

NTF WEEKLY – 15 AUGUST 2017

“We hope you like the new look for the NTF website. The links in this Weekly take you to the member area where you will need your password and login, as usual, to access the area denied to public view.”

Training agreement updated for new ownership structures

As trainers and their secretaries will know from communications from the NTF, the BHA and ROA, the ownership categories are changing with effect from 30th August 2017.

As a consequence, the NTF and ROA have agreed an updated training agreement to reflect those changes. The new agreement is available in the [Business Section](#) area of the NTF website.

This new form training agreement should be used for all new ownerships under the new structures and we recommend that the existing agreements you have for joint ownerships and partnerships are reviewed. Where the partnership has changed to become a syndicate or racing club then you should ensure you have a training agreement signed by the syndicate manager or racing club manager. Where a joint ownership has become a partnership you should ensure that all partners have signed a training agreement or someone duly authorised in writing has signed on their behalf.

Should there be a dispute and an old form agreement in place, the courts are likely to look at the intention behind the agreement and the status of the parties but it is preferable to avoid such arguments and to have agreements in place which properly reflect the ownership of the horse.

The new training agreement has also been updated in some other ways, including:

An ‘acceptance by performance’ clause (clause 25). This gives further strength to the trainer being able to rely upon the training agreement provided the trainer can prove that it has been sent to the owner and that the owner has not raised any queries upon it

The right for the trainer to charge a commission (provided the commission clause is completed at the time of signature) should the horse be sold under the power of sale (clause 17.6)

A more modern notice clause so that notices can be served by email (clause 24)

And in the Notes section, we have a new paragraph reminding trainers and owners that should the agreement be varied in any way, it is sensible to record that in writing. For

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example, we will often come across problems where reduced training fees have been agreed with certain conditions, say in return for a horse remaining with that particular trainer for a set period of time. If this is not recorded in writing and the owner removes the horse, the trainer would struggle to show what was agreed and that the trainer has any right to charge full fees rather than the discount agreed.

When sending out a new training agreement to existing owners, you should explain the reason for requiring a new agreement to be signed and that once signed by both parties it will replace any previous agreement.

If the owner has queries about the new ownership structures or the new racing admin site, the owner can speak to the Weatherbys Ownership Desk on 01933 304808 (between 8:30-5:30, Monday to Friday) or email ownersupport@weatherbys.co.uk

Successful rating appeal consolidates gallop valuation

We are pleased to report that another trainer has successfully appealed against a Valuation Office assessment for non-domestic rates. In valuing the All Weather gallop, the latest Valuation Tribunal decision used the precedent set by the Upper Tribunal's judgement in the Hobbs v. Gidman appeal, which was supported by the NTF. The latest case involved a yard in the Midlands so to ensure the Hobbs precedent was applied on a regional basis, the NTF funded supplementary Counsel's opinion.

Bill Simpson acted for the trainer and has a number of other appeals pending where the Hobbs case sets the precedent. You have until 28th August to appeal against the 2010 rating list in respect of your gallops. After that date, appeals will only be possible against the 2017 rating list.

Riding instructions for apprentice and conditional jockeys

When using an apprentice or conditional jockey, your riding instructions must cover their use of the whip. In a recent appeal, the BHA Disciplinary Panel found that this requirement is mandatory. The exact detail of what the trainer must say to the rider about their use of the whip will vary according to the circumstances.

There will be occasions when a trainer commits a technical breach of the Rules by making no mention of the whip to an apprentice or conditional jockey but no penalty ensues. However, as a trainer, you should be aware that if an apprentice or conditional is called into an enquiry as to their use of the whip, the stewards will ask about the instructions they were given by the trainer about using the whip. Failure to instruct apprentices and conditionals on use of the whip leaves you open to being found in breach of rule (C) 45.2 and fined £650.00.

A copy of the presentation on the running and riding rules given by Roderick Moore at seminars organised by the NTF last year can be found in the ["on the racecourse"](#) section of our website.

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Minimum rating for top races from 2018

The BHA and Flat Pattern Committee have announced the introduction of minimum rating criteria for all Group 1 races other than those restricted to two-year-olds.

