

**Ontario
Racing
Commission**

Suite 400
10 Carlson Court
Toronto ON M9W 6L2
Tel (416) 213-0520
Fax (416) 213-7827

**Commission
des courses
de l'Ontario**

Bureau 400
10 Carlson Court
Toronto ON M9W 6L2
Tél (416) 213-0520
Téléc (416) 213-7827



July 24, 2007

**POLICY DIRECTIVE NO. 3-2007
Race Date Allocation**

The Ontario Racing Commission at its meeting of Thursday, July 19, 2007, approved the Race Date Allocation Policy as follows:

- 1. Approval of a schedule of race dates for any racetrack is approved for all future years, subject to application for change. Any application to vary previously approved race dates or schedules will only be considered where a business case can substantiate the change. Once changed, the new schedule becomes the approved schedule for all future years, subject to any further application.**

In the annual process of determining race dates for any specific racetrack, the schedule and number of dates approved and conducted during the year, including any approved applications for change within the year, will form the basis for the next year's application. Where an application to change the race date schedule is received, the ORC will only consider change where a business case in support of the change is provided and where the ORC is firmly convinced that change is warranted and will provide the greatest benefit.

In certain situations, the Administration may accept for consideration submissions for change from affected parties other than the racetrack operator. Where there is substance to the case for change and where the change is demonstrated to benefit all industry stakeholders, the Administration will initiate discussions with the racetrack operator.

2. Indicators to be used

The racetracks would be required to include indicators to demonstrate their case for change; any submissions by other interested groups shall also be required to address indicators. Any submissions will be required to demonstrate their position clearly, fully supported by statistical evidence or fact. The Administration is proposing the following primary factors and has presented some indicators relevant to each factor by way of example:

1. Customer satisfaction and demand for product
2. Adequate purse levels
3. Racing opportunities and available horse supply
4. Financial condition of the racetrack association to deliver

5. Harmonization of date schedule with other Ontario racetracks
6. Motivation to engage in the conduct of live racing
3. **Non-compliance subject to penalty**
Once dates have been approved by the ORC, both racetrack associations and horsepeople will be held to account on the servicing of race dates. Any disruption in approved race dates, except for weather or catastrophic events, or except by approval by the ORC, will result in a substantial penalty to the purse account of the affected racetrack and/or to the racetrack operator of an equal amount. No application for make-up dates will be considered for dates lost due to disruption.
4. **Mid-season requests for change**
Any race date change request received after a racetracks' annual schedule of dates has been determined by the ORC will be dealt with in the same fashion as the annual process, with an increased burden upon the applicant to demonstrate the positive benefits to all stakeholders.
5. **Decision-making process**
As part of the annual licensing process, a decision on a race date application will be made by the Executive Director and be issued as a term and condition of licensing. This will provide any affected party with the ability to appeal the decision of the Administration to the Commission.
6. **Submission of information**
Racetrack operators may be required to provide what they believe to be commercially sensitive information in support of their application. As required, the ORC will work with the industry participants to develop means to use the information while protecting its commercially sensitive aspects.
7. **Consultation Process**
The revised approach will require a longer circulation phase of any change request. As a result, the annual submission dates for receipt of applications and supporting business plans will need to be submitted to the ORC earlier in the calendar year. For the 2008 year, racetracks will be required to submit their applications for race dates by August 31, 2007. In future years, the Administration will be requiring the information by mid summer.

BY ORDER OF THE COMMISSION



John L. Blakney
Executive Director