

TIPS ON DETERMINING AMATEUR VS. PROFESSIONAL STATUS

Question: Can you explain the most difficult parts of the "Amateur Declaration" form?

Answer: Perhaps the easiest way to understand some of the sections of the declaration is to look at examples. For sections (a) and (b) you simply have to ask: "Do I accept payment for riding, driving, showing in halter, training, schooling, conducting clinics or seminars or giving instruction in equitation or horse training?" If the answer is "Yes" - you're a Professional.

Section (c) is a little more complex. It is designed to keep a true professional from accepting payment as a "secretary" or "bookkeeper" instead of as a trainer. Let's say Mr. Trainer works for Mrs. Employer training her horses. However, Mr. Trainer is kept on the "books" of the ranch as a "consultant" or "bookkeeper". Thus, Mr. Trainer could claim that under sections (a) and (b) he is an amateur. Actually, he is being paid to train Mrs. Employer's horses. Under section (c), he would be disqualified as an Amateur.

Let's look at another example: let's say that Mary Doe is the legitimate secretary of Mrs. Employer at the XYZ Book Store. Mary rides Mrs. Employer's horses (without pay) and wants to show them at the next horse show (again, without pay). Can she show as an amateur? No. Under section (c) she may not.

Section (d) would exclude one as an Amateur if he had been paid for the use of his name or photograph as a horseman in an article or advertisement.

Section (e) prohibits amateurs from accepting prize money **IN EQUITATION OR SHOWMANSHIP CLASSES**. Would winning a Gelding Stakes class make one a professional? No. The classes which are named here are judged on the **ABILITY OF THE RIDER/HANDLER - NOT THE HORSE!** Gelding Stakes classes are not equitation or showmanship classes. However, if a Stakes Class was instituted which was judged as an Equitation Class (i.e.: percentages of judging were predominantly on the ability of the rider), then accepting money in such a class would make the rider a professional. He could always refuse the money and keep his amateur status.

Section (f). This one and (g) seem to cause the most confusion. Let's say Mrs. Employer owns a breeding/boarding stable and hires Mr. Trainer as her professional trainer. Does the fact that Mrs. Employer's ranch accepts horses for training by Mr. Trainer make her a professional? No. As long as she does not accept payment for riding the horses herself. **HOWEVER**, let's say that Mrs. Employer takes Mr. Client's horse to the show for him. Since Mr. Trainer is committed to ride another horse in a particular class, Mrs. Employer rides Mr. Client's horse **IN THE SHOW**, herself. She is not paid to do so. She just became a professional. Why? Because she rode a horse in a show for which she receives payment for boarding or training.

Question: How can amateur status be regained by a professional?

Answer: "The professional who wishes to regain amateur status must make a declaration in writing to NAPHA that s/he wishes to regain amateur status and that s/he is doing nothing which would make him/her a professional under the rules. Said declaration must be accompanied by two notarized letters from NAPHA members outlining the applicant's activities for the one year period preceding such written notification and testifying that the applicant has not engaged in any activities which would make him/her a professional as outlined in the Amateur Declaration. The burden of proof of proving amateur status is on the applicant. If NAPHA is convinced that the applicant is now an amateur, s/he may file a declaration of amateur status and resume amateur competition **ONE YEAR** after NAPHA's acceptance of the declaration to regain amateur status."

If you have any further questions about a specific situation, please contact NAPHA.