From 2018 onwards no horse will be permitted to run in a non-two-year-old Group 1 race unless it has achieved an official rating of at least 80 by the day before the confirmation stage of the race, or in the absence of an official rating that their racecourse performance(s) have been assessed by the handicapper as being 80 or more.

In addition, the Jump Pattern Committee has confirmed its support for extending the existing practice which is already in place at Cheltenham and Aintree for the 2017/18 season, such that a minimum rating of 130 should now apply to all non-Novice Grade 1 Steeple Chases and Hurdle races, and a minimum of 120 for Grade 1 Novice Steeple Chases. The proposal does not extend to Grade 1 Novice Hurdles, which can often attract talented but unexposed youngsters.

Ruth Quinn, Director of International Racing & Racing Development for the BHA, said, "Introducing a minimum rating for these races has three clear benefits. Firstly, it will help protect the welfare of the human and equine participants in our major races by reducing the risk that comes with inferior horses competing against far superior opponents. Secondly, it will ensure that the risk of unsatisfactory results in these races is reduced by taking out the unknown factor and complications that can be caused in-running by an inferior horse. Finally, it will help preserve the reputation and public perception of our top races as crown-jewel events, ensuring the focus can remain on these races identifying and celebrating our sport's champions."

Trainers should note that the minimum rating requirement also includes the 2018 Derby. All owners with an existing entry in the race have been written to and informed of the change in the race conditions. The cut-off date for ratings in the case of the 2018 Investec Derby will be 27 May 2018.

Regardless of whether a horse meets the minimum criteria and therefore proves eligible to participate in the race, any entry stakes up to that deadline of 27 May will be payable, unless the horse has previously been Scratched by one of the deadlines printed in the race conditions.

Owners and trainers must bear this in mind when deciding whether to leave your horse in the 2018 Investec Derby at the next Scratching deadline, which will be noon on 6 March. If the horse is not Scratched before that time then a payment of £1100 will be due. There is a further Scratching deadline of noon on 22 May, where a further payment of £3400 is due if the horse is not Scratched. These stakes will be payable by the registered Owner in each case if the horse has not been Scratched by the relevant deadline, even if the horse does not

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ultimately prove to be eligible by having achieved the minimum performance criteria by 27 May 2018.

Equipping riders for stalls tests

The BHA has asked us to remind Trainers that their riders taking part in stalls tests are required to wear the correct safety equipment, including a body-protector and a safety helmet.

Brittany Ferries limits livestock

Brittany Ferries has introduced a limit on the number of laden livestock carriers they will take on each of their fleet. Merrick Francis at the Racehorse Transporters Association has discovered that these new limits have been brought in purely as the result of an incident involving non-Thoroughbreds on a Portsmouth to Ouistreham ferry a year ago. As a result steps have been taken to identify on each ship how many livestock carriers it is possible to put within close proximity to the air conditioning outlets on the cargo deck.

If you use Brittany Ferries, you will need to ascertain their limit on each vessel. Merrick reports that on the Portsmouth-Ouistreham route the limits are four such vehicles on the Normandie and five on the Mont St. Michel.

Second Hand Birch for Sale

Cheltenham Racecourse is selling second hand birch out of their fences as they are being rebuilt for the upcoming season. There are around 600 bundles for sale at £2 per bundle. If you are interested please contact Ben Hastie (Head Groundsman at Cheltenham Racecourse) on 07881808483 or ben.hastie@thejockeyclub.co.uk

Regional meeting dates

Scotland & Borders	Wednesday 20 th September	Kelso Racecourse (before racing)
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Regulation deadlines

- Pension auto enrolment staging dates
 - **Up to February 2018** for businesses started since April 2012
- **10th August 2017** – 30-day stand down period for Bisphosphonates takes effect. [More...](#)
- **25th August 2017** – **New ownership registrations will cease at 3pm** to ensure the smooth introduction of the new owners' system. Registrations will re-open in the new Racing Admin system on the morning of **Wednesday 30th August**.
- **By the end of 2017** – original Racing Admin website will close.
- **1st October 2017** – Novice Chase recommendations come into effect. [More...](#)
- **1st January 2018** – minimum ratings applies to all non-two year old Group 1 and non-novice Grade 1 races.

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