



## New Zealand Thoroughbred Racing (NZTR)

### General Trust Fund (GTF) Policy

**Approved by:** NZTR and the GTF Trustees

**Issued By:** John Rattray (Chair)

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## 1. Application

This policy applies to all licensed persons of New Zealand Thoroughbred Racing:

- Riders and Apprentice Riders;
- Stablehands; and
- All Trainer licence types.

## 2. Statement of Purpose and Claims Criteria

The main purpose of this policy is to provide guidance to the GTF Trustees when considering claims to the GTF to provide financial assistance to licensed persons, including at the Trustees absolute discretion, persons who have applied to be licensed or who NZTR considers were about to apply to be licensed, when they become injured as a result of an accident while carrying out duties in their capacity as a licensed person.

In addition to providing financial assistance for work related injuries, the Trustees have the discretion to consider other claims, on a case by case basis, including but not limited to, a non-work-related injury, serious illness and the death of a licensed person.

## 3. Funding

The GTF receives its funding primarily from the following sources:

- All fines collected (allocated at the discretion of NZTR);
- Interest on investments; and
- Donations.

## 4. Trustee Responsibilities

- Overseeing the management of the GTF in line with the GTF Policy; and
- Ensuring the welfare of all licensed persons is considered and managed in good faith.

## 5. Types of Claims

### 5.1 First Week Payment

Where a licensed person has sustained an injury as a result of carrying out duties in their capacity as a licensed person and is unable to work for at least one week they may make a claim to the GTF to cover wages/earnings that have been lost during that period and extra costs they have incurred.

Any payment made will be based on the following payment guidance table:

## Payment Guidance Table:

Gross Income	Self Employed & Apprentices	Stablehands & Probationers
gross income < \$20,000	\$600	\$300
gross income is between \$20,001 and \$40,000	\$750	\$300
gross income is over \$40,001	\$1,200	\$300

### Policy notes:

- Self Employed includes Trainers, Jockeys, Jumps Jockeys and Freelance Trackwork Riders
- Jumps Riders injured during the jumps season or while schooling jumps horses will be deemed eligible for a Loss of Earnings payment of \$1,200.
- Loss of Earnings grants paid for an injured Apprentice will be apportioned \$600 to the employer and \$600 to the Apprentice.
- Stablehands and Probationers are entitled to sick pay from their employers for their first week after injury, hence the General Trust Fund need only provide for a lesser amount.
- If there is clear evidence that a self-employed licensee has understated their income for the purpose of reducing the ACC levy paid, the trustees may consider this in assessing their claim. It is the trustees view that the General Trust Fund cannot be relied upon in cases where a financial shortfall has resulted from the understatement of income for ACC purposes.

## 5.2 Financial Hardship

Hardship grants are made at the full discretion of the Trustees and with regard to the overall financial capacity of the applicant (or their family members in the case of funeral expenses).

As a guide, such grants may include financial contribution toward:

- the costs of living with (including vehicle or home modifications) or rehabilitating from a serious injury that are not covered by ACC;
- immediate costs incurred by family members of an injured licensee in intensive care;
- the cost of living for a licensee who has entered and continues to engage in a drug or alcohol rehabilitation programme that is approved by NZTR. Such grants would be paid weekly and be contingent on initial and continuing provider reports evidencing continuing positive engagement in the treatment programme;
- tuition for a jockey considering retraining for a new career;
- the direct funeral costs of a Licenseholder; or
- any other purpose that the Trustees consider as being consistent with the general intents of the fund.

Applications for the following costs will not be considered:

- Training fees or agistment of owned racehorses.

## 5.3 Permanent Disability or Death

Where a licensed person has become permanently disabled or dies as the result of an accident while carrying out duties as a licensed person or as a result of a non-work related injury or serious illness then they or their family may make a claim to the GTF for a grant.

The licensed person or their family is required to apply in writing to the Trustees.

Where a grant is approved, prior to payment being made, the licensed person or a family member of the licensed person must sign a disclaimer acknowledging:

*Any payment made by the Trustees from the General Trust Fund does not represent any admission of liability of the General Trust Fund, NZTR and/or the NZTR member clubs (including any of the agents or employees of NZTR or such clubs). By accepting a payment, the licensed person or family agrees that the payment made by the Trustees on behalf of the General Trust Fund, NZTR and/or the NZTR member clubs (including any of the agents or employees of NZTR or such clubs), is in full and final settlement of any and all of the licensee's rights against the General Trust Fund, NZTR and the NZTR member clubs (including any of the agents or employees of NZTR or such clubs) in relation to the matter in question.*

## **6. Emergency Funding Process**

There are some occasions where a serious incident or circumstance arises with a licensed person where either emergency funding is required and a commitment to provide that emergency funding is made by NZTR management.

This commitment by NZTR management is only made under the most serious of situations.

Where NZTR management has made a commitment to provide emergency funding, NZTR management will subsequently make an application to the GTF for the Trustees to consider the merits or not of reimbursing NZTR for the emergency funding provided.

## **7. New Zealand Riders Riding Overseas on a Short-Term Contract (maximum of 3 months)**

Where a New Zealand rider riding overseas on a short-term contract (maximum of 3 months) sustains an injury that results in the contract being terminated and the rider concerned subsequently incurs expenses over and above that covered by the host organisation/club and/or the rider's own insurance cover, the rider concerned can apply to the GTF for these over and above expenses to be considered for reimbursement by the GTF Trustees.

