



Process and Terms and Conditions for the Sale and Purchase of Horses by Tender by NZPH

1 March 2013

NZPH intends to sell eight horses by tender. The tender process, timing and terms and conditions of sale and purchase are set out in this document.

Horses For Sale

The eight horses that will be offered for sale by tender are:

- Quickstep NZPH, bay gelding, age 9
- Quite a Cutie NZPH, mare, age 9
- Sugar Rush NZPH, rich bay mare, age 7
- Shiraz NZPH, grey mare, age 7
- Unite NZPH, bay mare, age 5
- Utah Jazz NZPH, Bay mare, age 5
- Uniquely Blue NZPH, chestnut mare, age 5
- Unlimited NZPH, black gelding, age 5

Important Notice: NZPH reserves the right to sell any of these horses before the first date for expressions of interest (the First Date), which is 7th March 2013, but will not withdraw a horse from the tender process to make a private sale after the First Date.

Tender Process

The tender will be a three-step process as follows:

Step 1 – Expressions of Interest

The first date for expressions of interest will be Thursday 7th March. From this date Interested Buyers who intend to submit a bid for a horse should notify a member of the NZPH team, in particular Warwick Hansen, Fiona Gilles or Birdy Hansen. They should indicate the horse or horses that have an interest in purchasing.

NZPH will then provide to each bone fide Interested Buyer the following:

- The performance history of the selected horse
- Videos of the selected horse
- The breeding of the selected horse

This material will usually be provided by referring Interested Buyers to the NZPH website and/or Facebook page, but additional material may also be available and provided.

The Interested Buyer will then arrange with NZPH a time to view, handle and ride the horse.

Step 2 – Submission of Bid

Interested Buyers may submit a Bid for a horse or horses at any time from the First Date (Thursday 7th March 2013) until the closing date for submissions of Bids (Closing Date), which is 5:00pm on Friday 15th March. No Bids will be accepted after this date except in extraordinary circumstances, such circumstances to be determined exclusively by NZPH. An Interested Buyer who submits a bid becomes a Prospective Buyer

Bids should be submitted on the Standard Form for Bids which can be downloaded from the NZPH website. Alternatively a member of the NZPH team will provide a Standard Form for Bids.

The information that will need to be provided by Prospective Buyers includes but is not necessarily limited to the following:

- Name of bidder
- Name of horse bid for (a separate form is required for each horse bid for)
- Price offered
- Payment terms: cash settlement or agreement to the NZPH partially deferred payment terms (Payment Plan) – see below
- Whether or not the Bid is subject to further vet checks (including x-rays)
- Agreement to confidentiality
- Agreement to the process and terms and conditions of sale as set out in this document

All Bids will be final and binding, subject only to further vet checks (including x-rays) if requested by Prospective Buyers.

Step 3 – Notification of Winning Bids and settlement of purchase

NZPH reserves the right to select any Bid as the Winning Bid. NZPH will generally select the highest Bid as the Winning Bid, but is not obliged to do so. NZPH will consider all relevant factors in determining which Bid to choose as the Winning Bid. Relevant factors include but are not limited to, the number of horses purchased, payment terms, vetting requirements etc. NZPH may at its absolute discretion decline to sell a horse.

Winning Bidders will be notified not later than 12:00 midday on Saturday 16 March (Notification Date). Winning Bidders are required to pay 10% of the price they have Bid as a Deposit to NZPH by 5:00pm on Saturday 16 March. The payment of the Deposit secures an Exclusive Period of one week from the Notification Date or such lesser time as is necessary to fulfill any further vetting requirements (including x-rays) as submitted by the Winning Bidder and accepted by NZPH by its choice of the Winning Bidder. During the Exclusive Period NZPH may not sell the horse to any other person.

The Deposit becomes part of the Purchase Price paid by the Winning Bidder. The Deposit is refundable if and only if the horse fails any further vet testing (including x-rays). The Deposit is not refundable for any other reason.

The Winning Bidder will take possession of the horse when the Purchase Price has been paid or such proportion of the Purchase Price as agreed by the Parties has been paid if the purchase is subject to a Payment Plan.

If the Purchase Price is not paid within one week (in the cash of cash settlement) or a payment plan has not been agreed between the parties within the same time period the horse remains the property of NZPH. NZPH has no obligation to return the Deposit paid.

Payment Plan

NZPH will offer a standard Payment Plan to all Bidders as follows:

- 50% of the Winning Bid is payable within one week of the Closing Date
- The remaining 50% of the Winning Bid (the Outstanding Amount) is payable at any time between the Closing Date and 90 days after the Closing Date
- The Outstanding Amount will attract an interest charge of 12% p.a, compounded daily, which will be added to the Purchase Price to make a new Final Purchase Price
- The Prospective Buyer must pay the Final Purchase Price and if he does not the horse remains the property of NZPH

Sole Agreement

This document, entitled Process and Terms and Conditions for the Sale and Purchase of Horses by Tender by NZPH and the Standard Form for Bids constitute the sole agreement between NZPH and any Interested Buyer, Prospective Buyer, Bidder or Winning Bidder. No other document, representation or other communication forms any part of the agreement between NZPH and any of the aforementioned parties.

Key Dates

March 7th	First date for expressions of interest "First Date"
5:00pm March 15	Last date for submission of Bids "Closing Date"
12:00 midday March 16	Notification of Winning Bidders "Notification Date"
March 16 - March 23	The period for a Winning Bidder to complete vetting if required and the period in which NZPH cannot sell the horse to anyone else "Exclusive Period"

Definitions

<i>Bidder</i>	A person submitting a Bid for a horse pursuant to the NZPH sale of horses by tender
<i>Bid</i>	A submission in the correct form and covering all the requirements as set out in the document entitled Terms and Conditions for the Sale and Purchase of Horses by Tender by NZPH
<i>Closing Date</i>	5:00pm, 15 March 2013
<i>Deposit</i>	10% of the Purchase Price
<i>Exclusive Period</i>	The seven-day period after the Notification Date
<i>Final Purchase Price</i>	The Purchase Price plus such interest payable as determined by applying the Payment Plan
<i>First Date</i>	Thursday 7th March 2013
<i>Interested Buyer</i>	A person who expresses an interest in submitting a bid for a horse
<i>Notification Date</i>	12:00 midday Saturday 16 March 2013
<i>NZPH</i>	The seller of horses
<i>Outstanding Amount</i>	Initially 50% of the Purchase Price but after such amount as is calculated by adding the interest payable as determined by applying the Payment Plan to such amount of the 50% of the Purchase price which is still outstanding

<i>Payment Plan</i>	The plan for the partially deferred payment of the Purchase Price as set out in this document
<i>Prospective Buyer</i>	An Interested Buyer who submits a Bid for a horse
<i>Purchase Price</i>	The price proposed to be paid for a horse by a Prospective Buyer and submitted as part of a Bid
<i>Winning Bidder</i>	Prospective Buyers whose Bid is chosen as the Winning Bid
<i>Winning Bid</i>	The Bid chosen by NZPH as the successful Bid