The Racing Act specifies restrictions on people with certain criminal convictions);
 - iii. comply with the Human Rights Act 1993 and understand how this legislation should influence behaviour;
 - iv. act honestly and fairly;
 - v. not act in a way that would bring racing into disrepute, in particular, when making public statements or using social media related to racing, licensees are required to:
 - identify themselves
 - ensure they do not knowingly use the identity of another licensed person or an employee of a racing related individual, including variations of a name;
 - not comment on or disclose confidential information (e.g. matters which are the subject of an ongoing Steward’s inquiry or investigation);
 - post informed and factually accurate information and, when offering a personal perspective on a matter, that commentary and opinion does not cause damage to the image of racing and does not breach the Rules of Racing.
- b) The Protected Disclosures Act 2000 provides a safe opportunity for licensees to raise concerns about inappropriate actions.

3. Breaches

The Code provides three grades/stages of behaviour which fall below expected standards. Each grade has an associated process, as follows:

- a) Grade 1 (Minor Breach)
 - i. Where Licensees' conduct breaches a provision of this Code the disciplinary action to be taken shall be determined by the Management of NZTR and may result in a Letter from the Chief Executive of NZTR advising:
 - The behaviour displayed is considered unacceptable and constitutes a breach of the provisions of the Code; and
 - Further instances may result in a review of licence status; and
 - A record will be placed on their judicial and licence files
- b) Grade 2 and Grade 3 Serious and/or Persistent Breach(es)
 - i. Where a breach(es) of a provision(s) of the Code involves:
 - a serious breach of the provisions of the Code;
 - persistent failures by a Licensee to adhere to the provisions of this Code; or
 - public conduct by a Licensee that brings NZTR, the Racing Board or the racing industry into disrepute;

Examples of conduct which could be dealt with under this provision include but are not limited to inappropriate, insulting, abusive or threatening communication or behavior directed at or, to one or more of the following:

- NZTR Board/staff
- RIU
- NZRB
- JCA
- Club staff/officials
- NZTR Licensed Persons

Or through any, including but without limitation, of the following means:

- Phonecall
- Phone text message
- Email
- In person
- Live or recorded broadcast
- Social media – which includes:
 - Social networking sites;
 - Video and photo sharing websites;
 - Micro-blogging sites;
 - Weblogs including corporate or personal blogs or blogs hosted by media publications;

- Forums and discussion boards;
- Online encyclopedias; and
- Any other web sites that allow individuals or companies to use simple publishing tools.
- In writing
- By facsimile

4. **Disciplinary Action**

- a) In determining disciplinary action, NZTR Management shall take into account the following matters:
- i. the seriousness of the breach;
 - ii. the extent to which the Licensee's breach brings Racing into disrepute;
 - iii. the Licensee's role in the events that led to the breach and any mitigating circumstances (if any);
 - iv. whether the offence is part of a persistent course of conduct by the Licensee;
 - v. whether the Licensee has received any other form of sanction for the conduct
- b) NZTR Management may direct one or more the following:
- i. A requirement that the Licensee attend a meeting at NZTR with management;
 - ii. Referral to the Racing Integrity Unit for consideration of laying charges under Rules 340 &/or 801;
 - iii. A Requirement for the Licensee to attend a meeting with the NZTR Licensing Panel /Integrity Committee for review of license status;
 - iv. A record will be placed on the Licensee's judicial and licence file.
 - v. A referral to the Racing Integrity Unit for consideration of laying charges under Rules 340 &/or 801;
 - vi. A requirement for the Licensee attend a Showcause Hearing regarding licence status;
 - vii. Possible referral to NZ Police;

The above list is not exhaustive.