In considering any claim the GTF Trustees will also take into account the level of earnings the rider has received during the term of the overseas contract.

NZTR will make sure that any rider that intends to ride overseas on a short-term contract (maximum of 3 months) is made aware of the requirement to ensure that:

1. The host organisation/club will cover all direct local costs associated with any injury received while carrying out their riding duties. The advice from Marsh is that riding injuries cannot be insured against.
2. The rider has appropriate travel insurance in place to cover all other incidents, e.g. sickness, change in travel plans etc.
3. The rider must keep a record of all costs that fall outside 1 & 2 above and all supporting documentation to form part of the application to the GTF.

To be clear the GTF Trustees will not consider any costs that could have been insured against.

## 8. Application and Certification of Claims

All claims must be submitted within three months of the injury occurring, the serious illness or disability being diagnosed or the death of the licensee occurring using the 'Application for a Grant from the General Trust Fund' form which can be obtained from the NZTR website [www.nzracing.co.nz](http://www.nzracing.co.nz) (click [link](#)) or from NZTR directly.

All claims will be certified by an NZTR authorised person once the application has been received by NZTR.

## 9. Delegation

The Trustees may delegate the assessment and approval of Loss of Earnings claims to the Chief Executive or a General Manager of NZ Thoroughbred Racing, provided that the such approved claims are processed by another staff member, and that Trustees remain informed via quarterly reporting of such claims approved and paid.

Approval of Hardship claims may not be delegated by the Trustees.

## 10. Liability

Any payment made by the Trustees from the General Trust Fund does not represent any admission of liability of the General Trust Fund, NZTR and/or the NZTR member clubs (including any of the agents or employees of NZTR or such clubs). By accepting a payment, the licensed person or family agrees that the payment made by the Trustees on behalf of the General Trust Fund, NZTR and/or the NZTR member clubs (including any of the agents or employees of NZTR or such clubs), is in full and final settlement of any and all of the licensee's rights against the General Trust Fund, NZTR and the NZTR member clubs (including any of the agents or employees of NZTR or such clubs) in relation to the matter in question.

C16: 12-04

## APPLICATION FOR A GRANT FROM THE GENERAL TRUST FUND

This form should be completed on occasions of work related injury, non-work related injury, or serious illness by current Licensees of New Zealand Thoroughbred Racing:

- Licensed Jockeys and Apprentice Jockeys;
- Licensed Trainers;
- Licensed Stablehands;
- Employers of Apprentices and Stablehands.

I, \_\_\_\_\_ apply to the General Trust Fund for a grant in respect of:

Loss of earnings during first week of incapacity in connection with the injury accident which happened to me/my employee (delete where not appropriate).

Financial Hardship grant where I have been unable to work due to the serious nature of my injury or illness of \$ ..... for the following:

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

(Note: for Hardship grants, Appendix A must be completed)

Place where injury incident occurred?

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Date of injury incident or when the serious illness was diagnosed (if applicable)?

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Brief details of the injury incident or serious illness?

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Signed: \_\_\_\_\_

Address: \_\_\_\_\_

Bank Account: \_\_\_\_\_

Date: \_\_\_\_\_

**Checklist:**

NZTR authorised person sign off

Medical Certificate attached

Any payment made by the Trustees from the General Trust Fund does not represent any admission of liability of the General Trust Fund, NZTR and/or the NZTR member clubs (including any of the agents or employees of NZTR or such clubs). By accepting a payment, the licensee agrees that the payment made by the Trustees on behalf of the General Trust Fund, NZTR and/or the NZTR member clubs (including any of the agents or employees of NZTR or such clubs), is in full and final settlement of any and all of the licensee's rights against the General Trust Fund, NZTR and the NZTR member clubs (including any of the agents or employees of NZTR or such clubs) in relation to the matter in question.

Please submit completed form to: [office@nztr.co.nz](mailto:office@nztr.co.nz)

**Appendix A: Application to the General Trust Fund for Financial Hardship**

Refer to section 5.2 of the [General Trust Fund Policy](#) for detail regarding eligibility for a Financial Hardship Grant.

For applications to the General Trust Fund for hardship grants are to be supported by the following documentation:

- Documentation from ACC (claim letter, payment summary)
- Supporting documents for additional costs during recovery phase
- Medical Certificate or A&E admission
- Any other documentation to support the funding request

**Hardship Budget Estimates:**

<b>Income – list income received during recovery phase</b>	<b>Describe the nature of the income - i.e. period of cover</b>	<b>\$</b>
ACC		\$
Employment – will your employer top up your ACC entitlement with sick leave allowance?		\$
Other		\$
<b>Total income during recovery phase</b>	<b>(Total A)</b>	<b>\$</b>
<b>Expenses – list of additional expenses during recovery phase</b>		
1.		\$
2.		\$
3.		\$
4.		\$
5.		\$
6.		\$
7.		\$
8.		\$
<b>Total additional expense during recovery phase</b>	<b>(Total B)</b>	<b>\$</b>
<b>Funding requested to support recovery</b>	<b>(Total A – Total B)</b>	<b>\$</b>