

Newsells Golden Bonus 2011 – Terms and Conditions

Newsells Golden Bonus 2011 is operated subject strictly to the Terms and Conditions set out below. All participants are deemed to have read and agreed to be bound by these Terms and Conditions.

1. Definitions:

The following words and phrases shall have the following meaning:

“Buy” means the purchase of any Yearling at any of the sales listed in clause 2.1. below (either by fall of the auctioneer’s hammer or privately) where the purchase price has been paid in full in accordance with and within the time permitted by the auctioneer’s terms and conditions.

“Buyer” means the individual or organisation who contracted (or on whose behalf was contracted) to Buy the relevant Yearling.

“Class B Race” means a race classified “Class B” as defined by the rules of the French Racing Authority and set out as such in the conditions of the race.

“Newsells” means Newsells Park Stud Limited (Company Registration Number 03980333) of registered office Estate Office Newsells Park Barkway Royston Hertfordshire SG8 8DY

“Newsells Bonus” , “Bonus” and “Bonus Scheme” means the promotional scheme referred to in these Terms and Conditions and in the promotional material issued from time to time by Newsells and which is referred to as “Newsells Golden Bonus 2011”.

“Qualifying Race” means a race qualifying the relevant Yearling for the Bonus as defined under clause 3 below.

“Racing Post Yearling Bonus Scheme” means the scheme sponsored by the Racing Post Newspaper for the provision of bonuses to be paid to the winners of specifically nominated flat races run in 2012 (for two year olds) and 2013 (for three year olds).

“the Relevant Horse Racing Authority” means the recognised horse racing authority for the country in which the relevant race takes place

“win” means being confirmed as the winner of a Qualifying Race by the Relevant Horse Racing Authority but shall not include any race where the horse is subsequently disqualified for any reason. Where a horse is deemed by the Relevant Racing Authority to have dead heated for first place with another horse this shall be included in the definition of “win”.

“Yearling” means any horse foaled between 1st January 2010 and 31st December 2010.

2. Eligibility:

- 2.1. To be eligible for the Newsells Bonus Yearlings must be consigned and sold by Newsells at one of the yearling sales listed below during 2011.
 - a. Arqana Yearling Sale, Deauville France (22nd – 25th August 2011)
 - b. DBS Premier Yearling Sales, Doncaster (31st August – 1st September 2011)
 - c. Tattersalls Newmarket October Yearling Sale Book 1 (5th – 7th October 2011)
 - d. Tattersalls Newmarket October Yearling Sale Book 2 (11th – 13th October 2011)
- 2.2. To ensure that any Yearling eventually purchased from the Newsells consignment is eligible to participate in the draw the Buyer must have registered with the Newsells' representative at that sale by handing to the representative a completed viewing card. Where more than one Yearling is purchased by the same Buyer at the same sale each Yearling purchased will qualify for entry into the draw provided that the Buyer has registered first.
- 2.3. Provided that the eventual buyer of a Yearling has registered their interest in the Newsells Golden Bonus in advance in accordance with clause 2.2. above, their name will be allocated to that Yearling and entered into a draw. The draw will be held on each occasion following each of the four sales listed above and comprise only the qualifying Yearlings from that sale with an independent party drawing the winning Buyer. The winning Buyer will make the particular Yearling to which it relates ("the Selected Yearling") eligible for the Newsells Golden Bonus.
- 2.4. Where circumstances permit it is intended to conduct the draw immediately after the final Yearling in the Newsells consignment for that sale has gone through the ring. Where for any reason that is not possible the draw will take place as soon as possible thereafter and in any event within thirty days of the closing date of the sale. The winner of the draw will be notified by telephone or email as soon as possible once the draw has taken place. Details of the prize winners can be obtained by contacting Newsells after 2nd February 2012.
- 2.4. The draw for each sale will not take place until all of the Yearlings have been confirmed as sold or retained at each applicable sale.
- 2.5 Yearlings not eligible for the Newsells Golden Bonus are:
 - Filly by Royal Applause ex Smooch
 - Filly by Notnowcato ex Two Step
 - Filly by Henrythenavigator ex Diamond Necklace

3. Qualifying Races:

- 3.1. Subject to the specific requirements set out in 3.2. below to win the £10,000 / €10,000 Newsells Golden Bonus the Selected Yearling from each draw must win a race eligible for the Racing Post Yearling Bonus Scheme or a Class B race in France as a two year old or a three year old.
 - 3.2.1. A Yearling purchased from the Arqana Yearling Sale, Deauville, will be awarded Newsells €10,000 Golden Bonus by winning a race eligible for the Racing Post Yearling Bonus Scheme or a Class B race in France.
 - 3.2.2. A Yearling purchased from DBS Premier Yearling Sales or Tattersalls October Yearling Sale Books 1 or 2 will be awarded Newsells £10,000 Golden Bonus by winning a race eligible for the Racing Post Yearling Bonus Scheme or a Class B race in France.

- 3.3. Only one Bonus will be paid per Selected Yearling which will be won on the first occasion that they win a Qualifying Race and the Qualifying Race must be won during 2012 or 2013.
- 3.4. Any claim for the Bonus must be lodged in writing with Newsells within thirty days of the Selected Yearling being confirmed by the Relevant Horse Racing Authority as the winner of a Qualifying Race
- 3.5. The Bonus will be paid to the Buyer of that Yearling as soon as Newsells have satisfied themselves as to the validity of any claim. Newsells shall not be liable to any third party where the right to claim the Bonus is disputed after the Bonus has been paid out. Newsells shall in any event have absolute discretion as to whom the Bonus is paid where more than one person lodges a claim purporting to be the Buyer.

4. General:

- 4.1. The Newsells Golden Bonus is being offered in addition to Newsells' support of the Racing Post Yearling Bonus Scheme.
- 4.2. Only one Newsells Golden Bonus is available for each of the sales listed above, and may not necessarily be won if there are no qualifying Yearlings sold at that sale.
- 4.3. Whilst Newsells will make every effort to operate the Scheme as fairly as possible to all participants Newsells reserve the right to exercise their discretion in the event of any dispute or where any ambiguity is found to exist and Newsells' decision shall be final in all respects and no liability shall attach to Newsells arising from the exercise of such discretion.
- 4.4. Newsells reserve the right to withdraw the promotion or change the date of the draws where it is deemed necessary due to circumstances beyond its control.
- 4.5. Employees and contractors of Newsells Park Stud, and their families, and any other person professionally connected with this promotion are excluded from participating in the Scheme.
- 4.5. The draw is operated free of charge and no payment is required to participate. The only requirement for participation is as set out in these Terms and Conditions.
- 4.6. The Golden Bonus is operated subject to the Laws of England and Wales and participants are deemed to agree to submit to the exclusive jurisdiction of the English Courts in respects in the operation of the Bonus Scheme and the interpretation of these Terms and Conditions.